

Resolution 2020-29
A Resolution to Approve an Interlocal Agreement with the Monroe County Township Trustees Association

Come now the Monroe County Board of Commissioners (“Commissioners”), who wish to approve an Interlocal Agreement and state the following:

WHEREAS, due to COVID-19, the Commissioners began conversations with various Township Trustees in Monroe County about the long-term effects and financial hardships that their residents may experience; and

WHEREAS, the Township Trustees have formed and organized as the Monroe County Trustees Association (“Association”) to coordinate and collaborate; and

WHEREAS, the Commissioners and the Association desire to enter into an Interlocal Agreement to serve the interests of the residents of Monroe County who have been financially and negatively impacted by COVID-19.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA, AS FOLLOWS:

We find that the attached Interlocal Agreement, which is incorporated herein as “Exhibit A” is necessary to serve the residents of Monroe County who may be impacted by COVID-19 from now until the end of 2020, and this Interlocal promotes the public interest. We hereby approve the Interlocal Agreement.

Approved this 17th day of June, 2020, by the Board of Commissioners of Monroe County, Indiana.

"AYES"

"NAYS"

Julie Thomas, President

Julie Thomas, President

Lee Jones, Vice President

Lee Jones, Vice President

Penny Githens, Member

Penny Githens, Member

ATTEST:

Catherine Smith, Auditor

**INTERLOCAL COOPERATION AGREEMENT BETWEEN MONROE COUNTY AND
TOWNSHIP GOVERNMENTS TO DELIVER RELIEF FROM IMMEDIATE AND LONGER-TERM
COVID-19 ECONOMIC IMPACTS**

WHEREAS, Monroe County Government (“Monroe County”) and its various elected and appointed officers serve all residents of Monroe County, Indiana; and,

WHEREAS, Township Executives (“Townships”), provided for by Indiana Code 36-6-4 et seq., are charged with broad and varied responsibilities within their individual jurisdictions within Monroe County, including providing for financial assistance and other aid to residents within their jurisdictions under Indiana Code 12-20 and 12-30-4; and

WHEREAS, the Townships in Monroe County¹ previously organized as the “Monroe County Trustees Association” (“Association”), secured an Employer Identification Number (“EIN”), elected an organizational structure and voted on officers (including a President, Vice-President, and a Secretary/Treasurer), and maintain a bank account for their purposes; and

WHEREAS, Monroe County and its various elected and appointed officers are – among other duties – charged with assessing property, collecting and distributing real and personal property taxes, enforcing local and state laws, prosecuting violations of those local and state laws, operating a court-system for all civil and criminal matters in Monroe County, Indiana and operating public buildings including a local correctional center; and

WHEREAS, in the course of carrying out their wide-ranging statutory duties Monroe County and the Townships touch the lives of and operate in service to the same residents; and

WHEREAS, Monroe County and the Townships recognize that the 2019 Novel Coronavirus (COVID-19) pandemic and public health emergency created by COVID-19 has negatively affected and challenged the residents of Monroe County in many ways, including financially and economically; and

WHEREAS, the impacts of COVID-19 may likely not be felt for many months, due to closures of courts, cessations of enforcement actions and evictions for a period of time, delays of utility bills, and similar freezes that were necessary due to COVID-19; and

WHEREAS, residents of Monroe County, Indiana will eventually face the realities of taxes, fees, rents, bills, and possible penalties for late or non-payment, but may not have the financial means to handle those realities and the impact may occur after the Governor of Indiana’s Executive Orders have ended; and

WHEREAS, when those residents, served by Monroe County and the Townships, face financial burdens they may look to relief from Monroe County and the Townships, whether in the form of statutorily-allowed financial assistance from Townships or relief from enforcement of local and state laws and penalties by Monroe County; and

¹ Including those from the following Townships: Bean Blossom, Benton, Bloomington, Clear Creek, Indian Creek, Perry, Polk, Richland, Salt Creek, Van Buren, and Washington.

WHEREAS, the Monroe County Board of Commissioners (“Commissioners”) and the Association wish to use the interlocal cooperation authority statutorily granted to units of government by Indiana Code 36-1-7 et seq. collaborate in service to all residents of Monroe County; and

WHEREAS, the Commissioners and the Association each vow to use the authority to do *“what is necessary and desirable in the conduct of its affairs even though not specifically granted by statute”*, provided by Home Rule and granted pursuant to Indiana Code 36-1-3 et seq., to proactively assist and improve outcomes for those residents, and to reduce harm, which should result in benefits to Monroe County and the Townships.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

I. Purpose and Duration of Agreement

The Monroe County Board of Commissioners (“Commissioners”) and the Monroe County Trustees Association (“Association”) agree to enter into this Interlocal Agreement for the purpose of delivering COVID Relief Funds (“Funds”) to residents of Monroe County negatively impacted by the novel Coronavirus (COVID-19). This Agreement shall be in effect from the date of signature by both the County and the Association and approval by the Monroe County Council, and until December 31, 2020, unless extended by mutual, written agreement of the parties.

Funds may be granted by the Association only upon a written request of one of the Townships, which is a member of the Association, and only if one of the following conditions is met:

- (1) The requesting Township has exhausted all of its available assistance dollars;
- (2) The requesting Township determines a COVID-19-related need exists for one of its residents and wishes to provide assistance to the resident, but the need exceeds the dollar amount the Township may normally provide, per the Township’s Guidelines; or
- (3) The Township determines a COVID-19-related need exists, which is not eligible per the Township’s Guidelines.

II. Transfer of Funds from Monroe County Government to the Association

Monroe County shall transfer a total amount not to exceed One Hundred Thousand Dollars (\$100,000) to the Association. Rainy Day Funds in that amount, have already been appropriated by the Monroe County Council (“Council”), due to the COVID-19 pandemic.

Per local Ordinance, Monroe County’s Rainy Day Funds may be used to cover expenses related to emergencies and unforeseen circumstances for which no other funding source exists. The Commissioners and Council find that COVID-19 and its long-reaching and detrimental impacts on Monroe County residents is just such an emergency and was definitely unforeseen. The Funds shall be distributed to the Association, who will serve as the fiscal agent for the Funds and will hold the Funds in the Association bank account and provide reporting, as required by Paragraph IV, below. The Association shall provide the same legal and financial stewardship and fiscal responsibility over the Funds as is required of other Township dollars, which are audited by the State Board of Accounts.

The Funds shall be distributed in increments of Twenty Five Thousand Dollars (\$25,000), with the first installment being made by the Monroe County Auditor on or before June 30, 2020. Prior to December 31, 2020, or later if this Agreement is extended, the Association may request up to three (3) additional installments of Twenty Five Thousand Dollars (\$25,000) to be paid to the Association, by the Monroe County Auditor, as needed, up to the total of One Hundred Thousand Dollars (\$100,000). The Monroe County Auditor shall require each installment to go through the normal claims process followed by Monroe County Government and required by the State Board of Accounts.

III. Disbursement of Funds from Townships to Applicants

The Association shall choose three (3) of its members to serve as a COVID Committee. The three members may rotate and change, as needed, based upon the discretion of the Association's President. No request made by a Township may be approved, unless two of the three members of the COVID Committee votes positively in support of the request.

IV. Accounting and Reporting of Expenditures of Funds from Townships to Monroe County

At least once each month, a representative of the Association shall attend a public meeting of the Commissioners' and report to the Commissioners which Townships have received Funds. A copy of each written Township request approved by the COVID Committee shall be provided to the Commissioners at the public meeting, which shall be made a part of the written record and minutes of the Commissioners' meeting. Such record shall be kept by the Monroe County Auditor.

Executed and Approved by the Monroe County Board of Commissioners

"YEAS"

"NAYS"

Julie Thomas, President

Julie Thomas, President

Lee Jones, Vice President

Lee Jones, Vice President

Penny Githens, Commissioner

Penny Githens, Commissioner

ATTEST:

Catherine Smith, Monroe County Auditor

Executed and Approved by Monroe County Township Trustee Association

Kim Alexander, President

Approved by the Monroe County Council, in lieu of sending to the Indiana Attorney General, as required by Indiana Code 36-1-7 et seq.

“AYES”

“NAYS”

Eric Spoonmore, President

Eric Spoonmore, President

Kate Wiltz, President Pro Tempore

Kate Wiltz, President Pro Tempore

Trent Deckard, Member

Trent Deckard, Member

Marty Hawk, Member

Marty Hawk, Member

Geoff McKim, Member

Geoff McKim, Member

Cheryl Munson, Member

Cheryl Munson, Member

Peter Iversen, Member

Peter Iversen, Member

Attest: _____
Catherine Smith, Auditor – Monroe County, Indiana Monroe County, Indiana