

RESOLUTION NO. 2020-29

**RESOLUTION OF THE COUNTY COUNCIL OF HENDRICKS COUNTY,
INDIANA DETERMINING THE NEED TO ENTER INTO A LEASE**

WHEREAS, Indiana Code 36-1-10-7 requires 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, a petition signed by fifty (50) or more taxpayers of Hendricks County, Indiana has been filed with the Board requesting the Board (1) to enter into negotiations with the Hendricks County Building Facilities Corporation, a nonprofit building corporation (the "Building 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 Building Corporation was incorporated to assist the County in financing, from time to time, the construction and renovation of County facilities to be operated by the County, including the Project; and

WHEREAS, to provide for the financing and construction of the Project, there has been prepared and submitted to the Board a form of Lease between the Building Corporation, as lessor, and the County, as lessee (the "Lease"); and

WHEREAS, such petition and form of Lease were approved by the Board at its meeting held on August 25, 2020; and

WHEREAS, such form of Lease has been presented to the Council; and

WHEREAS, there have been prepared drawings, plans, specifications and estimates for the cost of such Project which have been reviewed by the Council;

**NOW, THEREFORE, THE COUNTY COUNCIL OF HENDRICKS COUNTY,
INDIANA, RESOLVES THE FOLLOWING:**

Section 1. Findings; Approval of Lease. After investigation, the Council hereby finds and determines that a need exists for the Project and that the Project to be financed through the Lease will be of public utility and benefit to the County. The Council further determines that the Project cannot be acquired, constructed, improved and equipped from any funds available to the County. The Council hereby approves the Lease in substantially the form presented on the date hereof, and

the County shall proceed to take such steps as may be necessary to secure the acquisition, construction, equipping and leasing of the Project and the Premises as provided by Indiana Code 36-1-10.

Section 2. General. Any member of the Board or the Council, the Auditor of the County, and the County Attorney are hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Council.

PASSED and adopted by the Hendricks County Council, this 1st day of September, 2020.


AYE

NAY



Caleb M. Brown

Caleb M. Brown



David Cox

David Cox




Larry R. Hesson

Larry R. Hesson



Larry R. Scott

Larry R. Scott




Eric Wathen

Eric Wathen



Brad Whicker

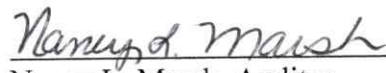
Brad Whicker



David Wyeth

David Wyeth

ATTEST:



Nancy L. Marsh, Auditor