

## **CORDRY SWEETWATER CONSERVANCY DISTRICT**

8377 Cordry Drive  
Nineveh, IN 46164  
(317) 933-2893

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BROWN COUNTY, IN  
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03-04-2010 AT 09:37 am.  
RESOLUTION .00  
DR Book 155 Page 1265 - 1266

**RECEIVED**  
MAR 08 2010

### **CAUSE NO. 4213 Resolution No. 2010-3**

BY:-----

### **INDEMNIFICATION RESOLUTION AND RESOLUTION REPEALING RESOLUTION 2009-4**

**WHEREAS**, the Board of Directors of the Cordry-Sweetwater Conservancy District believes that it is in the District's best interest to indemnify and hold harmless officers, directors, members of the administrative staff, and all full and part-time employees of the District ("Indemnified Parties") from any claim for damages or loss occurring as a result of the performance of duties and tasks for the Cordry-Sweetwater Conservancy District occurring within the scope and during the course of said "Indemnified Parties", office or employment; and,

**WHEREAS**, the Board of Directors of the Cordry-Sweetwater Conservancy District has received information regarding insurance coverage existing for the benefit of the District and the "Indemnified Parties", and based upon said information, it appears to the Board of Directors of the Cordry-Sweetwater Conservancy District that, in most cases, the insurance currently in place for the District will in fact indemnify and hold harmless the "Indemnified Parties" from all claims brought against said "Indemnified Parties" for losses allegedly occurring as a result of the "Indemnified Parties" performing tasks and duties for the District within the scope and during the course of said "Indemnified Parties", office or employment; and,

**WHEREAS**, the Board of Directors of the Cordry-Sweetwater Conservancy District wish to make it clear that the District will indemnify the "Indemnified Parties" from any and all claims brought against them based upon acts or omissions occurring within the scope and during the course of said "Indemnified Parties" employment with the Cordry-Sweetwater Conservancy District, to the extent said claims are covered by insurance and to further provide indemnification for claims not covered by insurance, but only if said indemnification is specifically approved by the Cordry-Sweetwater Conservancy Board of Directors; and,



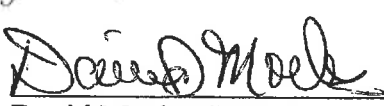

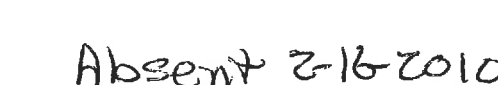
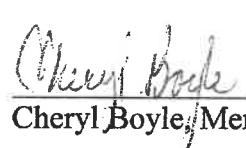

**WHEREAS**, it appears to the Board of Directors of the Cordry-Sweetwater Conservancy District that, if this Resolution is adopted, the prior Indemnification Resolution: Resolution No. 2009-04, should be repealed.

**NOW BE IT THEREFORE RESOLVED** by the Cordry-Sweetwater Conservancy District that:

1. Cordry-Sweetwater Conservancy District will indemnify and hold harmless, to the extent that insurance coverage is available, all "Indemnified Parties" against any claims asserted against said "Indemnified Parties" based upon acts or omissions occurring during the course of and within the scope of said "Indemnified Parties" performance of duties for the Cordry-Sweetwater Conservancy District.
2. Cordry-Sweetwater Conservancy District may, if approved by a majority of the Board of Directors at a regular or special meeting, indemnify and hold harmless the "Indemnified Parties" for claims brought against said "Indemnified Parties" based upon acts or omissions occurring during the course of and within the scope of said "Indemnified Parties" duties, notwithstanding the fact that said claims are not covered by insurance so long as said claims are not being asserted against said "Indemnified Parties" by the Cordry-Sweetwater Conservancy District.
3. Upon adoption of this Resolution, Resolution No. 2009-04 is repealed.

**Adopted this 16<sup>th</sup> day of February, 2010.**

**Cordry-Sweetwater Conservancy Board of Directors**

 Jerry Fenwick, Chairman	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	 Tom Dziennik, Vice-Chairman	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
 David Moebs, Secretary	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	 Larry Kolar, Member	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
 Quinn Hetherington, Member	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay	 Cheryl Boyle, Member	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
 Norman Noe, Member	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay			

Attest:

  
David Moebs, Secretary