

Tuesday, May 26, 2020

6:00 P.M.

REGULAR BOARD MEETING OF THE CLAY TOWNSHIP BOARD

**John W. Hensel Government Center 10701 N. College Avenue,
Indianapolis, Indiana**

Via Remote Electronic Access under Executive Order 2020-09

Zoom® Meeting ID 960 5670 2737 Password: 784970

Call in No. 1(929) 205-6099

AGENDA

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Recognition of Outstanding Citizens by the Township Board and Trustee**
- IV. Approval of Minutes**
 - A. Minutes from the February 25, 2020 Annual Report Board Meeting
- V. Public Hearing**
 - A. Additional Appropriations from the Rainy Day Fund #0061 for \$950,000 and the Parks and Recreation Fund #1312 for \$10,000.
- VI. Public Comments**
- VII. Action Items**
 - A. Resolution No. 2020-05-26-01 Additional Appropriations in the Rainy Day Fund #0061 in the amount of \$950,000 and the Parks and Recreation Fund #1312 in the amount of \$10,000.
 - B. Resolution No. 2020-05-26-02 Approval of Purchase Agreement and Lease between TriCo and Clay Township.
 - C. Rotary Grant for Frontliners and Food Banks
- VIII. Information Items**
 - A. Update on Construction Projects - Matt Snyder, Board Member
- IX. Financial Questions from Board**
- X. Board Comments**
- XI. Announcements**
- XII. Adjournment**

**NOTICE OF ADDITIONAL APPROPRIATION
TO CLAY TOWNSHIP TAXPAYERS**

Notice is hereby given the taxpayers of Clay Township, Hamilton County, Indiana, that the proper legal officers of Clay Township at their regularly scheduled meeting on May 26, 2020 will consider the additional appropriations indicated below in excess of the budget for the current year. Pursuant to State of Indiana Executive Order 20-09 (the "Order") all members of the Board and staff will be participating in the meeting by telephonic or electronic means. Any votes conducted will be by roll call vote.

In accordance with the Indiana Open Door Law and the Order, media and members of the public are encouraged to observe the meeting and participate in the public hearing electronically by ZOOM[®] call participation using meeting ID 960 5670 2737 and Password 784970. Members of the public may also listen to the meeting and participate in the hearing telephonically by dialing 1(929)205-6099 and entering meeting ID 960 5670 2737. The ZOOM[®] application may be downloaded for free at <https://zoom.us/>. The additional appropriations to be discussed at the public hearing are as follows:

AMOUNT REQUESTED

Rainy Day Fund #0061

Category 4 - Capital Outlays\$950,000

FUND TOTAL..... \$950,000

Parks and Recreation Fund #1312

Category 3 - Other Services and Charges.....\$10,000

FUND TOTAL..... \$10,000

Taxpayers participating in the public hearing shall have the right to be heard. The additional appropriations in the Rainy Day Fund #0061 and Parks and Recreation Fund #1312, as finally made, will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriation made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: May 13, 2020

Douglas Callahan, Clay Township Trustee

Publication Instructions: Publish in the Indianapolis Star and the Noblesville Times on Wednesday, May 13, 2020.

RESOLUTION NO. 2020-05-26-01

ADDITIONAL APPROPRIATION RESOLUTION

The Township Board (the “Board”) of Clay Township, Hamilton County, Indiana (the “Township”) met at a duly called and authorized meeting of the Board held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all the Board Members, posted on the Clay Township webpage for the public, and published in two publications distributed in the Township, and the following resolutions were made, seconded and adopted by majority of those present at the meeting, which constituted a legal quorum of the Board. In accordance with Executive Order 2020-09 issued by Governor Eric Holcomb on March 23, 2020, all members of the Board participated in the meeting by electronic means, and access and opportunity to testify was afforded electronically to the media and the public.

WHEREAS, the Board, as the fiscal body of the Township, determined that it is necessary to appropriate more money than was appropriated in the annual budget for the Township;

NOW THEREFORE BE IT RESOLVED, by the Township Board of Clay Township of Hamilton County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the Funds named from funds on hand, and for the purpose specified, subject to laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
<u>Rainy Day Fund #0061</u>		
Category 4 - Capital Outlays		
FUND TOTAL.....	\$950,000	\$ _____
<u>Parks and Recreation Fund #1312</u>		
Category 3 - Other Services and Charges		
FUND TOTAL.....	\$10,000	\$ _____

The foregoing Resolutions were adopted and approved by the Clay Township Board this 26th day of May, 2020 by roll call vote with the Board Members voting as indicated below.

**CLAY TOWNSHIP
HAMILTON COUNTY, INDIANA**

Paul D. Hensel, President

Aye Nay

Mary Eckard, Secretary

Aye Nay

Matthew J. Snyder, Member

Aye Nay

CERTIFICATION

I certify under the penalties of perjury that the foregoing members of the Township Board of Clay Township of Hamilton County, Indiana voted by roll call vote as indicated above at a public meeting conducted in accordance with Executive Order 2020-09 on May 26, 2020.

Doug Callahan, Trustee

RESOLUTION NO. 2020-05-26-02

**RESOLUTION OF THE CLAY TOWNSHIP BOARD
OF HAMILTON COUNTY, INDIANA**

Regarding the Intergovernmental Transfer of Certain Property Interests

The Township Board (the “Board”) of Clay Township, Hamilton County, Indiana (the “Township”) met at a duly called and authorized meeting of the Board held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all the Board Members and posted on the Clay Township webpage for the public, and the following Resolutions were made, seconded and adopted by majority of those present at the meeting, which constituted a legal quorum of the Board. In accordance with Executive Order 2020-09 issued by Governor Eric Holcomb on March 23, 2020, all members of the Board participated in the meeting by electronic means, and access to the meeting was afforded electronically to the media and the public.

WHEREAS, Clay Township of Hamilton County, Indiana (hereinafter the “Township”) entered into an Interlocal Joint Venture agreement dated March 18, 1996 (the “Joint Agreement”) with the Clay Township Regional Waste District now known as Trico Regional Sewer Utility (the “District”) to jointly develop, construct and operate the land and improvements now known as the John W. Hensel Government Center located at 10701 N. College Avenue, Indianapolis, IN 46280 (the “Government Center”) and the adjacent Carmel Fire Station No. 45 (“Station No. 45”)(the Government Center and Station No. 45 together the “Complex”) ; and

WHEREAS, pursuant to the Joint Agreement, the District was responsible for fifteen and six-tenths percent (15.6%) of the costs of construction and ownership of the Complex and approximately forty-three percent (43%) of the costs of construction and operation of the Government Center alone; and

WHEREAS, the District now desires to transfer its ownership interest in the Complex to the Township, and the Township desires to accept such transfer by the District; and

WHEREAS, the District and the Township have each obtained an appraisal of the fair market value of the District’s ownership interest in the Government Center (the “Appraisals”), and the average of the Appraisals is in the amount of Nine Hundred Forty Six Thousand One Hundred and 00/100 Dollars (\$946,000.00) as calculated in Exhibit “A” and the parties desire to exchange this amount in consideration of the transfer; and

WHEREAS, the District and the Township have agreed to enter into a Purchase Agreement in the form attached hereto as Exhibit “B” and the Lease attached thereto allowing the District to remain as a tenant in the Government Center for a period of up to eighteen (18) months following the closing of the Purchase Agreement; and

WHEREAS, Ind. Code §36-1-11-8 provides that a transfer or exchange of property may be made between governmental entities upon terms and conditions and for value as agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity.

NOW, THEREFORE, BE IT RESOLVED, that the Clay Township Board (the “Board”) hereby adopts the following:

1. The foregoing Recitals are incorporated herein by this reference.
2. The Township shall accept the transfer of the Complex from the District by Special Warranty Deed in accordance with the terms of the Purchase Agreement in exchange for payment to the District in the amount of \$946,000.00 (the “Purchase Price”), representing the average of the Appraisals for the Government Center.
3. The costs of the transfer, including the costs of an owner’s title policy, closing fees and any related closing costs shall be divided equally between the District and the Township and shall be deducted from or credited to the Purchase Price at Closing.
4. The Township shall each take all action necessary to affect the transfer of the Government Center as provided herein and to enter into the Purchase Agreement and the Lease with the District. Such transfer shall take place after the adoption of substantially similar resolutions by the Township and the governing body of the District.
5. The Township Trustee is hereby authorized, empowered and directed to take all action necessary to execute the Purchase Agreement, to complete the transfer of the Complex to the Township, to enter into the Lease, to tender the Purchase Price (as adjusted for expenses) to the District and to execute all documents required in connection with the transfer of the Complex and lease of the Government Center pursuant to this Resolution, and to take all other lawful actions necessary to complete the transfer and Lease of the Government Center as contemplated herein without further action of the Board.
6. This Resolution shall take effect immediately upon its passage.

[This space intentionally left blank]

Adopted and approved by the Clay Township Board this 26th day of May, 2020 by roll call vote with the Board Members voting as indicated below.

**CLAY TOWNSHIP
HAMILTON COUNTY, INDIANA**

Paul D. Hensel, President

Aye Nay

Mary Eckard, Secretary

Aye Nay

Matthew J. Snyder, Member

Aye Nay

CERTIFICATION

I certify under the penalties of perjury that the foregoing members of the Township Board of Clay Township of Hamilton County, Indiana voted by roll call vote as indicated above at a public meeting conducted in accordance with Executive Order 2020-09 on May 26, 2020.

Doug Callahan, Trustee

