

RESOLUTION NO. 2021-85-05

**RESOLUTION OF WABASH COUNTY, INDIANA, RELATING TO THE
FINANCING OF A SHERIFF'S OFFICE AND JAIL FACILITY PROJECT AND
APPROVING A FORM OF TAXPAYER PETITION IN CONNECTION THEREWITH**

WHEREAS, Wabash County, Indiana (the "County") has thoroughly studied and considered the acquisition, construction, equipping, financing and leasing of a new sheriff's office and jail facility to be located in the County (the "Project"), as more particularly described in Exhibit A; and

WHEREAS, the Board of Commissioners of the County (the "Board") finds that the County should now commence the process necessary to provide for the financing and leasing of the Project under the provisions of Indiana Code 6-3.6, 36-1-10 and 6-1.1-20, each as amended, and other applicable laws (collectively, the "Act"); and

WHEREAS, pursuant to the Act, the Board finds that it is necessary to (i) recognize an Indiana nonprofit corporation (the "Building Corporation") as the issuer of the bonds in the par amount not to exceed \$40,000,000 to finance the Project to be leased to the County in accordance with the Act and (ii) approve a form of taxpayer petition in support of the acquisition, construction, equipping, financing and leasing of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Wabash County, Indiana, as follows:

Section 1. The Board hereby recognizes the Building Corporation as the proposed issuer of the bonds to finance the Project to be leased by the Building Corporation to the County in accordance with the Act. The Board hereby authorizes its legal counsel to proceed with all legal steps necessary to form the Building Corporation under Indiana law.

Section 2. The Board hereby approves the form of taxpayer petition in support of the acquisition, construction, equipping, financing and leasing of the Project pursuant to the Act, as attached hereto as Exhibit B (the "Taxpayer Petition"). The Auditor of the County is hereby directed to make counterparts of the Taxpayer Petition, together with instructions with respect thereto, available to any taxpayers of the County requesting copies of the same. The Taxpayer Petition may be circulated in one or more counterparts by taxpayers of the County for signature by other taxpayers of the County and shall be filed with the Auditor of the County.

Section 3. Upon receipt of at least 50 taxpayer signatures on the Taxpayer Petition, the Auditor of the County shall review and certify the same to confirm that the Taxpayer Petition contains at least 50 verified signatures of taxpayers in the County.

Section 4. The Board hereby authorizes the Auditor, together with the County's municipal advisor, legal counsel, bond counsel, and such other staff members and consultants as they deem necessary, to take all steps necessary under the Act to carry out the intent of this

resolution, including the acquisition, construction, equipping, financing and leasing of the Project.

Section 5. This resolution shall be effective as of the date of its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA THIS 17 DAY OF MAY, 2021.

BOARD OF COMMISSIONERS OF
WABASH COUNTY, INDIANA



Jeff D. Dawes, Chairman




Barry J. Eppley, Vice-Chairman



Brian K. Haupert, Commissioner

ATTEST:



Marcia Shepherd, Auditor
Wabash County, Indiana

EXHIBIT A

Project Description

The new Wabash County Sheriff's office and jail facility will be located on a 20-acre partial on the North side of Wabash, IN along SR 13 that is currently owned by the Wabash County Redevelopment Commission. The area selected for the project is the former location of the County Home. The former County Home has been removed and the only structure that remains is the County Barn, which will remain. The unofficial address for the location is 1335 Manchester Avenue in Wabash, IN. The new facility will be approximately 90,000 sq.ft. and include the sheriff's office and jail operations. The facility will hold approximately 300, including both men and women in separated areas. It is anticipated that sitework and utilities will start late summer 2021 with building construction starting thereafter. Move-in is expected early 2023.

EXHIBIT B

Form of Taxpayer Petition

INSTRUCTIONS
REGARDING CIRCULATION
OF A PETITION TO ENTER INTO A LEASE

1. Those who circulate a lease petition to obtain signatures must be Taxpayers of the County which is to enter into the lease.
2. Whoever circulates a counterpart of the petition and executes the verifying affidavit attached thereto must also sign the petition.
3. Only one person can circulate each counterpart; the counterparts cannot be passed on from one person to another.
4. One person cannot sign for another. A husband and wife owning real estate jointly are each qualified signers, and it is not necessary for each to sign in order for the other to constitute a valid signer; however, each must sign separately if the signatures are to be counted as two separate signatures. In such cases, the wife should not sign as "Mrs. Joe Jones," but should sign her own name, thus "Mary Jones."
5. The signatures must be obtained in the presence of the person circulating the counterpart.

**PETITION OF TAXPAYERS
COUNTERPART NO. _____**

To:

County Council of Wabash County, Indiana
County Commissioners of Wabash County, Indiana
1 Hill Street
Wabash, Indiana 46992

Ladies and Gentlemen:

We, the undersigned taxpayers of Wabash County, Indiana (the "County"), hereby petition to the County Council of the County and Board of Commissioners of the County to enter into negotiations for (1) the acquisition, construction and equipping by a nonprofit building corporation (the "Building Corporation") of a new sheriff's office and jail facility of approximately 90,000 square feet to be located in the County to hold approximately 300 men and women in separate areas, and all necessary and related improvements (the "Project"); (2) the leasing by the County of the Project from the Building Corporation for the purpose of financing the Project; and (3) the issuance of Bonds by the Building Corporation to pay certain costs of the Project. We believe that a need exists for such facilities and that the County cannot provide the necessary funds to pay the costs of such facilities required to meet the present need. We urge that action be taken as promptly as possible under Indiana Code 6-3.6, Indiana Code 36-1-10 and Indiana Code 6-1.1-20 to secure the acquisition, construction, equipping and leasing of the needed facilities.

This petition may be circulated in several counterparts and all of said counterparts are to be considered as constituting one petition.

<u>SIGNATURE</u>	<u>PRINTED NAME</u>	<u>ADDRESS</u>	<u>PHONE NO.</u>
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SIGNATURE

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SIGNATURE

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STATE OF INDIANA)
) SS:
COUNTY OF WABASH)

_____, being first duly sworn upon his/her oath, deposes and says:

That he/she circulated the attached counterpart of the Petition of Taxpayers addressed to the County Council and Board of Commissioners of Wabash County, Indiana, and that all the signatures appearing on the attached counterpart of said petition were affixed in his/her presence and are true and lawful signatures of the persons signing said counterpart.

Printed Name: _____

STATE OF INDIANA)
) SS:
COUNTY OF WABASH)

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this _____ day of _____, 2021.

Notary Public
Printed Name: _____

My Commission Expires:

My County of Residence:
