

STATE OF INDIANA  
BEFORE THE BOARD OF KOSCIUSKO COUNTY COMMISSIONERS

ORDINANCE NO. 22-06-21-001

ORDINANCE CREATING A SPECIAL FUND FOR THE KOSCIUSKO COUNTY  
DEPARTEMENT OF PARKS AND RECREATION

WHEREAS:

1. The Board of Commissioners ("Board") of Kosciusko County, Indiana ("County"), is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36-1-2-9.
2. On May 10, 2022, pursuant to County Ordinance No. 22-05-10-001 ("Parks Ordinance"), the Board created the Kosciusko County Department of Parks and Recreation ("KCDPR").
3. As stated in the Parks Ordinance:
  - 3.1. the KCDPR shall consist of a park and recreation citizen board ("KCDPR Board") and may consist of a superintendent and other personnel that the KCDPR Board determines subject to the Parks Ordinance; and,
  - 3.2. members of the KCDPR Board, the superintendent, and other personnel shall be volunteers and no person of the KCDPR shall be offered or paid a salary, wage, fee, or other compensation unless and upon submission of a request to the County Wage Committee and written and specific approval from the County Commissioners and the County Council.
4. Having a Department of Parks and Recreation ("DPR") established under Indiana law is one of the two requirements to qualify for Land and Water Conservation Fund Grants in Indiana. The second requirement is a current, IDNR-approved 5-year parks and recreation master plan on file with the Division of Outdoor Recreation. Other grants and accreditations can also require a DPR for qualification and funding.
5. Parks are important to establishing and maintaining the quality of life in a community, increasing the health of families and youth, and contributing to the economic and environmental well-being of a county.
6. Quality parks can improve the local tax base and increase property values. Studies have shown that private property values increase the value of privately owned land the closer such land is to parks. This increase in private property value due to the proximity to parks increases property tax revenues and improves local economies.
7. Quality parks and recreation are cited as one of the top three reasons that business cite in relocation decisions in a number of U.S. studies.
8. Quality parks and recreation programs can generate revenue directly from fees and charges, but more importantly, provide significant indirect revenues to local and regional economies from sports tournaments and special events such as arts, music, and holiday festivals. Economic activity from hospitality expenditures, tourism, fuel, recreational equipment sales, and many other private sector businesses contribute sustained value to local economies.
9. Quality parks and recreation programs and services contribute to the health of children, youth, adults, and seniors.
10. Quality parks and recreation services are often cited as one of the most important factors in surveys of how livable communities are.
11. The Parks Ordinance allows the KCDPR to act as the public fundraising arm of the parks and recreation system in the County.
12. The KCDPR is beneficial to the County.

13. Private citizens have expressed an interest in donating to the KCDPR.

14. It is necessary to provide by way of ordinance for a special fund to enable private citizens to make donations toward the KCDPR.

**NOW, THEREFORE, THE FOLLOWING IS HEREBY ORDAINED BY THE BOARD:**

1. There is hereby created a special fund to be designated and known as the "Kosciusko County Department of Parks and Recreation Special Fund" ("Fund"). The Fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of each year. Such balances shall not lapse into the County general fund, or ever be directly or indirectly diverted in any manner to uses other than those stated in this ordinance.
2. All monetary donations made to the KCDPR shall be deposited into the Fund.
3. The Fund shall be administered by the County Auditor and all donations deposited therein shall be used for the benefit of the KCDPR. Expenditures from the Fund shall be made without appropriation.
4. Annual financial reports shall be prepared by the County Auditor and reviewed by the Board and as otherwise provided by law.
5. Conflict of Laws Clause: In the event, and to the extent, that any part of this ordinance conflicts with any lawful part of the Indiana Code or of any other law that is legally superior to this ordinance ("Superior Law"):
  - 5.1. the Superior Law controls; and,
  - 5.2. this ordinance shall be interpreted in accord with the Superior Law so as to most likely result in the least amount of financial cost to the County, if any, under the totality of the circumstances.
6. Effective Date Clause: This ordinance shall be in full force and effect upon and after its approval and passage by the Board, or upon and after the effective date otherwise stated herein if different than the date of approval and passage, in accord with the laws of the State of Indiana.

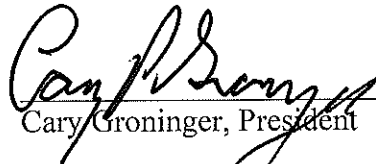
[Signature page follows]

So passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, this 21st day of June, 2022.

ATTEST:

BOARD OF COMMISSIONERS,  
KOSCIUSKO COUNTY, INDIANA


  
Michelle Puckett, Auditor

  
Cary Groninger, President

  
Bradford Jackson, Member

I affirm, under the penalties for perjury,  
that I have taken reasonable care to redact  
each Social Security number in this  
document, unless required by law.

Teena Pence

  
Robert M. Conley, Member