

ORIGINAL

ORDINANCE NO. 2009- 012

AN ORDINANCE TO ESTABLISH A NON-REVERTING FUND FOR DELAWARE COUNTY EMERGENCY MANAGEMENT FOR MONEY REGARDING THE SPRINT NEXTEL REBANDING PROJECT

WHEREAS, the Federal Communications Commission ("FCC") issued a report and order modifying its rules governing the 800 MHz Band on August 6, 2004. Said order was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communication systems ("Reconfiguration") by issuing new 800 MHz band frequencies to the public safety agencies affected (Rebanding").

WHEREAS, the Reconfiguration DOES impact public safety agencies within Delaware County.

WHEREAS, Sprint-Nextel has been ordered by the FCC to pay for the costs incurred by Delaware County for the Reconfiguration and Delaware County Emergency Management Agency has received funds to reconfigure 800 MHz radios frequencies; and

WHEREAS, it is necessary to establish a specific fund in the Auditor's Office into which the Sprint Nextel money will be deposited.

NOW, THEREFORE, BE IT ORDAINED that the Auditor shall establish a non-reverting fund titled the Sprint Nextel Rebanding Project, and shall issue a budget fund number with respect to this fund. Money received from Sprint Nextel for the Sprint Nextel Rebanding Project shall be deposited into this non-reverting fund.

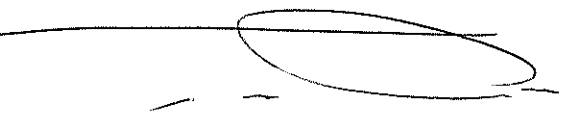
BE IT FURTHER ORDAINED that Said funds are exempt from needing appropriation by the County Council as the funds shall be limited to costs associated with the Reconfiguration and Rebanding of the public safety agencies within Delaware County. The costs shall include, but not be limited to:
Communication Equipment Reconfiguration Services; Administrative Costs of Delaware County EMA Staff, Muncie PD and other 800 MHz User agencies; Contracts and Legal

BE IT FURTHER ORDAINED that the funds shall only be used for the express purpose of paying for costs associated and related to the Sprint Nextel Rebanding Project and for no other purpose.

Dated this 4 day of May, 2009.

DELAWARE COUNTY COMMISSIONERS


Donald H. Dunnuck, Commissioner


Todd R. Donati, Commissioner


Larry W. Bledsoe, Jr. Commissioner

ATTEST:


Auditor of Delaware County