

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

ORIGINAL

ROLL CALL

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggin
Mr. Steven G. Craycraft
Mr. Joe Rhett, Attorney

APPOINTMENT

MOTION: Commissioner Henry made a motion to appoint to the Delaware County Community Corrections, Mr. Ken Mace with a term date of 2/8/2018 through 6/30/2020 and Mr. Jeff Hansard 2/5/2018 through 6/30/2020.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to appoint to the Visitors Bureau, Ms. Jody Clevenger with a term date of December 31, 2019.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Riggin made a motion to table Yorktown Public Library Board.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

TABLED BUSINESS

**OPIOID LITIGATION AGREEMENT
MEDICAID FOR INMATES AGREEMENT**

Both agreements remain tabled.

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve January 16, 2018 Commissioner minutes, January 17 and January 23, 2018 Executive Session minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

PRESENTATIONS TO COMMISSIONERS

Mr. Michael Myers, a veteran spoke about the appreciation he has of the Delaware County Veterans Office.

Mr. Nate Jones, Veterans Director, updated the Commissioners regarding the services that are provided for Veterans.
Presentation is available in the Auditors office

Mr. Joe Edwards, SRI, presented information regarding the Commissioners 2018 Certificate Sale. Minimum bid for under \$1,000 is \$100 and 10% for anything over \$1,000.

CONTRACTS OR AGREEMENTS FOR APPROVAL

MOTION: Commissioner Henry made a motion to table Umbaugh Comprehensive County Financial Plan Agreement until February 20, 2018.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve both Fieldware Offenderlink Service Agreements/Delaware County Circuit Courts and both amendments.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve the Extension Agreement for the Union Contracts until March 2, 2018.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King



ORIGINAL

OffenderLink™ SERVICE AGREEMENT

This Agreement is entered into this Feb. 5, 2018 by and between Fieldware, LLC., an Illinois limited liability company ("Fieldware") and the County of Delaware, a political subdivision of the State of Indiana, through its Delaware County Title IV-D Court ("Agency").

WHEREAS, Fieldware is engaged in the business of providing an automated supervision management service (hereinafter referred to as "OffenderLink™") through the use of an integrated web-based case management system and an automated telephone-based offender reporting and notification system whereby Agency clients (hereinafter referred to as "Clients") make periodic contact; and

WHEREAS, Agency is desirous of using OffenderLink™ to support supervision services for its Clients.

NOW THEREFORE, in exchange for the mutual consideration set forth in this Agreement, Fieldware and Agency agree as follows:

1. Fieldware agrees to provide OffenderLink™ Automated Telephone Reporting (ATR) and/or Automated Notification (ANS) services as outlined herein. Fieldware anticipates services to begin within 60 days of Agreement effective date, or if necessary, on a future mutually agreed upon date to allow for implementation and customization of OffenderLink™.
2. Fieldware shall, at its expense:
 - A. Maintain web-based application and any necessary hardware (e.g., web servers) to support OffenderLink™, minimum features to include:
 - Action-based Agency To-Do-Item lists
 - Online voice message retrieval
 - Automated and Agency created Client case notes
 - Automated Client letter generator using Agency pre-approved templates
 - Existing Client caseload and exception reporting
 - Real-time Client compliance statistics
 - Limited agreed upon special conditions processing
 - B. Maintain interactive voice response application to support OffenderLink™, minimum features to include:
 - Toll-free number for Client reporting contacts. Most Agencies have their clients report monthly but alternative schedules of weekly and every other week are also available for specialized caseloads.
 - Toll-free number for Agency messaging
 - Agency defined call reporting question content
 - Automated transcription for address, phone, employment status updates where possible
 - Agency messaging customization for individual Clients
 - Standard messaging to include account balance and next call date



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ORIGINAL

EXTENSION AGREEMENT

February 5, 2018

The termination date of the Agreement (including all supplements thereto, if any) between Delaware County Commissioners and Delaware County Council for Delaware County Emergency Services Communication Technicians and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and its Local 321, is hereby extended from January 31, 2018 to March 2, 2018 and thereafter on a day-to-day basis. Should either party desire to terminate the Agreement, said party shall give written notice to the other party at least twenty-four (24) hours in advance, and the Agreement shall be terminated on the date and hour specified in the twenty-four (24) hour notice.

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

Delaware County, Indiana

Local 321, UAW

[Signature]

A. S. Gault Auditor
2-5-18

ORDINANCES FOR FIRST READING
BEING AN ORDINANCE TO AMEND THE TEXT OF THE SUBDIVISION ORDINANCE OF DELAWARE COUNTY, IN REGARDING PROCEDURES FOR MINOR PLATS, NOTICE AND MINOR TRANSFERS OF PROPERTY

ORDINANCE NO 2018-001

MOTION: Commissioner Riggan made a motion to approve Ordinance 2018-001, Being an Ordinance to Amend the Text of the Subdivision Ordinance of Delaware County, IN Regarding Procedures for Minor Plats, Notice and Minor Transfers of Property. The Plan Commission gave a favorable recommendation at their January meeting.

SECOND: Commissioner Henry

YEAS: Commissioner Riggan, Commissioner Henry, President King

ORDINANCE NO. 2018-001

ORIGINAL

BEING AN ORDINANCE TO AMEND THE TEXT OF THE SUBDIVISION ORDINANCE OF DELAWARE COUNTY, INDIANA REGARDING PROCEDURES FOR MINOR PLATS, NOTICE AND MINOR TRANSFERS OF PROPERTY

WHEREAS, the State enabling act for planning and zoning empowers the Board of Commissioners of Delaware County, Indiana to adopt a Subdivision Control Ordinance and also provides for amendments to said ordinances as deemed necessary from time to time; and

WHEREAS, the State enabling act also provides for amendments to further promote the public health, safety and general welfare; and

WHEREAS, the current provisions require updating or clarification; and

WHEREAS, the Delaware-Muncie Metropolitan Plan Commission has given legal notice of a public hearing and, after consideration of the proposed amendments during the hearing, hereby forwards a favorable recommendation (5-0; 4 absent) regarding said amendment to the County Commissioners of Delaware County, Indiana, all as required by law; and

WHEREAS, the Board of Commissioners of Delaware County, Indiana has given reasonable regard to the Comprehensive Plan; current conditions and the character of current structures and uses in each district; the most desirable use for which land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible growth and development.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, Indiana that the text of the Delaware County Subdivision Control Ordinance shall be amended, changed and supplemented as follows:

Section 1. That Article XVIII DEFINITIONS of the Subdivision Ordinance of Delaware County, Indiana, shall be amended and supplemented by inserting the following sentence at the end of Section 28. SUBDIVISION, Subsection A.: "The sale or exchange of small parcels of land to or between adjoining property owners or the sale or exchange of a part or parts of adjoining lots within a platted subdivision, where such sales or exchanges do not create additional lots or building sites, shall not be considered a subdivision for the purpose of this Ordinance."

Section 2. That Article XIV PROCEDURE, Section 2. PRELIMINARY PLAN, Subsection F of the Subdivision Ordinance of Delaware County, Indiana, shall be amended by deleting the phrase "in at least one (1) newspaper of local circulation at least fifteen (15) days prior to the date of the hearing" and replacing it with the phrase "in accordance with state law".

Section 3. That Article XIV PROCEDURE shall be amended and supplemented by adding a Section 4 at the end as follows:

SECTION 4. MINOR PLATS

ORDINANCE FOR JUVENILE COURT FAMILY RECOVERY COURT
ORDINANCE NO. 2018-002

Ms. Emily Anderson, Court Administrator, presented Ordinance 2018-002, Ordinance for Juvenile Court Family Recovery Court. This grant was received during fall 2017 for a Juvenile Court program.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2018-002, Ordinance for Juvenile Court Family Recovery Court.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to suspend rules of Ordinance 2018-002, Ordinance for Juvenile Court Family Recovery Court.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve Ordinance 2018-002, Ordinance for Juvenile Court Family Recovery Court.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

ORIGINAL

ORDINANCE 2018-002

**DELAWARE COUNTY COMMISSIONERS
ORDINANCE FOR JUVENILE COURT FAMILY RECOVERY COURT**

WHEREAS, the Delaware County Juvenile Court has been awarded a Court Improvement Program Grant by the Indiana Supreme Court Administration; and

WHEREAS, the Delaware County Juvenile Court/Circuit Court 2 is being awarded this grant to implement a Family Recovery Court; and

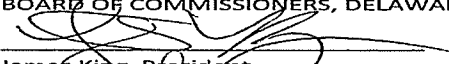
WHEREAS, the Board of Commissioners is supportive of the Delaware County Juvenile Court/Circuit Court 2 receiving these funds and needs to set up a separate non-reverting fund for the deposit and use of the grant funds by the Delaware County Juvenile Court/Circuit Court 2.


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

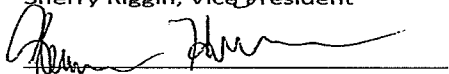
1. A Separate non-reverting fund shall be established by the Delaware County Auditor for the purpose of receiving any and all funds for the Delaware County Juvenile Court/Circuit Court 2 as awarded by the State of Indiana Court Improvement Program Grant for the Juvenile Court Family Recovery Court.
2. Said grant funds shall be deposited into this non-reverting fund and shall be used by the Delaware County Juvenile Court/Circuit Court 2, without appropriation, as per specified by the Delaware County Circuit Court 2 Judge.


Passed and adopted by the Board of Commissioners on the 5 day of February, 2018.

BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA


James King, President


Sherry Riggan, Vice President


Shannon Henry, Member


Steven Craycraft, Delaware County Auditor

RESOLUTIONS FOR APPROVAL

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA,
IDENTIFYING PARCELS TO BE
OFFERED FOR SALE TO ADJACENT PROPERTY OWNERS
RESOLUTION NO. 2018-006**

Ms. Janet Kesler, Tax Sale Clerk, presented Resolution 2018-006, Identifying Parcels to be Offered for Sale to Adjacent Property Owners.

MOTION: Commissioner Henry made a motion to approve Resolution No. 2018-006, Resolution of the Board of Commissioners of the County of Delaware, Indiana, Identifying Parcels to be Offered for Sale to Adjacent Property Owners.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

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ORIGINAL

RESOLUTION NO. 2018-006

**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 is one parcel in Delaware County that was offered but not sold in a tax sale. The identified parcel is:

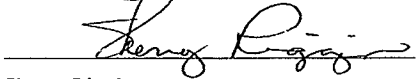
18-11-17-482-006-000-003 1801 W. 10th RANDULCO 1 ADD Block # 2 Lot # 7 \$2,909.05

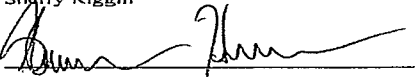
WHEREAS, the Board of Commissioners now intends to accept written applications from contiguous parcel owners who satisfy the requirements of Ind. Code 6-1.1-24-6.8 for purchase of the identified parcels; and


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 FEBRUARY, 2018.


James King, President


Sherry Riggan


Shannon Henry

ATTEST: 
Steven G. Craycraft, Auditor

**RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONERS' SALE TO SELL TAX
SALE CERTIFICATES FOR PROPERTIES THAT ARE
SEVERELY DELINQUENT IN PAYMENT OF PROPERTY TAXES
RESOLUTION NO. 2018-007**

Ms. Kesler said this is a formal request for the Commissioners Certificate Sale.

MOTION: Commissioner Henry made a motion to approve Resolution 2018-007, Resolution Establishing the Intent to Conduct a Commissioners' Sale to Sell Tax Sale Certificates for Properties That Are Severely Delinquent in Payment of Property Taxes.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

RESOLUTION NO. 2018-007

ORIGINAL

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONERS' SALE TO SELL TAX SALE CERTIFICATES FOR PROPERTIES THAT ARE SEVERELY DELINQUENT IN PAYMENT OF PROPERTY TAXES.

WHEREAS, there are several properties in Delaware county that are severely delinquent in the payment of property taxes, having been offered for tax sales and which received no bids equal to or in excess of minimum sale price. The parcel numbers of those properties being attached to this as "Exhibit A", and

WHEREAS, there is an assessed value associated with these properties for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to those taxing units and taxing districts within which the properties are located, and

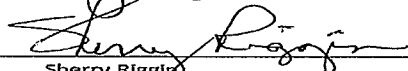
WHEREAS, the Delaware County Commissioners desire to have these properties back on the tax rolls with taxes being collected, and

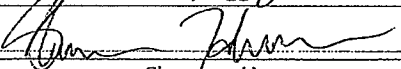
WHEREAS, IC6-1.1-24-6, *et seq.* allows for the County Commissioners to acquire a lien on those delinquent properties and receive issuance of the tax sale certificates for those properties, without taking title to the properties, therefore limiting the liability and cost normally associated with taking title.

NOW, THEREFORE, BE IT RESOLVED by the Delaware County Board of Commissioners that the County Executive shall acquire liens and receive tax sale certificates of the properties listed on Exhibit A that are severely delinquent and sell said certificates at a properly advertised Commissioner Tax Certificate sale.

Adopted this 5 day of FEBRUARY 2018.


James King, President


Sherry Rigglin


Shannon Henry

ATTEST: 
Steven G. Craycroft, Auditor

MONTHLY/WEEKLY REPORTS

Weights & Measures December 16, 2017-January 15, 2018

PAYMENTS OF CLAIMS

MOTION: Commissioner Henry made a motion to pay claims in the amount of \$1,037,566.10.

SECOND: Commissioner Rigglin

YEAS: Commissioner Rigglin, Commissioner Henry, President King

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Dave Ring, Mr. Robert Ray, Mr. Doug Short, Mr. Travis Graves and Mr. Jim Harker, spoke regarding the proposed confined animal feed operation. Mr. Ring would like a moratorium.

Mr. Ray said concerns are clean air, safe drinking water, high erosions, rolling hills, keeping soil productive is a concern. Homes in the area could lose their value.

Commissioners February 5, 2018

Mr. Short requests that no local permits be issued until they meet with Plan Commissioner. County roads, bridges, culverts, draining, flooding, an increased traffic and weight limits are a concern. A packet was provided to Mr. Henry.

Mr. Graves is concerned about CAFO's. Graves said it is not good for the environment and has a negative effect on Delaware County. Gainful employment would not come from CAFO's. This is the responsibility for the Commissioners to stop CAFO's.

Mr. Harker said this is not farming, CAFO's are industry and a massive operation. A moratorium should be in place to protect constituents. This is not good for water, roads, infrastructure, environmental issues etc. Mr. Harker asks for a total ban or a moratorium.

Ms. Marta Moody, Plan Commission, said this would deal with home/local requirements through the zoning ordinance. A meeting is set to review requirements. One main tool used is setbacks for uses. A moratorium is usually due to a short term of time while addressing the issue.

The Commissioners have been in discussion with their attorney, Mr. John Brooke regarding this matter.


Mr. Rick Yencer said there is a need for more early voting sites for 2018.

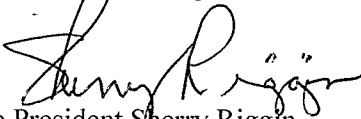
RECESS

MOTION: Commissioner Riggin made a motion to recess until February 20, 2018.


SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King


President James King


Vice President Sherry Riggin

Member Shannon Henry


Auditor, Steven G. Craycraft

