RESOLUTION NO. 2005-05

JOINT RESOLUTION BETWEEN BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA AND COUNTY COUNCIL OF WARRICK COUNTY, INDIANA

WHEREAS, Warrick County, Indiana, and St. Mary's Warrick Hospital ("Warrick Hospital") have contracted for EMS services pursuant to an Emergency Medical Services Contract dated on or about October 26, 1999, which provides for deficit financing to Warrick Hospital funded by Warrick County, Indiana; and

WHEREAS, the deficit financing for the Warrick EMS program is currently funded from the EMS Fund of Warrick County; and

WHEREAS, revenue generated by the Warrick EMS program is currently deposited to the EMS Fund of Warrick County, Indiana, and the EMS Fund of Warrick County, Indiana also receives funding from the financial institution tax ("FIT"), excise tax, commercial vehicle tax ("CVET") and property tax; and

WHEREAS, for the 2004 payable 2005 year, the Warrick EMS Program is projected to generate revenues of approximately $1,300,000.00, and to receive taxes in the following approximate amounts from the following levies: property tax - $221,505.00; FIT - $600.00; excise tax - $20,000.00; CVET - $1,000.00.

WHEREAS, the budget for the Warrick EMS Program for 2005 is approximately $1,600,00.00;

WHEREAS, expenditures for the Warrick EMS Program are expected to exceed the amount of funds in the EMS Fund for 2005 by approximately $350,000.00, and the expenditures for the Warrick EMS Program exceeded the amount of funds in the EMS Fund for 2004 by approximately $250,000.00;

WHEREAS, Warrick County, Indiana has enacted the Economic Development Income Tax ("EDIT"); and

WHEREAS, approximately fifty percent (50%) of EDIT funds are used for road improvements and the other fifty percent (50%) is used for economic development projects ("Current Division") pursuant to the Capital Improvement Plan ("CIP"); and

WHEREAS, effective July 1, 2005, Indiana law was changed to allow use of EDIT funds for "any lawful purpose" provided it is included in the CIP; and

WHEREAS, the Warrick EMS program currently is not in the CIP; and

WHEREAS, EDIT funds previously financed bond payments of approximately $560,000.00 annually for the Courthouse and Judicial Center ("Courthouse and Judicial Center

Bonds"), and the Courthouse and Judicial Center Bonds were paid off in or about February of 2005; and

WHEREAS, Warrick County desires to continue to utilize the revenues generated from the Warrick EMS Program to fund such Program; and

WHEREAS, Warrick County desires to utilize EDIT funds to cover any deficit financing for the Warrick EMS program which exists after utilizing revenues generated from the Warrick EMS Program; and

WHEREAS, Warrick County has enacted a Cumulative Drain Fund and a Cumulative Bridge Fund; and

WHEREAS, the levy for the Cumulative Drain Fund for 2004 payable 2005 is $219,209.00, and the levy for the Cumulative Drain Fund for 2004 payable 2005 is $594,417.00 (referred to as "pre-reduction levies"); and

WHEREAS, Warrick County desires to reduce the levy of the Cumulative Drain Fund to $150,000.00 and the Cumulative Bridge Fund to $250,000.00 for 2005 payable 2006, only, and thereafter, to increase the levies of the Cumulative Drain Fund and the Cumulative Bridge Fund to pre-reduction levies of 2004 payable 2005, and the State Department of Local Government Finance shall determine the proper tax rate for the Cumulative Bridge Fund and Cumulative Drain Fund based upon the levies described herein.

NOW THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Board of Commissioners of Warrick County, Indiana agrees to take all necessary steps to include the Warrick EMS program in the CIP.

2. Any revenue generated from the Warrick EMS program will be deposited in the EDIT or EMS Fund of Warrick County, and such revenues will be used solely to fund the Warrick EMS Program.

3. The EMS Fund will no longer receive any property tax, FIT, CVET or excise tax, beginning in 2005 payable 2006.

4. To the extent that the revenues generated by the Warrick EMS Program are insufficient to fund the Warrick EMS program, the County Council of Warrick County, Indiana agrees upon request from the Board of Commissioners to appropriate necessary funds from EDIT to fund the deficit for the Warrick EMS program. To that end, the approximate $560,000.00 previously used for the Courthouse and Judicial Center Bonds will be used to fund the Warrick EMS Program, and any funds remaining from the $560,000.00 previously used for the Courthouse and Judicial Center Bonds after funding the Warrick EMS Program will continue to be appropriated in accordance with the Current Division.

5. The County Council and the Board of Commissioners agree to reduce the levies for the Cumulative Drain Fund to $150,000.00 and the Cumulative Bridge Fund to $250,000.00 for 2005 payable to 2006, only, and thereafter, to increase the levies of the Cumulative Drain Fund and the Cumulative Bridge Fund at least to the pre-reduction levies of 2004 payable 2005, and the State Department of Local Government Finance shall determine the proper tax rate for the Cumulative Bridge Fund and Cumulative Drain Fund based upon the levies described herein.

6. This Resolution shall be in full force and effect after its passage by both the Board of Commissioners and the County Council. This Resolution may be repealed by either the Board of Commissioners of Warrick County or the County Council of Warrick County.

RESOLVED this 18 day of August, 2005.

WARRICK COUNTY, INDIANA COUNCIL

Joe Schitter
Councilman

Greg Richmond
Councilman

David Hachmeister
Councilman

[illegible]
Councilman

Raymond Bracher
Councilman

Ray McQuinty
Councilman

ATTEST:

Richard I. Kixmiller
Auditor, Warrick County, Indiana

RESOLVED this _____ day of August, 2005.

WARRICK COUNTY, INDIANA
BOARD OF COMMISSIONERS

_____
Commissioner

_____
Commissioner

_____
Commissioner

ATTEST:

_____
Auditor, Warrick County, Indiana

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