

RESOLUTION NO. 2015-2
RESOLUTION OF THE DUBOIS COUNTY COUNCIL DESIGNATING A
PORTION OF DUBOIS COUNTY, INDIANA, AS AN ECONOMIC
REVITALIZATION AREA

WHEREAS, the County Council of "Dubois County, Indiana ("County") has determined that certain real property consisting of a portion of the real property located in Jackson Township of Dubois County and set forth in the map and simplified description of the boundaries attached hereto as Exhibit A ("Real Estate") should be designated an economic revitalization area under and pursuant to IC 6-1.1-12.1-1 et seq. ("Act");

WHEREAS, the Council hereby finds that the Real Estate is an area which would become undesirable for, or impossible of, normal development and occupancy because of a lack of development, public access and visibility, and other factors which have impaired values or prevented a normal development of property or use of property and that the designation of said area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment;

WHEREAS, the Council has adopted Ordinance No. 2012-01, establishing a tax abatement schedule pursuant to IC 6-1.1-12.1-1 et. seq., and directing the County Abatement Review Committee ("Committee") to review applications for tax abatement and to make a recommendation to this Council concerning an application for tax abatement; and

WHEREAS, the County has received an application for tax abatement from Temple-Inland, Inc., the Committee has reviewed such application, and has submitted its recommendation concerning the appropriate schedule of tax abatement for the applicant, which recommendation is attached hereto as Exhibit B;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA, THAT:

Section 1. The Real Estate is hereby designated as an economic revitalization area within the meaning of the Act.

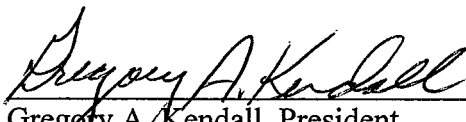
Section 2. Notice of the adoption and substance of this resolution and all other disclosures required by IC 6-1.1-12.1-2.5 shall be duly published in accordance with IC 5-3-1, which notice shall state a date for a public hearing on this resolution and that on said date, after hearing objections and remonstrances and considering evidence thereon, this Council will take final action determining whether the qualifications for an economic revitalization area have been met and confirming, modifying and confirming, or rescinding this resolution.

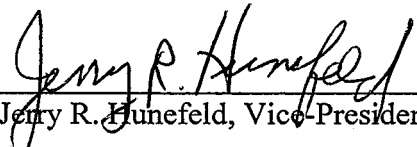
Section 3. A copy of the above-referenced notice and the Statement (as hereinafter defined) shall be filed with the officers of each taxing unit that has authority to levy property taxes in the geographic area which is hereby designated as an economic revitalization area at least ten (10) days prior to the public hearing on this resolution.

Section 4. The Council also directs the presiding officer to prepare, or cause to be prepared, a statement containing substantially the same information as a statement of benefits ("Statement") filed with the designating body before the hearing required under Section 2 of this resolution.

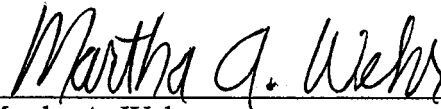
Section 5. This resolution shall be effective from and after passage.

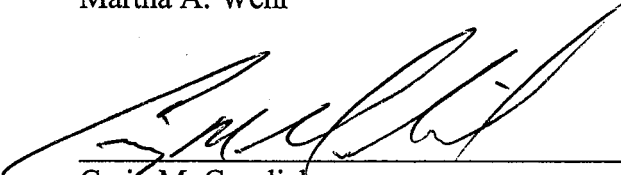
PASSED AND ADOPTED by the County Council of Dubois County, Indiana, this 28th day of December, 2015.

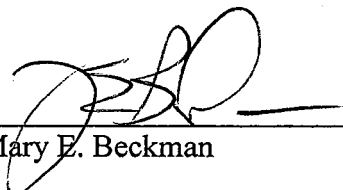

Gregory A. Kendall, President

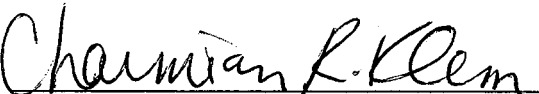

Jerry R. Hunefeld, Vice-President


Nick Hostetter


Martha A. Wehr


Craig M. Greulich


Mary E. Beckman

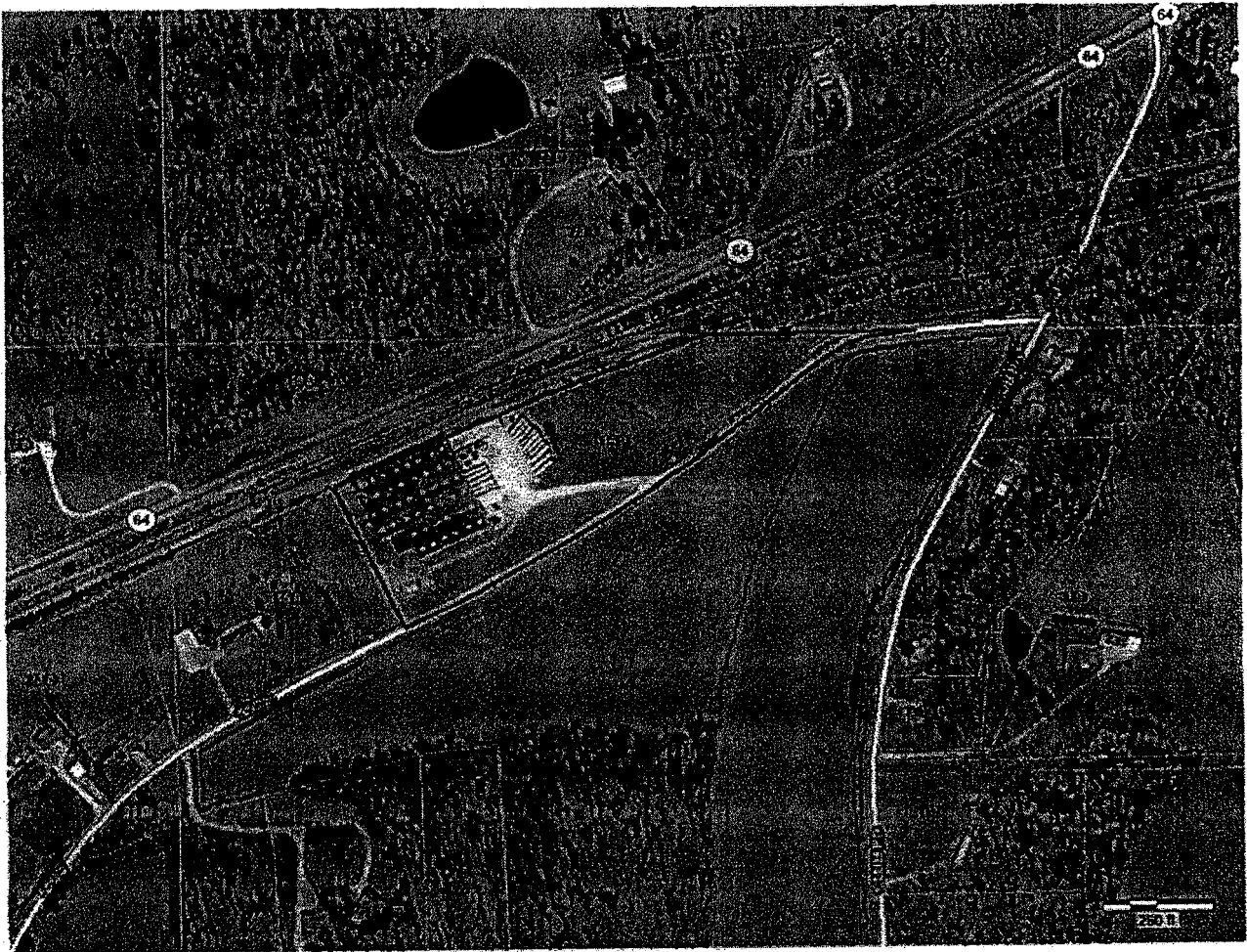

Charmian Klem

ATTEST:


Kathleen M. Hopf, County Auditor

EXHIBIT A
Map and Simplified Description of Real Estate

Temple-Inland/Inland Paperboard Pkg, a subsidiary of International Paper Company
3565 E. 550 S.
Huntingburg, IN 47542



Property Card:

Owner Name -

Independent Boxmakers Inc.
PO Box 2118
Memphis, TN 38101

Parcel Number -

Real 19-10-34-500-014.000-013
Personal 19-113-00470-00

Legal Description -

008-03210-00 PT NE NW 34-2-4 8.60A PT NW NE 34-2-4 .50A

EXHIBIT B

<u>Category</u>	<u>Application</u>	<u>Points</u>
New Investment in equipment	\$ 846,000	26
New Employment	No new employment	0
New Employment Wage Level	N/A	0
Infrastructure in Place		5
Years of Operation in County	9+	5
Targeted Business Bonus Points		5
Utilizes Green Technology		0
Use of Existing Vacant Structure		0
Offers Employer Sponsored Health & Wellness Benefits		2
Offers Employer Sponsored Retirement Plan		2
Community Involvement		1
Use of Local Suppliers & Contractors In Project		1
Offers Mentoring/Internship Program		0
TOTAL POINTS:		47

Based on the point score, the applicant would be eligible for tax abatement on the following schedule:

Year 1-2	100%
Year 3	75%
Year 4	50%
Year 5	25%

RESOLUTION NO. 2016-01
RESOLUTION OF THE COUNTY COUNCIL OF DUBOIS
COUNTY CONFIRMING THE DESIGNATION OF A
PORTION OF JACKSON TOWNSHIP OF DUBOIS COUNTY
AS AN ECONOMIC REVITALIZATION AREA AND
APPROVING A STATEMENT OF BENEFITS

WHEREAS, the County Council of Dubois County, Indiana ("Council"), Indiana ("County"), did on the 28th day of December, 2015, adopt a resolution designating certain real property ("Declaratory Resolution") located in Jackson Township of Dubois County, Indiana and set forth in the Declaratory Resolution as an economic revitalization area under and pursuant to IC 6-1.1-12.1 ("ERA"); and

WHEREAS, as directed in the Declaratory Resolution, notice of the adoption of the Declaratory Resolution and all other disclosures required by IC 6-1.1-12.1-2.5 have been duly published in accordance with IC 5-3-1; and

WHEREAS, as appears in the records of this Council, no remonstrances or objections have been received, and the Council shall now consider the Declaratory Resolution and hear evidence thereon;

WHEREAS, on November 10, 2015, Temple-Inland, Inc., c/o International Paper Company ("Taxpayer") submitted a Statement of Benefits ("SB-1") attached hereto as Exhibit A and Exhibit B and incorporated herein by reference, applying for an assessed value deduction in accordance with IC 6-1.1-12.1-3, and IC 6-1.1-12.1-4.5 in connection with the rehabilitation of certain personal property and requesting approval thereof; and

WHEREAS, notice of a public hearing on the ERA and the property tax abatement was published in accordance with IC 5-3-1 and the Act; and

WHEREAS, the Council hereby determines that the deduction under IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 should be allowed based on the following findings:

- (i) The value of the proposed cost of the new manufacturing equipment is reasonable for equipment of this nature;
- (ii) The totality of the benefits provided by the installation of the new manufacturing equipment is sufficient to justify the deduction; and

WHEREAS, the Council hereby determines that use of the alternative deduction schedule authorized under IC 6-1.1-12.1 is appropriate as demonstrated by:

- (i) The total amount of the Taxpayer's investment in real and personal property;
- (ii) The infrastructure requirements for the Taxpayer's investment; and

WHEREAS, the Council hereby finds that the purposes of the Act are served by allowing the deduction provided by IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 in accordance with the alternate schedule attached hereto as Exhibit B;

NOW, THEREFORE, BE IT RESOLVED BY THE DUBOIS COUNTY COUNCIL :

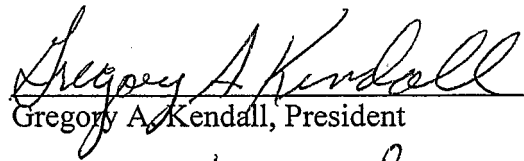
Section 1. The Declaratory Resolution as adopted by this Council on the 28th day of December, 2015, is now and hereby in all things, ratified, approved and confirmed.

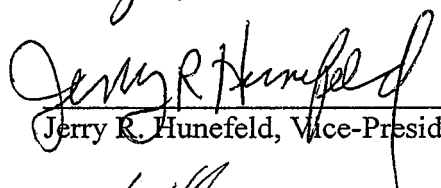
Section 2. The Taxpayer shall be entitled to the deduction provided by IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 in accordance with Exhibit C.


Section 3. The SB-1 and abatement applications submitted by the Taxpayer are hereby approved.

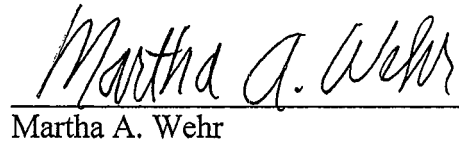
Section 4. This resolution shall be effective from and after passage.

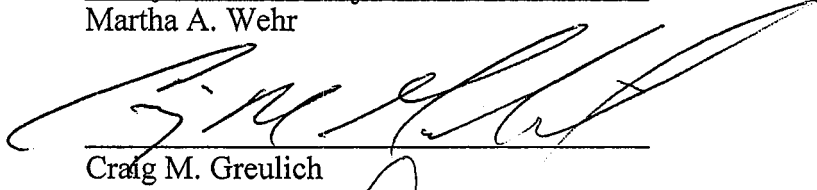
PASSED AND ADOPTED by the County Council of Dubois County, Indiana, this 25th day of January, 2016.

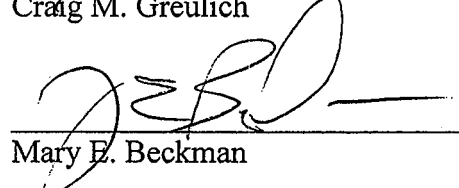

Gregory A. Kendall, President

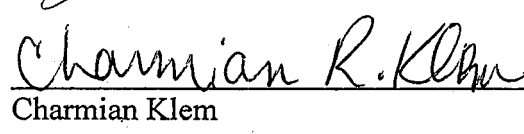

Jerry R. Hunefeld, Vice-President

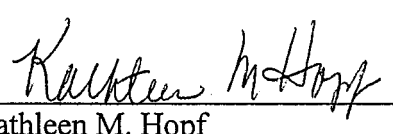

Nick Hostetter


Martha A. Wehr


Craig M. Greulich


Mary E. Beckman


Charmian Klem

Attest: 
Kathleen M. Hopf

TAX ABATEMENT SCHEDULE

YEAR 1	100%
YEAR 2	100%
YEAR 3	75%
YEAR 4	50%
YEAR 5	25%



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION									
Name of taxpayer Temple-Inland/Inland paperboard Pkg c/o International Paper Company					Name of contact person David Malson, Senior Tax Advisor				
Address of taxpayer (number and street, city, state, and ZIP code) 3565 E. 550 S., Huntingburg, IN 47542 - Mailing Address: PO Box 2118, Memphis, TN 38101							Telephone number (901) 419-9000		
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT									
Name of designating body Dubois County Council					Resolution number (s)				
Location of property 3565 E. 550 S.; Huntingburg, IN 47542				County		DLGF taxing district number 19-013			
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)						ESTIMATED			
								START DATE	COMPLETION DATE
						Manufacturing Equipment		02/01/2016	03/01/2016
						R & D Equipment			
						Logist Dist Equipment			
						IT Equipment			
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT									
Current number 34		Salaries 2,300,000		Number retained 34		Salaries 2,300,000		Number additional Salaries	
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT									
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values		2,282,147	744,480						
Plus estimated values of proposed project		846,000	338,400						
Less values of any property being replaced		0	0						
Net estimated values upon completion of project		3,128,147	1,082,880						
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER									
Estimated solid waste converted (pounds)					Estimated hazardous waste converted (pounds)				
Other benefits:									
SECTION 6 TAXPAYER CERTIFICATION									
I hereby certify that the representations in this statement are true.									
Signature of authorized representative 						Date signed (month, day, year) 11-10-15			
Printed name of authorized representative Steve Loveless, CMI						Title Director - Property, Sales & Use Tax			

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed 5 calendar years * (see below). The date this designation expires is _____. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | |
|--|---|--|
| 1. Installation of new manufacturing equipment; | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | Check box if an enhanced abatement was |
| 3. Installation of new logistical distribution equipment. | <input type="checkbox"/> Yes <input type="checkbox"/> No | approved for one or more of these types. |
| 4. Installation of new information technology equipment; | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ 846,000 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- D. The amount of deduction applicable to new research and development equipment is limited to \$ 0 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ 0 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- F. The amount of deduction applicable to new information technology equipment is limited to \$ 0 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)
- G. Other limitations or conditions (specify) _____
- H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:
- | | | | | | |
|--|--|--|--|--|---|
| <input checked="" type="checkbox"/> Year 1 | <input checked="" type="checkbox"/> Year 2 | <input checked="" type="checkbox"/> Year 3 | <input checked="" type="checkbox"/> Year 4 | <input checked="" type="checkbox"/> Year 5 | <input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 | Number of years approved: _____ |
| | | | | | (Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |
- I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body)	Telephone number	Date signed (month, day, year)
<i>Gregory A. Kendall</i>	(812) 481-7000	1-25-2016
Printed name of authorized member of designating body	Name of designating body	
Gregory A. Kendall	DUBOIS COUNTY COUNCIL	
Attested by: (signature and title of attester)	Printed name of attester	
<i>Kathleen M. Hoff</i>	Kathleen M. Hoff	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Proclamation

WHEREAS, National days of prayer have been part of our country's tradition since 1775 and, in 1988, Congress unanimously designated the first Thursday of every May as a National Day of Prayer; and,

WHEREAS, This time has been set aside as a time to give thanks for the many blessings our country has received and to recognize the need for a renewal of moral values and heavenly guidance for community leaders; and,

WHEREAS, it is also fitting that we focus on the need for a healing and a reconciliation within our nation;


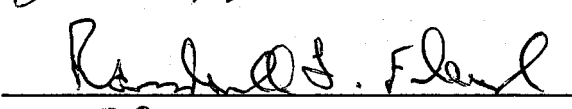

NOW THEREFORE, The Board of Commissioners of Dubois County, Indiana, does hereby proclaim Thursday, May 5, 2016 as a

DAY OF PRAYER

in Dubois County, and urge all citizens to join in the hope that peace and unity will soon be alive and dwell in the hearts of all mankind.

ADOPTED, this 21st day of March, 2016.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA.

ATTEST:


AUDITOR OF DUBOIS COUNTY, INDIANA

RESOLUTION NO. 2016-01

**RESOLUTION OF THE DUBOIS COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DUBOIS, INDIANA
ADOPTING 2016 TITLE VI IMPLEMENTATION PLAN**

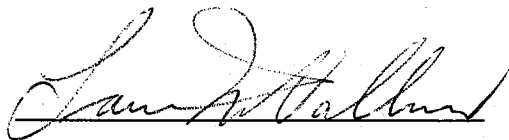
WHEREAS, the Federal government enacted the Civil Rights Act of 1964 (Title VI), 49 CFR § 26, to prevent discrimination of individuals based on race, color, sex, disability, national origin or income status relating to employment and access to public facilities; and

WHEREAS, in compliance with Title VI of the Civil Rights Act of 1964 the County of Dubois shall adopt and implement a Title VI Implantation Plan to provide equal opportunity and equitable service for the citizens of Dubois County.

NOW, THEREFORE, BE IT RESOLVED by the Dubois County Board of Commissioners of the County of Dubois, Indiana:

That the County of Dubois adopts that attached Title VI Implementation Plan, and that the Plan shall be reviewed annually by the County to assess policies and procedures and updating annual goals as deemed appropriate.

PASSED AND ADOPTED by the County Commissioners of Dubois County, Indiana on this 16TH day of MAY, 2016.



Lawrence M. Vollmer, Commissioner

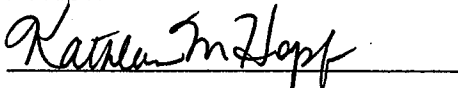


Randall L. Fleck, Commissioner



Elmer Brames, Commissioner

ATTEST:



Kathleen M. Hopf, Dubois County Auditor

RESOLUTION NO. 2016-02**RESOLUTION ADOPTING THE DUBOIS COUNTY, INDIANA TITLE VI ASSURANCES****A RESOLUTION OF THE COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA ASSURING TITLE VI REGULATIONS WILL BE FOLLOWED FOR ALL BUSINESS DONE THROUGH THE COUNTY GOVERNMENT**

Dubois County, Indiana (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of religion, race, color, national origin, sex (23 USC 324), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/ handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 Code of Federal Regulations, subsection 21.7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a)(1) of the Regulations, copies of which are attached.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Aid Highway Program.

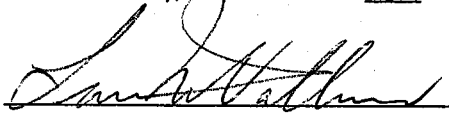
1. That the Recipient agrees that each "program" and each "facility as defined in 49 CFR subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal-Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

The recipient in accordance with Title VI for the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in consideration for an award.

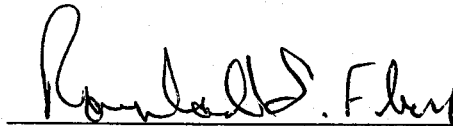
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts of the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon , or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, of for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any further deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation of the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient Department of Transportation und the Federal-Aid Highway Program and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

PASSED AND ADOPTED by the County Commissioners of Dubois County, Indiana on this 16th day of MAY, 2016.



Lawrence M. Vollmer, Commissioner

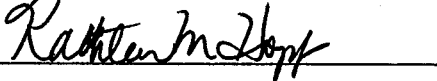


Randall L. Fleck, Commissioner



Elmer Brames, Commissioner

ATTEST:



Kathleen M. Hopf, Dubois County Auditor

Appendix A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-Assisted programs of the Department of Transportation (hereinafter "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, Including Procurements of Material and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, disability/handicap and low income.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by **Dubois County, Indiana**, the Indiana Department of Transportation (INDOT) or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to **Dubois County, Indiana**, INDOT or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, **Dubois County, Indiana** shall impose such contract as it, INDOT, or the FHWA may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such actions with respect to any subcontract or procurement as **Dubois County, Indiana**, INDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened

with, litigation with a subcontractor or supplier as result of such direction, the contract may request Dubois County, Indiana to enter into such litigation to proceed the interests of Dubois County, Indiana and in addition, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein for the United States

(Granting Clause)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that **Dubois County, Indiana** will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal Aid Highway Programs and the policies and procedures prescribed by FHWA, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto **Dubois County, Indiana** all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(Habendum Clause)

TO HAVE AND TO HOLD said lands and interests herein unto the **Dubois County, Indiana** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on **Dubois County, Indiana** its successors and assigns.

Dubois County, Indiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, sex, age and disability/handicap, and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,](and)* (2) that **Dubois County, Indiana** shall use the lands and interests in lands and interests in lands conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by **Dubois County, Indiana** pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, **Dubois County, Indiana** shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, **Dubois County, Indiana** shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **Dubois County, Indiana** and its assigns.

The following shall be included in all deeds licenses, leases, permits, or similar agreements entered into by **Dubois County, Indiana** pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, sex, age, disability/handicap, and low income shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin, sex, age disability/handicap and low income shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of

Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, **Dubois County, Indiana** shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, **Dubois County, Indiana** shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **Dubois County, Indiana** and its assigns.

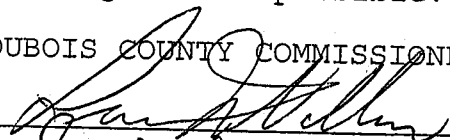


*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964

DUBOIS COUNTY CREDIT CARD POLICY

The Board of County Commissioners did in March of 2012 approve the acquisition and use of a credit card by the County for official County business. The credit card shall remain in the possession of the County Auditor, who shall maintain a log of expenditures made with the credit card, listing the department, name, vendor and amount of each purchase, and the name of each person authorized to withdraw the card for use away from the Courthouse. When withdrawn, the credit card shall be returned to the County Auditor as soon as practical, but no later than the following business day, accompanied by a completed claim form.

The credit card shall be used only for purchases over \$50.00, and for purchases from vendors when direct billing is not possible.

DUBOIS COUNTY COMMISSIONERS

Resolution to Transfer Funds to the Community Crossings Grant Fund

Whereas, the Dubois County Council finds the purpose of the LOIT Special Distribution Fund restricted and can be used as a local match to the Community Crossings Grant per Indiana Senate Enrolled Act No. 67; and,

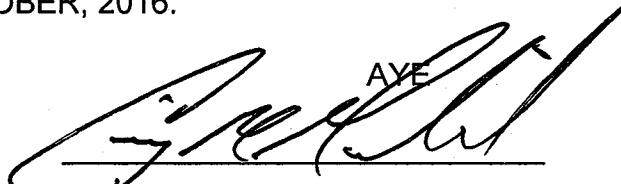
Whereas, Dubois County has been awarded a Community Crossings Grant from the Indiana Local Road and Bridge-Matching Grant Fund, established by HEA 1001-2016, in the amount of \$476,306.22; therefore,

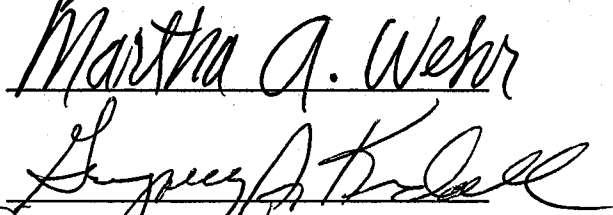
Be it Resolved, that the Dubois County Council does hereby transfer \$476,306.22 from the LOIT Special Distribution Fund (Fund 174-1229) into the Community Crossings Grant Fund (Fund 185-9130). This fund shall be subject to the same appropriation process as other funds. Upon completion of the Road Preventative Maintenance Projects, remaining grant funds shall be returned to the Grantor and remaining local matching funds shall be returned to the LOIT Special Distribution fund.

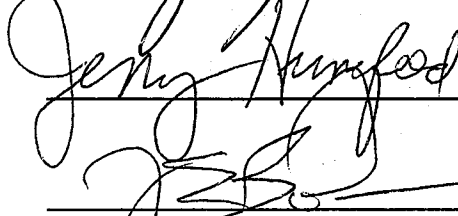
ADOPTED THIS 24th DAY OF OCTOBER, 2016.

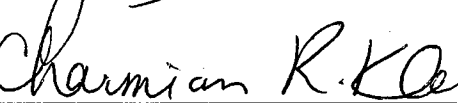
NAY

AYE



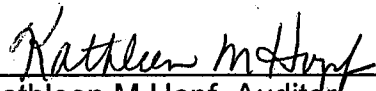
Martha A. Weber


Stephen A. Kline


Jerry Hopf


Charmian R. Koen

ATTEST:



Kathleen M Hopf, Auditor

PROCLAMATION

To All To Whom These Presents May Come, Greetings:

WHEREAS, Sunday, December 11, 2016, marks the 200th anniversary of the day President James Madison signed the act admitting Indiana as the 19th State of the Union; and

WHEREAS, on the occasion of Indiana's 200th birthday, we honor the culmination of the Bicentennial year in Indiana - a year of celebrating history, nature, and community and igniting the future for generations to follow; and

WHEREAS, we take this opportunity to recognize the many community leaders and volunteers who played vital roles in creating the legacies of this year that we will long treasure and the stories that will be told for years to come, and

WHEREAS, we pause to remember the Hoosier values and pride we have seen on display, and make a promise to continue in the spirit of the Bicentennial and create a brighter future for our children;

NOW, THEREFORE, the Board of County Commissioners of Dubois County, Indiana, do hereby proclaim December 11, 2016, as

Indiana Statehood Day and Bicentennial

and invite all citizens to duly note this occasion.

In Testimony Whereof, We hereto set our hands and cause to be affixed the official seal of office. Proclaimed at Jasper, Dubois County, Indiana, this 5TH day of December, 2016.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

