

ORDINANCE NO. 2022- 19

**AN ORDINANCE TO DISSOLVE THE
MORGAN COUNTY SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS, the Board of Commissioners of the County of Morgan ("Commissioners") formed the Morgan County Solid Waste Management District ("District") on January, 1, 2008 through its legislative powers and in accordance with authority promulgated by I.C. § 13-21 *et seq.*; and,

WHEREAS, the District is a single county solid waste management district as that term is defined in the relevant portions of the Indiana Code; and,

WHEREAS, during the Second Regular Session of the 119th Indiana General Assembly, the Legislature enacted Senate Bill 366 which amended certain portions of I.C. § 13-21 in order to establish a process by which the Commissioners may dissolve the District; and,

WHEREAS, specifically, I.C. § 13-21-15-1(a) authorizes solid waste management districts consisting of only one (1) county to be dissolved in accordance with I.C. § 13-21-3-1(d)(1) and I.C. § 36-1-8-17.7(b); and,

WHEREAS, on June 6, 2022, the Morgan County Council affirmed their support for dissolution of the District by a unanimous vote, as required by I.C. § 13-21-3-1(d)(1)(B); and,

WHEREAS, on December 19, 2022, the Commissioners held a Public Hearing on the dissolution of the District, with Notice of said Hearing having been given in accordance with I.C. § 5-3-1. A copy of the Plan for the Dissolution of the District has been made available to the public via the County's website and upon request, all of which conforms to the requirements of I.C. § 36-1-8-17.7(b); and,

WHEREAS, the Commissioners believe it is in the best interest of the County for the functions of the District to be carried about by a newly formed County Department under their direct authority, and that doing so will enable the services currently provided by the District to be delivered in a more efficient and economical manner, all of which is a benefit to the citizens of Morgan County.

NOW, THEREFORE, BE IT ORDAINED BY THE MORGAN COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. The Morgan County Solid Waste District ("District") is hereby dissolved as of January, 1, 2023.
2. The Plan for the Dissolution of the District is as follows:
 - A. **Effective Date.** Effective the 1st day of January, 2023, the District shall cease to operate and all of its staff and employees, assets, obligations, and duties will be transferred to the Board of Commissioners, and which will be

administered by the Morgan County Recycling Department, a new department within County government, created specifically for this purpose to be known as Morgan County Recycling.

- B. **Description of Assets and Obligations.** As of November 23, 2022, the District had cash assets totaling \$311,321.00. The District has no outstanding bond obligations, loan obligations, other contractual liabilities, or civil liabilities. Therefore, no assets of the District are needed to satisfy obligations. All assets will be transferred to Morgan County as of the effective date of dissolution and shall be used to provide the services previously provided by the District.
- C. **Description of Services.** The District performs services outlined in its Comprehensive Solid Waste Management Plan. The Board of Commissioners will assume responsibility for providing these services after the effective date of the dissolution. The outlined services may be amended by the Board of Commissioners in the future to achieve greater solid waste management results throughout Morgan County.
- D. **Drop-Off Recycling Sites.** There are currently drop-off co-mingled recycling sites at (7) seven locations throughout the County. These sites include Mooresville, Martinsville, Brooklyn, Monrovia, Eminence, Paragon, and Morgantown. These sites are unmanned and available 24/7 for recycling opportunities for all Morgan County residents. This offers residents the opportunity to recycle in communities throughout the County, including those that do not currently have a curbside recycling program.
- E. **Tox-Away Day.** Tox-Away Day is an opportunity for all residents in Morgan County to dispose of materials in their homes that may be hazardous to their family's health and pose potential health risks if they are kept in homes. These hazardous materials cannot merely be deposited along with regular trash and waste collection, but require a specific, proper disposal method. This also offers an inexpensive E-waste outlet to all County residents and encourages the elimination of outdated electronics from landfills. Electronics are recycled through a certified de-manufacturing vendor with multiple certifications ensuring domestic recycling and data destruction. Individuals throughout the County collect oil, other auto cleaning materials, and fertilization fluids, all of which may be disposed of for no charge at the County's Tox-Away events. Up to six (6) standard-size tires may also be disposed of without charge to County residents. In addition, medications, sharps, batteries, and other harmful items and materials are collected at this event, thereby providing citizens with a method of disposing of these items in a manner that does not cause them to be released back into the environment. Advertising and promotion of this event shall be done through social media, website, printed ads, and flyers.
- F. **Education and Awareness.** Components of these efforts include, but are not limited to, the following: school and community presentations, participation in company safety and environmental fairs, partnerships with governmental units

and nonprofit agencies with a waste reduction focus, and consistent educational messaging and materials. Participations and joint ventures throughout fair week are also required. As the program evolves, educational opportunities will improve and evolve as well.

G. **Website.** Information on recycling sites, suggestions for reduction of waste, and community recycling resources are kept on a website and a Facebook page.


3. The Morgan County Code of Ordinances ("Code") contains a certain Chapter 32, Section 32.08, entitled, "County Solid Waste Management District."; said § 32.08 is hereby repealed and shall be deleted from the Code.
4. If this Ordinance contradicts any other Section or portion of the Code, this Ordinance shall be controlling.
5. Any place in the Code where the District is mentioned or referenced shall be amended to conform with the intent and effect of this Ordinance.
6. If any part of this Ordinance is determined to be void, invalid, or otherwise unenforceable, the remaining portions of this Ordinance shall nonetheless remain in full force and effect.
7. The Morgan County Recycling Department is hereby established.
8. This Ordinance shall take effect as stated above and shall remain in effect until otherwise ordained by the Commissioners.

SO APPROVED AND ORDAINED by the Board of Commissioners of Morgan County at a public meeting conducted on this 19 day of December, 2022.

BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY


KENNY HALE, President


BRYAN COLLIER, Vice President


DON ADAMS, Member

Attest:


DAN BASTIN
Morgan County Auditor