

TOWN OF DANVILLE

Town Council Agenda November 15, 2023 @ 7:00pm

- I. Establish Quorum, Call Meeting to Order**
- II. Pledge of Allegiance**
- III. Approval of Minutes**
- IV. Public Comment – 3 minutes/person**
- V. Public Meeting**

- A. Policy Amendment: Termination/Resignation – Clerk/Treasurer
- B. Holiday Schedule – Clerk/Treasurer
- C. Resolution 15-2023: Council Procedures – Town Manager
- D. Ordinance 25-2023: Amend 2023 Salary Ordinance – Town Manager
- E. Ordinance 26-2023: 2024 Salary Ordinance – Clerk/Treasurer
- F. Ordinance 27-2023: Wastewater Rate Adjustment – Utility Director
- G. Ordinance 28-2023: Stormwater Rate Adjustment – Utility Director
- H. Ordinance 29-2023: Utility Bond Ordinance – Clerk/Treasurer
- I. Ordinance 30-2023: Water Rate Adjustment – Utility Director
- J. Request to Spend Funds: Salt – Public Works
- K. Request to Spend Funds: CCG Refund – Public Works
- L. CER: Backwash Pump – Water Department

- VI. Staff and Council Comments**
- VII. Claim Docket**
- VIII. Adjournment**

NOTICE: The public meetings of the Danville Town Council conducted within these chambers shall be video recorded. Said recording will be part of the public records of the Town of Danville and shall be published upon the Town of Danville's website for public access. All individuals attending public meetings hereby give, to the Town of Danville, their permission for said publication, which may contain their image or statements.

TOPIC SUMMARY

Approval of Minutes:

11/1/23: Council Meeting. *Will require a Vote.*

- A. Policy Amendment: Termination/Resignation** – Clerk/Treasurer will present an amendment to the Policy Manual as it applies to employees who are terminated or resign. *Will require a Vote. Please allow time for signature if approved.*
- B. 2024 Holiday Schedule** – Clerk/Treasurer will present the proposed 2024 Holiday Schedule for the Town employees. *Will require a Vote.*
- C. Resolution 15-2023: Council Procedures** – Town Manager will present a resolution for Council Procedures that eliminates the ability to withdraw a vote after it has been made. *Will require a Vote. Please allow time for signatures if approved.*
- D. Ordinance 25-2023: Amendment to the Salary Ordinance (Administrative Assistant)** – Town Manager will present an ordinance to amend the 2023 Salary Ordinance to change the Office Manager to Administrative Assistant along with a shift in the working schedule. Staff is requesting to suspend the rules to act on this matter tonight. Will require a unanimous vote of all in attendance to suspend and then 2/3 to pass the ordinance. *Will require a Vote. Please allow time for signatures if approved.*
- E. Ordinance 26-2023: 2024 Salary Ordinance** – Clerk/Treasurer will present the 2024 Salary Ordinance for consideration. This is up for introduction only tonight. *Will require no further action.*
- F. Ordinance 27-2023: Wastewater Rate Adjustment** – Utility Director along with the Financial Advisor and Bond Counsel will present an ordinance to adjust the wastewater rates. This is up for introduction only tonight. *Will require no further action.*
- G. Ordinance 28-2023: Stormwater Rate Adjustment** – Utility Director along with the Financial Advisor and Bond Counsel will present an ordinance to adjust the stormwater rates. This is up for introduction only tonight. *Will require no further action.*
- H. Ordinance 29-2023: Utility Bond Ordinance** – Clerk/Treasurer along with Bond Counsel will present the Utility Bond Ordinance. This is up for introduction only tonight. *Will require no further action.*
- I. Ordinance 30-2023: Water Rate Adjustment** – Utility Director along with the Financial Advisor and Bond Counsel will present an ordinance to adjust the water rates. This is up for introduction only tonight. *Will require no further action.*
- J. Request to Spend Funds: Salt** – Public Works will present a request to expend funds to purchase salt for the winter road treatment. *Will require a Vote.*
- K. Request to Spend Funds: Community Crossing Grant Refund** – Public works will present a request to expend funds to return unused monies to the State of Indiana from the Community Crossing Grant. *Will require a Vote.*
- L. Capital Expenditure Request: Backwash Pump** – Water Superintendent will present a request to expend funds to purchase a replacement backwash pump. *Will require a Vote.*

Staff and Council Comments

Claim Docket

Motion to Adjourn

-Bold Agenda Item

-Italicized items are for action needed

Town of Danville- Employee Policy Handbook 2009

AMENDMENT:

Termination

If an employee decides to leave Town employment, a minimum of two weeks written, advance notice must be given in order to leave in good standing, unless an appointing authority expressly waives this and accepts a shorter notice. Employees are expected to work each day during that two-week period. Leaving in good standing entitles you to consideration for future rehire. You should route your resignation letter through your supervisor and the HR Director.

Voluntary Resignation

An employee should provide their Department Administrator with two weeks written notice if choosing to resign from employment with the Town of Danville. When an employee separates from employment with the Town, while enrolled in Town medical coverage, the employee's participation will end. The separating employee will be sent a COBRA packet from AIM Medical Trust if they would like to continue coverage under COBRA. The employee must work their full official last date of employment to qualify for pay out of any applicable benefits, finalize payroll documentation, and complete an exit interview with the HR Director.

Immediate Discharge/Misconduct

Any employee whose conduct, actions, or performance violates or conflicts with the Town of Danville's policies may be terminated immediately and without warning. In the event of discharge for misconduct, all benefits end effective the day of the discharge. Employees who are terminated will not receive pay out of applicable leave benefits, and will not be considered in good standing.

Exit Interviews

Upon separation of employment, the HR Director shall conduct an exit interview on or before the last day of employment. Copies of the completed exit interview will be provided to the Clerk-Treasurer's office and feedback sent to the Department Administrator.

Returning Town Property

An employee must return all Town property to their Department Administrator on or before the last day of employment. Exit/offboarding paperwork will include a list of items provided to the employee, and the date items were collected.

Amended this 15th day of November 2023

David Winters- Council President

Attest:

Carrie Lofton-Clerk/Treasurer



TOWN OF DANVILLE 2024 HOLIDAY SCHEDULE

New Year's Day	Monday	January 1, 2024
Martin Luther King, Jr. Day	Monday	January 15, 2024
Presidents' Day	Monday	February 19, 2024
Good Friday	Friday	March 29, 2024
Memorial Day	Monday	May 27, 2024
Juneteenth	Wednesday	June 19, 2024
Independence Day	Thursday	July 4, 2024
Labor Day	Monday	September 2, 2024
Columbus Day	Monday	October 14, 2024
Veterans Day	Monday	November 11, 2024
Thanksgiving Day	Thursday	November 28, 2024
Thanksgiving Holiday	Friday	November 29, 2024
Holiday Luncheon	Friday (noon-?)	December 13, 2024
Christmas Eve	Tuesday	December 24, 2024
Christmas Day	Wednesday	December 25, 2024

RESOLUTION NO. 15 — 2023

TOWN OF DANVILLE, INDIANA TOWN COUNCIL PROCEDURES

WHEREAS, the Town of Danville, Indiana ("Town") Council, the Town's legislative body, meets periodically to conduct Town business;

WHEREAS, the Town Council now desires to revise and update the procedures governing the conduct of Town Council meetings and business; and

WHEREAS, the Town, by and through its Town Council, now finds that it is in the best interests of efficiency, uniformity, and transparency to establish the following procedures to govern meetings of the Town Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT:

- (1) The above recitals are incorporated herein by reference.
- (2) This Resolution shall be in effect from and after its passage by the Town Council of the Town of Danville, Indiana.
- (3) Town Council meetings shall be held pursuant to the following procedures, to be known as the Town of Danville, Indiana Town Council Procedures:

Meeting Times

1. Regular meetings of the Town Council shall be held at 7:00 PM on the First and Third Wednesday of each month at Danville Town Hall. In the event that a First or Third Wednesday falls on a holiday, the regular meeting shall be held on the Tuesday before the Holiday or the Thursday after the Holiday. Work Study Sessions and Executive Sessions will be called as needed.
2. Notice of the time and place of regular meetings will be sent once a year to all news media that have filed a written request for such notice. Notice of special meetings must be given at least 48 hours in advance in the manner established by Ind. Code § 5-14-1.5-5. Meetings called to address emergencies are governed by Ind. Code § 5-14-1.5-5(d).
3. Special meetings may be called by a majority of the elected members of the Town Council when requested in a writing that states the purpose for the meeting.

Submission of Documents

1. To be considered for action at any Town Council, without the necessity of suspending the rules; an ordinance, resolution, contract, proposal, or other writing requiring legislative action shall be filed in the office of the Town Manager no later than the close of business on the Wednesday prior to the Town Council meeting at which it is to be considered unless the Council President or Town Council suspends the rules.
2. The Town Manager will prepare Council packets containing the submitted documents and have them available to the Town Council, Clerk-Treasurer, Town Attorney and Staff by the close of business on Friday prior to the Council meeting.

Department Head Attendance

1. The Danville Town Council encourages all Department Heads to attend all meetings or be accessible by telephone in the instances where consultation is needed, or questions need to be answered.

Expenditure Requests / Approval Authorities for Emergency Spending

1. Expenditure requests shall conform to the following guidelines for spending:
 - Up to \$10,000 – Department Heads may approve unless included in the budget and give notice to the Clerk/Treasurer
 - Up to \$15,000 – Town Manager may approve unless included in the budget and give notice to the Clerk/Treasurer
 - Up to \$20,000.00 – Town Manager and the Council Liaison may approve.

Emergency situations over \$20,000.00 require a majority of the Town Council Approval

2. All expenditure requests not included in the budget shall be made on a Capital Expenditure Request Form, available from the Town Manager, and shall be properly executed and signed by the Department Head and submitted to the Town Manager and Clerk/Treasurer no later than the Wednesday before the next Town Council Meeting.
3. Any expenditure request not made pursuant to the above procedures shall be acted upon only upon suspension of the rules.

Council Meeting Agenda

1. The Town Manager shall, in consultation with the Town Council President, prepare an agenda that will be included in the council packet and posted on the bulletin board at the Danville Town Hall at least 3 business days prior to each Council meeting. The agenda shall also be sent to all media who have formerly requested a copy.
2. Items not included on the agenda may be introduced by Town Council members at the Town Council meeting and amended into the agenda by a majority vote. The presiding officer of the Council meeting may alter the order of the agenda for the convenience of the Council.

Committees

1. Special committees will be appointed by the Town Council President throughout the year as such need arises and shall be done at a public meeting of the Council. Special Committees cease to exist when they complete their purpose.
2. Committees may conduct fact-finding and research, as they deem necessary regarding the matter before them, and shall report their findings or recommendations to the Town Council. Any documents that have been given to any committee related to Town business, shall be given to the Town Manager, as a matter of record keeping within a reasonable amount of time after receipt of such material. No committee shall enter into agreements on behalf of the Town of Danville without documented prior approval from the Town Council.
3. Committees, Boards and Commissions require approval of the Council to use the services of the Town's Legal Counsel.

Duties of Presiding Officer in Board Meetings

1. The Town Council President, or in his or her absence the Council Vice President, shall be the presiding officer of the council.
2. The presiding officer shall open, control, limit, and close comments on agenda matters.

3. The presiding officer shall preserve order and decorum in all meetings of the Town Council. The presiding officer shall have the right to speak on points of order in preference to members of the board.
4. The presiding officer shall ask for the yeas and the nays on any question before the Board when a vote on it is necessary.

Organization of Town Council

1. The Town Council shall organize itself by the election of officers in the first meeting held during each calendar year. In a year where Board members remain the same, they may choose to elect the president and vice president at their year-end meeting; however, it will be noted in their first meeting of the year thereafter, with the minutes reflecting the results of their action.
2. The sitting President of the Town Council shall conduct the election of officers. If there is not a sitting president or vice president, the members of the Town Council shall select one of their members to chair the meeting.
3. The officers of the Town Council, who shall hold their office for an annual period, shall be as follows:
 - a. President – who shall be the Town executive, and shall have all authority and power, vested in such executive by the laws of the State of Indiana by this and any other ordinance.
 - b. Vice-President – who shall perform all the acts and duties and have all the powers of the president in the absence or disability of the president.
4. In the event an officer resigns, dies, or becomes otherwise incapacitated to hold office, the Town Council shall elect a successor among remaining Board members to complete such officer's term of office as president or vice-president.

Lack of Quorum

1. In the event that less than a quorum of the Town Council shall be present for a regular or special meeting, such Council members as are present may, upon passage of 20 minutes after the designated time for the meeting to commence, adjourn the meeting immediately. If a meeting is adjourned due to lack of quorum, all business on the agenda shall be transferred to the agenda for the next meeting.

Voting Procedures

1. When present, all Council members are encouraged to vote.
2. No ordinance, resolution or motion shall be passed or become effective without an affirmative vote in accordance with subsection 7 below.
3. A council member shall declare a conflict of interest whenever appropriate and in compliance with state law. General consensus may be declared at the discretion of the presiding officer if there are no negative votes or objections by Council members.
4. Upon the request of any Board members, a roll call vote will be taken and recorded.
5. Abstentions: A Board member must declare his/her intent to abstain from a vote prior to the presiding officer's roll call for a vote.
6. Tie Vote: In the event of a tie vote, the Clerk/Treasurer may cast the tie-breaking vote.
7. Majority Vote: A statutory majority (3 of 5 Council members) is required for ordinances, resolutions and contracts. All other items may be approved by a majority of the members present unless one member calls for a statutory majority.

Indemnification and Signing Documents

1. All ordinance and resolutions shall be assigned a number upon their introduction at a Council meeting.
2. Whenever the Council takes final action on documents requiring the signature of Council members, those signatures should be placed upon the document prior to consideration of other Council matters.

Discussion Rules

1. **Obtaining the Floor:** A member of the Town Council, staff or public should first address the President and gain recognition. Comments and questions should be limited to the issue before the Council. Cross-exchange between Council members and the public should be limited to the issue at hand and non-argumentative.
2. **Interruptions:** Once recognized, a person is considered to have the floor, and another person may not interrupt the speaker except to make a point of order or a point of personal privilege. In such a circumstance, the person holding the floor shall cease speaking until the point of order or privilege is resolved.
3. **Discussion Limit:** A Council member should not speak more than once on a particular subject until every other Council member has had the opportunity to speak. Council members are encouraged to discuss items during the decision-making process and may ask staff to respond when appropriate. The President should allow other members to speak first and then give his/her views and summarize.
4. **Tabling Procedure:** Tabling an item immediately stops discussion and causes a vote to postpone a matter indefinitely or to a time and date provided.
5. **Right of Protest:** A Council member is never required to State reason for dissenting vote.
6. **Calling for the question:** The purpose of calling for the questions is to disallow further debate and put an issue to an immediate vote. A Council member may move to "call for the question" on an item which is being considered. The motion requires a second, is not debatable, and must pass by a 2/3 vote. If the motion carries, the item is no longer debatable, and the Town Council must vote on it.

Other Protocol

In order to emphasize the importance of the business being conducted in a professional manner, Council members and staff shall:

- a. Work to preserve appropriate order and decorum during all meetings.
- b. Discourage side conversations, disruptions, interruptions or delaying effort.

- c. Inform the President when departing from a meeting.
- d. Limit Disruptive Behavior: Persons demonstrating rude, boisterous or profane behavior will be called to order by the President. If such conduct continues, the President may call a recess, request the removal of such person(s), adjourn the meeting or take other appropriate action. The council discourages booing, applause or other similar behavior.
- e. Recognize that only the Town Council, Town Manager, Clerk/Treasurer and other staff as needed shall be permitted to sit at the Council or staff tables.
- f. Limit breaks for Town Council to 5-10 minutes. The president may resume the meeting if a quorum exists, and other members have not returned from break within the time period.
- g. There shall be a "Public Comment" period at the Town Council Meetings. The Council may impose time limits on speakers when necessary. While the Town Council encourages and embraces the need for, and right of, public participation, it acknowledges that public comments must, at times, be limited when necessary. The Council President or presiding officer may poll the audience for an indication of the number of people wishing to speak and impose time limits of up to three minutes per speaker when necessary due to the volume of business. After the time limit, Council or staff may ask questions of the speaker for clarification if needed. Each speaker will be thanked for their participation. A "Request to Speak Form" will be made accessible and available at the entrance to the meeting room. Members of the public must fill out the form and provide it to the Town Manager.

Maintaining Order: The Council President or presiding officer may require the police chief or his designee to act as sergeant-at-arms. Any Council member may request the presiding officer to enforce the rules of protocol.

Values of Respect: The Town Council also recognizes the importance of approaching the public's business in an environment of personal respect and courtesy, which places emphasis on the consideration of policy and avoids personalization of comments. Some general guidelines utilized by the Town Council include:

- Discussion should focus on policy matters;
- Personal criticism of members is inappropriate;
- Proper decorum should be displayed as other members express their views;
- Treat members of the public equally; and
- Personal criticism of staff is inappropriate and discouraged.

RESOLVED by the Town Council of the Town of Danville, Indiana, on this _____ day of _____, 2023.

DANVILLE TOWN COUNCIL

FOR:

AGAINST:

_____	Chris Gearld	_____
_____	Nancy Leavitt	_____
_____	Greg Irby	_____
_____	Michael Chatham	_____
_____	David Winters	_____

ATTEST:

Carrie Lofton, Clerk-Treasurer

ORDINANCE 25 - 2023

An Ordinance to amend Ordinance 28 - 2022 "2023 Salaries and Other Compensation for Officials, Employees and Appointees of the Town of Danville".

Whereas, the Danville Town Council approved and adopted Ordinance 28 - 2022 which established wages and salaries of employees of the Town of Danville;

Whereas, the salary ordinance needs amended to change the title of the Office Manager to Administrative Assistant;

Whereas, the per hour pay should reflect 70 hours instead of 80 hours;

Whereas, the Wage/Salary should reflect the hourly rate adjusted for the 70 hours;

Whereas, the Wage & Salary Section can be amended.

Now, Therefore, be it ordained that Ordinance 28 - 2022 be amended as follows:

DEPARTMENT	POSITION	EMPLOYMENT STATUS	WAGE/SALARY	PAY METHODS	FUNDING
Administration	Administrative Assistant	Full – Time	\$22.84 to \$25.97 per hour	Bi-Weekly Pay per hour 70 hours	55%-General 10%-Water 10%-Wastewater 25%-Stormwater

So approved this _____ day of _____ 2023.

TOWN OF DANVILLE

David Winters

Attest:

Carrie Lofton, Clerk/Treasurer

Chris Gearld

Nancy Leavitt

Greg Irby

Michael Chatham

ORDINANCE 26 - 2023

AN ORDINANCE ESTABLISHING 2024 SALARIES AND OTHER COMPENSATION FOR OFFICIALS, EMPLOYEES AND APPOINTEES OF THE TOWN OF DANVILLE

WHEREAS, Indiana law requires the legislative body of towns to annually fix the compensation of its own members, the Town Clerk-Treasurer by ordinance, and

WHEREAS, Indiana law also provides the legislative body of towns with the authority to establish the salaries and other compensation for town employees and appointed officials of the town, and

WHEREAS, the Town Council of Danville, acting as the legislative body of the Town of Danville, has determined the salaries and other compensation to be provided to the Town of Danville officials and employees for the year 2024.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT the salaries and other compensation to be provided to the Town of Danville officials and employees for the year 2024 shall be as set forth in this Ordinance.

Section 1: HEALTH INSURANCE (6.2)
The Town will provide full-time employees with medical insurance coverage according to the following policies:

HDHP/HSA (Plan 7):

	Employee pays	Employee Amount	Employee Amt with Completion of Wellness Initiative (65 points)	Employee Amt with Completion of Wellness Initiative (85 points)	Town Pays	Town Amount	Town Amt with Completion of Wellness Initiative (65 points)	Town Amt with Completion of Wellness Initiative (85 points)
Employee Only	8.4%	\$31.50	\$11.50	\$6.50	91.6%	\$341.46	\$361.46	\$366.46
Employee /Spouse	21.1%	\$165.41	\$145.41	\$140.41	78.9%	\$617.80	\$637.80	\$642.80
Employee/Child(ren)	21.1%	\$141.79	\$121.79	\$116.79	78.9%	\$529.54	\$549.54	\$554.54
Family	21.1%	\$228.43	\$208.43	\$203.43	78.9%	\$853.14	\$873.14	\$878.14

ORDINANCE 26 - 2023

HDHP/HSA (Plan 12):

	Employee Pays	Employee Amount	Employee Amt with Completion of Wellness Initiative (65 points)	Employee Amt with Completion of Wellness Initiative (85 points)	Town Pays	Town Amount	Town Amt with Completion of Wellness Initiative (65 points)	Town Amt with Emp Completion of Wellness Initiative (85 points)
Employee Only	11.0%	\$25.33	\$5.33	\$0.33	89.0%	\$205.37	\$225.37	\$230.37
Employee /Spouse	16.9%	\$81.86	\$61.86	\$56.86	83.1%	\$402.61	\$422.61	\$427.61
Employee/Child(ren)	16.9%	\$70.16	\$50.16	\$45.16	83.1%	\$345.09	\$365.09	\$370.09
Family	16.9%	\$113.04	\$93.04	\$88.04	83.1%	\$555.99	\$575.99	\$580.99

Members of the Town Council are authorized to participate in the Town's health plans at their own expense. The Town contributes nothing to these plans for Council members.

Health Savings Account -

- Distributions will be made in two increments: \$1,000.00 on January 2, 2024, and \$400.00 on July 1, 2024, to all full-time employees that are enrolled in the Group Health Insurance with the Town (HDHP/Health Savings Plan 7) as of January 1, 2024. Distributions will be made in two increments: \$1,500.00 on January 2, 2024, and \$1,500.00 on July 1, 2024, to all full-time employees that are enrolled in the Group Health Insurance with the Town (HDHP/Health Savings Plan 12) as of January 1, 2024
- If an employee is in need of their next distribution prior to July 1st a "Request for H.S.A. Distribution" form is available from the Clerk-Treasurer.
- If an employee drops their Group Health Insurance coverage, prior to the annual renewal period and after receiving their first distribution they may be required to pay taxes and/or penalty according to IRS guidelines and a pro-rated portion back to the Town.
- The Danville Town Council will annually review this at budget time this policy and set the appropriate budget given the financial condition of the Town.
- Proration of distributions will be done for any new employee joining the Health Insurance.

Section2: TERM LIFE INSURANCE (6.3)

The Town will provide full-time employees with a \$30,000 term life insurance policy on the employee only. (See your Certificate of Coverage booklet for details)

ORDINANCE 26 - 2023

Section 3: SHORT-TERM DISABILITY (6.1.2)

The Town will provide full-time employees with short-term disability insurance on the employee only. (See your Certificate of Coverage booklet for details)

Section 4: PUBLIC EMPLOYEE RETIREMENT FUND (PERF & PERF 77) (6.7.2 & 6.7.2)

Civilian PERF participants - The town of Danville will pay the required percentage of the Pension portion of the Civilian plan as determined annually by PERF. The Town of Danville will pay the employee's 3% mandatory "annuity" portion of their Civilian PERF on behalf of the employee.

Police & Fire PERF 77 participants - The town of Danville will pay the required percentage of the Pension portion of the PERF 77 plan as determined annually by PERF. The Town of Danville will pay the employee's 6% mandatory "annuity" portion of the pension plan. The town will not contribute to the participant's Social Security Insurance fund.

Section 5: HOOSIER S.T.A.R.T. 401A (6.7.3)

The Town will contribute on behalf of all full-time employees, hired prior to December 31, 2009, and who participate in the Civilian PERF retirement, an amount equal to 3% of their 2009 base salary (no overtime) bi-weekly on a pre-tax basis.

Section 6: EMPLOYEE ASSISTANCE PROGRAM (EAP) (6.5)

The Town will provide all (not including seasonal employees) employees with EAP services.

Section 7: HOLIDAYS (6.6)

The Town will provide paid time off to full-time employees for the observation of Town Holidays according to the established Holiday Schedule, and as adopted in the Employee Policy Handbook.

Section 8: LEAVE BENEFITS (Vacation, Sick, Bereavement, Civic, FMLA, Military, Personal & ETO leave)

The Town will provide leave benefits as adopted in the Employee Policy Handbook.

Section 9: FULL-TIME POLICE OFFICERS UNIFORM ALLOWANCE

The Town will provide each full-time police officer who has completed their one year of probation an annual \$1,000.00 clothing allowance.

Section 10: FULL-TIME FIRE DEPARTMENT DIVERS

The Town will provide each full-time fire department diver an annual \$650 stipend.

Section 11: PART TIME FIRE DEPARTMENT HOLIDAY STIPEND

The Town will provide each part-time firefighter/paramedic/EMT a Holiday Stipend of \$50.00 per 12-hour shift for the following recognized holidays: New Year's Eve, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day. Center Township Trustee will reimburse this at 100%.

ORDINANCE 26 - 2023

Section 12: FULL-TIME POLICE OFFICER FIELD TRAINING

The Town will provide each Field Training Officer a \$1.25 per hour stipend when training.

Section 13: PUBLIC INFORMATION OFFICER STIPEND

The Town will provide a public information officer (PIO) with 8 hours of compensatory time monthly

Section 14: LONGEVITY PAY

The Town will provide each full-time sworn police officer and full-time firefighter/paramedic/EMT longevity pay. Longevity pay starts at year 6 to year 20 and is \$200.00 per year up to \$3,000.00 max.

This Ordinance shall be effective January 1 – December 31, 2024, upon adoption by the Town.

Adopted by the Town Council on the ____ day of _____, 2023.

TOWN OF DANVILLE

David Winters

Nancy Leavitt

Chris Gearld

Michael Chatham

Greg Irby

Constituting the Majority of the Members
of the Danville Town Council

ATTEST:

Carrie E. Lofton
Danville Clerk-Treasurer

DEPARTMENT	POSITION	EMPLOYMENT STATUS	WAGES	PAY TYPE	PAY METHODS	FUNDING					
						GENERAL	WATER	WWTP	SWM	MVH	PUBLIC SAFETY LIT
COUNCIL	PRESIDENT	Elected	9000.00	Annual	Quarterly	35%	30%	30%	5%		PARK & REC
	MEMBERS (4)	Elected	8000.00	Annual	Quarterly	35%	30%	30%	5%		PARK NON-REV
BOARDS	PLAN COMMISSION (7)	Appointed	79.80	Per meeting	December	100%					
	BOARD OF ZONING APPEALS (5)	Appointed	72.45	Per meeting	December	100%					
	PARK BOARD (6) 1 non-paid	Appointed	72.45	Per meeting	December	100%					
	DESIGN REVIEW COMMITTEE	Appointed	72.45	Per meeting	December	100%					
	POLICE MERIT BOARD (5)	Appointed	75.00	Per meeting	December	100%					
ADMINISTRATION	TOWN MANAGER	Full-Time/Exempt	4121.61	Bi-weekly Salary	Bi-weekly pay	35%	30%	30%	5%		
	ASSISTANT TOWN MANAGER	Full-Time	862.38	Bi-weekly Salary	Bi-weekly pay	35%	30%	30%	5%		
	UTILITIES DIRECTOR	Full-Time	141.35	Bi-weekly Salary	Bi-weekly pay					100%	
	TOWN PLANNER	Full-Time/Exempt	3125.42	Bi-weekly Salary	Bi-weekly pay	35%	30%	30%	5%		
	ADMINISTRATIVE ASSISTANT	Full-Time	23.98	Per hour (70 hrs)	Bi-weekly pay	55%	10%	10%	25%		
	STORMWATER ADMINISTRATOR	Full-Time/Exempt	3125.42	Bi-weekly Salary	Bi-weekly pay	10%			90%		
	STORMWATER FOREMAN/INSPECTOR	Full-Time	34.62	Per hour (70 hrs)	Bi-weekly pay				100%		
	LINE LOCATOR	Full-Time	23.80	Per hour (70 hrs)	Bi-weekly pay	10%	30%	30%	30%		
	GIS MAPPING TECHNICIAN/ENGINEERING INSPECTOR	Full-Time	23.80	Per hour (70 hrs)	Bi-weekly pay	25%	25%	25%	25%		
	CODE ENFORCEMENT OFFICER	Full-Time	23.80	Per hour (70 hrs)	Bi-weekly pay	25%	30%	30%	15%		
	DEPARTMENT FACILITY AIDE	Part-Time	15.75	Per hour (29 hr max per week)	Bi-weekly pay	30%	30%	30%	10%		
	HUMAN RESOURCES DIRECTOR	Full-Time/Exempt	2403.43	Bi-weekly Salary	Bi-weekly pay	25%	30%	30%	15%		
CLERK-TREASURER	CLERK-TREASURER	Elected/Exempt	3125.42	Bi-weekly Salary	Bi-weekly pay	25%	30%	35%	10%		
	CHIEF DEPUTY	Appointed	2423.35	Bi-weekly Salary	Bi-weekly pay	20%	35%	40%	5%		
	ACCOUNTS PAYABLE/UTILITIES MANAGER DEPUTY	Full-Time	23.16	Per hour (70 hrs)	Bi-weekly pay	35%	30%	30%	5%		
	UTILITY DEPUTY (2)	Full-Time	14.94	Per hour (70 hrs)	Bi-weekly pay		40%	45%	15%		
	UTILITY DEPUTIES (1)	Part-Time	21.04	Per hour (29 hr max per week)	Bi-weekly pay		40%	45%	15%		

DEPARTMENT	POSITION	EMPLOYMENT STATUS	WAGES		PAY TYPE	PAY METHODS	FUNDING							
							GENERAL	WATER	WWTP	SWM	MVH	PUBLIC SAFETY LIT	PARK & REC	PARK NON-REV
PARKS & RECREATION	SUPERINTENDENT	Full-Time/Exempt	3125.42		Bi-weekly Salary	Bi-weekly pay							100%	
	ASST SUPERINTENDENT	Full-Time	2189.38	2423.35	Bi-weekly Salary	Bi-weekly pay							100%	
	AQUATICS & FACILITIES MANAGER	Full-Time	20.83	27.89	Per hour (80 hrs)	Bi-weekly pay							100%	
	LABORER (3)	Full-Time	20.83	27.89	Per hour (80 hrs)	Bi-weekly pay							100%	
	RECREATION & FITNESS MANAGER	Full-Time	20.83	27.89	Per hour (80 hrs)	Bi-weekly pay								100%
	COMMUNITY ENGAGEMENT COORDINATOR	Full-Time	34.62		Per hour (70 hrs)	Bi-weekly pay							25%	20%
	ADMINISTRATIVE ASSISTANT & CONTENT PROVIDER	Part-Time	15.00	20.00	Per hour (29 hr max per week)	Bi-weekly pay							100%	
	LABORER (4) - 3 season	Part-Time	12.00		Per hour (687 hr max per year)	Bi-weekly pay							100%	
	RECREATION COORDINATOR (3)	Part-Time	10.50	15.75	Per hour (29 hr max per week)	Bi-weekly pay								100%
	BLANTON HOUSE COORDINATOR (1)	Part-Time	12.50	17.50	Per hour (29 hr max per week)	Bi-weekly pay							100%	
	CAMP DIRECTOR	Seasonal	14.00		Per hour	Bi-weekly pay							100%	
	COUNSELORS (8)	Seasonal	11.00		Per hour	Bi-weekly pay							100%	
	HEAD POOL MANAGER (1)	Seasonal	16.00		Per hour (May 1st - August 31)	Bi-weekly pay							100%	
	AM POOL MANAGER (1)	Seasonal	15.00			Bi-weekly pay							100%	
	PM POOL MANAGER (1)	Seasonal	15.00			Bi-weekly pay							100%	
			1st yr = 10.00											
			2nd yr = 11.00											
			3rd yr = 12.00											
	CONCESSION STAFF (4)	Seasonal	Skill Level 1 = 11.00		Per hour (May 1st - August 31)	Bi-weekly pay							100%	
			Skill Level 2 = 12.00											
			Skill Level 3 = 13.00											
	LIFE GUARDS (25 PT seasonal)	Seasonal			Per hour (May 1st - August 31)	Bi-weekly pay							100%	
PUBLIC WORKS	SUPERINTENDENT	Full-Time/Exempt	3125.42		Bi-weekly Salary	Bi-weekly pay	20%	10%	35%	10%	25%			
	FOREMAN	Full-Time	2423.35		Bi-weekly Salary	Bi-weekly pay	75%				25%			
	MECHANIC	Full-Time	2423.35		Bi-weekly Salary	Bi-weekly pay	75%	10%	10%	5%				
	LABORER (8)	Full-Time	20.83	27.89	Per hour (80 hrs)	Bi-weekly pay	100%							
	LABORER (1)	Full-Time	20.83	27.89	Per hour (80 hrs)	Bi-weekly pay					100%			

DEPARTMENT	POSITION	EMPLOYMENT STATUS	WAGES	PAY TYPE	PAY METHODS	FUNDING					
						GENERAL	WATER	WWTP	SWM	MVH	PUBLIC SAFETY LIT
WATER UTILITIES	SUPERINTENDENT	Full-Time/Exempt	3125.42	Bi-weekly Salary	Bi-weekly pay		100%				PARK & REC
	LABORER (5)	Full-Time	20.83	Per hour (80 hrs)	Bi-weekly pay		100%				PARK NON-REV
WWTP UTILITIES	SUPERINTENDENT	Full-Time/Exempt	3125.42	Bi-weekly Salary	Bi-weekly pay			100%			
	FOREMAN	Full-Time	2423.35	Bi-weekly Salary	Bi-weekly pay			100%			
	ADMINISTRATIVE ASSISTANT	Full-Time	23.98	Per hour (70 hrs)	Bi-weekly pay		40%	40%	20%		
	LABORER (3)	Full-Time	20.83	Per hour (80 hrs)	Bi-weekly pay			100%			
POLICE DEPARTMENT	CHIEF OF POLICE (1)	Full-Time/Exempt	3307.70	Bi-weekly Salary	Bi-weekly pay	100%					
	ASSISTANT CHIEF (1)	Full-Time	3,115.39	Bi-weekly Salary	Bi-weekly pay	100%					
	LIEUTENANT (0)	Full-Time	3,000.00	Bi-weekly Salary	Bi-weekly pay	100%					
	SERGEANT (4)	Full-Time	2,884.62	Bi-weekly Salary	Bi-weekly pay	100%					
	OFFICER/DETECTIVE (2)	Full-Time	2,826.93	Bi-weekly Salary	Bi-weekly pay	100%					
	PATROL INVESTIGATOR (1)	Full-Time	2,769.24	Bi-weekly Salary	Bi-weekly pay	100%					
	OFFICER YEAR 3 (6)	Full-Time	2,692.31	Bi-weekly Salary	Bi-weekly pay	100%					
	OFFICER YEAR 2 (1)	Full-Time	2,615.39	Bi-weekly Salary	Bi-weekly pay					100%	
	OFFICER YEAR 2 (4)	Full-Time	2,615.39	Bi-weekly Salary	Bi-weekly pay	100%					
	PROBATIONARY OFFICER (0)	Full-Time	2461.54	Bi-weekly Salary	Bi-weekly pay	100%					
	PART-TIME OFFICER	Part-Time	25.00	Per hour (60 hrs max bi-weekly)	Bi-weekly pay	100%					
	ADMINISTRATIVE SECRETARY	Part-Time	15.00	Per hour (29 hr max per week)	Bi-weekly pay	100%					
	ADMINISTRATIVE SECRETARY (1)	Full-Time	24.55	Per hour (70 hrs)	Bi-weekly pay	100%					
	CSI AGENT	Part-Time	25.00	Per hour (29 hr max per week)	Bi-weekly pay	100%					
	CSI AGENT (1)	Full-Time	22.24	Per hour (70 hrs)	Bi-weekly pay	100%					

DEPARTMENT	POSITION	EMPLOYMENT STATUS	WAGES	PAY TYPE	PAY METHODS	FUNDING					
						GENERAL	WATER	WWTP	SWM	MVH	PUBLIC SAFETY LIT
FIRE DEPARTMENT											
Center Township - 50%	CHIEF (1)	Full-Time/Exempt	3307.69	Bi-weekly Salary	Bi-weekly pay	100%					PARK & REC
Center Township - 100%	DEPUTY CHIEF OPERATIONS (0)	Full-Time	3115.38	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	DEPUTY CHIEF ADMINISTRATION (1)	Full-Time	3115.38	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 0%	FIRE MARSHAL (1)	Full-Time	3000.00	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	DIVISION CHIEF TRAINING (1)	Full-Time	3000.00	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	EMS DIVISION CHIEF (1)	Full-Time	3000.00	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	FF/EMT CAPTAIN (1)	Full-Time	2884.62	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	FF/EMT LIEUTENANT (1)	Full-Time	2826.92	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	FF/MEDIC LIEUTENANT (1)	Full-Time	2826.92	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 50%	FF/MEDIC (4)	Full-Time	2769.23	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	FF/EMT (0) - 3 YEAR	Full-Time	2692.31	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	FF/EMT (4) - 2 YEAR	Full-Time	2615.38	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	FF/EMT (7) - PROBATIONARY	Full-Time	2461.54	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	CIVILIAN MEDIC (3)	Full-Time	2615.38	Bi-weekly Salary	Bi-weekly pay	100%					
Center Township - 100%	DATA ENTRY CLERK	Full-Time	23.98	Per hour (70 hrs)	Bi-weekly pay	100%					
Center Township - 100%	FF/MEDIC	Part-Time		Per hour	Bi-weekly pay	100%					
Center Township - 100%	CIVILIAN MEDIC	Part-Time		Per hour	Bi-weekly pay	100%					
Center Township - 100%	FF/EMT	Part-Time		Per hour	Bi-weekly pay	100%					

ORDINANCE NO. 27 – 2023

AN ORDINANCE AMENDING RATES AND CHARGES
FOR THE USE AND SERVICES RENDERED BY THE
TOWN OF DANVILLE SEWAGE WORKS

WHEREAS, the Town Council of Danville ("Town") has previously adopted ordinances, including Ordinance No. 10-2020, to establish and amend the rates and charges for the use and services rendered by the Danville Sewage Works ("Sewage Works") in accordance with IC 36-9-23, and

WHEREAS, the Town arranged for the CPA and municipal consulting firm of O.W. Krohn & Associates, LLP, of Westfield, Indiana ("Consultant") to conduct a review of rates to determine the adequacy of the current Sewage Works rates and charges, and

WHEREAS, the Consultant has determined that the current rates and charges are not sufficient to meet the reasonable financial requirements of the Sewage Works and thus, should be increased to enable the Town to properly operate its Sewage Works, including providing for depreciation, servicing its bonds, and making payments in lieu of taxes to the Town of Danville, and

WHEREAS, the Town has conducted a public hearing on the proposed Sewage Works rates and charges and has determined that they should be established as set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT

Section 1. The rates and charges set forth in the attached Appendix "A" shall be established with those rates and charges becoming effective immediately.

Section 2. The Town may receive payments from the Sewage Works in lieu of taxes.

Section 3. Any provisions of prior Ordinances not amended by, or in conflict with, this Ordinance shall remain in full force and effect.

Section 4. This Ordinance shall be effective upon adoption by the Town.

Adopted by the Town Council of Danville on this ____ day of _____, 2023.

TOWN OF DANVILLE

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

Danville Clerk-Treasurer

DANVILLE MUNICIPAL WASTEWATER UTILITY

SCHEDULE OF PROPOSED WASTEWATER RATES AND CHARGES

	- Effective Dates -	Proposed		
		On Passage	7/1/2024	1/1/2025
<u>Metered Flow Rates:</u>				
Metered Flow Rate (per 1,000 gallons)		\$ 7.11	\$ 7.39	\$ 7.69
<u>Monthly Base Charges:</u>				
<u>Meter size:</u>				
5/8-3/4 Inch meter		\$ 31.93	\$ 33.21	\$ 34.54
1 Inch meter		69.80	72.59	75.49
1 1/2 Inch meter		153.36	159.49	165.87
2 Inch meter		259.18	269.55	280.33
3 Inch meter		587.35	610.84	635.27
4 Inch meter		1,016.54	1,057.20	1,099.49
6 Inch meter		2,304.05	2,396.21	2,492.06
8 Inch meter		4,096.31	4,260.16	4,430.57
<u>Unmetered Users:</u>				
Non-metered users (monthly charge)		\$ 70.96	\$ 73.80	\$ 76.75
<u>Excessive Strength Charges (per pound):</u>				
BOD Surcharge (in excess of 250mg/L)		\$ 0.39	\$ 0.41	\$ 0.43
Suspended Solids Surcharge (in excess of 250 mg/L)		0.39	0.41	0.43
Ammonia Surcharge (in excess of 45 mg/L)		0.79	0.82	0.85
Phosphorous Surcharge (in excess of 10mg/L)		1.51	1.57	1.63

ORDINANCE NO. 28 – 2023

AN ORDINANCE AMENDING RATES AND CHARGES
FOR THE USE AND SERVICES RENDERED BY THE
TOWN OF DANVILLE STORMWATER UTILITY

WHEREAS, the Town Council of Danville ("Town") has previously adopted ordinances, including Ordinance No. 12-2020, to establish and amend the rates and charges for the use and services rendered by the Danville Stormwater Utility ("Utility") in accordance with IC 8-1.5-5-7, and

WHEREAS, the Town arranged for the CPA and municipal consulting firm of O.W. Krohn & Associates, LLP, of Westfield, Indiana ("Consultant") to conduct a review of rates to determine the adequacy of the current Utility rates and charges, and

WHEREAS, the Consultant has determined that the current rates and charges are not sufficient to meet the reasonable financial requirements of the Utility and thus, should be increased to enable the Town to properly operate its Utility, including providing for depreciation, servicing its bonds, and making payments in lieu of taxes to the Town of Danville, and

WHEREAS, the Town has conducted a public hearing on the proposed Utility rates and charges and has determined that they should be established as set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT

Section 1. The rates and charges set forth in the attached Appendix "A" shall be established with those rates and charges becoming effective immediately.

Section 2. The Town may receive payments from the Stormwater Utility in lieu of taxes.

Section 3. Any provisions of prior Ordinances not amended by, or in conflict with, this Ordinance shall remain in full force and effect.

Section 4. This Ordinance shall be effective upon adoption by the Town.

Adopted by the Town Council of Danville on this ____ day of _____, 2023.

TOWN OF DANVILLE

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

Danville Clerk-Treasurer

APPENDIX A

SCHEDULE OF STORMWATER RATES & CHARGES

(A) There is hereby established a monthly stormwater utility fee for the use of and services provided by the Stormwater Utility of the town. The Stormwater utility fee shall be charged either the owner or tenant of each property in the town with impervious surface area depending on which is being billed by the town for water or sanitary sewer service (i.e., the responsible person or entity shall be the same). In addition to a fixed fee, each bill shall include a variable fee based on the town's determination of the Equivalent Residential Units ("ERUs") for the property. An ERU equals 3,700 square feet of impervious surface area. One ERU shall be attributed to each and every property with impervious surface area and a charge will be imposed for that ERU. Each non-residential property with greater than 3,700 square feet of impervious surface area shall be charged for one ERU plus additional ERUs in increments of one-tenth of an ERU for every 370 square feet of impervious surface area beyond 3,700 square feet. Government, not-for-profit and tax-exempt organizations shall not be exempt from this fee.

(B) The monthly user fee shall consist of two charges: a fixed fee that is the same for all properties with an impervious surface area and a variable fee that is multiplied by the number of ERUs attributed to a property. The monthly charge for each property shall be the sum of the variable fee times the number of ERUs attributed to the property plus the fixed fee. The fees shall be as follows:

FIXED MONTHLY FEE – ALL USERS	\$4.50
VARIABLE MONTHLY FEE – PER ERU	\$3.50

AMENDED AND RESTATED ORDINANCE NO. 29-2023

AN AMENDED AND RESTATED ORDINANCE OF THE DANVILLE TOWN COUNCIL CONCERNING THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE SEWAGE WORKS OF THE TOWN; AUTHORIZING THE ISSUANCE OF REVENUE BONDS IN ONE OR MORE SERIES TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF; AUTHORIZING THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF THE SYSTEM, THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SUCH REVENUE BONDS AND OTHER MATTERS CONNECTED THEREWITH, AND REPEALING ORDINANCES INCONSISTENT HERewith

WHEREAS, the Town Council (the “Town Council”) of the Town of Danville, Indiana (the “Town”), previously adopted its Ordinance No. 25-2020, on September 16, 2020 (the “Original Ordinance”), authorizing the issuance and sale of its sewage works revenue bonds and sewage works bond anticipation notes; and

WHEREAS, on December 15, 2020, pursuant to the Original Ordinance, the Town issued and sold its Sewage Works Bond Anticipation Notes, Series 2020 (the “2020 BANs”), in the aggregate principal amount of \$6,000,000 for payment of preliminary expenses, including architectural fees and construction management fees in connection with the Project (as defined in the Original Ordinance), which 2020 BANs are payable solely from the proceeds of the Bonds (as hereinafter defined) issued hereunder; and

WHEREAS, the Town Council now seeks to amend and restate the Original Ordinance in its entirety to permit the sale of such bonds as hereinafter provided;

NOW, THEREFORE, the Original Ordinance is hereby amended and restated to provide in its entirety hereafter as follows, namely:

WHEREAS, the Town Council of the Town has heretofore established, constructed and financed its sewage works (the “System”), and now owns and operates said System pursuant to INDIANA CODE 36-9-23 *et seq.*, as in effect on the issue date of the bond anticipation notes or the bonds, as applicable, authorized herein (“the “Act”)’ and

WHEREAS, the Town Council of the Town (“Town Council”) hereby finds that certain improvements and extensions to the System are necessary; the engineers employed by the Town (the “Engineers”), have or will prepare and file plans, specifications, detailed descriptions and

estimates of the costs of the necessary improvements and extensions to the System, which together with the equipment to be acquired are more fully set forth in Exhibit A hereto and made a part hereof (the "Project"), which plans and specifications, to the extent required by law, have been or will be duly submitted to and approved by the Town and all governmental authorities having jurisdiction thereover, particularly the Indiana Department of Environmental Management; and

WHEREAS, the Town has or will advertise for and receive bids for the construction for the Project, and such bids will be subject to the Town's determination to acquire, construct and install the Project and the Town obtaining funds for the Project; and

WHEREAS, the Town Council further finds that the estimates prepared and delivered by the Engineers with respect to the costs of the Project and for the redemption of the 2020 Bonds, including all authorized expenses relating thereto and the costs of issuance of bonds on account thereof, will be in the estimated amount not to exceed \$16,000,000, to be financed by the issuance of revenue bonds of the Town, in one or more series, under the provisions of the Act; and

WHEREAS, the Town Council finds that there are not sufficient funds of the System available to apply to the costs of the Project and the redemption of the 2020 BANs and that it is necessary to issue sewage works revenue bonds in one or more series (the "Bonds"), and that the Bonds shall be issued to pay such costs of the Project and redemption of the 2020 BANs, including incidental expenses; and

WHEREAS, the Town has heretofore issued certain Sewage Works Refunding Revenue Bonds of 2015 dated March 26, 2015 (the "Prior Bonds"); and

WHEREAS, the ordinances authorizing the issuance of the Prior Bonds permit the issuance of additional bonds ranking on a parity with the Prior Bonds provided that certain conditions can be met, and the Town finds that the finances of the sewage works will enable the Town to meet the conditions for the issuance of additional parity bonds and that, accordingly the Bonds authorized herein shall constitute a first charge on the Net Revenues of the sewage works, on a parity with the outstanding Prior Bonds; and

WHEREAS, the Bonds issued pursuant to this Ordinance will constitute a first charge against the Net Revenues (as hereinafter defined) of the System on a parity basis with the Town's

outstanding Prior Bonds, and are to be issued subject to the provisions of the Act and the terms and restrictions of this Ordinance; and

WHEREAS, the Town Council now finds that all conditions precedent to the issuance of the Bonds have been or will be met; and

WHEREAS, this Town Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Bonds to provide the necessary funds to be applied to the cost of the Project and redemption of the 2020 BANs have been complied with in accordance with the provisions of the Act; and

WHEREAS, it is anticipated that the Town may advance all or a portion of the costs of the Project prior to the issuance of the Bonds, with such advances to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the Town intends by this Ordinance to qualify amounts advanced by the Town on the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, HENDRICKS COUNTY, INDIANA:

Section 1. Acquisition and Construction of the Project; Redemption of 2020 BANs. The Town, as the owner and operator of the System, hereby orders, authorizes and directs the acquisition of any and all necessary property for and the construction of improvements and extensions to the System, pursuant to the Act and in accordance with the plans and specifications heretofore prepared and filed with the Town by the Engineers, which plans and specifications are hereby adopted and approved and, by reference, incorporated fully into this Ordinance, and two (2) copies of which are now on file in the office of the Clerk-Treasurer of the Town (the "Clerk-Treasurer") and are open for public inspection pursuant to INDIANA CODE 36-1-5-4; provided, that any and all costs of property acquisition for and construction of improvements and extensions to the System in connection with the Project, together with the redemption of the 2020 BANs all other expenses relating thereto including the expenses of issuing bonds on account of the financing

of a portion thereof, shall be limited to and shall not exceed the estimated sum of \$16,000,000 unless otherwise authorized by this Town Council. The actions of the Town in connection with the acquisition of any and all necessary property for and the construction and financing of such improvements and extensions to the System are hereby authorized, approved, ratified and confirmed. Where used in this Ordinance, the term "Town" shall be construed also to include any department, board, commission or officer or officers of the Town or of any Town department, board or commission. The terms "Sewage Works", "works", "system" and similar terms used in this Ordinance shall be construed to mean the Town's existing Treatment Works together with all the real estate, equipment and appurtenances thereto used in connection therewith, and all improvements, extensions and additions thereto, and replacements thereof, now or subsequently constructed or acquired. The Project shall be constructed in accordance with the plans and specifications heretofore mentioned, which plans and specifications are hereby approved. The Project will be constructed and the Bonds will be issued pursuant to the provisions of this Ordinance and the Act. The Town may also use cash on hand or grant funding to pay for the Project. The Town reasonably expects to reimburse expenditures for the Project with proceeds of the Bonds, and this Ordinance constitutes a declaration of official intent pursuant to Treasury Regulation 1.150-2(e) and INDIANA CODE 5-1-14-6(c).

Section 2. Issuance of Bonds.

(a) The Town shall issue the revenue bonds in an aggregate principal amount not to exceed \$16,000,000 to be designated "Sewage Works Revenue Bonds, Series 2023" (the "Bonds") for the purpose of procuring funds to pay the cost of the Project, the refunding of the 2020 BANs, and the issuance costs of the Bonds, as determined by the Clerk-Treasurer, with the advice of O.W. Krohn & Associates, LLP, the municipal advisor to the Town for financing purposes (the "Municipal Advisor"). The Bonds shall be issued, in one or more series, and sold at a price not less than ninety-nine percent (99.0%) of the principal amount thereof. The Bonds shall be sold by the Clerk-Treasurer pursuant to INDIANA CODE 5-1-11, as amended. The Bonds shall be issued in fully registered form in authorized denominations of \$5,000 or any integral multiple thereof, or, in the event of a negotiated sale or private placement of the Bonds, in denominations of \$100,000 with integral multiples of \$1,000 in excess thereof. The Bonds shall be lettered and

numbered consecutively from R-1 and upward, and originally dated the date of delivery. The Bonds shall bear interest at a rate or rates not exceeding 6.5% per annum if sold to any purchaser (the exact rate or rates to be determined by bidding or through negotiation).

(b) Interest is payable semiannually on May 1 and November 1 in each year, commencing on the May 1 or November 1 following the issuance of the Bonds, all as determined by the Clerk-Treasurer, with the advice of the Municipal Advisor, and as set forth in the bond sale notice if the Bonds are sold competitively pursuant to INDIANA CODE 5-1-11, as amended. The Bonds shall mature semi-annually on May 1 and November 1 of each year over a period ending no later than November 1, 2048, and in such amounts as is deemed appropriate by the Clerk-Treasurer, with the advice of the Municipal Advisor. The first principal payment shall be as determined by the Clerk-Treasurer, with the advice of the Municipal Advisor. The Bonds will be payable solely out of and constitute a first charge against the Net Revenues (herein defined as the gross revenues of the System, including all real estate, equipment and appurtenances thereto used in connection therewith, and all extensions, additions and improvements thereto and replacements thereof, now or at any time hereafter constructed or acquired remaining after the payment of the reasonable expense of operation, repair and maintenance of the System excluding transfers for payment in lieu of property taxes).

The Town may, upon the advice of the Municipal Advisor, obtain bond insurance for the Bonds.

(c) Interest on the Bonds shall be calculated according to 360-day calendar year containing twelve 30-day months.

(d) The Clerk-Treasurer is authorized to serve or select and appoint a qualified financial institution to serve as the Registrar and the Paying Agent for the Bonds, which registrar is hereby charged with the responsibility of authenticating the Bonds (the "Registrar" or the "Paying Agent"). The Clerk-Treasurer is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of the Registrar and the Paying Agent. The Clerk-Treasurer is further authorized to pay such fees as the institution may charge for the services it provides as the Registrar and the Paying Agent, and such fees may be paid from the Sinking Fund.

(e) The Bonds shall be registered in the name of the purchaser. The principal thereof and interest thereon may be paid by wire transfer to such financial institution if and as directed by the purchaser on the due date of such payment or, if such due date is a day when financial institutions are not open for business, on the business day immediately after such due date. If wire transfer payment is not required, the principal of the Bonds shall be payable at the designated office of the Paying Agent, and all payments of interest on the Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof, as of the fifteenth day preceding each interest payment date (the "Record Date"), at the addresses of the registered owners as they appear on the registration books kept by the Registrar. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

(f) Each Bond shall be transferable or exchangeable only upon the books of the Town kept for that purpose at the designated office of the Registrar, by the registered owner thereof in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the Town; provided, however, that the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Except as otherwise provided in the Continuing Disclosure Agreement described in Section 24, the Town, the Registrar

and Paying Agent for the Bonds may treat and consider the person in whose name the Bonds are registered as the absolute owner thereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal thereof, the premium, if any, and interest due thereon.

(g) Interest on the Bonds, which are authenticated on or before the Record Date, which precedes the first interest payment date, shall be paid from their original issue date. Interest on the Bonds authenticated subsequent to the Record Date which precedes the first interest payment date thereon shall be paid from the interest payment date to which interest has been paid as of the date on which such Bonds are authenticated, unless a Bond is authenticated between the Record Date and the interest payment date, in which case the interest shall be paid from such interest payment date.

(h) The Bonds may be issued in book-entry-only form as one fully registered Bond per maturity registered in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), New York, New York, and DTC may act as securities depository for the Bonds. In that event, the purchase of beneficial interests in the Bonds will be made in book-entry-only form in the denomination of \$5,000 or more or in the denomination of any multiple thereof. Purchasers of beneficial interests will not receive certificates representing their interests in the Bonds purchased. As long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of principal, premium, if any, and interest will be made when due directly to such registered owner in same-day funds wired by the Paying Agent in accordance with the procedures set forth in the Blanket Issuer Letter of Representations made by the Town to DTC.

Section 3. Redemption of Bonds.

(a) The Bonds are redeemable at the option of the Town on any date, as determined by the Clerk-Treasurer with the advice of the Municipal Advisor, on 30 days' notice, in whole or in part, in any order of maturity and by lot within a maturity, at the par amount thereof, together with a premium not greater than 2%, plus, in each case, accrued interest, if any, to the date fixed for redemption. The exact redemption dates and premiums shall be established by the Clerk-Treasurer with the advice of the Municipal Advisor.

(b) If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding

mandatory redemption obligation, in the order determined by the Town, any Bonds maturing as term bonds maturing on the same date which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at one hundred percent (100%) of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

(c) If less than an entire maturity is called for redemption, the Bonds to be called for redemption shall be selected by lot by the Registrar. If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for mandatory sinking fund redemption before selecting the Bonds by lot for optional redemption.

(d) Notice of redemption shall be given not less than thirty (30) days prior to the date fixed for redemption for Bonds that are sold to any other purchaser, unless such redemption notice is waived by the owner of the Bond or Bonds to be redeemed. Such notice shall be mailed to the address of the registered owner as shown on the registration record of the Town as of the date which is forty-five (45) days prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the Town. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

(e) The Bonds shall be called for redemption in multiples of their minimum authorized denomination. The Bonds in denominations of more than the minimum authorized denomination shall be treated as representing the number of Bonds, respectively, obtained by

dividing the denomination of the Bond by the minimum authorized denomination within a maturity. The Bonds may be redeemed in part. In the event of redemption of Bonds in part, upon surrender of the Bond to be redeemed, a new Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered shall be issued to the registered owner thereof.

Section 4. Execution and Authentication of the Bonds; Pledge of Net Revenues to the Bonds. The Bonds shall be executed in the name of the Town by the manual or facsimile signature of the President of the Town Council (the "President") and attested by the manual or facsimile signature of the Clerk-Treasurer, who shall affix the seal of the Town to each of the Bonds manually or shall have the seal imprinted or impressed thereon by facsimile. These officials, by the signing of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile signatures appearing on the Bonds. The Bonds must be authenticated by an authorized officer of the Registrar or by the Clerk-Treasurer if the Clerk-Treasurer is acting as the Registrar. The Bonds, together with the outstanding Prior Bonds and any additional bonds issued on a parity with the Bonds in accordance with the restrictions imposed by this Ordinance (the "Future Parity Bonds"), as to both principal and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a first charge upon the Net Revenues of the System. The Town shall not be obligated to pay the principal of and interest on the Bonds, except from the Net Revenues of the System (except to the extent payable from the proceeds of the Bonds), and the Bonds shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State.

Section 5. Form of Bonds. The form and tenor of the Bonds shall be substantially as set forth in Exhibit B, with all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof.

Section 6. Preparation and Sale of the Bonds. The Clerk-Treasurer is hereby authorized and directed to have the Bonds prepared, and the President, and the Clerk-Treasurer are hereby authorized and directed to execute the Bonds in the form and manner herein provided. The Clerk-

Treasurer is hereby authorized and directed to deliver the Bonds to the purchasers thereof after the sale made in accordance with the provisions of this Ordinance, provided that at the time of such delivery, the Clerk-Treasurer shall collect the full amount which the purchasers have agreed to pay therefor, which amount shall not be less than the applicable minimum percentage of the par value of the Bonds set forth in Section 2 of this Ordinance. The Town may receive payment for the Bonds in installments. The Bonds, as and to the extent paid for and delivered to the purchaser, shall be the binding special revenue obligations of the Town, payable out of the Net Revenues of the System to be set aside into the Sinking Fund as provided herein. The proceeds derived from the sale of the Bonds shall be and are hereby set aside to pay the costs of the Project, the refunding of the 2020 BANs, and the expenses necessarily incurred in connection with the issuance of the Bonds. The proper officers of the Town are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this Ordinance.

Section 7. Bond Sale Notice; Official Statement.

(a) If the Bonds will be sold at a competitive sale, the Clerk-Treasurer shall cause to be published either (i) a notice of such sale in the authorized newspaper(s) published in the Town, two (2) times, at least one week apart, with the first publication being made at least fifteen (15) days before the date of the sale and the second publication being made at least three days before the date of the sale or (ii) a notice of intent to sell bonds in the authorized newspaper(s) and the *Indianapolis Business Journal*, all in accordance with INDIANA CODE 5-1-11, as amended, and INDIANA CODE 5-3-1, as amended. The notice shall state the character, the amount and the authorized denominations of the Bonds, the maximum rate or rates of interest thereon, the terms and conditions upon which bids will be received and the sale made, and such other information as the Clerk-Treasurer and the attorneys employed by the Town shall deem advisable. Any summary notice may contain any information deemed so advisable. The notice may provide, among other things, that the purchaser is required to submit to the Town a certified or cashier's check (or wire transfer such amount as instructed by the Town) not later than a time determined by the Municipal Advisor on the next business day following the award. In the event the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for

delivery, or at the time fixed in the notice of sale, then such good faith deposit and the proceeds thereof shall be the property of the Town and shall be considered as its liquidated damages on account of such default. Bidders for the Bonds will be required to name the rate or rates of interest which the Bonds are to bear; not exceeding the maximum rate hereinbefore fixed, and that such interest rate or rates shall be in multiples of one-one hundredth ($1/100$) of one percent (1%). The rate bid on a maturity shall be equal to or greater than the rate bid on the immediately preceding maturity. No conditional bid or bid for less than the applicable minimum percentage of the par value of the Bonds set forth in Section 2 of this Ordinance will be considered. The opinion of Bond Counsel approving the legality of the Bonds will be furnished to the purchaser at the expense of the Town.

(b) The Bonds shall be awarded by the Clerk-Treasurer to the best bidder who has submitted its bid in accordance with the terms of this Ordinance, INDIANA CODE 5-1-11, as amended, and the notice. The best bidder will be the one who offers the lowest interest cost to the Town, to be determined by computing the total interest on all of the Bonds to their maturities and deducting the premium bid, if any, or adding thereto the discount bid, if any. The right to reject any and all bids shall be reserved. If an acceptable bid is not received on the date of sale, the sale may be continued from day to day thereafter without further advertisement for a period of thirty (30) days, during which time, no bid which provides a higher net interest cost to the Town than the best bid received at the time of the advertised sale will be considered.

(c) As an alternative to a competitive sale, the Town is also authorized to sell the Bonds by a negotiated sale to an underwriter, bank or purchaser chosen by the Town upon the advice of the Town's Municipal Advisor (collectively, "Purchaser") at a price not less than 99% of par, plus accrued interest to the date of delivery, if any. The Council President and Clerk-Treasurer are hereby authorized to execute a bond purchase agreement, bond placement agreement and/or term sheet (collectively, the "Purchase Agreement") with the Purchaser with terms consistent with this Ordinance setting forth the terms of the sale. The Purchase Agreement shall establish a final principal amount, denominations, interest rates, maturity schedule, purchase price and term bond mandatory redemption, if any. The Purchase Agreement will also state that the Purchaser will agree to assist

the Town with establishing the issue price of the Bonds under Treasury Regulations Section 1.148-1(f) (the "Issue Price Regulations").

(d) Distribution of an Official Statement (preliminary and final) when and if prepared by the Municipal Advisor, on behalf of the Town, is hereby authorized and approved and the Council President is authorized and directed to execute the Official Statement on behalf of the Town in a form consistent with this Ordinance. The Council President or the Clerk-Treasurer is authorized to deem the Preliminary Official Statement as "final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

Section 8. Use of Proceeds.

(a) The premium, if any, received at the time of the delivery of the Bonds shall be deposited in the Bond and Interest Account of the Sinking Fund. The remaining proceeds from the sale of the Bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the Town, in a special account or accounts to be designated as "Town of Danville, Hendricks County, Indiana, 2023 Sewage Works Construction Fund Series 2023" (with a fund being identified for each series of bonds, and collectively, the "Construction Fund"). All funds deposited to the credit of the Sinking Fund or the Construction Fund shall be deposited, held, secured or invested in accordance with the laws of the State relating to the depositing, holding, securing or investing of public funds, including particularly INDIANA CODE 5-13, INDIANA CODE 5-1.2-1 through INDIANA CODE 5-1.2-4, and INDIANA CODE 5-1.2-10, and the acts amendatory thereof and supplemental thereto. The funds in the Construction Fund shall be expended only for the purpose of paying the costs of issuance of the Bonds, the cost of the Project, refunding all of the 2020 BANs, or as otherwise required by the Act.

(b) The Town hereby declares that it reasonably expects to reimburse the Town's advances to the Project from proceeds of the Bonds, as anticipated by this Ordinance.

(c) Any balance or balances remaining unexpended in the Construction Fund after completion of the Project and redemption of the 2020 BANs, which are not required to meet unpaid obligations incurred in connection with the Project, shall either (1) be paid into the Bond and Interest Account of the Sinking Fund and used solely for the purpose of paying the interest on

the Bonds when due until depleted or (2) be used for the same purpose or type of project for which the Bonds were originally issued, all in accordance with INDIANA CODE 5-1-13, as amended and supplemented.

Section 9. Revenues. All income and revenues of the System (and any System Development Charges that are not considered Net Revenues) shall be deposited upon receipt in the Revenue Fund (the "Revenue Fund"), which fund is hereby continued. The Revenue Fund shall be maintained separate and apart from all other accounts of the Town. All moneys deposited in the Revenue Fund may be invested in accordance with INDIANA CODE 5-13, INDIANA CODE 5-1.2-1 through INDIANA CODE 5-1.2-4 and INDIANA CODE 5-1.2-10, as amended, and other applicable laws. No moneys derived from the revenues of the System shall be transferred to the general fund of the Town or be used for any purpose not connected with the System (other than transfers for payment in lieu of property taxes "PILOTs" as provided in Section 12). For purposes of this Ordinance, "System Development Charges" shall mean the proceeds and balances from any non-recurring charges such as tap fees, subsequent connector fees, capacity or contribution fees, and other similar one-time charges that are available for deposit under this ordinance including System Development Charges enacted under INDIANA CODE 36-9-23-29.

Section 10. Operation and Maintenance Fund. There shall be transferred from the Revenue Fund and credited to the Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which fund is hereby continued, on or before the last day of each calendar month a sufficient amount of the revenues of the System so that the balance in the Operation and Maintenance Fund shall be sufficient to pay the expenses of operation, repair and maintenance of the System for the then next succeeding two (2) calendar months. The moneys credited to the Operation and Maintenance Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the System on a day-to-day basis, but none of the monies in such fund shall be used for transfers for payment in lieu of property taxes, depreciation, replacements or improvements. Any monies in the Operation and Maintenance Fund in excess of the expected expenses of operation, repair and maintenance for the next succeeding month may be transferred to the Sinking Fund if necessary to prevent a default in the payment of the principal of or interest on the Bonds and any Prior Bonds.

Section 11. Sinking Fund.

(a) General. After meeting the requirements of the Operation and Maintenance Fund set forth above, there shall be set aside and deposited in the Sinking Fund (which fund is hereby continued), as available, and as provided below, a sufficient amount of the Net Revenues of the System (including any System Development Charges that are considered Net Revenues) to meet the requirements of the Bond and Interest Account (the "Bond and Interest Account") and the Reserve Account (the "Reserve Account"), which accounts are hereby continued. Such payments shall continue until the balance in the Bond and Interest Account, plus the balance in the Reserve Account, equal the amount necessary to redeem all of the Bonds.

(b) Bond and Interest Account. There is hereby continued the Bond and Interest Account. There shall be transferred, on or before the last day of each calendar month beginning after the Bonds have been issued, from the Revenue Fund and credited to the Bond and Interest Account an amount equal to the sum of at one-sixth (1/6) of the total amount of the principal of and interest on the Bonds and Prior Bonds coming due on the next succeeding principal and interest payment date whether by maturity or mandatory sinking fund redemption until the amount of principal and interest payable on the next succeeding principal and interest payment date shall have been so credited. There shall similarly be credited to the Bond and Interest Account any amount necessary to pay the charges of the Paying Agent, if other than the Clerk-Treasurer, for paying the principal of, premium, if any, and interest on the Bonds and any outstanding Prior Bonds as the same become payable. The Town shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the Paying Agent sufficient moneys to pay the principal, premium, if any, and interest on their due dates, together with the amount of the charges of the Paying Agent, if other than the Clerk-Treasurer.

(c) Reserve Account. There is hereby continued within the Sinking Fund a Reserve Account designated the "Reserve Account."

(1) On the date of delivery of the Bonds, the Town may deposit Bond proceeds, funds on hand or a combination thereof, into the Reserve Account. The balance to be maintained in the Reserve Account shall equal but not exceed the least of (i) the maximum annual debt service on the Bonds issued hereunder, any outstanding Prior Bonds, and any

Future Parity Bonds, (ii) 125% of average annual debt service on the Bonds issued hereunder, any outstanding Prior Bonds, and any Future Parity Bonds, or (iii) 10% of the proceeds of the Bonds issued hereunder, any outstanding Prior Bonds, and any Future Parity Bonds (the "Reserve Requirement"). If the initial deposit into the Reserve Account does not cause the balance therein to equal the Reserve Requirement or if no deposit is made, an amount of Net Revenues shall be credited to the Reserve Account on the last day of each calendar month until the balance therein equals the Reserve Requirement. The monthly deposits of Net Revenues shall be equal in amount and sufficient to accumulate the Reserve Requirement within five (5) years of the date of delivery of the Bonds. The balance in the Reserve Account, allocable to the Bonds, the Prior Bonds and the Future Parity Bonds, shall never exceed the Reserve Requirement.

(2) The Reserve Account shall constitute a margin for safety and a protection against default in the payment of the principal of, premium, if any, and interest on the Bonds, the Prior Bonds and any Future Parity Bonds, and the moneys in the Reserve Account shall be used to pay the principal of and interest on the Bonds, the Prior Bonds and any Future Parity Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Reserve Account shall be promptly made up from the next available Net Revenues after the required deposits into the Bond and Interest Account. In the event moneys in the Reserve Account are transferred to the Bond and Interest Account to pay the principal of and interest on the Bonds, the Prior Bonds and any Future Parity Bonds then that depletion of the balance in the Reserve Account shall be made up from the next available Net Revenues after the required deposits into the Bond and Interest Account. Investments in the Reserve Account shall be valued at least annually at their fair market value and marked to market. If, after such valuation, it is determined that the amount on deposit in the Reserve Account is in excess of the Reserve Requirement, such excess shall either be transferred to the Sewage Works Improvement Fund (the "Improvement Fund"), which fund is hereby continued, or be used for the purchase of Bonds or installments of principal of Bonds at a price not exceeding par and accrued interest.

(3) Any portion of the Reserve Requirement shall be deemed to be satisfied if there is on deposit in the Reserve Account any surety bond, insurance policy, guaranty, letter of credit or other credit enhancement in an amount equal to such portion, the issuer of which credit enhancement is rated at least "A" by Standard & Poor's Ratings Group and "A2" by Moody's Investors Service.

(d) The Sinking Fund (containing the Bond and Interest Account and the Reserve Account), or any portion thereof, and the Construction Fund, may be held by one or more financial institutions selected by the Town. If the Sinking Fund and the accounts therein, or any portion thereof, are so held in trust, the Town shall transfer the monthly required amounts of Net Revenues to the Bond and Interest Account and the Reserve Account in accordance with Section 11 of this Ordinance, and the financial institution holding such funds in trust shall be instructed to pay the required payments in accordance with the payment schedules applicable to the Town's outstanding Bonds, any outstanding Prior Bonds and any Future Parity Bonds. If the Construction Fund is so held in trust, the Town shall deposit the proceeds of the Bonds therein until such proceeds are applied consistent with this Ordinance. The financial institution selected to serve in this role may also serve as the Registrar and the Paying Agent for the Bonds. The President of the Town Council and Clerk-Treasurer are hereby authorized to execute and deliver an agreement in the usual and customary form with a financial institution to reflect this trust arrangement for all or a part of the Sinking Fund and the Construction Fund in the form of trust agreement as approved by the President of the Town Council and Clerk-Treasurer, consistent with the terms and provisions of this Ordinance, and such approval evidenced by the execution of any such agreement.

Section 12. Improvement Fund. After meeting the requirements of the Operation and Maintenance Fund and the Sinking Fund set forth above, the Town shall transfer to the Improvement Fund from the Revenue Fund on or before the last day of each calendar month a sufficient amount of Net Revenues to be used for improvements to, replacements of, additions to and extensions of the System, and to make payments representing PILOTs. The Town reserves the right to transfer PILOTs from the Improvement Fund no more frequently than semiannually in May and November of each year, in accordance with the Act, and only if all required transfers have been made to the Sinking Fund and the Operation and Maintenance Fund and the Accounts

of the Sinking Fund contain the required balances as of the date the PILOTs are paid. Moneys in the Improvement Fund shall be transferred to the Bond and Interest Account if and to the extent necessary to prevent a default in the payment of the principal of, premium, if any, or interest on any Bonds, any outstanding Prior Bonds or Future Parity Bonds payable from Net Revenues, or, if necessary, to eliminate any deficiencies in the deposits or the minimum balance in the Reserve Account as required by Section 11(c) of this Ordinance. At any other time, moneys in the Improvement Fund may be transferred to the Operation and Maintenance Fund to meet unforeseen contingencies in the operation, repair and maintenance of the System.

Section 13. Maintenance of Accounts: Investments. The Sinking Fund shall be maintained as a separate account or accounts from all other accounts of the Town. The Operation and Maintenance Fund and the Improvement Fund may be maintained in a single account or separate accounts, but such account or accounts, shall likewise be maintained separate and apart from all other accounts of the Town and apart from the Sinking Fund account or accounts. All moneys deposited in the Funds and Accounts continued by this Ordinance shall be deposited, held and secured as public funds in accordance with the public depository laws of the State; provided that moneys therein may be invested in obligations in accordance with applicable laws, including INDIANA CODE 5-13, INDIANA CODE 5-1.2-1 through INDIANA CODE 5-1.2-4 and INDIANA CODE 5-1.2-10, as amended or supplemented, and in the event of such investment, the income therefrom shall become a part of the funds invested and shall be used only as provided in this Ordinance. Nothing in this Section or elsewhere in this Ordinance shall be construed to require that separate bank accounts be established and maintained for the Funds and Accounts continued by this Ordinance except that (a) the Sinking Fund and Construction Fund shall be maintained as a separate bank account from the other Funds and Accounts of the Sewage Works and (b) the other Funds and Accounts of the Sewage Works shall be maintained as a separate bank account from the other funds and accounts of the Town.

Section 14. Maintenance of Books and Records. The Town shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from the System, all disbursements

made on account of the System and all other transactions relating to the System. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer.

Section 15. Rate Covenant. The Town covenants and agrees that it will establish and maintain just and equitable rates and charges for the use of and the service rendered by the System, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses the System, or that in any way uses or is served by the System, at a level adequate to produce and maintain sufficient revenue (including user and other charges, fees, income or revenues available to the Town) of the System, to comply with and satisfy all covenants contained in this Ordinance and to pay all obligations of the System and of the Town with respect to the System. Such rates and charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of Operation and Maintenance of the System and the requirements of the Sinking Fund. The rates and charges so established shall apply to any and all use of the System by and service rendered to the Town and shall be paid by the Town as the charges accrue.

Section 16. Defeasance of Bonds. If: (i) any of the Bonds shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal, the premium, if any, and the interest, so due and payable upon all of the Bonds or any designated portion thereof then outstanding shall be paid; or (ii) the Town shall cause to be held in trust for the purpose of paying when due the principal of, premium, if any, and interest on the Bonds or any designated portion thereof, money, together with direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, the principal of and the interest on which when due, will be sufficient, without reinvestment, to make such payments, and provision shall also be made for paying all fees and expenses for the redemption of such Bonds; then and in that case, such Bonds shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the System.

Section 17. Additional Bonds. The Town reserves the right to authorize and issue Future Parity Bonds for the purpose of financing the cost of future additions to, extensions of and improvements to the System, or to refund obligations, subject to the following conditions:

(a) The principal of and interest on all bonds payable from the Net Revenues of the System shall have been paid in accordance with the terms thereof, and the amounts required to be paid into the Sinking Fund shall have been made to date in accordance with the provisions of this Ordinance.

(b) The Net Revenues of the System in the fiscal year immediately preceding the issuance of any such Future Parity Bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual principal and interest requirements of the then outstanding bonds payable from the Net Revenues and the additional Future Parity Bonds proposed to be issued; or, prior to the issuance of such Future Parity Bonds, the utility rates and charges shall be increased sufficiently so that such increased rates and charges applied to the previous year's operations would have produced Net Revenues for such year equal to not less than one hundred twenty-five percent (125%) of the maximum annual principal and interest requirements of the then outstanding bonds payable from the Net Revenues and the additional Future Parity Bonds proposed to be issued. For purposes of this subsection, the records of the System shall be analyzed and all showings shall be prepared by a certified public accountant employed by the Town for that purpose.

(c) The principal of, or mandatory sinking fund redemption dates for, and interest on the additional Future Parity Bonds shall be payable semiannually on May 1 and November 1.

(d) The Reserve Requirement shall be satisfied for the additional Future Parity Bonds either at the time of delivery of the additional Future Parity Bonds or over a five (5) year or shorter period, in a manner which is commensurate with the requirements established in Section 11(c) of this Ordinance.

Section 18. Further Covenants. For the purpose of further safeguarding the interests of the owners of the Bonds, it is specifically provided as follows:

(a) All contracts let by the Town in connection with the construction of the Project shall be let after due advertisement as required by the laws of the State, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of such contracts in accordance with their terms, and such contractors shall also be required to carry such employer's liability and public liability insurance as are required under the laws of the State in the case of public contracts and shall be governed in all respects by the laws of the State relating to public contracts.

(b) The Project shall be constructed under the supervision and subject to the approval of the Engineers. All estimates for work done or material furnished shall first be checked by the Engineers and approved by the Town.

(c) So long as any of the Bonds are outstanding, the Town shall at all times maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the Bonds are outstanding, the Town shall acquire and maintain insurance on the insurable parts of the system, of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State. All insurance proceeds or condemnation proceeds shall be used in replacing or restoring the System or may be deposited in the Sinking Fund.

(e) So long as any of the Bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber the property and plant of the System, or any portion thereof, or any interest therein. The Town shall not sell, lease or otherwise dispose of any part of the System, except for such machinery, equipment or other property as may be replaced or shall no longer be necessary for use in connection with said utility.

(f) Except as otherwise specifically provided in Section 17 hereof, so long as any of the Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the System shall be authorized, executed, or issued by the Town, except those as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless the

Bonds are redeemed or defeased pursuant to Section 16 hereof coincidentally with the delivery of such additional bonds or other obligations.

(g) The Town shall take all actions or proceedings necessary and proper, to the extent permitted by law, to require connection of all property where liquid, solid waste and sewage is produced with available sanitary sewers. The Town shall, insofar as possible, and to the extent permitted by law, cause all such sanitary sewers to be connected with the sewage works.

(h) The provisions of this Ordinance shall constitute a contract by and between the Town and the owners of the Bonds, all the terms of which shall be enforceable by any holder of the Bonds by any and all appropriate proceedings in law or in equity. After the issuance of the Bonds, this Ordinance shall not be repealed, amended or modified in any respect which will adversely affect the rights or interests of the owners of the Bonds or 2020 BANs nor shall the Town Council or any other body of the Town adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds or 2020 BANs remain outstanding. Except for the changes set forth in Section 21(a)(1)-(7) of this Ordinance, this Ordinance may be amended, however, without the consent of the 2020 BAN owners or Bond owners, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the rights of any of the owners of the 2020 BANs or the Bond.

(i) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds for the uses and purposes set forth herein, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and the Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the Net Revenues herein directed to be set apart and paid into the Sinking Fund or the Improvement Fund for the uses and purposes of such Funds as set forth in this Ordinance. The owners of the Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act, including the right to have a receiver appointed to administer the System, in the event the Town shall fail or refuse to fix and collect sufficient rates and charges, or shall fail or refuse to operate and maintain said System and to apply the revenues derived from the operation thereof, or in the event of default in the payment of the principal of or interest on any of the Bonds or in the event of default in respect to any of the provisions of this Ordinance or the Act.

Upon the appointment of such receiver, the receiver may: (i) charge and collect rates sufficient to provide for the payment of the expenses of the operation, repair and maintenance of the System and debt service as provided in the next following clause; (ii) pay the principal of, premium, if any, and interest on any bonds payable from Net Revenues; and (iii) apply the revenues of the System in conformity with the Act and this Ordinance. In addition, any owner of the Bonds may, by civil action, protect and enforce rights granted by the Act or under this Ordinance in connection with any action or duty to be performed by the Town, the Town Council or any officer of the Town, including the making and collecting of reasonable and sufficient charges and rates for services provided by the System.

In addition, any owner of the Bonds may, by civil action, protect and enforce rights granted by the Act or under this Ordinance in connection with any action or duty to be performed by the Town, the Town Council or any officer of the Town, including the making and collecting of reasonable and sufficient charges and rates for services provided by the System as described in this Ordinance.

(j) None of the provisions of this Ordinance shall be construed as requiring the expenditure of any funds of the Town derived from any source other than the proceeds of the Bonds or the operations of the System.

(k) For the purpose this Section 18, the term "lease" shall include any lease, contract, or other instrument conferring a right upon the Town to use property in exchange for a periodic payments made from the revenues of the sewage works, whether the Town desires to cause such to be, or by its terms (or its intended effects) is to be, (i) payable as rent, (ii) booked as an expense or an expenditure, or (iii) classified for accounting or other purposes as a capital lease, financing lease, operating lease, non-appropriation leases, installment purchase agreement or lease, or otherwise (including any combination thereof)

Section 19. Investment of Funds.

(a) The Clerk-Treasurer is hereby authorized pursuant to INDIANA CODE 5-1-14-3, as amended, to invest moneys pursuant to the provisions of this Ordinance (subject to applicable requirements of federal law to insure the yields on such investments are equal to the

then current market rates) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds under federal law.

(b) The Clerk-Treasurer shall keep full and accurate records of investment earnings and income from moneys held in the Funds and Accounts continued by this Ordinance. In order to comply with the provisions of the Ordinance, the Clerk-Treasurer is hereby authorized and directed to employ consultants or attorneys from time to time to advise the Town as to requirements of federal law to preserve the tax exclusion described above. The Clerk-Treasurer may pay the fees of such consultants or attorneys as operation expenses of the System.

Section 20. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Bonds, as the case may be (the "Code"), and as an inducement to the Purchasers of the Bonds, the Town represents, covenants and agrees that:

(a) The use of the System will be based upon arrangements providing for use that is available to the general public on the basis of rates that are generally applicable and uniformly applied, and, to the extent so used, such use shall constitute general public use. No person or entity, other than the Town or another state or local governmental unit, will use more than 10% of the proceeds of the Bonds or the property financed by the Bond proceeds, other than in a manner constituting general public use. No person or entity, other than the Town or another state or local governmental unit, will own property financed by the Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, management, service or incentive payment contract, or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from general public use, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds. If the Town enters into a management contract for all or a portion of the System, the terms of the contract will comply with the Treasury Regulations issued by the United States Department of the Treasury (the "Regulations") and IRS Revenue Procedure 2017-13, and as such may hereafter be further amended, supplemented or superseded from time to time, so that the contract will not give rise to

private business use under the Code and the Regulations, unless such use in the aggregate will not relate to more than ten percent (10%) of the proceeds of the Bonds.

(b) No more than ten percent (10%) of the principal of or interest on the Bonds is (under the terms of the Bonds, this Ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the Town) in respect of property or borrowed money used or to be used for a private business use.

(c) No more than five percent (5%) of the Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than five percent (5%) of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The Town reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraphs (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds.

(e) No more than five percent (5%) of the proceeds of the Bonds will be attributable to private business use as described in paragraph (a) above and private security or payments described in paragraph (b) above attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issues and use that is related but disproportionate to any governmental use of those proceeds.

(f) The Town will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the 2020 BANs or the Bonds pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion.

(g) It shall not be an event of default under this Ordinance if the interest on any Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(h) The Town represents that it will rebate any arbitrage profits to the United States of America to the extent required by the Code and the Regulations.

(i) These covenants are based solely on current law in effect and in existence on the date of delivery of the Bonds.

(j) Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance (the "Tax Sections"), which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the "Tax Exemption"), need not be complied with if the Town receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 21. Amendments with Consent of Bondholders.

(a) Subject to the terms and provisions contained in this Section and Section 18(j) of this Ordinance, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Town Council of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the Town Council for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance or any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(1) An extension of the maturity of the principal of or the due date of interest on any Bond; or

(2) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or

(3) The creation of a lien upon or a pledge of the revenues or Net Revenues of the System ranking prior to the pledge thereof created by this Ordinance; or

(4) A preference or priority of any Bond or Bonds over any other Bond or Bonds; or

(5) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or

- (6) A reduction in the Reserve Requirement; or
- (7) The extension of mandatory sinking fund redemption dates for the Bonds, if any.

(b) If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer, no owner of any Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Town Council from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the Town and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the Town and the owners of the Bonds, and the terms and provisions of the Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the Town and the owners of all the Bonds then outstanding.

Section 22. Redemption of 2020 BANs. The Council President and the Clerk-Treasurer are hereby authorized and directed to execute and deliver a Notice of Redemption to the holders of the 2020 BANs in such form or substance as they shall approve, acting upon the advice of Bond Counsel. The Council President and the Clerk-Treasurer may take such other actions or execute and deliver such payments and certificates as are necessary or desirable in connection with the redemption of the 2020 BANs and the other documents needed for the redemption of the 2020 BANs as any one of them deem necessary or desirable in connection therewith.

Section 23. Rate Ordinance. The Town Council has adopted or will adopt its Rate Ordinance, which sets forth the rates and charges applicable to the System prior to the issuance of the Bonds.

Section 24. Continuing Disclosure. If necessary in order for the Purchaser of the Bonds to comply with Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended (the "Rule"), the Council President and the Clerk-Treasurer are hereby authorized to execute and deliver, in the name and on behalf of the Town, (i) an agreement by the Town to comply with the requirements for a continuing disclosure undertaking of the Town pursuant to subsection (b)(5) or (d)(2) of the Rule, and (ii) amendments to such agreement from time to time in accordance with the terms of such agreement (the agreement and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Agreement"). The Town hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. The remedies for any failure of the Town to comply with and carry out the provisions of the Continuing Disclosure Agreement shall be as set forth therein.

Section 25. Professional Services. O.W. Krohn & Associates, LLP, is hereby retained as Municipal Advisor and Taft Stettinius & Hollister LLP is hereby retained as Bond Counsel, and the Town is authorized and directed to execute any engagement letter submitted by each of those firms with respect to the issuance of the Bonds.

Section 26. Conflicting Ordinances. All prior ordinances and parts of prior ordinances, insofar as they are in conflict herewith, are hereby repealed.

Section 27. Effective Date. This Ordinance shall be in full force and effect from and after its passage and execution by the Council President.

Adopted this ____ day of December, 2023.

TOWN COUNCIL OF THE TOWN OF DANVILLE, HENDRICKS COUNTY, INDIANA

FOR:

AGAINST:

_____	David Winters	_____
_____	Nancy Leavitt	_____
_____	Greg Irby	_____
_____	Michael Chatham	_____
_____	Chris Gearld	_____

ATTEST:

Carrie Lofton, Clerk-Treasurer

SCHEDULE OF EXHIBITS

EXHIBIT A - PROJECT DESCRIPTION

EXHIBIT B - FORM OF BOND

EXHIBIT A

PROJECT DESCRIPTION

The Project encompasses several individual projects to eliminate “sewage overflows” and to mitigate Infiltration & Inflow (“I/I”) in particular areas of the Town. The Project is more specifically noted in the Town’s Sewer Master Plan. Included in the Project are (i) improvements to the eastside interceptor, (ii) main extension to 200 E and 75 S, (iii) southside interceptor improvements, (iv) improvements to the Park Ridge lift station, and (v) improvements to the County Homes lift station.

EXHIBIT B
FORM OF BOND

No. R-____

[Unless this 2023 Bond (as defined below) is presented by an authorized representative of The Depository Trust Company, a New York Corporation (“DTC”), to the Town of Danville, Hendricks County, Indiana, or its agent for registration of transfer, exchange or payment, and any 2023 Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.]

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF HENDRICKS

TOWN OF DANVILLE

SEWAGE WORKS REVENUE BOND, SERIES 2023

Maturity	Interest	Original	Authentication	
<u>Date</u>	<u>Rate</u>	Issue Date	<u>Date</u>	[CUSIP]
[See <u>Exhibit A</u>]	_____%	_____, 202__	_____	_____

Registered Owner:

Principal Sum:

The Town of Danville, Hendricks County, Indiana (the “Town”), for value received, hereby promises to pay to the Registered Owner specified above or registered assigns, solely out of the special revenue fund hereinafter referred to, the Principal Sum specified above[, or so much thereof as may be advanced from time to time and be outstanding as evidenced by the records of the Registered Owner making payment for this 2023 Bond (as defined below), or its assigns,] on [the Maturity Date set forth above] or [May 1 and November 1 in the years and in the amounts set forth in Exhibit A attached hereto] [(unless this 2023 Bond is subject to and shall have been duly called for redemption and payment as provided for herein)], and to pay interest hereon until the Principal Sum shall be fully paid at the Interest Rate per annum specified above from the interest payment

date to which interest has been paid next preceding the Authentication Date of this 2023 Bond, unless this 2023 Bond is authenticated after the fifteenth day preceding an interest payment date and on or before such interest payment date, in which case it shall bear interest from such interest payment date, or unless this 2023 Bond is authenticated on or before [April] [October] 15, 202__, in which case it shall bear interest from the Original Issue Date, which interest is payable semiannually on May 1 and November 1 of each year, beginning on [May 1] [November 1, 20 __]. Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months.

[The principal of and premium, if any, on this 2023 Bond is payable at the designated office of _____ (the "Registrar" or the "Paying Agent"), in the _____ of _____ Indiana.] All payments of [principal of, premium, if any, and] interest on this 202__ Bond shall be paid by [check mailed one business day prior to the interest payment date] to the Registered Owner hereof, as of the fifteenth day of the month preceding such payment, at the address as it appears on the registration books kept by the [Clerk-Treasurer of the Town (the "Registrar" or the "Paying Agent") in the Town] [Registrar]. [If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments so such payments are received at the depository by 2:30 p.m. (New York City time).] All payments on the Town's Sewage Works Revenue Bonds, Series 202__ (the "202__ Bonds"), shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This 2023 Bond shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State, and the Town shall not be obligated to pay this 2023 Bond or the interest hereon except from the special fund provided from the Net Revenues (herein defined as the gross revenues, inclusive of System Development Charges (as defined in the Ordinance) of the System (herein defined as the Town's Treatment Works, including all real estate, equipment and appurtenances thereto used in connection therewith, and all extensions, additions and improvements thereto and replacements thereof, now or at any time hereafter constructed or acquired) remaining after the payment of the reasonable expense of operation, repair and maintenance of the System excluding transfers for payments in lieu of property taxes).

This 2023 Bond is one of an authorized series of 2023 Bonds of like tenor and effect, except as to numbering, interest rates per annum and dates of maturity, in the total amount of _____ Dollars (\$_____) lettered and numbered consecutively from R-1 and upward, issued for the purpose of providing funds to pay the cost of the acquisition of, and the construction and installation of certain improvements to, the System, including, without limitation, the acquisition and installation of necessary equipment therefor and the making of other site improvements related thereto (the "Project"), to refund the Town's Sewage Works Bond Anticipation Note, Series 2020 issued in anticipation of the 2023 Bonds (the "2020 BANs") and to pay the costs of issuance of the 2023 Bonds and the 2020 BANs, as authorized by: an ordinance adopted by the Town Council of the Town on December 6, 2023 (the "Ordinance"), and in strict compliance with the provisions of INDIANA CODE 36-9-23 *et seq.*, as in effect on the issue date of this 2023 Bond (the "Act"). Capitalized terms not otherwise defined herein have the same meanings as ascribed to them in the Ordinance. The bonds of this series are issued on a parity

with the Town's outstanding Sewage Works Refunding Revenue Bonds of 2015 (the "2015 Bonds").

Pursuant to the provisions of the Ordinance and the Act, the principal of and interest on this 2023 Bond, all other 2023 Bonds, and the 2015 Bonds and any bonds hereafter issued ranking on a parity therewith (collectively, the "Bonds"), are payable solely from the Sewage Works Sinking Fund (the "Sinking Fund") to be funded from the Net Revenues of the System, except to the extent payable from the proceeds of the Bonds.

The Town irrevocably pledges, the entire Net Revenues of the System to the prompt payment of the principal of and interest on the Bonds and covenants that it will cause to be fixed, maintained and collected such rates and charges for service rendered by the System as are sufficient in each year for the payment of the Operation and Maintenance (as defined in the Ordinance) and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. The Town has covenanted to maintain rates and charges, to the extent permitted by law, to produce Net Revenues sufficient to pay the annual debt service on the Bonds. If the Town or the proper officers of the Town shall fail or refuse to so fix, maintain and collect such rates or charges, or if there shall be a default in the payment of the principal of or interest on the Bonds when due, the owner of this 2023 Bond shall have all of the rights and remedies provided for in the Act and the Ordinance, including the right to have a receiver appointed to administer the System (but only in the event of a default in the payment of the principal of or the interest on the Bonds when due or in the event of default in respect to any of the provisions of this Ordinance or the Act), and, by civil action, to protect and enforce rights granted by the Act or under the Ordinance in connection with any action or duty to be performed by the Town, the Town Council or any officer of the Town, including the making and collecting of reasonable and sufficient charges and rates for services provided by the System.

The Town further covenants that it will set aside and pay into the Sinking Fund a sufficient amount of the Net Revenues to pay: (a) the principal of and interest on all Bonds, as such principal and interest shall come due; (b) the necessary fiscal agency charges for paying the principal of and interest on the Bonds; and (c) an additional amount to create and maintain the debt service reserve required by the Ordinance. Such required payments shall constitute a first charge upon all the Net Revenues of the System on a parity with the Prior Bonds.

The 2023 Bonds maturing on and after _____, are redeemable at the option of the Town on _____ 1, 20____, or any date thereafter, on [sixty (60)] [thirty (30)] days' notice, in whole or in part, in inverse order of maturity and by lot within a maturity, at face value plus in each case accrued interest to the date fixed for redemption, together with the following premiums:

____% if redeemed on _____ 1, 20____ or thereafter
on or before _____, 20____;
1% if redeemed on _____ 1, 20____ or thereafter
on or before _____, 20____;
0% if redeemed on _____ 1, 20____ or thereafter
prior to maturity.

[The 2023 Bonds maturing on _____, are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof, plus accrued interest, on January 1 and July 1 in the years and in the amounts set forth below:

<u>Year</u>	<u>Amount</u>
-------------	---------------

*

*Final Maturity.]

[In the event the 2023 Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the 2023 Bonds for mandatory sinking fund redemption before selecting the 2023 Bonds by lot for optional redemption.]

Notice of redemption shall be mailed to the address of the Registered Owner as shown on the registration record of the Town, as of the date which is [forty-five (45)] days prior to such redemption date, not less than [thirty (30)] days prior to the date fixed for redemption. The notice shall specify the date and place of redemption and sufficient identification of the 2023 Bonds called for redemption. The place of redemption may be determined by the Town. Interest on the 2023 Bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

[The 2023 Bonds shall be called for redemption in multiples of [\$5,000]. The 2023 Bonds in denominations of more than \$1.00 shall be treated as representing the number of 2023 Bonds obtained by dividing the denomination of the 2023 Bond by [\$5,000] within a maturity.] The 2023 Bonds may be redeemed in part. In the event of the redemption of the 2023 Bonds in part, upon surrender of the 2023 Bond to be redeemed, a 2023 Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the 2023 Bond surrendered shall be issued to the Registered Owner.

If this 2023 Bond shall not be presented for payment or redemption on the date fixed therefor, and the Town shall have deposited in trust with [the Paying Agent] [its depository bank], an amount sufficient to pay this 2023 Bond or the redemption price, as the case may be, then the Registered Owner shall thereafter look only to the funds so deposited in trust with [the Paying Agent] [such depository bank] for payment and the Town shall have no further obligation or liability with respect thereto.

This 2023 Bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the office of the Registrar, by the Registered Owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this 2023 Bond, together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or its attorney duly authorized in writing, and thereupon a fully registered 2023 Bond or 2023 Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the Registered Owner, as the case may be, in exchange therefor. [Except as otherwise provided in the Disclosure Agreement described below, the] [The] Town, the Registrar and the Paying Agent may treat and consider the person in whose name this 2023 Bond is registered as the absolute owner hereof for all purposes

including for the purpose of receiving payment of, or on account of, the principal hereof, premium, if any, and interest due hereon.

The 2023 Bonds maturing in any one year are issuable only in fully registered form in the denomination of [\$5,000] or any integral multiple thereof not exceeding the aggregate principal amount of the 2023 Bonds maturing in such year.

THE REGISTERED OWNER, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. This 2023 Bond is subject to defeasance prior to redemption or payment as provided in the Ordinance. The Ordinance may be amended without the consent of the owners of the 2023 Bonds as provided in the Ordinance if the Town Council determines, in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the 2023 Bonds.

[A Continuing Disclosure Agreement dated as of the Original Issue Date (the "Disclosure Agreement") has been executed by the Town for the benefit of each registered or beneficial owner of any 2023 Bond. A copy of the Disclosure Agreement is available from the Town and its terms are incorporated herein by reference. The Disclosure Agreement contains certain covenants of the Town to each registered or beneficial owner of any 2023 Bond, including a covenant to provide continuing disclosure of certain annual financial information and notices of the occurrence of certain events, if material. By its payment for and acceptance of this 2023 Bond, the Registered Owner and any beneficial owner of this 2023 Bond assents to the Disclosure Agreement and to the exchange of such payment and acceptance for such covenants.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and completion of the execution, issuance and delivery of this 2023 Bond have been done and performed in regular and due form as provided by law.

This 2023 Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been executed by [an authorized representative] of the Registrar.

IN WITNESS WHEREOF, the Town has caused this 2023 Bond to be executed in its corporate name and on its behalf by the manual or facsimile signature of its President, have its corporate seal affixed hereunto, imprinted or impressed by any means, and be attested manually or by facsimile by its Clerk- Treasurer.

TOWN OF DANVILLE, HENDRICKS
COUNTY, INDIANA

[SEAL]

By: _____
President, Town Council

Attest:

Clerk-Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

It is hereby certified that this Bond is one of the Bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

[_____,
as Registrar

By _____
Authorized Representative]

EXHIBIT A TO BOND

**TOWN OF DANVILLE
SEWAGE WORKS REVENUE BOND, SERIES 2023**

Maturity
 Date

Principal
 Due

ORDINANCE NO. 30 – 2023

AN ORDINANCE AMENDING RATES AND CHARGES
FOR THE USE AND SERVICES RENDERED BY THE
TOWN OF DANVILLE WATER UTILITY

WHEREAS, the Town Council of Danville ("Town") has previously adopted ordinances, including Water Rate Ordinance No. 12 – 2022, to establish and amend the rates and charges for the use and services rendered by the Danville Water Utility ("Utility") in accordance with IC 8-1.5 3 8, and

WHEREAS, the Town arranged for the CPA and municipal consulting firm of O.W. Krohn & Associates, LLP, of Westfield, Indiana ("Consultant") to conduct a review of rates to determine the adequacy of the current Utility rates and charges, and

WHEREAS, the Consultant has determined that the current rates and charges are not sufficient to meet the reasonable financial requirements of the Utility and thus, should be increased to enable the Town to properly operate its Utility, including providing for depreciation, servicing its bonds, and making payments in lieu of taxes to the Town of Danville, and

WHEREAS, the Town has conducted a public hearing on the proposed new Utility rates and charges and has determined that they should be established as set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT

Section 1. The rates and charges set forth in the attached "Appendix A" shall be established with Phase I becoming effective September 1, 2023; Phase II becoming effective July 1, 2024; and Phase III becoming effective July 1, 2025.

Section 2. When a Utility customer is ten (10) days or more delinquent, that customer shall be disconnected from Danville water distribution system until the water bill in arrears is paid in full. The reconnection fee charged shall be fifty (\$50.00) dollars.

Section 3. Any provisions of prior Ordinances not amended by, or in conflict with, this Ordinance shall remain in full force and effect.

Section 4. This Ordinance shall be effective upon adoption by the Town.

Adopted by the Town Council of Danville on this ____ day of _____, 2023.

TOWN OF DANVILLE

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

Danville Clerk-Treasurer

APPENDIX A

SCHEDULE OF WATER RATES AND CHARGES

				<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
			<i>Effective Date</i>	<i>9/1/2023</i>	<i>7/1/2024</i>	<i>7/1/2025</i>
			<i>Effective Increase</i>	<i>3%</i>	<i>3%</i>	<i>3%</i>
<u>Monthly Metered Rates (per 1,000 gallons):</u>						
<u>Residential Customers:</u>						
First	2,000	Gallons		\$ 9.39	\$ 9.67	\$ 9.96
Next	7,000	Gallons		8.13	8.37	8.62
Over	9,000	Gallons	<i>Conservation Rate</i>	10.36	10.67	10.99
<u>Non-Residential Customers:</u>						
First	2,000	Gallons		\$ 9.39	\$ 9.67	\$ 9.96
Next	7,000	Gallons		8.13	8.37	8.62
Next	91,000	Gallons		6.50	6.70	6.90
Over	100,000	Gallons		4.87	5.02	5.17
<u>Monthly Minimum Charges:</u>						
	<u>Gallons</u>	<u>Class</u>				
<u>Meter size:</u>						
5/8-3/4 Inch meter	2,000	Res	\$	18.78	\$ 19.34	\$ 19.92
1 Inch meter	5,000	Res		43.17	44.45	45.78
1 1/2 Inch meter	11,600	Non-Res		92.59	95.35	98.20
2 Inch meter	20,000	Non-Res		147.19	151.63	156.16
3 Inch meter	46,000	Non-Res		316.19	325.83	335.56
4 Inch meter	80,000	Non-Res		537.19	553.63	570.16
6 Inch meter	182,000	Non-Res		1,066.53	1,099.27	1,132.10
8 Inch meter	323,800	Non-Res		1,757.10	1,811.11	1,865.21
<u>Public Fire Protection:</u>						
<u>Meter size:</u>						
5/8-3/4 Inch meter			\$	5.55	\$ 5.72	\$ 5.89
1 Inch meter				13.87	14.29	14.72
1 1/2 Inch meter				32.13	33.09	34.08
2 Inch meter				55.37	57.03	58.74
3 Inch meter				127.32	131.14	135.07
4 Inch meter				221.39	228.03	234.87
6 Inch meter				221.39	228.03	234.87
8 Inch meter				221.39	228.03	234.87
<u>Private Fire Protection:</u>						
Hydrant Service Charge		<i>per Hydrant per Annum</i>	\$	510.00	\$ 525.00	\$ 540.00
<u>Hydrant Rental Fees:</u>						
Daily Rental Fee			\$	21.25	\$ 21.90	\$ 22.55
Water Usage Charges				--- 3" meter usage charges applied on monthly basis ---		

TOWN OF DANVILLE

EXPENDITURE REQUEST

Requesting Department:

Public Works

Amount Requested:

\$55,182.53

Fund/Appropriation Requested
to Expend From:

2201-5-500-42100

Explanation for Requested Funds

This request is to cover the cost of 600 Tons of treated salt to be used for the '23-'24 winter season. This material has already been delivered.

IMPORTANT: All requests must be submitted to the Town Manager and Clerk-Treasurer at least 7 days prior to the next Council meeting to be included on the agenda for Council consideration.

Budget Review
Recommendation: Town Manager & Clerk-Treasurer Approve, Disapprove, Further Review Comments:

Carrie E. Logan
Mark R. Morgan

COUNCIL NOTES:

Requested by:



Date:

11/1/2023



INVOICE

2908739732

Cargill Salt Road Safety
A business of CARGILL, INCORPORATED
15407 MCGINTY ROAD WEST
WAYZATA MN 55391
USA

Remit To: Cargill, Incorporated
PO Box 415927
Boston MA 02241-5927
USA



Bill-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST
49 N WAYNE ST
DANVILLE IN 46122-1322
USA

Ship-To : TOWN OF DANVILLE
TOWN OF DANVILLE BROADWAY
1010 E BROADWAY ST
DANVILLE IN 46122-1974
USA

Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Billing Date: 10/19/2023
Sales Order: 8101633
Reference Date: 10/19/2023
Your Purchase Order: 10182023SALT
Payment Terms: NET 30 DAYS FROM DATE OF INVOICE

Inco Terms: DLD DESTINATION
Shipment Date: 10/19/2023
Gross Weight: 474,040.000 LB

Currency:	USD
Due Amt :	22,329.64
Due Date:	11/18/2023

(All date format in MM/DD/YYYY)

Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 49,660.000 LB Bill of Lading:2AKB00081546	24.830 24.830	ST ST	94.21 USD/ST	2,339.23
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 46,200.000 LB Bill of Lading:2AKB00081547	23.100 23.100	ST ST	94.21 USD/ST	2,176.25
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 48,800.000 LB Bill of Lading:2AKB00081548	24.400 24.400	ST ST	94.21 USD/ST	2,298.72
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 46,460.000 LB Bill of Lading:2AKB00081549	23.230 23.230	ST ST	94.21 USD/ST	2,188.50
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 47,340.000 LB Bill of Lading:2AKB00081550	23.670 23.670	ST ST	94.21 USD/ST	2,229.95

Billing Enquiries

Telephone: 800-377-1017
Fax: 800-377-1027

Email:
Internet: www.cargillsalt.com



INVOICE

2908739732

Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Currency:	USD
Due Amt :	22,329.64
Due Date:	11/18/2023



Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CL FARI ANF@ DFICER ENHNCD BULK Net Weight: 44,900.000 LB Bill of Lading:2AKB00081551	22.450 22.450	ST ST	94.21 USD/ST	2,115.01
100012763	400386308	CLEARLANE@ DEICER ENHNCD BULK Net Weight: 49,020.000 LB Bill of Lading:2AKB00081552	24.510 24.510	ST ST	94.21 USD/ST	2,309.09
100012763	400386308	CLEARLANE@ DEICER ENHNCD BULK Net Weight: 46,600.000 LB Bill of Lading:2AKB00081553	23.300 23.300	ST ST	94.21 USD/ST	2,195.09
100012763	400386308	CLEARLANE@ DEICER ENHNCD BULK Net Weight: 45,560.000 LB Bill of Lading:2AKB00081554	22.780 22.780	ST ST	94.21 USD/ST	2,146.10
100012763	400386308	CLEARLANE@ DEICER ENHNCD BULK Net Weight: 49,500.000 LB Bill of Lading:2AKB00081555	24.750 24.750	ST ST	94.21 USD/ST	2,331.70
Place of Loading 3002 S RITTER AVE BEECH GROVE IN 46107 USA			Subtotal 237.02 Ton			22,329.64
			Sales Tax			0.00
					INVOICE TOTAL	
					USD	22,329.64

This sale may be subject to applicable discounts, allowances or rebates which are not reflected in the price shown.

All invoices must be paid within the terms quoted. We reserve the right to charge interest on overdue accounts.

For ACH(non CTX)and wire transfers, remittance advice should be emailed to remittance@cargill.com or faxed to 952-367-1672 in order to ensure accurate & timely allocation of funds.

Billing Enquiries

Telephone: 800-377-1017

Email:

Fax: 800-377-1027

Internet: www.cargillsalt.com



INVOICE

2908743672

Cargill Salt Road Safety
A business of CARGILL, INCORPORATED
15407 MCGINTY ROAD WEST
WAYZATA MN 55391
USA

Remit To: Cargill, Incorporated
PO Box 415927
Boston MA 02241-5927
USA



Bill-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST
49 N WAYNE ST
DANVILLE IN 46122-1322
USA

Ship-To : TOWN OF DANVILLE
TOWN OF DANVILLE BROADWAY
1010 E BROADWAY ST
DANVILLE IN 46122-1974
USA

Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Billing Date: 10/20/2023
Sales Order: 8101633
Reference Date: 10/20/2023
Your Purchase Order: 10182023SALT
Payment Terms: NET 30 DAYS FROM DATE OF INVOICE

Inco Terms: DLD DESTINATION
Shipment Date: 10/20/2023
Gross Weight: 414,500.000 LB

Currency:	USD
Due Amt :	19,525.01
Due Date:	11/19/2023

(All date format in MM/DD/YYYY)

Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 46,500.000 LB Bill of Lading:2AKB00081556	23.250 23.250	ST ST	94.21 USD/ST	2,190.38
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 40,900.000 LB Bill of Lading:2AKB00081557	20.450 20.450	ST ST	94.21 USD/ST	1,926.59
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 49,160.000 LB Bill of Lading:2AKB00081558	24.580 24.580	ST ST	94.21 USD/ST	2,315.68
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 45,200.000 LB Bill of Lading:2AKB00081559	22.600 22.600	ST ST	94.21 USD/ST	2,129.15
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 49,660.000 LB Bill of Lading:2AKB00081560	24.830 24.830	ST ST	94.21 USD/ST	2,339.23

Billing Enquiries

Telephone: 800-377-1017
Fax: 800-377-1027

Email:
Internet: www.cargillsalt.com

**INVOICE**
2908743672

Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Currency:	USD
Due Amt :	19,525.01
Due Date:	11/19/2023

Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CLEARLANE® DEICER	22.940	ST	94.21 USD/ST	2,161.18
		ENHNCD BULK	22.940	ST		
		Net Weight: 45,880.000 LB				
		Bill of Lading:2AKB00081561				
100012763	400386308	CLEARLANE® DEICER	23.400	ST	94.21 USD/ST	2,204.51
		ENHNCD BULK	23.400	ST		
		Net Weight: 46,800.000 LB				
		Bill of Lading:2AKB00081563				
100012763	400386308	CLEARLANE® DEICER	22.630	ST	94.21 USD/ST	2,131.97
		ENHNCD BULK	22.630	ST		
		Net Weight: 45,260.000 LB				
		Bill of Lading:2AKB00081564				
100012763	400386308	CLEARLANE® DEICER	22.570	ST	94.21 USD/ST	2,126.32
		ENHNCD BULK	22.570	ST		
		Net Weight: 45,140.000 LB				
		Bill of Lading:2AKB00081565				
Place of Loading		3002 S RITTER AVE	Subtotal		19,525.01	
		BEECH GROVE IN 46107 USA	Sales Tax		0.00	
					INVOICE TOTAL	
					USD	19,525.01

This sale may be subject to applicable discounts, allowances or rebates which are not reflected in the price shown.

All invoices must be paid within the terms quoted. We reserve the right to charge interest on overdue accounts.

For ACH(non CTX)and wire transfers, remittance advice should be emailed to remitdetail@cargill.com or faxed to 952-367-1672 in order to ensure accurate & timely allocation of funds.

Billing Enquiries

Telephone: 800-377-1017

Email:

Fax: 800-377-1027

Internet: www.cargillsalt.com

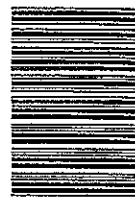


INVOICE

2908750096

Cargill Salt Road Safety
A business of CARGILL, INCORPORATED
15407 MCGINTY ROAD WEST
WAYZATA MN 55391
USA

Remit To: Cargill, Incorporated
PO Box 415927
Boston MA 02241-5927
USA



Bill-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST
49 N WAYNE ST
DANVILLE IN 46122-1322
USA

Ship-To : TOWN OF DANVILLE
TOWN OF DANVILLE BROADWAY
1010 E BROADWAY ST
DANVILLE IN 46122-1974
USA

Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Billing Date: 10/23/2023
Sales Order: 8101633
Reference Date: 10/23/2023
Your Purchase Order: 10182023SALT
Payment Terms: NET 30 DAYS FROM DATE OF INVOICE

Inco Terms: DLD DESTINATION
Shipment Date: 10/23/2023
Gross Weight: 282,940.000 LB

Currency:	USD
Due Amt :	13,327.88
Due Date:	11/22/2023

(All date format in MM/DD/YYYY)

Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 44,880.000 LB Bill of Lading:2AKB00081569	22.440 22.440	ST ST	94.21 USD/ST	2,114.07
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 49,160.000 LB Bill of Lading:2AKB00081572	24.580 24.580	ST ST	94.21 USD/ST	2,315.68
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 46,120.000 LB Bill of Lading:2AKB00081581	23.060 23.060	ST ST	94.21 USD/ST	2,172.48
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 49,260.000 LB Bill of Lading:2AKB00081586	24.630 24.630	ST ST	94.21 USD/ST	2,320.39
100012763	400386308	CLEARLANE® DEICER ENHNCD BULK Net Weight: 45,600.000 LB Bill of Lading:2AKB00081590	22.800 22.800	ST ST	94.21 USD/ST	2,147.99

Billing Enquiries

Telephone: 800-377-1017
Fax: 800-377-1027

Email:
Internet: www.cargillsalt.com



INVOICE

2908750096



Sold-To : TOWN OF DANVILLE
TOWN OF DANVILLE W MAIN ST

Currency:	USD
Due Amt :	13,327.88
Due Date:	11/22/2023

Product Code	Sales Contract	Product Description	Priced Quantity Shipped Quantity	UoM	Price	Extended Amount
100012763	400386308	CLEARLANE® DEICER	23.960	ST	94.21 USD/ST	2,257.27
		ENHNCD BULK	23.960	ST		
		Net Weight: 47,920.000 LB				
		Bill of Lading:2AKB00081596				
Place of Loading	3002 S RITTER AVE		Subtotal			13,327.88
	BEECH GROVE IN 46107 USA		Sales Tax			0.00
						INVOICE TOTAL
						USD 13,327.88

This sale may be subject to applicable discounts, allowances or rebates which are not reflected in the price shown.

All invoices must be paid within the terms quoted. We reserve the right to charge interest on overdue accounts.

For ACH(non CTX)and wire transfers, remittance advice should be emailed to remitdetail@cargill.com or faxed to 952-367-1672 in order to ensure accurate & timely allocation of funds.

Billing Enquiries

Telephone: 800-377-1017

Email:

Fax: 800-377-1027

Internet: www.cargillsalt.com

TOWN OF DANVILLE

EXPENDITURE REQUEST

Requesting Department:

Public Works

Amount Requested:

\$12,319.35

Fund/Appropriation Requested
to Expend From:

4471-5-500-44000

Explanation for Requested Funds

These funds are the remaining funds from the INDOT portion of the CCMG. Since the project came in under-budget, INDOT requires any excess funds to be returned.

IMPORTANT: All

requests must be submitted to the Town Manager and Clerk-Treasurer at least 7 days prior to the next Council meeting to be included on the agenda for Council consideration.

Budget Review

Recommendation: Town
Manager & Clerk-Treasurer
Approve, Disapprove,
Further Review Comments:

Carrie E. Repton
Mark R. Morgan
COUNCIL NOTES:

Requested by:

Carrie E. Repton

Date:

11/3/2023



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N758-AR
Indianapolis, Indiana

PHONE: (800) 745-4308
FAX: (317) 234-7814

Eric Holcomb, Governor
Michael Smith, Commissioner

Bill To:

Town of Danville
Town Of Danville
1010 E Broadway
Danville IN 46122

Customer No:

Invoice:

Invoice Date:

Invoice Type:

CST000052508

000079594

11/2/2023

ROE

AMOUNT DUE: \$12,319.35

***** Payment is Due Upon Receipt of Invoice *****

Line	Product Description	Quantity	Unit Amt	Net Amount
1	DES 2300346 PO 2011180 2023-1 Des# 2300346	1.00	12,319.35	12,319.35

Subtotal: \$12,319.35

Amount Due: \$12,319.35

Payment Options

See Reverse Side



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N758-AR
Indianapolis, Indiana

PHONE: (800) 745-4308
FAX: (317) 234-7814

Eric Holcomb, Governor
Michael Smith, Commissioner

- To make a credit card payment by telephone, call: 1-800-745-4308

- OR RETURN THIS PORTION WITH YOUR PAYMENT

Department of Transportation
Attention: Agent Cashier
IGC-N758-AR
100 N. Senate Ave.
Indianapolis, IN 46204

Invoice: 000079594

Amount Paid \$ _____

☐ Visa ☐ Mastercard ☐ Discover ☐ Check/Money Order

Name on Card _____

Card Number _____

(Name must appear as exactly as on card)

CID (3 or 4 digit security code) _____

Expiration Date _____

Billing Address _____

Signature Required: _____ Date _____



Report Summary

Printed On: 11/2/2023

14:12:51 PM

Invoices: 1

Process Instance: 32744535

CCMG Close Out Calculation Sheet

Name of Local:						
DES Number(s):						
Project Description:					Contractor's Final Construction Amount	
Road 1 with to and from:	Clear Creek Dr.	FROM US 36	TO CR 50S	Contractor's Awarded Bid Amount	\$118,369.30	\$119,935.60
Road 2 with to and from:	N. CR 200E	1692' north of Main St.	E. CR 100N		\$101,620.50	\$100,558.50
Road 3 with to and from:	N. CR 200E	E. Main St.	457 ft. north of E. Main St.		\$23,774.30	\$16,361.30
Road 4 with to and from:	Old Farm Rd.	E. Main St.	Woodside Dr.		\$103,415.50	\$96,908.60
Road 5 with to and from:	Raintree Dr.	Old Farm Rd.	Cul-de-Sac		\$63,698.90	\$57,791.90
Road 6 with to and from:	Ridge Ave.	E. Main St.	215 south of 16 Ridge Ave.		\$30,506.00	\$23,615.00
Road 7 with to and from:	Temple Dr.	E. CR 100N.	Polley Dr.		\$71,488.90	\$73,063.90
Road 8 with to and from:						
Road 9 with to and from:						
Road 10 with to and from:						
Road 11 with to and from:						
Road 12 with to and from:						
Road 13 with to and from:						
Road 14 with to and from:						
Road 15 with to and from:						
Road 16 with to and from:						
Road 17 with to and from:						
Road 18 with to and from:						
Road 19 with to and from:						
Road 20 with to and from:						
Road 21 with to and from:						
* Awarded Amount:					\$512,873.50	\$488,234.80
Purchase Order Number:		00800-0020111875				
Purchase Order Amount:						\$256,436.75
		Service Period / Date				
		Invoice Number	From	To	Payment Reference	Payment
Vendor / Contractor:	Howard Companies	23-3506	9/12/2023	9/18/2023	36454	\$488,234.80

REQUESTING DEPARTMENT: Water**FUNCTION OR NEED OF REQUESTED PURCHASE:**

Indiana Pump Works, LLC to Fabricate and install a new backwash pump in the backwash tank, current pump is old and out dated and is currently out of service

FINANCIAL ANALYSIS:

COST PER ITEM	\$14,350.00
# OF ITEMS REQUESTED	1
TOTAL AMOUNT REQUESTED	\$14,350.00

PURPOSE OF REQUEST Pump Fail**REVENUE IMPACTS:**IS THIS A REVENUE PRODUCING ITEM? Yes / NoIF YES, AVERAGE EXPECTED ANNUAL CHANGE N/A**COST IMPACTS (ADDITIONAL STAFF, INSURANCE, FEES, CONTRACTS):****OTHER CONSIDERATIONS:**

IS RENOVATION REQUIRED Yes / No
 IS ADDITIONAL SPACE NEEDED Yes / No
 EXPECTED LIFE N/A YEARS

FUND/APPROPRIATION REQUESTED TO EXPENSE FROM:

	AMOUNT
New Equipment	
6101-5-500-62500	\$14,350.00

HAVE YOU EXPENDED ALL OF YOUR DONATION, GRANT AND/OR APPROPRIATIONS FOR THIS FUNDING FIRST:

Yes / No**IMPORTANT:**

All requests must be submitted to the Town Manager and Clerk-Treasurer at least 7 days prior to the next Council meeting to be included on the agenda for Council consideration.

Budget Review Recommendation:
 Town Manager & Clerk-Treasurer
 Approve, Disapprove, Further Review
 Comments:

Carrie E. Lofton
Mark R. Morgan

COUNCIL NOTES:

REQUESTED BY: Matt EllisonDATE 11/2/2023



INDIANA PUMP WORKS, LLC
We Make Flow Happen

A Veteran Owned Small Business
Quotation

Indiana Pump Works, LLC
215 S. MADISON ST.
FORTVILLE, IN 46040
317-360-PUMP

October 30, 2023

To: Matt Ellison
Danville Water

Re: Back-wash pumps

Dear Matt,

Thank you for the opportunity to provide you with pricing on repairing your existing pump station with a new base elbow and a new pump. We are pleased to offer you the following:

- 1) Install new 4" cast iron base elbow with cast iron pump sealing flange, (1) one stainless steel upper guide bracket to be used with existing 2" ss guide rails. Install 4" uni-flange and spool piece of 4" ductile iron pipe, Hilti anchor studs..... \$3,250
- 1) Horna AMS464-180/5.5TC- 5hp, 460 volts, 3-phase, 1,750 RPM, cast iron construction, dual mechanical seals, internal leak detection sensor, thermal protection, cast iron impeller, bronze wear ring, ss lifting handle, 32' power and sensor cable, 4" ANSI discharge flange... \$7,250
- 1) Labor to perform confined space entry into wet-well, remove guide rails, remove pump #2 base elbow and upper elbow, install (1) 4" Flange x MJ 90, install new 4" cast iron base elbow assembly, install upper guide bracket and guide rails, wire pump and test, clean up and demobilize..... \$3,850

Project Total..... \$14,350

*Danville Water will be responsible for providing vac truck to suck out any water from the pit before IPW can get started with the base elbow install.

Danville Water Base Elbow 10-30-2023



INDIANA PUMP WORKS, LLC
We Make Flow Happen

Indiana Pump Works, LLC
215 S. MADISON ST.
FORTVILLE, IN 46040
317-360-PUMP

If you find this quote acceptable and would like to proceed, please sign below, and return with a purchase order. The current lead time is 2-3 weeks, but subject to change. Terms are net 30 days from delivery. Indiana Pump Works LLC requires a valid tax-exempt certificate at the time of sale, otherwise 7% Indiana sales will be collected. All prices are good through quoted delivery based on receiving an order within 30 days of this quote. Installation included. Freight will be prepaid and added to the invoice.

If you have any questions, please feel free to contact me.

Sincerely,

Grant Kissel
Sales

ACCEPTANCE BY Matthew Ellison 11-1-23
Signature Date

Danville Water Co. 11-1-23
Company Name Date

201
Purchase Order #

Capital Asset Notification Form

Department: _____

This Notification is for: Addition Update Transfer Disposal

Acquisition is by: (Attach Copy) Purchase Donation Lease Transfer

Date of Transaction: _____

Account No: _____ PO No: _____

Estimated Life Expectancy: _____ Mileage or Hours: _____

CIP Number: _____ Location: _____

Serial or VIN Number: _____

Total/Partial Value of Asset: _____

Please attach or forward copy of check(s) to document costs. If assets were
Donated, attach documentation of fair market value of asset, how to determined,
and date board approved.

Description of Asset: _____

(Building description must include square footage, building materials, roof
Type and if equipped with sprinkler systems or boiler)

Brand Make: _____ Model No: _____

Year: _____ License No: _____

Gross Vehicle Weight (trucks only): _____ Type of Fuel: _____

Disposal of Capital Asset: _____

Method of Disposition: Sale Trade-in Scrapped End-of-Lease Stolen/Wreck

Transferred To: _____

Amount of Cash Received or Trade-In Value (if applicable) _____

Supervisor Signature: _____

If Transferred- Receiving Persons Signature: _____

Print Name: _____

Clerk-Treasurer's Use Only Received _____

Enter Capital Asset _____

Insured _____

Clerk Treasurer's Initial _____