

FLOYD COUNTY RESOLUTION 2002-VII
A RESOLUTION AUTHORIZING A SPECIAL PURCHASING METHOD
PURSUANT TO IC 5-22-1

WHEREAS, the Floyd County Highway Department (Department) is a Federal Communication Commission authorized Radio Station Operator and presently leases space for its communication antenna and related equipment; and

WHEREAS, the tower presently used by the Department and the building in which its equipment is located are being removed and replaced with a new tower and structure under new ownership; and

WHEREAS, it will be necessary for the Department to lease space in the new building and secure a site on the new tower in order to avoid an interruption communication services; and

WHEREAS, the provisions of IC 36-1-10-4.1 provide that a leasing agent, being the Board of Commissioners of the County of Floyd, may elect, when leasing a communication system, to proceed under the provisions of IC 5-22-1, et seq; and

WHEREAS, the Board of Commissioners has received a proposal from P & B Towers, LLC, 1421 Sylvan Way, Louisville, Ky. 40205 to lease the Department space for its equipment and a location on its tower which is suitable for the needs of the Department, and the Board of Commissioners of the County of Floyd (Board) finds that, (1) an emergency exists as defined in IC 5-22-10-5, in that there will be a disruption in the communication capabilities of the Department unless a contract is immediately concluded; and (2) that the proposed Lessor is the single source of supply for the space and tower location that will most closely meet the Department's reasonable requirements, as provided in IC 5-22-10-13; and

WHEREAS, a review of the proposal of P & B Towers as it pertains to the furnishing of space for the Department's Equipment and tower location will not exceed \$8400.00 for the full five year term of the proposed lease, being the total cost of the "purchase", and the Board has determined that this lease may be concluded pursuant to IC 5-22-8-2; and

WHEREAS, the Board of Commissioners of the County of Floyd is desirous of causing to be recorded in its minutes the matters heretofore set forth herein.

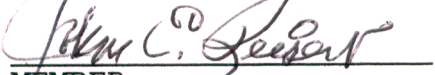
NOW THEREFORE:

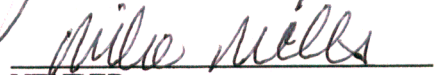
BE IT RESOLVED, that the recitals heretofore set forth herein are expressly incorporated herein and made a part hereof, and that the contemplated conclusion of a lease with P & B Towers, LLC, is expressly determined to be a permissible Special Purchase pursuant to IC 5-22-10, et seq. and/or is exempt from formal bidding requirements pursuant to the provisions of IC 5-22-8-2.

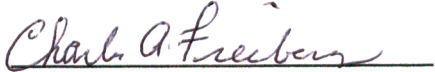
BE IT FURTHER RESOLVED, that this resolution shall be deemed that written determination required by the provisions of IC 5-22-10-3 (b), and that the Floyd County Auditor is hereby directed to maintain a listing of the contract concluded with P & B Towers, LLC, as required by IC 5-22-10-3 (c).

SO RESOLVED, this 4th day of June, 2002.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD


MEMBER


MEMBER


MEMBER

ATTEST:


FLOYD COUNTY AUDITOR