

March 25, 2014

**DELAWARE COUNTY COUNCIL MEETING
MARCH 25, 2013 9:00 a.m.
DELAWARE COUNTY COMMISSIONERS COURTROOM
CALL TO ORDER
PLEDGE TO FLAG
AGENDA POSTED
ROLL CALL**

Present; Councilman Alexander, Councilwoman Chambers, President Jones, Councilman Matchett, Councilman Quakenbush Councilman Spangler, Councilman Nemyer, Attorney, Ms. Amanda Dunnuck, Ms. Judy Rust, Auditor, Ms. Donna Patterson, Recording Secretary
Absent; Denise Smith, Recording Secretary

**PUBLIC MEETING
DATA CENTER-SHELL BUILDING**

Mr. Terry Murphy, Economic Development Alliance, said he was available for questions regarding the Data Center and Shell building. Discussion on details took place at February's 2014 Council meeting.

No public comment.
Public meeting closed.

**APPROVAL OF
FEBRUARY 25, 2014 Council Meeting**

MOTION: Councilman Nemyer motioned to approve February 25, 2014 Council Meeting.

SECOND: Councilman Alexander
Motion PASSED UNANIMOUSLY

COMMITTEE REPORTS

TAX ABATEMENT-Councilman Nemyer said the Tax Abatement Committee met and gave a favorable recommendation for Midwest Metal abatement.

APPOINTMENTS-President Jones will provide Council members a list of appointments at a later date.

INSURANCE-Councilman Spangler said the Anthem settlement \$741,536.85 check was received and the first billing from Anthem was for \$1.3 million. An extra week has been given to Delaware County to pay. The due date is April 2, 2014.

Ms. Donna Patterson, Settlement Clerk, deposited the money received from Anthem into the insurance fund. This does not take Council action to re-appropriate the money.

PERSONNEL-NONE

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**ORDINANCES FOR SECOND READING
ORDINANCE AUTHORIZING ISSUANCE OF EDIT FOR PURPOSE OF PROVIDING
FUNDS TO BE APPLIED TO COSTS OF CERTAIN PUBLIC PROJECTS AND EXPENSES
IN CONNECTION TO ISSUANCE OF BONDS
ORDINANCE 2014-005**

Mr. Tom Pittman, Barnes & Thornburg LLP, stated Ordinance 2014-005 authorizes the issuance for up to \$5.5 million of bonds payable from EDIT for various projects of Delaware County and the towns that contribute to EDIT. A notice was published for a public hearing on the appropriation of proceeds. Legal requirements have been complied to hold the hearing and public notice was published. The hearing should take place after the adoption of Ordinance Authorizing Issuance and before adoption of the appropriation ordinance.

President Jones and Ms. Judy Rust said they did not understand.

Mr. Pittman said the second of the two ordinances relating to EDIT requires a public hearing before it is adopted.

The Public Hearing was not on the March Council agenda but was published in the newspaper.

MOTION: Councilman Nemyer motioned to approve Ordinance 2014-005.

SECOND: Councilman Matchett

Councilman Quakenbush asked Commissioner James King about IT back-up, Public Safety equipment, software and hardware maintenance on the EDIT plan.

Mr. James King, current Commissioner said the IT backup for Delaware County is from Mr. Jim Flook, IT Director. This is really needed and if this was not paid from EDIT it would have to come from county general. The public safety equipment will help with the Sheriffs police cars, New World software/hardware maintenance. This will help Council when doing the 2015 budget.

Councilman Quakenbush said there is a Communication Board meeting after today's meeting and asked if this is what the meeting is about.

Commissioner King said the Communication Board meeting is regarding a new phone service.

Councilman Quakenbush said it sounds like someone is stirring the pot for more money.

President Jones thanked Mr. King and said the Commissioners will be called upon for additional help regarding the budget.

Councilman Alexander said Council asked previously for an explanation on EDIT monies on the towns.

Mr. King said Daleville's Town President will be attending today's (March 25, 2014) meeting.

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Mr. Pitman provided a chart.

Mr. King said Daleville wants to rebuild their downtown. Since Daleville is a gateway into Muncie, some buildings need to be torn down.

YEAS; Councilman Matchett, Councilman Nemyer, Councilman Quakenbush, Councilwoman Chambers, President Jones

NAYS; Councilman Spangler

PASS; Councilman Alexander

YEAS; Councilman Alexander

9:14 a.m.

TOWN'S INDICATIONS OF USE OF
EDIT FINANCING PROCEEDS

Selma
\$75,000

New roof on concession stand
Structural work on government buildings
Property acquisition

Eaton
\$100,000

Stormwater improvements
Infrastructure work

Daleville
\$150,000

Daleville Downtown initiatives
Infrastructure improvements
Property acquisition

Albany
\$75,000

Air packs for fire department
Remodel shelter house and restrooms in park
Playground equipment

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Road work

Yorktown
\$150,000

Property acquisition in downtown river area
Revitalization of downtown structures

ORIGINAL

ORDINANCE NO. 2014-*025*

**ORDINANCE OF THE DELAWARE COUNTY COUNCIL AUTHORIZING
THE ISSUANCE OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX
REVENUE BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO BE
APPLIED TO THE COSTS OF CERTAIN PUBLIC PROJECTS AND INCIDENTAL
EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE
ISSUANCE OF THE BONDS**

WHEREAS, the County Council (the "Council") of Delaware County, Indiana (the "County"), has considered the issuance of bonds to pay a portion of the costs of certain public projects to be undertaken by the County, as described in Exhibit A hereto (collectively, the "Project"), and related and incidental expenses to be incurred in connection therewith and on account of the issuance of bonds therefor; and

WHEREAS, it would be of public utility and benefit and in the best interests of the County and its citizens to pay the costs of the Project and incidental expenses in connection therewith and on account of the issuance of bonds therefor, such bonds to be issued as negotiable bonds of the County; and

WHEREAS, the Project constitutes an "economic development project" as defined in Indiana Code § 6-3.5-7-13.1; and

WHEREAS, the Council deems it advisable to issue the bonds authorized by this Ordinance as "Delaware County, Indiana, County Economic Development Income Tax Revenue Bonds, Series 2014" (the "2014 Bonds") in one or more series in an original aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars Million Dollars (\$5,500,000) (the "Authorized Amount") for the purpose of providing for the payment or reimbursement of all or any portion of the costs of the Project (including the refinancing of the Delaware County Fairgrounds grandstands included in Exhibit A (the "Refinancing Component")), including any preliminary expenses related thereto and all incidental expenses incurred in connection therewith, and the costs of selling and issuing the 2014 Bonds; and

WHEREAS, the original principal amount of the 2014 Bonds, together with the outstanding principal amount of previously issued bonds which constitute a debt of the County, on the date of issuance of the 2014 Bonds will be no more two percent (2%) of one-third (1/3) of the total net assessed valuation of the County; and

WHEREAS, the amount of proceeds of the 2014 Bonds allocated to pay costs of the Project, together with estimated investment earnings thereon, does not exceed the cost of the Project as estimated by the Council; and


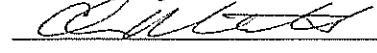
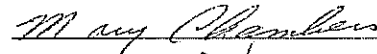
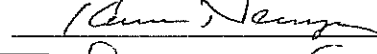
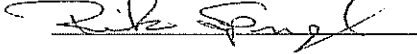
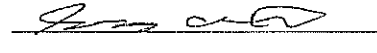
WHEREAS, the Delaware County EDIT Corporation has heretofore approved the issuance of the Bonds; and

WHEREAS, the County previously authorized and issued its \$6,690,000 of County Economic Development Income Tax Revenue Refunding Bonds, Series 2013 (With Property Tax Pledge) (the "2013 Refunding Bonds") to refinance certain capital projects, and the County


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Adopted this ^{DMS} 25 day of March, 2014.

COUNTY COUNCIL OF
DELAWARE COUNTY, INDIANA

ATTEST:


County Auditor

A complete copy of the ordinance can be found at www.co.delaware.in.us

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**AN ORDINANCE OF THE DELAWARE COUNTY COUNCIL APPROPRIATING THE
PROCEEDS DERIVED FROM THE SALE OF COUNTY ECONOMIC DEVELOPMENT
INCOME TAX REVENUE BONDS OF THE COUNTY
ORDINANCE 2014-006
PUBLIC HEARING**

No public comments
Public Hearing is closed

**NOTICE OF PUBLIC HEARING CONCERNING AN
ADDITIONAL APPROPRIATION OF DELAWARE COUNTY, INDIANA**

The residents and taxpayers of Delaware County, Indiana (the "County") are hereby notified that the Delaware County Council will hold a public hearing at 9:00 a.m. (local time) on March 25, 2014, in the Commissioners' Courtroom, Room 309A, Third Floor, County Building, 100 W. Main Street, Muncie, IN 47305, on the matter of appropriating the proceeds of the Delaware County, Indiana, County Economic Development Income Tax Revenue Bonds, Series 2014 (the "Bonds"), to be issued in an amount not to exceed \$5,500,000 (the "Bonds"). The proceeds of the Bonds will be used to finance or refinance the costs of the construction, acquisition, renovation, installation and equipping in Delaware County of various projects included in the County's Capital Improvement Plan relating to the use of County Economic Development Income Tax revenues (the "EDIT Revenues"), and paying related expenses, including capitalized interest and the costs of issuing the Bonds.

The Bonds shall have a final maturity of no later than twenty (20) years from their date of issuance, and shall bear interest at a rate or rates not exceeding seven percent (7%) per annum. The Bonds are payable from the EDIT Revenues.

Said appropriation is in addition to any appropriations provided for in the existing budget and tax levy. At said public hearing, all persons shall have the right to appear and be heard on the necessity of said appropriation.

DELAWARE COUNTY, INDIANA

Dated: March 12, 2014

[TO BE PUBLISHED ONE TIME IN THE *MUNCIE STAR PRESS* ON MARCH 12, 2014]

MOTION: Councilman Nemyer motioned to approve Ordinance 2014-006

SECOND: Councilman Matchett

YEAS; Councilman Nemyer, Councilman Quakenbush, Councilman Alexander, Councilwoman Chambers, Councilman Matchett, President Jones

NAYS; Councilman Spangler

ORIGINAL

ORDINANCE NO. ²⁰¹⁴ 026

**AN ORDINANCE OF THE DELAWARE COUNTY COUNCIL
APPROPRIATING THE PROCEEDS DERIVED FROM THE SALE
OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX
REVENUE BONDS OF THE COUNTY**

WHEREAS, pursuant to an ordinance adopted by the Delaware County Council (the "Council") on March 25, 2014 (the "Ordinance"), the County Council authorized the issuance of the Delaware County, Indiana, County Economic Development Income Tax Revenue Bonds, Series 2014 (the "Bonds") to be issued in an amount not exceeding \$5,500,000, for the purpose of financing the costs of the construction, acquisition, renovation, installation and equipping in Delaware County of various projects included in the County's Capital Improvement Plan relating to the use of County Economic Development Income Tax revenues (the "EDIT Revenues"), and paying related expenses, including capitalized interest and the costs of issuing the Bonds (collectively, the "Project"); and

WHEREAS, the County Council has found that there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of the Project and has authorized the issuance of the Bonds to procure such funds and that an extraordinary emergency exists for the making of the additional appropriation hereafter set out; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication as required by law, and the hearing on said appropriation has been held, at which all taxpayers and other interested persons had an opportunity to appear and express their views as to such appropriation.

NOW, THEREFORE, BE IT ORDAINED by the Delaware County Council that:

1. There is hereby appropriated a sum not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) out of the proceeds of the Bonds, together with all investment earnings thereon, for the purpose of providing funds to pay the costs of the Project, including related costs and the costs of issuing the Bonds, as provided in the Ordinance. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the described purposes.

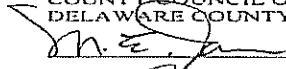
2. The President of the County Council and the Auditor of the County and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Ordinance, including the filing of a report of this appropriation with the Indiana Department of Local Government Finance.

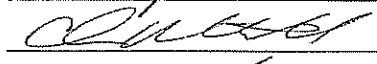
3. This ordinance shall be in full force and effect from and after its adoption.

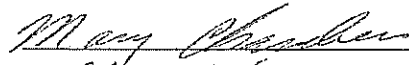
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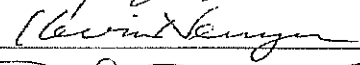
ADOPTED THIS 25th day of March, 2014.

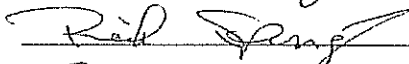
COUNTY COUNCIL OF
DELAWARE COUNTY, INDIANA














ATTEST:



County Auditor

ENDS01 1447936v1

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**ORDINANCE OF DELAWARE COUNTY COUNCIL APPROVING THE LEASE OF THE
DELAWARE COUNTY REDEVELOPMENT COMMISSION OF A SHELL BUILDING
ORDINANCE 2014-007**

Mr. Brad Bookout, Economic Development Alliance, Mr. Terry Murphy, Economic Development Alliance, Mr. Tom Pitman, Barnes & Thornburg LLP and Mr. Dan Zuerner, Garmong, provided a detailed presentation at February 2014 Council meeting on the shell building.

President Jones said page 1, section I should have 0.5% instead of 1.75%.

Mr. Pitman will provide a new copy of the changes.

MOTION: Councilman Nemyer motioned to approve Ordinance 2014-007, County Council Approving the Lease of Delaware County Redevelopment Commissioner of a Shell Building with the amended 0.05%.

SECOND: Councilman Alexander

Councilman Alexander said there was conversation at the last meeting regarding possible interest/prospect in the building. Alexander said he and Councilman Spangler met with Mr. Terry Murphy and talked further regarding questions that they both had.

President Jones said it is important to meet to better understand and to have your questions answered.

NAYS; Councilman Quakenbush

YEAS; Councilman Spangler, Councilman Alexander, Councilwoman Chambers, Councilman Matchett, Councilman Nemyer, President Jones

Motion PASSED UNANIMOUSLY

An updated ordinance with interest rates will be provided after March 25 Council meeting.

ORIGINAL

ORDINANCE NO. 2014-207

ORDINANCE OF THE DELAWARE COUNTY COUNCIL APPROVING THE LEASE BY THE DELAWARE COUNTY REDEVELOPMENT COMMISSION OF A SHELL BUILDING

WHEREAS, the County Council (the "Council") of Delaware County, Indiana (the "County"), desires to foster economic development within the County; and

WHEREAS, Garmong Development Company, LLC (the "Company") has approached the County regarding the construction by the Company of an approximately 200,000 square foot expandable shell building (the "Project"), at a cost to the Company of approximately \$7,600,000 (excluding utilities infrastructure to the site and land costs), on certain parcels of real property located within the County near Fuson Road (the "Land"); and

WHEREAS, Delaware Advancement Corporation ("DAC") and the Company propose to enter into a Design/Build Construction Services Agreement (the "Design/Build Agreement"), whereby DAC will engage the Company to construct the Project on the Land; and

WHEREAS, in connection with the Design/Build Agreement, the Company proposes to secure private financing for the construction of the Project, and DAC proposes to execute a promissory note to the Company (the "Promissory Note") for the costs of construction, payable upon the earlier of ten years or the sale of the Land and the Project; and

WHEREAS, DAC proposes to secure the Promissory Note with a non-recourse mortgage on the Land and the Project, and to further secure the Promissory Note with a pledge of the proceeds from the lease of the Land and the Project (or a portion thereof) to the Delaware County Redevelopment Commission (the "Redevelopment Commission"); and

WHEREAS, DAC proposes to lease the Land and the Project (or a portion thereof) to the Redevelopment Commission (the "Lease") for a term ending on the earlier of ten (10) years or the date of sale of the Land and the Project, subject to the following terms and conditions:

- (i) The annual lease rental amount payable by the Redevelopment Commission under the Lease shall be in the amount of 1.75% above the Wall Street Journal prime rate on the amount of the Company's debt incurred to finance the Project;
- (ii) The Redevelopment Commission shall have pledged revenues (the "TIF Revenues") generated by the Tax Increment Financing Districts where the Project is to be located or which the Project will benefit and serve (i.e., the Delaware County Magna Economic Development Area Allocation Area and the Industria Centre Economic Development Area Allocation Area) (collectively, the "TIF District") to secure the Redevelopment Commission's obligations under the Lease;

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- (iii) The Redevelopment Commission shall also have pledged revenues (the "CREED Revenues") generated by the Magna Community Revitalization and Enhancement District to secure the Redevelopment Commission's obligations under the Lease; and
- (iv) The Redevelopment Commission shall have further secured its obligations under the Lease with a pledge of County Economic Development Income Tax revenues received from the County, or other available revenues of the Redevelopment Commission, to the extent the TIF Revenues and the CREED Revenues are insufficient for such purpose; and

WHEREAS, Indiana Code Section 36-7-14-25.2(c) requires the Redevelopment Commission to obtain the approval of the County Council prior to entering into the Lease;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF DELAWARE COUNTY, INDIANA, AS FOLLOWS:

SECTION 1. The County Council hereby approves the Lease having substantially the terms and not economically inconsistent with the terms set forth hereinabove in any material manner.

SECTION 2. Effectiveness. This Ordinance shall be in full force and effect from and after its passage.

Adopted this 12 day of March, 2014.

COUNTY COUNCIL OF
DELAWARE COUNTY, INDIANA

M. E. Jones
[Signature]
Mary Chambers
[Signature]
[Signature]
[Signature]
[Signature]

March 25, 2014

ATTEST:


County Auditor

IN/2801 1442556-1

**PRESCRIBING PROCEDURES FOR FILLING A VACANCY IN PERSONNEL
ORDINANCE 2014-008A, AMENDING 2013-030**

MOTION: Councilman Nemyer motioned to approve Ordinance 2014-008A, Prescribing Procedures for Filling a Vacancy in Personnel.

SECOND: Councilman Matchett

Councilman Alexander said the ordinance is regarding streamlining procedures. If there are no conclusions on making adjustments to 2015 budgets then we are going to have to look at "Reduction in Force." If people are hired and Council has to do a RIF it will cost Delaware County more to do that.

President Jones understands but said Council wanted to improve the process but adjust the budget *inaudible*.

Councilman Nemyer said this is not going to end up with more people being hired. It is for replacement.

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Councilman Alexander said it does not allow a department head to go out and hire somebody for a non-budgeted position. The problem is we budgeted for positions that "we" can't afford ("in my opinion").


President Jones said and that may happen but again the efforts...

Councilman Quakenbush asked that the record show he voted no on Ordinance 2013-030 because he is adamantly opposed to it.

9:28 a.m.

YEAS; Councilman Spangler, Councilwoman Chambers, Councilman Matchett, Councilman Nemyer, President Jones

NAYS; Councilman Alexander, Councilman Quakenbush

 **ORDINANCE NO 2014-2014 008A
AN ORDINANCE AMENDING 2013-030
PROSCRIBING PROCEDURE FOR FILLING A VACANCY IN PERSONNEL**

ORIGINAL

WHEREAS, the Delaware County Council had enacted Ordinance 2013-30 on the 17th day of December, 2013; and

WHEREAS, it is the intent of the County Council to amend said ordinance to include procedures for payment of probationary period increases; and

WHEREAS, Council has been informed by the Auditor and Human Resource Department that for the processing of new employee paperwork to be accomplished efficiently, the P.I. form should be submitted to the H.R. Department first; and

WHEREAS, it is also the Intent of the County Council to amend said ordinance so as to change paragraph #2 to have the P.I. form submitted to the Human Resources department, and to remove paragraph #3 in its entirety.

NOW, THEREFORE BE IT ORDAINED by the County Council of Delaware County, State of Indiana as follows:

1. When existing positions, which have previously been approved by County Council and funding has previously been appropriated, become vacant by reason of the resignation, retirement, death, illness, or termination of an employee, or because of the transfer of an employee to another position, may be filled by the department head or elected official.
2. The department head or elected official filling such vacancy shall be responsible for filling out a Personnel Information (P.I.) form and submitting the same to the Human Resource Department of Delaware County for processing, and upon completion, the H.R. Department shall forward the P.I. form to the Auditor.

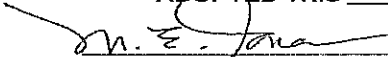
3. The Auditor of Delaware County, upon receipt of a valid P.I. form, shall process the new employee; transfer the remaining appropriated funding balance into the new employee line item, referred to as an "A" line; and issue payroll checks according to the P.I. form and salary ordinance.

4. The Auditor of Delaware County shall present to Council at its regularly scheduled meeting the information regarding the "A" line transfer for Council to take formal action.
5. It is the duty of the department head and elected official to ensure that filling the vacancy can be accomplished with the previously appropriated funds. Additional funding for a replacement employee shall not occur without a simple majority vote by County Council.
6. Should the filling of an open position be filled by an existing Delaware County employee, who has 60% of their longevity attached to their base salary, the Auditor shall pay accordingly and County Council shall address the issue at the regularly scheduled meeting so that formal action can occur prior to the line item depleting itself.
7. Upon an employee reaching their 90 day and their 180 day probationary period increase dates, the Auditor, upon receipt of a new P.I. form shall pay the increase salary to the employee, and present to Council at their next regularly scheduled monthly meeting the request for Council to take formal action.
8. This ordinance shall not change, amend, or modify the procedure for requesting an additional position or additional appropriations for any department.

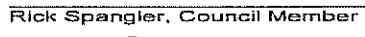
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9. All department heads and elected officials shall comply with all local, state and federal laws and regulations when filling a vacancy.
10. Any prior ordinance or procedure in conflict with this ordinance is hereby repealed.
11. This ordinance shall be effective upon the date of adoption by the Delaware County Council.

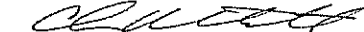
ADOPTED THIS 25th DAY OF March, 2014.

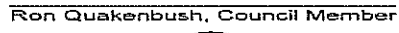

Mike Jones, Council President


Scott Alexander, Council Member


Rick Spangler, Council Member


Mary Chambers, Council Member


Chris Matchett, Council Member


Ron Quakenbush, Council Member


Kevin Nemyer, Council Member


Judy Rust, Auditor

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County Auditor

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RESOLUTIONS
RESOLUTION APPROVING DEDUCTION FROM
ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY
DECLARED ECONOMIC REVITALIZATION AREA
RESOLUTION 2014-023

Mr. Brad Bookout, Economic Development, said Tax Abatement Committee met and gave a favorable recommendation to proceed with Midwest Metal. Midwest Metal who has complied with all proper paperwork.

Mr. Steve Smith, Midwest Metal, told Council the new equipment Midwest Metal will be purchasing is roughly \$900,000. The biggest bulk is \$750,000 for a 4,000 watt laser. This is replacing an older laser. The \$150,000 is for robotic welding equipment. Midwest Metal has three shifts. Three temporary employees have been hired and are in training to run the new equipment. This is C & C controlled equipment. Mr. Smith said Midwest Metal has 136 full-time and 20-24 part-time employees.

President Jones requested that Council take a tour through Midwest Metal.

Mr. Smith said anytime anyone wants a tour to let him know.

Mr. Bookout said "for the record" all abatement information has been provided and Midwest Metal comes highly recommended.

Councilman Quakenbush said it is difficult, with the financial problems, to abate taxes but the report also shows Midwest Metal has annual wages of excess of \$3.8 million.

President Jones said a point well made. Council and Economic Development often get beat up and questions raised about the amount of money spent verses what is provided to the community in jobs, income and tax base. Jones said there is success stories and good results also such as Progress Rail and Magna plants.

MOTION: Councilman Matchett motioned to approve Resolution 2014-023, Approving Deductions from Assessed Value of New Manufacturing Equipment in an Already Declared Economic Revitalization Area.

SECOND: Councilman Nemyer

Motion PASSED UNANIMOUSLY

A complete copy of the resolution can be found at www.co.delaware.in.us

ORIGINAL

RESOLUTION NO. 2014.023

RESOLUTION APPROVING DEDUCTION FROM ASSESSED VALUE OF NEW MANUFACTURING EQUIPMENT IN AN ALREADY DECLARED ECONOMIC REVITALIZATION AREA

(Mid-West Metal)

WHEREAS, the Indiana General Assembly has enacted a statute, I.C. 6-1.1-12.1 (the "Act"), authorizing certain deductions from the assessed value of new manufacturing equipment (as defined in the Act) for purposes of taxation of such equipment if installed by December 31, 2014, or such other date as extended by Indiana Code, in an area that is declared an economic revitalization area; and

WHEREAS, Mid-West Metal Products Co. Inc. (the "Company"), will install new manufacturing equipment (the "Project") at its facility located at 2100 West Mt. Pleasant Blvd. Muncie, Indiana 47302 between the dates of April 1, 2014 and April 15, 2014, as set forth in the Statement of Benefits submitted by the Company and attached hereto;

WHEREAS, by previously adopted resolutions, the Delaware County Council declared and affirmed that the area commonly described as 2100 West Mt. Pleasant Blvd. Muncie, Indiana 47302, which is identified on the attached map and legal description (the "Area"), is an economic revitalization area, and authorizes deductions from assessed value of new manufacturing equipment installed in the area for purposes of taxation; and

WHEREAS, as a condition of approval of the ensuing abatement, Mid-West Metal Products Co. Inc., agrees to update the County Council on an annual basis with regard to the status of employment at the facility during the term of the life of the abatement.

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Delaware in the State of Indiana:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by the Company shall be allowed a deduction of five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. Based on the information in the Statements of Benefits describing the Project, the Council makes the following findings:
 - (a) That the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that nature.
 - (b) That the estimate of the number of individuals who will be employed or whose employment will be retained as a result of the proposed installation of the new manufacturing equipment can reasonably be expected to result from the proposed

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	Yeas	Nays	Abstained	Absent
<u>Scott Alexander</u>	X	—	—	—
<u>Mary Chambers</u>	X	—	—	—
<u>Michael Jones</u>	X	—	—	—
<u>Chris Matchett</u>	X	—	—	—
<u>Kevin Namyer</u>	X	—	—	—
<u>Rick Spangler</u>	X	—	—	—
<u>Ronald Quakenbush</u>	X	—	—	—

Passed by the County Council of Delaware County, Indiana this 22 day of March 2014.

Michael E. Jones
Michael E. Jones, President

ATTEST:
Judy Rust
Judy Rust, Auditor
Delaware County, Indiana

March 25, 2014

**RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES
RESOLUTION 2014-024**

President Jones read aloud the resolution.

Councilman Alexander said he did not have a copy of the resolution and asked where the money would be coming from and for what project.

Ms. Donna Patterson, Auditor's Clerk, said she did not know where the resolution originated or who gave the resolution to Ms. Denise Smith.

MOTION: Councilman Alexander motioned to table Resolution 2014-024 Declaring Official Intent to Reimburse Expenditures until more information is provided.

SECOND: Councilman Quakenbush

Mr. Pittman said he did not know anything about it either but it sounds like it may have gotten attached to something that should not have. Council is doing a \$5.5 million EDIT issue and this suggests that Council is doing one right around the same time for \$2.5 million. This is only speculation.

President Jones said due to the confusion the motion to table is appropriate.

Motion PASSED UNANIMOUSLY

**CONFIRMATORY RESOLUTION DESIGNATING THE UNINCORPORATED AREA OF
DELAWARE COUNTY, INDIANA, AS A HIGH TECHNOLOGY DISTRICT AREA
RESOLUTION 2014-025**

Mr. Bookout said at February's Council meeting a resolution was approved for Preliminary Resolution for Designating Unincorporated area of Delaware County as a High Technology District. This resolution was to make Delaware County more attractive for a Data Center project should one decide to locate in central Indiana. There is no project or lead at this time.

President Jones said the area is located on Cowan Road adjacent to the old Delco building property. The property has the capacity grid to supply what is needed. It is not high volume as far as employees but a high volume as far as investment into Delaware County. With the action of Council, Delaware County would get a look should a Data Center decide to come to Indiana.

Mr. Bookout said Ms. Tracy Lutton has been working diligently to seek a certified Data Center site. Bookout said we are trying to make Delaware County more attractive.

Councilman Alexander said for clarification "we" are not tying this down to a specific site. This is for anywhere within Delaware County.

Councilman Nemyer wondered why last month the resolution was preliminary and this month it is a confirmatory resolution.

Mr. Bookout said yes by statute. There was the public hearing and this confirms that action.

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MOTION: Councilman Nemyer motioned to approve Resolution 2014-025, Confirmatory Resolution Designating the Unincorporated Area of Delaware County, Indiana, as a High Technology District Area.

SECOND: Councilman Alexander

Councilman Quakenbush asked why is a "blanket" designation for the entire unincorporated area of Delaware County when President Jones is saying there is one specific area that is qualified for what a Data Center would need.

Mr. Pittman said "we" know that before any project can be approved it is going to have to come back before Council. Rather than require Council to go through this establishment process again, "we" thought there would be no disadvantage to going ahead and saying that the designated area would be the entire unincorporated county. Knowing if it ended up being in another area Council would not have to redo it. Council also has not signed off on any *particular* project.

Mr. Bookout said many instances when a company comes to town to look at a specific building, if they don't like that site for one reason or another other buildings/properties will be shown. This leaves an option open for all sites.

President Jones said the grid in the area dictates where it will be located.

Mr. Murphy said that is correct. There was a study on that particular site (former Delco site), looking at utilities, water, electrical infrastructure. One of the selling points is a new substation will be located on the site.

President Jones stated, if a high tech center would want to locate near I-69 with a \$100 million investment that opens up a lot of doors to do different things.

Mr. Murphy said absolutely.

Councilman Quakenbush said it might also open up the fact that there would be more requests for more public funds to participate to create that new grid in another location. That is the part Quakenbush is concerned about. If we know one area that is susceptible to use why are we opening the whole county up and open the deep pockets up again for something in another location because everybody finds a better site then the one "we've" got. "I hate to open up another can of worms by making this a blanket unincorporated area. I'd rather see only for that particular location since it is already qualified.'

Councilman Alexander said he misunderstood from the last meeting of where the site was. If that is the case why aren't we focusing only on this site verses the entire county.

Mr. Murphy said AEP did a study for Delaware County and identified a site that they felt good about. That is not to say that there are no other sites but a full study is not done on Park One.

Councilman Alexander stated that the Data Center would not necessarily employ people but is more of a collection of data.

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Mr. Murphy said employees that are employed at a center like this are high tech jobs and high paying jobs.

Councilman Alexander said do you want this to be at that location, if so it should be refined to that site.

Mr. Murphy said this site has been identified as a good site but it does not mean that there are no other good sites in Delaware County. An approval is not being asked for tax abatement for any site but like Mr. Pitman said if someone comes along stating they would like to do a center in Park One, "I'm not sure Council would want to have to go through the whole process again."

Councilman Alexander wondered if it was likely to get one center located to Delaware County, it is likely that there would be others interested.

Mr. Murphy said there could be other Data Centers, it depends. There could be a specific purpose Data Center for a single company or a shared use.

Councilman Matchett said he recalled two or three years ago there was interest in a Data Center on 332 towards Park One. If a company would want to come in with a \$100 million investment "I think we owe them some options and let them take their pick of anything Delaware County has available. "

Mr. Bookout said limiting this to one specific site is like having a family come into Delaware County looking for a house and only showing them one house and saying you either live there or go to another county.

Mr. Dan Zuerner, Garmong Development, said "Council has been extremely supportive to me in the past." One of the things Zuerner said Council does not realize is that he represents over 20 county clients over the State of Indiana in economic development. I don't think "you" know how much you are revered around the State. Right now Delaware County is a model for economic development for counties that are not located immediately in the middle of the Indianapolis donut. Almost every county in the State of Indiana are saying why is Muncie doing so well, why are they attracting all these people, why are they being so successful? Every one of "you" has had a role. One thing that you do so well is play together so well. Part of the reason for your success is that you are building flexibility into positions like Mr. Murphy's. This allows Murphy to make the decision to attract people (to give hope) to come to Delaware County to find what they need to find. As this is structured, Council is not at any future risk because Council makes the ultimate decision in another vote and at another time. By leaving the matter open and giving the county the total vision of anywhere outside of immediate metro area allows a company to say lets go see what they have. Mr. Zuerner said not to lose sight of that and don't box "yourself" in, "my recommendation is that you consider for the flexibility reason."

9:52 a.m.

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YEAS; Councilman Matchett, Councilman Nemyer, Councilman Spangler, Councilman Alexander, Councilwoman Chambers, Councilman Jones

NAYS; Councilman Quakenbush

Ms. Patterson said the resolution that was tabled, per Denise Smith's note it came from Mr. Brad Bookout and was about the Data Center.

Mr. Pitman said Mr. Murphy worked with a Partner at Barnes & Thornburg LLP who does Industrial Development bond issues for manufacturing. Mr. Murphy said this is to preserve the opportunity for tax exempt financing for an identified manufacturing facility. Under federal tax laws, in order to do tax exempt financing for that type of project, the process is started with a resolution which starts the clock ticking in the sense. If the company spends money it wants the right to reimburse from bond proceeds. The resolution is a non-binding resolution that is designed to be the initial step in a possible bond issue for a manufacturing facility that Mr. Murphy is not at liberty to disclose. Without committing to any bonding this protects the company going forward if negotiations continue.

President Jones asked if this answers the questions Council had regarding Resolution 2014-024.

Councilman Quakenbush said he has not seen the Resolution.

Councilman Alexander said although it was read aloud, it sounds that Council will give away somewhere around \$2.4 million is tax dollars.

Mr. Pitman said it introduces the idea that if there is a manufacturing company which would want to negotiate with Delaware County and if it then comes to fruition then when the bonds are issued the company would be able to reimburse pre-bond expenditures. It does not commit Council to do anything. It recognizes that the company has come forward and asked Council to say if it does a bond then Council is agreeable to having them start the clock rather than lose an opportunity.

President Jones appreciated the information and because this project is what it is "I" don't see any burning need to address this yet today." Jones asked if this was accurate.

Mr. Pitman said the reason it was asked is because the way the federal tax laws are written the expenditures made would start effectively when the resolution is passed. Then it can be rolled into the bond. The later it is passed the more chance there is that the preliminary expenditures would not be able to roll into the bond. Mr. Pitman said they are already spending money. It is time sensitive in a way.

Councilman Quakenbush said "you" are talking about this phantom company anticipating the bond issue and "you" used the word "tax exempt." What commitment would a bond issue be on Delaware County government and how would it affect our bond rating/capacity and credit rating. They would be allowed to reimburse themselves out of a prospective bond issue.

9:58 a.m.

Mr. Pitman said the request which has been made is initially a possibility for a TIF incentive. The TIF from their project would request that it be applied to pay the bonds and there would be no

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liability for Delaware County to raise taxes. If they generate a lot of tax increase, can they get a portion of it to help pay their bonds?

Councilman Quakenbush asked if there is a stipulation as to what these pre-bond expenditures could be used for because TIF is supposedly to be used for infrastructure.

Mr. Murphy said the expenditures can be for infrastructure, manufacturing projects, real estate improvements or equipment purchase.

Councilman Quakenbush said this is not specified in the resolution.

Mr. Murphy said it could be added.

Mr. Pitman said if a sentence is added to the resolution, "this resolution in no way binds Delaware County to undertake the financing" it would still meet their needs and clarify that Delaware County is not taking any irrevocable action but this is enabling them to take advantage of a tax provision.

Councilman Quakenbush said this continually happens, we pass the resolution which says "we don't know you, never heard of you but you go ahead and spend \$200,000 and then they come back in and say well you already said go ahead so we did. Now you are saying you aren't going to give us TIF.

Councilman Alexander confirmed the resolution being discussed is about the Data Center.

Mr. Murphy said, "no sir." This is about a separate manufacturing project that "we" are working on to make the project happen in Delaware County. Basically by passing the resolution we are allowing the company to undertake some expenses. The company would be at their risk because the process would still need to go through as any tax increment/financing and still go through all of the meetings. This is just a process which enables them to do some things that they need to do to keep the project moving forward.

Councilman Alexander said the resolution was tabled because Council did not know what it was. Mr. Pitman is saying the resolution could be modified and Alexander said he would like them to do that. If Council needs to have a special meeting and meet with Economic Development to get questions answered that gives Council time to do that.

President Jones and Councilman Alexander asked if this would mean their needs.

Mr. Murphy said a special meeting could take place but it will slow the process down with the company and trying to get this company to formally commit to Delaware County.

Councilman Quakenbush said within so many words they are not planning on leaving their money in the project, they are planning on taking TIF dollars to replenish their funds because TIF dollars will be used to pay the bond that they are reimbursing themselves with.

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Mr. Murphy said keep in mind that TIF is a portion of the taxes that are paid. If the project moves forward they are going to make a capital investment in Delaware County and then the TIF bonds would be a portion of that tax revenue.

Recess 10:04 a.m.-10:09 a.m.

President Jones said since there is confusion regarding the resolution if it is necessary to call a special council meeting to take action then it will be called.

ORIGINAL

RESOLUTION NO. 2014.024

**RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES**

WHEREAS, Delaware County, Indiana (the "County"), intends to issue its economic development revenue bonds, in the maximum principal amount of \$2,500,000 (the "Bonds"), and loan the proceeds thereof to a business to finance all or a portion of the costs of the acquisition, construction and installation of an advanced manufacturing facility to be located in the County (the "Project"); and

WHEREAS, the County reasonably expects to reimburse expenditures for the Project with proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE DELAWARE COUNTY COUNCIL THAT the County hereby declares its intent to reimburse expenditures for the Project with proceeds of the Bonds.

	Yeas	Nays	Abstained	Absent
_____ Scott Alexander	_____	_____	_____	_____
_____ Mary Chambers	_____	_____	_____	_____
_____ Michael Jones	_____	_____	_____	_____
_____ Chris Matchett	_____	_____	_____	_____
_____ Kevin Nemyer	_____	_____	_____	_____
_____ Rick Spangler	_____	_____	_____	_____
_____ Ronald Quakenbush	_____	_____	_____	_____

**CONFIRMATORY RESOLUTION FOR THE DESIGNATION
OF AN ECONOMIC REVITALIZATION AREA
RESOLUTION 2014-026**

Mr. Bookout presented Resolution 2014-026 regarding the shell building. A public hearing was at the beginning of today's meeting (March 25, 2014) with no public comment.

MOTION: Councilman Nemyer motioned to approve Resolution 2014-026, Confirmatory Resolution for the Designation of an Economic Revitalization Area.

SECOND: Councilman Alexander

Councilman Alexander said after meeting with Mr. Murphy he understood much better that there is a history in shell buildings. These things work out. Some of the reluctance at the last meeting was Delaware County has two shell buildings sitting empty. Alexander said he understands the definitions of prospects/interest. Alexander said Council can always improve the process to do better, try harder and ask "does this make sense financially." The history on shell buildings show positive returns in the long run.

YEAS; Councilman Nemyer, Councilman Spangler, Councilman Alexander, Councilwoman Chambers, Councilman Matchett, President Jones

NAYS; Councilman Quakenbush

NEW BUSINESS

Mr. Jack Quirk, Public Defenders Commission, presented a letter dated September 17, 2013.

Mr. Quirk contacted the State Public Defenders office and tried to get some kind of deviancy from their command but are unable to do so. Their response was that Delaware County is not the only county that is having difficulty. After working and trying to get the State to back off of this, they will not. The State is requiring that every part-time Public Defender in the State will have to be paid \$30,175. All 17 Public Defenders are not paid the same amount due to the time they have been a Public Defender. An increase of \$38,837 with 40% reimbursement the amount is \$15,534 with a difference of \$23,302.

Councilman Alexander said he does not disagree with what the State is telling you to do to a certain extent but Alexander would like it to go back to the Public Defender Board. If Public Defenders are going to get raises then Alexander would like to see offsetting decreases in benefits.

President Jones said that discussion is yet to be had and discussion will take place. The State of Indiana reimburses and as long as "we" are coming out at the positive end of the stick there is no sense in shooting ourselves in the foot. Jones said to call in and voice your opinions to Republican/Democrats both in the State and Federal Legislator that are on the Public Defender Board.

Councilman Alexander said he knows that the Public Defenders work hard and there is no doubt, part of this is public service and due to the situation Delaware County is in it is hard to justify to the rest of Delaware County when increases are given. Alexander understands these are required but Delaware County is not required on the benefit side and Alexander would like to see discussion happen with the Public Defenders Board to see if there is a way to come up with some reductions in benefits to offset the raises.

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President Jones said that is what he said.

Councilman Alexander said, "Ok, we have said that before. I guess that is my only point.

President Jones said his intent is to send letters to officer holders explaining in detail and presenting them with the issue/problem and asking for their help with addressing the problems. Council will then do what is necessary to address the problems. Letters will go out at the end of March 2014 or the first of April 2014. Special meetings will take place in a series to discuss 2014 and 2015 budget and to come up with ways to do what is necessary. Tough discussions but they are necessary discussions. The mandate settlement is complete now.

Ms. Rust said there is still one item that has not be resolved on numbers and confirmation that every penny was paid out and by the Auditor's calculation there is \$2,000 that hasn't been and Ms. Lana Scoggins, Court Administrator and Auditor's office will discuss this further.

County General Cash Flow Projection for 2014
as of 3-6-2014

COUNTY GENERAL	Est. Receipts	Tax Draws & Loans	Est. Expend.	TAW	TAW Repayment	Fund Balance
Rep. Bal. January 1, 2014						\$3,434,141
Actual January Receipts	5885,839					\$4,439,980
Actual January Expenses			\$2,094,601*			\$1,945,290
Actual February Receipts	2328,070		\$1,038,404**			\$1,074,170
Actual February Expenses						\$35,664
Estimated March Receipts	5455,000	50		\$ 2,000,000		\$1,490,684
Estimated March Expend.			\$2,382,000***			\$108,664
Estimated April Receipts	5800,000			\$ 1,000,000		\$1,508,684
Estimated April Expend.			\$2,200,000			\$308,684
Estimated May Receipts	5450,000	\$3,200,000				\$3,050,664
Estimated May Expend.			\$2,050,000			\$1,000,664
Estimated June Receipts	5900,000	\$4,800,000				\$7,608,684
Estimated June Expend.			\$2,100,000		\$	\$5,508,684
Estimated July Receipts	5500,000					\$6,008,684
Estimated July Expend.			\$2,700,000*			\$3,308,684
Estimated August Receipts	5500,000			\$		\$3,000,623.97
Estimated August Expend.			\$1,000,000			\$2,000,684
Estimated September Receipts	5500,000			\$ 1,000,000		\$3,008,684
Estimated September Expend.			\$1,800,000			\$1,208,684
Estimated October Receipts	5725,000					\$2,423,684
Estimated October Expend.			\$1,850,000			\$583,684
Estimated November Receipts	5300,000	\$3,400,000				\$4,283,684
Estimated November Expend.			\$1,000,000			\$2,483,684
Estimated December Receipts	51,287,761	\$2,021,653				\$6,599,078
Estimated December Expend.			\$2,205,000		\$ 4,600,000	-\$302,631
Totals	\$7,032,470	\$14,221,653	\$26,711,004			-\$302,631

* 3 Payrolls

**Actual Expenditures are less than estimated because we had to hold what bills we could to make sure we did not run the fund in the red at the end of February.

***Adjusted for carry over bills from February and unappropriated spending

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PUBLIC DEFENDER'S OFFICE

OF DELAWARE COUNTY — CONSISTING OF THE FOLLOWING INDEPENDENT PRACTITIONERS:

Delaware County Justice Center
100 West Washington Street
Muncie, IN 47305
Telephone: (765) 281-9451
Fax: (765) 288-7037

Samuel J. Beasley
Steven J. Bruce
Amanda C. Dunnuck
Jacob P. Dunnuck
Joseph P. Hunter
Mark R. McKinney
Thomas R. Malapit, Jr.

Brandon E. Murphy
Amber M. Neal
Michael M. Painter
Ana M. Quirk
Jack A. Quirk, Chief
John A. Quirk
Megan B. Quirk

Michael P. Quirk
Ronald K. Smith
Chris M. Teagle
Aizen K. Wilson
Investigator,
Steve Bell

March 19, 2014

Mike Jones
Delaware County Council
100 W Main Street
Muncie, IN 47305

RE: Delaware County Deputy Public Defender Salaries

Dear Mike:

We received notice from the Indiana State Public Defender Commission that they have raised the minimum salary amount for public defense services. This would apply to Delaware County in that the minimum contract amount required is \$30,175.00 for each deputy public defender. Deputy public defender salaries currently fall in a range between \$27,569.00 and \$28,059.75. The required increase would apply to 17 deputy public defenders.

The total comprehensive amount needed to bring all PD salaries to the minimum requirement is \$38,837.00. Keep in mind that because many of the older public defenders are no longer employed with our office, this helped to offset the amount a bit since newer public defender salaries are lower.

The math is as follows:

\$38,837.00	(Total increase amount)
x	<u> .40</u>
\$15,534.00	(Amount reimbursed)
\$38,837.00	
-	<u>\$15,534.00</u>
\$23,302.00	Total increase amount after reimbursement for all public defenders

I have attempted to work around the salary increase, but I have been unable to do so. In order to maintain the 40% reimbursement for the total Public Defender budget, this increase must take place. I ask that the Council keep in mind that this program has generated over \$1.3 million dollars since its inception over 3 years ago. This amount is not necessarily an increase to our budget, or even an upfront increase, but rather, a small decrease in the annual reimbursement amount.

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Enclosed with this letter you will find a copy of the letter that we received from the State with the details of this requirement.

Respectfully submitted,


Jack A. Quirk,
Chief Public Defender

JAQ:klp
Enclosure

cc: Jim Williams
Jim Schafer
Robert L. Barnett

March 25, 2014

**FINANCIALS, TRANSFERS AGENDA'S
COUNTY GENERAL**

Ms. Judy Rust, Auditor, read aloud the requests.

Ms. Rust said the \$8,42.66 appears under County General and Rainy Day. The decision is up to Council on which fund to take it from. The tax sale is April 3, 2014.

Ms. Patterson said depending on the amount of properties it will totally be reimbursed. Could be part of it, all of it or more will be reimbursed in June settlement.

Councilman Nemyer said we could take it from Rainy Day with stipulation that it is paid back.

Ms. Patterson said where ever it is paid from is where it go back too.

MOTION: Councilman Nemyer motioned to approve Auditor Rainy Day 1186 for \$8,422.66.

SECOND: Councilman Spangler

Councilman Alexander asked the balance of Rainy Day for record.

10:36 a.m.

The balance in Rainy Day is \$1,526,914.40.

Motion PASSED UNANIMOUSLY

Auditor 126-County General-withdrawn

OTHER

President Jones said this is the final repayment to the Sheriff's office from when they loaned Delaware County money to pay the Attorney fees from the mandate settlement.

MOTION: Councilman Alexander motioned to approve Rainy Day 1186 for \$54,955.25.

SECOND: Councilman Spangler

Councilman Quakenbush said he did not remember voting to accept the loan in the first place.

YEAS; Councilman Alexander, Councilwoman Chambers, Councilman Nemyer, Councilman Spangler, President Jones

NAYS; Councilman Quakenbush

MOTION: Councilman Quakenbush motioned to approve \$650,000 for Rainy Day 1186.

SECOND: Councilman Nemyer

Councilman Alexander said the lease payment has its own tax rate, why isn't there money available?

Ms. Patterson said because of the Circuit Breaker. Every year it is budgeted but over the years once Circuit Breaker kicked in it started eating up the operating balance. She is only allowed to budget so much, in the operating balance Ms. Patterson can only put the first payment of the following year (first 6 months payment).

Councilman Alexander said that is one area where "we" are getting in trouble and hopefully can address is when the State comes back and said "here is your approved budget." We don't go back and make any changes to the budget and keep our spending plan on what was the proposed budget.

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Ms. Patterson said if you look at the budget order it will say that we are going to raise \$18,000,000 in property tax. In reality you are not because when Circuit Breakers gets applied then \$4,400,000 has to be subtract from the \$18,000,000.

Councilman Alexander said and we are not allowing for that in our budget.

Ms. Patterson said we are trying to and the operating balance that was built in.

Councilman Alexander said there is no other word but "backwards budgeting" in my opinion.

Ms. Patterson said by law she is only allowed to hit the budget so much in the lease rental.

Councilman Matchett asked if the last payment is larger than the other ones. Was it a balloon payment since it was the last one.

Ms. Patterson said it is \$800 and some thousand and is not \$849,235. That is what was paid for years but the last payment of \$800 and some thousand. Ms. Patterson will reimburse Rainy Day. The reason Ms. Patterson is asking for so much is because the payment is due June 28, 2014, the total taxes for the year will not be completely collected for 2013 until December 31. The payment has to be made in June 2014 and what money is collected in lease rental in June will be used then the balance will be taken out of Rainy Day. Any money collected in December settlement will be reimbursed to Rainy Day but out of the \$650,000 that is being asked for, Council will probably see your share of the loss will be \$400 and some thousand that we will not be able to reimburse.

10:43 a.m.

Councilman Quakenbush said he has discussed this with Ms. Patterson, these funds as Ms. Patterson pointed out have been invested in the past and Quakenbush said we have gone from \$4,000,000 a year from investments to \$100,000. This has affected the fund also. YEAS; Councilwoman Chambers, Councilman Matchett, Councilman Nemyer, Councilman Quakenbush, Councilman Spangler, President Jones
Councilman Alexander said the motion on this is to pay back the Rainy Day fund.

Ms. Patterson said no, it is to do the appropriation so the lease rental can be paid for lease rental that is due June 28, 2014. Ms. Patterson will pay back what she can of the \$650,000 and the loss to Rainy Day by year end will be \$400,000 that cannot be repaid.
NAYS; Councilman Alexander

President Jones said the balance will be approximately \$813,500.

MOTION: Councilman Matchett motioned to approve Health Department/Infant Mortality Grant for \$49,999.80.

SECOND: Councilman Nemyer

This grant starts April 1, 2014 through September 30, 2015.

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Councilman Quakenbush asked if the position could draw unemployment after the grant ran out and said this could be a problem. Due to being self-insured on unemployment this will place a burden on county Commissioners budget.

Councilman Spangler said the Finance Committee gave it a favorable recommendation.

President Jones said there would be a full-time employee. The point is well taken but there is not an alternative to that.

Councilman Quakenbush wanted to make Dr. Donna Wilkins aware of it and if it would expire and the State does not renew then Council would come to Dr. Wilkins for reimbursement of unemployment.

Dr. Wilkins said this may continue more than 18 months because the Project Director who submitted the grant went to a meeting and March of Dimes and the Governor are interested in supporting the grant in the future. Infant Mortality rate in Delaware County is 8.2 for thousand live births and the State is 7.5, Indiana overall ranks 47th as the worst infant mortality in the United States. The grant is to improve that.

Motion PASSED UNANIMOUSLY

COUNTY GENERAL and OTHER TRANSFER

MOTION: Councilman Nemyer motioned to accept all 7 (seven) transfers all at once, as presented and amended (See below).

Ms. Rust said one transfer needs to be changed to \$13,738.40 for Community Corrections 1122.

SECOND: Councilman Matchett

Councilman Alexander said a lot of the requests are due to streamlining which is overall is a good thing, but the problem is going to be once Council has to adjust these requests.

Motion PASSED UNANIMOUSLY

MOTION: Councilman Matchett motioned to approve the financial, transfer, and amend salary ordinance.

SECOND: Councilman Nemyer

NAYS; Councilman Quakenbush

YEAS; Councilman Spangler, Councilman Alexander, Councilwoman Chambers, Councilman Matchett, Councilman Nemyer, President Jones

President Jones said there was a proposed ordinance regarding Community Corrections and again this was premature on Jones' part. This needs to be discussed further with Council.

President Jones asked for a motion to withdraw from the agenda.

MOTION: Councilman Alexander

SECOND: Councilman Nemyer

Jones said when it comes to Community Corrections and employees they are funded by the State and grants. They do go by the rules and policies of Delaware County, however, when an employee is subjected to the probationary period that does nothing to enhance or distract from county general.

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Ms. Amanda Dunnuck, Council Attorney, said Community Corrections has to go through a grants process where they present their budget to the State and it is determined what they will get next year. The probationary period does not save the county any money. It is very cumbersome and puts at risk the amount of money they receive in grants.

President Jones said, "Because this can impact others and could cause other issues."

Councilman Alexander said with their hiring process they do not have to come before Council but do so as a courtesy. Are they working under the assumption that they are hiring in at the 90%.

Ms. Dunnuck said the probationary period has never been applied to Community Corrections employees until recently when trying to get everything in place.

Ms. Lonna Jordan, Community Corrections Director, said Delaware County received for \$20,932.18. This was based upon a performance bonus and Class D felons that are kept in service within Delaware County, based upon a grant done in 2012 and a site assessment. First assessment was in 1974 and the last was in 1988.

Motion PASSED UNANIMOUSLY

ADJOURN

MOTION: Councilman Quakenbush

SECOND: Councilman Matchett

Motion PASSED UNANIMOUSLY

March 25, 2014

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget:		
SECTION 1, THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same.		
FINANCIAL ACENDA FOR THE DELAWARE COUNTY COUNCIL 3/25/2014		
COUNTY GENERAL	REQUESTED	APPROPRIATED
AUDITOR 126		
OTHER SERVICES AND CHARGES		
332 Publication	8,422.66	0
TOTAL	8,422.66	
OTHER		
RAINY DAY 1186		
OTHER SERVICES AND CHARGES		
390 Jail Commissary Loan	54,955.25	54,955.25
TOTAL	54,955.25	
RAINY DAY 1186		
OTHER SERVICES AND CHARGES		
310 Lease Rental Payment	650,000.00	650,000.00
TOTAL	650,000.00	
AUDITOR (1186 RAINY DAY FUND)		
332 Publication	8,422.66	8,422.66
TOTAL	8,422.66	
HEALTH DEPARTMENT/INFANT MORTALITY GRANT		
PERSONAL SERVICES		
Salaries and Wages		
Infant Mortality Coordinator	29,100.48	29,100.48
WCA	2,226.18	2,326.18
PERF	2,910.05	2,910.05
Insurance	15,763.09	15,763.09
TOTAL	49,999.80	49,999.80

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget:		
SECTION 1. THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same.		
TRANSFER AGENDA FOR THE DELAWARE COUNTY COUNCIL		
COUNTY GENERAL		
AUDITOR		
PERSONAL SERVICES		
Salaries and Wages		
114 Counter Clerk	-23,045.01	-23,045.01
A114 Counter Clerk	23,045.01	23,045.01
TOTAL	0.00	0
PUBLIC DEFENDER		
PERSONAL SERVICES		
Salaries and Wages		
152 Deputy Public Defender	-27,285.52	-27,285.52
A152 Deputy Public Defender	27,285.52	27,285.52
TOTAL	0.00	0
JAIL		
PERSONAL SERVICES		
Salaries and Wages		
A150 Correctional Officer	-26,881.79	-26,881.79
B150 Correctional Officer	26,881.79	26,881.79
TOTAL	0.00	0
EMS		
PERSONAL SERVICES		
Salaries and Wages		
A177 Paramedic	-29,600.00	-29,600.00
B177 Paramedic	29,600.00	29,600.00
TOTAL	0.00	0
OTHER		
HIGHWAY		
PERSONAL SERVICES		
Salaries and Wages		
111 Payroll Deputy 1/2	-10,254.61	-10,254.61
A111 Payroll Deputy 1/2	10,254.61	10,254.61
TOTAL	0.00	0

March 25, 2014

CUMULATIVE BRIDGE		
PERSONAL SERVICES		
Salaries and Wages		
111 Payroll Deputy 1/2	-14,333.00	-14,333.00
A111 Payroll Deputy 1/2	14,333.00	14,333.00
TOTAL	0.00	
COMMUNITY CORRECTIONS 1122		
PERSONAL SERVICES		
Salaries and Wages		
A115 Administrative Secretary	-13,734.40	-13,734.40
B115 Administrative Secretary	13,734.40	13,734.40
TOTAL	0.00	
President Jones	<i>M. E. Jones</i>	
Vice-President Matchett		
Councilman Alexander	<i>James Alexander</i>	
Councilwoman Chambers	<i>Mary Chambers</i>	
Councilman Nemyer	<i>Kevin Nemyer</i>	
Councilman Quakenbush		
Councilman Spangler	<i>R. L. Spangler</i>	
Auditor Rust	<i>Judy Rust</i>	

March 25, 2014

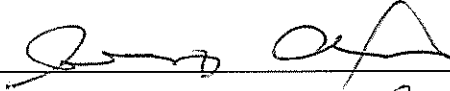
Mike Jones



Chris Matchett



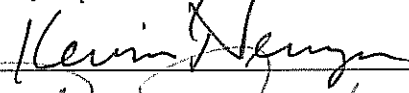
Scott Alexander



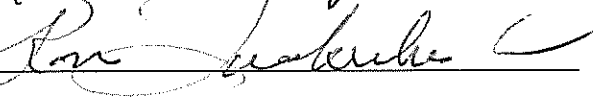
Mary Chambers



Kevin Nemyer



Ron Quakenbush



Rick Spangler

Auditor Rust

