

RESOLUTION NO. FCR 2023-13

FLOYD COUNTY, INDIANA, BOARD OF COMMISSIONERS

**ADOPTING THE PROVISIONS OF INDIANA CODE § 5-23,
AUTHORIZING THE RELEASE OF A REQUEST FOR
PROPOSALS/QUALIFICATIONS UNDER INDIANA CODE § 5-23,
AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO**

WHEREAS, the Floyd County Redevelopment Commission (the “Redevelopment Commission”) has adopted, or intends to adopt, a resolution seeking to provide for certain local public improvements located in, or directly benefitting and serving, the Edwardsville Highlander Point Redevelopment Area, which improvements consist of the design, engineering, acquisition and construction of an approximately 30,000 square feet corporate headquarters building on Lot Number 2 in Innovation Park, Plat No. 1491, recorded as Instrument No. 202016345 on October 15, 2020 in the Recorder’s Office of Floyd County, Indiana (the “County”), and which building, upon completion, will be leased to Redwire Space Technologies, Inc., or an affiliate thereof, as the anchor tenant for the County’s Novaparke Innovation and Technology Campus (collectively, the “Project”); and

WHEREAS, the Redevelopment Commission has requested that the Board of Commissioners of Floyd County, Indiana (the “Board”), acting as the executive and legislative bodies of the County, adopt and authorize the use Indiana Code § 5-23 to carry out the improvements comprising the Project; and

WHEREAS, the Board believes that the use of a private-public agreement under the provisions of Indiana Code § 5-23 will provide an efficient and economical means for the design, construction, operation, management, maintenance, and/or financing of the cost of the improvements comprising the Project; and

WHEREAS, the Board, as the executive and legislative bodies of the County, may adopt ordinances and resolutions for the performance of functions of the County; and

WHEREAS by this resolution, the Board now desires to adopt the provisions of Indiana Code § 5-23 with respect to the Project, pursuant to Indiana Code § 5-23-1-1; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FLOYD COUNTY, INDIANA, as follows:

Section 1. The Board adopts the provisions of Indiana Code § 5-23 and authorizes the Redevelopment Commission’s use of those provisions for the construction of all public improvements related to the Project.

Section 2. The President of the Board or any member of the Committee are hereby authorized to take any and all actions and execute any documents or certificates that such officers deem necessary or desirable to effect the foregoing resolutions. Any such actions taken or documents or certificates executed and delivered are hereby ratified, confirmed and approved.

Section 3. The Board delegates to the Redevelopment Commission the creation and appointment of a committee to serve as the governmental body under Indiana Code 5-23 (the "Committee"), and authorizes the Committee to: (i) publish all required or appropriate public notices, (ii) release a request for proposals/qualifications, (iii) review responses from offerors, and (iv) provide a recommendation to the Board regarding a BOT agreement and/or operator, each as defined under Indiana Code § 5-23-2.

Section 4. The Board hereby authorizes the Committee to issue a request for proposals/qualifications under Indiana Code § 5-23 to explore the potential development, construction, financing, operation, and transfer of the Project.

Section 5. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed. After the issuance and execution of an Agreement and so long as the Agreement remains in place, except as expressly provided herein, this Resolution shall not be repealed or amended, nor shall the County adopt any law, ordinance or resolution which in any way adversely affects this Resolution.

Section 6. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

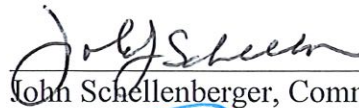
Section 7. This Resolution shall be in full force and effect from and after its passage

DULY PASSED and ADOPTED on this 15th day of August, 2023, by the Board of Commissioners of Floyd County, Indiana.

BOARD OF COMMISSIONERS OF FLOYD
COUNTY, INDIANA



Al Knable, Commissioner



John Schellenberger, Commissioner



Jason Sharp, Commissioner

ATTEST:



Diana Topping, County Auditor

