

IURC
PETITIONER'S
EXHIBIT NO. 4
4-9-21 IR
DATE REPORTER

Petitioner's Exhibit 4

RESOLUTION NO. 10212020-1

**A RESOLUTION OF THE TOWN COUNCIL FOR THE TOWN OF DEMOTTE, INDIANA,
APPROVING AN INTERLOCAL AGREEMENT AND AUTHORIZING THE TOWN OF
DEMOTTE, INDIANA, AND THE NORTHWEST JASPER REGIONAL DISTRICT TO
EXTEND WATER AND SEWER UTILITY SERVICE IN THE JASPER COUNTY
REGIONAL WATER AND SEWER DISTRICT'S SERVICE TERRITORY**

WHEREAS, the Town of DeMotte, Indiana (the "Town"), the Northwest Jasper Regional District ("NORWEJ"), the Jasper County Commissioners (the "County"), the Jasper County Regional Water and Sewer District (the "District"), and the Jasper County Redevelopment Commission ("RDC") wish to enter into an Interlocal Agreement, a copy of which is attached to this Resolution as Exhibit 1, for the purpose of allowing and authorizing the Town and NORWEJ to extend, operate, and maintain sewer and water facilities within the authorized service territory of the District; and

WHEREAS, Ind. Code ch. 36-1-7 allows any political subdivision, public instrumentality, or public corporate body to enter into an Interlocal agreement to allow a power that may be exercised by an Indiana political subdivision and by one or more governmental entities to be exercised by one or more entities on behalf of others or jointly by the entities;

WHEREAS, Ind. Code § 36-1-7-2 requires that entities wishing to enter into an Interlocal Agreement must do so by ordinance or resolution;

WHEREAS, on October 5, 2020, the Town Council adopted Resolution No. 10052020-1 which approved a prior draft of the Interlocal Agreement; and

WHEREAS, this Resolution and the attached Interlocal Agreement is intended to supersede and replace Resolution No. 10052020-1 and the exhibit attached thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DEMOTTE, INDIANA, that:


Section 1 The Town hereby enters into the Interlocal Agreement that is attached to this Resolution as Exhibit 1, and authorizes its execution and delivery.

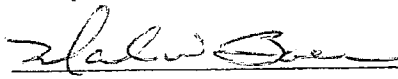
Section 2 The Clerk-Treasurer for the Town is hereby authorized to have the Interlocal Agreement executed by the Town Council, to attest to the execution thereof, and to deliver the Interlocal Agreement.


Section 3 Upon adoption, this Resolution and the attached Interlocal Agreement will replace and supersede any prior Resolutions and drafts of the Interlocal Agreement.

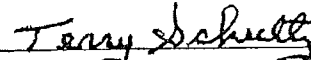
So adopted this 21st day of October, 2020.

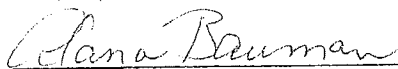
TOWN COUNCIL OF THE
TOWN OF DEMOTTE, INDIANA


Jeffrey Cambo

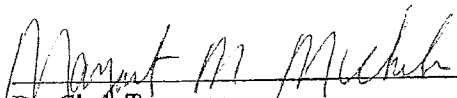

Mark Boer


Dale Eeningenburg


Terry Schultz


Alana Bauman

ATTEST:


By: Clerk-Treasurer

RESOLUTION NO. 10212020-1

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE NORTHWEST JASPER
REGIONAL DISTRICT APPROVING AN INTERLOCAL AGREEMENT AND
AUTHORIZING THE TOWN OF DEMOTTE, INDIANA, AND THE NORTHWEST
JASPER REGIONAL DISTRICT TO EXTEND WATER AND SEWER UTILITY SERVICE
IN THE JASPER COUNTY REGIONAL WATER AND SEWER DISTRICT'S SERVICE
TERRITORY**

WHEREAS, the Town of DeMotte, Indiana (the "Town"), the Northwest Jasper Regional District ("NORWEJ"), the Jasper County Commissioners (the "County"), the Jasper County Regional Water and Sewer District (the "District"), and the Jasper County Redevelopment Commission ("RDC") wish to enter into an Interlocal Agreement, a copy of which is attached to this Resolution as Exhibit 1, for the purpose of allowing and authorizing the Town and NORWEJ to extend, operate, and maintain sewer and water facilities within the authorized service territory of the District; and

WHEREAS, Ind. Code ch. 36-1-7 allows any political subdivision, public instrumentality, or public corporate body to enter into an Interlocal agreement to allow a power that may be exercised by an Indiana political subdivision and by one or more governmental entities to be exercised by one or more entities on behalf of others or jointly by the entities;

WHEREAS, Ind. Code § 36-1-7-2 requires that entities wishing to enter into an Interlocal Agreement must do so by ordinance or resolution;

WHEREAS, on October 5, 2020, the NORWEJ Board adopted Resolution No. 10052020-1 which approved a prior draft of the Interlocal Agreement; and

WHEREAS, this Resolution and the attached Interlocal Agreement is intended to supersede and replace Resolution No. 10052020-1 and the exhibit attached thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHWEST JASPER REGIONAL DISTRICT that:

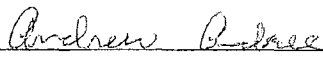
Section 1 NORWEJ hereby enters into the Interlocal Agreement that is attached to this Resolution as Exhibit 1, and authorizes its execution and delivery.

Section 2 The Secretary of the Board of Trustees is hereby authorized to have the Interlocal Agreement executed by the Board of Trustees, to attest to the execution thereof, and to deliver the Interlocal Agreement.

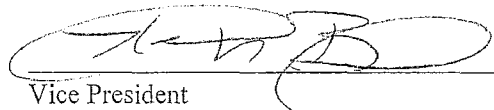
Section 3 Upon adoption, this Resolution and the attached Interlocal Agreement will replace and supersede any prior Resolutions and drafts of the Interlocal Agreement.

So adopted this 21st day of October, 2020.

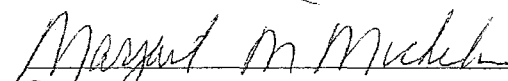
BOARD OF TRUSTEES OF THE NORTHWEST
JASPER REGIONAL DISTRICT



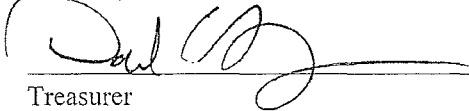
President



Vice President




Secretary



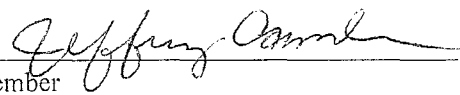
Treasurer



Member

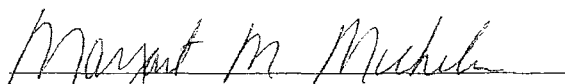


Member



Member

ATTEST:



By: Secretary

**THE BOARD OF TRUSTEES OF THE JASPER
COUNTY REGIONAL WATER AND SEWER DISTRICT
RESOLUTION 10-19-2020**

**RESOLUTION TO ACCEPT THE TERMS OF A CERTAIN INTERLOCAL
AGREEMENT FOR SEWER AND WATER SERVICE IN SUBSTANTIALLY FINAL
FORM AND TO AUTHORIZE THE APPROVAL AND EXECUTION OF THE
INTERLOCAL AGREEMENT IN FINAL FORM**

WHEREAS, the Jasper County Regional Water and Sewer District (the "District") was created pursuant to IND. CODE § 13-26 *et seq.*, as amended, on December 28, 2009, by issuance of a final Order ("December 28, 2009 Order") by the Indiana Department of Environmental Management ("IDEM");

WHEREAS, by virtue of the December 28, 2009, Order, IND. CODE § 13-26 *et seq.*, as amended, and further action the District's Board of Trustees ("District Board"), the District is authorized to provide sewer and water service to unincorporated areas of Jasper County, Indiana;

WHEREAS, the District Board desires to enter, along with other governing bodies of Jasper County Government, a certain interlocal agreement with the Town of DeMotte, Indiana and Northwest Jasper Regional District ("NORWEJ") to provide sewer and water service;

WHEREAS, the District Board has made the requisite findings pursuant to IND. CODE 36-1-7 *et seq.*; and

WHEREAS, a copy of the Interlocal Agreement in substantially final form is attached to this resolution.

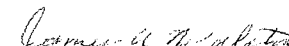
NOW, THEREFORE, BE IT RESOLVED by the Jasper County Regional Water and Sewer District Board that:

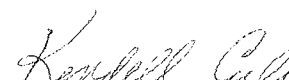
The attached Interlocal Agreement for Sewer and Water Service is in substantially final form and is approved; and

The President of the Board of Trustees of the Jasper County Regional Water and Sewer District is fully authorized to approve and execute the Interlocal Agreement for Sewer and Water Service in final form.

Adopted by the Jasper County Regional Water and Sewer District of Jasper County, Indiana, on this 19th day of October, 2020.

JASPER COUNTY REGIONAL WATER AND SEWER
DISTRICT


James A. Walstra, President


Kerdel Culp, Vice President

Richard E. Maxwell by Tina Kater
Deputy

Richard E. Maxwell, Member

ATTEST:

Kimberly K. Grow
Kimberly K. Grow, Auditor of Jasper County

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF JASPER
RESOLUTION 10-19-2020**

**RENEWED RESOLUTION TO ACCEPT THE TERMS OF A CERTAIN INTERLOCAL
AGREEMENT FOR SEWER AND WATER SERVICE IN SUBSTANTIALLY FINAL
FORM AND TO AUTHORIZE THE APPROVAL AND EXECUTION OF THE
INTERLOCAL AGREEMENT IN FINAL FORM**

WHEREAS, the Board of Commissioners of the County of Jasper is the executive of the County of Jasper in the State of Indiana;

WHEREAS, the Board of Commissioners desires to enter, along with other governing bodies of Jasper County Government, a certain interlocal agreement with the Town of DeMotte, Indiana and Northwest Jasper Regional District ("NORWEJ") to provide sewer and water service;

WHEREAS, the Board of Commissioners has made the requisite findings pursuant to IND. CODE 36-1-7 *et seq.*; and

WHEREAS, on October 5, 2020, the Board of Commissioners enacted Resolution 10-5-2020 approving an Interlocal Agreement in substantially final form; however subsequent negotiations have resulted in a change of terms sufficiently substantial to warrant renewed action by the Board of Commissioners in approving the Interlocal Agreement in substantially final form;

WHEREAS, a copy of the Interlocal Agreement in substantially final form is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Jasper, in the State of Indiana that:

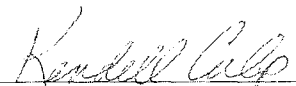
This Resolution shall supersede Resolution 10-5-2020 in all respects;

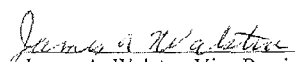
The attached Interlocal Agreement for Sewer and Water Service is in substantially final form and is approved; and

The President of the Board of Commissioners is fully authorized to approve and execute the Interlocal Agreement for Sewer and Water Service in final form.

Adopted by the Board of County Commissioners of Jasper County, Indiana, on this 19th day of October, 2020.

JASPER COUNTY BOARD OF COMMISSIONERS:


Kendell Culp, President


James A. Walstra, Vice President

Richard E. Maxwell
by Jan Porter, Deputy

Richard E. Maxwell, Member

ATTEST:

Kimberly K. Grob

Kimberly K. Grob, Auditor of Jasper County

**JASPER COUNTY COUNCIL
RESOLUTION 10-20-2020**

**RESOLUTION TO ACCEPT THE TERMS OF A CERTAIN
INTERLOCAL AGREEMENT FOR SEWER AND WATER SERVICE**

WHEREAS, the Jasper County Council is the fiscal body of the Jasper County Government, Jasper County, Indiana;

WHEREAS, the Council desires to enter, along with other governing bodies of Jasper County Government, a certain interlocal agreement with the Town of DeMotte, Indiana and Northwest Jasper Regional District ("NORWEJ") to provide sewer and water service;

WHEREAS, the Council has made the requisite findings pursuant to IND. CODE 36-1-7 *et seq.*; and

WHEREAS, a copy of the Interlocal Agreement is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Jasper County Council that:

The attached Interlocal Agreement for Sewer and Water Service is approved; and

The President of the Jasper County Council fully authorized to execute the Interlocal Agreement for Sewer and Water Service.

Adopted by the Jasper County Council of Jasper County, Indiana, on this 20th day of October, 2020.

JASPER COUNTY COUNCIL:

NAY

REIN O. BONTREGER

ANDY ANDREE

STEPHEN R. JORDAN

GARY FRITTS

BRETT RISNER

GERRITT H. DEVRIES

PAUL NORWINE

AYE

REIN O. BONTREGER

ANDY ANDREE

STEPHEN R. JORDAN

GARY FRITTS

BRETT RISNER

GERRITT H. DEVRIES

PAUL NORWINE

Attest: _____
KIMBERLY K. GROW, Auditor of Jasper County

**JASPER COUNTY REDEVELOPMENT COMMISSION
RESOLUTION 10-21-2020**

**RESOLUTION TO ACCEPT THE TERMS OF A CERTAIN
INTERLOCAL AGREEMENT FOR SEWER AND WATER SERVICE**

WHEREAS, the Jasper County Redevelopment Commission (the "Commission") is a redevelopment commission organized and acting pursuant to the provisions of IND. CODE § 36-7-14 *et seq.* and IND. CODE § 36-7-25 *et seq.*;

WHEREAS, the Commission desires to enter, along with other governing bodies of Jasper County Government, a certain interlocal agreement with the Town of DeMotte, Indiana and Northwest Jasper Regional District ("NORWEJ") to provide sewer and water service;

WHEREAS, the Commission has made the requisite findings pursuant to IND. CODE 36-1-7 *et seq.*; and

WHEREAS, a copy of the Interlocal Agreement is attached to this resolution.

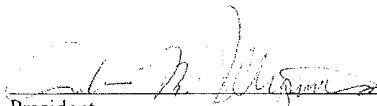
NOW, THEREFORE, BE IT RESOLVED by the Jasper County Redevelopment Commission that:

The attached Interlocal Agreement for Sewer and Water Service is approved; and

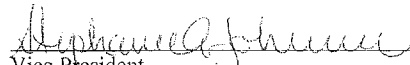
The President of the Jasper County Redevelopment Commission is fully authorized to execute the Interlocal Agreement for Sewer and Water Service.

Adopted by the Jasper County Council of Jasper County, Indiana, on this 21st day of October, 2020.

JASPER COUNTY REDEVELOPMENT COMMISSION:



President



Vice President



Secretary

Member

Member