

**DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, DECEMBER 4, 2017 @ 9:00 A.M.
COMMISSIONER'S COURTROOM
100 W. MAIN ST.
MUNCIE, IN 47305**

ROLL CALL

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

TABLED BUSINESS

A DELAWARE COUNTY HEALTH DEPARTMENT ENVIRONMENTAL ENFORCEMENT FUND
ORDINANCE 2017-028

RESOLUTION TO ASSIGN TAX SALE CERTIFICATES
FROM DELAWARE COUNTY TO THE CITY OF MUNCIE
REDEVELOPMENT COMMISSION
RESOLUTION NO. 2017- 044

The Commissioners agreed to keep Ordinance 2017-028 and Resolution 2017-044 and tabled.

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve November 20, 2017 minutes.
SECOND: Commissioner Henry
YEAS: Commissioner Riggin, Commissioner Henry, President King

PRESENTATIONS TO COMMISSIONERS

Mr. John West, Urban Planning Ball State University, discussed the Muncie Land Bank. The project is regarding abandoned and blighted properties. December 7, 2017 at 5:30 p.m., at Garden Brewery, 100 stories and dreams will take place to discuss the history of properties and how these properties could be transformed into something better. The land bank does not have policies and procedure in place, at this time. Mr. West would like support from the Commissioners. Funding at this time is the biggest issue.

ORDINANCES FOR SECOND READING
ORDINANCE AMENDING TITLE 5 OF THE DELAWARE COUNTY CODE OF
ORDINANCES, ORDINANCE NO. 2017- 030

MOTION: Commissioner Riggini made a motion to table Ordinance 2017-030, due to some concerns she has.
MOTION DIED

MOTION: Commissioner Henry made a motion to approve Ordinance 2017-030, Amending Title 5 of the Delaware County Code.

SECOND: President King

YEAS: Commissioner Henry, President King

NAYES: Commissioner Riggini

Ordinance can be found at www.co.delaware.in.us

ORDINANCE TO REPEAL DELAWARE COUNTY
ORDINANCE 98-007-A AND ORDINANCE 98-007-A1
TATTOO PARLORS
ORDINANCE NO. 2017- 031

Mr. John Brooke, County Attorney, said this ordinance will need published. The effective date will be 10 days after publication.

MOTION: Commissioner Henry made a motion to approve Ordinance 2017-031, Concerning Tattoo Parlors within Delaware County.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Ordinance can be found at www.co.delaware.in.us

ORDINANCES FOR FIRST READING

AN ORDINANCE AMENDING ORDINANCES 2011-001A AND 2009-009A CONCERNING THE
DELAWARE COUNTY FAIR BOARD
AND IT'S OPERATION AS PART OF COUNTY GOVERNMENT
ORDINANCE 2017-034

Ms. Donna Patterson, Auditors Office, said this ordinance will place the Fairground Office Manager back on county insurance.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-034, An Ordinance Amending Ordinances 2011-001A and 2009-009A, Concerning Delaware County Fair Board.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to suspend the rules for Ordinance 2017-034, An Ordinance Amending Ordinances 2011-001A and 2009-009A, Concerning Delaware County Fair Board.

SECOND: Commissioner Riggin

Ordinance 2017-034, an Ordinance Amending Ordinances 2011-001A and 2009-009A, Concerning Delaware County Fair Board.

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve Ordinance 2017-034, An Ordinance Amending Ordinances 2011-001A and 2009-009A, Concerning Delaware County Fair Board.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

ORIGINAL

ORDINANCE 2017-134

AN ORDINANCE AMENDING ORDINANCES 2011-001A AND 2009-09A CONCERNING THE DELAWARE COUNTY FAIR BOARD AND ITS OPERATION AS PART OF COUNTY GOVERNMENT

WHEREAS, the Board of Commissioners of Delaware County have taken an increasing role in the activities of the Delaware County Fair, including paying all of the utilities at the fairgrounds, making payment to the Lions Club for the buildings and employing the fairgrounds office manager as a County employee; and

WHEREAS, the Fair Board is no longer functioning as a separate and distinct entity outside of the Commissioners control as was originally conceived; and

WHEREAS, the funds of the Fair Board should be placed in a separate fund and subject to appropriation and payments by Delaware County; and

WHEREAS, the size of the Fair Board should be expanded from seventeen (17) members to twenty-one (21) members. The County Council will appoint two (2) of the twenty-one (21) members and the County Commissioners will appoint nineteen (19) of the members; and

WHEREAS, the terms of the new members should be staggered with the existing members; and

WHEREAS, the Fair Board should be able to accept gifts, donations and grants. These should be placed in a dedicated, non-reverting fund to be used only for fair activities; and

WHEREAS, the purposes of the Fair Board should be to conduct the annual Delaware County Fair, establish policy and operations for the Fairgrounds facility and for purposes related to those activities.

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

1) Governance

- a. The Fair Board shall become a part of the Delaware County government.
- b. The Delaware County Commissioners and the Delaware County Council shall appoint all members of the Fair Board. The Fair Board may consist up to a total of twenty-one (21) members. The Fair Board shall elect officers at the first meeting of each year from the

members appointed on the Board. The officers shall consist of President, Vice-President, Secretary, Treasurer, and Executive Board Member.

- c. The Fair Board shall create and maintain those committees it deems necessary to accomplish the responsibilities assigned by the Commissioners. At a minimum there shall be an Executive Committee, Planning Committee, Entertainment Committee, and Operations Committee.
- d. The Fair Board shall also have certain members that are "ex-officio" members and shall not have the ability to vote on actions of the Board. The ex-officio members shall be a representative of the Delaware County Sheriff, County Extension Office, County Council member, and others as determined by the County Commissioners from time to time.
- e. The office manager employed to assist the Fair Board in their functions shall be a county employee subject to all of the provisions of the County Personnel Handbook and all of the benefits as a county employee, including county health insurance. The office manager shall report directly to the Fair Board and the County Commissioners.

2) Operations

- a. All income and expenditures of the Delaware County Fair and Exposition Center (Fairgrounds) shall be subject to appropriation by County Council and payment shall be made for any expenditure as any other claim or expenditure in county government, using the appropriate forms.
- b. The Fair Board (as further defined herein) shall be responsible for the operation of the annual Delaware County Fair, the operation of the facilities and other aspects of the Exposition Center throughout the year.
- c. The Fair Board may contract with any group, department, or entity to accomplish the operations as set forth herein, subject to the approval of the County Commissioners.
- d. The Fair Board shall submit their budgets to the County Auditor, no later than July 1, of every year to be acted upon by the County Council at their regular scheduled Budget Hearings, to fund the operations of the county fair and Exposition Center.
- e. The Fair Board shall submit a report to the County Commissioners and County Council on its operations at least annually as soon as practicable after the conclusion of the County Fair.
- f. There shall be a fund created with the Delaware County Auditor to be known as the "*Delaware County Fair and Exposition Center*" Fund. The purpose of the fund shall be to assist with the operations and conduct of the annual county fair as well as the operation of the fairgrounds facility.
- g. Income, grants, gifts, and other assets received as a result of the operations of the Delaware County Fair and fairgrounds facility shall be deposited in a dedicated, non-reverting fund known as the "*Delaware County Fair and Exposition Center*" fund and shall be used only for activities related to the annual county fair and/or the fairgrounds facilities.

h. Any additional funds may be appropriated to supplement activities or *capital* improvements at the fairgrounds from time to time from the County General Fund by the Delaware County Council. Any and all unused funds, by the end of the calendar year, appropriated from the County General Fund shall revert back to the County General Fund.

BE IT ORDAINED, that the sole purpose of the Fair Board shall be to conduct the annual Delaware County Fair, and for purposes related to that activity. This Ordinance shall be effective upon passage.

Dated this 4 day December, 2017.


James King, President
Board of Commissioners


Sherry Riggin, Vice President
Board of Commissioners


Shannon Henry, Member
Board of Commissioners

ATTEST:


Steven G. Craycraft, Auditor
Delaware County, PA

**RESOLUTIONS FOR APPROVAL
RESOLUTION OF THE BOARD OF COMMISSIONERS
OF DELAWARE COUNTY, INDIANA
ADOPTING THE PROVISIONS OF IC 5-23
RESOLUTION NO. 2017- 046**

Mr. Brooke recommended that the Commissioners approve Resolution 2017-046, Adopting the Provisions of IC 5-23.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-046, Adopting the Provisions of IC 5-23.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

ORIGINAL

**BOARD OF COMMISSIONERS
OF
DELAWARE COUNTY, INDIANA**

RESOLUTION NO. 2017 - 046

**A RESOLUTION OF
THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA
ADOPTING THE PROVISIONS OF IC 5-23**

WHEREAS, IC 5-23-1-1 provides for counties to be able to utilize that statute governing public-private agreements where the legislative body of the political subdivision has adopted the provisions of the statute by resolution or ordinance; and

WHEREAS, IC 36-1-2-9 defines the legislative body as the board of county commissioners for a county such as Delaware County; and


WHEREAS, the Board of Commissioners of Delaware County, Indiana ("Commissioners") desires to utilize the provisions of IC 5-23;

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

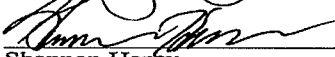
1. It is hereby determined that public-private agreements authorized by and executed pursuant to IC 5-23 are a desirable alternative procurement method for Delaware County under certain circumstances.
2. All of the provisions of 5-23 are hereby adopted for purposes of utilizing public-private agreements.
3. The provisions hereby adopted shall be available for any project deemed appropriate by the Commissioners.
4. This Resolution will be available for public inspection at the office of the Delaware County Auditor from and after the date of its adoption.
5. This Resolution is in full force and effect after the date of its passage.

PASSED by the Board of Commissioners of Delaware County, Indiana this 4 day of December, 2017, by a vote of _____ ayes and _____ nays.

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA



James King, President



Shannon Henry



Sherry Riggins

ATTEST:


Steven Craycraft, Auditor

MONTHLY/WEEKLY REPORTS

PAYMENTS OF CLAIMS

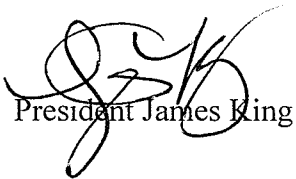
MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$2,337,407.
SECOND: Commissioner Henry \$2,337,407.38
YEAS: Commissioner Riggin, Commissioner Henry, President King

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

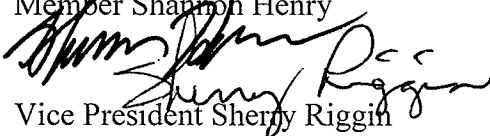
Mr. Larry Crouch, Muncie, IN, is concerned regarding Regional Waste Water.

MOTION: Commissioner Henry made a motion to recess until December 18, 2017.
SECOND: Commissioner Riggin
YEAS: Commissioner Riggin, Commissioner Henry, President King

RECESS


President James King

Member Shannon Henry


Vice President Sherry Riggin


Auditor Steven G. Craycraft