

**ORDINANCE 2012-2**

**AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS CREATING A DISASTER RESPONSE REIMBURSEMENT  
FUND**

WHEREAS, Indiana Emergency Management Agency provides for county governments to participate in state disaster response directly as a unit of government or indirectly through its employees participating in mobile support units;

AND WHEREAS, when county governments respond to disaster relief by providing equipment or employees, directly or indirectly, as the request of another unit of government, the responding county may request from the State Emergency Management Agency or the requesting unit of government reimbursement for certain expenses under Indiana Code §10-14-4-5-, §10-14-3-10.7 and §10-14-3-19;

AND WHEREAS, among the expenses eligible for reimbursement are damage to or loss of equipment provided in the response, the expense of labor provided in the response, and payments made for death, disability or injury suffered by employees or officers during the response;

AND WHEREAS, Indiana law provides that employees of the County responding to a disaster in another county are entitled to be paid by the County for these services rendered in response to such a request for assistance;

AND WHEREAS, several employees and officers of the County recently responded to and rendered services in Southern Indiana during the tornado disaster;

AND WHEREAS, the County intends to request reimbursement for the expense of such labor provided by County employees and officers during such disaster relief;

AND WHEREAS, because of this anticipated request for reimbursement, it is necessary to establish a Disaster Response Reimbursement Fund in order to receipt such reimbursements;

AND WHEREAS, the Board of County Commissioners, now finds that it is in the best interests of the citizens of Montgomery County to establish this fund;

NOW, THEREFORE, BE IT ORDAINED, by the Montgomery County Board of Commissioners, that a new Section §35.21 be added to Chapter 35 of the Montgomery County Code and shall read as follows:

“35.21 DISASTER RESPONSE REIMBURSEMENT FUND

(A) SOURCE OF FUNDS.

The Board of Commissioners hereby establishes a Disaster Response Reimbursement Fund. The fund shall consist of monies received from the Federal Emergency Management Agency, State Emergency Management Agency, other units of Indiana government to reimburse Montgomery County for expenses it incurs because of loss of or damage to equipment provided, labor expenses for County employees or officers responding to a disaster, and other qualifying expenses related to a response to a disaster, whether provided directly by Montgomery County or indirectly through a mobile support unit.

(B) USE OF FUNDS.

All money deposited into the Disaster Response Reimbursement Fund shall be appropriated by the County Council upon submission by the Board of Commissioners of a proper claim for funds to be used to reimbursement the County's various funds for expenses incurred by the

County for direct or indirect disaster response, as provided for by Indiana Code §10-14-4-5, §10-14-3-10.7, §10-14-3-19, or any other Indiana law, as amended from time to time. Such reimbursements include expenses for loss of or damage to equipment, labor provided by County employees and officers, travel, food, lodging and maintenance expenses, and payments for death, disability or injury to such employees and officers while responding to such disasters.

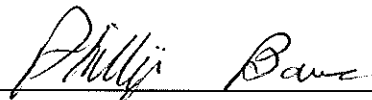
(C) NON-REVERTING FUND.

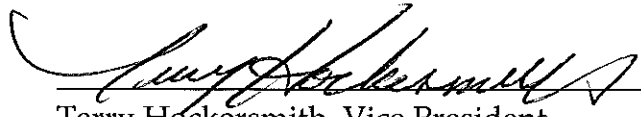
This is a non-reverting fund."

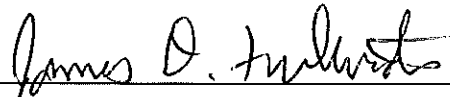
IT IS FURTHER ORDAINED that this Ordinance shall be effective on upon adoption.

Adopted this 9th day of April, 2012.

BOARD OF COMMISSIONERS  
OF MONTGOMERY COUNTY

  
\_\_\_\_\_  
Phil Bane, President

  
\_\_\_\_\_  
Terry Hockersmith, Vice President

  
\_\_\_\_\_  
James D. Fulwider, Member

Constituting a majority of the Montgomery  
County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Michelle Cash, Auditor