

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

RESOLUTION NO. 2019 – 07 - 11

A RESOLUTION FOREGIVING THE REPAYMENT OF A MONETARY LOAN FROM THE "WATER OPERATING FUND" TO THE "WASTEWATER SYSTEM DEVELOPMENT FUND," AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised by the State Board of Accounts through an Exit Conference on January 24, 2019, that the Town was in violation of its own Ordinances and Resolutions relating to the "Water Operating Fund" and the "Wastewater System Development Fund; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has also been advised by the Town Clerk-Treasurer that the monetary loan distributed to the "Wastewater System Development Fund" from the "Water Operating Fund," cannot be repaid at this time and should be forgiven; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the applicable state law regarding monetary loans and, specifically, pertaining to the forgiving of same; and

WHEREAS, the Indiana "Home Rule" Statutes (I.C. § 36-1-3 *et seq.*) authorize a Municipality to adopt an Ordinance or Resolution prescribing a specific manner of operating or policymaking by a city or town; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that the law permits the forgiving of a monetary loan distributed to the "Wastewater System Development Fund" from the "Water Operating Fund," in the amount of Two Million Eighty-Two Thousand Eighty-Three and 00/100 Dollars (\$2,082,083.00); and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed and considered all recommendations, and being duly advised, now concurs that it is advisable, necessary, appropriate, and in the best interests of the residents of the Town of St. John to forgive the monetary loan distributed to the "Wastewater System Development Fund" from the "Water Operating Fund," in the amount of Two Million Eighty-Two Thousand Eighty-Three and 00/100 Dollars (\$2,082,083.00), in accordance with applicable law, as amended from time to time.

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

SECTION ONE: That the monetary loan distributed to the "Wastewater System Development Fund" from the "Water Operating Fund," in the amount of Two Million Eighty-Two Thousand Eighty-Three and 00/100 Dollars (\$2,082,083.00) shall hereby be forgiven, in accordance with applicable law, as amended from time to time.

SECTION TWO: That all existing Resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: That this Resolution shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and the Town Clerk-Treasurer is hereby authorized to make all appropriate entries on the books and records of the Town regarding these matters.

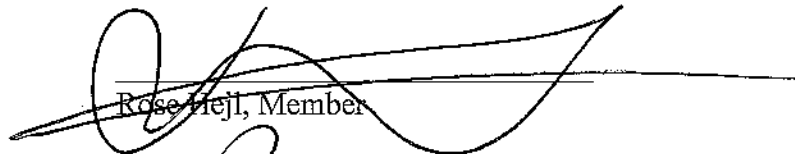
**ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF JULY, 2019,
BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.**

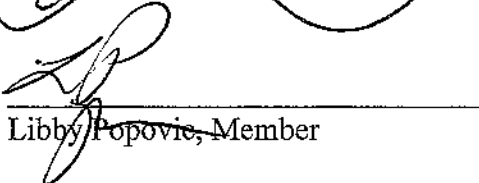
**TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL**


Mark Barenie, President


Gerald Swets, Vice-President


Michael S. Forbes, Member


Rose Hejl, Member


Libby Popovic, Member

ATTEST:


Beth Hernandez, Clerk-Treasurer

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