

**COMMON COUNCIL
Agenda Request Form**

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Common Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	05-11-16	Meeting Date:	05-16-16
Contact Information:			
Requested by:	Jayne Rhoades, Clerk-Treasurer		
On Behalf of Organization or Individual:			
Telephone:	317-736-3609		
Email address:	jrhoades@franklin.in.gov		
Mailing Address:	70 E Monroe St Franklin, IN 46131		
Describe Request:			
Establish fund 257 for LOIT special distribution			
List Supporting Documentation Provided:			
Common Council Ordinance 16-08 State Board of Accounts Memo 04-22-16			
Who will present the request?			
Name:	Jayne Rhoades, Clerk-Treasurer	Telephone:	317-736-3609

In order for an individual and/or agency to be considered for new business on the Common Council agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

**ORDINANCE NUMBER 16-08
OF THE CITY OF FRANKLIN, INDIANA**

AN ORDINANCE CREATING A LOIT SPECIAL DISTRIBUTION FUND

Whereas, the Common Council of the City of Franklin, Indiana, pursuant to Indiana Code § 6-3.6-9-17, establishes the LOIT Special Distribution Fund to be governed by the applicable statutory provisions provided therein.

Now, Therefore, the Common Council of the City of Franklin, Indiana, Ordains and Enacts the Following:

- 1) **Creation of LOIT Special Distribution Fund.** A new non-reverting fund to be known as the LOIT Special Distribution Fund (“Fund”), and which is to be given number 257 as instructed by the Indiana State Board of Accounts, is now established. The Fund shall receive monies from the one-time special distribution under SEA 67.
- 2) **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
- 3) **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed.
- 4) **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.
- 5) **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-15, 16.

Introduced and Filed on the _____ day of _____, 2016.

DULY PASSED on this _____ day of _____, 2016, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of _____ in Favor and _____ Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:

Voting Opposed:

Stephen Barnett, Council President

Stephen Barnett, Council President

Kenneth W. Austin, Vice President

Kenneth W. Austin, Vice President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Andrew Eggers

Andrew Eggers

Keith Fox

Keith Fox

Richard L. Wertz

Richard L. Wertz

Attest:

Jayne Rhoades
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to
Indiana Code § 36-4-6-15, 16, this _____ day of _____, 2016
at _____ o'clock a.m./p.m.

Jayne Rhoades,
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me
[Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)]
[Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this _____ day of
_____, 2016 at _____ o'clock a.m./p.m.

Joseph E. McGuinness
Mayor

Attest:

Jayne Rhoades,
City Clerk-Treasurer

Prepared by:srb



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2765

Telephone: (317) 232-2513
Fax: (317) 232-4711
Web Site: www.in.gov/sboa

MEMORANDUM

TO: County Auditors, City Controllers, and Clerk-Treasurers

FROM: Paul D Joyce, CPA
State Examiner

RE: One-time Special Distribution per SEA 67

DATE: April 22, 2016

In conjunction with the Memorandum issued by the Indiana State Budget Agency, State Board of Accounts is providing the following guidance in regard to accounting for the one-time distribution required under SEA 67 from a county's trust account maintained by the State. This refers to a county's trust account maintained under the former local income tax laws. Per the new section, IC 6-3.6-9-17, the State Budget Agency will make a one-time special distribution to each county having a positive balance in the county's trust account as of December 31, 2014. Before June 1, 2016, the county auditor shall distribute to each taxing unit an amount equal to the taxing unit's allocation amount.

The county will need to create fund 7315, titled LOIT 2016 Special Distribution, to receipt and hold the monies received until distribution.

Distributions to taxing units that are not a county, city, or town are to be deposited into the taxing unit's rainy day fund.

Counties, cities, and towns have restrictions on the use of at least 75% of the special distribution received for infrastructure as found under IC 6-3.6-9-17(h)(1)(A). The remaining part of the distribution may be used for any of the purposes of the county, city, or town.

While the statute allows for the restricted distribution amount to be deposited into the rainy day fund of the county, city, or town; a subsidiary ledger would be required to account for the restricted portion's activity. This creates difficulty in maintaining accountability. Additionally, transparency is lost as the activity and balance for the restricted portion would not be discernable when reviewing the rainy day fund either through Gateway or financial statements.

For these reasons, State Board of Accounts has designated **county fund 1228**, titled LOIT Special Distribution to receipt and account for the restricted portion of the distribution. The unrestricted portion may be deposited into the county general fund, into a properly created home rule fund, or into the rainy day fund if properly designated as a source.

For cities and towns, State Board of Accounts has designated **fund 257**, titled LOIT Special Distribution to receipt and account for the restricted portion of the distribution. The unrestricted portion may be deposited into the general fund, into a properly created home rule fund, or into the rainy day fund if properly designated as a source.

If you have any questions specific to counties please contact Lori Rogers or Shannon Lopez at 317-232-2512. If you have any questions specific to cities and towns please contact Susan Gordon or Todd Caldwell at 317-232-2513.