

DELAWARE COUNTY COMMISSIONER'S MEETING
Monday, March 5, 2018 @ 9:00 A.M.
COMMISSIONER'S COURTROOM
100 W. MAIN ST.
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
WELCOME

ORIGINAL

ROLL CALL

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

APPOINTMENT

MOTION: Commissioner Henry made a motion to appoint Mr. James King to the ECIRPD I-69 Committee.
SECOND: Commissioner Riggin
YEAS: Commissioner Riggin, Commissioner Henry, President King

TABLED BUSINESS

Both agreements, Yorktown Public Library Board and Medicaid for Inmates remain tabled.

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve February 20, 2018 Commissioner Minutes.
SECOND: Commissioner Henry
YEAS: Commissioner Riggin, Commissioner Henry, President King

PRESENTATIONS TO COMMISSIONERS

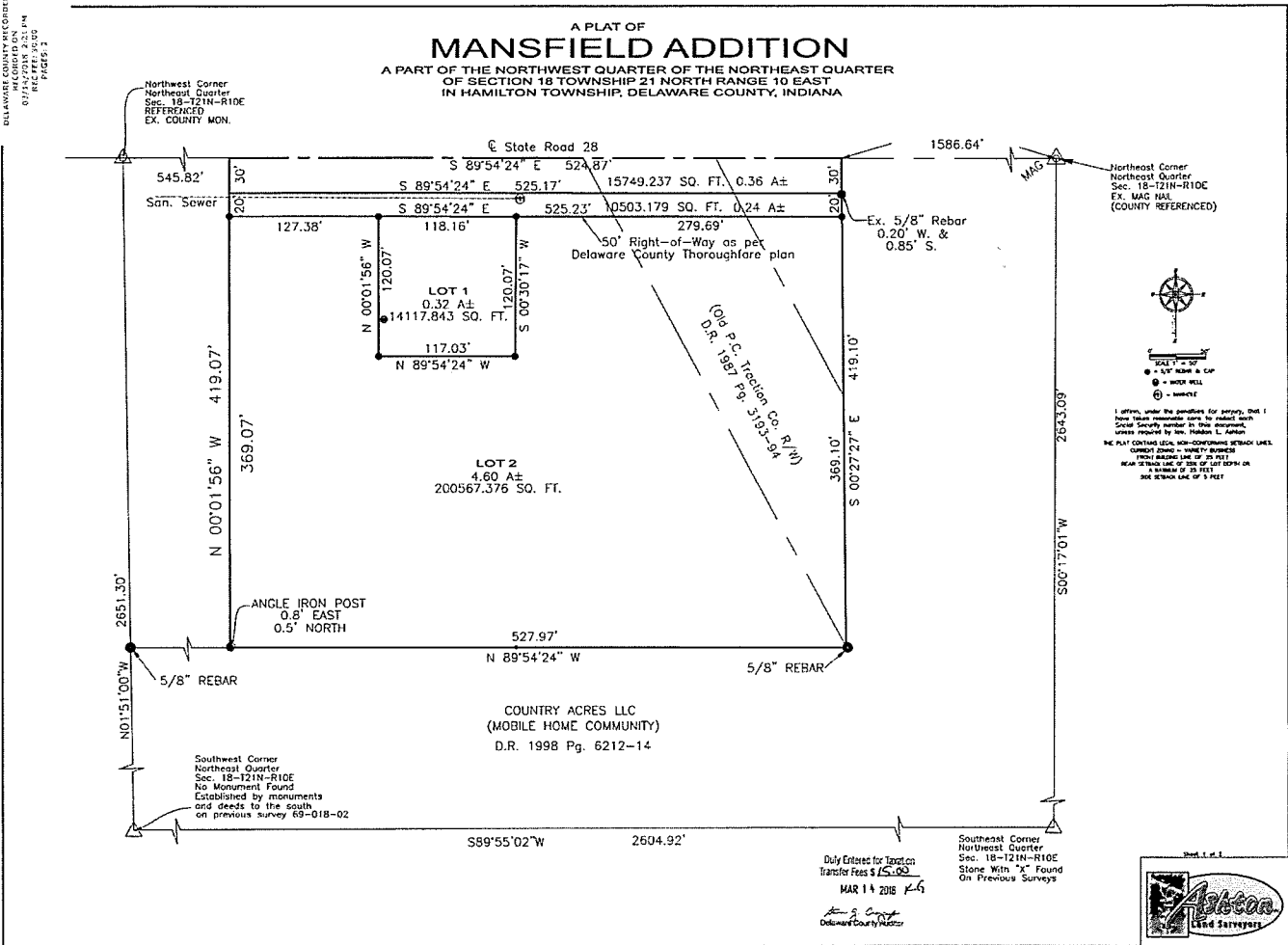
MANSFIELD ADDITION

Ms. Kathy Vannice, Ashton Land Surveyor, presented a Plat that borders Highway 28 (see attached). This Plat (Mansfield Addition) has been approved through the Plat Committee.

Ms. Angie Moyer, Project Manager, confirmed that it was approved by the Plat Committee, in which she serves.

MOTION: Commissioner Riggin made a motion to approve the presented Plat from Ashton Land Surveyor.
SECOND: Commissioner Henry
YEAS: Commissioner Riggin, Commissioner Henry, President King

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INLAND MARSHALL
DELAWARE COUNTY RECORDER
6/17/2018 2:21 PM
RECORDED ON
PAGE 2



A PLAT OF
MANSFIELD ADDITION
 A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER
 OF SECTION 18 TOWNSHIP 21 NORTH RANGE 10 EAST
 IN HAMILTON TOWNSHIP, DELAWARE COUNTY, INDIANA

A part of the Northwest Quarter of the Northeast Quarter of Section 18, Township 21 North, Range 10 East in Hamilton Township, Delaware County, Indiana, described as follows:
 Beginning at a point on the North line of the Northeast Quarter of Section 18, Township 21 North, Range 10 East, said point being South 89 degrees 54 minutes 24 seconds East 545.82 feet (assumed bearing) from a county monument at the Northwest corner of said quarter section; thence South 89 degrees 54 minutes 24 seconds East 574.87 feet; thence South 00 degrees 27 minutes 27 seconds East 419.10 feet; thence North 89 degrees 54 minutes 24 seconds West 527.97 feet to a 3/4 inch rebar; thence North 00 degrees 01 minute 56 seconds West 419.07 feet to the point of beginning containing 5.06 acres, more or less, and subject to the right-of-way for State Highway #28 across the Northernly side and to all easements of record.

Hubert Scott
 Hubert L. Scott
 Registered Land Surveyor LS80010149



OWNERS CERTIFICATE

The undersigned owner, Harold D. Mansfield as Trustee of the Doug Mansfield Revocable Trust, dated September 7, 2006, of the real estate shown and reserved herein, do hereby certify that they lay off, plat, subdivide into lots and dedicate the Right-of-Way to the public, in accordance with the plat hereunto. This subdivision shall be known as Mansfield Addition, a subdivision in Hamilton Township, Delaware County, Indiana. All setback and utility easements are hereby perpetually established unless hereafter modified or vacated.

Witness our Hands this 17 day of FEBRUARY, 2018
Harold D. Mansfield
 Harold D. Mansfield, as Trustee of the Doug Mansfield Revocable Trust

State of (Florida))SS
 County of (Montee)

Before me, a Notary Public in and for said County and State, personally appeared Harold D. Mansfield as Trustee of the Doug Mansfield Revocable Trust, dated September 7, 2006, Owners, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this 17 day of FEBRUARY, 2018.

Hubert L. Scott
 Notary Public, Florida My Commission expires April 1, 2018 Resident of Florida
Montee County, Indiana



PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plat of Mansfield Addition.

DATED this 17 day of March, 2018
Matthew Secretary Alvin President

COUNTY COMMISSIONERS/BOARD OF WORKS. THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana hereby approves and accepts the dedication of public lands and public improvements within the foregoing plat of Mansfield Addition with Right-of-Way as shown and acknowledging it contains state owned improvements along the highway known as State Highway Number 28 & 35.

DATED this 5 day of March, 2018
Steve President Don Member Long Member

Duly entered for taxation this _____ day of _____, 2018.

Auditor of Delaware County

Received for record and recorded this _____ day of _____, 2018.

Plat Book _____ page _____

Recorder of Delaware County



ALL STEEL CARPORTS

Mr. Michael Burton, Executive Assistant to President Ignacio Chavez, All Steel Carports, and Ms. Vannice were in attendance.

Mr. Burton said over a year ago, Mr. Chavez purchased property in Park One to build a manufacturing and sales facility. All Steel Carports asked for consideration from the Commissioners to abandon a portion of West Jackson Street that adjoins the property. Ms. Angie Moyer will provide a traffic count. Mr. John Quirk, Attorney, for All Steel Carports, will provide the deed work, should it be approved.

W Ms. Vannice provided the Commissioners details along with maps. The maps demonstrated the portion of Jackson to be abandoned only within All Steel Carports boundaries. All surrounding property owners have access to their properties via other roads. Mr. Richard Howe would be the only adjoining property owner that may need an access easement.

Mr. Brad Bookout, Director of Economic Development, said after the traffic count, he would come back before the Commissioners on recommendation.

Ms. Moyer and Ms. Marta Moody, Plan Commission, met with Mr. Pete Olsen and Mr. Hal Ashton. Mr. Olsen is in favor of the request.

STRUCTUREPOINT

Mr. Andrew Everhart, Structurepoint, presented information regarding the IT proposal.

Mr. John Brooke, County Attorney, said he will review the IT proposal before the next Commissioners meeting.

CONTRACTS OR AGREEMENTS FOR APPROVAL

HIGHWAY DEPARTMENT ANNUAL MATERIALS BID RESULTS/TABULATION SHEET

Mr. Robert Jessee, Highway Superintendent, recommended to accept all material bids.

MOTION: Commissioner Henry made a motion to approve all bids for material, as presented.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

EATON-ALBANY PIKE PAVING BID RESULTS/TABULATION SHEET

MOTION: Commissioner Henry made a motion to approve paving bid from Brooks Construction for Eaton-Albany Pike.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

INTERLOCAL AND DEVELOPMENT AGREEMENT

Mr. Bookout presented the Interlocal and Development agreement for Pete's Bar and Grill. The new owners are investing over \$700,000 in the remodel. Mr. Bookout said the main concern was to have adequate infrastructure, water and sewer. They would like to have a paved parking area and landscaping in the near future. A family dining area will be added to the restaurant with approximately 28 employees.

Mr. Caleb Churchill, new owner of Pete's Bar and Grill, confirmed the importance of Pete's Bar and Grill to the community. Mr. Churchill believes it is important to have a family dining restaurant in Albany, IN. Mr. Phil Peterson, known as Pete and previous owner of Pete's Duck Inn for more than 30 years is/was more than a restaurant and a friend to the community. Mr. Churchill knows that he has big shoes to fill, the restaurant will be rebranded, however, the respect of Pete's Duck Inn will not be lost. Mr. Churchill has tried to use local contractors for the remodel. The structure has been rebuilt, Churchill is excited and feels the support of the community.

MOTION: Commissioner Henry made a motion to approve the Interlocal agreement and Redevelopment agreement with Pete's Bar and Grill.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King

2018.01.2

ORIGINAL

INTERLOCAL AGREEMENT

This Interlocal Agreement (hereinafter, the "Agreement") is entered into by and between Delaware County, Indiana, by and through its Board of Commissioners (hereinafter, the "County"), and the Town of Albany, Indiana (hereinafter, the "Town"), on this, the 5 day of March, 2018.

WITNESSETH:

WHEREAS, the parties desire to foster economic development and redevelopment within an area of the Town of Albany currently in need of redevelopment by sharing in the provision of certain economic development incentives to developers intended to assist with certain project costs within the Town (hereinafter, the "Projects"); and

WHEREAS, the parties hereto recognize that the Projects are in the best interests of the citizens of the Town of Albany and Delaware County because it will allow for the improvement of property within the Town, generate economic development and redevelopment, and create and retain jobs which will add to the quality of life of the citizens in and around the area; and

WHEREAS, the governing body of each party has resolved, agreed, or ordained that this Interlocal Agreement may be entered into; and

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

I. DURATION

- (a) This Interlocal Agreement shall be in full force and effect upon execution by the County and Town. The Agreement shall not renew and will terminate after the satisfactory completion of both parties' duties and obligations pursuant to the terms and conditions of this Agreement.

II. PURPOSE AND FUNCTIONS

- (a) The purpose of this Agreement is to allow the parties to share in the cost of certain economic development incentives intended to promote and generate development and redevelopment within the Town while minimizing any administrative costs and burdens associated with providing such incentives.
- (b) The parties agree that, to fulfill the purpose of this Agreement, both parties will make financial contributions as described in Section III, below, to be used for economic development incentives; however, the Town, through the Town of

MOTION: Commissioner Henry made a motion to approve Development agreement.

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

ORIGINAL

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of March 5, 2018, by and among the Town of Albany Redevelopment Commission (the "Commission"), the governing board of the Town of Albany, Indiana's Department of Redevelopment, Delaware County, Indiana, through its Board of Commissioners (the "County") and C & S Hospitality, LLC, a limited liability corporation organized under the laws of the State of Indiana and JCC Hospitality Inc., a business corporation organized under the laws of the State of Indiana (both corporate entities collectively referred to as the "Company").

WITNESSETH:

WHEREAS, the Commission and County desire to foster redevelopment and economic development within an area of the Town of Albany currently in need of redevelopment, otherwise known as the Albany West Redevelopment Area (the "Area") and has specifically targeted the parcels of land described in Exhibit A, attached hereto (the "Properties"); and

WHEREAS, the Company has previously approached the Commission and County regarding the location of a hospitality-based business in an existing facility to be renovated and redeveloped by the Company as more particularly described in Section 3.01 hereof (the "Project") (the "Facility") on its parcel located within the Area in the Town of Albany, Indiana (the "Company's Parcel"), which is also one of the targeted Properties; and

WHEREAS, as part of the Project, the Company has made and will continue to make capital investments in the Project and Facility, as described in Exhibit B, attached hereto, has undertaken and will continue to undertake the development of the Project and Facility, and has previously requested assistance from the Commission and County in the form of economic development incentives, to be administered by the Commission, to assist with certain Project costs; and

WHEREAS, the Commission and County have determined that the Project is in the best interests of the citizens of the Town of Albany and Delaware County because it will allow the Company to modernize the Facility, maintain and increase its customer base, and create and retain jobs which will add to the quality of life of the citizens in and around the Area; and

WHEREAS, the parties hereto have determined to enter into this Agreement in order to formalize the terms and provisions of the economic development incentive to be provided to the Company and administered by the Commission, and to memorialize each party's related rights and obligations with respect thereto.

Full view of development agreement is available through the Auditor's Office.

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR ECONOMIC DEVELOPMENT IN
THE TOWN OF ALBANY, DELAWARE COUNTY, INDIANA

RESOLUTION 2018-012

MOTION: Commissioner Henry made a motion to approve Resolution 2018-012, Approving an Interlocal agreement for Economic Development in the Town of Albany, Delaware County, Indiana.

SECOND: Commissioner Riggins

YEAS: Commissioner Riggins, Commissioner Henry, President King

ORIGINAL

RESOLUTION 2018- 012

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR ECONOMIC
DEVELOPMENT IN THE TOWN OF ALBANY, DELAWARE COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Delaware County, Indiana desires to foster economic development and redevelopment within an area of the Town of Albany currently in need of redevelopment by sharing in the provision of certain economic development incentives to developers intended to assist with certain project costs within the Town; and

WHEREAS, the Commissioners recognize that economic development incentives are in the best interests of the citizens of the Town of Albany and Delaware County because they will allow for the improvement of property within the Town, generate economic development and redevelopment, and create and retain jobs which will add to the quality of life of the citizens in and around the Town and the County; and

WHEREAS, in an effort to conserve resources and combine services, the Board of Commissioners and the Albany Town Council have agreed to enter into an interlocal agreement pursuant to Ind. Code § 36-1-7-1 et seq. to jointly provide funds for economic development incentives within the designated area and provide for the administration of any development agreements entered into for the purpose of providing said incentives to developers.

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

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

PASSED AND ADOPTED by the Board of Commissioners of Delaware County, Indiana, on this, the 5th day of March, 2018.


JAMES KING


SHERRY RIGGINS


SHANNON HENRY

ATTEST:


STEVE CRAFT, AUDITOR

Mr. Bookout, presented information regarding Big Time Barbell and introduced Mr. Mac Hines, President of Big Time Barbell and Mr. Nick Albertson, Vice President of Big Time Barbell.

Mr. Hines presented the strategy and future plans of Big Time Barbell Inc.

Big Time Barbell
PO Box 72 Eaton, In. 47338
(765) 717-7328
nick@bigtimebarbell.org
www.bigtimebarbell.org



"One Rep Closer to A Full Recovery"

2/28/18

BIG TIME BARBELL ACHEIVMENTS

- Spring of 2017, Brad Bookout with Delaware County Economic Development and Redevelopment and Bill Walters Executive Director with East Central Indiana Regional Planning District helped with necessary steps to start up an execute our corporation as well as steps for additional funding through grants
- We were able to create our business plan with guidance from Peggy Cenova with Small Business Development Center.
- We were able to obtain our Incorporation and Non-Profit status with help from Leslie Mathewson with Mathewson Law PC pro bono.
- Able to create a 5-year Financial Plan with the help of Scott Underwood with East Central Indiana Small Business Development Center.
- Received continued support from Delaware County Commissioners
- Obtained networking partnerships with Brian Bell at Road To Redemption.
- Blood n Fire donated several pieces of gym equipment to help our cause
- Obtained networking partnership with Delaware County Veteran Affairs
- Big Time Barbell led a successful drive for hurricane relief efforts (partnered with Scott Metzler State Farm Insurance, Jason Rogers with EMA, and The Obie Saloon and Spa)
- Received financial support from Labors International Union of North America
- Raised \$3,800 during out Inaugural BTB Bowling Fundraiser
- Obtained support from Delaware County Sheriffs Department
- Gained support from Delaware County Prosecutors Office.
- Gained support through Judge Feiks Drug Court through committing referrals
- Chosen from a list of Non-Profits to participate in Website Thru The Nite, in which we were able to raise almost \$1,400 in donations, in a seven day period for our website.
- Won Website Thru The Nite Challenge which is put on by E-Keeper Systems, Received recognition at Muncie On The Move where we were able to obtain several networking opportunities
- Joined The Community Business Connections (CBC) group where we have gained additional support.
- BTB and Culvers agreed to a community partnership in which 20% of all sales will be donated to BTB on our partnership dates
- Able to obtain a commercial retail building at a centralized location with a low costs monthly lease with support from Troy Wise.
- Able to obtain support and financial commitments from Robertson Insurance, as well as a \$2,000 pledge from Pizza King of Indiana

March 5, 2018 Commissioners minutes

- Obtained support and financial commitment of \$3,000 for renovations from Slade Neil & Family with G&G Oil
- Obtained support and commitment of supplies needed for our renovation project from Lowe's Home Improvement
- During fundraising efforts for Walk A Mile in my Shoes, we were able to obtain commitments of referrals from the Muncie Mission.
- Obtained commitments of referrals from Walnut Commons Muncie
- Obtain support and commitment from Koorson Muncie that donated fire extinguishers to our building
- Skyrocket Media has showed support by donating signage for our Building
- Schwer Electric Company has committed to help with any electrical work as well as inspections

Big Time Barbell wants to give recognition to all of these businesses and individuals that have showed support and recognized our efforts to help our community, with a special thanks to our County Commissioners! Big Time Barbell is committed to continuing our networking and fundraising efforts and improving the lives in our community!

Nick Albertson

VICE-PRESIDENT

MOTION: Commissioner Henry made a motion to approve the Big Time Barbell Development agreement.

SECOND: Commissioner Riggini

YEAS: Commissioner Riggini, Commissioner Henry, President King

*ORIGINAL***DEVELOPMENT AGREEMENT**

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of the 5th day of March, 2018, by and between Delaware County, Indiana, through its Board of Commissioners (the "County") and Big Time Barbell, Inc., a nonprofit corporation organized under the laws of the State of Indiana (the "Company").

WITNESSETH:

WHEREAS, the County is committed to improving the overall community for its citizens and, in particular addressing the opioid addiction epidemic that currently plagues the citizens and communities within the County. As part of the County's commitment, it created Project Number 61, Improvement of the County, within the County's Economic Development Income Tax fund which is to be used to incentivize projects and programs that improve the County, including the creation and operation of programs and services that serve to mitigate and, ideally, eradicate the current opioid epidemic; and

WHEREAS, the Company has previously approached the County regarding the creation of an opioid addiction program (the "Program") located in an existing facility which is to be upfitted and utilized by the Company as more particularly described in Section 3.01 hereof (the "Facility") on property located at 2008 N. Walnut Street in the City of Muncie, Indiana (the "Property") and depicted in Exhibit A, attached hereto; and

WHEREAS, as part of the Program, the Company has made and will continue to make capital investments in the Program and Facility, including acquisition and installation of the equipment described in Exhibit B, attached hereto, has undertaken and will continue to undertake the development of the Program, and has previously requested assistance from the County in the form of certain economic incentives to assist with certain Program costs; and

WHEREAS, the County has determined that the Program will contribute to the improvement of the County and is in its citizens best interests because the Program will provide a valuable and necessary service within the community that is not currently available and would not otherwise be available but for the creation of the Program by the Company; and

WHEREAS, the parties hereto have determined to enter into this Agreement in order to formalize the terms and provisions of the economic incentives to be provided to the Company by the County as described in the County's March 5, 2018 Incentive Approval Letter to the Company, the terms of which are incorporated herein by reference, and to memorialize each party's related rights and obligations with respect thereto.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the County and the Company do now hereby agree as follows:

Full view of development agreement is available through the Auditor's Office.

ORDINANCES FOR SECOND READING
AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC ON CERTAIN
PUBLIC STREETS IN DELAWARE COUNTY

ORDINANCE NO. 2018-003

Ms. Moyer said the amendment to Ordinance 2018-003 is to establish two-four-way stops at Old Granville Road and Black Mills Road at 700 South & 300 East.

MOTION: Commissioner Henry made a motion to approve Ordinance 2018-003, Amend Traffic Ordinance for Certain Public Streets.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

ORIGINAL

AN ORDINANCE TO AMEND AN ORDINANCE
REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN
DELAWARE COUNTY

2018-003

BE IT ORDAINED: By the Board of County Commissioners, Delaware County, Indiana that an ordinance enacted prior to this day, March 5, 2018, entitled "Traffic Ordinance" is hereby amended as follows:

Title 5, Chapter 4, Section 5, is to be amended as follows:

Item No. 1. There shall be a 4-way stop on Old Granville Road at its intersection with Blacks Mill Road, located in Delaware Township, Delaware County, Indiana.

Item No. 2. There shall be a 4-way stop on C.R. 700 South at its intersection with C.R. 300 East, located in Monroe/Perry Townships, Delaware County, Indiana.

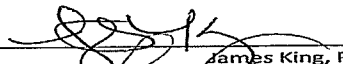
Item No. 3. The County Highway Department of Delaware County, Indiana, is hereby authorized to erect appropriate signage pursuant to the Indiana Manual on Uniform Traffic Control Devices.

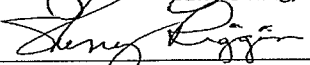
Item No. 4. The penalty for violation of this ordinance shall be as herein set forth in Article XVI, Section 16-1.

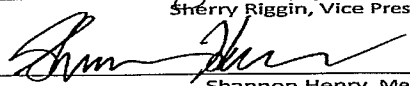
Item No. 5. This ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND ADOPTED by the Board of County Commissioners of Delaware County, Indiana the 5 day of March, 2018.

DELAWARE COUNTY COMMISSIONERS


James King, President


Sherry Riggan, Vice President


Shannon Henry, Member

ATTEST:


Steven G. Craycraft, Auditor

RESOLUTION OF A FINAL DETERMINATION CONCERNING
VACANT PARCELS NOT SOLD IN A TAX SALE
RESOLUTION 2018-011

Ms. Janet Kesler, Tax Sale Clerk, presented Resolution 2018-011, A Final Determination Concerning Vacant Parcels Not Sold in a Tax Sale.

MOTION: Commissioner Riggan made a motion to approve Resolution 2018-011, A Final Determination Concerning Vacant Parcels Not Sold in a Tax Sale.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

ORIGINAL

RESOLUTION NO. 2018-011

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
OF A FINAL DETERMINATION CONCERNING VACANT PARCELS NOT SOLD IN A TAX SALE

WHEREAS, Indiana Code 6-1.1-24-6.8 sets out the procedures for incorporating parcels not sold in tax sale into adjacent parcels; and

WHEREAS, the Board of Commissioners adopted an ordinance to allow adjacent land owners to purchase parcels not sold in a tax sale; and

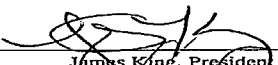
WHEREAS, the Board of Commissioners, Resolution No. 2018-004 and 2018-006 previously identified unsold parcels, provided written notice of its intent to sell such identified parcels, accepted written applications from contiguous parcel owners for the purchase of the identified parcels, and processed said applications;

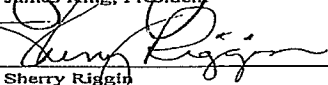
WHEREAS, the Board of Commissioners now intends to make a final determination for the vacant properties to be sold to adjacent parcel owners pursuant to Indiana law. The identified parcels and the adjacent parcel owners are listed in, and attached to this Resolution as, "Exhibit A";


NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners makes a final determination that the properties listed in Exhibit A shall be sold to the contiguous parcel owners identified in Exhibit A,

BE IT FURTHER RESOLVED that all delinquent taxes, special assessment, penalties, and interest with respect to the vacant parcels shall be removed from the tax duplicate and notice of the final determination shall be given to the successful applicant, the county auditor, and the township assessor or county assessor if there is no township assessor. Upon receipt of the notice, the county auditor shall collect the purchase price from each successful applicant and prepare a tax deed transferring the vacant parcels to the successful applicants.

Adopted this 5 day of March, 2018.


James King, President


Sherry Riggan


Shannon Henry

ATTEST: 
STEVEN G. CRAYCRAFT, Auditor

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, OF A FINAL DETERMINATION CONCERNING
VACANT PARCELS NOT SOLD IN A TAX SALE

EXHIBIT A

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EXHIBIT A

11-16-253-009.000-003	181301269	618 S MOUND ST	\$2,506.69	SONDRA DAVIS
11-16-384-008.000-003	181400774	1107 W 10TH ST	\$7,315.84	CHARLSIE E & GEORGE W SPRADLING
11-16-386-002.000-003	181301316	1700 BLK S HOYT AVE	\$1,043.74	KERRY GEISE
11-16-412-002.000-003	181700845	1400 BLK S KINNEY AVE	\$236.81	DAVID & PATRICIA ANN ATKINS
11-17-482-006.000-003	181700914	1801 W 10TH ST	\$2,909.05	DARA L WINNINGHAM
11-21-206-019.000-003	181301542	600 W 14TH ST	\$11,309.02	AARON & BEVERLY CRAIG
11-22-280-010.000-003	181301638	1523 E 18TH ST	\$11,431.80	DONALD & PAMELA CAMPBELL
11-23-176-024.000-003	181301718	2433 E 16TH ST	\$24,939.62	SARAH RUDY
11-24-106-006.000-003	181301763	3300 BLK E 14TH ST	\$2,253.22	STEVEN R & JENNIFER L TAYLOR
11-27-258-011.000-003	181701150	4000 S MAPLE LN	\$483.98	ROBIN B POLK
11-36-276-001.000-012	181301954	5200 BLK S BURLINGTON DR	\$1,553.94	JACK A & LEE ANN PHERSON
12-23-400-020.000-010	181701268	OFF OF S CR 762 E	\$1,672.92	JEREMY & RUTH A HERLYN
12-23-400-020.000-010	181701268	OFF OF S CR 762 E	\$1,672.92	JACQUELINE S BUCHANAN
14-01-400-011.000-021	181701370	7300 E SR 67	\$4,718.26	LAURA L KRIEG
14-12-227-004.000-021	181401408	8200 BLK S CR 300 W	\$610.77	CHAD MCCAFFREY
14-12-227-006.000-021	181401409	8200 BLK S CR 300 W	\$347.73	CHAD MCCAFFREY
15-01-200-011.000-012	181701287	4590 REAR OF E CR 450 S	\$261.19	HAROLD D & DELIA E DUNSMORE

Jeremy & Ruth A Herlyn

EXHIBIT A

DEPARTMENT HEADS

Mr. John Brooke, asked for a motion for authorization of a Request for Proposal for Commissioners reviewfor March 19, 2018 at the Commissioners meeting.

MOTION: Commissioner Henry made a motion to approve the Request for Proposal.

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

Mr. Brooke said County Council adopted a Resolution on February 27, 2018 to move forward with the purchase of real estate (see attached). Two Appraisers, according to statute, have 30 days (April 5, 2018) to submit their appraisals. Mr. Brooke recommended Mr. Roger Miller and Mr. Nick Tillema.

MOTION: Commissioner Henry made a motion to approve both Appraisers, Mr. Roger Miller and Mr. Nick Tillema (see attached).

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

MOTION: Commissioner Rigglin made a motion to sign the contract of Roger Miller and grant the authority for President King to sign Mr. Tillema contract, once it is available.

SECOND: Commissioner Henry

YEAS: Commissioner Rigglin, Commissioner Henry, President King

RESOLUTION 2018- 2018-010

A RESOLUTION TO PURCHASE REAL ESTATE

ORIGINAL

WHEREAS, the Delaware County Council is required by law to adopt a Resolution pursuant to I. C. 36-1-10.5-5 in order for the Board of Commissioners of Delaware County to proceed with the process of purchasing real estate as described herein; and

WHEREAS, the purchase of the real estate shall be funded through Economic Development Income Tax funds without any increases in property or income taxes in the County.

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

1. The Delaware County Board of Commissioners is the purchasing agent specified in I. C. 36-1-10.5-3 for the purpose of purchasing real estate and improvements with a common address of 3100 S. Tillotson Ave., Muncie, IN, identified as Parcel No. 18-11-20-351-006.000-003.
2. The Board of Commissioners shall appoint two (2) appraisers to appraise the fair market value of the land and structures located at 3100 S. Tillotson Ave., Muncie, IN.
3. The Board of Commissioners shall be permitted to purchase the real estate and improvements for not more than the average of the two (2) appraisals or \$2,850,000 whichever is less.
4. The appraisers appointed by the Board of Commissioners shall return their separate appraisals to the Board of Commissioners no later than thirty (30) days after their appointment.
5. The Board of Commissioners shall keep copies of the two (2) appraisals for a period of five (5) years from the date that the appraisals are returned to the Board of Commissioners.
6. The Board of Commissioners shall also provide a copy of the appraisals to the County Council upon receipt from the appraisers.


Passed and adopted by the Delaware County Council this 27th day of February, 2018.


DELAWARE COUNTY COUNCIL


RON QUAKENBUSH, President



JANE LASATER, Vice President


SCOTT ALEXANDER, Member


JESSICA PIPER, Member


LARRY BLEDSOE, Member


CHRIS MATCHETT, Member


MARY CHAMBERS, Member

ATTEST:


Steven G. Craycraft, Auditor



11216 Fall Creek Road, Suite 107
 Indianapolis, Indiana 46256
 Tel.: (317) 491-3204
 Email: roger@rogerpmiller.com
 Web site www.rpm-avs.com

ORIGINAL

Date: March 3, 2018

Re: Proposal Letter - Appraisal Report of Real Property

Property Description: Former Middle School Converted to Office Use

Location: 3100 South Tillotson Avenue
 Muncie, Indiana 47302

Dear Mr. Rhett:

At the request of the Delaware County Board of Commissioners, I am pleased to provide the enclosed engagement letter for appraisal services of the subject property noted above. The analysis is required for use in establishing the market value of the property's fee simple interest in conjunction with price determination matters. More specifically, the appraisal will assist the Delaware County Board of Commissioners in a pending sale involving the subject real estate. The appraisal will take into consideration the subject's "as-is" physical and economic condition. The client for this appraisal request will be the Delaware County Board of Commissioners. Intended users of the appraisal include the Delaware County Board of Commissioners and the Law Office of Brooke Stevens, PC. The following terms and conditions outline the appraisal engagement.

Scope of Work

The scope of this appraisal assignment will include: (1) inspection of the property - the effective date will be the date the property is inspected unless told otherwise, (2) collection of data concerning the subject property and available market data, (3) consultation as to the most appropriate techniques to manifest the market value, (4) consideration given to the Sales Comparison, Cost and Income Approaches to value and developed when applicable, and (5) a written Appraisal Report outlining my conclusions prepared in a manner sufficient for your needs. No value will be given to personal property or intangible business interests.

The analysis I will perform for this assignment will be completed in compliance with the guidelines set by the Uniform Standards of Professional Appraisal Practice (USPAP). The assignment will be subject to the limiting conditions, extraordinary assumptions and applicable hypothetical conditions - all of which will be included within my final report. It is assumed the property is in compliance with all applicable laws and regulations in regard to environmental concerns.

Staffing, Timetable and Fees

I am prepared to begin work on this assignment immediately upon your approval to proceed. Based upon the information provided to date, I have estimated my fee to be \$3,000. The fee will be due and payable within thirty (30) days from the date the appraisal is received. Payment delays will carry an eighteen percent (18%) annual charge on the unpaid balance plus any costs incurred in the collection. The finished appraisal will be delivered via email to Mr. Joe Rhett with the Law Office of Brooke Stevens, PC. A hard copy of the appraisal will be billed at \$75.00 per copy. The appraisal will be completed within the clients requested time frame.

General Assumptions and Limiting Conditions

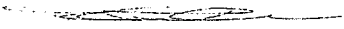
The services I provide will be performed in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP), as well as the standards and requirements of all professional organizations of which I am affiliated. I will act as an independent contractor. My compensation will not be contingent in any way upon the conclusion(s) of value. The appraiser(s) involved in this engagement have no financial interests in the subject property, or the outcome of this valuation. Fees quoted in engagement letters are due and payable regardless of whether or not conclusions reached coincide with client's expectations. I will assume without independent verification the accuracy of all data provided to me.

All files, work papers, documents and data media developed during the course of the assignment shall remain my property. I will retain that data for a minimum of five (5) years. My report is to be used only for the purpose for which it is stated therein. No one may rely upon the report for any other purpose. You agree to hold me harmless from any liability, including attorneys' fees, damages or costs which may result from any improper use(s) or reliance by you or any third parties. I will maintain the confidentiality of all conversations, documents provided to me, and contents of my report subject to legal or administrative process or proceedings. Any testimony service provided will be billed separately outside of this engagement. These conditions can only be modified by written documents executed by both parties to this engagement.

Conclusion

As an indication of your formal authorization to proceed with the services outlined in this engagement letter, please sign and return a copy of this document to me via email. Thank you for the opportunity to be of service. I look forward to working with you on this important project.

Respectfully submitted,



 Roger P. Miller, ASA
 Indiana Certified General Appraiser
 Certification Number: CG41100040

Engagement Authorization

I, the undersigned, authorize Roger P. Miller, ASA to perform the services outlined in this letter under the noted terms and conditions herein.

Commissioner
James Kline
Printed Name & Title

3-5-2018
Date

[Signature]
Signature

ASGC, Auditor



March 6, 2018

c/o Delaware County Commissioners
Mr. Joe Rhett
Brooke/Stevens, PC

RE: Market Value Appraisal
3100 S. Tillotson
Muncie, Delaware County, Indiana

Mr. Rhett,

This letter serves as a formal proposal to prepare a Market Value appraisal of the above referenced property for acquisition purposes. Once signed by all parties, this letter will serve as a formal agreement to perform the assignment as outlined below.

The scope of this appraisal assignment will include: (1) inspection of the property, (2) collection of data concerning the subject property and available market data (3) a review of all information available, (4) an application of the most applicable approaches to estimate market value, and (5) production of a written report sufficient for acquisition purposes.

The assignment will be subject to limiting conditions, extraordinary assumptions and applicable hypothetical conditions - all of which will be included within any final report. It is assumed the property is in compliance with all applicable laws and regulations in regard to environmental concerns. A more detailed Scope of Work is available upon request.

We understand that in the performance of our work, we might have the opportunity to be privy to certain materials and communications and/or witness certain events in reference to this project and, hereby, agree to keep such information confidential. We will not communicate, publish nor otherwise utilize the findings without your explicit authorization.

The fee for this service will be \$3,200. For the stated fee, the client will be provided with an electronic PDF appraisal report in color. Original reports are billed at fifty dollars (\$50.00) each. At this time we would anticipate report delivery within 3 weeks of property inspection.

Delaware County Commissioners
Page Two

The fee will be due in full within 30 days after delivery of the finished report. Payment delays will carry an eighteen percent (18%) annual charge on the unpaid balance plus any costs incurred in the collection of said fee. The fees charged do not include any additional time that might be required for conference calls, follow-up meetings, hearings, court testimony, etc. If such time is requested, an additional fee may be incurred at the current rate of the date of request.

Requested materials include, as available:

1. Survey
2. Site plan
3. Legal Description
4. Environmental Studies

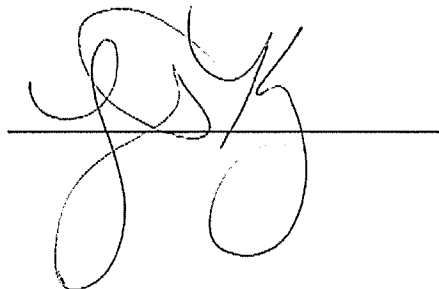
If this letter properly outlines the assignment and you agree to the terms and conditions, please sign below. Your signature and returning a copy of this letter to our office is required to formally engage our company for this assignment. An original copy of this letter will not be sent - please retain a copy for your files. If you have any questions or require further information, please do not hesitate to phone our office at the number above.

Sincerely,

Nick A. Tillema

Nick A. Tillema, CRE, MAI, SRA, AI-GRS, AI-RRS, CCIM
Indiana Certified General Appraiser (CG69100358)

Client Signature:

A large, stylized handwritten signature in black ink, written over a horizontal line.

Date:

3/13/2018

Mr. Brooke asked for the Commissioners signature for an extension of Collective Bargaining UAW agreement for 911-Sheriff-Jail to be until April 2, 2018.

MOTION: Commissioner Henry made a motion to approve the extension of Collective Bargaining UAW agreement for 911-Sheriff-Jail to be until April 2, 2018.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

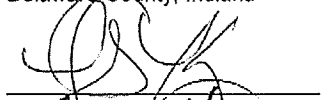

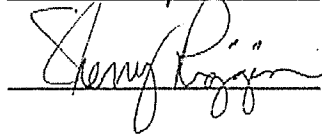
ORIGINAL EXTENSION AGREEMENT

March 5, 2018

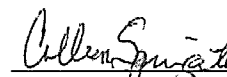
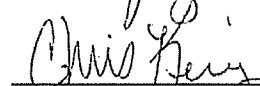
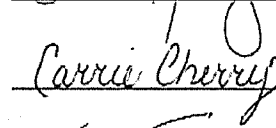
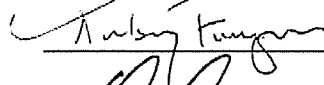
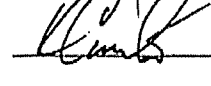
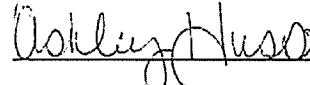

The termination date of the Agreement (including all supplements thereto, if any) between Delaware County Commissioners and Delaware County Council for Delaware County Emergency Services Communication Technicians and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and its Local 321, is hereby extended from March 2, 2018 to April 2, 2018 and thereafter on a day-to-day basis. Should either party desire to terminate the Agreement, said party shall give written notice to the other party at least twenty-four (24) hours in advance, and the Agreement shall be terminated on the date and hour specified in the twenty-four (24) hour notice.

In Witness Whereof the parties have on this 5th day of March, 2018 caused this Agreement to be signed by their duly authorized representatives.

Delaware County, Indiana

Local 321, UAW

Mr. Brooke said per statute, real estate owned by Delaware County would be offered to both adjacent property owners. Two properties of 113 West 5th Street and one property in Eaton (per Ms. Jennifer Honeycutt). The offer will be made to all adjacent property owners.

The Commissioners agreed to follow the process.

Mr. Paul Singleton, Director of 911, gave recognition to the hard efforts made by EMA/EMS, 911 Dispatchers, Delaware County Police, State Police, Muncie City Police, First Responders and all involved regarding a traffic accident on Wheeling-Gaston Pike on February 27, 2018.

Mr. Singleton gave recognition to the 911 afternoon shift, Mr. Adam Garrett, Ms. Brittany Roe, Mr. John Miller, Ms. Sarah Absenger, Mr. Klifton Rhodes, Ms. Carly Wasson and Supervisor, Mr. Gene Farris.

MONTHLY/WEEKLY REPORTS

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggan made a motion to approve claims in the amount of \$829,009.33.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Discussion took place regarding pros/cons of a confined animal feeding operation (CAFO) took place.

Delaware County Commissioners will have a public meeting on Thursday, March 8, 2018 at 6:00 p.m. at Heartland Hall and the Delaware County Fairgrounds.

RECESS

MOTION: Commissioner Riggan

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

President James King

Vice President Sherry Riggan

Member Sharon Henry

Auditor, Steven G. Craycraft

March 5, 2018 Commissioners minutes