

Sept 26, 2023

ORDINANCE 2023-018

DELAWARE COUNTY COUNCIL

AN ORDINANCE ESTABLISHING THE APPROVED USES OF THE DELAWARE COUNTY JAIL COMMISSARY FUND

WHEREAS, the Delaware County Council is the fiscal body of Delaware County, State of Indiana;

WHEREAS, the Delaware County Sheriff's Office (hereinafter "DCSO") maintains the Delaware County Jail (hereinafter "Jail") established pursuant to I.C. 36-2-2-24 and said Jail operates a commissary for the inmates; and

WHEREAS, pursuant to I.C. 36-8-10-21, a Commissary Fund is established for the proceeds of sales from the DCSO commissary; and

WHEREAS, pursuant to I.C. 36-8-10-21(d), the Delaware County Sheriff, or the Sheriff's designee, may disburse money from the fund as outlined in said statute and without prior appropriation by the Delaware County Council; and

WHEREAS, I.C. 36-8-10-21(d)(9) also allows the Delaware County Sheriff and the Delaware County Council to mutually agree upon other disbursements from the commissary fund not specifically set forth in said statute provided those disbursements benefit the DCSO; and

WHEREAS, the Delaware County Sheriff and the Delaware County Council desire to set forth their mutual agreement for additional disbursements pursuant to I.C. 36-8-10-21(d)(9).

NOW, THEREFORE, BE IT ORDAINED by the Delaware County Council as follows:

Pursuant to I.C. 36-8-10-21(d)(9), the Delaware County Council agrees and authorizes the Delaware County Sheriff, or the Sheriff's designee, to disburse additional funds from the Commissary Fund for the following purchases and/or purposes:

1. Obtain 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 sheriff's department;
4. Equipment installed in the county 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 the sheriff's department in the course of the employee's official duties;
6. For an activity provided to maintain order and discipline among the inmates of the county jail;

7. For an activity or program of the sheriff's department 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 web site under IC 36-2-13-5.5;
9. As a supplement or in addition to any other funds appropriated by the Delaware County Council to the DCSO;
10. Any supplies, activities, or programs deemed by the Delaware County Sheriff to be beneficial to the morale and/or wellbeing of the inmates of the Jail;
11. Replacement of lost or damaged inmate property;
12. Shipping costs for equipment and evidence;
13. Replacement of damaged county employee property;
14. Investigation and special detail expenses;
15. Advertising, promotional, and sponsorship costs related to the promotion of the DCSO;
16. Matching funds for grants obtained by the DCSO;
17. Professional, technical and legal consulting fees;
18. Special events for inmates or employees including, but not limited to, awards, recognition ceremonies, holiday events, retirement events, etc.;
19. Special training events and meetings;
20. Purchase of vending services for sale to DCSO employees within the Jail;
21. Travel costs for employees attending professional meetings; and

The Delaware County Sheriff shall maintain a record of the Commissary Fund's receipts and disbursements as prescribed by the Indiana State Board of Accounts. The Delaware County Sheriff shall provide a copy of the record of receipts and disbursements to the Delaware County Council semiannually no later than July 1 and December 31 of each year.

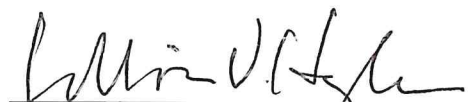
PASSED AND ADOPTED THIS 26 DAY OF SEPTEMBER, 2023 BY THE DELAWARE COUNTY COUNCIL, DELAWARE COUNTY, STATE OF INDIANA.



 Jessica Piper, President



 Matt Kantz



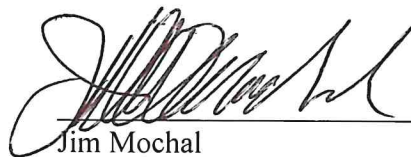
 Bill Hughes



 Eugene Whitehead



Ryan Webb



Jim Mochal



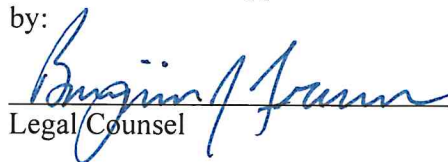
Dan Flanigan

Attest:



Ed Carrol, Auditor *layls*

This Ordinance is approved in form
by:



Legal Counsel