

**WARRICK COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NO. 2014-06**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
WARRICK COUNTY, INDIANA**

**WHEREAS**, on the 24<sup>th</sup> day of April, 2014, the Warrick County Solid Waste Management District (“Solid Waste District”) held a public hearing to discuss its recommendation to enter into a build-operate-transfer agreement (“BOT Agreement”) for the construction of a recycling, sorting, and processing facility and a waste-to-energy facility (collectively referred to as “Facilities”) to be constructed on property to be leased from Warrick County on Pelzer Road in Boonville, Indiana; and

**WHEREAS**, the Board of Commissioners of Warrick County (hereinafter the “Board”), is aware that the Solid Waste District is currently in negotiations with Renewable Resources, LLC for the construction of said Facilities; and

**WHEREAS**, the Board may be a party to the Master Construction Contract for the construction of the Facilities and the Board is willing to negotiate the terms of the Board’s involvement in said contract; and

**WHEREAS**, it is the opinion of the Board the construction of the Facilities would benefit the County by promoting the proper handling of solid waste and recyclable materials within the County, providing an expansion of the Solid Waste District’s Curbside Single Stream Recycling Program, reducing the Solid Waste District’s transportation costs, and may reduce the Solid Waste District’s dependency on property tax revenue from the property owners of Warrick County; and

**WHEREAS**, in accordance with I.C. § 36-9-33-3, Warrick County has the power to issue a control flow ordinance whereby it can exclusively control the collection and disposal of solid waste within the County; however, Warrick County cannot execute said power until construction of the Facilities is completed.

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

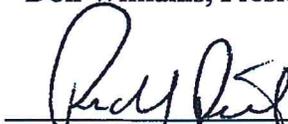
Upon completion of the Facilities described above, and pursuant to the terms of the Master Construction Contract to be negotiated and entered into by all necessary parties, the Board of Commissioners of Warrick County expressly states its intention to enact an ordinance directing that all solid waste collected within the borders of Warrick County shall be directed to the Facilities to be located on Pelzer Road, as may be permitted by Federal, State and local statutes and regulations that exist at that time.

Adopted this 12<sup>TH</sup> day of MAY, 2014.

WARRICK COUNTY  
BOARD OF COMMISSIONERS

By:

  
Don Williams, President

  
Richard Reid, Vice-President

  
Marlin Weisheit, Member

Attest:

  
Dixie Dugan, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

  
Todd I. Glass, Esq. #13982-18  
FINE & HATFIELD, A Professional Corporation  
520 N.W. Second Street, P.O. Box 779  
Evansville, Indiana 47705-0779  
Telephone: (812) 425-3592  
County Attorney