

ORDINANCE NO. 2020-42

**ORDINANCE OF THE HENDRICKS COUNTY COUNCIL
APPROPRIATING PROCEEDS OF THE SALE OF
CERTAIN PROPERTY TO THE HENDRICKS COUNTY
BUILDING FACILITIES CORPORATION**

WHEREAS, Indiana Code 36-1-10-7 provides that the Board of County Commissioners of Hendricks County, Indiana (the "Board") may not lease a structure unless the Board receives a petition signed by fifty (50) or more taxpayers of Hendricks County, Indiana (the "County") and the County Council of Hendricks County, Indiana (the "Council") determines, after investigation, that the structure is needed; and

WHEREAS, on August 25, 2020, the Board of Commissioners of Hendricks County, Indiana (the "Board"), adopted Resolution No. 2020-26, approving a petition signed by fifty (50) or more taxpayers of the "County requesting the Board (1) to enter into negotiations with the Hendricks County Building Facilities Corporation (the "Corporation"), for the financing of the acquisition, construction, improvement, and/or equipping of all or any portion of a new county jail facility to be located on a +/- 14 acre parcel near the southeast corner of East Main Street and East Campus Boulevard, Danville, Indiana 46122 and any related improvements, all to be used for the purposes of providing incarceration, community corrections or other law enforcement or criminal justice services by the County (the "Project"), and (2) to enter into a lease between the Corporation, as lessor, and the County, as lessee, for all or a portion of the existing county jail facility located at 925 E Main St, Danville, Indiana 46122 and the new county jail facility to be located on a +/- 14 acre parcel near the southeast corner of East Main Street and East Campus Boulevard, Danville, Indiana 46122, including the site and appurtenances thereto (collectively, the "Premises"); and

WHEREAS, the County, as lessee, has been authorized to enter into a lease (the "Lease"), with the Corporation, as lessor, in order to allow the Corporation to issue lease rental bonds (the "Bonds") to fund all or any portion of the acquisition of all or a portion of the Premises and the financing of all or a portion of the Project; and

WHEREAS, the County intends to apply the proceeds received by the County from the sale of all or any portion of the Premises to the Corporation (the "Premises Proceeds") to the costs of all or any portion of the Project not funded by the Corporation; and

WHEREAS, the Premises Proceeds, including investment earnings thereon, have not been included in any regular budget; and

WHEREAS, notice of a hearing on the appropriation of the Premises Proceeds has been duly given by publication as required by law, and the hearing on said appropriation has been held on the date hereof, at which all taxpayers had an opportunity to appear and express their views as to such appropriation;

NOW, THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL,
THAT:

Section 1. The Premises Proceeds in a sum not to exceed Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000), together with all investment earnings thereon, shall be and the same hereby are appropriated to pay for costs of the Project not funded by the Corporation.

Section 2. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy, and shall continue in effect until the completion of the Project. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

Section 3. A certified copy of this Ordinance, together with such other proceedings and actions as may be necessary, shall be filed by the Hendricks County Auditor with the Indiana Department of Local Government Finance.

Duly adopted this 4th day of November 2020, by the County Council of Hendricks County, Indiana.

HENDRICKS COUNTY COUNCIL
HENDRICKS COUNTY INDIANA

absent

Caleb M. Brown



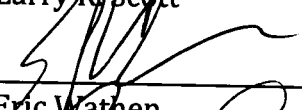
David Cox



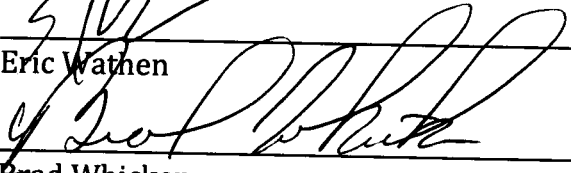
Larry R. Hesson



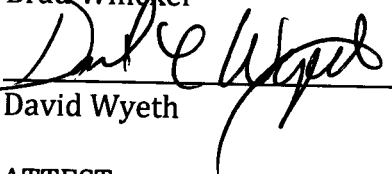
Larry R. Scott



Eric Wathen

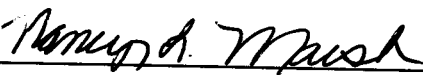


Brad Whicker



David Wyeth

ATTEST:



Nancy L. Marsh, Auditor