

COPY

WHITELAND TOWN COUNCIL
RESOLUTION NO. 2020-04

A RESOLUTION AUTHORIZING EMERGENCY USE OF RESTRICTED MVH FUNDS
IN ACCORDANCE WITH INDIANA GOVERNOR'S EXECUTIVE ORDER 20-02 AND
SBOA MEMORANDUM DATED MARCH 31, 2020

WHEREAS, the Governor of the State of Indiana in Executive Order 20-02 ("EO 20-02") has declared a public health emergency for the State of Indiana attributable to COVID-19;

WHEREAS, in light of the Governor's public health emergency declaration ("PHE") as set forth in EO 20-02, the State Board of Accounts ("SBOA"), by Memorandum dated March 31, 2020 issued by State Examiner Paul D. Joyce (the "Memorandum"), has acknowledged that during this time of the PHE a broader reading of statutory uses of public funds is permissible, particularly as relates to expenditures by units that relate to addressing the economic burden incurred by citizens and businesses as a result of the PHE;

WHEREAS, in the Memorandum, the SBOA stated it will not take audit exception to these policies and expenditures so long as the following conditions are met:

- EO 20-02 and any amendments or clarifications of this EO are in effect;
- The governing body has adopted a policy in a public meeting that approves the expenditures as an authorized use of public funds;
- The governing body has received advice of counsel in writing that the expenditure has a legitimate government purpose and is acceptable under Indiana Code during the current emergency declaration;
 - If the expenditures are from a dedicated fund source, there also must be a determination that the particular fund has a closer connection to the government purpose to be fulfilled than general fund money;
- The adopted policy explains the expenditure is needed to address the economic effects of the public health emergency;

WHEREAS, the Whiteland Town Council desires to authorize the expenditure of restricted MVH funds within Fund 203 of the Town to use more broadly in accordance with EO 20-02 and the Memorandum;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITELAND, INDIANA, THAT:

Section 1. The Town Council hereby authorizes the expenditure of restricted MVH funds within Fund 203 of the Town (the "Restricted MVH Funds") for use in funding other needs of the Town that are eligible to be funded with unrestricted MVH funds under the MVH statute, as needed in order to address the economic burden incurred by citizens and businesses as a result of the PHE, and the Town Council approves such expenditures as an authorized use of public funds.

Section 2. The Town Council finds that the use of the Restricted MVH Funds authorized under this Resolution is needed in order to address the economic effects of the public health emergency, which is anticipated to include a shortfall in general fund revenue collections.

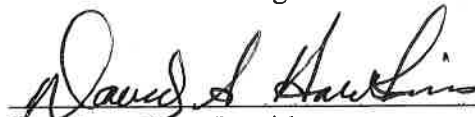
Section 3. The Town Council hereby determines that the Restricted MVH Funds have a closer connection to the purpose to be served by this Resolution than general fund money.

Section 4. This Resolution shall be effective from and after its passage.

Adopted this 12th day of May, 2020, by a vote of 4 in favor, 0 opposed.

Voting In Favor

Voting Opposed

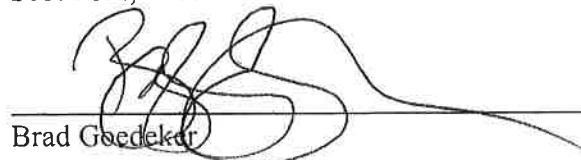


David Hawkins, President

David Hawkins, President

Scot Ford, Vice President

Scot Ford, Vice President



Brad Goedeker

Brad Goedeker



Joseph Sayler


Joseph Sayler



Laura Fleury

Laura Fleury

Attest:



Debra L. Hendrickson, Clerk-Treasurer