

2-2022

**RESOLUTION OF THE CLAY COUNTY COUNCIL
DETERMINING THE NEED TO ENTER INTO A LEASE FOR
A NEW JAIL FACILITY**

WHEREAS, Indiana Code 36-1-10-7, as amended, provides that the Board of Commissioners (the "Board of Commissioners") of Clay County, Indiana (the "County"), may not lease a structure unless the Clay County Council (the "Council") determines, after investigation, that the structure is needed; and

WHEREAS, the Council has studied the need for a new jail facility in the County (the "Project"); and

WHEREAS, there has been prepared and submitted to the Board of Commissioners a form of Lease between the County and the Clay County Building Corporation for the purpose of financing the Project (the "Lease");

NOW, THEREFORE, BE IT RESOLVED BY THE CLAY COUNTY COUNCIL AS FOLLOWS:

Section 1. After investigation, the Council hereby determines that a need exists for the acquisition, construction, installation and equipping of the Project. The Council further determines that the Project cannot be acquired, constructed, installed and equipped from any funds available to the County, and the County shall proceed to take such steps as may be necessary to secure the acquisition, construction, installation, equipping and leasing of the Project as provided by Indiana Code 36-1-10, as amended.

Section 2. Any member of the Board of Commissioners 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 this Resolution, and any actions heretofore made or taken shall be, and hereby are, ratified and approved.

Section 3. The Lease in substantially the form attached hereto as Exhibit A is hereby approved.

Section 4. This Resolution shall be in full force and effect from and after its adoption by the Council.

Passed and adopted by the Clay County Council this 7th day of March, 2022.

CLAY COUNTY COUNCIL,
CLAY COUNTY, INDIANA



President

Jaqueline Amundson

B. But

John Nicolson

Patricia Yepper

David R. Amerman

J. [Signature]

ATTEST:

Jennifer M. Slater
Auditor