

**DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, JUNE 20, 2016@ 9:00 A.M.
ROOM 309 A, 100 WEST MAIN STREET
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
ROLL CALL**

ORIGINAL

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riffin
Auditor, Steven G Craycraft
Attorney, Mr. John Brooke

**PUBLIC HEARING
PUBLIC HEARING FOR NONPROFIT CORPORATION
MUNCIE HOME OWNERSHIP AND REVITALIZATION
FOR PROPERTY LOCATED AT 1339 EAST MAIN STREET**

Ms. Penny Leach, Director of Muncie Home Ownership and Revitalization. Community Housing Development Organization for City of Muncie obtains vacant lots or properties that need to be torn down. CHDO then builds homes for low income families. CHDO partners with the Muncie Area Career. The program builds one house per year.

MOTION: Commissioner King made a motion to close the public hearing.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

**TABLED BUSINESS
Letter of Intent
Agreement for Property Exchange
Delaware County Commissioners
Muncie Sanitary District**

MOTION: Commissioner King made a motion to keep "Letter of Intent" on the table.

SECOND: Commissioner Riffin

No roll call taken

CONTRACTS OR AGREEMENTS FOR APPROVAL

Ms. Diana Bailey, Community Corrections, presented the Cooperative Agreement between Indiana Correction and Delaware County. Ms. Jenifer Davis, Home Detention Supervisor will take the security skills and personal protection class. Ms. Davis will then become certified and will train the Field Officers at Community Corrections. This is at no cost to Delaware County or Community Corrections.

MOTION: Commissioner Riggan made a motion to approve Cooperative Agreement between the Indiana Correction and Delaware County.

Mr. John Brooke, County Attorney reviewed the contract.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

ORIGINAL

**COOPERATIVE AGREEMENT BETWEEN
THE INDIANA DEPARTMENT OF CORRECTION
AND
DELAWARE COUNTY, INDIANA**

This Cooperative Agreement (hereinafter referred to as the "Cooperative Agreement") made and entered into this by the Indiana Department of Correction, (hereinafter referred to as "the Department"), and Delaware County, Indiana, (hereinafter referred to as the "County"), together referred to as "the parties."

WHEREAS, the Department provides support and resources for county-level community corrections programs and services throughout the State of Indiana;

WHEREAS, the County employs County staff to implement and operate community corrections programs and services throughout the County;

WHEREAS, the Department has the ability and resources to train County staff to become certified as a Security Skills Instructor and/or a Personal Protection Instructor;

WHEREAS, the certification gained by the County staff through the training programs providing by the Department would allow them to go back and teach Security Skills and Personal Protection programs to local community corrections and probation staff of the County; and

WHEREAS, the Department wishes to work collaboratively with counties throughout the state of Indiana, including the County, in developing and training staff who provide effective, safe, and meaningful probation and community corrections related services;

NOW, THEREFORE, in consideration of the promises, covenants, and agreements contained herein, the parties hereto mutually agree as follows:

1. The Department shall provide, at no cost to the County, training programs to certify County staff as a Security Skills Instructor and/or a Personal Protection Instructor. These training programs will be facilitated by Department staff certified to lead such programs.
2. The Department shall provide the materials, at no cost to the County, necessary for County staff to complete the available instructor training programs offered by the Department.
3. The Department shall provide meeting space when available, at no cost to the County, necessary for County staff to complete the available instructor training programs. In the event the Department does not have available space, the County shall provide the necessary meeting space.
4. The County shall provide County staff committed to successfully completing the training programs to become certified instructors and willing to return to the County and instruct other County staff on the same topics. The County acknowledges County staff must become recertified as instructors every two (2) years through the Department and if County staff do not recertify as instructors they shall not instruct other County staff on the applicable topics.
5. The County staff certified through the Department's training program shall only provide training within the County and only for County staff.
6. The County and/or County staff shall, in accordance with the County's local policies, be

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve June 6, 2016 Commissioner Minutes.

SECOND: Commissioner Riggin

MOTION PASSED UNANIMOUSLY

BID RECOMMENDATIONS

Mr. Shane Slaven, Maintenance Supervisor, recommended Asphalt Distributor to be on a Volvo Truck (automatic) for \$214,717.

MOTION: Commissioner King made a motion to approve the bid for Asphalt Distributor to be on a Volvo Truck (automatic) for \$214,717.

SECOND: Commissioner Riggin

MOTION PASSED UNANIMOUSLY

Mr. Slaven recommended Southwestern Equipment for 2016 Chip Spreader for \$231,573.

MOTION: Commissioner King made a motion to approve the recommendation for \$231,573.

SECOND: Commissioner Riggin

MOTION PASSED UNANIMOUSLY

Mr. Slaven recommended to reject all truck bids and then to rebid. What some companies had bid compared to others was so different from the specs that to be fair it will be rebid.

MOTION: Commissioner King made a motion to reject all truck bids and then to rebid.

SECOND: President Henry

MOTION PASSED UNANIMOUSLY

**RESOLUTION
RESOLUTION TO ASSIGN TAX CERTIFICATES
OF SALE HELD IN THE NAME OF DELAWARE COUNTY
TO THE TOWN OF DALEVILLE
RESOLUTION 2016-034**

Mr. John Brooke, County Attorney, said this is for the Southwest Corner of Daleville Road and State Road 67 (Lonnie's).

MOTION: Commissioner Riffin made a motion to approve Resolution 2016-0347, To Assign Tax Certificates of Sale Held in the Name of Delaware County for Town of Daleville.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

RESOLUTION NO. 2016-034 **ORIGINAL**

**RESOLUTION TO ASSIGN TAX CERTIFICATES OF SALE HELD IN
THE NAME OF DELAWARE COUNTY TO THE TOWN OF DALEVILLE**

WHEREAS, there is a property in Delaware County that is severely delinquent in the payment of property taxes and have been offered for tax sale and received no bids to or in excess of minimum sales prices; and

WHEREAS, there is an assessed value associated with this property for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to those taxing units and taxing districts within which the property is located; and

WHEREAS, the Delaware County Commissioners desire to have this property either back on the tax rolls or benefiting another municipal purpose; and

WHEREAS, the Town of Daleville has expressed an interest in receiving the below described tax sale certificate and adopted a resolution to that effect; and

WHEREAS, the provisions of IC 6-1.1-24-9 provides that immediately after the County acquires a lien in the County Auditor shall deliver a Certificate of Sale to the County, which Certificate of Sale shall be signed by the Auditor and registered in the Auditor's Office; and

WHEREAS, on _____ a Tax Sale Certificate on the following-described real estate was issued to Delaware County and it is in the best interest of Delaware County, Indiana that hereinafter-described Tax Sale Certificate be assigned to Town of Daleville; said Certificate being as follows:

<u>Certificate Number</u>	<u>Common Description of Property</u>	<u>Certificate Amount</u>
181501780	SW Corner of SR 67 and Walnut Street, Daleville, IN	175,780.60

WHEREAS, when a Certificate of Sale was issued, Delaware County acquired a lien against the real property for the entire amount paid. The lien of Delaware County, as recipient of the tax sale certificate is superior to all liens against the real property which exists at the time the Certificate is issued.

NOW, THEREFORE, BE IT RESOLVED by the Delaware County Board of Commissioners, as County Executive that the Certificate of Sale described herein and attached hereto, and made a part hereof, which are held in the name of Delaware County Commissioners be endorsed on the Certificate of Sale and acknowledged before a notary public, registered in the office of the County Auditor and delivered to Town of Daleville, a political subdivision pursuant to the provisions of IC 6-1.1-24-9(d).

BE IT FURTHER RESOLVED by Delaware County Board of Commissioners, the before finalization of the assignment of Certificate of Sale, the Town of Daleville deliver a Resolution agreeing to accept the property described herein and that the Town of Daleville shall do all statutorily required matters to perfect its title in the property.

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DELAWARE, INDIANA
MAKING A FINAL DETERMINATION OF THE
TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #5
RESOLUTION 2016-035**

MOTION: Commissioner King made a motion to approve Resolution 2016-035 Making a Final Determination of the Tax Sale Certificate to be Assigned to Nonprofit #5.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

RESOLUTION *2016-035* **ORIGINAL**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #5

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificates to a nonprofit corporation.

WHEREAS, a public hearing was held before the Commissioners pursuant to proper notice published by the Auditor; and

WHEREAS, there are one parcel in Delaware County that have been in one or more tax sales and have taxes that are severely delinquent. This parcel was offered to a nonprofit corporation that filed an application requesting same. The parcel is identified as:

18-11-10-494-009-000-003 1339 E. Main Cert # 181300477 Delinquent Taxes \$12,728.10

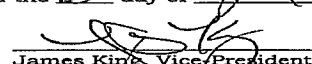
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

Section One. The Delaware County Board of Commissioners is hereby making a final determination of the tax sale certificates that the Board desires to assign to a nonprofit entity. Said tax sale certificate is described above.

Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificate described above to **Muncie Home Ownership & Revitalization**.

Passed and adopted by the Commissioners on the 20 day of June, 2016.


Shannon Henry, President


James King, Vice President


Sherry Riggan, Member

ATTEST 
Steve Craycraft, Auditor

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT CORPORATION #8
RESOLUTION 2016-036**

Ms. Janet Kesler, Tax Sale Clerk, said the Public Hearing will be July 18, 2016 for the below property.
MOTION: Commissioner King made a motion to approve Resolution 2016-036, Identifying Tax Sale Certificates to be Assigned to a Nonprofit #8.
SECOND: Commissioner Riggan
MOTION PASSED UNANIMOUSLY

RESOLUTION 2016-036 ORIGINAL
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE,
INDIANA, IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT
CORPORATION #8

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificates to a nonprofit corporation.

WHEREAS, there is one parcel in Delaware County that has been in one or more tax sales and have taxes that are severely delinquent. These parcels will be offered to a nonprofit corporation. The parcels are identified as follows:

18-11-01-351-008-000-003 2000 Blk N Shirey Rd Cert # 181500144 Delinquent Taxes \$442.18

WHEREAS, the Board of Commissioners intends to accept written applications from nonprofit corporations who satisfy the requirements of Indiana Code 6-1.1-24-17 who desire to have the identified tax sale certificates assigned to them.

WHEREAS, the Board of Commissioners hereby sets a public hearing on the 18th day of July, 2016 at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificate.

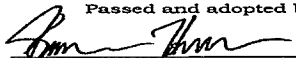
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

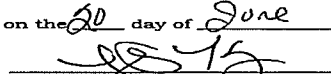
Section One. The Delaware County Board of Commissioners hereby identify the tax sale certificate that the Board desires to assign to a nonprofit entity. Said tax sale certificate is described above.

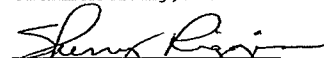
Section Two. The Delaware County Board of Commissioners hereby sets a public hearing on the 18th day of July, 2016 at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificates.

Section Three. The Delaware County Board of Commissioners shall publish a notice regarding the public hearing and will process applications and transfer the parcel in accordance with Indiana Code 6-1.1-24-17.

Passed and adopted by the Commissioners on the 20 day of June, 2016.


Shannon Henry, President


James King, Vice-President


Sherry Riggan, Member

ATTEST 
Steve Craycraft, Auditor

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT CORPORATION #9
RESOLUTION 2016-037**

Ms. Kesler said the Public Hearing will be August 1, 2016 for the below properties.

MOTION: Commissioner King made a motion to approve Resolution 2016-037, Identifying Tax Sale Certificates to be Assigned to a Nonprofit #9.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

RESOLUTION *2016-037 ORIGINAL*
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE,
INDIANA, IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT
CORPORATION #9

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificates to a nonprofit corporation.

WHEREAS, there is two parcels in Delaware County that have been in one or more tax sales and have taxes that are severely delinquent. These parcels will be offered to a nonprofit corporation. The parcels are identified as follows:

18-11-15-353-014-000-003	322 E. 9 th	Certificate #181301069	Del. Taxes: \$12,395.68
18-11-15-356-026-000-003	1621 S. Jefferson	Certificate #181301075	Del. Taxes: \$ 9,302.35

WHEREAS, the Board of Commissioners intends to accept written applications from nonprofit corporations who satisfy the requirements of Indiana Code 6-1.1-24-17 who desire to have the identified tax sale certificates assigned to them.

WHEREAS, the Board of Commissioners hereby sets a public hearing on the 1st day of August, 2016 at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificate.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

Section One. The Delaware County Board of Commissioners hereby identify the tax sale certificates that the Board desires to assign to a nonprofit entity. Said tax sale certificates are described above.

Section Two. The Delaware County Board of Commissioners hereby sets a public hearing on the 1st day of August, 2016 at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificates.

Section Three. The Delaware County Board of Commissioners shall publish a notice regarding the public hearing and will process applications and transfer the parcel in accordance with Indiana Code 6-1.1-24-17.

Passed and adopted by the Commissioners on the 20 day of JUNE, 2016.


Shannon Henry, President


James King, Vice-President


Sherry Riggan, Member

ATTEST 
Steve Craycraft, Auditor

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Robert Jesse, Highway Superintendent, gave an update on paving, mowing, painting and Chip and Seal.

President Henry recently was contacted by Conservation Officers. Approximately 25 people were jumping off of the Historic steel bridge 134, even though the bridge is marked "no trespassing". The bridge was closed several years ago and has been replaced. Henry is concerned because he was told a man reportedly broke his back jumping from the bridge.

Ms. Angie Moyer, Project Manager said the bridge is not being used but if the bridge could be removed it would be "the sooner the better." The bridge is rotting and has been abandoned. Usually there is an agreement; however Ms. Moyer cannot find it. The next step would be to contact INDOT or State Historical Staff for additional information regarding the bridge.

Mr. John Brooke, County Attorney said the Sheriff should be contacted too regarding patrolling the area. The notice of "no trespassing is up" so the legal requirements have been done. They could be arrested for jumping off of the bridge, this would be a misdemeanor.

REPORTS

Weights and Measures Monthly report for May 16-June 15, 2016

Weights and Measures Annual Report 2015-2016

PAYMENT OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$1,415,116.86.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS AND DISCUSSION

Mr. John Dampert, Gaston, Indiana asked for the status of information that he had brought in to the Commissioner's office for review.

Ms. Angie Moyer, Project Manager, said Ms. Lisa Abner, GIS Department issued a letter in 2013, notifying Mr. and Mrs. Dumpert and Mr. Bill Chambers, Highway Department, that the county is responsible for the road. Ms. Moyer was unaware of the letter and that an official tax record was created in the Commissioners name. Ms. Moyer said at that point the north/south section running parallel to I-69 could receive maintenance up to the driveway of Mr. Damperts home. Ms. Moyers opinion is that if the road is kept public it should be turned to gravel otherwise it should be vacated north of the east west section of CR 885 W. A road certification will need to be sent to INDOT for certification if the road is to remain public, this way Delaware County can receive funding for the road. Ms. Moyer provided to the Commissioners information describing the road along the east side of I-69 for a length of .48 miles is not the 1.02 miles as certified by the County Auditor. The 1.02 miles describes 3 locations: 1200 N, the Westside of I-69 and the eastside of I-69.

Continued discussion between all parties regarding information received from meeting minutes, information gathered in 1971, 1978, Greenfield studies, road abandonments, certifications, opinions and specifications.

Mr. Brooke said Delaware County has discretion determining what level of maintenance is done.

MOTION: Commissioner King said Mr. Brooke should look into vacating the rest of the roadway and to vacate N/S section of the roadway.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

Commissioner King congratulated Daleville Broncos Baseball Team for winning State.

President Henry to remember the Orlando families.

RECESS

MOTION: Commissioner King made a motion to recess.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY



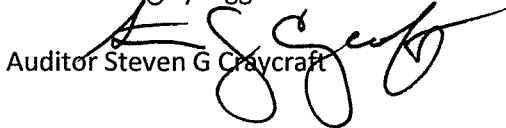
President Shannon Henry



Vice President James King



Member Sherry Riffin



Auditor Steven G Craycraft