

DELAWARE COUNTY COMMISSIONERS MEETINGS  
MONDAY, AUGUST 15, 2016 @ 9:00 A.M.  
ROOM 309 A, 100 WEST MAIN STREET  
MUNCIE, IN 47305  
CALL TO ORDER  
PLEDGE TO FLAG  
ROLL CALL

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

**PUBLIC NOTICE TO BID-TANDEM AXLE TRUCKS AND STREET SWEEPER**

Mr. John Brooke, Commissioners Attorney, opened and read aloud all amounts on sealed bids.

MOTION: Commissioner King made a motion to take all bids under advisement.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

**PUBLIC NOTICE TO BID  
TANDEM AXLE TRUCKS AND STREET SWEEPER**

**ORIGINAL**

Sealed proposals will be received by the Delaware County Board of Commissioners, through the Delaware County Auditor's office, at the Delaware County Building, 100 West Main Street, Room 103, Muncie, Indiana, 47305 until 12:00 pm Friday, August 12, 2016 and then will be publicly opened and read aloud on Monday, August 15, 2016 at 9:00 am during the County Commissioners meeting. Any bids received later than the above time will be returned unopened. Only one bid per packet.

**DESCRIPTION OF ITEMS: (5) New 2016/2017 Tandem Axle Trucks and (1) New 2016/2017 Street Sweeper**

**BID DOCUMENTS:** Specifications are available in the Delaware County Engineering Department, 7700 East Jackson Street, Muncie, Indiana, 47302. Please contact 765-747-7765 to obtain a copy of the bid specifications. All bid questions must be submitted in writing to [sslaven@co.delaware.in.us](mailto:sslaven@co.delaware.in.us).

Bids shall be properly and completely executed on bid forms contained in the contract documents obtainable from the Delaware County Engineering Department as stated above. Each bid shall be accompanied by a completely filled out Form No. 95 and 10% bid bond.

**The Board of County Commissioners reserves the right to reject any and all bids.**

By order of the Commissioners of Delaware County through Angela Moyer, Project Director.

\*\*\*\*DO NOT PRINT THESE DATES\*\*\*\*

ADVERTISE ON: JULY 29, 2016 & AUGUST 5, 2016

DELAWARE COUNTY HIGHWAY DEPARTMENT		
AUGUST 15, 2016 EQUIPMENT BIDS		
(5) TANDEM AXLE TRUCKS W/PLOW & SPREADER		
	UNIT PRICE	TOTAL PRICE
<b>GENERAL TRUCK SALES - CHECK INCLUDED \$77,708.50</b>		
2017 VOLVO VHD - 385 HP ALLISON WITH W.A. JONES BODY	\$150,688.00	\$753,440.00
2017 VOLVO VHD - 385 HP ALLISON WITH CLARK BODY	\$154,545.00	\$772,725.00
2017 VOLVO VHD - 385 HP ALLISON WITH MTE BODY	\$156,817.00	\$784,085.00
2017 VOLVO VHD - 385 HP ALLISON WITH ARM.BODY	\$155,417.00	\$777,085.00
2017 VOLVO VHD - 385 HP ALLISON WITH PAL-FLEET BODY	\$151,528.00	\$757,640.00
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>KENWORTH OF INDIANAPOLIS - 10% BID BOND INCLUDED</b>		
2017 KENWORTH T370 WITH MTE BODY	\$141,327.00	\$706,635.00
2017 KENWORTH T880 WITH BEAU-ROC BODY	\$167,688.00	\$838,440.00
2017 KENWORTH T370 WITH BEAU-ROC BODY	\$143,676.00	\$718,380.00
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>M &amp; K TRUCK CENTERS - 10% BID BOND INCLUDED</b>		
2016/2017 MACK GU813 WITH W.A. JONES BODY	\$162,785.00	\$813,925.00
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>SELKING INTERNATIONAL - 10% BID BOND INCLUDED</b>		
2017 INTERNATIONAL WORKSTAR 7600 SBA 6X4 WITH W.A. JONES	\$153,500.00	\$767,500.00
*DISCOUNT OPTION \$1,500.00 PER TRUCK IF CHASSIS ARE PAID FOR WITHIN 20 DAYS OF DELIVERY TO BODY COMPANY		
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>STOOPS FREIGHTLINER - 10% BID BOND INCLUDED</b>		
2017 FREIGHTLINER 114SD WITH W.A. JONES BODY	\$142,191.00	\$710,955.00
2017 FREIGHTLINER 114SD WITH CLARK TRUCK BODY	\$145,625.00	\$728,125.00
2017 FREIGHTLINER 114SD WITH MID STATE BODY	\$147,320.00	\$736,600.00
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>(1) STREET SWEEPER</b>		
<b>BEST EQUIPMENT - 10% BID BOND INCLUDED</b>		
TYMCO 600 REGENERATIVE AIR SWEEPER	\$196,055.00	\$196,055.00
*SEE ATTACHED ADDITIONAL OPTIONS		
<b>BROWN EQUIPMENT CO - 10% BID BOND INCLUDED</b>		
JOHNSTON NORTH AMERICA MODEL VT651	\$249,500.00	\$249,500.00
JOHNSTON NORTH AMERICA MODEL VT651 - DEMONSTRATOR	\$239,500.00	\$239,500.00
<b>SOUTHEASTERN EQUIPMENT CO - 10% BID BOND INCLUDED</b>		
SCHWARZE A7 TORNADO	\$210,100.00	\$210,100.00
*NOTE - AWARDED BIDS		

#### **APPOINTMENTS**

Mr. Mitch Cassell, Director of Community Corrections, said Mr. Bruce Rector retired in October 2015. The Community Corrections Board recommended Ms. Amanda Whitten of Meridian Health Services to serve on Community Corrections Board. The appointment must be in the mental health field.

MOTION: Commissioner Riggan made a motion to appoint Ms. Whitten to serve as the appointment on Community Corrections Board.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

#### **APPROVAL OF MINUTES**

MOTION: Commissioner King made a motion to approve August 1 and August 10, Special Commissioners 2016 minutes.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

**PRESENTATIONS TO COMMISSIONERS**

Mr. Michael Stikeleather, Carrington Woods, LLC., presented the progress report for the sub division. Due to the rain and E & B having State projects they are working to meet October 1, 2016 deadline. See below.

<b>Subdivision Section</b>	<b>Completion Deadline</b>	<b>Scope of Improvement</b>	<b>Conditions</b>
Sections A, B & C	6 wks. from effective date of Agreement	Patch potholes; grade unfinished Cumberland Rd. and post signage; install asphalt approach for Cumberland Rd. at CR 400N	1 building permit allowed immediately (as previously authorized) and 2 additional permits allowed based on a showing of progress toward completion
Section A	October 1, 2016	Complete Section A streets – repair damaged areas, clean and prep, apply tack coat and place asphalt surface to an average compacted depth of 1½ inches, wedge and level as needed	No conditions as homes have been built on all lots in Section A
Section B	October 1, 2016	Complete Section B streets – repair damaged areas, clean and prep, apply tack coat and place asphalt surface to an average compacted depth of 1½ inches, wedge and level as needed	85% of the lots in Section B have been sold and the developer has 7 open/unsold lots; if improvements are not completed by deadline, permits will be suspended, however, if surety is provided for completion, building permits may be issued
Section C	October 1, 2016	Repair damaged areas with full-depth (4"-5") asphalt	Building permits will be suspended if not completed by deadline
Section C	When 67% of the lots are sold (32 lots); current status is 18 lots are sold with 14 remaining before the 2/3 or 67% limit is reached	Complete Section C streets – repair damaged areas, clean and prep, apply tack coat and place asphalt surface, to an average compacted depth of 1½ inches, wedge and level as needed; construct/finish Cumberland Rd. north of Claybridge Ln.	Building permits will be suspended if not completed by deadline and/or above conditions are not met; surety for Cumberland Road completion north of Claybridge Ln. may be required as a part of this agreement

**Section 5.** That, upon completion of improvements, the developer shall contact the County Engineering Department for final inspection/approval and, if found satisfactory, shall submit the improvements to the Board of Commissioners for acceptance along with a one-year maintenance bond/warranty to become effective upon the date of official acceptance by the Board of Commissioners.

**Section 6.** That the developer agrees to maintain the temporary turn-around with a stone/gravel surface treatment at the termini of Treymore Lane in a manner approved by the County Engineering Department, until such time the street is extended and connected to Danbury Way, provided that, should the street not be extended, no driveway permit shall be issued by the County Engineering Department off of either Treymore Lane or Danbury Way unless and until the developer either subdivides the acreage west of Section A through the platting process or

**DELAWARE COUNTY BRIDGE #516 INSPECTION CONTRACT 6-29-2016**

Ms. Moyer, Project Manager, presented the standard INDOT LPA - Consulting Contract for construction inspection with HWC Engineering for Bridge 516. Letting is scheduled for January 2017. The maximum amount payable under this contract is not to exceed \$379,762.75. Local match is 20% or \$75,952.55.

Ms. Moyer also presented a LPA – Consulting Contract, Supplemental Agreement No. 2 with HWC Engineering for environmental services for a \$0.00 change. Originally, the project included a CE Level 4 document based on expected R/W and the adjacent park but through intuitive design and an interlocal agreement for R/W access a lower level of CE was obtained at a cost savings. However, the environmental coordination found that the White River is listed impaired for PCB's at the bridge location. Ms. Moyer recommends having soil samples taken now to reduce the risk of higher construction bids.

**MOTION:** Commissioner King made a motion to approve presented the LPA Bridge 516 inspection and supplemental contracts.

**SECOND:** Commissioner Riggins

Commissioner Riggins said she has a problem with the engineering company working on the project, due to the same engineering company has been working on Smithfield Bridge for the last 14 years.

Commissioner King said the prior Commissioners held the project up and did not follow through. When monies was placed in the EDIT fund is when the topic came up again.

**LPA - CONSULTING CONTRACT**

This Contract ("this Contract") is made and entered into effective as of \_\_\_\_\_, 2016 ("Effective Date") by and between Delaware County, Indiana Board of Commissioners, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and HWC Engineering ("the CONSULTANT"), a corporation/limited liability company organized under the laws of the State of Indiana.

Des. No.: 1382332

Project Description: Construction Inspection for the Replacement of Bridge #516 – Tilletson Avenue over White River in Muncie, Indiana

**RECITALS**

WHEREAS, the LPA has entered into an agreement to utilize federal monies with the Indiana Department of Transportation ("INDOT") for a transportation or transportation enhancement project ("the Project"), which Project Coordination Contract is herein attached as Attachment 1 and incorporated as reference; and

WHEREAS, the LPA wishes to hire the CONSULTANT to provide services toward the Project completion more fully described in Appendix "A" attached hereto ("Services");

WHEREAS, the CONSULTANT has extensive experience, knowledge and expertise relating to these Services; and

WHEREAS, the CONSULTANT has expressed a willingness to furnish the Services in connection therewith.

NOW, THEREFORE, in consideration of the following mutual covenants, the parties hereto mutually covenant and agree as follows:

The "Recitals" above are hereby made an integral part and specifically incorporated into this Contract.

**SECTION I SERVICES BY CONSULTANT.** The CONSULTANT will provide the Services and deliverables described in Appendix "A" which is herein attached to and made an integral part of this Contract.

**SECTION II INFORMATION AND SERVICES TO BE FURNISHED BY THE LPA.** The information and services to be furnished by the LPA are set out in Appendix "B" which is herein attached to and made an integral part of this Contract.

**SECTION III TERM.** The term of this Contract shall be from the date of the last signature affixed to this Contract to the completion of the construction contract which is estimated to be June 30, 2018. A schedule for completion of the Services and deliverables is set forth in Appendix "C" which is herein attached to and made an integral part of this Contract.

**SECTION IV COMPENSATION.** The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix "D" which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed \$ 379,762.75.

**SECTION V NOTICE TO PROCEED AND SCHEDULE.** The CONSULTANT shall begin the work to be performed under this Contract only upon receipt of the written notice to proceed from the LPA, and shall deliver the work to the LPA in accordance with the schedule contained in Appendix "C" which is herein attached to and made an integral part of this Contract.

1

**RESOLUTION OF DELAWARE COUNTY COMMISSIONERS APPROVING  
FUNDING FROM THE COUNTY EDIT PLAN PROJECT #6  
RESOLUTION 2016-014**

Resolution 2016-014 was withdrawn.

**DEPARTMENT HEADS AND ELECTED OFFICIALS**

Ms. Moyer thanked Mr. Brooke for working so diligently to get the railroad to complete the authorization of the permanent and temporary right-of-way for the 23<sup>rd</sup> @ Cowan Rd intersection improvement project.

**CLAIMS**

MOTION: Commissioner Riffin made a motion to approve claims in the amount of \$2,269,411.06.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

**QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION**

Mr. Brad Bookout, Economic Development, recommended to the Commissioner that something be done regarding CR3 facility. Bookout has spoken with Exide and another neighboring business have interest using the property for a semi stocking area. The site has potential environmental contamination at the site. The property owes \$60,000 in taxes. Mr. Bookout recommended starting Phase 1 through SME Brownfield Consultants for \$1,750. Phase 1 must be completed before placing it in Delaware County's name. Phase 1 looks at a historic overview of the property.

**MOTION:** Commissioner King made a motion to approve SME Brownfield Consultants to complete Phase 1 for \$1,750.

**SECOND:** Commissioner Riggini

**MOTION PASSED UNANIMOUSLY**



5835 W. 74th Street  
Indianapolis, IN 46278-1757

T (317) 876-0200

[www.sme-usa.com](http://www.sme-usa.com)

August 10, 2016

Mr. Bill Walters  
Delaware County  
1208 West White River Boulevard #128  
Muncie, Indiana 47334

RE: Proposal for Phase I ESA  
Former Industrial Facility  
2501 West Mount Pleasant Boulevard  
Muncie, Indiana  
SME Proposal No.: P02173.16

Dear Mr. Walters:

As requested, we prepared this proposal to conduct a Phase I Environmental Site Assessment (ESA) Update of the above referenced property (Property) in Muncie, Delaware County, Indiana. The Property consists of approximately 10-acres of land that had been operated as an industrial property. We understand that fencing and paved surfaces are all that remain.

The Phase I ESA was requested by Delaware County (*Phase I ESA "User"*) to partially satisfy the requirements for All Appropriate Inquiry (AAI) under CERCLA prior to acquisition of the Property. We understand that Delaware County will rely upon the professional opinions and representations contained in the report. This reliance is not to be construed as a warranty or guarantee on the part of SME.

Please note that the User acquiring a property is the sole party responsible for complying with AAI requirements for Landowner Liability Protections (LLPs) under CERCLA. LLPs include the Bona Fide Prospective Purchaser (BFPP), Contiguous Property Owner, or Innocent Landowner defense to CERCLA liability. The completion of a Phase I ESA and report, with a signed statement by an Environmental Professional (EP) that it is compliant with AAI and/or the ASTM E 1527-13 Standard, may not be sufficient to provide LLP to CERCLA. In addition, the Prospective Purchaser must comply with CERCLA Continuing Obligations to maintain the LLP to CERCLA for properties known at time of purchase, or subsequently determined, to be contaminated with hazardous substances, or petroleum.



**RECESS**

MOTION: Commissioner King made a motion to recess for 15 minutes.

SECOND: Commissioner Riggini

MOTION PASSED UNANIMOUSLY

President Henry called the meeting back to order.

Mr. Shane Slaven, Maintenance Supervisor, recommended Southeastern bid at \$210,100 for the Street Sweeper.

Mr. Brooke said as long as there is rational reasons; it is not a requirement to take the lowest bid. A 600 capacity/storage is a valid reason.

MOTION: Commissioner King made a motion to approve Southeastern Equipment for the Street Sweeper for \$210,100.

SECOND: Commissioner Riggini

MOTION PASSED UNANIMOUSLY

Mr. Slaven recommended General Truck Sales for five trucks for a total of \$~~753,440~~ <sup>753,440</sup>

Brooke said although this was not the lowest bidder, the rationale was reasonable due to the suspension and visibility. Suspension is much better and they have some parts are in stock.

MOTION: Commissioner Riggini made a motion to approve General Truck Sales for \$150,688.

SECOND: Commissioner King

MOTION PASSED UNANIMOUSLY

**RECESS**

MOTION: Commissioner King made a motion to recess.

Commissioner Riggini announced Blue Bird Days on August 24 through August 27, 2016 in Selma, Indiana.

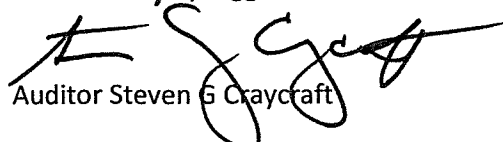
SECOND: Commissioner Riggini

MOTION PASSED UNANIMOUSLY

  
President Shannon Henry

  
Vice President James King

  
Member Sherry Riggini

  
Auditor Steven G Craycraft