

**WHITELAND TOWN COUNCIL  
RESOLUTION NO. 2023-17**

**A RESOLUTION ADOPTING THE STRATEGIC ECONOMIC DEVELOPMENT PLAN  
FOR THE CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY  
PURSUANT TO I.C. § 36-7.7 *et seq.***

WHEREAS, Ind. Code § 36-7.7 *et seq.* (the “Act”) allows eligible political subdivisions located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area to join the Central Indiana Regional Development Authority (the “RDA”) and to carry out its powers as more particularly described in the Act;

WHEREAS, Ind. Code § 36-7.7-3-9 provides that an eligible political subdivision may join the RDA if the fiscal body of that political subdivision adopts an ordinance authorizing membership in the RDA;

WHEREAS, on November 14, 2023, the Town Council of the Town of Whiteland, Indiana (the “Council”) adopted Ordinance No. 2023-14, authorizing the Town of Whiteland (the “Town”) to become a member of the RDA;

WHEREAS, in order to establish the RDA, the fiscal bodies of a combination of any two (2) or more qualified counties or municipalities must adopt a preliminary strategic economic development plan (the “Plan”) by substantially similar resolution;

WHEREAS, a joining member of the RDA must adopt the Plan by a substantially similar resolution;

WHEREAS, the Plan must include provisions and general information concerning (i) the participating members of the RDA, (ii) the membership of the strategy committee, (iii) a timeline for submitting the comprehensive development plan, as defined by the Act, and (iv) a strategy for attracting (or any projected) investments, grants, matching funds, or local tax revenue; and

WHEREAS, the Council now desires to adopt the Plan, as more particularly described in Exhibit A, which is attached hereto and incorporated herein.

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

1. The Council hereby approves and adopts the Plan, as more particularly described in Exhibit A, attached hereto and incorporated herein.
2. The Council acknowledges the RDA Bylaws, as more particularly described in Exhibit B, attached hereto and incorporated herein.
3. This resolution shall be in full force and effect upon adoption.

**CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY  
PRELIMINARY STRATEGIC ECONOMIC DEVELOPMENT PLAN**

**ARTICLE I**

**Name and Participating Members**

The name of the development authority is the Central Indiana Regional Development Authority (the “RDA”). The RDA may establish such acronyms or abbreviations as may be appropriate for business use, and may establish logos, service marks, or trademarks as may be appropriate to further its purposes, mission recognition and goals.

Subject to taking the enabling actions as provided in Ind. Code §36-7.7 *et. seq.* (the “Act”), the participating members of the RDA may include any eligible political subdivision, described in Ind. Code §36-7.7-2-7, that is located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area (as defined by the United States Census Bureau). It is anticipated that the initial membership will include, without limitation, the following political subdivisions:

- a) The City of Fishers;
- b) The City of Noblesville;
- c) The Consolidated City of Indianapolis;
- d) The City of Westfield;
- e) The City of Carmel;
- f) The Town of Zionsville;
- g) The Town of McCordsville; and
- h) The City of Anderson

All participating members of the RDA are hereinafter collectively referred to as the “Members”.

**ARTICLE II**

**Purpose and Powers**

Section 1. General Purpose. The RDA is a separate body corporate and politic that shall carry out the purposes of the Act by: (i) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and (ii) funding and developing: (A) airport authority projects; (B) commuter transportation district and other rail projects and services; (C) regional transportation authority projects and services; (D) economic development projects; (E) intermodal transportation projects; (F) regional trail or greenway projects; (G) regional transportation infrastructure projects under IC 36-9-43; and (H) any other capital infrastructure project that enhances the region with the goal of attracting people or business; that are of regional importance.

Section 2. General Duties. The RDA shall do the following: (i) assist in the coordination of local efforts concerning projects that are of regional importance; (ii) assist a county, a municipality, a commuter transportation district, an airport authority, and a regional transportation authority in coordinating regional transportation and economic development efforts; and (iii) fund projects that are of regional importance, as provided in the Act.

**Section 3. General Powers.** The RDA may do any of the following: (i) finance, improve, construct, reconstruct, renovate, purchase, acquire, and equip land and projects that are of regional importance; (ii) finance and construct additional improvements to projects or other capital improvements owned by the RDA; (iii) construct or reconstruct highways, roads, and bridges; (iv) acquire land or all or a part of one (1) or more projects from an eligible political subdivision by purchase; (v) acquire all or a part of one (1) or more projects from an eligible political subdivision by purchase to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome; (vi) make grants or provide other financial assistance to or on behalf of the following: (A) a commuter transportation district, (B) an airport authority, (C) a regional transportation authority. A loan, a loan guarantee, a grant, or other financial assistance under this clause may be used by a regional transportation authority for acquiring, improving, operating, maintaining, financing, and supporting the following: (x) bus services (including fixed route services and flexible or demand-responsive services) that are a component of a public transportation system, (y) bus terminals, stations, or facilities or other regional bus authority projects, (D) a county, (E) a municipality; (vii) provide funding to assist a railroad that is providing commuter transportation services in a county containing territory included in the RDA; (viii) provide funding to assist an airport authority located in a county containing territory included in the RDA in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project; (ix) provide funding for intermodal transportation projects and facilities; (x) provide funding for regional trails and greenways; (xi) provide funding for economic development projects; (xii) provide funding for regional transportation infrastructure projects under IC 36-9-43; (xiii) hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the RDA, any real or personal property; (xiv) after giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project; (xv) make or enter into all contracts and agreements necessary or incidental to the performance of the RDA's duties and the execution of the RDA's powers under this article; (xvi) sue, be sued, plead, and be impleaded; (xvii) design, order, contract for, construct, reconstruct, and renovate a project or improvements to a project; (xviii) appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees who are necessary or desired by the RDA in exercising its powers or carrying out its duties under this article; (xix) accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source; (xx) use the RDA's funds to match federal grants or make loans, loan guarantees, or grants to carry out the RDA's powers and duties under this article; (xxi) except as prohibited by law, take any action necessary to carry out the Act. Projects funded by the RDA must be of regional importance.

**ARTICLE III**  
**The Strategy Committee**

Section 1. Membership. The management and affairs of the RDA shall be vested in the Strategy Committee (the "Committee").

Section 2. Committee. The Committee shall consist of (i) the chief executive officer (or their designee) of each political subdivision with a population of 7,500 people or greater (the "Population Threshold"), and (ii) one (1) chief executive officer (or their designee) to collectively represent all political subdivisions who do not meet or exceed the Population Threshold. Each member of the committee, before entering upon the duties of office, must take and subscribe an oath of office under Ind. Code §5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the Committee. A member of the committee is not entitled to receive any compensation for performance of the member's duties. The Committee structure shall be re-evaluated every five (5) years. Service on the Strategy Committee does not constitute a "lucrative office" pursuant to Article II, § 9 of the Indiana Constitution.

Section 3. Chair; Officers. In January of each year, the Committee shall hold an organizational meeting at which the Committee shall elect the following officers from the members of the Committee: (i) chair, (ii) vice chair, and (iii) secretary-treasurer. The affirmative vote of at least a majority of the members of the Committee is necessary to elect an officer under this section. An officer elected under this section serves from the date of the officer's election until the officer's successor is elected and qualified.

Section 4. Ex Officio Officer. The Mayor of the Consolidated City of Indianapolis is an *ex officio* officer of the Committee. This appointment is in addition to the committee appointment described in Article III, Section 2.

Section 5. Meetings, Quorum, Affirmative Votes. The committee shall meet at least quarterly. The chair of the Committee or any two (2) members of the committee may call a special meeting of the Committee. A majority of the appointed members of the Committee constitutes a quorum. The affirmative votes of at least a majority of the appointed members of the Committee are necessary to authorize any action of the Committee.

Section 6. Bylaws. The Committee shall adopt the bylaws and rules that the Committee considers necessary for the proper conduct of the Committee's duties and the safeguarding of the RDA's funds and property.

**ARTICLE IV**  
**Regional Strategy Fund**

The Committee shall establish and administer a regional strategy fund (the "Fund") that consists of the following: (i) any payments required under an interlocal agreement for a project that specifically states: (A) the amount for which each member is responsible; and (B) the term of the agreement. The transfers allowed by this subdivision may be made from any local revenue of the county or municipality, including property tax revenue, distributions, incentive payments,

money deposited in the county's or municipality's local major moves construction fund under IC 8-14-16, money received by the county or municipality under a development agreement (as defined by IC 36-1-8-9.5), or any other local revenue that is not otherwise restricted by law or committed for the payment of other obligations; (ii) money received from the federal government; (iii) gifts, contributions, donations, and private grants made to the fund; and (iv) money transferred to the RDA under an interlocal agreement.

The Committee shall designate a participating member to be the administrator of the Fund at no cost to the RDA. The designated member shall only make disbursements pursuant to instructions by the Committee.

#### **ARTICLE V** **Comprehensive Strategic Economic Development Plan**

The RDA shall prepare a comprehensive strategic economic development plan (“Comprehensive Plan”) to serve as a roadmap to diversify and strengthen the regional economy, establish regional goals and objectives, develop and implement a regional action plan, identify ways to eliminate duplicative government services within the region, and identify investment priorities and funding sources, all in accordance with Ind. Code §36-7.7-3-4.

The RDA shall adopt the Comprehensive Plan by or before December 31, 2022.

#### **ARTICLE VI** **Strategy for Attracting Investments**

To ensure Central Indiana is positioned to be a vital and dynamic commercial center and a magnet for world-class talent and innovation, policymakers must promote and invest in strategies that play to the region’s industry sector strengths while supporting groups adversely impacted by the pandemic. This is an opportune time for new thinking as business, philanthropic and political leaders refocus on creating jobs; developing and attracting a highly skilled workforce; and luring residents and workers, to ensure the long-term success of Central Indiana.

As further established by the Comprehensive Plan, the RDA will focus on the following strategies for attracting (or any projected) investments, grants, matching funds, or local tax revenue:

- **Key Sectors**
  - *Health Care & Medical Technology* - Establish more educational opportunities for healthcare certifications and create career pathways for advanced medical degrees
  - *Software Development* – Develop a targeted recruitment plan for tech talent; and partner with regional stakeholders to identify key strategic advantages for the region.
  - *Logistics & Manufacturing* – Partner with higher education institutions to create a roundtable for automation and robotics; create a rigorous training program in

automation and robotics field culminating in a certificate or credential; and introduce robotics and automation into K-12 curriculum.

- *Green Jobs* – Create incentives for green energy in homes, schools, retail shops, offices, and industrial facilities to support sustainability; and develop training and credential programs for high-demand green jobs.
- *Finance & Insurance* – Launch an aggressive program to recruit more finance and industry sector remote workers to the region.

- Talent

- *Engage Learners Early On* – Correlate skills with wages and opportunities; encourage digital skills development; and expand the work and learn Indiana portal to younger adults and promote it in Central Indiana high schools.
- *Advocate for the Adult Learner* – Increased access to childcare; and short-term training options.
- *Community Support* – Establish a “choice employers” designation; and set postsecondary benchmarks

- Quality of Place

- *Green Space* – implement recommendations from the White River Visioning Plan; identifying future park locations and implement standards for new green spaces; increase Walk Score by connecting broken sidewalk segments and expand and connect trail infrastructure; expand and connect trail infrastructure; complete housing studies for communities in the RDA; consider new policies for mixed-use developments; and identify opportunities for senior housing projects.

- Societal Risk Factors

- *Improved Access, Improved Health* – Expand telehealth options from local providers to increase medical care access and improve productivity; promote healthy lifestyles through community campaigns; prioritize alternative transportation plans; and implement SNAP benefits for use at farmers markets.

- Entrepreneurship

- *Form Community Co-Working Networks* – Establish co-working spaces and mentorship networks within each participating member’s community; and implement policies to support women, minorities, and veterans and their entrepreneurial efforts.
- *Build a Regional Marketing Presence for Entrepreneur Programs* – Increase regional visibility as a tech hub; attract an international venture capital conference to the region; and establish targets for awarding public contracts to entrepreneurs and small businesses within the region.

- Infrastructure
  - *Make Autonomous and Electric a Regional Advantage* – Market the region to facilitate autonomous vehicle investment; and support autonomous and electric vehicle adoption through investments in new infrastructure.
  - *Roadways Receive Regular Upkeep* – Develop a regional investment strategy for roadways; and incentivize communities to collaborate on large infrastructure projects.
  - *Broadband Access for All* – 100% coverage of high-speed broadband service for the entire region; build upon the Next Level Connections broadband program; and co-locate broadband with new and existing infrastructure, including above-ground infrastructure, and then codify a “dig once” policy within the region.

**ARTICLE VII**  
**Vacating Development Authority**

A county or municipality shall be a member of the RDA for not less than five years (“Initial Commitment”). After completing its Initial Commitment, a participating member may vacate the RDA subject to (i) providing all Members with two year’s written notice of its intent to vacate, and (ii) the fiscal body of the participating member must adopt an ordinance to vacate membership in the RDA.

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**CENTRAL INDIANA REGIONAL  
DEVELOPMENT AUTHORITY**

**Bylaws**

**Approved June 23, 2022**

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**ARTICLE I**  
**Name and Participating Members**

The name of the development authority is the Central Indiana Regional Development Authority (the "RDA"). The RDA may establish such acronyms or abbreviations as may be appropriate for business use, and may establish logos, service marks, or trademarks as may be appropriate to further its purposes, mission recognition and goals.

Subject to taking the enabling actions as provided in Ind. Code §36-7.7 *et. seq.* (the "Act"), the participating members of the RDA may include any eligible political subdivision, described in Ind. Code §36-7.7-2-7, that is located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area (as defined by the United States Census Bureau). It is anticipated that the initial membership will include, without limitation, the following political subdivisions:

- a) The City of Fishers;
- b) The City of Noblesville;
- c) The Consolidated City of Indianapolis;
- d) The City of Carmel;
- e) The Town of Zionsville;
- f) The Town of McCordsville;
- g) The City of Lawrence;
- h) The Town of Speedway; and
- i) The City of Beech Grove

All participating members of the RDA are hereinafter referred to as "Member(s)", and, as such, each Member shall have voting rights on all matters coming before the RDA as further described herein.

**ARTICLE II**  
**Purpose and Powers**

Section 1. General Purpose. The RDA shall have all powers and authorities, as provided by the Act, as amended. The RDA is a separate body corporate and politic that shall carry out the purposes of the Act by: (i) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and (ii) funding and developing: (A) airport authority projects; (B) commuter transportation district and other rail projects and services; (C) regional transportation authority projects and services; (D) economic development projects; (E) intermodal transportation projects; (F) regional trail or greenway projects; (G) regional transportation infrastructure projects under IC 36-9-43; and (H) any other capital infrastructure project that enhances the region with the goal of attracting people or business; that are of regional importance.

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**ARTICLE III**  
**The Strategy Committee**

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Section 3. Chair; Officers. In January of each year, the Committee shall hold an organizational meeting at which the Committee shall elect the following officers from the members of the Committee: (i) chair, (ii) vice chair, and (iii) secretary-treasurer. The affirmative vote of at least a majority of the members of the Committee is necessary to elect an officer under this section. An officer elected under this section serves from the date of the officer’s election until the officer’s successor is elected and qualified.

Section 4. Ex Officio Officer. The Mayor of the Consolidated City of Indianapolis is a voting *ex officio* officer of the Committee. This appointment is in addition to the committee appointment described in Article III, Section 2 (i.e., the Consolidated City of Indianapolis has 2 votes).

Section 5. Meetings. Quorum. Affirmative Votes. The committee shall meet at least quarterly. The chair of the Committee or any Officer of the Committee may call a special meeting of the Committee. A majority of the appointed members of the Committee constitutes a quorum. The affirmative votes of at least a majority of the appointed Members of the Committee are necessary to authorize any action of the Committee. The RDA shall conduct its business in accordance with Indiana’s Open Door Law, Ind. Code §5-14-1.5, *et. seq.* Items on any meeting agenda shall originate from the Chairperson and/or Executive Director.

**ARTICLE IV**  
**Regional Strategy Fund**

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money deposited in the county's or municipality's local major moves construction fund under IC 8-14-16, money received by the county or municipality under a development agreement (as defined by IC 36-1-8-9.5), or any other local revenue that is not otherwise restricted by law or committed for the payment of other obligations; (ii) money received from the federal government; (iii) gifts, contributions, donations, and private grants made to the fund; and (iv) money transferred to the RDA under an interlocal agreement.

The Committee shall designate a participating member to be the administrator of the Fund at no cost to the RDA, unless otherwise approved by the RDA. The designated member shall only make disbursements pursuant to instructions by the Committee.

## **ARTICLE V**

### **Comprehensive Strategic Economic Development Plan**

The RDA shall prepare a comprehensive strategic economic development plan (“Comprehensive Plan”) to serve as a roadmap to diversify and strengthen the regional economy, establish regional goals and objectives, develop and implement a regional action plan, identify ways to eliminate duplicative government services within the region, and identify investment priorities and funding sources, all in accordance with Ind. Code §36-7.7-3-4.

The RDA shall adopt the Comprehensive Plan by or before December 31, 2022.

## **ARTICLE VI**

### **Strategy for Attracting Investments**

To ensure Central Indiana is positioned to be a vital and dynamic commercial center and a magnet for world-class talent and innovation, policymakers must promote and invest in strategies that play to the region’s industry sector strengths while supporting groups adversely impacted by the pandemic. This is an opportune time for new thinking as business, philanthropic and political leaders refocus on creating jobs; developing and attracting a highly skilled workforce; and luring residents and workers, to ensure the long-term success of Central Indiana.

As further established by the Comprehensive Plan, the RDA will focus on the following strategies for attracting (or any projected) investments, grants, matching funds, or local tax revenue:

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  - *Health Care & Medical Technology* - Establish more educational opportunities for healthcare certifications and create career pathways for advanced medical degrees
  - *Software Development* – Develop a targeted recruitment plan for tech talent; and partner with regional stakeholders to identify key strategic advantages for the region.
  - *Logistics & Manufacturing* – Partner with higher education institutions to create a roundtable for automation and robotics; create a rigorous training program in

- automation and robotics field culminating in a certificate or credential; and introduce robotics and automation into K-12 curriculum.
  - *Green Jobs* – Create incentives for green energy in homes, schools, retail shops, offices, and industrial facilities to support sustainability; and develop training and credential programs for high-demand green jobs.
  - *Finance & Insurance* – Launch an aggressive program to recruit more finance and industry sector remote workers to the region.
- Talent
  - *Engage Learners Early On* – Correlate skills with wages and opportunities; encourage digital skills development; and expand the work and learn Indiana portal to younger adults and promote it in Central Indiana high schools.
  - *Advocate for the Adult Learner* – Increased access to childcare; and short-term training options.
  - *Community Support* – Establish a “choice employers” designation; and set postsecondary benchmarks
- Quality of Place
  - *Green Space* – implement recommendations from the White River Visioning Plan; identifying future park locations and implement standards for new green spaces; increase Walk Score by connecting broken sidewalk segments and expand and connect trail infrastructure; expand and connect trail infrastructure; complete housing studies for communities in the RDA; consider new policies for mixed-use developments; and identify opportunities for senior housing projects.
- Societal Risk Factors
  - *Improved Access, Improved Health* – Expand telehealth options from local providers to increase medical care access and improve productivity; promote healthy lifestyles through community campaigns; prioritize alternative transportation plans; and implement SNAP benefits for use at farmers markets.
- Entrepreneurship
  - *Form Community Co-Working Networks* – Establish co-working spaces and mentorship networks within each participating member’s community; and implement policies to support women, minorities, and veterans and their entrepreneurial efforts.
  - *Build a Regional Marketing Presence for Entrepreneur Programs* – Increase regional visibility as a tech hub; attract an international venture capital conference to the region; and establish targets for awarding public contracts to entrepreneurs and small businesses within the region.

- **Infrastructure**

- *Make Autonomous and Electric a Regional Advantage* – Market the region to facilitate autonomous vehicle investment; and support autonomous and electric vehicle adoption through investments in new infrastructure.
- *Roadways Receive Regular Upkeep* – Develop a regional investment strategy for roadways; and incentivize communities to collaborate on large infrastructure projects.
- *Broadband Access for All* – 100% coverage of high-speed broadband service for the entire region; build upon the Next Level Connections broadband program; and co-locate broadband with new and existing infrastructure, including above-ground infrastructure, and then codify a “dig once” policy within the region.

## **ARTICLE VII**

### **Vacating Development Authority**

A county or municipality shall be a member of the RDA for not less than five years (“Initial Commitment”). After completing its Initial Commitment, a participating member may vacate the RDA subject to the following: (i) providing all Members with two year’s written notice of its intent to vacate, and (ii) the fiscal body of the participating member must adopt an ordinance to vacate membership in the RDA. Notwithstanding the foregoing, any Member who seeks to vacate the RDA remains obligated to satisfy any unpaid transfers that become due before the effective date of withdrawal. The RDA shall promptly notify the IEDC of any Member withdrawing from the RDA.

## **ARTICLE VIII**

### **Public Purchasing & Public Works Projects**

Section 1. Public Purchasing & Public Works Projects. In accordance with Ind. Code §36-7.7-4-1, the RDA shall comply with Ind. Code 5-22 (public purchasing), IC 36-1-12 (public works projects), and any applicable federal bidding statutes and regulations. A Member that receives a loan, a grant, or other financial assistance from the RDA or enters into a lease with the RDA must comply with applicable federal, state, and local public purchasing and bidding laws and regulations. However, a purchasing agency (as defined in IC 5-22-2-25) of a Member may: (1) assign or sell a lease for property to the RDA; or (2) enter into a lease for property with the RDA; at any price and under any other terms and conditions as may be determined by the Member and RDA. However, before making an assignment or a sale of a lease or entering into a lease under this section that would otherwise be subject to IC 5-22, the Member or its purchasing agent must obtain or cause to be obtained a purchase price for the property to be subject to the lease from the lowest responsible and responsive bidder in accordance with the requirements for the purchase of supplies under IC 5-22.

Section 2. Goals for Participation. With respect to projects undertaken by the RDA, the RDA shall set a goal for participation by minority business enterprises and women's business enterprises. The goals must be consistent with: (1) the participation goals established by the Members of the RDA; and (2) the goals of delivering the project on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services.

## **ARTICLE IX**

### **Compliance and Audit**

In accordance with Ind. Code §36-7.7-4-2, the state board of accounts shall, pursuant to Ind Code §§ 5-11-1-7 and 5-11-1-24, allow the RDA to contract with a certified public accountant for an annual financial audit of the development authority. The certified public accountant may not have a significant financial interest in a project, facility, or service funded by or leased by or to any development authority. The certified public accountant selected by the RDA must be approved by the state examiner and is subject to the direction of the state examiner while performing an annual financial audit under this article. The certified public accountant shall present an audit report not later than four (4) months after the end of each calendar year and shall make recommendations to improve the efficiency of the RDA's operations. The certified public accountant shall also perform a study and evaluation of internal accounting controls and shall express an opinion on the controls that were in effect during the audit period.

The RDA shall pay the cost of the annual financial audit under this article. In addition, the state board of accounts may at any time conduct an audit of any phase of the operations of the RDA. The RDA shall pay the cost of any audit by the state board of accounts. The state board of accounts may waive the requirement that a certified public accountant perform an annual financial audit of the RDA for a particular year if the RDA certifies to the state board of accounts that the RDA had no financial activity during that year.

## **ARTICLE X**

### **Reports**

The RDA shall, before April 1 of each year, issue a report to the legislative council, the budget committee, the Indiana economic development corporation, and the executive, fiscal body, and legislative body of each Member concerning the operations and activities of the RDA during the preceding calendar year. The report to the legislative council must be in an electronic format under IC 5-14-6.

## **ARTICLE XI**

### **Budget**

The Chairperson and/or Executive Director shall present an annual budget to the Committee no later than the first meeting of the year. The budget will include details about funding

levels, source of funding, and activities for the year. The Committee shall approve the budget no later than the second meeting of the year.

## ARTICLE XII

### General Provisions

Section 1. Legal Counsel. The Committee shall have the discretion to retain legal counsel as it deems appropriate and necessary.

Section 2. Governing Law. These bylaws shall be governed by, and construed in accordance with, the laws of the State of Indiana without giving effect to conflict of laws principles.

Section 3. Amendment. These bylaws may be amended or modified only by the affirmative vote of the majority of appointed Members.

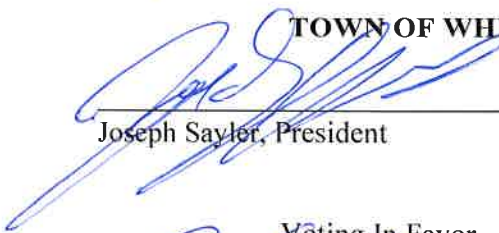
Section 4. Severability. If any provision of these bylaws or application to any party or circumstances shall be determined by any court of competent jurisdiction to be invalid and unenforceable to any extent, the remainder of these bylaws or the application of such provision to such person or circumstances, other than those as to which it is so determined invalid or unenforceable, shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the fullest extent permitted by law; provided that, in lieu of such invalid or unenforceable provision, there will be added to these bylaws a provision as similar to the invalid or unenforceable provision as is possible to reflect the intent of the parties and still be valid and enforceable.

Section 5. Indemnification. Each eligible political subdivision with the authority to appoint a Member to the Committee shall, to the fullest extent permitted by law, be responsible for the defense and indemnification of its appointee(s) against all expenses, judgments, settlements and any other amounts actually and reasonably incurred by them in connection with any claim or administrative or legal proceeding while acting in their official capacity on behalf of the RDA and the Committee, so long as the appointee did not act in a grossly negligent manner or in a willful and wanton manner, or in violation of state or federal criminal law. The Committee shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its board members, officers, employees, and other agents, against any liability asserted against or incurred by any board member, officer, employee, or agency in such capacity or arising out of the board member's, officer's, employee's or agent's status as such.



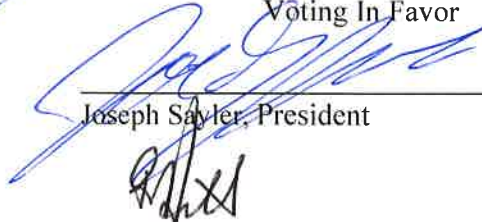
4 DULY PASSED AND ADOPTED on the 14 day of November, 2023, by a vote of 4 in favor and 0 against.

**TOWN OF WHITELAND, INDIANA, TOWN COUNCIL**


  
\_\_\_\_\_  
Joseph Sayler, President

Voting In Favor

Voting Opposed

  
\_\_\_\_\_  
Joseph Sayler, President

\_\_\_\_\_  
Joseph Sayler, President

  
\_\_\_\_\_  
Richard Hill, Vice President

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Richard Hill, Vice President

  
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Brad Goedeker

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Brad Goedeker

  
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Laura Fleury

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Laura Fleury

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David Hawkins

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David Hawkins

Attest:

  
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Debra L. Hendrickson, Clerk-Treasurer