

**DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, JUNE 5, 2017 @ 9:00 A.M.
ROOM 309 A, 100 WEST MAIN STREET
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
ROLL CALL**

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

**PUBLIC HEARING
PUBLIC HEARING TO ASSIGN TAX SALE CERTIFICATES
TO A NONPROFIT CORPORATION #6
510 E. 7TH ST, MUNCIE, INDIANA**

Mr. Toddrick Gordon, Pastor of Urban Light, said the property would be used for community events.

No public comments.

MOTION: Commissioner Riggin made a motion to close the public hearing for 510 East 7th Street, Muncie, Indiana.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

APPOINTMENTS

Yorktown Public Library appointment will be made at a later date.

TABLED BUSINESS
RESOLUTION NO. 2017-021
RESOLUTION TO ASSIGN TAX SALE CERTIFICATES
FROM DELAWARE COUNTY TO THE HOUSING AUTHORITY
OF CITY OF MUNCIE, INDIANA

MOTION: Commissioner Henry made a motion to remove from the table Resolution 2017-021, To Assign Tax Sale Certificates from Delaware County to the Housing Authority of City of Muncie, Indiana.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Ms. Janet Kesler, Tax Sale Clerk, said the parcel will need to go through the non-profit process.

MOTION: Commissioner Henry made a motion to remove from consideration, Resolution 2017-021, To Assign Tax Sale Certificates from Delaware County to the Housing Authority of City of Muncie, Indiana.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

APPROVAL OF MINUTES

MOTION: Commissioner Henry made a motion to approve May 15, 2017 minutes.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

CONTRACTS OR AGREEMENTS FOR APPROVAL
EXTENDED WARRANTY AND SUPPORT SERVICES AGREEMENT
BETWEEN BI INCORPORATED AND

DELAWARE COUNTY JUVENILE PROBATION – AGREEMENT NO. 052617LF1

Ms. Sharon McCormick, Community Corrections Finance Manager, presented the agreements.

MOTION: Commissioner Henry made a motion to approve both Extended Warranty and Support Services Agreements between BI Incorporated and Delaware County Juvenile Probation, agreement number 052617LF1 and 050917WF2.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King



ORIGINAL

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EXTENDED WARRANTY AND SUPPORT SERVICES AGREEMENT

Agreement No. 052617LF1

This Agreement ("Agreement") is made by and between BI INCORPORATED, a corporation organized under the laws of the State of Colorado, with its principal place of business at 6265 Gunbarrel Avenue, Suite B, Boulder, CO 80301 and DELAWARE COUNTY JUVENILE PROBATION with its principal place of business at 3412 Kilgore Avenue, Muncie, IN 47304 (hereinafter "Customer").

WHEREAS, Customer has determined that a present need exists for the maintenance and support services contemplated herein, and

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

WHEREAS, Customer and BI agree that the terms and conditions of this Agreement apply to the services purchased hereunder; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. EXTENDED WARRANTY AND SUPPORT SERVICES

Customer is entitled to receive those maintenance and support services as further described in the attached Warranty and Support Coverage sheet(s) (the "Coverage") for that equipment as set forth in Exhibit A (the "Equipment")

- 2. **AGREEMENT TERM:** 12 Months
- 3. **EFFECTIVE DATES OF COVERAGE:** July 1, 2017 through June 30, 2018
- 4. **TOTAL ANNUAL COST OF COVERAGE:** \$4,014.00
- 5. **MONTHLY PAYMENT:** \$334.50
- 6. **SCHEDULE OF COVERED EQUIPMENT:** See Exhibit A

7. DISPOSABLE SUPPLIES:

(HG206) For every year (twelve month period) of the Term hereof, Customer is entitled to four (4) HG-2223 Anti-tamper straps, four (4) HG-2221 Male/female latch sets, and one (1) HG-2222 battery per Transmitter/Receiver covered hereunder per complete HomeGuard Unit or per Transmitter covered separately.

(ExacuTrack One - Complete Unit) For every year (twelve month period) of the Term hereof, Customer is entitled to one (1) battery, four (4) Locking Pin Sets, one (1) Bridge Strap, one (1) Standard Strap, four (4) Bridge/Buckles with Hinge Pins, four (4) Backplates, and two (2) Battery covers with O-rings. Charger Port Cover for every Unit covered hereunder. Includes Telecom of unit.

8. LIMITATION OF LIABILITY

BI's entire liability and Customer's exclusive remedy for damages from any cause whatsoever, and regardless of the form of action, whether contract, warranty or tort (including negligence), shall be limited to the aggregate payments made hereunder that is the subject matter of or is directly related to the cause of action. The foregoing limitation will not apply to claims by third parties for personal injury or property damage arising out of the negligence of BI.

IN NO EVENT WILL BI BE LIABLE FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF USE OF THE EQUIPMENT, PERFORMANCE OF SERVICES PROVIDED UNDER THIS AGREEMENT, OR ARISING OUT OF CUSTOMER'S FAILURE TO PERFORM ANY OF ITS RESPONSIBILITIES HEREUNDER. IT WILL BE CUSTOMER'S RESPONSIBILITY TO ADEQUATELY SAFEGUARD ITS DATA USED IN CONJUNCTION WITH EQUIPMENT.

9. GENERAL

Without the prior written consent of BI, Customer shall not assign or transfer this Agreement.

The entire Agreement between the parties with respect to the subject matter hereof is contained in this Agreement. There are no understandings, representations or warranties expressed or implied, not specified herein, respecting this Agreement or the services furnished hereunder. BI shall not be liable for any failure or any delay in performance hereunder if such failure or delay is due, in whole or in part, to any cause beyond its control. Any pre-printed terms and conditions of any purchase order issued in connection with this Agreement or maintenance service of the Equipment shall be superseded by the terms and conditions of this Agreement



ORIGINAL

EXTENDED WARRANTY AND SUPPORT SERVICES AGREEMENT

Agreement No. 050917WF2

This Agreement ("Agreement") is made by and between BI INCORPORATED, a corporation organized under the laws of the State of Colorado, with its principal place of business at 6265 Gunbarrel Avenue, Suite B, Boulder, CO 80301 and DELAWARE COUNTY COMMUNITY CORRECTIONS with its principal place of business at 225 N. High Street, Suite 1, Muncie, IN 47305 (hereinafter "Customer").

WHEREAS, Customer has determined that a present need exists for the maintenance and support services contemplated herein, and

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

WHEREAS, Customer and BI agree that the terms and conditions of this Agreement apply to the services purchased hereunder; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. EXTENDED WARRANTY AND SUPPORT SERVICES

Customer is entitled to receive those maintenance and support services as further described in the attached Warranty and Support Coverage sheet(s) (the "Coverage") for that equipment as set forth in Exhibit A (the "Equipment")

- 2. **AGREEMENT TERM:** 12 Months
- 3. **EFFECTIVE DATES OF COVERAGE:** July 1, 2017 through June 30, 2018
- 4. **TOTAL ANNUAL COST OF COVERAGE:** \$11,109.00
- 5. **MONTHLY PAYMENT:** \$925.75
- 6. **SCHEDULE OF COVERED EQUIPMENT:** See Exhibit A
- 7. **DISPOSABLE SUPPLIES:**
- 8. **LIMITATION OF LIABILITY**

BI's entire liability and Customer's exclusive remedy for damages from any cause whatsoever, and regardless of the form of action, whether contract, warranty or tort (including negligence), shall be limited to the aggregate payments made hereunder that is the subject matter of or is directly related to the cause of action. The foregoing limitation will not apply to claims by third parties for personal injury or property damage arising out of the negligence of BI.

IN NO EVENT WILL BI BE LIABLE FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF USE OF THE EQUIPMENT, PERFORMANCE OF SERVICES PROVIDED UNDER THIS AGREEMENT, OR ARISING OUT OF CUSTOMER'S FAILURE TO PERFORM ANY OF ITS RESPONSIBILITIES HEREUNDER. IT WILL BE CUSTOMER'S RESPONSIBILITY TO ADEQUATELY SAFEGUARD ITS DATA USED IN CONJUNCTION WITH EQUIPMENT.

9. GENERAL

Without the prior written consent of BI, Customer shall not assign or transfer this Agreement.

The entire Agreement between the parties with respect to the subject matter hereof is contained in this Agreement. There are no understandings, representations or warranties expressed or implied, not specified herein, respecting this Agreement or the services furnished hereunder. BI shall not be liable for any failure or any delay in performance hereunder if such failure or delay is due, in whole or in part, to any cause beyond its control. Any pre-printed terms and conditions of any purchase order issued in connection with this Agreement or maintenance service of the Equipment shall be superseded by the terms and conditions of this Agreement and of no force and effect. Either party may terminate this Agreement at any time for failure of the other to comply with any of its terms and conditions. Such termination will require a written notice as described herein.

Customer shall pay any and all applicable state and local taxes that may be due from this Agreement.

Interest on any amount which is past due shall accrue at the rate of 1-1/2% per month, or if such rate exceeds the maximum rate allowed by law, then at such maximum rate, and shall be payable on demand. Customer agrees that BI may withhold Coverage services to Customer if Customer's account with BI is delinquent

APPLICATION FOR COUNTY EDIT GRANT FUNDS – A BETTER LIFE BRIANNA’S HOPE
MOTION: Commissioner Henry made a motion to table the application for EDIT Grant Funds (A Better Life Brianna’s Hope) until June 19, 2017.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

ORDINANCES FOR SECOND READING

**AN ORDINANCE OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS
CONSTRUCTION SITE & POST CONSTRUCTION SITE STORMWATER CONTROL**

ORDINANCE NO. 2017-011 (AMENDMENT)

Mr. John Brooke, County Attorney, said an ordinance is already in place, but based on changes to the law the ordinance will need amended. Stormwater Board has reviewed the amendment.

Ms. Tony Cecil, Stormwater Compliance Inspector, said the ordinance is for clarification purposes.

MOTION: Commissioner Henry made a motion to adopt Ordinance 2017-011, An Ordinance of the Delaware County Board of Commissioners Construction Site & Post Construction Site Stormwater Control.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Full view of ordinance 2017-011 is located at www.co.delaware.in.us

ORIGINAL

ORDINANCE NO. 2017- 011

AN ORDINANCE OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS
Construction Site & Post Construction Site Stormwater Control Ordinance

WHEREAS, the Delaware County Storm Water Board was created pursuant to I. C. 8-1.5-5 et. seq.; and

WHEREAS, the Delaware County Storm Water Board has the obligation to protect the rivers, creeks and waterways of the County from pollution and improper discharge by construction activity; and

WHEREAS, the Delaware County Storm Water Board believes that an ordinance requiring the development of Stormwater Pollution Prevention Plans (SWPPP) for all land disturbing activities required to obtain a 327 IAC 15-5 permit. The plan includes erosion and sediment control measures, materials handling procedures, construction and post construction control measures to be submitted as part of the construction plans and specifications for new development and redevelopment in order for there to be issued a Stormwater Erosion & Sediment Control Permit for construction sites disturbing one acre or more of land in Delaware County.

WHEREAS, new requirements for stormwater quality affect the County directly resulting from the United States Environmental Protection Agency (EPA) regulation entitled "National Pollutant Discharge Elimination System (NPDES)—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (Federal Register, Volume 64, Number 235, pages 68722 – 68852) on December 8, 1999 as required by section 402(p) of the Clean Water Act (CWA); and

WHEREAS, the program is administered by the Indiana Department of Environmental Management with the adoption of 327 IAC 15-5 for Storm Water Run-off Associated with Construction Activity, and 327 IAC 15-13 for Storm Water Run-Off Associated with Municipal Separate Storm Sewer System (MS4) Conveyances; and

WHEREAS, 327 IAC 15-13-15 (b) requires the County to pass an ordinance, or other local regulatory mechanism, establishing a construction program that controls polluted run-off from construction activities with a land disturbance greater than or equal to one acre, or disturbances of less than one acre of land that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres of land; and

WHEREAS, the required ordinance, or other local regulatory mechanism, must contain at a minimum the requirements of 327 IAC 15-5, except for state permitting process references, and submittal deadlines of construction plans; and

WHEREAS, the required ordinance, or other regulatory mechanism must contain, at a minimum, the post-construction requirements of 327 IAC 15-5-6.5(a)(8); and

WHEREAS, the creation of a new stormwater management program could help address stormwater management problems; and

WHEREAS, the County Stormwater Control Board recommends approval of this Ordinance.

Now Therefore be it Ordained by the Board of Commissioners of Delaware County, Indiana that:

SECTION 1: PURPOSE/INTENT

A. Site Construction Control

The purpose of this ordinance relative to Construction and Post Construction Control is to establish requirements for stormwater discharges from construction activities so as to protect the public health, existing water uses, and aquatic

ORDINANCE FOR PUBLIC WORKS PROJECTS IN DELAWARE COUNTY
ORDINANCE NO. 2017-012

Mr. Brooke presented Ordinance 2017-012, Public Works Projects in Delaware County.

MOTION: Commissioner Henry made a motion to adopt Ordinance 2017-012, Public Works Projects in Delaware County.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Full view of ordinance 2017-012 is located at www.co.delaware.in.us

ORDINANCE 2017-012

ORIGINAL**AN ORDINANCE FOR PUBLIC WORKS PROJECTS IN DELAWARE COUNTY**

WHEREAS, the County of Delaware (Highway Department) performs paving work on the county highways from time to time; and

WHEREAS, the County Highway Department has a highly skilled, trained and professional workforce that can perform the work necessary for the maintenance and improvements of the county highways and roadways; and

WHEREAS, the employees of the County Highway Department have demonstrated their skill and expertise for many years on the roads and bridges in Delaware County, Indiana; and

WHEREAS, the Indiana Code section 36-1-12-3 requires that any public works projects with an estimated cost of \$250,000 be submitted for public bid and review; and

WHEREAS, the Indiana Code section 36-1-12-3 requires that any public works project with an estimated value of \$100,000 or greater must conduct a review and determination if the project can be performed by the county workforce.; and

WHEREAS the Board of Commissioners shall adopt an ordinance for the requirements on the cost of the public works projects \$100,000 or greater.

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

1. For projects \$100,000 or more, but less than \$250,000 the process shall be as follows:
 - a. The County Highway Department management along with the engineering staff or any other department to determine the anticipated cost of the project. The cost for the projects shall include the anticipated costs for labor, equipment, materials and supplies. The Department shall also make a determination as to whether the Department shall use its own work force or sent the matter for bid.
 - b. If the estimate of the project is \$100,000 or more, but less than \$250,000 then the Highway Department management or other department shall notify the Board of Commissioners to conduct a public hearing.
 - c. Once the Board of Commissioners is notified by the Highway Department management or any other Department that provides notification to the Board of Commissioners and that the Department desires to use their own work force to complete the project, then the Board of Commissioners shall publish a notice of public hearing as part of one of their public meetings pursuant to I. C. 5-3-1 et. seq.
 - d. At the public hearing, the Department requesting the completion of a public works project with an anticipated cost of \$100,000 but less than \$250,000 shall provide information to the Board of Commissioners as to the skills, training, or expertise of the work force to complete the project. Any other person, firm or entity that desires to speak and provide information at the public hearing concerning the proposed public works project.
 - e. At the conclusion of the public hearing the Board of Commissioners shall make a determination if the proposed county's work force has the skill, training or expertise to complete the project. If the Board of Commissioners determines that the work force has the skill, training or expertise to complete the project then the Board shall

RESOLUTIONS FOR APPROVAL

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A
NONPROFIT CORPORATION #6**

RESOLUTION 2017-026

MOTION: Commissioner Henry made a motion to approve Resolution 2017-026, Making a Final Determination of the Tax Sale Certificate to be Assigned to a Nonprofit Corporation #6.

SECOND: Commissioner Riggini

YEAS: Commissioner Riggini, Commissioner Henry, President King

RESOLUTION 2017-026 ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #6

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificate 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:


18-11-15-334-007.000-003 510 E 7TH Tax Sale Certificate: #181600666 Delinquent Taxes: \$1,814.

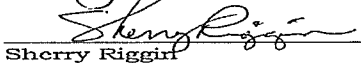
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

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.

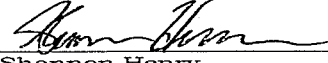
Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificates described above to the **Urban Light Community Church, Inc.**


Passed and adopted by the Commissioners on the 5 day of June, 2017.



James King, President


Sherry Riggini



Shannon Henry
ATTEST 

Steve Craycraft, Auditor

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE,
INDIANA, IDENTIFYING PARCELS TO BE OFFERED
FOR SALE TO ADJACENT PROPERTY OWNERS
RESOLUTION 2017-027

Ms. Janet Kesler, Tax Sale Clerk, presented Resolution 2017-027. The vacant lots have been in multiple tax sales, once approved, Ms. Kesler will send letters to adjacent property owners.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-027, Identifying Parcels to be Offered for Sale to Adjacent Property Owners.

SECOND: Commissioner Riggins

YEAS: Commissioner Riggins, Commissioner Henry, President King

RESOLUTION NO. 2017.027 ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
IDENTIFYING PARCELS TO BE OFFERED FOR SALE TO ADJACENT PROPERTY OWNERS

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, there are several parcels in Delaware County that were offered but not sold in a tax sale. The identified parcels are attached hereto to this resolution as "Exhibit A"; and

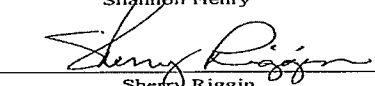
WHEREAS, the Board of Commissioners now intends to accept written applications from contiguous parcel owners who satisfy the requirements of Ind. Code 6-1.1-24-6.8 for purchase of the identified parcels; and

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners will provide written notice of its intent to sell such identified parcels to the owner of record of each such contiguous parcel, and will process said applications and sell the identified parcels in accordance with Ind. Code 6-1.1-24-6.8.

Adopted this 5 day of June, 2017.


James King, President


Shannon Henry


Sherry Riggins

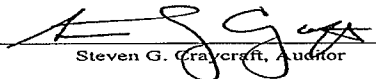
ATTEST: 
Steven G. Graycraft, Auditor

Exhibit A

PARCEL #	PROPERTY ADDRESS	CERTIFICATE NUMBER	DELINQUENT TAXES
11-14-313-006.000-003	1420 S BROTHERTON ST	181300732	\$ 4,757.96
11-07-287-002.000-003	3309 W DEVON RD	181400201	\$ 11,525.69
11-15-352-003.000-003	211 E 8TH ST	181600674	\$ 5,491.20
11-01-355-014.000-003	2000 BLK N GARNET AVE	181300120	\$ 2,028.63
11-11-107-014.000-003	1900 BLK E HINES ST	181500455	\$ 1,751.40
11-15-356-024.000-003	1603 S JEFFERSON ST	181600684	\$ 6,380.84
11-15-357-011.000-003	1700 & 1702 S JEFFERSON ST	181600687	\$ 5,305.98
11-22-115-003.000-003	2210 S JEFFERSON ST	181600994	\$ 8,432.22
11-15-182-003.000-003	715 E KIRBY AVE	181500645	\$ 6,262.88
11-15-309-008.000-003	225 E 6TH ST	181600652	\$ 10,676.96
11-15-315-009.000-003	408 E 8TH ST	181301029	\$ 8,360.57
11-16-383-003.000-003	924 W 10TH ST	181500988	\$ 993.62
11-16-357-010.000-003	1401 W 10TH ST	181301300	\$ 4,127.04
11-11-114-005.000-003	1819 E BUTLER ST	181300513	\$ 1,117.64
11-11-131-002.000-003	1214 N CENTRAL AVE	181300528	\$ 9,706.09
03-26-402-004.000-023	14900 BLK CR 175E	181302154	\$ 1,555.90
11-11-160-011.000-003	911 N ELGIN ST	181300546	\$ 27,678.99
11-10-112-027.000-003	1400 BLK N ELM ST	181300273	\$ 12,899.34
11-11-302-021.000-003	1900 E FAULKNER DR	181300580	\$ 4,686.19
11-11-303-016.000-003	1911 E FAULKNER DR	181400385	\$ 810.80
11-11-303-017.000-003	1912 E FAULKNER DR	181400386	\$ 652.23
11-11-176-009.000-003	1100 BLK N GAVIN ST	181300553	\$ 1,244.48
02-34-306-004.000-025	300 BLK E HIGH ST	181302189	\$ 2,267.62
11-11-105-006.000-003	1700 BLK E KIRK ST	181300489	\$ 1,183.25
11-10-490-017.000-003	1302 E MAIN ST	181300466	\$ 2,615.83
11-11-430-010.000-003	402 N MANHATTAN AVE	181300610	\$ 6,470.48
11-15-331-002.000-003	1210 S MONROE ST	181301043	\$ 2,108.96
11-12-355-016.000-003	200 BLK N STATE ST	181300643	\$ 2,511.87
11-12-309-018.000-003	407 N STATE ST	181400419	\$ 1,652.70
11-12-305-013.000-003	701 ADJ N STATE ST	181300633	\$ 2,060.35

DEPARTMENT HEADS AND ELECTED OFFICIALS

Ms. Angie Moyer, Project Manager, said Town of Yorktown donated right of way for construction of rehab Bridge 141 project (White River and Tiger Drive).

Form WD-1
Revised May-14

WARRANTY DEED

Project: 0710098
Code: N/A
Parcel: 1
Page: 1 of 3

THIS INDENTURE WITNESSETH, That the TOWN OF YORKTOWN, INDIANA the Grantor, of Delaware County, State of Indiana Conveys and Warrants to **Board of Commissioners of Delaware County, Indiana**, the Grantee, for and in consideration of the sum of One-----00/100 Dollars (\$1.00) (of which said sum \$1.00 represents land and improvements acquired and \$00.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Delaware, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B," both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned represents and warrants that they are members of the Town Council, that pursuant to resolution of the Town Council they have full authority to manage the affairs of said Town and sign and execute documents on its behalf and that said authority has not been revoked, and that they are therefore, fully authorized and empowered to convey to the County of Delaware, Indiana real estate of the Town, and that on the date of execution of said conveyance instruments they had full authority to so act.

Ms. Kimberly Cuthbertson, Plan Commission, said Pictometry has aerial view completed for 2017.

Mr. Jason Rogers, EMS/EMA Director, said the contract with Blue & Company is due again; revenue generated should be over \$150,000. Blue & Company's invoice is \$3500.

Mr. Rogers said Ordinance 2017-001A will need amended again due to a word change, requested by State Board of Accounts.

Mr. Brooke said it would still need to go through two readings.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-001B.

SECOND: Commission Riggini

YEAS: Commissioner Riggini, Commissioner Henry, President King

Mr. Rogers presented the write-offs for June 2017.

MOTION: Commissioner Riggini made a motion to approve write-offs for June 2017.

SECOND: Commissioner Henry

YEAS: Commissioner Riggini, Commissioner Henry, President King

06/01/17

Delaware County Muncie EMS Monthly Recap Sheet

Page 1 of 1

Transaction Date	Transaction Date	MS,-1M
Transaction Date	Transaction Date	MS,-1D
Company Code	Company Code	DELAWARE COUNTY/MUNCIE EMS

~~AR Previous Balance~~ ~~\$1,786,926.44~~

Total AR Change for Invoice	\$694,756.50
Payment	
*CC CREDIT CARD PYMT	(\$2,244.57)
*CK CK PYMT	(\$23,120.46)
*CP COMMERCIAL PYMT	(\$68,782.12)
*CP WORKERS COMP PYMT	(\$385.92)
*MD MCAID PYMT	(\$10,941.32)
*MR MCARE PYMT	(\$143,593.93)
RP REVERSE PYMT	\$0.12
Total AR Change for Payment	(\$249,068.20)
WriteOff	
*AA MCAR ALLOWANCE	(\$208,566.99)
*AC COMM ALLOWANCE	(\$33,649.18)
*AC WORKERS COMP WRITE OFF	(\$239.08)
*AD MCAID ALLOWANCE	(\$59,381.14)
*AI CHARITY	(\$1,331.00)
*AO BANKRUPTCY	(\$889.30)
*AO DECEASED	(\$562.88)
*AO WRITE OFF PER CLIENT REQUEST	(\$6,685.00)
*BD BAD DEBT	\$92.41
*PR REFUND	\$1,113.93
Total AR Change for WriteOff	(\$310,098.23)
Summary by Type for DELAWARE COUNTY/MUNCIE EMS	
Invoice	\$694,756.50
Payment	(\$249,068.20)
WriteOff	(\$310,098.23)
Collections Transfer	(\$75,824.65)
Accounts Receivable Change	\$59,765.42

~~Total Balance Forward~~ ~~\$1,846,691.86~~

DCEMS Capital Fund	\$20,000.00
DCEMS Ambulance Fund	\$10,000.00
DCEMS 457 Pension PF Accts	\$10,500.00
DCEMS Medical Supplies Acct	\$16,000.00
DCEMS Hazmat Fund	\$4,500.00
DCEMS Intercept Fund	(\$7,000.00)

Mr. Ray Dudley, Sheriff, said “Kids Camp” will start June 19, 2017 through June 24, 2017 for ages 12-15.

Mr. Brooke said at the request of President King and Commissioner Henry, his findings regarding county employees working as a volunteer Reserve Deputies is as stated. EMS Dispatchers and 911 employees are willing to volunteer as Reserve Deputies, under Fair Labor Act it states you cannot volunteer for the same employer without the employee incurring overtime. After much research, Mr. Brooke found that since jobs are not similar in nature, determination was made that EMS Dispatchers and 911 employees can serve as Reserve Deputies. Mr. Brooke recommended that the handbook be modified and any other cases that should come up be reviewed by Mr. Brooke and Mr. Rick Spangler, Human Resource Director.

MOTION: Commissioner Henry made a motion to approve the recommendation regarding county EMS Dispatchers and 911 employees working as a volunteer for Reserve Deputies and to update the handbook.

Commissioners June 5, 2017

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

Mr. Brooke acceptance for warranty deed for Mr. and Mrs. Kathryn and Vernon Faulkner, Morrison Tax Increment Fund (TIF) sidewalk project. Delaware County needs to accept the property.

MOTION: Commissioner Henry made a motion to accept the property regarding the warranty deed.

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

Was not provided a copy of warranty deed

MONTHLY/WEEKLY REPORTS

Weights and Measures April 16, 2017 – May 15, 2017

PAYMENTS OF CLAIMS

MOTION: Commissioner Rigglin made a motion to pay claims in the amount of \$2,038,814.96.

SECOND: Commissioner Henry

YEAS: Commissioner Rigglin, Commissioner Henry, President King

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Mike Jacobs, Country Village and Creekwood Neighborhood Association, presented information regarding roads around their neighborhood.

Country Village and Creekwood Estates
Neighborhood Association
CVCNA.COM - Facebook: CVCNA LIVL

October 15, 2013

Dear County Commissioners,

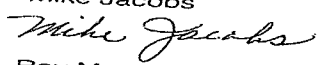

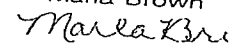


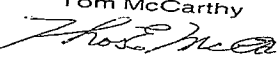
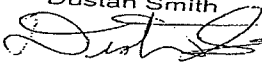
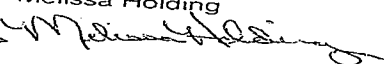
Over two years ago when the Country Village and Creekwood Neighborhood Association approached the county commissioners for our first meeting, we were given the opportunity to meet with many departments within the county. As an aging neighborhood, we needed a listening ear to hear our concerns regarding much needed improvements with street drainage, ditch drainage, and crumbling roads.

Since then, with the cooperative efforts of many people, most of the areas of needed improvement within our neighborhood have been addressed. In getting there, the level of communication by the county was the key for which many solutions had been presented. Because the county understood their limitations and ours, plans were decided upon and put into place to help our community move forward and to make positive lasting improvements.

It has been a very rewarding and positive learning experience to be involved with the county in discussing, deciding and implementing the needed improvements. As a well established Delaware County community, the residents of Country Village and Creekwood Estates are grateful for the efforts of all the county's departments which have been involved in making things happen. We look forward to working together in the future.

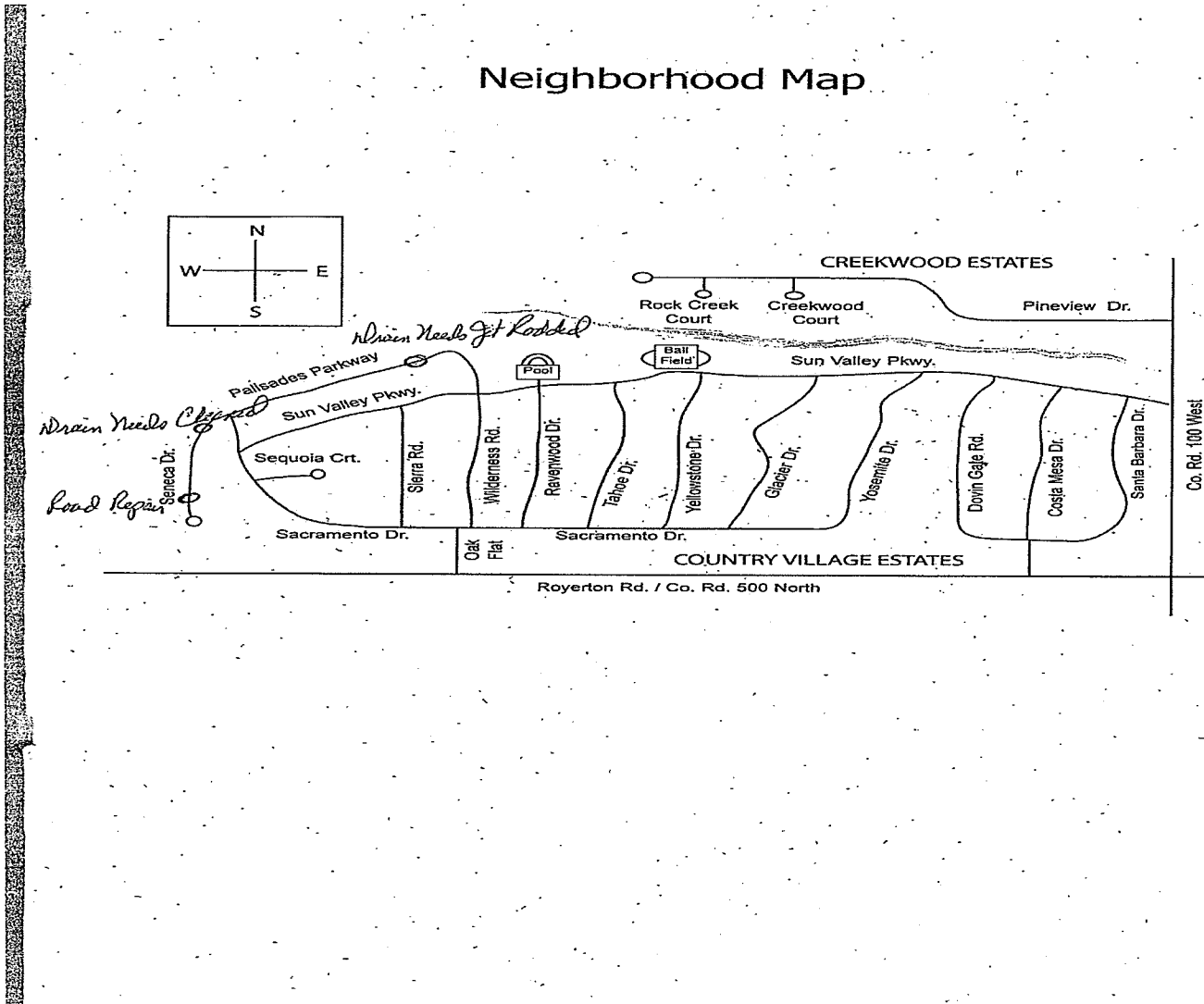
Sincerely,

Country Village and Creekwood Neighborhood Association Board Members

Mike Jacobs 	Eric Dishman 	Marla Brown 
Ray Maynard 	Ralph Flowers 	Tom McCarthy 
Dustan Smith 	Melissa Holding 	

mjae

Neighborhood Map




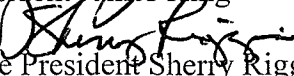
Mr. Larry Crouch, Yorktown, Indiana, presented neglect, misuse of money, problems, and concerns regarding Delaware County Regional Waste Water District.

Mr. Brooke replied that an independent audit may take place soon.


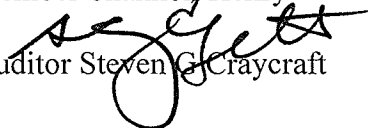
MOTION: Commissioner Riggan made a motion to recess until June 19, 2017.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King


 President James King

 Vice President Sherry Riggan

RECESS


 Member Shannon Henry

 Auditor Steven G. Craycraft

Commissioners June 5, 2017