

DELAWARE COUNTY COMMISSIONER'S MEETING
Monday, August 20, 2018 @ 9:00 A.M.
COMMISSIONER'S COURTROOM
100 W. MAIN ST.
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG

ORIGINAL

ROLL CALL

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

APPROVAL OF MINUTES

MOTION: Commissioner Riggan made a motion to approve August 6th, 2018 minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

PRESENTATIONS TO COMMISSIONERS

Mr. Barry Ritter, Ritter Strategic Services, presented the addendum to 911 services contract with AT&T. This is an extension of the contract that expired August 1, 2018, taking Delaware County to a month to month payment obligation. Mr. Ritter is currently working with Mr. John Brooke, County Attorney, Mr. Paul Singleton, 911 Director, and AT&T. AT&T has been under contract with State 911 Board, there is an obligation for AT&T to transfer costs from the county to State 911 Board. Negotiations are taking place. Grant dollars recently have been released that may trickle down to county government.

MOTION: Commissioner Riggan made a motion to adopt the addendum, as presented.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

Mr. Brooke reviewed the contract.

Mr. Paul Singleton will provide the agreement with signatures.

ADDENDUM #3 TO ENHANCED 9-1-1 SERVICE AGREEMENT

WHEREAS, an Enhanced 9-1-1 Service Agreement ("Agreement") was entered into by Indiana Bell Telephone Company, Incorporated ("AT&T") and Delaware County, Indiana on May 26th, 2006 (Contract Number 20060728-0393); and

WHEREAS, the Agreement terminated on August 1st, 2018, and

WHEREAS, Delaware County has requested a month-to-month extension of the original Enhanced 9-1-1 Service Agreement dated May 26th, 2006. The month-to-month extension will commence on August 1st, 2018.

NOW THEREFORE, in consideration of the terms and conditions set forth herein, the Agreement is amended in the following particulars:

Delaware County agrees to pay a monthly payment of \$12,900.00 within thirty (30) days from the date of invoice from AT&T.

All other terms and conditions of the Agreement shall remain in full force and effect. This Addendum is effective upon the date of the last signature affixed hereto ("Effective Date").

Customer's signature acknowledges that the signatory is authorized to make the commitments hereunder.

Delaware County
Board of Commissioners

Indiana Bell Telephone
Company, Incorporated ("AT&T")

By: 
Delaware County Commissioner

By: _____

By: 
Delaware County Commissioner

Title: _____

By: 
Delaware County Commissioner

Date: _____

Date: 8-20-18

Attest: 
Delaware County Auditor

**CONTRACTS OR AGREEMENTS FOR APPROVAL
MUNCIE HOME OWNERSHIP AND REVITALIZATION / PENNY LEACH
WITHDRAWN**

Mr. Nate Jones, Veterans Affairs, said the environment test did not pass for a home to be built on the below property.

**State of Indiana
Office of the Secretary of State**

ORIGINAL

**CERTIFICATE OF AMENDMENT
of**

MUNCIE URBAN ENTERPRISE ASSOCIATION, INC.

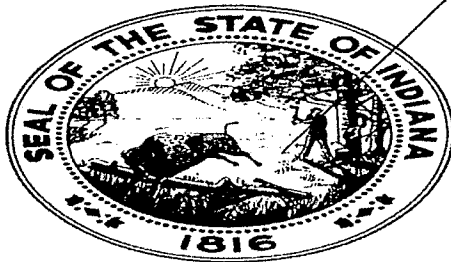
I, CONNIE LAWSON, Secretary of State of Indiana, hereby certify that Articles of Amendment of the above Non-Profit Domestic Corporation have been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Nonprofit Corporation Act of 1991.

The name following said transaction will be:

MUNCIE HOME OWNERSHIP AND REVITALIZATION, INC

NOW, THEREFORE, with this document I certify that said transaction will become effective Thursday, July 23, 2015.

In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, July 23, 2015.



Connie Lawson

CONNIE LAWSON,
SECRETARY OF STATE

1988120303 / 2015072762264

BR #268 - BID ACCEPTANCE / ANGIE MOYER

MOTION: Commissioner Henry made a motion to accept the bid with HIS Contractors, Inc.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King



ORIGINAL

ENGINEERING
ENVIRONMENTAL
INSPECTION
LAND SURVEYING
LAND ACQUISITION
PLANNING
WATER &
WASTEWATER
SINCE 1965

August 14, 2018

Ms. Angela Moyer
Project Director/ Administrator
Delaware County Engineering Department
7700 East Jackson Street
Muncie, IN 47302

RE: Delaware County Bridge No. 268
23rd Street over Buck Creek
Bid Packet Review

Dear Ms. Moyer:

We have reviewed the bid results from the recent bid opening on August 6, 2018 for the replacement of Delaware County Bridge No. 268. Bids were reviewed for consistency with the bid submittal requirements and specified bidding procedures. A copy of the certified Bid Tabulation is attached.

Bids were received from the following contractors:

| | |
|------------------------------------|----------------|
| 1. Hoosier Pride Excavating, Inc.: | \$1,085,444.03 |
| 2. HIS Contractors, Inc.: | \$756,946.37 |
| 3. Schutt-Lookabill Co.: | \$914,659.63 |
| 4. Duncan Robertson, Inc. | \$936,732.56 |

The Engineer's Estimate is \$687,480.30. The low bidder, HIS Contractors, Inc., is approximately 10% above the Engineer's Estimate. We separated the costs between the bridge rehabilitation items and the water line relocation items. The cost of the bridge rehabilitation items is \$617,728.67 which is slightly less than the Engineer's Estimate of \$619,855.30. The cost of the water line relocation items is \$139,217.70 which is more than double the Engineer's Estimate of \$67,625.00. We recommend notifying Indiana American Water of the bid price prior to awarding the contract.

The bid package for HIS Contractors, Inc., was reviewed in detail to confirm all necessary paperwork had been completed and submitted in accordance with the Contract Bid Documents. The documents in the bid package were found to be in order. It is our recommendation to award the replacement of Delaware County Bridge No. 268 to HIS Contractors, Inc., in the amount of \$756,946.37.

We appreciate the opportunity to work with Delaware County and look forward to assisting in the successful completion of this project.

If you have any questions or comments, please contact me at your convenience.

Sincerely,

UNITED CONSULTING *SEC*

Matthew R. Lee, P.E.
Project Team Leader

enclosures

c: Jeff Larrison
File 17-210

PROFESSIONAL STAFF
Andrew T. Vacha, PE
Darin L. Sierke, ACP
Michael S. Oghian, ACP
E. Rachelle Pemberton, PE
Timothy J. Coomes, PLS
Jon E. Cocchi, PE
Steven R. Passey, PE
Brian J. Poxson, PE
Christopher L. Hammond, PE
Paul D. Grotzsch, PE
Brian S. Frodorick, PE
Jay H. Ridans, PE
Christopher J. Dyer, PE
Matthew R. Lee, PE
William R. Curtis, PE
Jeremy A. Richardson, PE
Heather E. Kigour, PE
Adam J. Grewich, PLS
Caleb C. Ross, PE
Evan C. Barnett, PE
Scott G. Menich, PE
Jim R. Lesh, PE
Nicolita J. Koshar, PE
Jennifer L. Han, PE
Kathleen S. Cunningham, PE
Brian S. Rodgers, PE
Chris J. Anzicewski, PE
Greg J. Broz, PE
Jocelyn D. Gonyea, PE
Brian S. Hooftger, PE
Lisa A. Eggen-Kerns, PE
Amanda Stevens, PE

8440 Allison Pointe Blvd., Suite 200, Indianapolis, IN 46250 (317) 955-2355 www.unity.com

BR#268 – AGREEMENT WITH HIS CONTRACTORS

Mr. Brooke said this is for engineering services for Bridge #268. Funding is available from Indiana Water. The contract is for consulting services.

MOTION: Commission Henry made a motion to approve HIS Contractors, Inc. for Bridge #268.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King

Full agreement available in the Auditors office

ORIGINAL

AGREEMENT BETWEEN OWNER AND CONTRACTOR

This Agreement is made this _____ day of _____, 2018, by and between the Board of County Commissioners of Delaware County, Indiana ("Owner") and HIS Constructors, Inc. ("Contractor"), for the project known as Bridge #268 Rehabilitation (the "Project"). Owner and Contractor agree as set forth below:

1. **THE WORK.** The intent of the Agreement is to provide for the construction and completion in every detail of the work described. Contractor shall provide all materials, labor, tools, equipment, supplies, safety equipment, transportation and supervision necessary to perform, and shall perform, the work generally described as follows, in a good and workmanlike manner and in accordance with the Contract Documents (as hereinafter defined) as necessary to produce the results intended by the Contract Documents (all hereinafter called the "Work"):

A. **SUPERVISION AND CONSTRUCTION PROCEDURES.** Contractor shall supervise and direct the Work using Contractor's best skill and attention. Contractor shall be solely responsible for and have control over construction means, methods, techniques, sequences and procedures and for coordinating all portions of the Work. Contractor shall be responsible to Owner for the acts and omissions of Contractor's employees, subcontractors, material suppliers, laborers, equipment lesser and all other persons performing portions of the Work. Contractor shall be responsible for the inspection of Work performed under the Contract Documents to determine that the Work is in proper condition to receive subsequent Work.

B. **LABOR AND MATERIALS.** Contractor shall provide and pay for all labor, materials, equipment, tools, construction equipment and machinery, water, utilities, transportation, and other facilities and services necessary for the proper execution and completion of the Work, whether temporary or permanent and whether or not incorporated or to be incorporated in the Work.

C. **SUBCONTRACTORS.** Before construction commences, Contractor shall furnish in writing to Owner the names of all persons or entities proposed for each principal portion of the Work and their respective contract sums. Contractor shall not contract with a proposed person or entity to whom Owner has made a reasonable objection. Contractor shall not change a subcontractor, person or entity previously selected if Owner makes reasonable objection to such change. By appropriate agreement, Contractor shall require each subcontractor, to the extent of the Work to be performed by the subcontractor, to be bound to Contractor by the terms of the Contract Documents, and to assume toward Contractor all the obligations and responsibilities which Contractor, by the Contract Documents, assumes toward Owner. Each subcontract shall preserve and protect the rights of Owner under the Contract Documents with respect to the Work to be performed by the subcontractor so that subcontracting thereof will not prejudice such rights. Contractor shall make available to each proposed subcontractor, prior to the execution of the subcontract, copies of the Contract Documents to which the subcontractor will be bound. Each subcontract for a portion of the Work is contingently assigned by Contractor to Owner;



ORIGINAL

153 N. Emerson Ave.
—686 East County Line Road—
Suite 204
Greenwood, IN 46143
www.indianamwater.com

A.S.

P 317.885.2400

August 13, 2018

Angela Moyer
Project Director/Administrator
Delaware County Engineering Department
7700 E. Jackson Street
Muncie, IN 47302

Re: Letter of Funding Commitment from Indiana American Water (Exhibit C)
Delaware County Bridge 268 Reconstruction

Dear Ms. Moyer:

Indiana American Water has funding available and is willing to commit the total necessary funds for the water main relocation of the Delaware County Bridge 268 Reconstruction project. Indiana American Water has available funding of \$139,217.70 in private funds.

Sincerely,


William Wolf
Senior Manager, Finance

INDOT – COUNTY BRIDGE INSPECTION CONTRACT

Mr. Brooke said this is a contract with Indiana Department of Transportation (INDOT) for bridge inspections within Delaware County.

MOTION: Commissioner Henry made a motion to approve the Indiana Department of Transportation Bridge Inspection contract.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

Full agreement available in the Auditors office

ORIGINAL version 4/12/18

INDIANA DEPARTMENT OF TRANSPORTATION - COUNTY BRIDGE INSPECTION CONTRACT

EDS No: A249-19-L180105
Des. No.: 1500279
CFDA No.: 20.205

THIS CONTRACT, made and entered into effective as of the date of the Indiana Attorney General signature affixed to this Contract, by and between the State of Indiana, acting by and through the Indiana Department of Transportation, hereinafter referred to as ("INDOT"), and the County of Delaware, Indiana, acting by and through the Board of Commissioners of Delaware, hereinafter referred to as the ("COUNTY") and collectively referred to as the PARTIES.

NOTICE TO PARTIES

Whenever any notice, statement or other communication is required under this Contract, it shall be sent to the following address, unless otherwise specifically advised.

- A. Notice to INDOT, regarding contract provisions shall be sent to:

Office of Local Public Agency Programs
Attention: Director of Local Public Agency Programs
100 North Senate Avenue, Room N955
Indianapolis, Indiana 46204

With a copy to:

Chief Legal Counsel and Deputy Commissioner
Indiana Department of Transportation
100 North Senate Avenue, IGCN 758
Indianapolis, Indiana 46204

- B. Notices to INDOT regarding project management shall be sent to:

Brenda E. Fox
Indiana Department of Transportation
100 North Senate Avenue, Room N955
Indianapolis, Indiana 46204

- C. Notices to the COUNTY shall be sent to:

Ms. Angela Moyer, Project Director/Administrator
Delaware County Engineering Department
7700 East Jackson Street
Muncie, Indiana 47302

FLATLAND RESOURCES – COURTHOUSE PARKING

Mr. Brooke said this is for the design for engineering services to add parking at Main and Walnut, Muncie, Indiana.

Commissioner Henry said funds are going to limit parking to Washington Street.

MOTION: Commissioner Henry made a motion to approve Flatland Resources agreement.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King



FLATLAND RESOURCES, LLC.

P.O. BOX 1293
MUNCIE, IN 47303

PH: (765)284.2328
FAX: (765)284.2353
flatlandresources.com

**SUPPLEMENTAL
PROPOSAL FOR PROFESSIONAL SERVICES**

ORIGINAL

Date:
7/31/2018

Project Owner:
Delaware County Commissioners

Project Name:
Washington Street Two Way Conversion/Additional Parking

Project Agent:
Angie Moyer
Project Director
Delaware County Engineer Department
7700 E Jackson St
Muncie, IN 47302

Consultant:
FlatLand Resources
PO Box 1293
Muncie, IN 47308
Contact: David Heilman
(765) 284-2328

Project Location:
The project is located around the Delaware County building, located at 100 W Main Street.

Project Description:
Supplemental services to:

1. Provide additional design services to add parking on Main Street and Walnut Street.
2. Provide On Call services for construction inspection including solicitation of quotes, pre-quote meeting and as needed inspection.



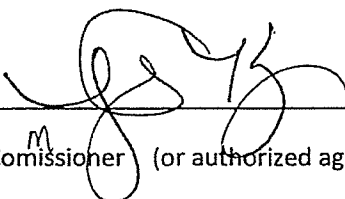
FLATLAND RESOURCES, LLC.


P.O. BOX 1293
MUNCIE, IN 47303PH: (765)284.2328
FAX: (765)284.2353
flatlandresources.com**TOTAL SUPPLEMENTAL FEE**

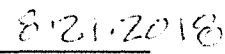
Task 1 \$600

Task 2 Hourly NTE \$6,300 (based on 8% of estimated construction cost)

Rates: Principal \$130/hour, PM \$100/hour, Tech 1/Inspector \$85/hour



Comissioner (or authorized agent)_____
Date

FlatLand Resources, LLC
Philip Tevis, Member

Date

VETERANS AFFAIRS CONTRACT FOR WORKER MR. RALPH SMITH

Mr. Jones said recently a grant was declined due to rating rules. State funding may be available for the contract through the end of the year. Mr. Smith will help Veterans in getting additional education and other services.

MOTION: Commissioner Henry made a motion to approve agreement for services for Mr. Ralph Smith.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King

AGREEMENT FOR SERVICES

This Agreement is hereby made on this, the 20 day of August, 2018, between Delaware County, Indiana, by and through its Board of Commissioners (hereinafter "County") and Ralph Smith (hereinafter "Mr. Smith") for the provision of services.

WHEREAS, the County operates a Veterans' Affairs Department (the "Department") to provide various services to eligible veterans, their spouses, dependents, and/or survivors and now seeks to acquire the services of an individual to act as the Education, Employment, and Claims Specialist (EECS) for the Department on a contract basis; and

WHEREAS, the County has determined that Mr. Smith has the skills and experience necessary to provide this beneficial service to the County as the designated EECS for the Department.

Now therefore, in consideration of the mutual promises and covenants hereinafter contained, the County and Mr. Smith hereby agree as follows:

1. DUTIES

- (A) The County hereby appoints Mr. Smith as the Education, Employment, and Claims Specialist of the County's Veterans' Affairs Department. In his role as the EECS, Mr. Smith shall fulfill each of the duties described in the Delaware County Position Description, attached hereto as Exhibit A and incorporated herein by reference.
- (B) Mr. Smith accepts employment and hereby agrees that, for the consideration hereinafter set forth, he shall perform the duties described in Exhibit A, perform those duties established and assigned in any ordinances and resolutions adopted by the County's Board of Commissioners, and perform those duties established and assigned in any policies and guidelines adopted for the Department.

2. TERM OF AGREEMENT

- (A) The Agreement shall begin upon execution of this Agreement by all the parties and shall automatically terminate on December 31, 2018.
- (B) The County may terminate this Agreement at any time for any reason, with or without cause.
- (C) Mr. Smith may terminate this Agreement at his discretion and for any reason by providing to the County written notice of his intent to terminate at least fifteen (15) days prior to termination.

RESOLUTIONS FOR APPROVAL

APPROVING A DECLARATORY RESOLUTION AND AMENDED ECONOMIC DEVELOPMENT PLAN OF THE DELAWARE COUNTY REDEVELOPMENT COMMISSION AND APPROVING ORDER OF THE DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION RESOLUTION 2018-024

Mr. Brad Bookout, Redevelopment Commission, presented Resolution 2018-024, legal counsel has reviewed the resolution. This was passed by Plan Commission.

MOTION: Commissioner Henry made a motion to approve Resolution 2018-024, Amended Economic Development.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King

RESOLUTION NO. 2018.024

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA

APPROVING A DECLARATORY RESOLUTION AND AMENDED ECONOMIC DEVELOPMENT PLAN OF THE DELAWARE COUNTY REDEVELOPMENT COMMISSION AND APPROVING ORDER OF THE DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION

WHEREAS, the Delaware County ("County") Redevelopment Commission ("Commission"), has, on the 12th day of July, 2018, approved an Amended Economic Development Plan ("Plan") for the Nebo Road Economic Development Area ("Area") in the County; and

WHEREAS, the Commission has, on the 12th day of July, 2018 adopted an amended declaratory resolution enlarging the Area as an economic development area and subject to economic development and redevelopment activities pursuant to IC 36-7-14 and IC 36-7-25 ("Act"); and

WHEREAS, the Delaware-Muncie Metropolitan Plan Commission ("Plan Commission"), on the 2nd day of August, 2018, approved the Plan and Declaratory Resolution; and,

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan and the action of the Plan Commission by the Board of Commissioners of the County ("Board");

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

1. That the Plan for the Area is in all respects approved, ratified and confirmed by the Board.
2. That the action of the Plan Commission on August 2, 2018, approving the Plan and the Declaratory Resolution is in all respects approved, ratified and confirmed by the Board.
3. That the County Auditor is hereby directed to file a copy of the Declaratory Resolution, the Plan and the approving Order of the Plan Commission with the permanent minutes of this meeting.
4. This Resolution shall be effective from and after passage.

AUTHORIZING THE TREASURER TO ESTABLISH A LETTER OF CREDIT FOR COUNTY'S
PARTICIPATION IN THE UNDERGROUND STORAGE TANK INSURANCE FUND
RESOLUTION NO. 2018-025

MOTION: Commissioner Henry made a motion to approve Resolution 2018-025, Authorizing Treasurer to Establish a Letter of Credit for County Participation in the underground Storage Tank Insurance Fund.

SECOND: Commissioner Riffin

YEAS: Commissioner Riffin, Commissioner Henry, President King

RESOLUTION 2018-025 *ORIGINAL*

**A RESOLUTION AUTHORIZING THE DELAWARE COUNTY TREASURER TO
OBTAIN AN IRREVOCABLE STANDBY LETTER OF CREDIT TO SATISFY
FINANCIAL ASSURANCE REQUIREMENTS OF THE INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT'S EXCESS LIABILITY TRUST FUND**

WHEREAS, the County of Delaware, through its Board of Commissioners (the "County"), owns certain property located at 7700 East Jackson Street, Muncie, Delaware County, Indiana (the "Property"); and

WHEREAS, the Property is used by the Delaware County Highway Department (the "Department") for general operations, Department vehicle storage and service, and material storage, among others; and

WHEREAS, the Property includes multiple underground storage tanks (USTs) for the purpose of storing fuel and other similar chemicals commonly used by the Department and, over time, it is not uncommon for such USTs to develop leaks resulting in the stored substances entering into the surrounding land and potentially seeping into nearby water supplies; and

WHEREAS, the Delaware County Board of Commissioners (the "Commissioners") recognize the significant costs associated with the remediation of previously undiscovered UST leaks and are seeking to mitigate these potential future costs by participating in the Indiana Department of Environmental Management's Excess Liability Trust Fund (the "ELTF") established pursuant to Ind. Code § 13-23-1-1 *et seq.*; and

WHEREAS, participation in the ELTF requires that participants certify their financial responsibility for the deductible portion of any ELTF reimbursement which can be done using any one of the several available mechanisms; and

WHEREAS, the Commissioners believe it is in the best interests of the County and its citizens for the County to acquire an Irrevocable Standby Letter of Credit to satisfy the ELTF's financial responsibility requirements.

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


1. The Delaware County Treasurer is hereby authorized to obtain an Irrevocable Standby Letter of Credit on behalf of the County from an institution satisfying the requirements of the 329 IAC 9-8-4.
2. The Irrevocable Standby Letter of Credit shall be for the account of the County up to the aggregate amount of fifteen thousand (\$15,000.00) and 00/100 dollars.
3. The Irrevocable Standby Letter of Credit shall be worded in the form required by 329 IAC 9-8-10(b) and may only be drawn on to cover the costs of those items specifically described in that Section.

4. The Commissioners hereby designate the Delaware County Treasurer as the official authorized to execute the credit facility on behalf of the County.
5. Upon acquisition of the Irrevocable Standby Letter of Credit, the Delaware County Treasurer shall take all such actions that may be necessary to establish a standby trust for the exclusive purpose of satisfying the requirements of 329 IAC 9-8-10(c).
6. This Resolution shall be effective as of the date of its adoption.

Passed and adopted by the Delaware County Board of Commissioners this 20 day of August, 2018.

DELAWARE COUNTY
BOARD OF COMMISSIONERS


JAMES KING, President


SHERRY RIGGINS, Vice President


SHANNON HENRY, Commissioner

ATTEST:


Steven G. Craycraft
Delaware County 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

RESOLUTION NO. 2018-026

Ms. Janet Kesler, Tax Sale Deputy, presented seventeen adjacent properties and received application for all. One parcel received two applicants. Ms. Kesler provided the two names in a drawing and Ms. Phyllis Oliphant was drawn for the property located at 2410 South Pershing.

MOTION: Commissioner Riggan made a motion to approve Resolution 2018-026, Final Determination Concerning Vacant Parcels not sold in a Tax Sale.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

RESOLUTION NO. 2018-026 **ORIGINAL**

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 2018-021 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;

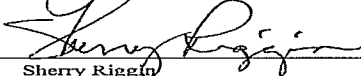
WHEREAS, the Board of Commissioners now intends to make a final determination for the vacant properties to be sold to adjacent parcel owners pursuant to Indiana law. The identified parcels and the adjacent parcel owners are listed in, and attached to this Resolution as, "Exhibit A";

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 20 day of August, 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
FINAL DETERMINATION RESOLUTION

| PARCEL # | PROPERTY ADDRESS | ADJACENT PROPERTY OWNER | CERT # |
|--------------------------|---------------------------|---|-----------|
| 18-11-20-276-021.000-003 | 1900 BLK W 16TH ST | RONALD JONES | 181301472 |
| 18-11-15-204-009.000-003 | 914 E ADAMS ST | DANIEL A RAMOS MOGOLLON & KATHY A RAMOS | 181700534 |
| 18-11-14-158-002.000-003 | 801 ADJ S BURLINGTON DR | SUSANA BONILLA | 181300691 |
| 18-11-16-438-019.000-003 | 1431 S FRANKLIN ST | SALLY LORRAINE BROWN | 181509992 |
| 18-11-21-237-010.000-003 | 2111 S WALNUT ST | CORA VANCE | 181301545 |
| 18-11-15-260-008.000-003 | 1304 E 1ST ST | DAVID HASKINS | 181700575 |
| 18-11-17-480-011.000-003 | W 8TH ST | CHARITY DEE JOHNSON | 181501078 |
| 18-16-20-300-004.000-020 | 12331 S CR 400 E | MARSHA J & JOHN F SPRATT JR | 181501657 |
| 18-11-01-355-011.000-003 | 2100 BLK N GARNET AVE | STEPHANIE FIELDS | 181700097 |
| 18-11-01-355-026-000-003 | 3700 BLK E WAID AVE. | STEPHANIE FIELDS | 181700098 |
| 18-10-15-479-001.000-017 | 1500 S RIVERVIEW DR | CATHY J RUMLER & JANET S CROOKS | 181701332 |
| 18-11-01-358-018.000-003 | 3500 BLK E CENTENNIAL AVE | CHARLES D BOLE | 181700101 |
| 18-11-15-439-008.000-003 | 1412 E 8TH ST | FSPI EMPL PROFIT SHARING PLAN 401 (K) | 181700709 |
| 18-11-22-182-014.000-003 | 2410 S PERSHING DR | PHYLLIS OLIPHANT | 181701014 |
| 18-11-22-182-013.000-003 | 2410 S PERSHING DR | RODNEY D KIGER JR | 181701014 |
| 18-10-13-327-008.000-017 | 1001 ADJ S STOCKPORT | RYAN S & SHAWNA L GONZALES | 181509997 |
| 18-11-16-381-016.000-003 | 1006 W 10TH ST | KARRA GARRETT | 181301310 |
| 18-11-16-131-019.000-003 | 441 S ELLIOTT ST | KIMBERLY A O'CONNER-HARRIS | 181301177 |

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Robert Jessee, Highway Superintendent, presented vehicles (sold as surplus) that are no longer in use, Mr. Jessee would like them to go to auction through Gov-Deals.

MOTION: Commissioner Riggins made a motion to approve the auction sale.

SECOND: Commissioner Henry

YEAS: Commissioner Riggins, Commissioner Henry, President King



*Delaware County Highway Department
Robert Jessee – Superintendent
7700 E. Jackson Street
Muncie, Indiana 47302
(765) 747-7818 - Phone
(765) 741-3392 – Fax*

VEHICLES TO BE AUCTIONED

- **B-11 1991 GMC Tandem**
VIN # 4V2JCBMD7MR810180
Replaced 2016
Lot Drives
- **Old A-4 1982 International**
VIN # 1HTAA1951DHB14088
Single Axle
Engine Non Running
Replaced 2017
- **A-11 1991 GMC**
VIN # 1GDL7H1P1MJ501428
Brush Truck – Non Running
Replaced 2017
- **Old B-41996 Chevy Crew Cab**
VIN # 1GCHK33F4VF011635
Returned from Fairgrounds
Non Running
Replaced 2018
- **GMC Semi 1985**
VIN # 1GDT9F4C5FV503122
Good Running Condition
Replaced 2017

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$1,853,916.74

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

QUESTIONS, PUBLIC COMMENTS ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Jason Donati, asked that the Commissioners consider a public forum for the jail. Donati is concerned of the impact of moving the jail and courtroom out of downtown. Incarceration is not the answer.

President King said the Commissioners are in support of recovery programs and the Commissioners are looking for rehabilitation.

Mr. Stephen Shreve, Muncie, Indiana asked that the Commissioners amend regulating private sewage disposal or write a new ordinance.

The full documented letter is available through the Auditor's office.

Mr. Brooke will look into the request to change the ordinance and contact Mr. Shreve directly.

RECESS

MOTION: Commissioner Riggin made a motion to recess until September 4, 2018.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

President King

Vice-President Riggin

Member, Shannon Henry

Auditor, Steven G Craycraft