

**To:** President and Members of the Munster Town Council

**From:** Wendy Mis, Clerk-Treasurer *WMis*

**Copy to:** Dustin Anderson, Town Manager  
Patricia L. Abbott, Controller  
Marcia A. Wilsak, Accounting Analyst

**Date:** February 7, 2022

**Re:** Outstanding Checks

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Pursuant to IC 5-11-10.5, "Disposition of Warrants and Checks," copy attached, the Clerk-Treasurer is required annually to furnish the Town's fiscal body (the Town Council) a list of all checks that have been outstanding for a period of two or more years as of December 31 of the preceding year. Accordingly, the checks listed below are declared void, the amounts so listed are entered as a receipt to the fund or funds upon which they were originally drawn, and the checks are removed from the list of outstanding checks.

**Checks Outstanding Two or More Years  
as of December 31, 2021**

	<b>Fund</b>	<b>Check No.</b>	<b>Check Date</b>	<b>Paid to the Order of</b>	<b>Check Amount</b>	<b>For</b>
MISC233	233	867720	11/14/19	Hennessy, William	\$40.00	Handgun App Refund
				<b>Sub-Total</b>	<b>\$40.00</b>	
MISC204A	204	865468	4/11/19	Kaim, Aaron	\$35.00	Parks Refund
MISC204A	204	866944	8/29/19	Simpson, Caresse	\$53.50	Parks Refund
MISC204A	204	867280	10/3/19	Silaen, Armin	\$100.00	Parks Refund
MISC204A	204	867444	10/18/19	Teller, Jane	\$3.00	Parks Refund
MISC204A	204	49385421	6/21/19	Oswalt, Serena	\$47.19	Payroll Check
				<b>Sub-Total</b>	<b>\$238.69</b>	
MISC601	601	865624	4/25/19	Barocio, Nicole M	\$77.30	Water Refund
				<b>Sub-Total</b>	<b>\$77.30</b>	
				<b>Total</b>	<b><u>\$355.99</u></b>	

The Clerk-Treasurer's office tries to ensure payment is made to the appropriate parties. After a check has been outstanding for three months, a letter is sent to the payee explaining the procedure for obtaining a replacement for a lost or destroyed check. Some payees take advantage of our advice; others do not. To minimize the number of outstanding checks, we send at least three letters. After two years, we are left with a short list of outstanding checks which are void. We then restore the funds from which the checks were originally drawn, and we adjust the listing of outstanding checks. Honoring, cashing, or accepting for payment or deposit any of these voided checks would be a violation of IC 5-11-10.5-2.

**REQUESTED ACTION:**

As part of the Consent Agenda, accept this annual report of voided outstanding checks.

## **IC 5-11-10.5 Chapter 10.5. Disposition of Warrants and Checks**

### **IC 5-11-10.5-1 "Political subdivision" defined**

Sec. 1. As used in this chapter:

"Political subdivision" means county, township, city, town, school corporation, library district, fire protection district, public transportation corporation, local hospital authority or corporation, local airport authority district, special service district, special taxing district, or other separate local governmental entity that may sue and be sued.

[Pre-Local Government Recodification Citation: 19-11-3-1.]

*As added by Acts 1980, P.L.8, SEC.47.*

### **IC 5-11-10.5-2 Outstanding unpaid warrants or checks void**

Sec. 2. All warrants or checks drawn upon public funds of a political subdivision that are outstanding and unpaid for a period of two (2) or more years as of the last day of December of each year are void. No individual, bank, trust company, building and loan association, or any other financial institution may honor, cash, or accept for payment or deposit any such warrant or check which may be presented for payment and which has been issued and outstanding for a period of two (2) or more years as of the last day of December of any year.

[Pre-Local Government Recodification Citation: 19-11-3-2.]

*As added by Acts 1980, P.L.8, SEC.47. Amended by P.L.64-1999, SEC.1.*

### **IC 5-11-10.5-3 List of outstanding warrants or checks**

Sec. 3. Not later than March 1 of each year, the treasurer of each political subdivision shall prepare or ~~cause to be prepared a list in triplicate of all warrants or checks that have been outstanding for a period of two (2) or more years as of December 31 of the preceding year.~~ The original copy of each list shall be filed with the: (1) board of finance of a political subdivision; or (2) fiscal body of a city or town. The duplicate copy shall be transmitted to the disbursing officer of the political subdivision. The triplicate copy of each list shall be filed in the office of the treasurer of the political subdivision. If the treasurer serves also as the disbursing officer of the political subdivision, only two (2) copies of each list need be prepared or caused to be prepared by the treasurer.

[Pre-Local Government Recodification Citation: 19-11-3-3.]

*As added by Acts 1980, P.L.8, SEC.47. Amended by P.L.35-1999, SEC.2.*

### **IC 5-11-10.5-4 Content of list**

Sec. 4. Each list prepared under section 3 of this chapter must show:

- (1) the date of issue of each warrant or check;
- (2) the fund upon which the warrant or check was originally drawn;
- (3) the name of the payee;
- (4) the amount of each warrant or check issued; and
- (5) the total amount represented by the warrants or checks listed for each fund.

[Pre-Local Government Recodification Citation: 19-11-3-4.]

*As added by Acts 1980, P.L.8, SEC.47.*

Indiana Code 2019

### **IC 5-11-10.5-5 Procedure upon receipt of list**

Sec. 5. (a) Upon the preparation and transmission of the copies of the list of the outstanding warrants or checks, the treasurer of the political subdivision shall enter the amounts so listed as a receipt into the fund or funds from which they were originally drawn and shall also remove the warrants or checks from the record of outstanding warrants or checks.

(b) If the disbursing officer does not serve also as treasurer of the political subdivision, the disbursing officer shall also enter the amounts so listed as a receipt into the fund or funds from which the warrants or checks were originally drawn. If the fund from which the warrant or check was originally drawn is not in existence, or cannot be ascertained, the amount of the outstanding warrant or check shall be receipted into the general fund of the political subdivision. However, in the case of a school corporation, the warrant or check shall be receipted into the operations fund.

[Pre-Local Government Recodification Citation: 19-11-3-5.]

*As added by Acts 1980, P.L.8, SEC.47. Amended by P.L.244-2017, SEC.6.*