

MADISON COUNTY COUNCIL

RESOLUTION 2024-2A

A RESOLUTION ESTABLISHING THE APPROVED USES OF THE MADISON COUNTY JAIL COMMISSARY FUND

WHEREAS, the Madison County Council (hereinafter “The Council”) is the fiscal body of Madison County, Indiana; and

WHEREAS, the Madison County Sheriff’s Department (hereinafter “MCSD”) maintains the Madison County Jail (hereinafter “ The Jail”) established pursuant to I.C. § 36-2-2-24; and

WHEREAS, the Jail has a jail commissary that sells merchandise to inmates; and

WHEREAS, it is the Madison County Board of Commissioners (hereinafter “The Commissioners”) via Ordinance 2024-BC-O-01 established a Jail Commissary Fund (hereinafter “The Fund”) for the existing jail commissary, pursuant to I.C. § 36-8-10-21(a); and

WHEREAS, the Sheriff, or the Sheriff’s designee without appropriation by The Council, is authorized to disburse money from The Fund whereas The Fund is separate from Madison County’s budget’s general fund, and money in The Fund does not revert to the general fund, in accordance with I.C. § 36-8-10-21(b); and

WHEREAS, the Sheriff, or the Sheriff’s designee, in accordance with I.C. § 36-8-10-21(c), shall deposit all money from commissary sales into The Fund, which the Sheriff or Sheriff’s designee shall keep in a depository designated under I.C. § 5-13-8; and

WHEREAS, the Sheriff is required to maintain a record of the fund’s receipts and disbursements via a form provided by the Indiana State Board of Accounts (*see* I.C. 36-8-10-21(e)); and

WHEREAS, the Sheriff is required to semiannually provide a report which is a copy of this record of receipts and disbursements to The Council of which such reports are due on July 1st and December 31st of each year (*see Id.*); and

WHEREAS, any purpose that benefits MCSD that is not included in I.C. § 36-8-10-21(d)(1-8) and is mutually agreed upon by The Council and MCSD and formalized via joint resolution between the Sheriff and The Council of which the money disbursed from the fund must be supplemental or in addition to, rather than a replacement for, regular appropriations made to carry out of the purposes listed in the same section of Indiana Code (*see I.C. § 36-8-10-21(d)(9)*).

NOW, THEREFORE, BE IT RESOLVED by the Madison County Council, Madison County, Indiana that the Jail Commissary Fund established by Ordinance 2024-BC-O-01, authorized by I.C. § 36-8-10-21, that the Sheriff, or the Sheriff's designee, at the Sheriff's or the Sheriff's designee's discretion and without appropriation by The Council, pursuant to I.C. § 36-8-10-21(d), may disburse money from The Fund for:

- (1) Merchandise for resale to inmates through the commissary;
- (2) Expenses of operating the commissary, including, but not limited to, facilities and personnel;
- (3) Special training in law enforcement for employees of the MCSD;
- (4) Equipment installed in The Jail;
- (5) Equipment including vehicles and computers, computer software, communication devices, office machinery and furnishings, cameras and photographic equipment, animals, animal training, holding and feeding equipment and supplies, or attire used by an employee of MCSD in the course of the employee's official duties;
- (6) An activity provided to maintain order and discipline among the inmates of The Jail;
- (7) An activity or program of MCSD intended to reduce or prevent occurrences of criminal activity, including the following:
 - (A) Substance abuse;
 - (B) Child abuse;

- (C) Domestic violence;
- (D) Drinking and driving;
- (E) Juvenile delinquency;
- (8) Expenses related to the establishment, operation, or maintenance of the sex and violent offender registry website under I.C. § 36-2-13-5.5; or
- (9) Any supplies, activities, or programs deemed by the Sheriff to be beneficial to the morale or well-being of inmates;
- (10) Replacement of lost or damaged inmate property;
- (11) Inmate transit costs;
- (12) Postage for indigent inmates;
- (13) Shipping costs for equipment and evidence'
- (14) Replacement of damaged county employee property;
- (15) Investigation and special detail expenses (including controlled drug buys);
- (16) Advertising and sponsorship costs;
- (17) Matching funds for grants;
- (18) Professional, technical, and legal consulting fees;
- (19) Special events for employees (e.g., award ceremonies and banquets)
- (20) Special event trainings and meetings;
- (21) Travel costs for employees attending professional meetings;
- (22) Gifts and awards'
- (23) All other existing or future authorized statutory uses.

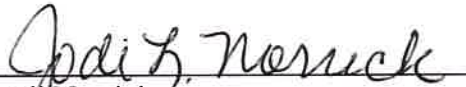
PASSED AND ADOPTED THIS 13TH DAY OF FEBRUARY, 2024 BY THE MADISON COUNTY COUNCIL, MADISON COUNTY, INDIANA.



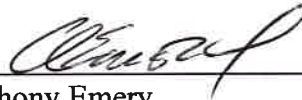
Ben Gale



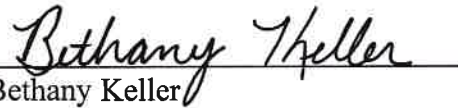
Diana Likens



Jodi Norrick



Anthony Emery



Bethany Keller



Mikeal Vaughn



Rob Steele

ATTEST:



Rick Gardner, Madison County Auditor