

**DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, APRIL 17, 2017 @ 9:00 A.M.
ROOM 309 A, 100 WEST MAIN STREET
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
ROLL CALL**

ORIGINAL

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggan
Deputy Auditor, Mr. Charlie Richmond
Attorney, Mr. John Brooke

**PUBLIC HEARING
APPLICATION FOR ASSIGNMENT OF TAX SALE CERTIFICATES
TO A NONPROFIT CORPORATION
1209 N. PENN – MUNCIE, IN
1214 N. PENN – MUNCIE, IN**

Mr. John Madison, DeFur Voran, Representing Faith in God Ministries, filed an application for both properties. Mr. Madison requested to withdraw the application of 1214 N. Penn, Muncie, Indiana, due to a structure that would need to be demolished on the property. The 1209 N Penn property will be used for a church parking.

**APPLICATION FOR ASSIGNMENT OF TAX SALE CERTIFICATES
TO NONPROFIT CORPORATION
3700 N. MADISON – MUNCIE, IN**

Mr. Jim Mochel and Mr. Jim Mansfield asked for support of the certificate of 3700 S Madison, Muncie, Indiana.

No questions from the public.

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

SECOND: Commissioner Riggan

Mr. John Brooke, County Attorney, said due to an error stating 3700 North Madison, Muncie, Indiana instead of 3700 South Madison, a new public hearing will need to be set.

MOTION PASSED UNANIMOUSLY

APPOINTMENT(S)

MOTION: Commissioner Riggan made a motion to appoint Ms. Phyllis Zimmerman to complete the term of Board of Zoning Appeals (BZA). Her term will expire 12/31/2017.

SECOND: Commissioner Henry

MOTION PASSED UNANIMOUSLY

CRED BOARD APPOINTMENTS

MOTION: Commissioner Henry made a motion to accept all recommended appointments to the CRED Board appointments (see below).

SECOND: Commissioner Riggin

MOTION PASSED UNANIMOUSLY

Ms. Leslie Mathewson, Mr. James King, Commissioner Representative, Ms. Angie Moyer, County Highway Department and DCRC Representative, Mr. Dan Allen, Indiana American Water Company, Mr. Kevin Cope, IBEW, Mr. Scott Green, Mutual Bank and no response with Governors Appointment.

RDA BOARD APPOINTMENTS

MOTION: Commissioner Riggin made a motion to appoint Mr. John Brooke to the Regional Development Authority Board.

SECOND: Commissioner Henry

MOTION PASSED UNANIMOUSLY

TABLED BUSINESS

Mr. Michael Nielson, Government Fixed Assets Services, proposed the agreement to the Commissioners on March 6, 2017. Discussion continues regarding implementation services. Nielson said after speaking with employees, IT and department heads the main concern is that the employees do not have the time to complete inventory worksheets. Nielson provided clients response of why they use Government Fixed Assets.

Mr. Ron Quakenbush, Taxpayer and Councilman, said after doing his own research, he believes the report would go on a shelf somewhere and within a year be out of date. State Board of Accounts has not asked for an inventory sheet of vehicles. Mr. Ray Dudley, Sheriff is taking an inventory of the department vehicles. County Highway pays a shared price with the city regarding their vehicles. GIS can do an overlay of buildings, should this be something the county would want.

Mr. Charlie Richmond, Auditor Deputy, said this have not been done for 8 years and is a requirement by the State Board of Accounts.

Ms. Donna Patterson, Settlement Deputy, said this should be done and is required for the annual report. Regardless of who does the report, a department head is going to have to help the company to get the data for the report. State Board of Account is aware that the fixed assets is not being done and that it has not been done for years. Patterson said it really needs to be done. When Ms. Joyce Marks was a Deputy Auditor this was done on a biweekly basis. Old vehicles were removed, new vehicles added along with other audits she completed. The previous Auditor before Mr. Steven G Craycraft used the same old report annually.

Commissioner Riggin said the Auditor does not have time to create the report and made a motion to remove the item from the table. Riggin said if this is something that we deny this company to do then....

Mr. Quakenbush said this is the job of the Deputy Auditor and Auditor.

President King would like this to remain tabled until the next Commissioners meeting.

ORDINANCE PERMITTING THE DELAWARE COUNTY COMMISSIONERS TO ATTEND CONFERENCES, WORKSHOPS OR SEMINARS WHEREIN MEALS ARE PROVIDED
ORDINANCE 2017-007

MOTION: Commissioner Riggins motioned to remove Ordinance 2017-007 from the table.
SECOND: Commissioner King
MOTION PASSED UNANIMOUSLY

Mr. Brooke said he made changes to the Ordinance and sent to all for review.
MOTION: Commissioner Henry made a motion to adopt, Ordinance 2017-007, An Ordinance Permitting the Delaware County Commissioners to Attend Conferences, Workshops or Seminars wherein Meals are Provided.
SECOND: Commissioner Riggins
MOTION PASSED UNANIMOUSLY

ORDINANCE 2017-007
AN ORDINANCE PERMITTING THE DELAWARE COUNTY COMMISSIONERS TO ATTEND CONFERENCES, WORKSHOPS OR SEMINARS WHEREIN MEALS ARE PROVIDED

WHEREAS, the Delaware County Board of Commissioners and their staff 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

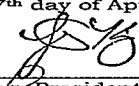
WHEREAS, the Board of Commissioners and their staff members attend these events, workshops, seminars and partake in not only the educational part but in the social aspect of the meal to interact with other commissioner and individuals which have knowledge about various aspects of county operations always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

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

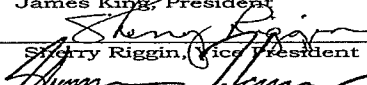
1. That individual Commissioners shall be permitted to attend any conference, workshop or seminar wherein a meal or meals are provided by the conference host, a sponsor or potential vendor for the purpose of gaining education and knowledge.
2. Employees of the County shall be permitted to travel and attend conferences, seminars or workshops wherein a meal or meals are provided by the conference host, a sponsor or potential vendor for the purpose of gaining education and knowledge
3. The Commissioners and any employees of the County 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.
4. This ordinance shall take effect upon adoption

Passed and adopted by the Board of Commissioners on the 17th day of April, 2017.

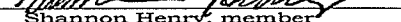
BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA



James King, President



Sherry Riggins, Vice President



Shannon Henry, member

ATTEST:


Steven Craycraft, Delaware County Auditor

APPROVAL OF MINUTES

MOTION: Commissioner Riggins made a motion to approve April 3, 2017 Minutes.
SECOND: Commissioner Henry
MOTION PASSED UNANIMOUSLY

CONTRACTS OR AGREEMENTS FOR APPROVAL
CONTRACT FOR ELECTRONIC MONITORING OF INMATES FROM DELAWARE COUNTY
JAIL BY DELAWARE COUNTY COMMUNITY CORRECTIONS

CONTRACT AND MAINTENANCE AGREEMENT FOR SOBERLINK EQUIPMENT –
PURCHASE AGREEMENT #122303TS1

BETWEEN BI INCORPORATED AND DELAWARE COUNTY COMMUNITY CORRECTIONS

Mr. Mitch Cassell, Community Corrections, presented both renewal contracts. Last year there were three contracts but the 200 phone units are obsolete and will no longer be used. The language on the contract is the same.

MOTION: Commissioner Henry made a motion to approve both agreements.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

Both agreements can be found at the Auditor's office.

ORIGINAL**ELECTRONIC MONITORING SERVICE AGREEMENT**

Agreement No. 031417CW1

This Electronic Monitoring Service Agreement ("Agreement") is made between BI INCORPORATED ("BI"), a Colorado corporation with its principal place of business at 6265 Gunbarrel Avenue, Suite B, Boulder, CO 80301 and DELAWARE COUNTY COMMUNITY CORRECTIONS ("Agency") with its principal place of business at 225 North High Street, Muncie, IN 47305.

This Agreement outlines the responsibilities of each party relative to the operation of an electronic monitoring program.

This Agreement by the stated parties is effective as of the date of Agency's signature or the earlier of either BI's signature or implementation of services as provided herein ("Effective Date").

Upon full execution of this Agreement, Monitoring Service Agreement dated March 1, 1994 shall terminate.

WHEREAS, Agency has determined that a present need exists for the products and services set forth in this Agreement; and

WHEREAS, Agency is authorized to enter into this Agreement by the laws and regulations to which Agency is subject; and

WHEREAS, Agency and BI agree that the terms and conditions of this Agreement apply to the products and services to be provided hereunder; and

NOW, THEREFORE, In consideration of the promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto, desiring to be legally bound, hereby agree as follows:

1. DEFINITIONS

- 1.1 "Active Unit": A Unit which is assigned to a Client and is being monitored by BI.
- 1.2 "Active Unit Day": Any day, or any portion thereof, in which there is an Active Unit.
- 1.3 "Authorized Personnel": Those persons selected by Agency who are authorized to enroll Clients and select or adjust notification options.
- 1.4 "Client": A person subject to Agency's electronic monitoring program.
- 1.5 "Confidential Information": Any information which is marked, or should be reasonably understood to be, confidential, proprietary, or trade secrets of BI.
- 1.6 "Documentation": User guides, reference manuals, and other documentation provided by BI in connection with the Equipment and Software Applications used under this Agreement. The Documentation is incorporated herein by this reference and will be provided upon execution of this Agreement.
- 1.7 "Equipment" or "Unit": Manufactured products and third party products provided by BI, including, but not limited to, GPS tracking devices, radio frequency monitoring devices, transmitters, Drive-BI Monitors, and alcohol monitoring devices.
- 1.8 "GPS": Global positioning system. Satellite system which operates independently of telephonic or internet reception and provides precise location and time information in all weather conditions.
- 1.9 "Software Application": Software applications made available by BI for use by Agency and/or Clients under this agreement, including, but not limited to, TotalAccess, BI Analytics, and BI SmartLINK.
- 1.10 "Supplies": Straps, latches, and batteries for the BI transmitter.
- 1.11 "Wi-Fi": Wireless networking technology that uses radio waves to provide wireless high-speed internet and network connections to devices. If no GPS location fix is obtained for 5 minutes, then the device will attempt to find a Wi-Fi signal.

2. Monitoring Service

- 2.1 **Description.** The Monitoring Service consists of Equipment or Units, Software Applications, and BI's central host computer system running the Software Applications, including TotalAccess or similar monitoring software applications (described below). Units are issued to the Clients by the Agency. The

ORIGINAL

CONTRACT FOR ELECTRONIC MONITORING OF INMATES FROM DELAWARE COUNTY JAIL BY DELAWARE COUNTY COMMUNITY CORRECTIONS

THIS CONTRACT made and entered into this 18th day of April, 2017 by and between THE DELAWARE COUNTY COMMUNITY CORRECTIONS (hereinafter DCCC), DELAWARE COUNTY COMMISSIONERS, and DELAWARE COUNTY SHERIFF DEPARTMENT.

WHEREAS, the DCCC proposed to offer Radio Frequency (RF206), and Global Positioning System (GPS) Pretrial Home Detention monitoring of inmates placed in the Delaware County Jail to reduce population, and

WHEREAS, the parties have reached an agreement concerning the arrangement for such payment to DCCC from the Delaware County Commissioners for providing RF206, and GPS Pretrial Home Detention monitoring and supervision of inmates by referral from the Delaware County Courts and/or Delaware County Sheriff Department to the RF206 or GPS Pretrial Home Detention Program.

NOW THEREFORE, in consideration of the parties hereto agree to as follows:

DCCC will offer to accept no more than fifty (150) inmates in the RF206, or GPS Pretrial Home Detention Program to assist in reduction of the population in the Delaware County Jail. DCCC will invoice monthly the Delaware County Commissioners an initial fee of \$10.00 per inmate and \$14.00 per day to cover the cost equipment rental, monitoring, and supervision.

DCCC will supervise all Pretrial Home Detention participants, provide them with weekly appointment schedules, and complete random drug screens deemed necessary by the case manager or as requested by the courts. Drug screens will be invoiced monthly to the Delaware County Commissioners at a rate of \$15.00 per drug screen.

1. Conditions for acceptance:
 - a. residence in Delaware County
 - b. pretrial court status
 - c. sign all rules set by the Pretrial Home Detention Program
2. Referral process:
 - a. Jail Supervisor will notify the Home Detention Supervisor of a potential participant by telephoning their information.
 - b. Referral by the Delaware County Courts.
 - c. Home Detention staff will check the jail list daily and process any individual who may qualify for the program with the assistance of jail staff and Delaware County Courts.
3. Violations: If an inmate violates the DCCC rules of RF206, or GPS Pretrial Home Detention notification will be sent by DCCC to the Sheriff's staff along with the presiding court.
4. Equipment Charges: If the inmate damages, cuts off or discards the transmitter, DCCC will notify the Sheriff's office of the violation and County Commissioners of

BID OPENING FOR COWAN ROAD AND 23RD STREET PROJECT

Mr. Brooke opened and read aloud bids for Milestone, \$373,332.50, E & B Paving \$443,508.69 and United Construction Services for \$384,688.

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

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

RAIL SPUR LOADING DOCK CONSTRUCTION INSPECTION

Mr. Brad Bookout, Director of Economic Development, presented the rail spur loading dock information on the additional services required to facilitate the bidding process. CHA, the consultant would not exceed a fee increase of \$21,700.

MOTION: Commissioner Henry made a motion to approve the authorization for additional services with CHA.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

ORIGINAL	Date: <u>April 13, 2017</u>
	PROJECT No. <u>20088130 / 25987 - X48653</u>
	Extra Work No. <u>6</u>
EXTRA WORK AUTHORIZATION	
In accordance with the written Contract dated December 1, 2008 between the parties designated below for:	
THE PROJECT:	<u>Park One Rail Spur</u>
THE CLIENT:	<u>Delaware County</u>
hereby authorizes the Engineer to proceed with additional services as follows:	
SCOPE OF SERVICES	
Additional scope of services is required to facilitate the competitive bidding process and to perform construction inspection services.	
These supplemental services are described in more detail within Section 4 and 9, and included in Exhibit A.	
<ul style="list-style-type: none"> • Section 4: Final Design • Section 9: Construction Inspection Services 	
SCHEDULE	
CHA will begin bidding services as directed by the Client. Project advertisement is expected to occur once project right-of-way is secured.	
<ul style="list-style-type: none"> • Section 9 is expected to take approximately 4 weeks. If the task requires additional time, the CONSULTANT will request additional compensation based on the hourly rate schedule in the Contract Supplemental #1 dated March 15, 2010. 	
FEE	
As supported in Exhibit D, for additional services performed under this Extra Work Authorization No. 6, the CONSULTANT shall receive a not-to-exceed fee increase of <u>\$21,700</u> in accordance with the schedule included in Exhibit D.	
The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not-to-exceed \$1,044,000 unless a modification of the Agreement is approved in writing by the OWNER.	
ADDITIONAL EXHIBITS	
Exhibit C: Information supplied by OWNER Exhibit D: Proposal Graphic Plan	

Upon return of a fully-executed authorization, this Supplement shall become a part of the Agreement identified above.

APPROVED BY: CHA CONSULTING, INC	APPROVED BY: DELAWARE COUNTY
NAME: <u>David A. Henkel</u>	NAME: <u>Sheila Riggan</u>
SIGNATURE: <u>David A. Henkel</u>	SIGNATURE: <u>Sheila Riggan</u>
TITLE: <u>Vice President</u>	TITLE: <u>Vice President/Commissioner</u>
DATE: <u>April 13, 2017</u>	DATE: <u>4.17.17</u>

ORDINANCES FOR FIRST READING

DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY

2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM / CFDA #97.042 / \$7,500

ORDINANCE 2017-010

Mr. Jason Rogers, EMS Director, presented Ordinance 2017-010, EMA 2016 Emergency Management Performance Grant Program for \$7500. This is a reimbursable grant for \$7500. This grant will be used to replace existing laptops.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-010, EMA 2016 Emergency Management Performance Grant Program for \$7500.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Henry made a motion to suspend the rules of Ordinance 2017-010, EMA 2016 Emergency Management Performance Grant Program for \$7500.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

MOTION: Commissioner Henry made a motion to approve Ordinance 2017-010, EMA 2016 Emergency Management Performance Grant Program for \$7500.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

ORIGINAL

ORDINANCE NO. 2017 - 010

DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY

2016 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM / CFDA #97.042 / \$7,500

WHEREAS, the Delaware County Emergency Management Agency has received a reimbursable grant from the Indiana Department of Homeland Security; and

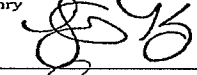
WHEREAS, it is necessary to establish funds in the Auditor's Office into which the grant proceeds will be deposited in a reimbursable account.

NOW, THEREFORE, BE IT ORDAINED that the Auditor shall establish a fund entitled the 2016 Emergency Management Performance Grant, and shall issue a budget fund number with respect to these funds. Said funds are exempt from needing appropriation.

Dated this 17 day of April, 2017.

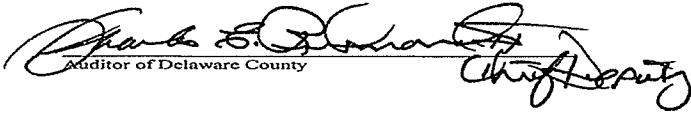
DELAWARE COUNTY COMMISSIONERS


Shannon Henry


James King


Sherry Riggan

ATTEST:


Auditor of Delaware County
Chief Deputy

AN ORDINANCE ADOPTING THE DELAWARE COUNTY PERSONNEL POLICIES HANDBOOK
ORDINANCE 2017-009

Mr. Rick Spangler, Human Resource Director, presented the Personnel Policy Handbook.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-009, Adopting the Delaware County Personnel Policies Handbook.

SECOND: Commissioner Riggin

MOTION PASSED UNANIMOUSLY

Commissioner Henry asks that all elected officials and department heads sign off on the handbook.

President King agreed.

Mr. Ron Quakenbush, Council President, asked that elected officials and department heads read the handbook. Council worked diligently with the Commissioners and they are in hopes that these documents will be used in the future.

ORDINANCE 2017-009

AN ORDINANCE ADOPTING THE DELAWARE COUNTY PERSONNEL POLICIES HANDBOOK

WHEREAS, the Delaware County Board of Commissioners has enacted on prior occasions a personnel policies handbook to govern the relationship between the County Commissioners and its employees; and

WHEREAS, a review and revision of the county's personnel policies has been conducted over the past several months to update, remove and revise all of the County's personnel policies and procedures; and

WHEREAS, the Board of Commissioners has invited all of the elected officials in the County to join and adopt the Personnel Policies Handbook to be used in all offices in the County so that all employees have a consistent and established set of rules to govern their conduct, operations and performance; and

WHEREAS, the Board of Commissioners believes that after a thorough review by the Human Resources Director, the County Attorney and a committee of Elected Officials, the Delaware County Personnel Policies Handbook is ready for adoption and implementation.

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

1. The Delaware County Personnel Policies Handbook is hereby adopted and made a part of the employment requirements and obligations of all county employees.
2. The County Human Resources Department shall make the Delaware County Personnel Policies Handbook available to all county employees and shall conduct such training, review and implementation workshops as the Human Resources Department believes are appropriate for the employees.
3. The Human Resources Department shall insure that all County Employees execute the appropriate document evidencing receipt of the new Delaware County Personnel Policies Handbook and make said document part of the employees' personnel file.
4. This Ordinance shall take effect upon adoption

Passed and adopted by the Board of Commissioners on the ____ day of _____, 2017.

BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA

Shannon Henry, President

James King, Vice President

Sherry Riggin, Member

ATTEST:

Steven Craycraft, Delaware 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 #3

RESOLUTION 2017-016

MOTION: Commissioner Henry made a motion to approve Resolution 2017-016, Making a Final Determination of the Tax Sale Certificate Assigned to Nonprofit Corporation #3.

SECOND: Commissioner Rigglin

MOTION PASSED UNANIMOUSLY

RESOLUTION 2017-016 **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 #3

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

18-11-10-205-011-000-003 1209 N Penn Certificate #181600268 Del. Taxes: \$259.36

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 certificate that the Board desires to assign to a nonprofit entity. Said tax sale certificate is described above.

Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificate described above to the **Faith in God Ministries-Emmanuel Temple Church.**

Passed and adopted by the Commissioners on the 17 day of April, 2017.

James King, President

Sherry Rigglin

Shannon Henry

ATTEST

Steve Craycraft, Auditor

MONTHLY/WEEKLY REPORTS

Clerk of the Circuit Court – March, 2017 Monthly Report and County Treasurer’s Report – February, 2017

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to pay claims in the amount of \$1,366,118.76.

SECOND: Commissioner Henry


MOTION PASSED UNANIMOUSLY

RECESS

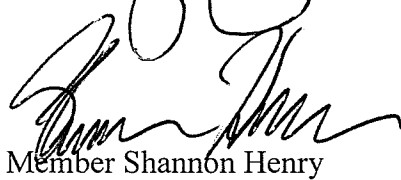
MOTION: Commissioner Riggin made a motion to recess until May 1, 2017 meeting.

SECOND: Commission Henry

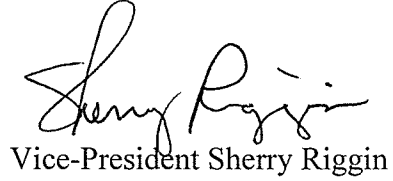
MOTION PASSED UNANIMOUSLY



President James King



Member Shannon Henry



Vice-President Sherry Riggin



Auditor Steven G Graycraft