DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, MARCH 20, 2017 @ 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 Riggin Auditor, Steven G. Craycraft Attorney, Mr. John Brooke

PUBLIC HEARING

Mr. Bill Walters, East Central Indiana Regional Planning District, presented the below Eaton properties to be assigned to a nonprofit. An interested party will combine three businesses on the below properties and they then will go back on the tax roll.

Mr. John Brooke, Commissioners Attorney, explained the process of the listed parcels going to deed.

18-03-24-151-002-000-023	500 E. Washington, Eaton
18-03-24-151-003-000-023	301 Blk. N. Meridian, Eaton
18-03-24-151-005-000-023	500 E. Washington, Eaton
18-03-24-151-006-000-023	500 E. Washington, Eaton
18-03-24-151-007-000-023	500 E. Washington, Eaton
18-03-24-151-008-000-023	600 E. Washington, Eaton
18-03-24-151-011-000-023	600 Blk. E. Washington, Eaton

No public comments.

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

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

APPOINTMENTS

DCCC ADVISORY BOARD / DORIS GRANADOS - MITCH CASSELL

MOTION: Commissioner Henry made a motion to appoint Ms. Doris Granados to the DCCC Advisory Board. The

appointment is for four years.
SECOND: Commissioner Riggin
MOTION PASSED UNANIMOUSLY

ANIMAL CONTROL BOARD – JIM TURNER

MOTION: Commissioner Riggin made a motion to appoint Mr. Jim Turner to the Animal Control Board. The appointment

is for three years, ending May 31, 2019.

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

Commissioners meeting March 20, 2017

APPROVAL OF MINUTES

MOTION: Commissioner Henry made a motion to approve March 6, 2017 Commissioners minutes.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

PRESENTATIONS TO COMMISSIONERS

BRIANNA'S HOPE-A BETTER LIFE

Mr. Randy Davis, Founder of "A Better Life"-Brianna's Hope, presented information to the Commissioners about the assistance and resources needed to overcome addiction. Brianna's Hope is a participant-driven, faith-based and compassion-filled non-profit group committed to helping anyone seeking to overcome substance abuse addiction.

Mr. Rick Koop, Team Hope Leader of Daleville, Indiana said it is important to make a proactive impact in Delaware County. Currently a third Chapter is opening in Albany, Indiana and they are seeking leadership and a location for a fourth chapter. Working hand in hand with Muncie Police Department and being out talking with people allowing their stories to be told and they have a support group to listen.

All Commissioners are in support of Brianna's Hope. All Commissioners agree monies from EDIT could be used.

Mr. John Brooke, County Attorney, said he would amend the EDIT plan before the next Commissioners meeting.

CONTRACTS OR AGREEMENTS FOR APPROVAL

GOVERNMENT FIXED ASSETS

Mr. Brooke reviewed the Government Fixed Assets agreement and recommended that the agreement be tabled until April 3, 2017.

MOTION: Commissioner Henry made a motion to table the agreement until April 3, 2017,

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

INTERLOCAL AGREEMENT CONCERNING IMPROVEMENTS TO THE INTERSECTION OF 23RD STREET AND COWAN ROAD

MOTION: Commissioner Riggin made a motion to approve the Interlocal Agreement for Intersection 23rd and Cowan

Road.

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

ORIGINAL

Exhibit A

INTERLOCAL AGREEMENT CONCERNING IMPROVEMENTS TO THE INTERSECTION OF 23RD STREET AND COWAN ROAD

This Interlocal Agreement (hereinafter referred to as "Agreement") is entered into by and between Delaware County, Indiana ("County"), an Indiana political subdivision and the City of Muncie, Indiana ("Muncie"), an Indiana political subdivision this ____ day of March, 2017.

WHEREAS, The Intersection of 23rd Street and Cowan Road is partially in the City of Muncie and partially in Delaware County; an

WHEREAS, development of new and expanded business has resulted in increased traffic at the intersection of 23rd Street and Cowan Road and.

WHEREAS, the County and the City have determined the improvements to the intersection are necessary to accommodate increased traffic and to better insure the safety of citizens traveling through the area, and

WHEREAS, in an effort to conserve resources, and combine services, the County and Muncie have agreed to execute an interlocal agreement pursuant to Ind. Code sec 36-1-7-9, et.seq., to jointly make and finance the improvements at the intersection.

NOW, THEREFORE, the parties hereby agree as follows:

- Purpose: The purpose of this Agreement is to construct improvements at the intersection of 23"¹ Street and Cowan Road and for county and city highway construction pursuant to I. C. 36-1-7-9.
- Term: The term of this Agreement shall be for four (4) years commencing with the
 passage of Resolutions approving the agreement by both parties to this agreement.
- 3. <u>Financing</u>: Each party shall be responsible for 50% of the cost of the project including planning and construction. The City of Muncie shall commit its portion of funding through Local Road and Street Funds and the County shall commit its portion funding through Motor Vehicle Highway Funds, Local Road and Street funds or EDIT fund/TIF District Funds.
- 4. <u>Administration</u>: The Agreement will be administered by the Head of the City Street Department and the Director of Engineering Department of the County Highway Engineer.

IN WITNESS OF THE ABOVE, the undersigned have executed this Interlocal Agreement Concerning Improvements to the Intersection of 23rd Street and Cowan Road, this <u>AO</u> day of March, 2017.

Mayor, City of Munele, Indiana

President, Muncie City Council

James King, President Board of Commissioners

Sherry Riggin, Vice President Board of Commissioners

Shannon Henry, Member Board of Commissioners

APPLICATION FOR COST SHARE PROGRAM UPPER MISSISSINEWA RIVER WATERSHED PROJECT

Ms. Becky Daugherty, Soil Health Coordinator, presented the application for the Cost Share Program. The plan will be presented at a later date. More discussion will take place April 17, 2017 at the Storm Water meeting.

Mr. Brooke said monies could come out of Storm Water fund.

MOTION: Commissioner Henry made a motion to approve the application process for Cost Share Program.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY



UPPER MISSISSINEWA RIVER WATERSHED PROJECT

Indiana Department of Natural Resources (IDNR)

Division of Fish and Wildlife

Lake and River Enhancement (LARE) and Clean Water Indiana (CWI)



ORIGINAL

WATERSHED LAND TREATMENT APPLICATION FOR COST SHARE PROGRAM

Name County Commissioners				Telephone Number 765.747.7730 Cell Phone Number		
Address 100 W. Main street						
City MUNGIE		State ///	Zip Cod	ie '3 <i>o.5</i>	E-Mail	
Tract Number	Est. Acreage	Current Year's Crop	Next Year's Planned Crop		Practice (e.g. Cover Crop, grassed waterway, streambank protection, filterstrip, stormwater)	
	135				COV	revenops
	135000				3,1	00' grassed waterway
			<u> </u>	······································	ļ	Control Contro
			1			
Total Acreage**	135					

**Total Acreage: Maximum of 300 acres per applicant for Cover Crop Cost Share Applicants.

This is not a binding document. It's purpose is only to express your interest in taking next steps in participating in the cost-share program for acreage located within the Mississinewa River Watershed. Cost Share is not guaranteed by completing and submitting this form.

Signature	Date 3-20-17
Please return your completed form to:	Delaware County Soil & Water Conservation District,
	3641 N Briarwood Lane, Muncle IN 47304
	or by email: cburt@flatlandresources.com

For questions or additional information, please contact Clair at 765-284-2328 or at cburt@flatlandresources.com

Application Deadline:	Office Use:	
March 21, 2017	Onsite Office	Date:
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ORDINANCES FOR FIRST READING

AN ORDINANCE PERMITTING THE DELAWARE COUNTY COMMISSIONERS TO ATTEND CONFERENCES, WORKSHOPS, OR SEMINARS WHEREIN MEALS ARE PROVIDED

ORDINANCE NO. 2017-007

Mr. Brooke said presented Ordinance 2017-007, Permitting the Commissioners to Attend Conferences, Workshops, or Seminars wherein Meals are provided.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-007, An Ordinance Permitting the Delaware County Commissioners to Attend Conferences, Workshops, or Seminars wherein Meals are provided.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

ORDINANCE 2017-007

AN ORDINANCE PERMITTING THE DELAWARE COUNTY COMMISSIONERS TO ATTEND CONFERENCES, WORKSHIPS OR SEMINARS WHEREIN MEALS ARE PROVIDED

WHEREAS, the Delaware County Board of Commissioners will only travel to conferences, workshops and seminars to gain important information and knowledge as to various aspects of governance; and

WHEREAS, many of these conferences, workshops and seminars will provide meals and or snacks to the Commissioners since they usually take all day and said meals are sponsored various vendors for the purpose of helping the costs; and

WHEREAS, the Board of Commissioners leave us in the best interest of the County to attend these events, workshops, seminars and partake in not only the educational part but in the social aspect of the meal to interact with other commissioner and individuals which have knowledge about various aspects of county operations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA:

- That individual Commissioners shall be permitted to attend any conference, workshop or seminar wherein a meal or meals are provided by the conference host, a sponsor or potential vendor for the purpose of gaining education and knowledge.
- The Commissioners shall be limited to a total value of the meals not to exceed \$500.00 in a year from all events or from any one vendor no more than \$500.00 per year per Commissioner.
- 3. This ordinance shall take effect upon adoption

Passed and adopted by the Board of Commissioners on the 3^{rd} day of April, 2017.

BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA

Shannon Henry, President
James King, Vice President
Sherry Riggin, Member

ORDINANCE TO VACATE A PART OF A PUBLIC WAY PLATTED AS A PART OF MALISSA AVENUE AND AN EAST/WEST ALLEY BETWEEN LOTS 2 AND 3 IN BLOCK 3 OF

THE ORIGINAL PLAT OF COWAN, MONROE TOWNSHIP, DELAWARE COUNTY, INDIANA AMENDED ORDINANCE NO. 2017–004 A

Mr. Brooke said one of the property owners name was left off of the vacation.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-004A, Ordinance to Vacate a Part of a Public Way Platted as a Part of Malissa Avenue and an East/West Alley between Lots 2 and 3 in Block 3 of the Original Plan of Cowan, Monroe Township, Delaware County, Indiana.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Henry made a motion to suspend the rules for Ordinance 2017-004A, Ordinance to Vacate a Part of a Public Way Platted as a Part of Malissa Avenue and an East/West Alley between Lots 2 and 3 in Block 3 of the Original Plan of Cowan, Monroe Township, Delaware County, Indiana.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Henry made a motion to adopt Ordinance 2017-004A, Ordinance to Vacate a Part of a Public Way Platted as a Part of Malissa Avenue and an East/West Alley between Lots 2 and 3 in Block 3 of the Original Plan of Cowan, Monroe Township, Delaware County, Indiana.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

Ordinance is available at www.co.delaware.in.us

DELAWARE COUNTY EMS AMENDED ORDINANCE NO. 2017–001A

Mr. Brooke presented Delaware County EMS, Amended Ordinance 2017-001A, due to the change of one word from "accounts to funds".

MOTION: Commissioner Riggin made a motion to introduce Delaware County EMS, Amended Ordinance 2017-001A.

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Riggin made a motion to suspend rules on Delaware County EMS, Amended Ordinance 2017-001A.

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Riggin made a motion to approve Delaware County EMS, Amended Ordinance 2017-001A.

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

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ORDINANCE NO. 2017-001A

ORIGINAL

WHEREAS, Indiana Code IC 16-31-5-1 establishes the authority of the Delaware County Commissioners to Establish, operate, and maintain emergency medical services.

WHEREAS, Indiana Code IC 16-31-5-1 (4) establishes the authority of the Delaware County Commissioners to apply for, receive, and accept gifts, bequests, grants-in-aid, state, federal, and local aid, and other forms of financial assistance for the support of emergency medical services.

WHEREAS, Indiana Code IC 16-31-5-2 establishes restrictions on the provision of emergency medical services

WHEREAS, this amendment to the ordinance needs to change some wording to allow the creation of a fund Hazardous Materials Training and Equipment.

BE IT ORDAINED THAT an amendment to ordinance number 2017-001A be made as follows:

- That Section 2, part A, paragraph 6, subsection D, paragraph a to change the word "account" to "fund"
- 2. All ordinances or parts of ordinances shall remain valid and not amended.

Adopted by the Board of Commissioners of the County of Delaware State of Indiana on the

20 day of March, 2017: effective upon Passage.

Shannon Henry, Commissioner

James Kirry Sr., Commissione

Sherry Riggin, Commissioner

Attest:

Steve Craycraft County Auditor

RESOLUTIONS FOR APPROVAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT CORPORATION #1

RESOLUTION NO 2017-011 (7 PARCELS)

Ms. Janet Kesler, Tax Sale Clerk, said with approval from the Commissioners, East Central Indiana Regional Planning District would be awarded the tax sale certificates.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-011, Tax Sale Certificates to be Assigned to Nonprofit Corporation #1.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT CORPORATION #1

RESOLUTION _

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 is seven parcels in Delaware County that have been in one or more tax sales and have taxes that are severely delinquent. These parcels were offered to a nonprofit corporation that filed an application requesting same. The parcels are identified as:

18-03-24-151-002-000-023 500 E. Washington, Eaton Certificate #181601470 Del. Taxes: \$5,783.98 18-03-24-151-003-000-023 500 E. Washington, Eaton Certificate #181601471 Dol. Taxes: \$10,788.11 Del. Taxes: \$10,788.11 Certificate #181601472 Del. Taxes: \$1,981.03 Certificate #181601473 Del. Taxes: \$1,981.03 Certificate #181601474 Del. Taxes: \$61,826.72 Del. Taxes: \$63,800 Del

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 certificates are described above.

Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificate described above to the East Central Indiana Regional Planning District.

Passed and adopted by the Commissioners on the 20 day of Mar

Sherry Riggin

2017

Shannon Henry

ATTEST_______Steve Craycraft, Auditor

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, IDENTIFYING A TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #4 RESOLUTION NO.2017-012

Ms. Kesler said a non-profit organization is interested in the property. The Public Hearing is April 17, 2017.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-012, Tax Sale Certificate to be Assigned to a

Nonprofit Corporation #4.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

RESOLUTION 2012 ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, IDENTIFYING A TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #4

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

WHEREAS, there is a 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 parcel is identified as follows:

18-11-27-176-001-000 3700 N. Madison Tax Sale Certificate: #1810601149 Delinquent Taxes: \$5,501.02

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 certificate assigned to them.

WHEREAS, the Board of Commissioners hereby sets a public hearing on the 17th day of April, 2017, 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.

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

<u>Section One.</u> The Delaware County Board of Commissioners hereby identifies 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 17th day of April, 2017, 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 26 day of Marks

Shannon Henry

Sherry May

ATTEST_

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO A NONPROFIT CORPORATION #5

RESOLUTION NO.2017-013

Ms. Kesler said this is the first step for East Central Indiana Regional Planning District. Public Hearing will be May 1, 2017. MOTION: Commissioner Henry made a motion to approve Resolution 2017-013, Identifying Tax Sale Certificates to be

Assigned to a Nonprofit Corporation #5.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

RESOLUTION 2017.013

ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, IDENTIFYING TAX SALE CERTIFICATES 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, there are 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:

18-03-23-281-005-000-023 400 Blk. N Meridian, Eaton 18-03-23-281-004-000-023 400 Blk. N. High, Eaton

Certificate #181601456 Certificate #181601455 Del. Taxes: \$ 1,513.66

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 May, 2017, 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.

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

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

<u>Section Two.</u> The Delaware County Board of Commissioners hereby sets a public hearing on the **1st day of May, 2017**, 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 March

Shannon Henry

ATTEST

Sherry Riggin

Prestrent

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT CONCERNING HIGHWAY INTERSECTION IMPROVEMENTS AT COWAN ROAD AND 23RD STREET DELAWARE COUNTY, INDIANA RESOLUTION NO.2017-014

MOTION: Commissioner Henry made a motion to approve Resolution 2017-014, Interlocal Agreement Concerning

Highway Intersection Improvements at Cowan Road and 23rd Street.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

RESOLUTION 2017-D14

ORIGINAL

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT CONCERNING HIGHWAY INTERSECTION IMPROVEMENTS AT COMEN FORD AND 28th STOPET DRY AWARD COLUMNY HOLD AND

WHEREAS, The Intersection of 23rd Street and Cowan Road is partially in the City of Muncie and partially in Delaware County; and

WHEREAS, development of new and expanded business has resulted in increased traffic at the intersection of 23rd Street and Cowan Road and,

WHEREAS, the County and the City have determined the improvements to the intersection are necessary to accommodate increased traffic and to better insure the safety of citizens traveling through the area,

WHEREAS, the project was delayed due to trying to secure right of way easements from the railroad, which have been acquired; and

WHEREAS, in an effort to conserve resources, and combine services, the County and Muncle have agreed to and execute an interlocal agreement pursuant to Ind. Code sec 36-1-7-9 to jointly make and finance the improvements at the highway intersection.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Delaware County. Indiana, as follows:

- The Board of Commissioners of Delaware County, Indiana hereby approves and authorizes entry into the Interlocal Agreement, Exhibit A hereto.
- This Resolution shall be in full force and effect from the date of its passing by the Board of Commissioners of Delaware County, Indiana.

Adopted this 26day of March, 2017.

James King President, Board of Commissioners

Shannon Henry, Member, Board of Commissioners

Attest:

Steven G. Craychaft. Anaitor

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to pay claims in the amount of \$1,092,879.09

SECOND: Commissioner Henry MOTION PASSED UNANIMOUSLY

RECESS

MOTION: Commissioner Henry made a motion to recess until April 3, 2017.

SECOND: Commissioner Riggin MOTION PASSED UNANIMOUSLY

President James king

Vice-President herry Riggin

Auditor Steven G

Member Shannon Henry