

COUNTY OF LAGRANGE  
ORDINANCE NO. 2023-07-17

**AN ORDINANCE CREATING A LOCAL PUBLIC HEALTH SERVICES  
FUND, ACCEPTING PUBLIC HEALTH FUNDING, AND COMMITTING  
TO PROVIDE PUBLIC HEALTH SERVICES IN THE COUNTY.**

WHEREAS, on May 4, 2023, the Governor of the State of Indiana signed Indiana Senate Enrolled Act No. 4 (“Act”) into law;

WHEREAS, among other things, the Act provides public health funding whereby the state legislature seeks to ensure that all Hoosiers have access to the core public health services that allow them to achieve optimal health and well-being;

WHEREAS, pursuant to Indiana Code (“IC”) § 16-46-10-2.2(c), codified by the Act, in order for a local board of health to be eligible to receive such funding, the county executive must vote to accept additional funding and to provide core public health services in the county;

WHEREAS, pursuant to IC § 36-1-2-5, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the executive of LaGrange County, Indiana (“County”);

WHEREAS, pursuant to IC § 16-46-10-1.5, codified by the Act, each county must establish a local public health services fund to receive local board of health funding from the State;

WHEREAS, pursuant to IC § 16-46-1-4, before its repeal, the Commissioners adopted Ordinance 2020-04-20 C on April 20, 2020, whereby it reestablished a County Health Fund;

WHEREAS, the same County Health Fund had been previously established pursuant to instructions from the Department of Local Government Finance (“DLGF”);

WHEREAS, the Act repealed IC § 16-46-1-4 and, therefore, no specific statutory authority remains for the County to independently establish the County Health Fund; *and*

WHEREAS, notwithstanding the repeal of IC § 16-46-1-4, the Commissioners desire that County Health Fund remain open and active pursuant to DLGF instructions and authority.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

SECTION I – NAME

This ordinance shall be named the “Local Public Health Services Fund Ordinance,” or the “Fund Ordinance” when the context is obvious.

SECTION II – RECITALS

The foregoing recitals, including all defined terms, are hereby incorporated into this ordinance and found to be true, accurate, and correct.



### SECTION III – COMMITMENT

- A. Acceptance. The Commissioners hereby accept the funding provided under the Act and commit to provide core public health services in the County.
- B. Local Health Initiatives. The Commissioners hereby affirm their support of initiatives that sustain and maintain core public health services at the County level with local input and flexibility to meet the needs of the community.
- C. Control. The Commissioners hereby reassert the right to self-direct and acknowledge that, by opting-in and accepting the funding provided under the Act, the authority and control of the Department in accordance with applicable law is retained.

### SECTION IV – ESTABLISHMENT

- A. Reestablishment. The “Local Public Health Services Fund” is hereby established as a special nonreverting fund, and it shall exist in perpetuity until terminated or repealed by subsequent ordinance.
- B. Purpose. The purpose of the Fund is to receive disbursements from the State of Indiana to the County pursuant to IC 16-46-10, for appropriating money, and for allocating expenditures as permitted by such Indiana Code chapter.
- C. Appropriations. No money may be disbursed from the Fund without a prior appropriation from the County Council.
- D. Restriction. Money in the Fund shall be spent only for purposes given under IC 16-46-10.
- E. Investment. All money in the Fund, and any interest earned on such money, shall be invested and reinvested pursuant to the County’s standard investment procedures.
- F. Non-Reverting. All money in the Fund, including any interest earned on the Fund, shall remain in the Fund and shall not revert to the General Fund at the end of the fiscal year.
- G. Authentication. All vouchers received from the Health Officer for the disbursement of money in the Fund shall be properly authenticated.
- H. Authorization. The Auditor and Treasurer are hereby authorized to sign all documents and to take all action necessary or helpful to create and administer the Fund and for the disbursement of money therefrom, subject to the provisions of this section.
- I. Termination. When the Fund is terminated, all money in the Fund shall be deposited in the General Fund except as otherwise required by applicable law.

### SECTION V – REPEAL OF PRIOR LAW

- A. Repeal. Ordinance 2020-04-20 C, which was adopted on April 20, 2020, is hereby repealed in its entirety.

- B. Effect. The County Health Fund, which was reestablished by Ordinance 2020-04-20 C, shall continue in effect with its current fund amounts and appropriations pursuant to DLGF instructions and authority.
- C. Revival Prohibited. The express or implied repeal or amendment by this ordinance of any other ordinance or resolution or part thereof shall not be construed to revive any former ordinance, resolution, section, clause, or provision.

SECTION VI – MISCELLANEOUS

A. References.

- 1. Except where a specific version or edition is given, reference to another section of this ordinance or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time.
- 2. Reference in this ordinance to a law, document, fund, department, board, program, public servant, or public office, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words “(of) LaGrange County (Indiana).”
- 3. Should a provision of this ordinance require an act to be done which, by law, an agent or deputy as well may do as the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.

B. Conflicts. No part of this ordinance shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize same.

C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, and for this purpose the provisions of this ordinance are hereby declared to be severable.

D. Promulgation. The Auditor is hereby authorized and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.

E. Effective Date. This ordinance shall take effect immediately upon adoption.

[Continue to next page for Adoption section.]

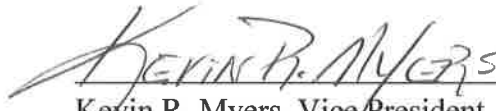
**WAIVER OF SECOND READING**

On motion duly made and seconded, the second reading of the foregoing ordinance was unanimously waived, and the ordinance shall take effect as provided therein.

**THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF LAGRANGE, INDIANA**



Terry A. Martin, President

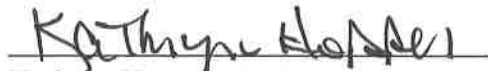


Kevin R. Myers, Vice President



Peter A. Cook

ATTEST:



Kathryn Hopper, Auditor

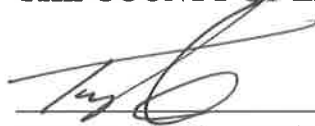
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SECTION VII – ADOPTION


Ayes: 3  
Nays: 0  
Abstentions: 0

Adopted and ordained this 17th day of July 2023.

**THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF LAGRANGE, INDIANA**



Terry A. Martin, President



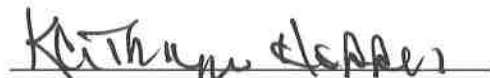
Kevin R. Myers, Vice President



Peter A. Cook



ATTEST:

  
Kathryn Hopper, Auditor