

COPY

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

BOARD OF SANITARY COMMISSIONERS

RESOLUTION NO. SD06-10-0115A

A RESOLUTION AUTHORIZING THE ENTRY INTO A JOINT INTERLOCAL COOPERATION AGREEMENT FOR SEWAGE TREATMENT BY AND BETWEEN THE TOWNS OF ST. JOHN AND SCHERERVILLE, LAKE COUNTY, INDIANA, FOR MUTUAL BENEFIT.

WHEREAS, the Board of Sanitary Commissioners of the Town of St. John, Lake County, Indiana, has been advised that the provisions of Indiana Code 36-1-7-1, et. seq., as amended from time to time, permit local governmental units and entities to make the most efficient use of their powers by enabling such governmental units to mutually contract and utilize services for the mutual benefit of the participating governmental entities; and

WHEREAS, the Board of Sanitary Commissioners of the Town of St. John, Lake County, Indiana, is a Municipal Corporation and Special Taxing District empowered by the terms and provisions of Indiana Code 36-1-7-1, et. seq., as amended from time to time, to enter into agreements with other local governmental units for the purpose of treatment of wastewater, liquid waste, and sewage collected for the mutual benefit of the participating governmental units;

WHEREAS, the Town of Schererville, Lake County, Indiana, is a Municipal Corporation which operates and provides a municipal sewer utility service for the residents of the Town and operates an approved Publicly Owned Treatment Works (POTW) or Wastewater Treatment Plant (WWTP) facility for the treatment of wastewater, liquid wastes, and sewage collected in Schererville, and elsewhere, and as such, is empowered by the terms and provisions of Indiana Code 36-1-7-1, et. seq., as amended from time to time, to enter into agreements with participating governmental units for the treatment of wastewater, liquid wastes, and sewage for the mutual benefit of participating governmental units; and

WHEREAS, the Towns of Schererville and St. John, located in Lake County, Indiana, as Municipal Corporations and Special Taxing Districts, seek to enter into a Joint Interlocal Cooperation Agreement, based upon the terms and provisions of Indiana Code 36-1-7-1, et. seq., as amended from time to time, together, for transmission, collection, acceptance and treatment by Schererville of the wastewater, liquid wastes, and sewage from St. John for the

mutual benefit of the participating governmental units, at shared costs, and as set forth in said Sewage Treatment Agreement; and

WHEREAS, The Board of Sanitary Commissioners, a Special Taxing District of the Town of St. John, has determined that entry into such a Joint Interlocal Cooperation Agreement with the Town Council of the Town of Schererville, in its capacity as the Utility Board of Schererville, for Sewage Treatment purposes, as described herein, at shared costs, is in the best interest of the residents of the Town of St. John, and therefore, has determined that it is advisable to enter into and become a participating unit under such a Joint Interlocal Cooperation Agreement pursuant to the applicable provisions of Indiana State Law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Board of Sanitary Commissioners of the Town of St. John, Lake County, Indiana, shall take all appropriate and legal measures to enter into a Joint Interlocal Cooperation Agreement with the Town Council of the Town of Schererville, in its capacity as the Utility Board of Schererville, Lake County, Indiana, for Sewage Treatment purposes, as set forth and described therein, for the mutual benefit of the two (2) Towns and Sewer Districts, at shared costs.

SECTION TWO: That the Board of Sanitary Commissioners of the Town of St. John is hereby authorized and directed to execute and enter into a Joint Interlocal Cooperation Agreement for Sewage Treatment purposes for the mutual benefit of the Towns of Schererville and St. John, at shared costs, pursuant to the applicable provisions of Indiana Code 36-1-7-1, et. seq., as amended from time to time. Further, that the Town Clerk – Treasurer is hereby authorized to attest the Joint Interlocal Cooperation Agreement executed on behalf of the Town of St. John by its Board of Sanitary Commissioners. Further, that the Sewage Treatment Agreement by and between the Towns of St. John and Schererville, Lake County, Indiana, is attached hereto and incorporated herein in all its terms, as Exhibit "A", with the same bearing an effective date of January 1, 2001.

SECTION THREE: That the Board of Sanitary Commissioners, concurs and agrees to the terms and provisions of the Joint Interlocal Cooperation Agreement between St. John and

Schererville for Sewage Treatment as set forth and attached hereto as Exhibit "A", and directs that all said terms and provisions contained therein be complied with and followed.


SECTION FOUR: That this Resolution authorizing the entry into a Joint Interlocal Cooperation Agreement for Sewage Treatment by and between the Towns of St. John and Schererville, Lake County, Indiana, shall take effect, and be in full force and effect from and after its passage by the Board of Sanitary Commissioners and the Town Council, of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS RESOLVED, PASSED AND ADOPTED BY BOARD OF SANITARY COMMISSIONERS OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS 15th DAY OF October, 2001.

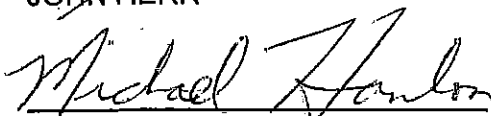
TOWN OF ST. JOHN SANITARY DISTRICT



JOSEPH CLARK, President



JOHN HERR




MICHAEL HANLON

KENNETH JOHNSTON



ALEX MONANTERAS

ATTEST:



JUDITH L. COMPANIK, Clerk/Treasurer