

# NON-CODE

2013

Authorizing a Temporary Loan from Rainy Day Fund #243 to County Insurance Fund #654:

The Delaware County Council hereby authorizes a temporary loan and a transfer of funds in the amount of \$738,058.28 to fund #654. Said funds are to be repaid to the Rainy Day fund on or before December 31, 2013.

**(Resolution No. 2013-002, Council, 2/1/13)**

Authoring the Issuance of County Economic Development Income Tax Revenue Refunding Bonds (with Property Tax Pledge) for the Purpose of Providing Funds to be Applied to the Costs of Refunding Certain Outstanding County Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds, and Addressing Other Matters Connect Therewith:

**Section 1.**     Refunding: Redemption of Refunded 2011 Bonds.     The Common Council, after consideration of the estimated or known interest payable to the fixed maturities of the Refunded 2011 Bonds, the interest payable on the Refunded 2011 Bonds, the costs of issuance of the 2013 Refunding Bonds, including any sale discount, the redemption premiums, if any, to be paid, and the probable earned income from the investment of the proceeds of the 2013 Refunding Bonds pending redemption of the Refunded 2011 Bonds, hereby determines that a saving to the County will be effected by the Refunding (as hereinafter defined).

The Refunded 2011 Bonds shall be redeemed on June 1, 2013 upon at least seven (7) days' notice, at a redemption price equal to the principal amount of such Refunded 2011 Bonds to be redeemed, plus accrued interest to the redemption date, and without premium.

Notice of such redemption shall be mailed by certified or registered mail at least seven (7) days prior to the scheduled redemption date to each of the registered owners of the Refunded 2011 Bonds called for redemption (unless waived by any such registered owner), at the address shown on the registration book of the Registrar (as hereinafter defined). The notice shall specify the date and place of redemption, the amount of accrued interest, if any, payable on the redemption date, and the redemption price. The place of redemption may be at the principal corporate trust office of the Paying Agent or as otherwise determined by the County.

**Section 2.**     General Terms of Bonds.     In order to procure said loan for such purposes, the Auditor is hereby authorized and directed to have prepared and to issue and sell negotiable bonds of the County, in one or more series, in an aggregate principal amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000) (the "Authorized Amount"), to be designated "Delaware County, Indiana County Economic Development Income Tax Revenue Refunding Bonds, Series 2013 (With Property Tax Pledge)" for the purpose of providing funds for the refunding of the Refunded 2011 Bonds, including the costs of refunding, the payment of accrued interest of the 2013 Refunding Bonds (if any), and the payment of costs of issuance of the 2013 Refunding Bonds and any other fees and charges associated with the issuance of the 2011 Bonds, including the payment of any fees and charges associated with obtaining credit enhancement for the 2013 Refunding Bonds (such refunding, including the payment of

any redemption premiums and costs of refunding, the payment of accrued interest on the 2013 Refunding Bonds (if any), and the payment of costs of issuance of the 2013 Refunding Bonds and any other fees and charges associated with the issuance of the 2013 Refunding Bonds, including the payment of any fees and charges associated with obtaining credit enhancement for the 2013 Refunding Bonds, collectively, the "Refunding"). Such 2013 Refunding Bonds shall be signed in the name of the County by the manual or facsimile signatures of a majority of the Board of Commissioners of the County (the "Commissioners") and attested by the manual or facsimile signature of the Auditor of the County (the "Auditor"), who shall affix the seal of the County on each 2013 Refunding Bond manually or shall have the seal imprinted or impresses thereon by facsimile or other means. In case any officer whose signature or facsimile signature appears on the 2013 Refunding Bonds, shall cease to be such officer before the delivery of the 2013 Refunding Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof. The 2013 Refunding Bonds shall also be authenticated by the manual signature of the Registrar (as hereafter defined). Subject to the provision of this Ordinance regarding the registration of the 2013 Refunding Bonds, the 2013 Refunding Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

The 2013 Refunding Bonds are, as to all the principal thereof and interest due thereon, obligations of the county, payable from the County's distributive share of the County economic development income tax revenues, levied and collected pursuant to I.C. 6-3.5-7-1, *et seq.*, on a parity with the Prior Obligations. The Council hereby pledges the EDIT Revenues to the 2013 Refunding Bonds pursuant to I.C. § 6-3.5-7-14, and this pledge shall be binding from the time this Ordinance is adopted. The pledge of the EDIT revenues shall be on a parity with the pledge of the EDIT Revenues to the Prior Obligations. The EDIT Revenues received by the County are immediately subject to the lien of this pledge without any further act. The 2013 Refunding Bonds shall, to the extent that the EDIT Revenues are insufficient for such purpose, be payable from and valorem taxes to be levied on all taxable property in the County.

The 2013 Refunding Bonds shall be issued in such denominations as shall be determined by the County Auditor prior to the sale thereof, shall be numbered consecutively from 1 upward, and shall be originally dated as of the first day of the month in which the 2013 Refunding Bonds are sold or the date of issuance as determined by the Auditor at the time of sale. The 2013 Refunding Bonds shall bear interest payable semiannually on June 1 and December 1 of each year, beginning on the June 1 or December 1 determined by the Auditor at the time of sale, at a rate or rates not exceeding seven percent (7.0%) per annum (the exact rate or rates to be determined pursuant to Section 6 of this Ordinance.) Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. The 2013 Refunding Bonds shall mature serially on June 1 and December 1 as finally determined by the Commissioners and the Auditor as evidenced by delivery of the executed initial issue of the 2013 Refunding Bonds to the Registrar for authentication, provided that the original aggregate principal amount of all series of the 2013 Refunding Bonds does not exceed the Authorized Amount, that the first maturity shall be no earlier than June 1, 2013, and that the final maturity shall be no later than December 1, 2020.

All payments of interest on the 2013 Refunding Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date at the addresses as they

appear on the registration books kept by the Registrar (the "Registrar Record") or at such other address as is provided to the Paying Agent (as hereafter defined) in writing by such registered owner. All principal payments on the 2013 Refunding Bonds shall be made upon surrender thereof at the principal corporate trust office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts.

Each 2013 Refunding Bond shall be transferable or exchangeable only upon the books of the County kept for that purpose by the Registrar, by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such 2013 Refunding Bonds together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered 2013 Refunding Bond or Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefore. The costs of such transfer or exchange shall be borne by the County, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the person requesting such transfer or exchange. The County, the Registrar, and the Paying Agent may treat and consider the persons in whose names such 2013 Refunding Bonds are registered as the absolute owners thereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any 2013 Refunding Bond is mutilated, lost, stolen, or destroyed, the County may execute and the Registrar may authenticate a new bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated bond shall first be surrendered to the Registrar, and in the case of any lost, stolen, or destroyed bond there should be first furnished to the Registrar evidence of such loss, theft, or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such bond shall have matured, instead of issuing a duplicate bond, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The County and the Registrar may charge the owner of such 2013 Refunding Bond with their reasonable fees and expenses in this connection. Any bond issued pursuant to this paragraph shall be deemed an original, substitute contractual obligation of the County, whether or not the lost, stolen, or destroyed 2013 Refunding Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other 2013 Refunding Bonds issued hereunder.

**Section 3.** Terms of Redemption. The Commissioners and the Auditor may designate maturities of the 2013 Refunding Bonds (or a portion thereof) that shall be subject to optional redemption and/or maturity sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Commissioners and the Auditor, are hereby authorized and directed to determine the terms governing any such redemption, including the terms of any related notice. Interest on the 2013 Refunding Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date of named, and thereafter, such 2013 Refunding Bonds shall no longer be

protected by this Ordinance and shall not be deemed to be outstanding hereunder, and the holders thereof shall have the right only to receive the redemption price.

All 2013 Refunding Bonds which have been redeemed shall be canceled and shall not be reissued; provided, however, that one or more new registered bonds shall be issued for the unredeemed portion of any 2013 Refunding Bond without charge to the holder thereof. No later than the date fixed for redemption, funds shall be deposited with the Paying Agent or another paying agent to pay, and such Agent is hereby authorized and directed to apply such funds to the payment of, the 2013 Refunding Bonds or portions thereof called for redemption, including accrued interest thereon to the redemption date. No payment shall be made upon any 2013 Refunding Bond or portion thereof call for redemption until such 2013 Refunding Bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by this Ordinance with respect to any mutilated, lost, stolen, or destroyed 2013 Refunding Bond.

**Section 4.** Appointment of Registrar and Paying Agent. The Auditor is hereby authorized to serve as, or to appoint a qualified financial institution to serve as, registrar and paying agent for the 2013 Refunding Bonds (the “Registrar” or “Paying Agent”). The Registrar is hereby charged with the responsibility of authenticating the 2013 Refunding Bonds, and shall keep and maintain at its principal corporate trust office books for the registration and transfer of the 2013 Refunding Bonds. The Commissioners are hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of the Registrar and Paying Agent. The Auditor is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days’ written notice to the County Auditor and to each registered owner of the 2013 Refunding Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Such notice to the County Auditor may be served personally or be sent by first-class or registered mail. The Registrar and Paying Agent may be removed at any time as the Registrar and the Paying Agent by the County, in which event the County may appoint a successor Registrar and Paying Agent. The County shall notify each registered owner of the 2013 Refunding Bonds then outstanding of the removal of the Registrar and the Paying Agent. Notices to registered owners of the 2013 Refunding Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the Registration Record. Any predecessor Registrar and Paying Agent shall deliver all the 2013 Refunding Bonds, cash and investments in its possession and the Registration Record to the successor Registrar and Paying Agent. At all times, the same entity shall serve as the Registrar and the Paying Agent.

**Section 5.** Forms of Bonds. (a) The form and tenor of the 2013 Refunding Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof. (b) The 2013 Refunding Bonds may, in compliance with all applicable laws, initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors or any successor central depository system appointed by the County from time to time (the “Clearing Agency”), without physical distribution of 2013 Refunding Bonds to the purchaser. The following provisions of this Section apply to such event.

- (1) One definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The County, the Registrar and the Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the 2013 Refunding Bonds as are necessary or appropriate to accomplish or recognize such book-entry form bonds.
- (2) During any time that the 2013 Refunding Bonds remain and are held in book-entry form on the books of a Clearing Agency: (A) any such 2013 Refunding Bonds may be registered upon the books kept by the Registrar in the name of such Clearing Agency or any nominee thereof, including Cede & Co., as partnership nominee of The Depository Trust Company; (B) except as otherwise described in the continuing disclosure contract described in Section 6 hereof, the Clearing Agency in whose name such 2013 Refunding Bond is so registered shall be, and the County, the Registrar and the Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such 2013 Refunding Bond for all purposes of this Ordinance, including, without limitation, the receiving of notice and the giving of the consent; (C) except as otherwise described in the Continuing Disclosure Agreement described in Section 6 hereof, neither the County nor the Registrar or the Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency or any person on behalf of which, or otherwise with respect to which, any such participant holds any interest in any 2013 Refunding Bonds, including without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any 2013 Refunding Bonds or any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any 2013 Refunding Bonds, the receiving of notice or the giving of consent; and (D) the Clearing Agency is not required to present any 2013 Refunding Bond called for partial redemption prior to receiving payment, so long as the Registrar, the Paying agent, and the Clearing Agency have agreed to the method for noting such partial redemption.
- (3) If either the County receives notice from the Clearing Agency which is currently the registered owner of the 2013 Refunding Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the 2013 Refunding Bonds or the County elects to discontinue its use of such Clearing Agency as a Clearing Agency for the 2013 Refunding Bonds, then the County, the Registrar and the Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the 2013 Refunding Bonds, as are necessary or appropriate to discontinue the use of such Clearing Agency, as the holders of the 2013 Refunding Bonds and to transfer the ownership of each of the 2013 Refunding Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the 2013 Refunding Bonds, shall be paid by the County.
- (4) During any time that the 2013 Refunding Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of the 2013

Refunding Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a 2013 Refunding Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the 2013 Refunding Bonds at the 2013 Refunding Bondholders, and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

- (5) During any time that the 2013 Refunding Bonds are held in book-entry form on the books of a Clearing Agency, the Commissioners, the County Auditor and/or the Registrar are authorized to execute and deliver a Letter of Representation agreement with the Clearing Agency or a Blanket Issuer Letter of Representation (the "DTC Letter of Representation"), and the provisions of any such DTC Letter of Representation or any successor agreement shall control on the matters set forth therein. The registrar, by accepting the duties of the Registrar under this Ordinance, agrees that it will (A) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (B) comply with all requirements of the Clearing Agency, including, without limitation, same day funds settlement payment procedures. Further, during any time that the 2013 Refunding Bonds are held in book-entry form, the provisions of this Section shall control over conflicting provisions in any other section hereof.

**Section 6.** Sale of Bonds. The Board of Commissioners and the Auditor shall either sell the 2013 Refunding Bonds at public sale pursuant to I.C. § 5-1-11 or shall negotiate the sale of the 2013 Refunding Bonds on such terms as they deem desirable as evidenced by their execution and delivery of the 2013 Refunding Bonds; provided all such terms shall comply with the terms of this Ordinance. After the 2013 Refunding Bonds have been properly sold and executed, the County Treasurer shall receive from the purchasers payment for the 2013 Refunding Bonds and shall provide for delivery of the 2013 Refunding Bonds to the purchasers. The Auditor is hereby authorized and directed to obtain legal opinion as to the validity of the 2013 Refunding Bonds from Barnes & Thornburg, and to furnish such opinion to the purchasers of the 2013 Refunding Bonds. The costs of such opinion shall be paid out of the proceeds of the 2013 Refunding Bonds.

The Commissioners and/or the County Auditor are hereby authorized to deem final an official statement with respects to the 2013 Refunding Bonds, as of its date, in accordance with the provisions of the SEC Rule, subject to completion as permitted by the SEC Rule, and the Council further authorizes the distribution of such document as further modified and amended with the approval of the Commissioners and/or County Auditor in the form of a final official statement.

In order to assist any underwriter of the 2013 Refunding Bonds in complying with paragraph (b)(5) of the SEC Rule by undertaking to make available disclosure about the County and the Bonds to participants in the municipal securities market, the County hereby covenants, agrees and undertakes, in accordance with the SEC Rule, unless excluded from the applicability of the SEC Rule or otherwise exempted from paragraph (b)(5) of the SEC Rule, that it will comply with and carry out all of the provisions of the continuing disclosure contract. "Continuing disclosure contract" shall mean that certain continuing disclosure contract

executed by the County and dated the date of issuance of the 2013 Refunding Bonds, as originally executed and delivery by the Commissioners and the County Auditor of the continuing disclosure contract and the performance by the County of its obligations thereunder by or through any employee or agent of the County are hereby approved, and the County shall comply with and carry out the terms thereof.

**Section 7.** Disposition of Proceeds of 2013 Refunding Bonds. The net proceeds received by the County from the sale of the 2013 Refunding Bonds shall be applied by the County, in accordance with instruction delivered by the Auditor of the County to the Registrar and Paying Agent, as follows:

- (a) An amount equal to the sum of (i) the accrued interest on the 2013 Refunding Bonds (if any), plus (ii) any premiums received at the time of the delivery of the 2013 Refunding Bonds (if any), shall be deposited into the Sinking Fund (as hereinafter defined);
- (b) An amount equal to the estimated costs of issuance of the 2013 Refunding Bonds and other fees and charges associated with the issuance of the 2013 Refunding Bonds, shall be deposited into the Costs of Issuance Fund (as hereinafter defined): and
- (c) An amount equal to the remaining net proceeds from the sale of the 2013 Refunding Bonds, together with any available amounts then held in the Construction Fund (as hereinafter defined) and any available amounts attributable to the 2011 Bonds on deposit in the Sinking Fund (as hereinafter defined) shall be deposited into the Refunded 2011 Bonds Account of the Refunding Fund,

**Section 8.** Funds and Accounts.

- (a) Refunding Fund. For the purpose of retiring the 2011 Refunded Bonds, a special fund, designated as the “Refunding Fund” and an account within such fund designated “Refunded 2011 Bonds Account”, are hereby created. All amounts deposited into the Refunded 2011 Bonds Account of the Refunding Fund shall be deposited, held, secured, invested, and expended in accordance with an escrow agreement between the County and a financial institution selected by the Auditor to serve as escrow agent (the “Escrow Agent”) (such escrow agreement, the “Escrow Agreement”). The County Council hereby approves, and authorizes and directs the Board of Commissioners and Auditor of the County, for and on behalf of the County, to execute or deliver, and to perform the obligations of the County under, the Escrow Agreement, in the form as the Board of Commissioners and the Auditor of the County, with the advice of counsel, determine to be necessary or appropriate, such determination to be conclusively evidenced by such Board of Commissioners’ and such Auditor’s execution thereof.
- (b) Costs of Issuance Funds. A special fund, designated “Costs of Issuance Fund”, is hereby created. All amounts in the Costs of Issuance Fund shall be expended only for the purpose of paying the costs of issuance of the 2013 Refunding Bonds and any other fees and charges associated with the issuance of the 2013 Refunding Bonds, including any fees and charges associated with obtaining credit enhancement for the 2013 Refunding Bonds. Any balance remaining unexpended in the Costs of Issuance

Fund after payment of all such costs, fees and charges shall, not later than thirteen (13) months after the date of issuance of the 2013 Refunding Bonds, be transferred into the Sinking Fund and shall be used solely for the purposes of such fund or as otherwise permitted by Indianan Code 5-1-13.

- (c) Sinking Fund. The EDIT Revenues received by the County shall be used and applied by the County only as provided in this Ordinance. All such revenues shall be segregated and kept in special accounts separate and apart from all other funds of the County and shall be used and applied as set forth in this Ordinance. There is hereby created and established a fund known as the “Delaware County 2013 economic Development Income Tax Revenue Refunding Bond Sinking Fund” (the “Sinking Fund”). As they are received, the County shall set apart and pay all of the EIDT Revenues into the Sinking Fund to be used to pay the interest on and the principal of the 2013 Refunding Bonds, on a parity with the Prior Obligation; provided, however, that no deposit shall be made into such account whenever the balance therein is sufficient to pay the interest and principal payments on the 2012 Refunding Bonds coming due in the succeeding twelve (1) months.
- (d) Excess Funds. There is hereby created and established a fund known as the “Delaware County 2013 Economic Development Income Tax Revenues Excess Fund” (the “Excess Fund”). The EDIT Revenues remaining after making the required deposits to the Sinking Fund as described above shall be deemed excess funds and shall be deposited in the Excess Fund for appropriation and use as permitted by law. In the event of any deficiency at any time in the Sinking Fund, funds may be withdraw from the Excess Funds and deposited into the Sinking Fund in the amount of such deficiency.
- (e) Separate Funds and Accounts. All funds in said accounts shall be segregated and kept separate and apart from all other funds of the County and shall be deposited in lawful depositories of the County and continuously held and secured or invested as provided by law. Interest earned in each such amount shall be credited to such account.

**Section 9.** Defeasance. If, when the 2013 Refunding Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the 2013 Refunding Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such 2013 Refunding Bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligation of (including obligations issued or held in book entry form on the books of The Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, the principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provisions shall be made for paying all fees and expenses for the payment or redemption of the 2013 Refunding Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this Ordinance.



**Section 10.** Tax Covenants. In order to preserve the exclusion of interest on the 2013 Refunding Bonds and as an inducement to purchasers of the 2013 Refunding Bonds, the County represents, covenants and agrees that:

- (a) The County will not take any action or fail to take any action with respects to the 2013 Refunding Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the 2013 Refunding Bonds pursuant to Section 103 of the Internal Revenue Code of 1986 as in effect on the date of issuance of the Tax-Exempt Bonds (the “Code”), including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated arbitrage profits on the 2013 Refunding Bond proceeds or other monies treated as 2013 Refunding Bonds proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid from investment income on finds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.
- (b) The County will file an information report Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.
- (c) The County will not make any investment or do any other act or thing during the period that any 2013 Refunding Bond is outstanding hereunder which would cause any Tax-Exempt Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the 2013 Refunding Bonds.

Notwithstanding any other provisions of this Ordinance, the foregoing covenants and authorizations (the “Tax Section”) which are designated to preserve the exclusion of interest on the Tax-Exempt Bonds from gross income under federal income tax law (the “Tax Exemption”) need not be complied with to the extent the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

**Section 11.** Amendments. Subject to the terms and provisions contained in this section, and not otherwise of not less than sixty-six and two-thirds percent (66 2/3 %) in aggregate principal amount of the 2013 Refunding Bonds then outstanding shall have the right, from time to time, to consent to and approve the adoption by the County of such ordinance or ordinances supplemental hereto shall be deemed necessary or desirable by the County for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting; (a) an extension of the maturity of the principal of or interest on any 2013 Refunding Bond, without the consent of the holder of each 2013 Refunding Bond so affected; (b) a reduction in the principal amount of any 2013 Refunding Bonds or the rate of interest thereon, or a change in the monetary medium in which such amounts are payable, without the consent of the holder of each 2013 Refunding Bond so affected; (c) a preference or priority of any 2013 Refunding Bond over any other 2013 Refunding Bond, without the consent of the holders of all 2013 Refunding Bonds then outstanding; or (d) a reduction in the aggregate principal amount of the 2013 Refunding Bonds required for consent to such supplemental ordinance, without the consent of the holders of all 2013 Refunding Bonds then outstanding.

If the County shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the 2013 Refunding Bonds. The Registrar shall not, however, be subject to any liability to any owners of the 2013 Refunding Bonds by reason of its failure to mail such notice, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as herein provided.

Whenever at any time within one year after the date of the mailing of such notice, the County shall receive any instrument or instruments purporting to be executed by the owners of the 2013 Refunding Bonds of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the 2013 Refunding Bonds then outstanding, which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the County may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the 2013 Refunding Bonds, whether or not such owners shall have consented thereto.

No owner of any 2013 Refunding Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the County or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the County and all owners of the 2013 Refunding Bonds then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments.

Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the County and of the owners of the 2013 Refunding Bonds, and the terms and provisions of the 2013 Refunding Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the County and the consent of the owners of all the 2013 Refunding Bonds then outstanding.

Without notice to or consent of the owners of the 2013 Refunding Bonds, the County may, from time to time and at any time, adopt such ordinances supplemental hereto as shall not be inconsistent with the terms and provisions hereof (which supplemental ordinances shall thereafter form a part thereof), for the following purposes; (a) to cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance; (b) to grant to or confer upon the owners of the 2013 Refunding Bonds any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the 2013 Refunding Bonds; (c) to provide for the refunding or advance refunding of the 2013 Refunding Bonds; or (d) to make any other changes which, in the determination of the Council in its sole discretion, is not to the prejudice of the owners of the 2013 Refunding Bonds.

**Section 12.** Parity Obligation. The County reserves the right to authorize and issue additional bonds, payable from the EDIT Revenues or otherwise pledge the EDIT Revenues to secure lease rental payment or other obligation, ranking on the parity with the 2013 Refunding Bonds and the Prior Obligation (such bonds, lease rental payments or other obligations, “Parity Obligation”). In the event any Parity Obligations are issues pursuant to this Section 12, the deemed to refer to the 2013 Refunding Bonds and such Parity Obligations and other changes may be made herein as required to reflect the issuance of such Parity Obligations. Subject to the prior satisfaction of all of the terms of this Section 12, applicable to Parity Obligations generally, the future issuance of additional Parity Obligations is hereby authorized upon the adoption by the Council of an ordinance or ordinances supplements hereto, which Parity Obligations shall have the same terms and be subject to the same provisions as set forth herein, except as otherwise provided by such supplemental ordinance. The authorization and issuance of Parity Obligations shall be subject to the following conditions precedent:

- (a) Any such Parity Obligation shall not cause the County to exceed its debt limitation under Article 13, Section 1, of the Indiana Constitution as of the date of issuance.
- (b) All interest and principal payments with respect to the 2013 Refunding Bonds, the Prior Obligations, and any outstanding Parity Obligations shall have been paid in accordance with their terms.
- (c) All required deposits into the Sinking Fund shall have been made in accordance with the provisions of this Ordinance.
- (d) Either: (1) the Edit Revenues of the County in the fiscal year immediately preceding the issuance of the additional Parity Obligation shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding 2013 Refunding Bonds, the Prior Obligations, and other Parity Obligations and the additional Parity Obligations proposed to be issued; or (2) the EDIT Revenues for the first full fiscal year immediately succeeding the issuance of any such additional Parity Obligations shall be projected by a certified public accountant to be at least equal to one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding 2013 Refunding Bonds, Prior Obligations, and other Parity Obligations and the additional Parity Obligations proposed to be issued. For purposes of this subsection, the record of the County shall be analyzed and all showings prepared by a certified public accountant or independent financial advisor by the County for that purpose.
- (e) The interest on the additional Parity Obligations shall be payable semiannually on June 1 and December 1 in the years in which interest is payable and the principal of the additional Parity Obligations shall be payable semiannually on June 1 and December 1 in the years in which principal is payable.

Except as otherwise provided in this Section, so long as any of the 2013 Refunding Bonds are outstanding, no additional bonds or other obligations secured by pledge of any portion of the EDIT Revenues of the County shall be authorized, executed or issued by the County except such as shall be made subordinate and junior in all respects to the 2013 Refunding Bonds, unless all of the 2013 Refunding Bonds are redeemed and retired coincidentally with the delivery of such additional bonds or other obligation, or as provided in Section 9 hereof,

funds sufficient to effect such redemption are available and set aside for that purpose at the time of issuance of such additional bonds or other obligations.

- Section 13.** No Conflict. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Ordinance, except the ordinances or resolutions authorizing the Prior Obligations, are to the extent of such conflict hereby repealed. After the issuance of the 2013 Refunding Bonds and so long as any of the 2013 Refunding Bonds or interest thereon remains unpaid, except as expressly provided herein, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the holders of the 2013 Refunding Bonds, nor shall the County adopt any law, ordinance or resolution which in any way adversely affects the right of such holders. None of the provisions of this Ordinance shall be construed to the owners of the Prior Obligations.
- Section 14.** Severability. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.
- Section 15.** Holidays, Etc. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the County or the City in which the Registrar or Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.
- Section 16.** Authority to Effectuate this Ordinance. The Board, the County Auditor and the County treasurer are hereby authorized and directed to take any and all other actions on behalf of the County as may be necessary, appropriate or desirable to carry out the purposes of this Ordinance and the issuance and sale of the 2013 Refunding Bonds in accordance with the Act and this Ordinance.
- Section 17.** Effectiveness. This Ordinance shall be in full force and effect from and after its passage. (Ordinance No. 2013-004, Council, 4/23/13)

## 2012

### State Pay Schedule for Probation Officers:

1. That probation officer's shall be paid pursuant to and in accordance with the State of Indiana's minimum salary schedule for probation officers.
2. That this ordinance shall supersede all prior pay schedule ordinances only as it relates to probation officers.
3. That this ordinance shall take effect immediately.  
**(Ordinance No. 2012-021, Council, 6/26/12)**

### Approving Amendment of the Plan for Daleville Redevelopment Area:

1. The Board of Commissioners hereby approves the amendment to the Plan as provided in the 2011 Resolution, and hereby approves the order of the Plan Commission approving the 2011 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.  
**(Resolution No. 2012-001, Commissioners, 1/16/12)**

### Approving and Adopting an Interlocal Agreement Regarding a Joint Emergency Dispatch and Communications Center:

1. The Delaware County Commissioners hereby approve and adopt the Interlocal Agreement, a copy of which is attached as Exhibit "A"; and
2. The Interlocal Agreement should be recorded and filed pursuant to the provisions of Indiana Code 36-1-7-6.  
**(Resolution No. 2012-002, Commissioners, 1/16/12)**

### Bell Aquaculture, LLC:

Subject to applicable federal, state and local laws, rules and regulations and appropriate filings by the Applicant and required public hearings and approval and recommendation of the Commission:

1. The Issuer hereby finds that the financing approved herein will be of benefit to the health and general welfare of the Issuer and its citizens, and tentatively finds that the acquisition, construction, reconstruction, furnishing, equipping and operation of the Project will have no anti-competitive effect within the community.
2. The Issuer will issue its tax-exempt or taxable/convertible economic development revenue bonds and/or sewage facilities bonds (the "Bonds") in a principal amount currently estimated not to exceed \$16,600,000 for the purpose of paying in whole or in part costs of the planning, design, acquisition, construction, reconstruction, furnishing, equipping and installation of the proposed Project. The proposed Project is to be constructed on property currently owned by the Applicant.

3. This Resolution shall constitute ratification of “official action” and an expression of official intent for purposes of compliance with federal and state laws requiring government action as authorization for future reimbursements from the proceeds of the bonds, including any and all requirements of official intent within the meaning of Section 1.150-2 of the Income Tax Regulations promulgated pursuant to Section 150 of the Internal Revenue Code of 1986, as amended.
4. At the request of Applicant, Kasson & Associates, LLC is hereby designated as Bond Counsel and W.R. Taylor & Company, LLC is hereby designated as Financial Advisor, Underwriter or Placement Agent, as the case may be, in connection with the authorization, issuance and sale of Bonds. Bond Counsel, Kasson & Associates, LLC, is authorized and directed to take any legal action necessary or appropriate in connection with the issuance of the Bonds.
5. If for any reason the Issuer has not issued bonds hereunder within one (1) year from the date of its adoption, the provisions of this Resolution and the agreement resulting from its acceptance by the Applicant shall, at the option of either the Issuer or the Applicant to be evidenced in writing, be canceled and neither party shall have any rights against the other and no third parties shall have any rights against either party except:
  - a. the Applicant will pay the Issuer for all expenses which have been authorized by the Applicant and incurred by the Issuer in connection with the planning, design, acquisition, construction, equipping and installation of the proposed Project; and
  - b. the Applicant will pay the reasonable out-of-pocket expenses of members of the governing body of the Issuer, the Commission, firms serving as Counsel for the Issuer, and Kasson & Associates, LLC, as Bond Counsel, incurred at the request of the Applicant in connection with the proposed Project and the proposed issuance of the bonds and will pay counsel for the Issuer and Bond Counsel reasonable fees for legal services related to the proposed Project and the proposed issuance of the bonds.
6. The Applicant, in accepting the proposals contained in this Resolution, will thereby agree to indemnify, defend and hold the Issuer and the individual members, directors and officers thereof harmless against any claim of loss or damage to property or any injury or death of any person or persons occurring in connection with the planning, design, acquisition, construction, equipping and installation of the proposed Project. The Applicant also agrees to reimburse or otherwise pay on behalf of the Issuer any and all reasonable expenses not hereinabove mentioned incurred by the Issuer in connection with the proposed Project. This indemnity shall be superseded by a similar indemnity in the financing documents with respect to the bonds and, if the bonds are not issued and delivered, the indemnity shall survive the termination of the agreement resulting from the Applicant’s acceptance of the proposals contained in this Resolution.

**(Resolution No. 2012-005, Commissioners, 3/5/12)**

Approving an Amendment of the Plan for Nebo Road Economic Development Area:

The Board of Commissioners hereby approves the amendment to the Plan as provided in the 2012 Resolution, and hereby approves the order of the Plan Commission approving the 2012 Resolution.

This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.

**(Resolution No. 2012-006, commissioners, 3/5/12)**

Reconveyance of Property Related to Rail Spur Project:

Section 1. The Board of Commissioners of Delaware County, Indiana, hereby resolves as follows:

In the event that, at any time after December 31, 2020, the Rail Spur is abandoned and the rails are removed from the right-of-way, and a certificate of public convenience and necessity relieving any common carrier obligations for the Rail Spur is issued (if applicable), then the real estate acquired by the County for right-of-way as described in: (i) that certain Warranty Deed recorded July 2, 2010 as Instrument No. 2010R11508 in the Office of the Recorder of Delaware County, Indiana (the "Crisp Property"); (ii) that certain Warranty Deed recorded July 2, 2010 as Instrument No. 2010R11520 in the Office of the Recorder of Delaware County, Indiana (the "Short Property"); and (iii) that certain Warranty Deed recorded August 2, 2010 as Instrument No. 2010R12563 in the Office of the Recorder of Delaware County, Indiana (the "Doughty Property"); shall be reconveyed by the County to the respective Prior Grantor(s) thereof, upon written request, so long as such Prior Grantor(s) still own real property adjacent to the Crisp Property, the Short Property and the Doughty Property, as the case may be. For purposes of clarity, the respective prior grantors of the Crisp Property, the Short Property and the Doughty Property are Duff H. Crisp and Susan D. Crisp, JoAnn Short, and Jackie W. Doughty, respectively (the "Prior Grantors"). The reconveyance from the County shall be by quit-claim deed and each Prior Grantor electing to reacquire such property shall pay the County the fair market value thereof at the time of reconveyance as determined from a mutually agreed upon appraiser.

Section 2. This resolution shall be in full force and effect upon adoption.  
**(Resolution No. 2012-009, Commissioners)**

Approving an Interlocal Agreement Concerning Intersection Improvements at Cowan Road and 23<sup>rd</sup> Street:

1. The Board of Commissioners of Delaware County, Indiana hereby approves and authorizes entry into the Interlocal Agreement, Exhibit A hereto.
2. This Resolution shall be in full force and effect from the date of its passing by the Board of Commissioners of Delaware County, Indiana  
**(Resolution No. 2012-012, Commissioners, 6/18/12)**

New Manufacturing Equipment CS Kern:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by CS Kern Inc. shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2012-015, Council)**

New Manufacturing Equipment Magna Powertrain:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by Magna Powertrain of America, Inc. shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2012-016, Council)**

Property Improvements Real Estate Magna Powertrain:

1. The Delaware County Council finds and determines that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2012, by Magna Powertrain of America, Inc. shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. seq.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I.C. 6-1.1-12.1-4.

This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2012-017, Council)**

Plan for Morrison Road Redevelopment:

1. The Board of Commissioners hereby approves the amendment to the Plan as provided in the 2012 Resolution, and hereby approves the order of the Plan Commission approving the 2012 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.  
**(Resolution No. 2012-018, Commissioners, 7/19/12)**

Transfer of Funds into #654 Account:

The excess funds currently held in the individual departmental line items for insurance that would otherwise revert back to the County General fund, now be transferred into the insurance fund #654.  
**(Resolution No. 2012-024, Commissioners, 12/11/12)**



Re-Payment of Temporary Loan from Longevity Fund:

1. That the balance on the temporary loan from the Longevity Fund #655 shall be repaid.  
**(Resolution No. 2012-025, Council, 12/11/12)**

## 2011

### Certificate Tax Sale:

That parcels not sold in tax sale shall be incorporated into adjacent parcels in accordance with Ind. Code 6-1.1-24-6.8 attached hereto as Exhibit A.

**(Resolution No. 2011-029, Commissioners, 9/6/11)**

### Adjacent Land Owners to Retain Parcels not Sold in Tax Sale:

That parcels not sold in tax sale shall be incorporated into adjacent parcels in accordance with Indiana Code 6-1.1-24-6.8 attached hereto as Exhibit A.

**(Ordinance No. 2011-029, Commissioners, 9/6/11)**

### Economic Revitalization Area for McGunegill (Real Estate):

1. The Delaware County Council finds and determines that the area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1-12.1-3(e)(11)(A).
2. The Delaware County Council further finds that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by McGunegill Engine Performance shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. seq.
3. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I.C. 6-1.1-12.1-4.
4. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2011-027, Council)**

### Economic Revitalization Area for McGunegill Engine Performance (IT):

1. The Delaware County Council finds and determines that the Area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1.1-12.1-1 et. seq.
2. The Delaware County Auditor shall take such further actions as may be required by all applicable ordinances and laws, to carry out the purposes of this Resolution and to insure the eligibility of such new manufacturing equipment and new information technology equipment for purposes of allowing a deduction from the assessed value of said equipment for five (5) years on the manufacturing equipment and five (5) years on the information technology equipment, all in accordance with applicable Indiana Code.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

4. It is understood that McGunegill Engine Performance is responsible for following all annual state and local filing requirements regarding this abatement to assure receipt of the abatement per the applicable five (5) year schedules.  
**(Resolution No. 2011-026, Council)**

Non Repayment of Temporary Loan from Rainy Day Fund #243:

1. That the balance of \$3,030.061.00 on the temporary loan from the Rainy Day Fund will not be repaid.  
**(Resolution No. 2011-024, Council Special Meeting, 10/13/11)**

Non Repayment of Temporary Loan from Longevity Fund:

1. That the balance of \$600,000.00 on the temporary loan from the Longevity Fund will not be repaid.  
**(Resolution No. 2011-023, Council Special Meeting, 10/13/11)**

Authorizing Extension to Repay Temporary Loan From Rainy Day Fund #243:

1. That a financial emergency exists which prohibits the repayment of \$3,030.061.00 of the temporary loan from fund #243.
2. That the County Council will repay said temporary loan on or before 1<sup>st</sup> day of June, 2012.  
**(Resolution No. 2011-020, Council, 9/27/11)**

Amending Ordinance 2006-022:

1. That the Salary Ordinance shall include the following Part-Time job classifications:
  - a. **Part Time 1**
    - i. Pay rate of \$8.00 per hour with a maximum of 24 hours per week.
    - ii. Types of jobs: General Labor, filing, sorting, no computer experience, mailing, stuffing envelopes, answering telephones, basic maintenance, seasonal, runner/courier, general filing and distribution, transferring files between offices.
    - iii. Must have a high school diploma or GED.
  - b. **Part Time 2**
    - i. Pay rate of \$10.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.
    - ii. Types of jobs: Similar to grade level 2, office experience, basic computer skills/data entry, answer phones, must have multitasking abilities, specialized training for certification or degree.
    - iii. Must have a high school diploma or GED.
  - c. **Part Time 3**
    - i. Pay rate of \$12.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.
    - ii. Types of jobs: Dispatchers, positions that need significant and specific training/requirements, positions that have certification requirements by law, on-call availability and accessibility, position has driver's license and/or CDL requirement,

positions that are governed by specific laws and judicial rules, special equipment operators, mechanic skills/training.

iii. High school or GED required in addition to specific training and/or certification.

d. **Part Time 4**

i. Pay rate of \$15.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.

ii. Types of jobs; Accounting, bookkeeping, payroll, legal secretaries, court-related clerical positions requiring advanced computer skills, positions that affect County liabilities.

iii. High school or GED required, advanced education and/or degree, minimum of 2 years previous applicable experience required.

2. All employees who are classified as full-time/salaried/hourly employees, as provided in the Delaware County Salary Ordinance as approved and amended from time to time, shall be entitled to receive benefits as are offered by the County. Such employees, if their positions otherwise qualifies under applicable law, shall work a maximum of forty (40) hours per week before qualifying for overtime pay/compensatory time.

3. The departments requesting part time positions shall file their request along with a proposed job description to the human resource department. Upon review the job description, requirements for the job and the duties, the human resource director shall assign the level. The Department Head can appeal the assigned level to the personnel committee if there is a dispute.

4. Upon the assignment of the level for the job description, the same shall be submitted to the Delaware County Council for final approval.

5. This ordinance shall be included as part of the Delaware County Salary Ordinance as approved and amended from time to time.

6. This ordinance shall be effective when adopted by the Delaware County Council.  
**(Ordinance No.2011-020, Council, 7/26/11)**

Amending Ordinance 2011-20:

1. That any part-time employee in Part Time Level 1-4 that is employed in a department that works on a 32 hour work week shall be able to work up to 29 hours; and

2. That any part-time employee in Part Time Level 1-4 that is employed in a department that works on a 40 hour work week shall be able to work up to 29 hours.

3. This ordinance shall be included as part of Delaware County Salary Ordinance as approved and amended from time to time.

4. This ordinance shall be effective when adopted by the Delaware County Council.  
**(Amending Ordinance No. 2013-005, Council, 4/23/13, Ordinance No. 2011-036A, Council, 10/25/11)**

Authorizing Extension to Repay Temporary Loan From Longevity Fund #655:

1. That a financial emergency exists which prohibits the repayment of \$600,000.00 of the temporary loan from fund #655.
2. That the County Council will repay said temporary loan on or before 1<sup>st</sup> day of June, 2012.  
**(Resolution No. 2011-019, Council, 9/27/11)**

To Cover Shortfall in Funding:

1. The appropriation for Board of Health Fund shall be reduced in the amount of Forty Two Thousand Five Hundred Fifty Three Dollars and 00/100 (\$42,553.00);
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing.
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2011-018, Council, 9/27/11)**

To Cover Shortfall in Funding:

1. The appropriation for County General shall be reduced in the amount of One Hundred Ninety Five Thousand, Four Hundred Fifty Seven Dollars and 31/100 (\$195,457.31)
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing;
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2011-017, Council, 9/27/11)**

To Reduce Funding in Board of Health Fund 200:

1. The appropriation for the Board of Health Fund shall be reduced in the amount of One Hundred Three Thousand Nine Hundred Twenty One Dollars and 27/100 (\$103,921.27)
2. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2011-016, Council, 8/23/11)**

Decreasing Mileage for Bailiffs:

1. The Delaware County Council now approves and adopts the mileage rate of 44 cents per mile as compensation for the use of personal vehicles while serving process effective September 16, 2010.
2. Any past practices or ordinance that is in conflict with this resolution are repealed.  
**(Resolution No. 2011-015, Council, 7/26/11)**

Reducing Appropriations:

1. The appropriation for County General Fund shall be reduced in the amount of fifty four thousand, three hundred four dollars and eighty eight cents (\$54,304.88);
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing;
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2011-014, Council, 6/28/11)**

Reducing Appropriations:

1. The appropriation for County General Fund shall be reduced in the amount of Three Hundred Sixty Two Thousand Five Hundred Thirty One Dollars and 26/100 (\$36,531.26)
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing.
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2011-013, Council, 8/27/11)**

One Time Loan of Surplus from Longevity Fund 655 for \$750,000:

1. The surplus amount of \$750,000.00 shall be loaned from the Delaware County Longevity Fund 655 account to the Delaware County General Fund 100.
2. That this shall be a one-time only loan to be used by the Delaware County Council to supplement the Delaware County General Fund.
3. This Ordinance shall be effective when adopted.  
**(Ordinance No. 2011-013, Council, 4/26/11)**

Concerning a Plan of Reorganization of the City of Muncie and Delaware County:

1. Adoption of this Resolution shall be considered adoption of the Plan of Reorganization as presented or as modified pursuant to IC 36-1.5-4-20(1) or (2)
2. Failure to Adopt this Resolution shall be considered rejection of the Plan of Reorganization.
3. The Clerk of the City of Muncie shall certify any final action, including rejection of the Plan of Reorganization, in accordance with IC 36-1.5-4-23.  
**(Resolution No. 2011-012, Commissioners, 6/14/11)**

Declaring an Economic Revitalization Area for Bell Aquaculture, LLC:

1. The Delaware County Council finds and determines that the area described in this Resolution meets the qualifications for an economic revitalization area for the purposed of I.C. 6-1-12.1-3(e)(11)(A).

2. The Delaware County Council further finds that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by Bell shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1-1-12.1-1 et. seq.
3. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for three (3) years in accordance with I.C. 6-1.1-12.1-4.
4. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2011-011, 5/24/11)**

Declaring an Economic Revitalization Area for Bell Aquaculture, LLC:

1. The Delaware County Council finds and determines that the Area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1.1-12.-1 et. seq.
2. The Delaware County Auditor shall take such further actions as may be required by all applicable ordinances and laws, to carry out the purposes of this Resolution and to insure the eligibility of such new manufacturing equipment for purposes of allowing a deduction from the assessed value of said manufacturing equipment for five (5) years, all in accordance with applicable Indiana Code.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.
4. It is understood that Bell Aquaculture, LLC is responsible for following all annual state and local filing requirements regarding this abatement to assure receipt of the abatement per the applicable five (5) year schedule.  
**(Resolution No. 2011-010)**

Approving Form of Development Agreement with IBM Corporation:

- Section 1. The Board of Commissioners of Delaware County, Indiana, hereby approves the Development Agreement substantially in the form attached hereto, with such changes as the Board of Commissioners shall approve such approval to be evidenced by their execution thereof.
- Section 2. Two copies of the attached Development Agreement shall be kept on file in the office of the Delaware County Auditor for public inspection.
- Section 3. The Board of Commissioners hereby recommend the approval by the Delaware County Council of the issuance by the County of not to exceed \$450,000 in principal amount of economic development revenue bonds to provide the incentive set forth in the Development Agreement.  
**(Resolution No. 2001-009, Commissioners, 5/16/11)**

Establishing Intent to Transfer Tax Lien Certificates:

The County Executive shall acquire liens and receive tax sale certificates of the properties listed on Exhibit A that are severely delinquent and give said certificates to the Muncie Delaware County Brownfields Community Development Corporation (CDC) pursuant IC 6-1.1-24-9 and IC 36-1-11-8.

**(Resolution No. 2011-008, Commissioners, 3/21/11)**

Establishing Intent to Transfer Tax Lien Certificates:

The County Executive shall acquire liens and receive tax sale certificates of the properties listed on Exhibit A that are severely delinquent and give said certificates to the South Muncie Community Development Corporation (CDC) pursuant IC 6-1.1-24-9 and IC 36-1-11-8.

**(Resolution No. 2007-007, Commissioners, 3/21/11)**

Transfer Tax Lien Certificates to Muncie Redevelopment Commission:

The County Executive shall acquire liens and receive tax sale certificates of the properties listed on Exhibit A that are severely delinquent and give said certificates to the Muncie Redevelopment Commission, pursuant to IC 6-1.1-24-9 and IC 36-1-11-8. After this is completed, Delaware County shall have no liability and no costs associated with said transfers or any other costs associated with said properties identifies in Exhibit A.

**(Resolution No. 2011-006A, Commissioners, 4/4/11)**

Regarding 457 Accounts:

The Delaware County Commissioners are allowing the Auditor to sign paperwork regarding the 457 plans.

**(Resolution No. 2011-004, Commissioners, 2/7/11)**

Authorizing Application Submission and Local Match Commitment Project Rail Manufacturing:

1. The Commissioner President is authorized to prepare and submit an application for grant funding to address job creation at Project Rail Manufacturing, Inc and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. Delaware County hereby commits local funds in the amount of Two Hundred Thirty Thousand Dollars (\$230,000) in the form of contribution from Project Rail Manufacturing, Inc. for the purchase of equipment, as matching funds for said program, such commitment to be contingent upon receipt of funding from the Indiana Office of Community and Rural Affairs.

**(Resolution No. 2011-003, Commissioner, 2/22/11)**

Deduction from Assessed Value of New Manufacturing Equipment (Kendon):

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by Kendon Corporation, a subsidiary of Bridgestone Americas Holding, shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.



- 2 The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2011-002, Council, 1/25/11)**

## 2010

### Declaring an Economic Revitalization area for Purposes ERCO:

1. The Delaware County Council finds and determines that the area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1-12.1-3(e)(11)(A).
2. The Delaware County Council further finds that occupation of an eligible vacant building in the above described period beginning March 1, 1983 and ending December 31, 2011, by ERCO, LLC shall be allowed a deduction from the assessed value of said eligible vacant building for one (1) year in accordance with the provisions of I.C. 6-1-12.1-4.8(h)(2)(i)(1).
3. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said occupation of an eligible vacant building for purposes of allowing a deduction from the assessed value of said eligible vacant building for one (1) year in accordance with I.C. 6-1-12.1-4.8.
4. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2010-042, Council, 11/23/10)**

### Declaring an Economic Revitalization area Progress Rail New manufacturing equipment and new information technology:

1. The Delaware County Council finds and determines that the Area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1-12.1-1 et. seq.
2. The Delaware County Auditor shall take further actions as may be required by all applicable ordinances and laws, to carry out the purposes of this Resolution and to insure the eligibility of such new manufacturing equipment and new information technology equipment for purposes of allowing a deduction from the assessed value of said equipment for ten (10) years on the manufacturing equipment and five (5) years on the information technology equipment, all in accordance with applicable Indiana Code.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.
4. It is understood that Progress Rail Manufacturing Corporation, formerly PRL, Inc. is responsible for following all annual state and local filing requirements regarding this abatement to assure receipt of the abatement per the applicable ten (10) and five (5) year schedules.  
**(Resolution 2010-041, Council, 11/23/10)**

### Declaring an Economic Revitalization area for Purposes Progress Rail Manufacturing (Arizona Maricopa):

1. The Delaware County Council finds and determines that the area described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1-12.1-3(e)(11)(A).
2. The Delaware County Council further finds that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by Mitsui on behalf of

Progress Rail shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. seq.

Construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I.C. 6-1.1-12.1-4.

3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

**(Resolution No. 2010-040, Council, 11/23/10)**

Establishing the Intent to Conduct a Commissioners Sale to Sell Tax Sale Certificates that are Delinquent:

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.

**(Resolution No. 2010-038, Commissioners, 11/15/10)**

Bell Aquaculture:

Section 1. Findings: Public Benefits. The County Council hereby finds and determines that the Project involves the acquisition, construction, renovation, and equipping of an "economic development facility" as that phrase is used in the Act; the Project will increase or retain the employment opportunities and increase diversification of economic development in the County, will improve and promote the economic stability, development, and welfare in the County and the location of other new industries in the County' that the public benefits to be accomplished by the Bond Ordinance, intending to overcome insufficient employment opportunities and insufficient diversification of industry, are greater than the cost of public service (as that phrase is used in the Act) which will be required by the Project; and, therefore, that the financing of the Project by the issuance of the Bonds under the Act; (i) will be of benefit to the health and general welfare of the County; and (ii) complies with the Act.

Section 2. Approval of Financing. The proposed financing of the Project by issuance of the Bonds under the Act, in the form that such financing was approved by Commission, is hereby approved.

Section 3. Authorization of the Bonds. The issuance of the Bonds, payable solely from revenues and receipts derived from the Financing Agreements, is hereby authorized.

Section 4. Terms of the Bonds. (a) The Bonds, in the aggregate principal amount not to exceed Ten Million Dollars (\$10,000,000), shall (i) be executed at or prior to the closing date by the manual or facsimile signatures of the Board of Commissioners and the Auditor of the County; (ii) be dated as of the date of their delivery; (iii) mature on a date not later than twenty-five (25) years after the date of issuance; (iv) bear interest at such rate as determined through negotiation with the purchaser thereof, with such interest payable as provided in the Financing Agreements; (v) be issuable in such denominations as set forth in the Financing Agreements; (vi) be issuable in such registered form; (vii) be payable in lawful money of the United States of America; (ix) be payable at an office as provided in the Loan Agreement; (x) be subject to optional redemption prior to maturity and subject to redemption as otherwise provided in the Financing Agreements; (xi) be issued in one or more series; and (xii) contain such other terms and provisions as may be provided in the Financing Agreements.

- (b) The Bonds and the interest thereon do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of, the County, but shall be special and limited obligations of the County, payable solely from revenues and other amounts derived from the Financing Agreements. Forms of the Financing Agreements are before this meeting and are by reference incorporated in this Bond Ordinance, and the Auditor of the County is hereby directed, in the name and on behalf of the County, to insert them into the minutes of the County Council and to keep them on file.

Section 5. Sale of the Bonds. The Board of Commissioner and the Auditor of the County are hereby authorized and directed, in the name and on behalf of the County, to sell the Bonds to a purchaser or purchasers selected by such officers at such prices and on such terms as may be determined at the time of sale.

Section 6. Execution and Delivery of Financing Agreements. For each series of the Bonds, the Board of Commissioners and Auditor of the County are hereby authorized and directed, in the name and on behalf of the County, to execute and endorse and deliver the Loan Agreement, the Promissory Note for the Borrower to the County, and the Bonds, submitted to the County Council, which are hereby approved in all respects.

Section 7. Changes in Financing Agreements. The Board of Commissioners and Auditor of the County are hereby authorized, in the name of and on behalf of the County, without further approval of the County Council or the Commission, to approve such changes in the Financing Agreements as may be permitted by Act, such approval to be conclusively evidenced by their execution thereof.

Section 8. General. The Board of Commissioners and Auditor of the County, and each of them, are hereby authorized and directed, in the name and on behalf of the County, to execute or endorse any and all agreements, documents, and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or any of them, to be necessary or desirable in order to carry out and comply with the intent, conditions and purpose of this Bond Ordinance (including the preambles hereto and the documents mentioned herein), the Project, the issuance and sale of the Bonds, and the securing of the Bonds under the Financing Agreements, and any such execution, endorsement, performance or doing of other things heretofore effected be, and hereby is, ratified and approved.

Section 9. Binding Effect. The provisions of this Bond Ordinance and the Financing Agreements shall constitute a binding contract between the County and the holders of the Bonds, and after issuance of the Bonds this Bond Ordinance shall not be repealed or amended in any respects which would adversely affect the rights of the holders of the Bonds or interest thereon remains unpaid.

Section 10. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. Effective Date. This Bond Ordinance shall be in full force and effect immediately upon adoption and compliance with I.C. § 36-2-6.

Section 12. Copies of Financing Agreements of File. Two copies of the Financing Agreements incorporated into this Bond Ordinance were duly filed in the office of the Auditor of the County, and are available for public inspection in accordance with I.C. § 36-1-5-4.

**(Ordinance No. 2010-036, Council, 11/12/10)**

Section 1. Findings: Public Benefit. The County Council hereby finds and determines that the Project involves the acquisition, construction, renovation and equipping of an “economic development facility” as that phrase is used in the Act; that the Project will increase or retain employment opportunities and increase diversification of economic development in the County, will improve and promote the economic stability, development and welfare in the County, will encourage and promote the expansion of industry, trade and commerce in the County and the location of other new industries in the County; that the public benefits to be accomplished by this Bond Ordinance, intending to overcome insufficient employment opportunities and insufficient diversification of industry, are greater than the cost of public services (as that phrase is used in the Act) which will be required by the Project; and, therefore, that the financing of the Project by the issuance of the Bonds under the Act: (i) will be of benefit to the health and general welfare of the County, and (ii) complies with the Act.

Section 2. Approval of Financing. The proposed financing of the Project by the issuance of the Bonds under the Act, in the form that such financing was approved by the Commission, is hereby approved.

Section 3. Authorization of the Bonds. The issuance of the Bonds, payable solely from revenues and receipts derived from the Financing Agreements, is hereby authorized.

Section 4. Terms of the Bonds. (a) The Bonds, in the aggregate principal amount not to exceed Twenty-One Million Dollars (\$21,000,000), shall (i) be executed at or prior to the closing date by the manual or facsimile signatures of the Board of Commissioners and the Auditor of the County; (ii) be dated as of the date of their delivery; (iii) mature on a date not later than twenty-five (25) years after the date of issuance; (iv) bear interest at such rates as determined through negotiations with the purchaser thereof, with such interest payable as provided in the Financing Agreements; (v) be issuable in such denominations as set forth in the Financing Agreements; (vi) be issuable only in fully registered form; (vii) be subject to registration on the bond register as provided in the Loan Agreements; (viii) be payable in lawful money of the United States of America; (ix) be payable at an office as provided in the Loan Agreement; (x) be subject to optional redemption prior to maturity and subject to redemption as otherwise provided in the Financing Agreements; (xi) be issued in one or more series; and (xii) contain such other terms and provisions as may be provided in the Financing Agreements.

- (b) The Bonds and the interest thereon do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of, the County, but shall be special and limited obligation of the County, payable solely from revenues and other amounts derived from the Financing Agreements. Forms of the Financing Agreements are before this meeting and are by this reference incorporated in this Bond Ordinance, and the Auditor of the County is hereby directed, in the name and on behalf of the County, to insert them into the minutes of the County Council and to keep them on file.

Section 5. Sale of the Bonds. The Board of Commissioners and the Auditor of the County are hereby authorized and directed, in the name and on behalf of the County, to sell the Bonds to a purchaser or purchasers selected by such officers at such process and on such terms as may be determined at the time of sale.

Section 6. Execution and Delivery of Financing Agreements. For each series of the Bonds, the Board of Commissioners and the Auditor of the County are hereby authorized and directed, in the name and on behalf

of the County, to execute or endorse and deliver the Loan Agreements, the Promissory Note from the Borrower to the County, and the Bonds, submitted to the County Council, which are hereby approved in all respects.

Section 7. Changes in Financing Agreements. The Board of Commissioners and Auditor of the County are hereby authorized, in the name and on behalf of the County, without further approval of the County Council or Commission, to approve such changes in the Financing Agreements as may be permitted by Act, such approval to be conclusively evidenced by their execution thereof.

Section 8. General. The Board of Commissioners and Auditor of the County, and each of them, are hereby authorized and directed, in the name and on behalf of the County, to execute or endorse any and all agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or any of them, to be necessary or desirable in order to carry out and comply with the intent, conditions, and purposes of this Bond Ordinance (including the preambles hereto and the documents mentioned herein), the Project, the issuance and sale of the Bonds, and the securing of the Bonds under the Financing Agreements, and any such execution, endorsement, performance or doing of other things heretofore effected be, and hereby is, ratified and approved.

Section 9. Binding Effects. The provisions of this Ordinance and the Financing Agreements shall constitute a binding contract between the County and the holders of the Bonds, and after issuance of the Bonds this Bond Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of the holders of the Bonds as long as the Bonds or interest thereon remains unpaid.

Section 10. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. Effective Date. This Bond Ordinance shall be in full force and affect immediately upon adoption and compliance with I.C. § 36-2-6.

Section 12. Copies of Financing Agreement on File. Two copies of the Financing Agreements incorporated into this Bond Ordinance were duly filed in the office of the Auditor of the County, and are available for public inspection in accordance with I.C. § 36-1-5-4.

**(Ordinance No. 2010-037, Council, 11/12/10)**

#### Mid-West Metals Project:

Section 1. Findings: Public Benefits. The County Council hereby finds and determines that the Project involves the acquisition, construction, renovation and equipping of an economic development facility” as that phrase is used in the Act; that the Project will increase or retain employment opportunities and increase diversification or economic development in the County, will improve and promote the economic stability, development, and welfare in the County, will encourage and promote the expansion of industry, trade and commerce in the County and the location of other new industries in the County; that the public benefits to be accomplished by this Bond Ordinance, intending to overcome insufficient employment opportunities and insufficient diversification of industry, are greater than the cost of public services (as that phrase is used in the Act) which will be required by the Project; and, therefore, that the financing of the Project by the issuance of the Bonds under the Act: (i) will be of benefit to the health and general welfare of the County, and (ii) complies with the Act.

Section 2. Approval of Financing. The proposed financing of the Project by issuance of the Bonds under the Act, in the form that such financing was approved by the Commission, is hereby approved.

Section 3. Authorization of the Bonds. The issuance of the Bonds, payable solely from revenues and receipts derived from the Financing Agreements, is hereby authorized.

Section 4. Terms of the Bonds. (a) The Bonds, in the aggregate principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), shall (i) be executed at or prior to the closing date by the manual or facsimile signatures of the Board of Commissioner and the Auditor of the County; (ii) be dated as of the date of their delivery; (iii) mature on a date not later than twenty-five (25) years after the date of issuance; (iv) bear interest at such rates as determined through negotiation with the purchaser thereof, with such interest payable as provided in the Financing Agreement; (v) be issuable in such denominations as set forth in the Financing Agreements; (vi) be issuable only in fully registered form; (vii) be subject to registration on the bond register as provided in the Loan Agreement; (viii) be payable in lawful money of the United States of America; (ix) be payable at an office as provided in the Loan Agreement; (x) be subject to optional redemption prior to maturity and subject to redemption as otherwise provided in the Financing Agreements; (xi) be issued in one or more series; and (xii) contain such other terms and provisions as may be provided in the Financing Agreements.

- (b) The Bonds and the interest thereon do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of, the County, but shall be special and limited obligations of the County, payable solely from the revenues and other amounts derived from the Financing Agreements. Forms of the Financing Agreements are before this meeting and are by this reference incorporated in this Bond Ordinance, and the Auditor of the County is hereby directed, in the name and on behalf of County, to insert them into the minutes of the County Council and to keep them on file.

Section 5. Sale of the Bonds. The Board of Commissioners and the Auditor of the County are hereby authorized and directed, in the name and on behalf of the County, to sell the Bonds to a purchaser or purchasers selected by such officers at such prices and on such terms as may be determined at the time of sale.

Section 6. Execution and Delivery of Financing Agreements. For each series of the Bonds, the Board of Commissioner and Auditor of the County are hereby authorized and directed, in the name of and on behalf of the County, to execute or endorse and deliver the Loan Agreement, the Promissory Note form the Borrower to the County, and the Bonds, submitted to the County Council, which are hereby approved in all respects.

Section 7. Changes in Financing Agreements. The Board of Commissioners and Auditor of the County are hereby authorized, in the name and on behalf of the County, without further approval of the County Council or the Commission, to approve such changes in the Financing Agreements as may be permitted by Act, such approval to be conclusively evidenced by their execution thereof.

Section 8. General. The Board of Commissioners and Auditor of the County, and each of them, are hereby authorized and directed, in the name and on behalf of the County, to execute or endorse any and all agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or any of them, to be necessary or desirable in order to carry out and comply with the intent, conditions, and purpose of this Bond Ordinance (including the preambles hereto and the documents mentioned herein), the Project, the issuance and sale of the Bonds, and the securing of the Bonds under the Financing Agreements, and any such execution, endorsement, performing or doing of other things therefore effected be, and hereby is, ratified and approved.

Section 9. Binding Effect. The provisions of this Bond Ordinance and the Financing Agreements shall constitute a binding contract between the County and the holders of the Bonds, and after issuance of the Bonds, this Bond Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of the holders of the Bonds as long as the Bonds or interest thereon remains unpaid.

Section 10. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. Effective Date. This Bond Ordinance shall be in full force and effect immediately upon adoption and compliance with I.C. § 36-2-6.

Section 12. Copies of Financing Agreements on File. Two copies of the Financing Agreements incorporated into this Bond Ordinance were duly filed in the office of the Auditor of the County, and are available for public inspection in accordance with I.C. § 36-4-5-4.

**(Ordinance No. 2010-038, Council, 11/12/10)**

Approving Certain Amendments to the Plan for Industrial Centre Economic Development Area:

1. The Board of Commissioners hereby approves the amendments to the Plan as provided in the 2010 Resolution, and hereby approves the order of the Plan Commission approving the 2010 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.

**(Resolution No. 2010-032, Commissioners, 11/1/10)**

Declaring Delaware County a Recovery Zone:

In light of the general negative economic conditions affecting employment, housing and poverty within the County, and in particular, the jobs losses rate suffered within the County during the relevant time period, it is hereby expressly found that the County is and should be designated a “recovery zone” within the meaning of the American Recovery and Reinvestment Act of 2009.

**(Resolution No. 2010-031, Commissioners, 11/1/10)**

Shortfall in funding Local Roads and Streets Fund:

1. The appropriation for Local Roads and Streets Fund shall be reduced in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00);
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing;
3. That said Resolution shall take effect upon signing of the same.

**(Resolution No. 2010-029, Council, 10/15/10)**

Shortfall in Funding County General Fund:

1. The appropriation for County General shall be reduced in the amount of Four Hundred Ten Thousand Nine Hundred Two Dollars and 00/100 (\$410,902.00);



2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing;
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2010-028, Council, 10/15/10)**

Shortfall in Funding Board of Health Fund:

1. The appropriation for Board of Health Fund shall be reduced in the amount of One Hundred Six Thousand Two Hundred Fifty Dollars (\$106,250.00);
2. That said funds shall be used by the County Council to address the financial shortfall that the County is experiencing;
3. That said Resolution shall take effect upon signing of the same.  
**(Resolution No. 2010-027, Council, 10/15/10)**

Magna Powertrain lease terminated:

The Sublease by and between Delaware Advancement Corporation and Delaware County dated September 30, 2008, including, but not limited to any agreement granting Delaware County an option or other right to acquire the Real Estate referred to in said Lease, shall be and is hereby terminated.

Upon motion duly made and seconded it was further resolved that the Interest Payment Agreement dated September 30, 2008 be terminated.

**(Resolution No. 2010-026, Commissioners, 10/4/10)**

Magna E-Car:

1. The Delaware County Council finds and determines that the new information technology equipment to be installed in the above referenced area by Magna E-Car Systems shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2010-024, Council, 9/28/10)**

Magna Powertrain (5 year):

1. The Delaware County Council finds and determines that the new information technology equipment to be installed in the above referenced area by Magna Powertrain of America, Inc. shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.

2. The Delaware County Auditor shall take further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2010-023, Council, 9/28/10)**

Magna Powertrain (10 year):

1. The Delaware County Council finds and determines that the new manufacturing equipment and new logistical distribution equipment to be installed in the above referenced area by Magna Powertrain of America, Inc. shall be allowed a deduction for ten (10) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2010-022, Council, 9/28/10)**

Magna-Garmong Real Estate:

1. The Delaware County Council finds and determines that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by Garmong Development Company, LLC on behalf of their tenant, Magna Powertrain of America, Inc. shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. seq.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1 et. seq.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2010-021, Council, 9/28/10)**

Industrial Centre Economic Development Area:

1. The Board of Commissioners hereby approves the amendments to the Plan as provided in the 2010 Resolution, and hereby approves the order of the Plan Commission approving the 2010 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.  
**(Resolution No. 2010-020, Commissioners, 9/7/10)**

## Interlocal Agreements:

- ❖ All InterLocal Agreements three (3) years, or older, are to be brought in front of the County Commissioners for review.
- ❖ All InterLocal Agreements beginning January 1, 2011 and forward will be reviewed every three (3) years regardless of their duration.
- ❖ The Delaware County Auditor is to compile all InterLocal Agreements in existence, as well as all future InterLocal Agreements, in one central location.
- ❖ These InterLocal Agreements will be made available as public records.  
**(Resolution No. 2010-016, Commissioners, 7/19/10)**

## Temporary Loan:

Section 1. **THE WARRANTS.** It is hereby found and declared that an emergency exists for the borrowing of money with which to pay current running expenses payable from the Funds prior to the receipt of anticipated revenues of the County for the remainder of 2010, including, without limitation, taxes levied in 2009 and payable in 2010 for the Funds. For the purpose of paying the current running expenses of the County payable from the Funds, there shall be issued tax anticipation warrants, Series 2010A (Board of Health Fund), in aggregate principal amount not to exceed \$205,000 (collectively, the “Warrants”), subject to applicable law, issued pursuant to the provisions of Indiana Code § 36-2-6-18, as in effect on the date of the issuance of the Warrants.

The Warrants shall be dated as of the respective dates of delivery thereof and shall be payable in lawful money of the United States of America upon presentation at the office of the Treasurer of the County or at such other place as shall be agreed to by the purchaser and the County. The County is authorized to make payments of principal and interest on the Warrants by paying the amount due from the Funds that are available for immediate transfer or investment on or before 12:00 noon on the due date to the purchaser of the Warrants.

The Warrants shall mature not later than December 31, 2012. The final maturity date and final aggregate principal amount of the Warrants shall be set forth in a certificate executed by the Treasurer of the County prior to the sale of the Warrants. The Warrants shall bear interest prior to maturity at a rate or rates not exceeding eight percent (8%) per annum. Interest on the Warrants shall be calculated on the basis of a three hundred sixty-five (365)-day year.

The Warrants shall be issued in denominations of One Hundred Thousand Dollars (\$100,000) or integral multiples of One Thousand Dollars (\$1,000) in excess thereof (e.g., \$100,000, or \$101,000, or \$102,000, etc.). The Warrants shall be numbered from AR-1 upwards. The Warrants may be issued as drawn-down warrants on the draw terms acceptable to the County Auditor.

The Warrants shall be payable on any date at the option of the County, in whole or in part, upon at least seven (7) days’ written notice to the holder of the Warrants to be prepaid, at a prepayment price equal to one hundred percent (100%) of the principal amount to be prepaid, plus accrued interest thereon to the date of prepayment, and without premium.

- Section 2. FORM OF WARRANTS AND USE OF PROCEEDS. The Warrants shall contain a reference to this Ordinance and the date of the adoption thereof. The Warrants shall be issued in substantially the forms set forth in Exhibit A attached hereto, with all blanks to be properly filled in prior to delivery, as conclusively evidenced by the signatures of the officers of the County affixed thereon. The County Auditor is authorized and directed (a) to file an information report as provided by applicable federal and state of Indiana rules and regulations and (b) to use the proceeds of the Warrants to pay current expenses of the Funds and the costs of issuance thereof unless the County Auditor elects to have the purchaser of the Warrants pay such costs.
- Section 3. AUTHORIZATION OF SALE. The County Auditor is hereby authorized and directed to give notice of the sale of the Warrants by advertising their sale two times, at least one week apart, with the first publication made at least 15 days before the date of the sale and the second publication made at least three days before the date of sale, in a newspaper of general circulation published in the County and requiring that sealed bids be submitted to the Auditor by the date set forth in the notice. Said bids shall stipulate the rate of interest to be charged by such bidder. Upon the receipt of the bids, the County Auditor shall award the Warrants to the bidder or bidders complying with the terms of the sale and offering the lowest net interest cost to the County, to be determined by computing the total interest on the Warrants from the expected closing date to maturity on December 31, 2010, and deducting therefrom the premium bid, if any. Although not a term of their sale, it is requested that each bid show the net dollar interest cost and the net effective interest rate for the Warrants in the form herein provided, and the County Treasurer is hereby authorized and directed to deliver the Warrants when so executed to the purchaser thereof upon payment by such purchaser of the purchase price of the Warrants.
- Section 4. ISSUANCE AND DELIVERY OF WARRANTS. The Auditor of the County is hereby authorized and directed to have the Warrants prepared, and the County Commissioners and the Auditor of the County are hereby authorized and directed to execute or to cause the execution of the Warrants in the form and manner herein provided, as conclusively evidenced by their execution thereof.
- Section 5. PLEDGE OF REVENUES. A sufficient amount of the taxes levied for the Funds and in the course of the collection is hereby appropriated and pledges to the repayment of the promised amount and accrued interest at maturity of the respective Warrants.
- Section 6. FUTRHER ACTIONS. The County Commissioners and the Auditor of the County are hereby authorized and directed to make such filings and requests, deliver such certifications, execute and deliver such documents and instruments, and otherwise take such actions as are necessary or appropriate to carry out the terms and conditions of this Ordinance and the actions authorized hereby and thereby.
- Section 7. TAX COVENANTS. The County hereby covenants that the County and its officers shall not take any action or final to take any action with respect to the proceeds of any of the Warrants or any investment earnings thereon that would result in constituting any of the Warrants as “arbitrage bonds” under the Internal Revenue Code of 1986, as amended (the “Code”), and any and all final or proposed regulations or rulings applicable thereto, or which would otherwise cause the interest on any of the Warrants to cease to be excludable from gross income for purpose of federal income taxation; and the Auditor of the County and all

actions and to make and deliver any and all reports, filings, and certifications as may be necessary or appropriate to evidenced, established or ensure such continuing exclusion of the interest on the Warrants.

Because the County, together with all entities subordinate thereto, reasonably expects to issue less than Thirty Million (\$30,000,000) of tax-exempt obligations for the purpose of Section 265(b)(3) of the Code.

Section 8. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the time it had been adopted by the County Council.

Section 9. REPEAL OF CONFLICTING ORDINANCES. All resolutions and ordinances in conflict herewith are, to extent of such conflict, hereby repealed.  
(Ordinance No. 2010-020, Council, 5/25/10)

Margaret Duncan Drain:

A loan shall be obtained by Delaware County and be designed the **Margaret Duncan Drain**. The loan shall have a fixed interest rate; shall mature within six (6) years after the date is it obtained; and shall be repaid from installments collected by assessment of land owners over a five (5) year period or as may otherwise be procured from State of Indiana or the Untied State of America or agencies thereof for the reconstruction of said ditch. The proceeds of the loan obtained shall be deposited in the *General Drainage Improvement (GDI) Fund*. The loan shall be obtained from the bidder offering the lowest interest costs, if a satisfactory bid is received. The loan shall bear interest at a rate specified by the successful bidder, shall not exceed **Six Percent (6%)**, of which no more than **Forty Thousand Five Hundred Forty-Three Dollars and Seventy-five Cents (\$40,543.75)**, shall be principle.

Further, the County Council directs the Court Auditor to prepare and place on file copies of the ordinance authorizing the sale and otherwise comply with bid requirements set forth under the provisions of I.C. 36-2-6-19 and I.C. 36-2-6-20.

Further, the County Auditor is hereby directed to advertise its notice to make such loan as required by Indiana law, specifically the provisions of I.C 5-1-11-2(b) and I.C. 5-3-1-4, et seq.  
(Ordinance No. 2010-021, Council)

Abe McConnell Drain:

A loan shall be obtained by Delaware County and be designed the **Abe McConnell Drain**. The loan shall have a fixed interest rate; shall mature within six (6) years after the date it is obtained; and shall be repaid from installments collected by assessment of land owners over a five (5) year period or as may otherwise be procured from the State of Indiana or the United States of America or agencies thereof for the reconstruction of said ditch. The proceeds of the loan obtained shall be deposited in the *General Drainage Improvement (GDI) Fund*. The loan shall be obtained from the bidder offering the lowest interest costs, if a satisfactory bid is received. The loan shall bear interest at a rate specified by the successful bidder, shall not exceed **Six Percent (6%)**, of which no more than **One Hundred Sixty Eight Thousand One Hundred Thirty Five Dollars and Seventy-Eight Cents (\$168,135.78)**, shall be principle.

Further, the County Council directs the Court Auditor to prepare and place on file copies of the ordinance authorizing the sale and otherwise comply with bud requirements set forth under the provisions of I.C. 36-2-6-19 and I.C. 36-2-6-20.

Further, the County Auditor is hereby directed to advertise its notice to make such loan as required by Indiana law, specifically the provisions of I.C. 5-1-11-2(b) and I.C. 5-3-1-4, et.seq.

**(Ordinance No. 2010-022, Council)**

Approving Amendment Plan for the Daleville Redevelopment Area:

1. The Board of Commissioners hereby approves the amendment to the Plan as provided in the 2010 Resolution, and hereby approves the order of the Plan commission approving the 2010 Resolution.
2. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.

**(Resolution No. 2010-014, Commissioners, 7/6/2010)**

Redevelopment Agreement Relating to DSE Services:

Section 1. The Delaware County Council hereby recommends that the County and the Redevelopment Commission enter into the Redevelopment Agreement substantially in the form of Exhibit A attached hereto.

Section 2. This resolution shall be in full force and effect upon adoption.

**(Resolution No. 2010-010, Council, 6/10/10)**

Approving a Redevelopment Agreement with DSE Service, Inc.:

1. The Board of Commissioners hereby approves the Redevelopment Agreement in the form attached hereto as Exhibit A.
2. The proper offices of the Board of Commissioners are hereby authorized and directed to execute and deliver the Redevelopment Agreement in substantially the form attached hereto, with such changes as such officers shall approve, such approval to be evidenced by the execution thereof.
3. Subject to all procedures required by law, the officers of the Board of Commissioners are hereby authorized and directed to take all action necessary to implement the Redevelopment Agreement.  
**(Resolution No. 2010-009, Commissioners, 6/7/10)**

Approving Amendment of the Plan for Park One Brevini, Twoson:

1. The Board of Commissioners hereby approves the amendment to the Plan as provided in the 2010 Resolution, and hereby approves the order of the Plan Commission approving the 2010 Resolution.
2. Based on a careful consideration of the factors set forth above, as well as the favorable recommendation of the Redevelopment Commission and the Company's decades-long commitment to the creation and retention of well paying jobs for the citizens of the County, this Board of Commissioners determines to enter into the Economic Development Agreement with the Company and the Redevelopment Commission.
3. The form of Lease (the "Lease") substantially in the form set forth as Exhibit 1 to the Economic Development Agreement is hereby approved.

4. The form of Purchase Agreement (the “Purchase Agreement”) substantially in the form set forth as Exhibit 2 to the Economic Development Agreement is hereby approved.
5. The proper officers of the County are hereby authorized and directed to execute the Economic Development Agreement, the Lease and the Purchase Agreement substantially in the forms presented to this meeting, with such changes as such officers shall approve, such approval to be evidenced by the execution thereof by such officers.
6. The issuance by the Redevelopment Commission of the Refunding Bonds is hereby approved.
7. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners as required by law.  
**(Resolution No. 2010-004, Commissioners, 3/15/10)**

Authorizing a Temporary Loan:

Delaware County is hereby authorized to transfer from the Rainy Day fund #243 the sum of up to a total of Seven Million dollars 00/100 (\$7,000,000.00) to the following accounts:

1. County General #100 the sum up to \$6,327,111.97
2. County Lease/Rental #302 the sum up to \$369,105.14
3. County General Obligation Bond #403 the sum up to \$303,782.89

Said transfers are on a per need basis, and said sum shall be repaid on or before December 31, 2010.  
**(Resolution No. 2010-001, Council, 1/26/10)**

## 2009

### EMS 457 Pension:

1. The surplus amount of \$500,000.00 shall be transferred from the Delaware County Emergency Medical Services 258 2585 00000 390 account to the Delaware County Cumulative Building Fund 405.
2. That this shall be a onetime only transfer to be used by the Delaware County Commissioners for updating and maintaining Delaware County Properties.  
**(Ordinance No. 2009-025, Council, 6/23/09)**

### Preservation of Indiana Jobs:

**Section 1** That the United States Congress is hereby encouraged to adopt a student loan reform proposal that makes college more affordable and achieves significant taxpayer savings while also protecting Delaware County, Indiana jobs, other Indiana jobs, our families and communities.

**Section 2** That a copy of this Resolution shall be provided to all members of the Indiana Congressional delegation forthwith as an expression of the concern and desire of the County of Delaware, Muncie, Indiana.

**Section 3** This Resolution shall be in full force and effect from and upon its adoption.  
**(Resolution No. 2009-022, Commissioners meeting, regular session, 11/2/2009)**

### Bell Perch Economic Development Area:

1. Pursuant to Sections 16(b) and 41 of the Act, this Board hereby approves, in all respects, the Declaratory Resolution, the Plan, and the Plan Commission Order.
2. This Board hereby approves the determination that the Economic Development Area is an economic development area pursuant to Section 41 of the Act and an allocation area pursuant to Section 39 of the Act.
3. This resolution shall be in full force and effect from and after its adoption.  
**(Resolution No. 2009-021, Commissioners, 10/5/09)**

### Remaining Balances of Family and Children's Fund:

1. The remaining balance of the county family and children's fund now in the levy excess fund December 31, 2009 is hereby transferred to the county rainy day fund.
2. The remaining balance of the county children's psychiatric residential treatment services fund now in the county levy excess fund December 31, 2009 is hereby transferred to the county rainy day fund.  
**(Resolution No. 2009-019, Council, 9/14/09)**



#### Authorizing a Temporary Loan from Excess Levy Fund:

The Excess Levy #609 Fund is authorized to transfer to the County General, Board of Health, Lease Rental, Cumulative Bridge and General Obligation Bond Funds the sum up to a total of eight million (\$8,000,000.00) on a per need basis and said sum shall be repaid by December 31, 2009.

**(Resolution No. 2009-013, Council, 5/11/09)**

#### Modernization and Possible Reorganization:

1. Proposes the possible modernization and possible reorganization in accordance with I.C. 36-1.5-4.1, et seq;
2. Proposes the possibility of entering into cooperative agreements under I.C.36-1.5- 5-1, et seq.
3. Proposes that a reorganization committee be appointed as follows: The Mayor of the City of Muncie, Indiana, shall appoint three (3) members of the committee. The Common Council of the City of Muncie shall appoint one (1) member of the committee. The Delaware County Commissioners shall appoint three (3) members of the committee. The Delaware County council shall appoint one (1) member of the committee. Not more than two (2) of the members appointed by the Mayor and the County Commissioners may be of the same political party. Not more than a simple majority of the members of the committee appointed by the City or County may be of the same political party.
4. Proposes that are made in meetings and considered possible modernization, possible consolidation, and cooperative agreements, the City of Muncie and Delaware County, Indiana shall require that the vote on any such public questions under I.C. 36-1.5 shall be conducted with a rejection threshold.

**(Resolution No. 2009-005, Commissioners, 4/6/09)**

#### Appropriations for EDIT Funds:

For the expenses of the taxing unit the following sum of money shall be appropriated out of the fund named and for the purposes specified, subject to the laws governing the same:

| FUND      | AMOUNT REQUESTED | AMOUNT APPROVED |
|-----------|------------------|-----------------|
| EDIT FUND | \$3,946,333.40   | \$3,946,333.40  |

Any funds being held by Star Financial Bank, Trustee, be transferred to the Auditor of Delaware County.

**(Resolution No. 2009-002, Commissioners, 1/27/09)**

#### Approving Deduction from Assessed Value of New Manufacturing Equipment (Kendon):

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by Kendon Corporation shall be allowed a deduction for five (5) years from the assessed value of such equipment, in accordance with the provisions of I.C.6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposed of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2009-001, Council, 1/27/09)**

## 2008

Inviting the Twelve Delaware County Townships to meet to discuss modernization and possible reorganization:

1. Propose modernization and possible reorganization that the Commissioners hereby:
2. Propose that Delaware County, Indiana and the following listed Delaware County, Indiana Townships:

|                        |                          |                     |
|------------------------|--------------------------|---------------------|
| A. Center Township     | E. Harrison Township     | I. Liberty Township |
| B. Washington Township | F. Hamilton Township     | J. Salem Township   |
| C. Union Township      | G. Delaware Township     | K. Monroe Township  |
| D. Niles Township      | H. Mt. Pleasant Township | L. Perry Township   |

Shall meet together with the Commissioners to consider modernization and possible reorganization.

3. The Clerk of Delaware County shall certify this resolution to the Clerk or Legislative Authority of the twelve (12) previously listed Delaware County, Indiana Townships in accordance with IC 36-1.5-4-10.  
**(Resolution No. 2008-003, Commissioners, 2/4/08)**

### Common Council Modernization

1. The Commissioners accept the resolution of the Common Council of the City of Muncie and agree that a committee should be formed to consider possible modernization and possible reorganization in accordance with I.C. 36-1.5-4-1, et seq:
2. The Commissioners of Delaware County, by and through its designated representatives, shall meet together to consider modernization and possible reorganization;
3. The Commissioners agree that when considering possible modernization and possible consolidation, the parties should also consider whether a vote on such public question should be conducted with or without a rejection threshold; and
4. The Clerk of Delaware County shall certify this resolution to the Clerk of the Common Council of the City of Muncie, Indiana, in accordance with I.C. 36-1.5-4-10.  
**(Resolution No. 2008-015, Commissioners, 6/16/08)**

### Endorsement State Use Program:

All offices of Delaware County government shall first attempt to make purchases of supplies and services through the State Use Program, if the supplies and services are not available through that program and shall utilize that program in the event that the services and supplies meet the specifications and needs and in the event that the cost to purchase such supplies and services is not more than fifteen percent (15%) greater than the cost available through the bidding or quoting processes.

**(Resolution No. 2008-004, Commissioners meeting, 2/19/08)**

Red Cross Month:

Be it resulted by the Board of Commissioners of Delaware County, Indiana. That March 2008 is hereby declared as: American Red Cross Month.

**(Resolution 2008-007, Commissioners, 3/3/08).**

Authorizing a Temporary Loan from the Rainy Day Fund #243 to the Board of Health Fund #200:

The Rainy Day Fund is authorized to transfer to the Board of Health Fund #200 the sum of Three Hundred Thousand Dollars (\$300,000.00) and said sum shall be repaid by December 31, 2008.

**(Resolution No. 2008-012, Council meeting, 3/25/08).**

Economic Development Plan:

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
2. The determination that the Area, including the Expansion Area, is an economic development area under the Act is hereby approved pursuant to Indiana Code 36-7-14-41(c).
3. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners.

**(Resolution No. 2008-013, Commissioners, 4/7/08).**

Approving Deduction From Assessed Value of New Manufacturing Equipment and New Logistical Distribution Equipment in Already Declared Economic Revitalization Area For Magna Powertrain USA, Inc.:

1. The Delaware County Council finds and determines that the new manufacturing equipment and new logistical distribution equipment to be installed in the above referenced area by Magna Powertrain USA, Inc. shall be allowed a deduction for ten (10) years from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

**(Resolution No. 2008-014, Council, 4/22/08)**

Response to Resolution from the Common Council of City of Muncie:

1. The Commissioners accept the resolution of the Common Council of the City of Muncie and agree that a committee should be formed to consider possible modernization and possible reorganization in accordance with I.C. 36-1.5-4.1, *et seq.*;
2. The Commissioners of Delaware County, by and through its designated representatives, shall meet together to consider modernization and possible reorganization;

3. The Commissioners agree that when considering possible modernization and possible consolidation, the parties should also consider whether a vote on such public question should be conducted with or without a rejection threshold; and
4. The Clerk of Delaware County shall certify this resolution to the Clerk of the Common Council of the City of Muncie, Indiana, in accordance with I.C. 36-1.5-4-10.  
**(Resolution No. 2008-015, 6/16/08)**

Approving an Order of the Metropolitan Plan Commission Approving a Certain Declaratory Resolution and Amendment to an Existing Economic Development Plan:

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
2. The determination that the Area, including the Expansion Area, is an economic development area under the Act is hereby approved pursuant to Indiana Code 36-7-14-41(c).
3. This Resolution shall be in full force and effect from and after its passage by the Board of Commissioners.  
**(Resolution No. 2008-016, Commissioners, 6/16/08)**

Honoring Ten Year 4H Members in Delaware County:

That those members of the Delaware County 4-H Program that have achieved the “Ten Year Status” should be honored by the entire community for their dedication and hard work.

All of Delaware County is very proud of your accomplishments and know that you will continue to achieve great things throughout the rest of your life.

**(Resolution 2008-017, Commissioners, 7/21/08)**

Honoring Doug Stong:

1. Doug Stong is to be thanked and commended for his dedication to all the citizens of Delaware County for the 40 years of selfless sacrifice and service that he has performed as a reserve county police officer.
2. August 18, 2008 should be reserved as Doug Stong Day in Delaware County as a small token of thank you for all of his work.  
**(Resolution No. 2008-020, Commissioners, 8/18/2008)**

Proclaiming Family Day:

The fourth Monday of every September as Family Day – A Day to Eat Dinner With Your Children and urge all citizens to recognize and participate in its observance.

**(Resolution 2008-021, Commissioners, 9/2/2008)**

Increasing Mileage Payment for Bailiffs:

The Delaware County Council hereby approves mileage at the rate of Fifty Cents per mile as compensation for the use of personal vehicles while serving process effective October 1, 2008.

Any past practices or ordinances in conflict with this resolution are overridden. All claims should be filed on approved State Board of Accounts form.

**(Resolution No. 2008-023, Council, 9/23/08)**

Recognizing the Fallen Heroes Memorial Bridge:

The High Street Bridge in Muncie is hereby designated and named the Fallen Heroes Memorial Bridge and that the attached Criteria for Inclusion on the Fallen Heroes Memorial Bridge is hereby adopted.

**(Resolution No. 2008-025, Commissioners, 12/1/08)**

Declaring Muncie-Delaware Clean and Beautiful Week:

October 6 through and including October 10, 2008 be designated as Muncie-Delaware Clean and Beautiful Week.

The staff and supporters of Muncie-Delaware Clean and Beautiful be complimented for their efforts in enhancing Delaware County.

**(Resolution No. 2008-027, Commissioners, 10/6/08)**

Garmon Lease for Shell Building:

1. Delaware Advancement Corporation is a leasing body as defined in I.C. 5-1-1-1.
2. The Lease submitted and approved by the County Commissioners after public hearing and approved by the County Commissioners by and between Delaware Advancement Corporation and Delaware County and submitted to this meeting is in all respects approved and the execution thereof by the County Commissioners is approved and confirmed.
3. Said Lease will promote significant opportunities for gainful employment of the citizens of Delaware County, attract a major new business enterprise to the unit or retain or expand significant business enterprise within the unit and such Lease involves expenditures of Economic Development Income Tax Funds for interest in land and buildings and facilities and is in the public interest.
4. The lease rental payments payable pursuant to said Lease shall be paid from the County Economic Development Income Tax.
5. The lease rental payments based upon the value of the facilities leased and do not create a debt of the unit for purposes of the Constitution of the State of Indiana.
6. So long as said Lease is in effect, the County may not expend money from its Economic Development Income Tax Fund in any manner which would adversely affect the payment of any lease rentals due under the Lease.

7. In order to include Delaware Advancement Corporation to enter into said Lease, the County Council agrees that it will not rescind the Economic Development Income Tax during the term of said lease or reduce such tax below an amount sufficient to make the lease rental payments.  
**(Special Ordinance No. 2008-024, Council, 9/23/08)**

Terminating Lease Agreement with Garmong:

1. The Lease previously executed between the Delaware County Commissioners and Delaware Advancement Corporation dated the 4<sup>th</sup> day of August, 2008, may be terminated by action of the County Commissioners including termination of any right or option to purchase the Real Estate described therein;
2. That Special Ordinance 2008-025 the Delaware County Council regarding interest reimbursement to Gramong and the written Interest Payment Agreement by the County Commissioners and dated September 23, 2008, are hereby rescinded and revoked and Garmong has acknowledged in writing the termination of The Interest Payment Agreement.
3. The Commissioners of Delaware County are authorized to terminate the Lease and record a notice of such termination.  
**(Special Ordinance No. 2010-033, Commissioners, 11/12/10)**

Interest Reimbursement to Garmong on Shell Building:

1. Delaware County, by and through its County Council, approves the Agreement attached hereto and made part hereof as Exhibit A and the payment of the sums specified therein from the County Economic Development Income Tax and further finds and determines that the foregoing findings of the County Council are true and correct.
2. The County Council pledges that it will not modify or rescind its Economic Development Income Tax or make other expenditures of the tax collected from the Economic Development Income Tax in such a manner as would impair the ability of the Council to make the payments provided for in the attached Agreement and that the County will annually appropriate sums sufficient to satisfy its obligation pursuant to the attached Agreement.  
**(Special Ordinance No. 2008-025, Council, 9/23/08)**

Sub-Lease Garmong:

Be it resolved that the Sub-Lease and related documents are hereby approved and that the Commissioners authorize John H. Brooke, President, to sign any and all such documents necessary to close and to complete the Shell Building Project, including but not limited to the Sub-Lease and Interest Payment Agreement.  
**(Resolution No. 2008-018, Commissioners, 8/4/08)**

Declaring an Economic Revitalization Area for Purposes of Approving Deduction from Assessed Value of Real Property Improvements for Garmong Development Company, L.L.C.

1. The Delaware County Council finds and determines that the area described in this Resolution meets the qualifications for an economic revitalization area for the purposed of I.C. 6-1-12.1-3(e)(11)(A).

2. The Delaware County Council further finds that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by Garmong Development Company, L.L.C. shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. Seq.
3. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I.C. 6-1.1-12.1-4.
4. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

#### Family and Children Temporary Loan:

##### Section 1. THE WARRANTS

It is hereby found and declared that an emergency exists for the borrowing of money with which to pay when due on December 31, 2008, the outstanding principal due on the Prior Warrants. For the purpose of providing warrants to be delivered in exchange for the Prior Warrants, there shall be issued tax anticipation warrants of the County designated "Tax Anticipation Warrants, Series 2008D (Family and Children Fund)" (the "Warrants"), in an aggregate principal amount not to exceed Six Million Three Hundred Thousand Dollars (\$6,300,000), subject to applicable law, issued pursuant to the provisions of Indiana Code 36-2-6-18, IC 5-1-5-2, IC 5-5-3, and IC 5-1-5-13, as in effect on the date of the issuance of the Warrants. The County is authorized to issue Warrants from the Fund in combined amounts not exceeding Six Million Three Hundred Thousand Dollars (\$6,300,000), subject to applicable law.

The Warrants shall be dated as of the respective dates of delivery thereof and shall be payable in lawful money of the United States of America upon presentation at the office of the Treasurer of the County or at such other places as shall be agreed to by the purchaser and the County. The County is authorized to make payments of principal and interest on the Warrants by paying the amount due from funds that are available for immediate transfer or investment on or before 12:00 noon on the due date to the purchaser of the Warrants.

The Warrants shall mature not later than June 30, 2009. The final maturity date and final aggregate principal amount of the Warrants shall be set forth in a certificate executed by the Treasurer of the County prior to the sale of the Warrants. The Warrants shall bear interest prior to maturity at a rate not exceeding eight percent (8%) per annum. Interest on the Warrants shall be calculated on the basis of a three hundred sixty-five (365)-day year.

It is hereby determined that it is in the best interest of the County and the Auditor is hereby authorized to negotiate an interest rate with Old National Bank, N.A. In the Auditor is unable to negotiate such exchange on terms consistent with this Ordinance, the Auditor is hereby authorized to negotiate the Warrants to any other purchaser on the terms consistent with this Ordinance.

The Warrants shall be issued in denominations of One Hundred Thousand Dollars (\$100,000) or integral multiples of One Thousand Dollars (\$1,000) in excess thereof (*e.g.*, \$100,000 or \$101,000, or \$102,000, etc.). The Warrants shall be numbered from 08RD-1 upwards. The Warrants shall be issued in the



maximum combined principal amount of Six Million Three Hundred Thousand Dollars (\$6,300,000), subject to applicable law.

The Warrants shall be prepayable on any date at the option of the County, in whole or in part, upon at least seven (7) days' written notice to the holder of the Warrants to be prepaid, at a prepayment price equal to one hundred percent (100%) of the principal amount to be prepaid, plus accrued interest thereon to the date of prepayment, and without premium.

## Section 2. INCORPORATION OF PROVISIONS OF THE PRIOR ORDINANCES

Provisions of the Prior Ordinances relating to the Authorization and Terms, Form of Warrants and Use of Proceeds, and Other Actions are hereby incorporated by reference and shall be effective with respect to the Warrants as though set forth in full herein. Specifically, the form of Warrant shall be as set forth in the Prior Ordinances with such modifications as shall be necessitated to conform to the warrant exchange transaction authorized herein.

## Section 3. ISSAUNCE AND DELIVERY OF WARRANTS

The Auditor of the County is hereby authorized and directed to have the Warrants prepared, and the County Commissioners and the Auditor of the County are hereby authorized and directed to execute or to cause the execution of the Warrants in the form and manner herein provided, as conclusively evidenced by their execution thereof.

The Warrants shall be issued in exchange for the Prior Warrants or to another purchaser as negotiated by the Auditor. The Auditor, on behalf of the County, is authorized and directed to have the Warrants prepared in the form herein provided.

## Section 4. PLEDGE OF REVENUES

A sufficient amount of the taxes levied for the Fund and in the course of the collection is hereby appropriated and pledged to the repayment of the promised amount and accrued interest at maturity of the Warrants.

## Section 5. FURTHER ACTIONS

The County Commissioners and the Auditor of the County are hereby authorized and directed to make such filings and requests, deliver such certifications, execute and deliver such documents and instruments, and otherwise take such actions as are necessary or appropriate to carry out the terms and conditions of this Ordinance and the actions authorized hereby and thereby.

## Section 6. TAX COVENANTS

The County hereby covenants that the County and its officers shall not take any action or fail to take any action with respect to the proceeds of any of the Warrants or any investment earnings thereon that would result in constituting any of the Warrants as "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the "Code"), and any and all final or proposed regulations or rulings applicable thereto, or which would otherwise cause the interest on any of the Warrants to cease to be excludable from gross income for purposes of federal income taxation; and the Auditor of the County and all other appropriate officers of the County are hereby authorized and directed to take any and all actions and to make and deliver any and all

reports, filing, and certifications as may be necessary or appropriate to evidence, establish or ensure such continuing exclusion of the interest on the Warrants.

Because the County reasonably expects to issue more than Ten Million (\$10,000,000) of tax-exempt obligations in the current year, the Warrants are **NOT** designated as qualified tax-exempt obligations for the purpose of Section 265(b)(3) of the Code.

#### Section 7. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the time it has been adopted by the County Council.

#### Section 8. REPEAL OF CONFLICTING ORDINANCES

All resolutions and ordinances in conflict herewith are, to extent of such conflict, hereby repealed. To the extent not to conflict herewith, the Prior Ordinances are expressly ratified and confirmed.

**(Ordinance No. 2008-029, Council, 10/28/08)**

Temporary Loan Tax Anticipation:

#### Section 1. THE WARRANTS

It is hereby found and declared that an emergency exists for the borrowing of money with which to pay current running expensed payable from each of the Funds prior to the receipt of anticipated revenues are not expected to be received until 2009. For the propose of paying the current running expenses of the County payable from each of the Funds, there shall be issued tax anticipation warrants of the County designated "County of Delaware, Indiana, Tax Anticipation Warrants, Series 2008C" (further designated to reflect the specific funds) (the "Warrants"), in an aggregate principal amount not to exceed Three Million One Hundred and Thirt0One Thousand Dollars (\$3,131,000) but in no event exceeding eighty percent (80%) of the tax levy estimated for the respective fund, subject to applicable law issued pursuant to the provisions of Indiana Code 36-2-6-18 as in effect on the date of the issuance of the Warrants. A separate Warrant or Warrants shall be issued with respect to each of the Funds. The County is authorized to issue Warrants from the following Funds in combined amounts not exceeding the following with respects to each of the Funds, subject to applicable law:

| <u>Fund</u>                  | <u>Maximum Principal Amount</u> |
|------------------------------|---------------------------------|
| County General Fund          | \$1,740,000                     |
| Board of Health Fund         | \$129,000                       |
| County Lease Rental Fund     | \$468,000                       |
| General Obligation Bond Fund | \$794,000                       |

The Warrants shall be dated as of the respective dates of delivery thereof and shall be payable in lawful money of the United States of America upon presentation at the office of the Treasurer of the County or at such other place as shall be agreed to by the purchaser and the County. The County is authorized to make payments of principal and interest on the Warrants by paying the amount due from funds that are available for immediate transfer or investment on or before 12:00 noon on the due date to the purchaser of the Warrants.

The Warrants shall mature not later than June 30, 2009. The final maturity date and final aggregate principal amount of the Warrants shall be set forth in a certificate executed by the Treasurer of the County prior to the sale of the Warrants. The Warrants shall not be payable prior to maturity. The Warrants shall bear interest prior to maturity at a rate or rates not exceeding eight percent (8%) per annum (the exact rate or rates to be determined on the basis of a three hundred sixty-five (365)-day year.

The Warrants shall be issued in denominations of One Hundred Thousand Dollars (\$100,000) or integral multiples of One Thousand Dollars (\$1,000) in excess thereof (*e.g., \$100,000, or \$101,000, or \$102,000* etc.). The Warrants shall be numbered from 08RC-1 upwards, with a letter designation to reflect the series of such Warrants. The Warrants shall be issued in the maximum combined principal amount not to exceed Three Million One Hundred and Thirty-One Thousand Dollars (\$3,131,000), but in no event exceeding eighty percent (80%) of the tax levy estimated for the respective fund, subject to applicable law, with the Warrants issued with respect to each of the Funds issued up to or less than the maximum principal amount established for each such Fund as set forth in the table above, subject to applicable law.

## Section 2. SECURITY FOR WARRANTS

The principal of and interest on the Warrants, together with all necessary costs incurred in connection with the issuance and sale of the Warrants, shall be payable from anticipated revenues for the year 2008 (but not expected to be received until 2009) to be received in the respective Fund upon which such Warrant is issued. There is hereby appropriated and pledged to the payment of all Warrants issued with respect to each Fund, including interest and all necessary costs incurred in connection with the issuance and sale of the Warrants, a sufficient amount of anticipated revenues for the year 2008, which revenues are not expected to be received until 2009, for such Fund and in anticipation of which the Warrants are issued, for the punctual payment of the principal of and interest on the Warrants evidencing such temporary loans, together with such issuance costs, if any, subject to the application of the tax revenues to be received in the Funds to any long term lease or debt obligations due contemporaneously with such Warrants; provided, however, that the appropriation of moneys to the repayment of Warrants shall not cause the County to violate the provisions of Indiana law or any contract, grant or other agreement to which the County is a party. The principal amount of all Warrants maturing on any date shall be based on the anticipated date by which the respective revenues are expected to be received. The County covenants and agrees that it shall, if it fails to make any payment required herein when due, promptly undertake all actions, including the issuance of warrants issued to refund the unpaid Warrants that: (i) are necessary to cure such nonpayment, (ii) are legally available to cure such nonpayment, and (iii) do not, in the opinion of bond counsel, cause any of the Warrants to be considered debt of the County within the meaning of Article 13, Section 1 of the Indianan Constitution or laws of the State of Indiana.

## Section 3. EXECUTION OF WARRANTS

The Warrants issued hereunder shall be executed in the same name of the County by the manual or facsimile signatures of the County Commissioners of the County and attested by the manual or facsimile signature of the Auditor of the County, provided that at least one of such signatures in manually affixed. In case any official whose manual or facsimile signature appear on any Warrant shall cease to be such official before the delivery of such Warrants, such signature shall nevertheless be valid and sufficient for all purposes the same as if such official had remained in office until delivery of the Warrants.

#### Section 4. FORM OF WARRANTS

The Warrants shall be issued in substantially the following form (with all blanks, changes, additions and deletions, including the appropriate amounts, dates and other information to be properly completed prior to the execution and delivery thereof, as conclusively evidenced by the signatures of the officers of the County affixed thereon):

Notwithstanding anything in this Ordinance to the contrary (including the form of Warrants in this Section 4 herein), each Warrant (as well as any other papers or certification delivered in connection therewith) can be signed by two of the County Commissioners and need not be signed by all members of the Board of County Commissioners.

#### Section 5. ISSUANCE, SALE AND DELIVERY OF WARRANTS

The Auditor of the County is hereby authorized and directed to have the Warrants prepared, and the County Commissioners and the Auditor of the County are hereby authorized and directed to execute or to cause the execution of the Warrants in the form and manner provided, as conclusively evidenced by their execution thereof.

The Warrants shall be sold by public sale through competitive bidding. The Auditor, on behalf of the County, is authorized and directed to have the Warrants prepared in the form herein provided and is further directed to give notice of the sale of the Warrants by advertising once each week for two successive weeks in accordance with the provisions and requirements of Indiana law and requiring that sealed bids be submitted to the County, said bids to stipulate the rate of interest to be charged by such bidder.

Although not a term of sale, it is requested that each bid show the net dollar interest stipulated by the winning bidder as determined above.

Upon the award of the Warrants by the County to the bidder who has submitted the lowest rate of interest, the proper officers of the County are hereby authorized and directed to execute the Warrants in the form herein provided and to deliver the Warrants when so executed to the purchaser thereof upon payment by said purchaser of the purchase price of such Warrants.

#### Section 6. FURTHER ACTIONS

The County Commissioners and the Auditor of the County are hereby authorized and directed to make such filings and requests, deliver such certifications, execute and deliver such documents and instruments, and otherwise take such actions as are necessary or appropriate to carry out the terms and conditions of this Ordinance and the actions authorized hereby and thereby.

#### Section 7. TAX CONVENANTS

The County hereby covenants that the County and its officers shall not take any action or fail to take any action with respect to the proceeds of any of the Warrants or any investment earnings thereon that would result in constituting any of the Warrants as "arbitrage bonds" under the Internal Revenue Code of 1986, as amended thereto, or which would otherwise cause the interest on any of the Warrants to cease to be executable from gross income for purposes of federal income taxation; and the Auditor of the County and all other appropriate officers of the County are hereby authorized and directed to take any and all actions and to make and deliver any and all reports, filings, and certifications as may be necessary or appropriate to

evidence, establish or ensure such continuing exclusion on the interest on the Warrants. Because the County reasonably expects to issue more than Ten Million Dollars (\$10,000,000) of tax-exempt obligations in the current calendar year, the Warrants are **NOT** designated as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code.

Section 8. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the time it has been adopted by the County Council.

Section 9. REPEAL OF CONFLICTING ORDINANCES

All resolutions and ordinances in conflict herewith are, to extent of such conflict, hereby repealed.  
**(Ordinance No. 2008-030, Council, 10/25/08)**

## 2007

### Additional pay for Poll Workers:

Poll Worker in Delaware County shall receive an Additional \$30.00 each to compensate them for extra work performed on Election Day, 2006. This Ordinance shall be effective upon passage.

**(Ordinance No. 2007-001, Commissioners)**

### Petition to Appeal for an Increase to the Maximum Levy:

That the Delaware County Council authorize the Controller to file a short fall appeal for 2006 in the amount of at least \$1,500,000.

**(Resolution No. 2007-004, Council meeting, 2/27/07)**

### Approving Deduction from Assessed Value of Real Property Improvements in an Already Declared Economic Revitalization Area for DIY/GROUP INC.:

1. The Delaware County Council finds and determines that the new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by DIY/Group, Inc. shall be allowed a deduction from the assessed value of said improvements for ten (10) years in accordance with the provisions of I.C 6-1.1-12.1-1 et.seq.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purpose of this Resolution and to insure the eligibility of aid new real property construction for the purpose of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I.C.6-1.1-12.1-4.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.

**Resolution No. 2007-005, Council meeting, 2/27/07)**

### Accumulated Bridge Funds:

The Commissioners of Delaware County resolve that an emergency exists at Inlow Springs Road Bridge 148 on White River.

The Accumulated bridge funds shall be used to remove the log jam in order to avoid immediate damage to the bridge.

**(Resolution No. 2007-008, Commissioners, 4/16/07)**

### Deduction from Assessed Value of New Manufacturing Equipment in an Already Declared Economic Revitalization Area, Mid-West Metal Products Co.:

1. That the Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above referenced area by Mid-West Metal Products Co. shall be allowed a deduction for five (5) years from assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5.

2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2007-009, Council meeting, 4/24/07)**

Declaring an Economic Revitalization Area for MIASA Auto Parts, LLC:

1. The Delaware County Council finds and determines that the Areas described in this Resolution meets the qualifications for an economic revitalization area for the purposes of I.C. 6-1.1-12.1-1 et seq.
2. The Delaware County Auditor shall take such further actions as may be required by all applicable ordinances and laws, to carry out the purposes of this Resolution and to insure the eligibility of such new manufacturing equipment for purposes of allowing a deduction from the assessed value of said equipment for five (5) years in accordance with applicable Indiana Code.
3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.
4. It is understood that MIASA Auto Parts, LLC is responsible for following all annual state and local requirements regarding this abatement to assure receipt of the abatement per the applicable five (5) year schedule.  
**(Resolution No. 2007-010, Council meeting, 4/24/07)**

Authoring a Temporary Loan from The Children's Psychiatric Treatment Fund and from The County General Fund to the Family and Children Services Fund:

1. The Family and Children Services Fund are hereby authorized to borrow from the Children's Psychiatric Treatment Fund (Fund 231) the sum of Three Hundred Thirty-Seven Thousand Nine-Hundred Ninety Seven and 93/100 Dollars (\$337,997.93) and from the County Rainy Day Fund the sum of Six Hundred Twenty-One Thousand Four-Hundred Eighty-Five and 00/100 Dollars (\$621,485.00) making the total borrowed the sum of Nine-Hundred Fifty-Nine Thousand Four-Hundred Eighty-Two and 93/100 Dollars (\$959,482.93).
2. Said sum shall be repaid into the funds out of the tax draw due in December 2007.
3. The Auditor of Delaware County is hereby authorized and directed to make such transfer accordingly.
4. This Resolution shall become effective upon its passage by the Delaware County Council, in accordance with procedures as are required by law.  
**(Resolution No. 2007-011, Council meeting, 4/24/07)**

Approved by the County Council of Delaware County that the sum of \$1,680,373.61 shall be appropriated for use for EDIT expenditures through the end of 2007:

**(Resolution No. 2007-012, Council meeting, 4/24/07)**

Approving the Filing of a Property Tax Shortfall-Excess Levy Appeal by the Muncie Community Schools:

The Delaware County Council hereby approves the filing of the excess levy appeal by the Muncie Community Schools in the amount of \$811,364.00 for the general funds and \$160,396.00 for the transportation fund.

**(Resolution No. 2007-013, Council meeting, 4/24/07)**

County Owned Cell Phones:

Any County employee may seek to obtain a County issued cell phone, and that the Commissioners may designate certain County employees to obtain County owned cell phones for the sole use of transacting County business, and that the County will pay for such use.

**(Resolution No. 2007-014, rejected, Commissioners, 12/17/07)**

Living Lightly:

1. Delaware County publicly endorses the planning and implementation of the Living Lightly Sustainability Fair on June 2<sup>nd</sup> and 3<sup>rd</sup> at the Delaware County Fairgrounds.
2. Delaware County Commissioners shall designate May 28<sup>th</sup> through June 3<sup>rd</sup> as “Delaware County Sustainability Week” to promote sustainable lifestyles and to promote sound and sustainable construction practices in development throughout the County.
3. Delaware County Commissioners encourage all citizens from East Central Indiana to attend the Living Lightly Sustainability Fair.

**(Resolution No. 2007-015, Commissioners, 5/21/07)**

Mitsuhara “Rocky” Hattori Day:

1. May 17, 2007 shall be designated as Mitsuhara “Rocky” Hattori Day in Delaware County, Indiana.
2. Delaware County, Indiana shall be forever grateful for Mitsuhara Hattori’s jintoku (natural virtue, benevolence, goodness).
3. Delaware County, Indiana wishes Mitsuhara Hattori and his family kenshou (good health) and banzi (long life, congratulations).

**(Resolution no. 2007-017, Commissioners, 5/17/07)**

Approve the abandonment of such parcels and request the Indiana Department of Transportation to abandon and relinquish the parcels to Second Harvest Food Bank of East Central Indiana:

**(Resolution No. 2007-018, Commissioners, 6/18/07)**

Authorizes the Abandonment of surplus right-of-way by the Indiana Department of Transportation:

Commissioners shall abandon all interest and rights in those parcels indicated on that attached exhibits and hereby request that the Indiana Department of Transportation also abandon its interest in such parcels.

**(Resolution No. 2007-019, Commissioners, 6/18/07)**



Authorizing an agent to accept Pension Liability on behalf of Delaware County Government:

Beverly Evans, HR Director or Judy Rust, Delaware County Auditor of Delaware County Government be, and hereby is, fully authorized and empowered to act on behalf of and in the name of Delaware County Government as its agent to accept pension liability, pursuant to Indiana.

This resolution will remain in full force and effect until modified or rescinded by subsequent resolution and receipt thereof in writing by the Director of PERF.

**(Resolution No. 2007-020, Council meeting, 5/22/07)**

Mileage on Personal Vehicles:

The Delaware County Council will pay mileage at the rate of Forty Cents (40/100) per mile as compensation for the use of personal vehicles while performing County business effective January 1, 2007.

Any past practices or ordinances are overridden. All claims should be filed with the State Board of Accounts form.

**(Ordinance No. 2007-022, Council meeting, 11/27/07)**

Supporting Light Rail from Muncie to Indianapolis:

The Commissioners of Delaware County support the concept of a light rail line from Muncie to Indianapolis.

The Commissioners urge INDOT to continue to investigate the feasibility of such a rail line.

**(Resolution No. 2007-022, Commissioners, 8/8/07)**

Proclamation of 2007 United Way Week:

The Commissioners of Delaware County, do hereby proclaim November 11, 2007 through November 17, 2007 as "United Way Week" in Muncie, and encourage all citizens to support the current 2007 Campaign effort.

**(Proclamation No. 2007-026, Commissioners)**

Providing for Allocation of Interest Earned on Investments:

The funds from various County accounts shall be pooled together and invested so as to obtain the possible greatest rate of return,

The interest received from this pooling may be divided on a pro rata basis among the following funds: EDIT, MVH, LRS, County Bridge, Fairgrounds, Department of Family and Children Services, Delaware County Health Care or Medical expenses, EMS Capital, EMS Ambulance Replacement, all Pension funds, Stormwater.

Any unallocated interest shall be placed in the County General Fund.

**(Resolution No. 2007-026, Commissioners)**

Indemnification, Delaware Advancement Corporation (DAC):

1. The Commissioners will make all payments required under the real estate purchases agreement by advancing the sums required to DAC and indemnify DAC with respect to the financial obligations contained in the purchase agreement.
2. The Commissioners will keep as part of their EDIT plan the payment of the obligations contained in the purchase agreement.
3. The Commissioners will pay, or will reimburse and indemnify DAC for any reasonable obligations incurred by DAC with respect to the construction of a shell building on the real estate, including the contractor's interest expenses, as set forth more particularly in the agreement between DAC and the contractor.

**(Indemnification Resolution No. 2007-027, Commission, 12/17/07)**

Authorization for Delaware County to Borrow Money to Repay the Combined Reconstruction Loan:

County Council of Delaware does determine and ordain as follows:

A loan shall be obtained by Delaware County and be designed the combined Reconstruction Loan of 2007 and shall include the Fimple East, Dora Wilhelm, Brindle Woods, Shaffer Woods, Heath Ditch, Heath Industrial Trib, Tanglewood Drains. The loan in the amount of \$540,000.00 shall have a fixed interest rate of 5.18%, shall mature within six (6) years after the date it is obtained; and shall be repaid form installments collected by assessment of land owners over a five (5) year period or as may otherwise be procured from the State of Indiana or the United States of America or agencies thereof for the reconstruction of said ditch. The proceeds of the loan obtained shall be deposited in the Delaware County Surveyors Office 500 Fund (GDI Ditch) account. The loan shall be obtained from the Star Financial Bank, Muncie, Indiana, offering the lowest interest cost. The loan shall bear interest at a rate of 5.18%, with an amount of \$540,000.00 being the principle.

The County Council directs the County Auditor to prepare and place on file copies of the ordinance authorizing the loan.

**(Ordinance No. 2007-028, rules suspended, Council meeting)**

Authorizing Master Equipment lease-purchase Agreement and Escrow Agreement:

- Section 1. It is hereby found and determined that the terms of the Master Lease (including the form of Lease Schedule, Payment Schedule and Escrow Agreement attached thereto), in the form presented to this matter, are in the best interest of the Lessee for the acquisition, purchase, financing and leasing of the Equipment.
- Section 2. The for, terms, and provisions of the Master Lease (including the form of Lease Schedule, Payment Schedule and Escrow Agreement attached thereto) are hereby approved in the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the Delaware County Commissioners (the "Authorized Officers") executing the same, the execution of such documents being conclusive evidence of such approval. The Authorized Officers of the Lessee are each hereby authorized and directed to sign and deliver the Master Lease, each Lease Schedule thereto, each Payment Schedule relating thereto, each Escrow Agreement relating thereto and any related exhibits attached thereto if and when required; provided, however, that, without further authorization from the governing body of the Lessee, (a) the aggregate principal component of \$307,996.00; (b) the maximum term under any Lease entered into pursuant to the Master Lease shall not exceed four years; and (c) the maximum interest rate used to determine the interest component of Rent Payments under each Lease shall not exceed the lesser of the maximum rate per permitted by law or \_\_\_\_\_% per annum. The Authorized Officers may sign and deliver Leases to the Lessor on behalf of the Lessee pursuant to the Master Lease on such terms and conditions as they determine are in the best interest of the Lessee up to the maximum aggregate principal component, maximum interest rate provided above. The foregoing authorization shall remain in effect for a period of four years from the date hereof during which the Authorized Officers are authorized to sign and deliver Leases pursuant to the Master Lease and Related Escrow Agreement on the terms and conditions herein provided and to be provided in each such Lease.
- Section 3. The Authorized Officers and other officers and employees of the Lessee shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by the Master Lease and each Lease Schedule (including, but not limited to, the execution and delivery of the certificates contemplated therein, including appropriate arbitration certifications) and to take all action necessary in conformity therein, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Master Lease, each Lease Schedule and each Escrow Agreement.
- Section 4. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.
- Section 5. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.  
**(Resolution No.2006-001, Commissioners, 2/21/06)**

Compensating for Poll Worker Training:

1. Inspectors Judges, Pool Clerks, Assistant Poll Clerks, and the Election Sheriff, and any other poll worker required to attend poll worker training, shall be paid \$40.00 for attendance and completion of said training.
2. This ordinance shall become effective upon passage and terminate two years from its adoption.
3. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.
4. Should any section, paragraph, clause or phrase of this ordinance be declared unconstitutional or invalid, the remainder of said ordinance shall continue in full force and effect.  
**(Ordinance No. 2006-002, Commissioners, 2/21/06)**

Authorizing a temporary loan from The Children's Psychiatric Treatment Fund and from the County General Fund to The Family and Children Services Fund:

1. The Family Service Fund are hereby authorized to borrow from the Children's Psychiatric Treatment Fund (fund 231) the sum of Three Hundred Eighty-nine Thousand, Three Hundred Seventy-nine Dollars (\$389,379.00) and from the County General Fund (fund 100) the sum of Seven Hundred and Eighty-six Thousand Eight Hundred and Forty-five Dollars (\$786,845.00), making the total borrowed the sum of One Million One Hundred Seventy-six Thousand Two Hundred and Twenty-four Dollars (\$1,176,224.00).
2. Said sum shall be repaid into the funds out of tax draw due in December, 2006.
3. The Auditor of Delaware County is hereby authorized and directed to make such transfer accordingly.
4. This Resolution shall become effective upon its passage by the Delaware County Council, in accordance with procedures as are required by law.  
**(Resolution No. 2006-002, Council meeting, 3/28/06)**

Approving deduction from assessed value of new manufacturing equipment in an already declared economic revitalization area, Phillips Patterns & Castings, Inc.:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above-referenced Area during the period beginning March 1, 1983 and ending December 31, 2011, by Phillips Patterns & Castings, Inc. shall be allowed a deduction from assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5 for a period of five years.
2. The Delaware County Auditor shall take such further actions as may be requires to carry out the purpose of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.  
**(Resolution No. 2006-004, Council meeting, 5/23/06)**

Authorizing Account for the Maintenance Site Located at 2550 South Sampson Avenue:

The lease payment received from the Indiana State Office Building Commission, for the use of the site and tower located at 2550 South Sampson Avenue for the Hoosier Safe-T project, shall be deposited in to a restricted account in the Delaware County Auditor's office. Said funds shall be used solely for the purpose of the maintenance of the site, tower and other equipment located at 2550 South Sampson Avenue, Muncie, Indiana.

**(Resolution No. 2006-005, Commissioners, 6/5/06)**

Delaware County Commissioners Pledging Economic Development Income Tax Funds:

- Section 1. In consideration of the Board's desire to proceed with the financing of the Project, the Board hereby pledges the County EDIT Pledge to the City, acting through the Commission, to pay debt service on the Board on a parity with its Outstanding Obligations.
- Section 2. The Board further covenants that it will take no action to rescind or repeal EDIT or to take any action that would result in the County receiving a smaller certified share of EDIT than the certified share of EDIT to which it was entitled on the effective date of this resolution. The Board further covenants that it will take no action to rescind EDIT or reduce the EDIT rates as long as the lease rentals are payable under the Lease.
- Section 3. Except for the Outstanding Obligations as set forth in exhibit A the County has not pledged or otherwise encumbered its EDIT revenues, and there are no prior liens, encumbrances or other restriction on the EDIT revenues or on the County's ability to pledge EDIT Revenues to the payment of debt services on the Bonds.
- Section 4. The Board shall designate said sums for this project as "bond payments" whose duration would be irrevocable and shall provide that the sum of money pledges herein will remain obligated as set forth in this resolution until such as the bonds have been retired or refinanced whichever is earlier.

**(Resolution No. 2006-006, Commissioners, 8/7/06)**

Setting part-time pay rates:

1. Part-time/hourly employees of the Office of Geographic Information (GIS) under the job title of GIS Technician shall be paid an hourly rate, to-wit:  
  
\$7.00 per hour, effective with the 2006 budget year.
2. Part-time/hourly employees of the Office of Geographic Information (GIS) under the job title of GIS Analyst shall be paid an hourly rate, to wit: \$10.00 per hour, effective with the 2006 budget year.
3. Part-time/hourly employees of the Office of Geographic Information (GIS) under the job title of GIS Programmer shall be paid an hourly rate, to-wit: \$12.00 per hour, effective with the 2006 budget year.
4. Section one (1) of Ordinance 2002-012 is hereby amended accordingly;

5. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana as from time to time amended.

**(Ordinance No.2006-007, Council meeting, 3/28/06, Amending Ordinance No. 2002-012)**

Delaware County Council Pledging Economic Income Tax:

- Section 1. In consideration of the Board's desire to proceed with the financing of the Project, the County Council hereby pledges the County EDIT Pledge to the City, acting through the Commission, to pay debt services on the Bonds on a parity with its Outstanding Obligations.
- Section 2. The Board further covenants that it will take no action to rescind or repeal EDIT or to take any action that would result in the County receiving a smaller certified share of EDIT than the certified share of EDIT to which it was entitled on the effective date of this resolution. The Board further covenants that it will take no action to rescind EDIT or reduce the EDIT rates as long as the lease rentals are payable under the Lease.
- Section 3. Except for the Outstanding Obligations, the County has not pledged or otherwise encumbered its EDIT revenues, and there are no prior liens, encumbrances or other restriction on the EDIT revenues or on the County's ability to pledge EDIT Revenues to the payment of debt services on the Bonds.
- Section 4. The County reserves the right to enter into leases or other obligations entitled to the pledge of EDIT Revenues on parity with the Lease in accordance with the requirements set forth in the Outstanding Obligations.

**(Resolution 2006-007, Council meeting, 9/5/06)**

Setting part-time pay rates:

1. Part-time/hourly employees of the Delaware Circuit Court #5 who hold a bachelor's degree shall be compensated at the rate of \$9.00 per hour.
2. Section one (1) of Ordinance 2002-012 is hereby amended accordingly.
3. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana, as from time to time amended.

**(Ordinance No. 2006-008, Council meeting, 3/28/06, Amending Ordinance No.2002-012)**

Authorizing Auditor's Account for the Maintenance of Radio Tower Sites:

The various lease payments received for providing tower space for wireless voice and data communication shall be deposited into a restricted account in the Delaware County Auditor's Office. Said funds shall be used for the purpose of the maintenance of the sites, towers and other equipment involved in such lease requirements.

**(Resolution No. 2006-008, Commissioners, 9/15/06)**

Carl Simmons as Executive Director of the Airport Authority:

1. The Delaware County Commissioners are deeply grateful for the many, many years of devoted service, expertise and knowledge that Carl Simmons has provided to the Delaware County Airport Authority.
2. Aviation, citizens of East Central Indiana and government officials throughout the country can learn a great deal from Carl Simmons's tenure as Executive Director of the Airport Authority.
3. The 2<sup>nd</sup> day of October, 2006 shall be known as Carl Simmons Appreciation Day in Delaware County, Indiana.  
**(Resolution No. 2006-009, Commissioners, 10/2/06)**

2006 Salary Ordinance:

1. The salary for the Juvenile Probation Officer set forth under the category "Court System" in the salary ordinance as \$39,150.00 is hereby changed to \$43,659.00, and the bi-weekly pay rate is changed to \$1,679.20.
2. The salary for the Adult Probation Officer Circuit 1, 2, & 3 set forth under the category "Adult Probation User's fees" in the salary ordinance as \$43,658.85 is hereby changed to \$41,114.00, and the bi-weekly pay rate is changed to \$1,581.30.
3. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana, as from time to time amended.  
**(Ordinance No. 2006-010, mending, Council meeting, 3/28/06)**

Approving deduction from Assessed Value of Real Property improvements in an already declared Economic Revitalization Area for Muncie Novelty Company, Inc.:

- Section 1. The Delaware County Council finds and determines that new construction to be undertaken in the above described period beginning March 1, 1983 and ending December 31, 2011, by Muncie Novelty Company, Inc. shall be allowed a deduction from the assessed value of said improvements for three (3) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. Seq.
- Section 2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for three (3) years in accordance with I.C. 6-1.1-12.1-4.
- Section 3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No.2006-010, Council meeting, 10/24/06)**

Approving deduction from Assessed Value of New Manufacturing Equipment in an already declared Economic Revitalization Area for Muncie Novelty Company, Inc.:

- Section 1. The Delaware County Council finds and determines that new manufacturing equipment to be installed in the above described period beginning March 1, 1983 and ending December 31, 2011, by Muncie Novelty Company, Inc. shall be allowed a deduction from the assessed value of such equipment for five (5) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. Seq.
- Section 2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this resolution and to insure the eligibility of new manufacturing equipment for the deduction hereinabove described.
- Section 3. This Resolution shall be in full force and effect from and after its passage by the Delaware County Council and such publications as may be required by law.  
**(Resolution No. 2006-011, Council meeting, 10/24/06)**

Approving the Pledge of certain Revenues to the Issuance of certain Delaware County, Indiana, taxable Economic Development Revenue Bonds and certain related items:

1. The Board of Commissioners hereby approves of the pledge of the CRED Revenues to the payment of the Bonds, as provided in the Pledge Resolution.
2. The Board of Commissioners hereby approves the form of the Interlocal Agreement presented at this meeting in its substantially final form and authorizes each of the members of the Board of Commissioners to execute, and the Auditor of the County to attest, the Interlocal Agreement substantially in the form presented at this meeting with such changes in form or substances as may be suggested by counsel and approved by such officers, consistent with the provisions of this Resolution, each such approval to be conclusively evidenced by such officers' execution thereof.
3. The members of the Board of Commissioners and the Auditor of the County are, and each of them is, hereby authorized and directed to take all such actions and to execute all such instruments, documents and certifications as are necessary or desirable to carry out the transactions contemplated by this Resolution, in such forms as the members of the Board of Commissioners and the Auditor of the County executing the same deem proper, to be conclusively evidenced by the execution thereof.
4. This Resolution shall be in full force and effect from and after its adoption by the Board of Commissioners.  
**(Resolution No.2006-012, Commissioners, 11/20/06)**

Approving an order of the Delaware-Muncie Metropolitan Plan Commission approving a certain Declaratory Resolution and Economic Development Plan adopted by the Delaware County Redevelopment Commission:

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
2. The determination that the Area is an economic development area under the Act is hereby approved pursuant to Indiana Code 36-7-14-41(c).



3. This Resolution shall be in full force and effect from and after its adoption by the Board of Commissioners.

**(Resolution No. 2006-014, Commissioners, 12/4/06)**

#### 2006 Salary Ordinance:

1. The salary for the Juvenile Probation Officer (assigned to Adult Probation) set forth under the category "Court System" in the salary ordinance as \$41,114.00 is hereby changed to \$32,729.87 (Dept. 138/159)
2. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana, as from time to time amended.

**(Ordinance No. 2006-019, mending, Council meeting, 7/25/06)**

#### 2006 Salary Ordinance

1. The salary for the Juvenile Probation Officer set forth under the category "Court System" in the salary ordinance as \$37,377.00 is hereby changed to \$32,729.87 (Dept. 138-169)
2. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana, as from time to time amended.

**(Ordinance No. 2006-020, mending, Council meeting, 7/25/06)**

#### Salary Ordinance for Delaware County Part-time and Full-time employees:

1. All employees who are classified as part-time/hourly employees shall be paid at the rate of Eight (\$8.00) dollars per hour and shall not be entitled to any benefits, including paid lunch time, as are offered to full-time or salaried employees. The following employees shall be classified as part-time/hourly employees even though they will be paid at a rate which is different than eight (\$8.00) dollars per hour. These employees and their respective rates of pay are as follows:

|  |                 |
|--|-----------------|
| Delaware Circuit Court #5, with a bachelor's degree                                    | \$9.00          |
| GIS Programmer, Office of Geographic Information                                       | \$12.00         |
| GIS Analyst, Office of Geographic Information  | \$10.00         |
| Community Corrections Administrative Assistant   | \$17.00         |
| Delaware County Community Corrections Personnel  | \$10.00         |
| Local Health and Maintenance Nurse   | \$17.50         |
| Delaware County Jail Nurse   | \$12.00-\$18.00 |
| Deputy Election Commissioner   | \$9.00          |
| Voter Registration Deputies  | \$9.00          |
| Communication Dispatch personnel   | \$10.00         |
| Delaware County Court personnel  | \$8.00          |
| Absentee Voter Board Clerk/election room shall receive<br>The sum of \$60.00 per diem. |                 |
| Delaware County Prosecutor Law Clerks  | \$10.00         |

Employees in this classification shall not be entitled to any benefits.

2. All employees are classified as full-time/salaries/hourly employees, as provided in the Delaware County Salary Ordinance as passed and amended from time to time, shall be entitled to receive benefits as are offered by the county. Such employees, if their positions otherwise qualifies under applicable law, shall work a maximum, of forty (40) hours per week before qualifying for over time pay/compensatory time.
3. This Ordinance shall be included as a part of the Delaware County Salary Ordinance as passed and amended from time to time.  
**(Ordinance No. 2006-022, Council meeting, 10/24/06)**
1. That the Salary Ordinance shall include the following Part-Time job classifications:
  - a. **Part Time 1**
    - i. Pay rate of \$8.00 per hour with a maximum of 24 hours per week.
    - ii. Types of jobs: General Labor, filing, sorting, no computer experience, mailing, stuffing envelopes, answering telephones, basic maintenance, seasonal, runner/courier, general filing and distribution, transferring files between offices.
    - iii. Must have a high school diploma or GED.
  - b. **Part Time 2**
    - i. Pay rate of \$10.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.
    - ii. Types of jobs: Similar to grade level 2, office experience, basic computer skills/data entry, answer phones, must have multitasking abilities, specialized training for certification or degree.
    - iii. Must have a high school diploma or GED.
  - c. **Part Time 3**
    - i. Pay rate of \$12.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.
    - ii. Types of jobs: Dispatchers, positions that need significant and specific training/requirements, positions that have certification requirements by law, on-call availability, position has driver's license and/or CDL requirement, positions that are governed by specific laws and judicial rules, special equipment operators, mechanic skills/training.
    - iii. High school or GED required in addition to specific training and/or certification.  
**(Ordinance No. 2012-014a, Amending Ordinance No. 2011-020, Council, 4/24/12)**
  - d. **Part Time 4**
    - i. Pay rate of \$15.00 per hour with a maximum of 24 hours per week, unless specifically approved by the Delaware County Council.
    - ii. Types of jobs; Accounting, bookkeeping, payroll, legal secretaries, court-related clerical positions requiring advanced computer skills, positions that affect County liabilities.
    - iii. High school or GED required, advanced education and/or degree, minimum of 2 years previous applicable experience required.

- e. **Part Time 5**
    - i. Pay rate of \$10.00 per hour with a maximum of 24 hours per week unless specifically approved by the Delaware County Election Board.
    - ii. Types of jobs: Specifically Election Room Deputy Clerks, positions that are governed by specific laws and judicial rules, office experience, basic computer skills/data entry, answer phones, must have multitasking abilities.
    - iii. Must have a high school diploma or GED.
  - f. **Part Time 6**
    - i. Pay rate of \$12.00 per hour with a maximum of 24 hours per week unless specifically approved by the Delaware County Election Board.
    - ii. Types of jobs: Specifically Election Room Deputy Commissioners, positions that are governed by specific laws and judicial rules, office experience, basic computer skills/data entry, answer phones, must have multitasking abilities.
    - iii. Must have high school diploma or GED.  
**(Ordinance No. 2012-014a, Amending Ordinance No. 2011-020, Council, 4/24/12)**
2. All employees who are classified as full-time/salaried/hourly employees, as provided in the Delaware County Salary Ordinance as approved and amended from time to time, shall be entitled to receive benefits as are offered by the County. Such employees, if their positions otherwise qualifies under applicable law, shall work a maximum of forty (40) hours per week before qualifying for overtime pay/compensatory time.
  3. The departments requesting part time positions shall file their request along with a proposed job description to the human resource department. Upon review the job description, requirements for the job and the duties, the human resource director shall assign the level. The Department Head can appeal the assigned level to the personnel committee if there is a dispute.
  4. Upon the assignment of the level for the job description, the same shall be submitted to the Delaware County Council for final approval.
  5. This ordinance shall be included as part of the Delaware County Salary Ordinance as approved and amended from time to time.
  6. This ordinance shall be effective when adopted by the Delaware County Council.  
**(Ordinance No.2011-020, Council, 7/26/11)**

Ordinance establishing a procedure for the hiring of Employees of Delaware County, died lack of Second.  
**(Ordinance No. 2006-037, Council meeting, 11/28/06)**

## 2005

Allowing Delaware County Auditor to make payments in advance of Delaware County Commissioner Approval:

That pursuant to Indiana Code 36-2-6-4.5 this ordinance is enacted granting the Delaware County Auditor the right to make claim payments in advance of Delaware County Commissioners prior to written approval for the following kinds of expenses:

1. Property or services purchased or leased from the United States government, its agencies, or its political subdivisions;
2. License or permit fees;
3. Insurance premiums;
4. Utility payments or utility connection charges;
5. General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced;
6. Grants of state funds authorized by statute;
7. Maintenance or service agreements;
8. Leases or rental agreements;
9. Bond or coupon payments;
10. Payroll;
11. State or federal taxes;
12. Expenses that must be paid because of emergency circumstances; and
13. Expenses described in an ordinance.

Each payment of said expense, under this ordinance must be supported by a fully itemized invoice or bill and a certification by the Delaware County Auditor. Further, the Delaware County Commissioners shall review and allow the claim at its next regular or special meeting following the pre-approved payment of said expense or claim. Payment of expenses under this ordinance must be published in the manner provided for under Indiana Code 36-2-6-3.

**(Ordinance No. 2005-001, Commissioners, 1/3/05) (Ordinance No. 2005-001A, Commissioners, 1/18/05) (Ordinance No. 2005-001AA, Commissioners, 3/21/05)**

Terminate all Voluntary Payroll Deductions for Political Contributions, be it resolved:

1. No employee shall be required to voluntarily contribute to any political party or cause as a requirement to employment with Delaware County.
2. The Delaware County Auditor shall terminate any and all voluntary wage withholdings from the pay of any employee for the purpose of contributing to any political party.
3. This resolution does not prohibit any employee from making contributions to any political party or cause.

**(Resolution No. 2005-001, Commissioners, 1/3/05)**

Authorizing an Agent to accept Pension Liability on behalf of Delaware County Government:

Julie A. Hillgrove, HR Director or Jane Lasater, Delaware County Auditor of Delaware County Government be, and hereby is, fully authorized and empowered to act on behalf of and in the name of Delaware County

Government as its agent to accept pension liability, pursuant to IC 5-10.2-3-1 and further to execute and deliver documents related to the Public Employees' Retirement Fund (PERF) of Indiana.

**(Resolution No. 2005-002, Council meeting, 1/4/05)**

Amending the Salary Ordinance of 2005:

1. Department Heads, through Human Resource Department, shall hire people who are capable of performing the duties outlined in the job description;
2. New Employees shall receive ninety (90) of the appropriated existing salary during an orientation period of ninety (90) days from the date of hire;
3. This Ordinance will also apply to existing employees transferring to a higher level position;
4. Upon completion of the ninety (90) day orientation period, a determination will be made by the Department Head as to the need for an immediate salary increase to the appropriated existing salary, with the request by said Department Head being made to the Personnel Committee and Evaluation Committee. The Personnel Committee and the Evaluation Committee will use the Comprehensive Pay Plan as a guide in their decision;
5. This Ordinance does not apply to a lateral move within the county as determined by the Evaluation Committee and Personnel Committee for review;
6. If it is determined by the Department Head no increase should be approved, the appropriation shall be as follows:
  - a. The first year service shall be ten percent (10%) less than the appropriated existing salary; a year of service is defined from hire date to anniversary date;
  - b. The second year of service shall be five percent (5%) less than the appropriated existing salary plus any annual pay increase given to all county employees;
  - c. The third year of service from date of hire shall be the appropriated existing salary plus any annual pay increase given to all county employees;
7. Delaware County is an Equal Opportunity Employer and will make reasonable accommodations to hire qualified people regardless of age, race, sex, religious affiliation, national origin, physical or mental handicap, or sexual orientation.
8. This Ordinance shall be in full force and effect from and after its adoption by the County Council and compliance with the procedures required by law.

**(Ordinance No. 2005-003, Council meeting, 2/22/05)**

Approval of an order of the Delaware-Muncie Metropolitan Plan Commission approving a certain declaratory Resolution and economic development plan adopted by the Delaware County Redevelopment Commission:

1. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.

2. The determination that the Area is an economic development area under the Act is hereby approved pursuant to I.C. 36-7-14-41(c).

**(Resolution No. 2005-003, Commissioners, 1/18/05)**

Approval of Appointment of Appraisers for the purchase of certain land:

1. The Board of Commissioners hereby authorizes the appraisal of the property as more particularly described in Exhibit A attached hereto and made a part hereof.
2. The Board of Commissioners hereby appoints the following two (2) appraisers the fair value of the Property, which appraisers are either professionally engaged in making appraisals or trained as an appraiser and licensed as a broker under I.C.35-34.1:

Jay Allardt and Harold Hindman.

3. The Auditor of the County is hereby directed to inform the appraisers of their appointment hereunder and to direct such appraisers to return their separate appraisals to the Auditor no later than 5:00 p.m. (local time) on Thursday, February 17, 2005.
4. The appraisals shall be kept on file in the Board of Commissioners' office for five (5) years after their receipt by the Board of Commissioners. The Board of Commissioners shall provide a copy of each appraisal to the Delaware County Council.

**(Resolution No. 2005-004, Commissioners, 1/18/05)**

Delaware County experienced severe ice storms and flooding as a result of harsh weather conditions and the Delaware County Commissioners are deeply grateful to the employees of Delaware County Departments for all their dedication, professionalism and service during the recent emergency situation:

1. The Delaware County Commissioners are deeply grateful to the employees of the 911 Center for all their dedication, professionalism and service during the recent emergency situation.
2. The Delaware County Commissioners are deeply grateful to the employees of the Highway Department for all of their loyalty, skill and professionalism exhibited during the recent ice storm and severe flooding.
3. The Delaware County Commissioners are deeply grateful to the employees and volunteers of the Emergency Management Center for their sacrifices, dedication and professionalism for the benefit of everyone in Delaware County.
4. The Delaware County Commissioners are deeply grateful to each and every person that volunteered not only with the duties of the County, but also to their neighbors, friend and relatives to make the community better not only during the recent weather events, but to society as a whole.

**(Resolution No. 2005-006, Commissioners, 1/18/05)**

Delaware County experienced severe ice storms and flooding as a result of harsh weather conditions and the Delaware County Commissioners are deeply grateful for the services and volunteers of the local and national Red Cross for all their help and assistance during the recent weather situation:

1. The Delaware County Commissioners are deeply grateful for the services and volunteers of the local and national Red Cross Agency for all of their help and assistance during the recent weather situation.
2. The Delaware County Commissioners are deeply grateful to the Delaware County school corporations and employees that opened their buildings and hearts to assist all of the residents of Delaware County during the recent weather situation.  
**(Resolution No. 2005-007, Commissioners, 1/18/05)**

Items to be omitted from or deleted from the Fixed Assets Inventory of County Property:

1. Those items with an approximate value of less than \$5,000.00 shall not be listed on the annual inventory of County property normally prepared by the elected officials and department heads and filed in the office of the Auditor of Delaware County.
2. This Amended Ordinance shall be in full force and effect retroactive to January 1, 2005, upon its adoption and this procedure shall apply to nay such inventory begun or completed after this date and to any such inventory revised or amended after this date.
3. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.
4. Should any section, paragraph, clause or phrase of this ordinance be declared unconstitutional or invalid, the remainder of said ordinance shall continue in full force and effect.  
**(Amending Ordinance No.2005-008, Commissioners, 5/2/05)**

Authorizing the issuance of a Promissory Note to secure a line of credit for Delaware County with the First Merchants Bank, N.A.:

- Section 1. It is hereby found that it is in the best interest of Delaware County to enter into an agreement with First Merchants Bank, N.A., whereby Delaware County will issue its promissory note evidencing a line of credit being extended to Delaware County in the principal sum of up to Three Hundred Thousand Dollars (\$300,000.00) to be used as security by the County to obtain and secure workers' compensation coverage for and on behalf of county employees.
- Section 2. Said promissory note will be used as consideration for the issuance of a letter of credit by First Merchants Bank, N.A., to the Delaware County Commissioners, which will be used as security by the County for the premiums for such workers' compensation coverage.
- Section 3. Delaware County herby pledges the tax revenues of the County to the repayment of said note to the extent it is utilized to pay such premiums, with such payments not to extend beyond five (5) years form the date of adoption of this ordinance.

- Section 4. The board of County Commissioners is hereby authorizes to enter into and execute any agreement and/or promissory notes required to consummate said transaction and to obtain such letter of credit.
- Section 5. The provisions of this ordinance and the promissory note securing the letter of credit shall constitute a contract binding between the County and the holders of the note, and after issuance of said letter of credit this ordinance shall not be repealed or amended in nay respect which would adversely affect the rights of such holder so long said letter of credit or the interest thereon remains unpaid.
- Section 6. This ordinance shall be effective upon passage by the County Council, in accordance with procedures as required by law.  
**(Ordinance No. 2005-009, Council meeting, 5/24/05)**

Approval of deduction from assessed value of new manufacturing equipment in an already declared economic revitalization area, CS Kern, Inc:

1. The Delaware County Council find and determines that the new manufacturing equipment to be installed in the above-referenced Area during the period beginning March 1, 1983 and ending December 31, 2005, by CS Kern, Inc. shall be allowed a deduction from the assessed value of such equipment, in accordance with the provisions of I.C 6-1.1-12.1-4.5 for a period of five (5) years.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.  
**(Resolution No. 2005-009, Council meeting, 2/22/05)**

Findings related to a proposed loan from the Delaware County Economic Development Revolving Fund and certain matters to Drive Trac, L.L.C:

1. The County Council hereby finds that the proceeds of the Loan will be used by the Borrower for (a) promoting significant opportunities for the gainful employment of the residents of the County and (b) attracting a major new business enterprise to the County.
2. The County Council hereby confirms that it is interested in making and authorizes the County to make a purchase of the land described in Exhibit A attached hereto pursuant to I.C. 36-1-10.5, as amended, in order to facilitate the development of such land.  
**(Resolution No. 2005-010, Council meeting, 1/25/05)**

Approve the creation of any new full-time positions in any office in Delaware County:

1. The Delaware County shall not approve the creation of any new full-time positions in any office in Delaware County.
2. This Resolution shall expire on December 31, 2005.  
**(Resolution No. 2005-011, Council meeting, 1/25/05)**



New Process Technologies, LLC now doing business as DriveTrac, LLC to find pursuant to I.C. 6-1.1-12.1-2 that the area is an “economic revitalization area” within the meaning of I.C. 6-1.1-12.1-1(1):

The Area is within the County and has become undesirable for, or impossible or, normal development and occupancy because of a lack of development, cessation of growth and other factors which have impaired values and prevented a normal development of property and use of property, and, therefore, that the Area is an “economic revitalization area” (as defined in I.C. 6-1.1-12.101(1)).

Based on the information in the Application describing the Project, the Council makes the following findings:

1. The estimate of the value of the Redevelopment is reasonable for projects of that nature.
2. The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposal Redevelopment;
3. The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed Redevelopment;
4. The other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed Redevelopment; and
5. The totality of benefits is sufficient to justify the granting of real property tax deductions to the Applicant pursuant to I.C. 6-1.1-12.1-3.

Based on the information in the Application describing the Project, the Council makes the following findings.

1. The estimate cost of the Equipment is reasonable for equipment of that type.
2. The estimate of the number of individuals who will be employed can be reasonably expected to result from the installation of the Equipment;
3. The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed installation of the Equipment;
4. The other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of the Equipment; and
5. The totality of benefits is sufficient to justify the granting of real property tax deductions to the Applicant pursuant to I.C.6-1.1-12-4.5.

The area is hereby declared to be an “economic revitalization area” pursuant to I.C. 6-1.12.1.

The period for real property tax deductions under I.C. 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area shall be ten (10) years and the period for personal property tax deductions under I.C. 6-1.1-12.1-4.5 for new manufacturing equipment installed in the Area shall be ten (10) years.

Based on the information in the Application and the foregoing findings, the Council, pursuant to I.C. 6-1.1-12.1, hereby approves and allows the Applicant's real property tax deductions for ten (10) years for the Redevelopment located in the Area as part of the Project.

Based on the information in the Application and the foregoing findings, the Council, pursuant to I.C. 6-1.1-12.1, hereby approves and allows the Applicant's real property tax deductions for ten (10) years for the Equipment installed in the Area as part of the Project.

Pursuant to I.C. 6-1.1-12.1-2.5, there shall be published notice (the "Notice") of the adoption and substance of this Resolution in accordance with I.C. 5-3-1, which Notice shall name the date for the public hearing on this matter (the "Public Hearing") and that at the conclusion of the Public Hearing, the Council may take final action on the proposed designation, and a copy of this Resolution shall be filed with and shall be available for inspection in the office of the County Assessor.

Resolutions 2004-017 and 2004-018 are amended to conform with this resolution.

Pursuant to I.C. 6-1.1-12.1-2.5, the County Auditor shall file a copy of the notice and the Application with each taxing unit that has the authority to levy property taxes in the geographic area where the Area is located. Such information shall be filed with the officers of the taxing unit who are authorized to fix budgets, tax rates, and tax levies under I.C. 6-1.1-17-5 at least ten (10) days prior to the date of the Public Hearing.  
**(Resolution No. 2005-012, Council meeting, 2/22/05, amending Resolution No. 2004-017 and Resolution No. 2004-018)**

Approval of certain appraisals and authorizing the purchase of Real Property:

1. The Board of Commissioners hereby approves and accepts the separate appraisals of the Property by Jay Allardt and Harold Hindman, which appraisals have been submitted to the Board of Commissioners at this meeting.
2. The Board of Commissioners hereby approves and authorizes the purchase of the Property for a price not greater than Five Hundred Thousand Dollars (\$500,000), which amount does not exceed the average of the two (2) appraisals, as required by I.C.36-1-10.5-6.
3. The Board of Commissioners and the Auditor of the County are, and each of them is, hereby authorized to take any such actions and to execute all such instruments as may be necessary or appropriate to carry out the transactions contemplated by this Resolution, in such forms as the officers executing the same shall deem proper, to be evidenced by the execution thereof.  
**(Resolution No. 2005-013, Commissioners, 2/23/05)**

Approval to transfer of property to the Delaware County Redevelopment Commission:

1. The transfer of the Property by the County to the Redevelopment Commission for One Dollar (\$1.00) shall be, and hereby is, approved, provided that such transfer shall be subject to the prior acquisition of the Property by the County. Such transfer shall be effectuated by quitclaim deed.
2. The Board of Commissioners are, and each of them is, hereby authorized and directed to execute a quitclaim deed conveying the Property to the Redevelopment Commission and to execute any other documents necessary to effect the transfer of the Property to the Redevelopment Commission.  
**(Resolution No. 2005-014, Commissioners, 2/23/05)**

Application submission Local Match Commissioners, Lifestream Services:  
**(Resolution No. 2005-015, Commissioners, 3/21/05)**

Notice of adoption of the forgoing Declaratory Resolution Number 2005-012:

Having been published in the Muncie Star Press, a daily newspaper in and of general circulation in Delaware County, Indiana, one time at least ten (10) days prior to the hearing, and hearing held at which the County Council of Delaware County, Indiana, received and heard all remonstrance and objections from persons interested in or affected by the adoption of said Declaratory Resolution, said Declaratory Resolution is hereby confirmed by the County Council of Delaware County, Indiana, this 22<sup>nd</sup> day of March, 2005. The County Council hereby determines that the qualifications for an economic development revitalization area have been met.

**(Resolution No. 2005-018, Council meeting, 3/22/05, confirming Resolution No. 2005-012)**

Approval of deduction from asessed value of new equipment in an already declared economic revitalization area, Phillips Pattern & Castings, INC. Based on the information describing the Project:

- a. The estimate of the cost of the Equipment is reasonable for equipment of that type;
- b. The estimate of the number of individuals who will be employed can be reasonably expected to result from the installation of the Equipment;
- c. The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed installation of the Equipment;
- d. The other benefits about which information was requested are benefits that can be reasonably expected to result from the purposed installation of the Equipment;
- e. The totality of benefits is sufficient to justify the granting of personal property tax deductions to the Applicant pursuant to I.C. 6-1.1-12-4.5

Based on the information and forgoing findings, the Council, pursuant to I.C.6-1.1-12.1, hereby approves and allows the Applicant's personal property tax deduction for five (5) years for the Equipment installed in the Area as part of the Project.

The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

**(Resolution No. 2005-019, Council meeting, 3/22/05)**

Approval of preliminary findings of the Delaware County Economic Development Commission with respect to the issuance of taxable economic development revenue bonds for the financing of certain economic development facilities to be undertaken by Drive Trac, L.L.C., and authorizing and committing Delaware County, Indiana to proceed with such financing, subject to final action by this County Council with respect to the terms and conditions of such financing:

1. The Delaware County Council (the "County Council") hereby finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near the County is desirable to preserve the health, prosperity, economic stability and general welfare

of the citizens of the County; and that it is in the public interest that the Commissioner and the County take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the County.

2. The County Council hereby approves, determines, ratifies and confirms that the issuance and sale of the Bonds of the County are under the Act in a total original issued amount not to exceed Two Million One Hundred Seventy Thousand Dollars (\$2,170,000), for lending of the proceeds of the Bonds to the Company for a portion of the acquisition, construction, installation and equipping of the Project and for the payment of costs of issuance of the Bonds will serve the public purposes referred to above, in accordance with the Act.
3. In order to induce the Company to make the acquisition, construction, installation and equipping of the Project, the County Council hereby approves, determines, ratifies and confirms that:
  - a. It will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuant thereof, provided that all of the foregoing shall be authorized by law and is mutually acceptable to the County and the Company; and
  - b. It will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of the Bonds, subject to all required approvals as may be required under the Act; and that the aforementioned purposes comply with the provisions of the Act.
4. The liability and obligation of the County Council shall be limited solely to good faith efforts to consummate the proceedings leading to the issuance of the Bonds to finance a portion of the acquisition, construction, installation and equipping of the Project, and the Bonds shall not ever constitute a general obligation of, or a charge against the general credit of the County. Neither the County Council nor the County, nor their officers or agents, shall incur any liability if, for any reason, the proposed issuance of the Bonds is not consummated.
5. This Resolution shall be effective upon its passage by the County Council, in accordance with procedures as required by law.

**(Resolution No, 2005-020, Council meeting, 3/22/05)**

Approval of distribution of County Option Income Taxes to a Solid Waste Management District or Joint Solid Waste Management District pursuant to I. C. 6-3.5-6-1.3 in Delaware County, Indiana:

1. A distribution of COIT Funds to the Solid Waste Management District and to a Joint Solid Waste Management District is hereby approved so as to do the proper fiscal budgeting and expenditure requirements of Delaware County.
- (Resolution No. 2005-021, Council meeting, 3/22/05)**

Authorizing the transfer of funds to the Delaware County Highway Department pursuant to I.C. 36-1-8-4:

1. That the Auditor of Delaware County be authorized to transfer, as needed, money up to \$750,000.00 from account 207 Miscellaneous County Reassessment fund into the Delaware County General Fund between March 22, 2005, and December 31, 2005; and,

2. That said amounts so transferred be returned to account 207 Miscellaneous Reassessment Fund, immediately after receipt of the December 2005 Fall Tax Draw, or reimbursed by the United States Government FEMA fund.  
**(Resolution No. 2005-022, Council meeting, 3/22/05)**

Adoption of Library Capital Projects Fund Plan 2006-2008:  
**(Resolution No. 2005-023, Council meeting, 4/26/05)**

Authorizing a temporary loan from the Rainy Day Fund to pay emergency ice storm damage costs:

1. The Delaware County Commissioners are hereby authorized to borrow from the Delaware County Rainy Day Fund the sum of \$750,000.00;
2. Said sums shall be repaid out of the funds received from the Federal Emergency Management Agency (FEMA) as reimbursement for such damage, as well as the general funds of the County;
3. The Auditor of Delaware County is hereby authorized and directed to make such transfers accordingly.
4. This Resolution shall be effective upon its passage by the County Council, in accordance with procedures as required by law.  
**(Resolution No. 2005-024, Council meeting, 5/24/05)**

Authorizing a temporary loan from the Reassessment Fund to pay emergency ice storm damages cost:

1. The Delaware County Commissioner are hereby authorized to borrow from the Delaware County Reassessment Fund the sum of \$1,000,000.00;
2. Said sums shall be repaid out of funds received from the Federal Emergency Management Agency (FEMA) as reimbursement for such damage, as well as the general funds of the County,
3. The Auditor of Delaware County is hereby authorized and directed to make such transfers accordingly.
4. This Resolution shall be effective upon its passage by the County Council, in accordance with procedures as required by law.  
**(Resolution No. 2005-025, Council meeting, 5/24/05)**

Appointing Karen D. Wenger of Clerk of Delaware County to apply on behalf of Delaware County for voting systems reimbursement funds under I.C. 3-11-6.5:  
**(Resolution No. 2005-026, Commissioners, 6/6/05)**

Compliance with Help America Vote Act of 2002 and Title III Requirements:

1. Subject to the availability of Title III requirements monies to the County under the Help America Vote Act of 2002, no later than March 31, 2006, the County will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in I.C. 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.

2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The Report must be certified as accurate by majority vote of the County Election Board, following review and opportunity for written comments to be added to the report by the local advisory council described in Section 4 of this Resolution.
3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.
4. The County legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the County in choosing polling places. The Council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The County Executive shall appoint the members and shall encourage County residents with a variety of background, partisan affiliation, and perspectives to participate. If County residents are not available to serve on the council, the County executive may partner with the Governor's Planning Council on disabilities to carry out the function of the Council.
5. The County fiscal body pledges that Title III requirement monies and state matching funds received by the County will be used to pay outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.
6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date that the remaining Title III requirements monies and state matching funds will be used to improve the administration of elections for federal office in the County.
7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-revolving account in which all Title III monies and state matching funds will be deposited.
8. The County agrees to refund to the State of Indiana no later than May 1, 2006, an amount equal to the Title III monies and state matching funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006, that the County has not (1) provided at least one (1) voting system in each polling place of the County no later than December 31, 2005 to permit a voter who is blind or visually impaired to vote privately and independently in accordance with I.C. 3-11-15; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

**(Resolution No. 2005-027, Council and Commissioners, 6/20/05)**

Compliance with Help America Vote Act of 2002 and Section 101 Funds:

1. Subject to the availability of Section 101 monies to the County under the Help America Vote Act of 2002, no later than March 31, 2006, the County will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in I.C. 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.
2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The Report must be certified as accurate by majority vote of the County Election Board, following review and opportunity for written comments to be added to the report by the local advisory council described in Section 4 of this Resolution.
3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.
4. The County legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the County in choosing polling places. The Council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The County Executive shall appoint the members and shall encourage County residents with a variety of background, partisan affiliation, and perspectives to participate. If County residents are not available to serve on the council, the County executive may partner with the Governor's Planning Council on disabilities to carry out the function of the Council.
5. The County fiscal body pledges that Section 101 funds received by the County will be used to pay outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.
6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Section 101 funds will be used to improve the administration of elections for federal office in the County.
7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-revolving account in which all Section 101 will be deposited.
8. The County agrees to refund to the State of Indiana no later than May 1, 2006, an amount equal to the Section 101 funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006, that the County has not (1) provided at least one (1) voting system in each polling place of the County no later than December 31, 2005 to permit a voter who is blind or visually impaired to vote privately and independently in

accordance with I.C. 3-11-15; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

**(Resolution No. 2005-028, Council and Commissioners, 6/20/05)**

Setting Part-time pay rates:

1. Part-time/hourly employees of the GAL/CASA programs shall be paid an hourly rate equal to that of Delaware County Court personnel, to-wit: \$8.00 per hour, effective with the 2006 budget year.
2. Section one (1) of Ordinance 2002-012 is hereby amended accordingly.
3. This Ordinance shall become part of the salary ordinance of Delaware County, Indiana, as from time to time amended.

**(Ordinance N. 2005-029, Council meeting, 11/22/05, amending Ordinance No. 2002-012)**

Compliance with Help America Vote Act of 2002 and the Section 102 Funds:

1. Subject to the availability of Section 102 monies to the County under the Help America Vote Act of 2002, no later than March 31, 2006, the County will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in I.C. 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.
2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this Section must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The Report must be certified as accurate by majority vote of the County Election Board, following review and opportunity for written comments to be added to the report by the local advisory council described in Section 4 of this Resolution.
3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.
4. The County legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the County in choosing polling places. The Council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The County Executive shall appoint the members and shall encourage County residents with a variety of background, partisan affiliation, and perspectives to participate. If County residents are not available to serve on the council, the County executive may partner with the Governor's Planning Council on disabilities to carry out the function of the Council.



5. The County fiscal body pledges that Section 102 HAVA monies received by the County will be used to pay outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.
6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Section 102 reimbursement funds will be used to improve the administration of elections for federal office in the County.
7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-revolving account in which all Section 102 reimbursement funds will be deposited.
8. The County agrees to refund to the State of Indiana no later than May 1, 2006, an amount equal to the Section 102 reimbursement funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006, that the County had not (1) replaced the lever voting machines (or punch card voting system) in each precinct of the County no later than December 31, 2005; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

**(Resolution No. 2005-029, Council and Commissioners, 6/20/05)**

Funding for a Technical Assistant:

1. The Board of Commissioners of Delaware County shall receive deposits from the Delaware County Soil and Water Conservation District for the purpose of hiring a person as a part-time (not to exceed 1040 hours annually) Technical Assistant from November 1, 2005 through December 31, 2007.
  2. The Auditor of Delaware County is hereby authorized to collect said funds and pay said funds to the Technical Assistant, not to exceed \$12,480.00 annually, and to pay FICA taxes, not to exceed \$954.72 annually, to be paid from the grant funds.
  3. Said funds shall be collected from the pre-existing fund known as the White River Watershed Project Fund.
  4. Said funds may be used only for the funding of a Watershed Project employees, and if any money remaining in that fund at the end of the grant term shall revert back to the Delaware County Soil and Water Conservation District.
  5. Said funds shall consist of the sum of Fourteen Thousand Five-Hundred and Fifty-five Dollars (\$14,555) for the Technical Assistant, for the period of November 2, 2005 through December 2007. Distribution from said funds shall not exceed the sum of Fourteen Thousand Five Hundred Fifty-five Dollars (\$14,555) for the Technical Assistant, including any employer benefits that must be paid.
- (Ordinance No. 2005-031, Commissioners, 11/21/05)**

Declares July 5, 2005 to be "Melvin Biddle Day" in Delaware County, Indiana:

1. Delaware County hereby declares July 5, 2005 to be "Melvin Biddle Day" in Delaware County, Indiana.

2. The Board of Commissioners of Delaware County wants to thank Melvin Biddle and all other persons who have served and are serving in the Armed Forces for all of their hard work and dedication so that everyone can participate in the greatest democracy the world has ever known.  
**(Resolution No. 2005-031, Commissioners, 7/5/05)**

Adopting the National Incident Management System (NIMS) and Incident Command System (ICS):

Delaware County, State of Indiana, hereby adopts the National Incident Management System (NIMS) and Incident Command System (ICS) as its system of preparing for and responding to disaster incidents:  
**(Resolution No. 2005-032, Commissioners, 9/6/05)**

Reducing Appropriated funds previously made by the Delaware County Council of the General Funds appropriation for 2005 is reduced by the sum of \$1,488,522.00:

The appropriation previously made by the Delaware County Council in line two (2) of the General Fund appropriation for 2005 is hereby reduced by the sum of \$1,488,522.00.  
**(Resolution No. 2005-033, Council meeting, 9/15/05)**

The closing of several Motor Vehicle Branches throughout the State as a cost cutting move:

1. The Delaware County Commissioners are determined that the license branch located on south Madison Street and in the town of Albany are important and vital parts of the community in which they are located.
2. The Delaware County Commissioners would strongly request that the Bureau of Motor Vehicles maintain the license branch location on south Madison Street and in Albany as the best possible manner of serving all of the residents of Delaware and the surrounding counties.
3. The Delaware County Auditor shall send a copy of this Resolution to the Director of the Bureau of Motor Vehicles and to each member of the General Assembly whose district is in whole or in part in Delaware County.  
**(Resolution No. 2005-034, Commissioners, 6/19/05)**

Albany Emergency Medical Services for being selected the State Basic Life Support Provider of the year for the State of Indiana in 2005:

1. The Delaware County Commissioner congratulates the Albany Emergency Medical Services for being selected the State Basic Life Support Provider of the Year for the State of Indiana in 2005.
2. That Delaware County Commissioners express their great appreciation for all of the hard work that the Albany Emergency Medical Services and all of its volunteers and staff have performed over the past thirty years.
3. The Delaware County Commissioners look forward to a long and continued existence for the Albany Emergency Medical Services as well as many more state wide awards in the future.
4. The Delaware County Auditor is instructed to provide a copy of this Resolution to the Albany Emergency Medical Services.  
**(Resolution No. 2005-035, Commissioners, 10/17/05)**

Approving deduction from assessed value of New Manufacturing Equipment in an already declared economic revitalization area, Indiana Ticket Company, Inc:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above-referenced Area during the period March 1, 1983 and ending December 31, 2011, by Indiana Ticket Co, Inc. shall be allowed a deduction from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5 for a period of five (5) years.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

**(Resolution No. 2005-037, Council meeting, 11/22/05)**

Approving deduction from assessed value of new Manufacturing Equipment in an already declared economic revitalization area, Muncie Novelty Company, Inc:

1. The Delaware County Council finds and determines that the new manufacturing equipment to be installed in the above-referenced Area during the period March 1, 1983 and ending December 31, 2011, by Muncie Novelty Company, Inc. shall be allowed a deduction from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5 for a period of five (5) years.
2. The Delaware County Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

**(Resolution No. 2005-038, Council meeting, 11/22/05)**

Reducing the 2006 budget:

1. Account number 32500 is reduced by \$81,728.00.
2. Account number 32200 is reduced by \$106,290.00.
3. The operating balance account is reduced by \$62,000.00.
4. The Delaware County Auditor is directed to file appropriate documents with the State.

**(Resolution No. 2005-039, Council meeting, 11/22/05)**

Authoring the extension of the repayment date of a certain outstanding loan under the Delaware County Economic Development Revolving Fund and certain related matters, Drive Trac, LLC:

1. The Board of Commissioners hereby authorizes and approves the extension of the repayment date of the Loan from December 31, 2005 to June 30, 2006.
2. The Board of Commissioners and the Auditor of the County are, and each of them is, hereby authorized and directed to take all such actions and to execute all such instruments, including, without limitation, amendments to the Loan Agreement, as are necessary or desirable to carry out the transactions contemplated by this Resolution, in such forms as the Board of Commissioners and the

Auditor of the County executing the same shall deem proper, to be conclusively evidenced by the execution thereof.

**(Resolution No. 2005-040, Commissioners, 12/19/05)**

## 2004

Weights and Measures week in Delaware County, and urge all citizens in Delaware County to join in celebrating this week and express their gratitude to the weights and measures officials for their tireless efforts to save consumers money and to safeguard business:

**(Proclamation, Commissioners, 3/1/04)**

Application for tax abatement C/O Terry Murphy, Vice President, Economic Development, for New Process Technologies, LLC d/b/a Magna Drivetrain:

**(No ordinance No. given, Council meeting, 11/23/04)**

No approval on creation of any new full-time positions in any office in Delaware County:

**(Resolution 2004-001, Council meeting, 1/27/04).**

Approved the refunding and directs the Corporation to work with Miller as bond counsel and H.J. Umbaugh & Associates as financial advisor to effect the refunding in order to accomplish a net savings of at least \$150,000 and to shorten the term of the lease:

Authorization to execute appropriate documents necessary to accomplish the refunding, including the Continuing Disclosure Undertaking Agreement.

The refunding bond constitutes qualified tax-exempt obligations and are hereby designated as qualified tax exempt obligations for purposes of bank deductibility under Section 265(b)(3) of the Internal Revenue Code of 1986. The County or Corporation does not except to issue or have issued on its behalf any obligations in 2004 which when added to the amount of the refunding bonds will exceed \$10,000,000.

**(Resolution 2004-003, Commissioners' meeting, 3/22/04).**

Approves the Amendment No. 1 to Lease to effect the refunding of the Corporation's 1996 Bonds, reduce the annual lease resulting in interest cost savings, reduce the term of the Lease and revise the parity test:

**(Ordinance No. 2004-004, Council meeting, 4/27/04)**

Establishing Building Corporation to execute financing and related certificates and documents on behalf of the County for the Juvenile Detention Center:

**(Resolution 2004-004, Commissioners' meeting, 4/19/04).**

The new manufacturing equipment to be installed in Sovereign Tool & Engineering, LLC During the period beginning March 1, 1983 and end December 31, 2005, by Sovereign Tool & Engineering, LLC, shall be allowed a deduction from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4. for a period of five years:

Auditor shall take such further actions as may be required to carry out the purposes of this Resolution and to insure the eligibility of the new manufacturing equipment for the deduction hereinabove described.

**(Resolution 2004-005, Council meeting, 5/25/04).**

Approval of the Muncie Public Library to adopt a Library Capital Projects Plan as provided for in IC 20-14-13:

**(Resolution 2004-006, Council meeting, 4/27/04).**

The Auditor of Delaware County authorized to transfer, as needed, money up to \$1,500,000.00 from account 207 Miscellaneous County Reassessment Fund into the Delaware County General Fund between April 28, 2004 and December 31, 2004 and said amounts so transferred be returned to account 207 Miscellaneous Reassessment Fund, immediately after receipt of the December 2004 Fall Fax Draw:

**(Resolution 2004-007, Council meeting, 4/27/04 Resolution 2004-13, Council meeting 6/22/07, Amendment to Resolution 2004-007, Council meeting, 4/27/04).**

The Auditor of Delaware County authorized to transfer, as needed, money up to \$1,000,000.00 from account \_\_\_\_, COIT Bond I Account Fund into the Delaware County General Fund between April 28, 2004 and December 31, 2004 and said amount so transferred be returned to account \_\_\_\_, COIT Bond I Account Fund, immediately after receipt of the December 2004 Fall Fax Draw:

**(Resolution 2004-008, Council meeting, 4/27/04).**

The distribution of COIT Funds to the Solid Waste Management District and to Joint Solid Waste Management District is hereby approved so as to do the proper fiscal budgeting and expenditure requirements of Delaware County:

**(Resolution 2004-009, Council meeting, 4/28/04).**

The Auditor of Delaware County authorized to transfer \$150,000.00 from COIT Revenues received and place said amount of funds into the operating Revenues of the Delaware County Board of Health for the fiscal year 2004:

**(Resolution 2004-010, Council meeting, 4/28/04).**

The new construction to be undertaken in the described period beginning March 1, 1983 and ending December 31, 2005, by Steven and Rachel J. Cross, owners of Cutting Edge Wire EDM, Inc. shall be allowed a deduction from the assessed value of said improvements for three (3) years in accordance with the provisions of I.C. 6-1.1-12.1-1 et. Seq:

Auditor shall take such further actions as may be required to carry out the purpose of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for three (3) years in accordance with I.C. 6-1.1-12.1-4.

**(Resolution 2004-11, Council meeting, 6/22/04).**

Approving the Pledge of Delaware County Economic Development Income Tax Revenues to secure certain bonds of the Delaware County Regional Wastewater District:

1. The Board of Commissioners hereby acknowledge the benefit of financing the entire Project through SRF Program and find that it best serves the interest of the District and the customers to be served by the Project.
2. The Pledge Ordinance is hereby modified and amended to provide that all terms and conditions relating to the Pledge of EDIT Revenues thereunder shall now apply to the SRF Bonds rather than the Non-SRF Bonds and the EDIT Pledge shall further secure the SRF Bonds rather than the Non-SRF Bonds.
3. The Pledge Ordinance is hereby modified, is hereby approved, ratified and confirmed in all respects.
4. The form of the Escrow Deposit Agreement attached to the Pledge Ordinance herein made. The form of the Escrow Deposit Agreement, as to be modified consistent with the provisions of this Resolution is hereby approved, ratified, and confirmed in all respects and the Board of

Commissioners hereby authorizes the execution, attestation and the delivery thereof by the Board of Commissioners and the Auditor of the County deem necessary or appropriate, such officers' execution and attestation, respectively, thereof to be conclusive evidence of their approval of such change.

5. The County hereby converts that it will not reduce or rescind its county economic development income tax as long as the EDIT Pledge remains in effect.
6. The Board of Commissioners and the Auditor of the County are hereby authorized and directed to take all such further action or actions and to execute such instruments and agreements as are necessary or appropriate to effectuate the EDIT Pledge as modified herein.  
**(Resolution No. 2004-012, Commissioners 6/14/04)**

Authorization for Notes and Appropriation of Proceeds. Pursuant to Indiana Code 36-9-27-97.5, in order to provide financing for the Drainage Projects and incidental expenses and the costs of selling and issuing the 2004 notes, the County shall borrow money and issue the 2004 notes as authorized:  
**(Resolution 2004-15, Council meeting, 8/25/04)**

Authorizing issuance of Bonds for the purpose of proving funds for upgrading and improving the Communication System of Delaware County and incidental expenses in connection therewith and on account of the issuance of the bond:

- Section 1. Authorization for Bonds. In order to provide financing for the Project and incidental expenses incurred in connection therewith and on account of the issuance of the Bonds, the County shall borrow money and issue the Bonds as herein authorized.
- Section 2. Reimbursement of Expenditures. The County hereby declares its official intent to reimburse expenditures paid from the general fund, E911 Fund or any other fund of the County for the Project with the proceeds of the Bonds reviewed by the County. This Ordinance constitutes a declaration of official intent to reimburse expenditures under Treas. Reg. 1.150-2(e) and Indiana Code 5-1-14-6(c).
- Section 3. General Terms of Bonds. In order to procure said loan for such purposes, the Auditor of the County (the "Auditor") is hereby authorized and directed to have prepared and issue and sell negotiable general obligation bonds of the County in an amount not to exceed One Million Nine Hundred Ninety Thousand Dollars (\$1,990,000), to be designated by the Board of Commissioners of the County and the Auditor at the time of issuance off the Bonds, for the purpose of providing financing for the Project and incidental expenses, such as expenses to include without limitation all expenses of every kind incurred preliminarily to the funding of the Project, and costs of issuing the Bonds. Such Bonds shall be signed in the name of the County (the "Commissioners") and attested by the manual or facsimile signature of the Auditor, who shall affix the seal of the County to each of the Bonds manually or shall have the seal imprinted or impresses thereon by facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof. The bonds shall also be authenticated by the manual signature of the Registrar (as hereafter defined). Subject to the provisions of this Ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

The Bonds are, as to all principal thereof and interest due thereon, general obligations of the County, payable from unlimited *ad valorem* property taxes on all taxable property within the County or any other revenues legally available to the County for such purpose.

The Bonds shall be issued in fully registered form in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof, shall be numbered consecutively from one (1) upward, shall be originally dated as of the first day of the month in which the Bonds are sold or date of issuance as determined by the Auditor at the time of sale. The Bonds shall bear interest payable semi-annually on January 15 and July 15 of each year, beginning on the January 15 or July 15 determined by the Auditor at the time of sale, at a rate or rates not exceeding six percent (6.00%) per annum (the exact rate or rates to be determined by bidding pursuant to Section 7 of this Ordinance). Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. The Bonds shall mature serially on January 15 and July 15 as finally determined by the Commissioners and the Auditor as evidenced by delivery of the executed initial issue of the Bonds to the Registrar for authorization above, that the first maturity shall be no earlier than July 15, 2006, and that the final maturity shall be no later than January 15, 2010.

All payments of interest on the Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof as of the first (1<sup>st</sup>) day of the month in which interest is payable at the addresses as they appear on the registration books kept by the Registrar (the "Registration Record") or at such other address as is provided to the Paying Agent (as hereafter defined) in writing by such registered owner. Each registered owner of \$1,000,000 or more in principal amount of Bonds shall be entitled to receive interest payments by wire transfer by providing written wire instructions to the Paying Agent before the record date for any payment. All principal payments on the Bonds shall be made upon surrender thereof at the principal corporate trust office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts, or in the case of a registered owner of \$1,000,000 or more in principal amount of Bonds, by wire transfer on the due date upon written direction of such owner provided at least fifteen (15) days prior to the maturity date.

Interest on Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date thereof unless such Bonds are authenticated after the first (1<sup>st</sup>) day of the month in which interest is payable and on or before such interest payment date in which case they shall bear interest from such interest payment date, in which case they shall bear interest from the original date, until the principal shall be fully paid.

Each Bond shall be transferable or exchanged only upon the books of the Registrar kept for that purpose by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount, and the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange thereof. The costs of such transfer or exchange shall be borne by the County, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the person requesting such transfer or exchange. The County, the Registrar and the Paying Agent may treat and consider the persons in whose names such Bonds are



registered as the absolute owners thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any bond is mutilated, lost, stolen, or destroyed, the County may execute and the Registrar may authenticate a new bond of like date, maturity and denominations as that mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such bond shall have matured, instead of issuing a duplicate bond, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The County and the Registrar may change the owner of such Bond with their reasonable fees and expenses in the connection. Any bond issued pursuant to this paragraph shall be deemed an original, substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds issued hereunder.

Section 4. Terms of Redemption. The Commissioners and the Auditor, upon consultation with the County's financial advisor, may designate maturities of Bonds (or portion thereof in integral multiples of \$5,000 principal amount each) that shall be subject to optional redemption and/or maturity sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Commissioners and the Auditor, upon consultation with the County's financial advisor, are hereby authorized and directed to determine the terms governing any such redemption.

Notice of redemption shall be mailed by first-class mail or by registered or certified mail to the address of each registered owner of a Bond to be redeemed as shown on the Registration Record not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption except to the extent such redemption notice is waived by owners of Bonds redeemed, provided, however, that the failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of any proceedings for the redemption of any other Bonds. The notice shall specify the date and place of redemption, the redemption price and the CUSIP numbers (if any) of the Bonds called for redemption. The place of redemption may be determined by the County. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such Bonds shall no longer be protected by this Ordinance and shall not be deemed to be outstanding hereunder, and the holders thereof shall have the right only to receive the redemption price.

All bonds which have been redeemed shall be canceled and shall not be reissued; provided, however, that one or more new registered bonds shall be issued for the unredeemed portion of any Bond without charge to the holder thereof.

No later than the date fixed for redemption, funds shall be deposited with the Paying Agent or another paying agent to pay, and such agent is hereby authorized and directed to apply such funds to the payment of, the Bonds or portion thereof called for redemption, including

accrued interest thereon to the redemption date. No payment shall be made upon any Bond or portion thereof called redemption until such bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by this resolution with respect to any mutilated, lost, stolen or destroyed bond.

Section 5. Appointment of Registrar and Paying Agent. The Auditor is hereby authorized to serve as, or appoint a qualified financial institution to serve as, registrar and paying agent for the Bonds (the “Registrar” or “Paying Agent”). The Registrar is hereby charged with the responsibility of authenticating the Bonds, and shall keep and maintain at its principal office or corporate trust office books for the registration and transfer of the Bonds. The Commissioners are hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of the Registrar and Paying Agent. The Auditor is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days written notice to the Auditor and to each registered owner of the Bonds then outstanding and such resignation will take effect at the end of thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the County. Such notice to the Auditor may be served personally or be sent by first-class or registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the County, in which event the County may appoint a successor Registrar and Paying Agent. The County shall notify each registered owner of the Bonds then outstanding of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the bond register. Any predecessor Registrar and Paying Agent shall deliver all the Bonds, cash and investments in its possession and the bond register to the successor Registrar and Paying Agent. At all times, the same entity shall serve as Registrar and as Paying Agent.

Section 6. Form of Bonds.

- a. The form and tenor of the Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery.
- b. The bonds may, in compliance with all applicable laws, initially be issued and held in book-entry form on the books of the central depository system appointed by the County from time to time (the “Clearing Agency”), without physical distribution of bonds to the purchaser. The following provisions of this section apply in such event.

One definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The County and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds remain and are held in book-entry form on the books of a Clearing Agency, (1) any such Bond may be registered upon the books kept by the Registrar

in the name of such Clearing Agency, or any nominee thereof, including Cede & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the County and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such Bond, the receiving of notice and giving of consent; (3) neither the County nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitations, any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the County receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds, or the County elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the County and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such a person or persons, including any other Clearing Agency, as the holders of the Bonds may direct in accordance with the Ordinance. Any expenses of such discontinued and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the County.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity or any beneficial owner of Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the Bonds as the bondholders and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the Bonds are held in book-entry form on the books of a clearing Agency, the Commissioners, the Auditor and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the Bonds are held in book-entry form, the

provisions of Section 5 of the Ordinance shall control over conflicting provisions in any other section of this Ordinance.

Section 7     Sale of Bonds. The Bonds shall be sold in a competitive sale. The Auditor shall cause to be published a notice of sale once each week for two consecutive weeks per Indiana Code § 5-3-1-2. The date fixed for the sale shall not be earlier than fifteen (15) days after the first of such publications and not earlier than three (3) days after the second of such publication. Said bond sale notice shall state the time and place of sale, the purpose for which the Bonds are being issued, the total amount thereof, the amount and date of each maturity, the maximum rate or rates of interest thereon, their denominations, the time and place of payment, that specifications and information as is required by law or as the Auditor shall deem necessary, including any terms and conditions of sale which provide an exclusion or exemption from the applicability of all or portion of the previous of Rule 15c2-12 of the U.S. Securities and Exchange Commission as amended (the "SEC Rule"), in which case the Auditor may set the maximum authorized denomination of the Bonds at One Hundred Thousand Dollars (\$100,000) as contemplated by the SEC Rule.

As an alternative to the publication of a notice of sale, the Auditor may sell the Bonds through the publication of a notice of intent to sell the Bonds and compliance with related procedures pursuant to Indiana Code § 5-1-11-2(b).

All bids for the Bonds shall be sealed and shall be presented to the Auditor in accord with the terms set forth in the bond sale notice. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, which shall be the same for all Bonds maturing on the same date and the interest rate bid on any maturity of Bonds must be no less than the interest rate bid on any and all prior maturities, not exceeding six percent (6.00%) per annum, and such interest rate or rates shall be in multiples of one-hundredth of one per cent. The Auditor shall award the Bonds to the bidder who offers the lowest interest cost, to be determined by computing the total interest on all the Bonds to their maturities and deducting there from the premium bid, if any, or adding thereto the amount of the discount, if any. No bid for less than ninety-eight percent (98%) of the value of the Bonds and accrued interest shall be considered. The Auditor may require that all bids shall be accompanied by certified or cashier's check payable to the order of the Board of Commissioners of the County of Delaware, Indiana, or a surety bond, in an amount not to exceed one percent of the aggregate principal amount of the Bonds as a guaranty of the performance of said bid, should it be accepted. In the event no satisfactory bids are received on the day named in the sale notice, the sale may be continued from day to day thereafter for a period of thirty (30) days without re-advertisement; provided, however, that if said sale be continued, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for sale in the bond sale notice. The Auditor shall have full right to reject any and all bids.

After an alternative to public sale, the Auditor may negotiate the sale of the Bonds to the Indiana Bond Bank at such price as may be determined through such negotiation and at an interest rate or rates not exceeding six percent (6.00%) per annum. The Auditor is authorized to (i) submit an application to the Indiana Bond Bank, (ii) execute a purchase agreement with the Indiana Bond Bank, and (iii) sell such Bonds upon such terms as are acceptable to the Auditor and consistent with the terms of this Ordinance.

After the Bonds have been properly sold and executed, the County Treasurer shall receive from the purchaser's payment for the Bonds and shall provide for delivery of the Bonds to the purchasers.

The Auditor is hereby authorized and directed to obtain legal opinion as to the validity of the Bonds from Barnes & Thornburg LL, and to furnish such opinion to the purchasers of the Bonds or to cause a copy of said legal opinion to be printed on each Bond. The cost of such opinion shall be paid out of the proceeds of the Bonds.

Section 8      Use of Bond Proceeds. Any accrued interest and premium received at the time of delivery of the Bonds will be applied to payments on the Bonds on the earliest interest payment dates. The remaining proceeds received from the sale of the Bonds shall be deposited in the Delaware County, Indiana, Project Fund (the "Project Fund"). The proceeds deposited in the Project Fund shall be expended only for the purpose of paying (i) expenses incurred in connection with the Project, (ii) capitalized interest on the Bonds for a period beginning on the original date of the Bonds and ending no later than January 15, 2006 and (iii) the expenses incidental thereto and on account of the issuance of the Bonds. Any balance remaining in the Project Fund after completion of the Project which is not required to meet unpaid obligations incurred in connection therewith an on account of the issuance of the Bonds may be used to pay debt service on the Bonds or otherwise used as permitted by law.

Section 9      Defeasance. If, when the Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provision shall also be made for paying all fees and expenses for the payment, then and in case the Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this Ordinance.

Section 10      Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the Bonds, the County represents, covenants and agrees that:

- a.      The county will not take any action or fail to take any action with the respect to the Bonds that would result in the loss of the exclusion for gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Internal Revenue Code or 1986 as in effect on the date of issuance of the Bonds (the "Code"), including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated arbitrage profits on Bond proceeds or other monies treated as Bond proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid form investment income on funds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.

- b. The County will file an information report Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.
- c. The County will not make any investments or do any other act or thing during the period that any Bond is outstanding hereunder which would cause any Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds.
- d. The Bonds qualify for the exception in Section 265 of the Code from the disallowance of 100% of the deduction by financial institution of interest expense allocable to tax-exempt obligations because the Bonds are not private activity bonds within the meaning of Section 141 of the Code; the Bonds are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code; the reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) bonds but excluding other private activity bonds) which will be issued by or on behalf of the County, and all subordinates entities during the current calendar year 2004 will not exceed \$10,000,000; and the County, all entities which issue obligations on behalf of the County, and all subordinate entities have not designated more than \$10,000,000 of qualified tax-exempt obligations during the year of issuance.

Notwithstanding any other provisions of this Ordinance, the foregoing covenants and authorizations (the “Tax Section”) which are designed to preserve the exclusion of interest on the Bonds from gross income under federal income tax law (the “Tax Exemption”) need not be complied with to the extent the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

Section 11 Amendments. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregated principal amount of the Bonds then outstanding shall have the right, from time to time, to consent to and approve the adoption by the County of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the County for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

- a. An extension of the maturity of the principal of or interest on any Bond, without the consent of the holder of each Bond so affected; or
- b. A reduction in the principal amount of any Bond or the rate of interest thereon, or change in the monetary medium in which such amounts are payable, without the consent of the holder of each Bond so affected; or
- c. A preference or priority of any Bond over any other Bond, without consent of the holders of all Bonds then outstanding; or

- d. A reduction in the aggregated principal amount of the Bonds required for consent to such supplemental ordinance, without the consent of the holders of all Bonds then outstanding.

If the County shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposal supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Bonds. The Registrar shall not, however, be subject to any liability to any owners of the Bonds by reason of its failure to mail such notice, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as herein provided.

Whenever at any time within one year after the date of the mailing of such notice, the County shall receive any instrument or instruments purporting to be executed by the owners of the Bonds of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds then outstanding, which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the County may adopt such supplemental ordinance in substantially, such form, without liability or responsibility to any owners of the Bonds, whether or not such owners have consent thereto.

No owner of any Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the County or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the County and all owners of Bonds then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments.

Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the County and of the owners of the Bonds, and the terms and provisions of the Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the County and the consent of the owners of all the Bonds then outstanding.

Without notice to or consent of the owners of the Bonds, the County may, from time to time and at any time, adopt such ordinances supplemental hereto as shall not be inconsistent with the terms and provisions hereof (which supplemental ordinances shall hereafter from a part hereof),

- a. To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance; or
- b. To grant to or confer upon the owners of the Bonds any additional rights, remedies,

powers, authority or security that may lawfully be granted to or conferred upon the owners of the Bonds; or

- c. To procure a rating on the Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Bonds; or
- d. To obtain or maintain bond insurance with respect to the Bonds; or
- e. To provide for the refunding or advance refunding of the Bonds; or
- f. To make any other change which, in the determination of the Council in its sole discretion, is not to the prejudice of the owners of the Bonds.

Section 12     Approval of Official Statement. The Commissioner and/or Auditor are hereby authorized to deem final an official statement (if any) with the respect to the Bonds, as of its date, in accordance with the provisions of the SEC Rule, subject to completion as permitted by the SEC Rule, and the Council further authorizes the distribution of the deemed final official statement, and the execution, delivery and distribution of such document as further modified and amended with the approval of the Auditor in the form of a final official statement.

In order to assist any underwriting of the Bonds in complying with paragraph (b)(5) of the Sec Rule by undertaking to make available disclosure about the County and the Bonds to participants in the municipal securities market, the County hereby covenants, agrees and undertakes, in accordance with the SEC Rule, unless excluded from the applicability of the SEC Rule or otherwise exempted from paragraph (b)(5) of the Sec Rule, that it will comply with and carry out all of the provisions of the continuing disclosure contract. “Continuing disclosure contract” shall mean that certain continuing disclosure contract. “Continuing disclosure contract” shall mean that certain continuing disclosure contract executed by the County and dated the date of issuance of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The execution and delivery by the County of continuing disclosure contract is hereby approved and the performance by the County of its obligations thereunder by or through any employee or agent of the County are hereby approved, and the County shall comply with and carry out the terms thereof.

Section 13     No Conflict. All ordinances, resolutions, and orders as part thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed. After the issuance of the Bonds and so long as any of the Bonds or interest thereon remains unpaid, except as expressly provided herein, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the holders of the Bonds, nor shall the County adopt any law, ordinance or resolution which in any way adversely affects the rights of such holders.

Section 14     Severability. If any section, paragraph of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 15     Holidays, Etc. If the date of making any payment or last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on



which banking institutions in the county or the city in which the Registrar or Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

Section 16     Effectiveness. This Ordinance shall be in full force and effect from and after its passage.  
**(Ordinance No.2004-017, Council meeting, 11/16/04)**

Declaring an economic revitalization area for New Process Technologies, LLC d/b/a/ Magna Drivetrain (Real Estate). The area described in this resolution meets the qualifications for an economic revitalization area for the purposes of I. C. 6-1.1-12.1-3 (e) (11) (A):

The Delaware County Auditor shall take such further actions as may be required of all applicable ordinances and laws, to carry out the purposes of this Resolution and to insure the eligibility of said new real property construction for purposes of allowing a deduction from the assessed value of said improvements for ten (10) years in accordance with I. C. 6-1.1-12.1-4.

Council finds and determines that the application for ten (10) year partial tax abatement meets the requirements of the County's tax abatement program and hereby approves the application on the \$8,500,000 in new real estate improvements.

**(Resolution No. 2004-017, Council meeting, 11/23/04, Amendment Resolution No. 2005-012, Council meeting, 2/22/05)**

Declaring an economic revitalization area for New Process technologies, LLC, d/b/a Magna Drivetrain. The area meets the qualifications for an economic revitalization area for the purpose of I.C. 6-1.1-12.1-1.et.seq.:

The application for ten (10) year partial tax abatement meets the requirements of the County's tax abatement program and approves the application on the \$43,208,000 investment.

**(Resolution 2004-018, Council meeting, 11/23/04) (Resolution No. 2005-12 Council meeting, 2/22/05, amending Resolution No. 2004-018) (Resolution No. 2005-018, Council meeting, 3/22/05, confirming Resolution No. 2005-012)**

The new manufacturing equipment to be installed in Indiana Ticket Company during the period beginning March 1, 1983 and ending December 31, 2005, by Indiana Ticket Co., Inc. shall be allowed a deduction from the assessed value of such equipment, in accordance with the provisions of I.C. 6-1.1-12.1-4.5 for a period of five years:

**(Resolution 2004-019, Council meeting, 11/23/04)**

Establishing longevity pay rates for employees of the 911 Communication Center:

1. All employees that are employed in the 911 Communications Center shall be provided longevity pay per Ordinance No. 1996-018.
2. Those employees of the 911 Communication Center that are eligible for longevity pay shall be paid at the rates established for County Police Merit Employees and Jail Correctional Officers as set forth in Ordinance 1996-018A.

**(Ordinance No. 2004-020, Council meeting, 12/14/04)**

Appropriation Resolution of the Delaware County Council is hereby appropriated a sum not to exceed One Million Nine Hundred Ninety Thousand Dollars (\$1,990,000) out of the proceeds of the Bonds, together with all investment earnings thereon, for the use by the Board of Commissioners of the County in paying for the Project and the costs of issuance of the Bonds, as provided in the ordinance:

Such appropriation shall be in addition to all appropriations provided for an existing budget and levy, and shall continue in effect until the Project and payment of the costs of issuance of the Bonds have been fully completed. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

A certified copy of this resolution, together with such other proceedings and actions as may be necessary, shall be filed by the County Auditor of the County, who shall report the appropriation to the Department of Local Government Finance.

**(Resolution No. 2004-020, Commissioners, 11-16/04)**

The Job and Wage Classification Plan shall apply to all employees and positions of employment with in County Government. As part of the Job and Wage Classification Plan, certain positions were found to have required additional compensation as compared to other positions in the county and comparable county governments. As part of the Job and Wage Classification Plan, approval of increase in certain salaries to address this inequity. The intent was to approve increases in the salaries for those positions, which were staffed as of August 24, 2004 and not intended for any salary adjustment increase to apply to any position or employee that had been terminated, quit, retired or otherwise separated from their position prior to August 24, 2004:

**(Resolution 2004-021, Council meeting, 11/23/04)**

Establish a hiring policy in regards to salaries for newly hired employees. The Delaware County Council establishes uniform criteria for all employees, deputies and other personnel pursuant to IC 36-2-5-3:

1. All employees in all departments hired to fill any vacant or vacated positions after August 24, 2004 shall be replaced at the grade level as established by the Delaware County Council for said vacated positions. Said employees shall be considered to be “new employees”.
2. All new employees in all departments will have their salary or hourly pay level established at the lowest level of said wage range.
3. At the anniversary of ninety (90) days the hiring of said “new” employee an evaluation will be made by the department supervisor and or elected official.
4. Said evaluation will then be forwarded to the “County Personnel Committee” for a salary recommendation to the Delaware County Council.
5. Based on said recommendation the Delaware County Council will establish by majority vote the salary that will be paid for this newly hired employee as soon as practical but no later than One Hundred Sixty (160) days from the hiring date.
6. The Delaware County Council is not bound by the recommendations made but in good faith effort this ordinance is intended to establish fair and equitable compensation for all employees based on established job descriptions and individual skill levels.

**(Ordinance No. 2004-21, Council meeting)**

## 2003

Assignment of certain portion of Economic Development Income Tax (EDIT) revenues for bonds for the County Regional Wastewater District project for the Royerton area in Hamilton Township:  
**(Ordinance No. 2003-001, Commissioners' meeting, 1/27/03; and Resolution No. 2003-006, Council meeting 4/22/03).**

Authorization to receive grant funds for the County Emergency Management Agency:  
**(Ordinance No. 2003-004, Commissioners' meeting, 2/24/03).**

Authorization to borrow money to pay current expenses:  
**(Ordinance No. 2003-006, Council meeting 4/22/03; and Resolution No. 2003-007, Council meeting, 5/27/03).**

Authorization to receive grant money for the County Police Local Law Enforcement Grant:  
**(Ordinance No. 2003-007, Council meeting, 5/5/03).**

Approval of certain amendments to the Comprehensive Zoning Ordinance:  
**(Ordinance No. 2003-012, Commissioners' meeting, 8/11/03).**

Increase amount of benefit for the Watershed Coordinator from grant monies:  
**(Ordinance No. 2003-013, 8/13/03).**

Authorization to borrow money to pay current expenses:  
**(Ordinance No. 2003-014, Council meeting, 9/2/03).**

Deduction from real estate assessment for C.S. Kern, Inc:  
**(Resolution No. 2003-008, Council meeting, 6/24/03).**

Deduction from real estate assessment for Midwest Metal Products:  
**(Resolution No. 2003-009, Council meeting, 7/22/03).**

Designation of former ABB and Delphi Battery properties as Community Revitalization Enhancement Districts:  
**(Resolution No. 2003-018, Commissioners' meeting, 12/01/03).**

Authorization to accept grant for education and training of law enforcement officers:  
**(Ordinance No. 2003-020, Council meeting, 1/27/04).**

Establishing rates of longevity pay for employees:  
**(Ordinance No. 2003-021, Council meeting, 1/27/04).**

## 2002

Authorizing acceptance of grant from Indiana Criminal Justice Institute:  
**(02/26/02).**

Establishing the rates of longevity pay for employees:  
**(Ordinance No. 2002-025, Council meeting, 10/22/02).**

Authorizing acceptance of two grants from the Delaware County Coordinating Council to prevent alcohol and other drug abuse for the year 2002-03:  
**(Ordinance No. 2002-028, Commissioners' meeting, 10/28/02).**

Commission approval of Metropolitan Plan Commission Resolution of the Nebo Road Economic Development Area:  
**(Resolution No. 2002-009, Commissioners' meeting, 12/9/02).**

## **2001**

Final Plat Approval, Waterbury Landings, Section One:  
**(7/9/01).**

Final Plat Approval, Wellington Knoll, Section One:  
**(7/12/01).**

Final Plat Approval, Kimbrell Subdivision:  
**(8/6/01).**

Final Plat Approval, Re-plat of Lot #7 in Riverbend Commons:  
**(10/1/01).**

## 2000

Payment of court ordered expenditure for Indiana Civil Rights Commission and Debra Salais vs. Delaware County Circuit Court:

**(Ordinance No. 2000-003, Council meeting, 1/25/00)**

Approval of Muncie-Delaware County Comprehensive Plan:

**(Resolution No. 2000-001, Commissioners' meeting, 2/7/00)**

Real Estate Tax Abatement for Artisan Tool & Die, Inc:

**(Resolution No. 2000-02, Council meeting, 2/22/00)**

Equipment Tax Abatement for Artisan Tool & Die, Inc:

**(Resolution No. 2000-03, Council meeting, 2/22/00)**

Approval of 1999 Zone Map Changes for the Official Zone Maps:

**(Resolution No. 2000-004, Commissioners' meeting, 2/28/00)**

Pledging of revenues from the County EDIT to secure bonds of the Delaware County Redevelopment Commission:

**(Ordinance No. 2000-007, Commissioners' meeting, 3/20/00)**

Declaration of an economic revitalization area for Park One Business Park:

**(Resolution No. 2000-005, Council meeting, 3/28/00)**

Real Estate Tax Abatement for Moran Food, Inc. dba SAVE-A-LOT Ltd:

**(Resolution No. 2000-006, Council meeting, 4/25/00)**

Authorization for the transfer of a cable television franchise:

**(Resolution No. 2000-008, Commissioners' meeting, 5/8/00)**

Approval of an order of the Delaware-Muncie Metropolitan Area Planning Commission approving Park One Economic Development Area a certain declaratory resolution and economic development plan adopted by the Delaware County Redevelopment Commission:

**(Resolution No. 2000-009, Commissioners' meeting, 5/8/00)**

Abolishment of County Park Department, Termination of Tax Levy, and Transfer of County Parks:

**(Joint Ordinance No. 2000-009, Commissioners' meeting, 5/23/00; Council meeting, 5/23/00)**

Equipment Tax Abatement for Midwest Metal Products Company:

**(Resolution No. 2000-010, Council meeting, 7/25/00)**

Authorization for filing an application for a grant under section 5311 of the Federal Transit Act of 1964:

**(Resolution No. 2000-012, Commissioners' meeting, 8/7/00)**

Approval of economic development agreement regarding Save-A-Lot Ltd development in the Park One Economic Development Area, and other matters associated therewith:

**(Resolution No. 2000-013, Commissioners' meeting, 8/14/00)**

Equipment Tax Abatement for Sovereign Tool & Engineering, LLC:  
**(Resolution No. 011, Council meeting, 9/26/00)**

Approved request for a mini plat for Collins Subdivision:  
**(Commissioners' meeting, 10/02/00)**

Amendment to the text of the Comprehensive Zoning Ordinance regarding development standards for major roadways:  
**(Ordinance No. 026, Commissioners' meeting, 11/13/00)**

Waived permit fees for Park 1 Development as previously specified by Ed Conatser:  
**(Ordinance No. 2000-030, Commissioners' meeting, 11/27/00)**

Approval of 2001 Contract with Becky Webber/Peyser Associates to act as a consultant on federal issues in Washington, D.C:  
**(Commissioner's meeting, 12/1/00)**

Approved contract with 3D for justice center and county building repairs:  
**(Commissioners' meeting, 12/4/00)**

Adoption of the 2000 Comprehensive Economic Development Strategy for East Central Indiana:  
**(Resolution No. 2000-015, Commissioners' meeting, 12/11/00)**

Approved amendment to Edit Capital Improvement Plan:  
**(Commissioners' meeting, 12/19/00)**

Relinquish a portion of local road and street fund to the Town of Yorktown:  
**(Resolution No. 2000-016, Commissioners' meeting, 12/26/00)**

## 1999

Authorization for the submittal of a housing development fund application to the Indiana Housing Finance Authority:

**(Resolution No. 1999-001, Commissioners' meeting, 1/25/99)**

Approval of the refunding of Mun-Del Building Corporation:

**(Resolution No. 1999-002, Commissioners' meeting, 1/25/99)**

Authorization for the Elmer E. Holt Regulated Drain Reconstruction Loan of 1999:

**(Ordinance No. 1999-007, Council meeting, 1/26/99)**

Approval of the 1998 Zone Map Changes for the Official Zone Maps:

**(Resolution No. 004, Commissioners' meeting, 2/22/99)**

Real Estate Tax Abatement for Kern Investments, Inc:

**(Resolution No. 1999-03, Council meeting, 2/23/99)**

Adoption of amendments to the EDIT Capital Improvement Plan:

**(Commissioners' meeting, 3/99)**

Approval for the submittal of the Housing Development Fund Application to the Indiana Housing Finance Authority:

**(Resolution No. 1999-005, Commissioners' meeting, 4/19/99)**

Approval of Library Capital Projects Plan:

**(Resolution No. 1999-12, Council meeting, 4/27/99)**

Approval of Elmer E. Holt Drain Reconstruction Loan of 1999:

**(Resolution No. 1999-013, Commissioners' meeting, 5/3/99)**

Preliminary approval of Innkeeper's Tax Revenues for the Sports and Hobby Development Group of Muncie, Inc. project:

**(Resolution No. 1999-014, Commissioners' meeting, 5/17/99)**

Equipment Tax Abatement for Sovereign Tool & Engineering, LLC:

**(Resolution No. 1999-006, Council meeting, 5/25/99)**

Equipment Tax Abatement for Midwest Metal Products Company-South Cowan Road Plant:

**(Resolution No. 1999-007, Council meeting, 5/25/99)**

Equipment Tax Abatement for Midwest Metal Products Company-Mt. Pleasant Road Plant:

**(Resolution No. 1999-008, Council meeting, 5/25/99)**

Equipment Tax Abatement for Midwest Metal Products Company-Selma Plant:

**(Resolution No. 1999-009, Council meeting, 5/25/99)**

Real Estate Tax Abatement for Twoson Tool Division of Mursix Corporation:

**(Resolution No. 1999-010, Council meeting, 5/25/99)**



Equipment Tax Abatement for Twoson Tool Division of Mursix Corporation:  
**(Resolution No. 1999-011, Council meeting, 5/25/99)**

Authorization to sell the improvements and ten (10) acres of land commonly known as 7524 East Jackson Street, Muncie, Indiana, to Delaware Manor, Inc. for the sum of eight hundred thousand dollars (\$800,000.00):  
**(Ordinance No. 1999-017, Council meeting, 5/25/99)**

Adopted agreements between YOC and Delaware County EDIT Corporation:  
**(Resolution No. 1999-017, Commissioners' meeting, 6/7/99)**

Approval of the Sports and Hobby Development Group of Muncie, Inc. project:  
**(Resolution No. 1999-018, Commissioners' meeting, 6/21/99)**

Approval of bond issuance for the Sports and Hobby Development Group of Muncie, Inc. project:  
**(Resolution No. 1999-015, Council meeting, 6/22/99)**

Approval of bond issuance for the Sports and Hobby Development Group of Muncie, Inc. project:  
**(Resolution No. 99-022, Commissioners' meeting, 7/26/99)**

Approval of waiver of noncompliance for Shideler Grain Co., Inc:  
**(Resolution No. 1999-019, Council meeting, 7/27/99)**

Economic Revitalization Zone and Abatement for Shideler Grain Co., Inc:  
**(Resolution No. 1999-020, Council meeting, 7/27/99)**

Real Estate Tax Abatement for Shideler Grain Company, Inc:  
**(Resolution No. 1999-021, Council meeting, 7/27/99)**

Approval of PSC Associates to not be required to post a performance bond:  
**(Resolution No. 1999-023, Commissioners' meeting, 8/2/99)**

Abolishment of County Park Department, Termination of Tax Levy, and Transferral of County Park:  
**(Joint Ordinance No. 1999-026, Commissioners' meeting, 9/13/99; Council meeting, 9/28/99)**

Reduction of 1999 budget for General Drainage Improvement:  
**(Resolution No. 1999-025, Council meeting, 9/14/99)**

Amendment to the 2000 Salary Ordinance regarding part-time and full-time employees:  
**(Ordinance No. 1999-027, Council meeting, 9/14/99)**

Emergency/Disaster Proclamation due to prolonged period of drought, low humidity and high temperatures:  
**(Resolution No. 1999-026, Commissioners' meeting, 9/27/99)**

Transfer of vehicle from Muncie Sanitary District to the Delaware County Highway Department:  
**(Resolution No. 1999-028, Commissioners' meeting, 10/18/99)**

Equipment Tax Abatement for CR<sub>3</sub> of Indiana, LLC:  
**(Resolution No. 027, Council meeting, 10/26/99)**

Amendment to Subdivision Control Ordinance regarding removal of debris, routine maintenance and temporary structures:

**(Ordinance No. 1999-033, Commissioners' meeting, 12/27/99)**

## 1998

Approval of the 1998 Salary Ordinance:

**(Ordinance, Council meeting)**

Authorization of an agent to accept pension liability for Delaware County government:

**(Resolution No. 1998-001, Commissioners' meeting, 1/12/98)**

CFF Application to the Indiana Department of Commerce for extension of water lines into Selma:

**(Resolution No. 1998-002, Commissioners' meeting, 1/14/98, Council meeting, 2/24/98)**

Real Estate Tax Abatement for McIntire Concrete, Inc:

**(Resolution No. 1997-024, Council meeting, 1/27/98)**

Real Estate Tax Abatement for Sovereign Tool & Engineering, L.L.C:

**(Resolution No. 1997-025, Council meeting, 1/27/98)**

Equipment Tax Abatement for McIntire Concrete, Inc:

**(Resolution No. 1997-026, Council meeting, 1/27/98)**

Grant fund for additional police officers:

**(Ordinance No. 1998-001, Council meeting, 1/27/98)**

Authorization for Bismark Payne Drain Reconstruction Loan of 1998:

**(Ordinance No. 1998-010, Council meeting, 1/98)**

Selection of provider for Energy Saving Programs:

**(Resolution No. 1998-004, Commissioners' meeting, 3/2/98)**

Approval of the refunding of EDIT:

**(Resolution No. 1998-005, Commissioners' meeting, 2/23/98)**

Real estate tax abatement for Duaine and Dianna Moore on behalf of DMI, Inc:

**(Resolution No. 1998-006, Council meeting, 3/24/98)**

Authorization for an agent to accept pension liability on behalf of Delaware County Government:

**(Resolution, Council meeting, 3/24/98)**

Approval of amendments to EDIT lease:

**(Resolution No. 1998-009, Commissioners' meeting, 4/6/98)**

Reapprove the incorporation of EDIT:

**(Resolution No. 1998-010, Commissioners' meeting 4/6/98)**

Funding authorization for Bismark Payne Drain Reconstruction Loan of 1998:

**(Resolution No. 1998-011, Commissioners' meeting, 4/20/98)**

Authorization of Delaware County-Bismark Payne/Lyndenbrook Portion Drain Reconstruction Loan of 1998:

**(Ordinance No. 1998-014, Council meeting, 4/28/98)**

Authorization of acceptance of grant for Delaware County Community Corrections Department:  
**(Ordinance No. 1998-015, Council meeting, 4/28/98)**

Morrison Road Redevelopment Area:  
**(Resolution No. 1997-012-A, Commissioners' meeting, 5/18/98)**

Appropriate more money for the Annual Budget:  
**(Council meeting, 5/26/98)**

Adopted EDIT Capital Improvement Plan of Delaware County:  
**(Commissioners' meeting, 6/1/98)**

Real Estate Tax Abatement for DIY/Group, Inc:  
**(Resolution No. 1998-014, Council meeting, 6/23/98)**

Equipment Tax Abatement for DIY/Group, Inc:  
**(Resolution No. 1998-015, Council meeting, 6/23/98)**

Equipment Tax Abatement for Midwest Metal Products Company:  
**(Resolution No. 1998-016, Council meeting, 6/23/98)**

Amendment to Resolution No. 1995-006, Equipment Tax Abatement for Twoson Tool Company:  
**(Resolution No. 1995-006A, Council meeting, 7/28/98)**

Authorization of Delaware County-Huffman Ditch Reconstruction Loan of 1998:  
**(Ordinance No. 1998-024, Council meeting, 7/28/98)**

Approval of the 1999 County Building and Employee Holiday Schedule:  
**(Commissioners' meeting, 8/24/98)**

Consenting to the annexation by the Town of Daleville:  
**(Resolution No. 1998-017, Commissioners' meeting, 8/98)**

Adoption of 1999 Budget and reduction of tax rate:  
**(Resolution No. 1998-018, Council meeting, 9/14/98)**

Grant to be used for equipment and establishment of account:  
**(Ordinance No. 1998-029, Council meeting, 9/22/98)**

Authorization for the submittal of the Housing Development Fund Application to the Indiana Housing Finance Authority:  
**(Resolution No. 1998-019, Commissioners' meeting, 9/28/98 and 10/19/98)**

Real estate tax abatement for Indiana Ticket Company, Inc./Muncie Novelty Company, Inc:  
**(Resolution No. 1998-020, Commissioners' meeting, 10/5/98)**

Real estate tax abatement for DIY Group, Inc:  
**(Resolution No. 1998-021, Council meeting, 11/24/98)**

Equipment tax abatement for DIY Group, Inc:  
**(Resolution No. 1998-022, Council meeting, 11/24/98)**

Payment of salary to Acting Director of the Delaware County Emergency Management:  
**(Ordinance No. 1998-036, Commissioners' meeting, 12/14/98)**

Approval granted to the Delaware County Regional Wastewater District to design, construct and operate its proposed wastewater collection sewer system for the Royerton area:  
**(Resolution No. 1998-023, Commissioners' meeting, 12/28/98)**

## 1997

1997 Salary Ordinance Amendment:  
**(Amendment to Ordinance, Council meeting)**

Salary Ordinance Amendment:  
**(Ordinance No. 1997-001, Council meeting, 1/3/97)**

Settlement with employees:  
**(Resolution No. 1997-001, Commissioners' meeting, 1/13/97)**

Endorsement of Advancing Indiana:  
**(Resolution No. 1997-002, Commissioners' meeting, 1/27/97)**

Establishes a fund for the access road for the Diamond Plastics Manufacturing Building:  
**(Ordinance No. 1997-004, Council meeting, 1/28/97)**

Transfer of Funds:  
**(Resolution No. 1997-004, Council meeting, 2/25/97)**

YOC Revenue Bonds:  
**(Resolution No. 1997-006, Commissioners' meeting, 3/24/97)**

Delaware County Corrections Fund:  
**(Ordinance No. 1997-013, Commissioners' meeting, 4/14/97)**

Establish fund for Micrographics and fee schedule:  
**(Ordinance No. 1997-015, Council meeting, 4/22/97)**

Inter-Local Agreement with Delaware County Commissioners and the City of Muncie Park and Recreation Board:  
**(Resolution No. 1997-008, Commissioners' meeting, 4/28/97)**

Establish an account for "The Domestic Violence Stop Grant No. 96ST-047":  
**(Ordinance No. 1997-016, Council meeting, 5/27/97)**

Real Estate Tax Abatement for Attlin Construction, Inc:  
**(Resolution No. 1997-009, Council meeting, 6/24/97)**

Delaware County Housing Authority authorization to operate in the City of Muncie:  
**(Resolution No. 97-010, Council meeting, 6/24/97)**

Authorizing submission of a CFF application for extension of water lines into Selma and Liberty Townships:  
**(Resolution No. 1997-010-A, Commissioners' meeting, 7/7/97; Council meeting, 8/26/97)**

Election Worker Compensation:  
**(Ordinance No. 1997-025, Commissioners' meeting, 7/28/97)**

Establish an account for "Photo Imaging Grant Account No. 94DB-116":  
**(Ordinance No. 1997-024, Council meeting, 8/26/97)**

Reimbursement to the county postage fund from tax sale cost:  
**(Resolution No. 1997-014, Council meeting, 9/23/97)**

Real Estate Tax Abatement for DIY/Group, Inc:  
**(Resolution No. 1997-019, Council meeting, 9/23/97)**

Equipment Tax Abatement for DIY/Group, Inc:  
**(Resolution No. 1997-020, Council meeting, 9/23/97)**

Establishes the "EMS Special Event Charge and Over-Time Account":  
**(Ordinance No. 1997-032, Council meeting, 9/23/97)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc:  
**(Resolution No. 1997-021, Council meeting, 10/28/97)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc:  
**(Resolution No. 1997-022, Council meeting, 10/28/97)**

Reduce Tax Rate:  
**(Resolution No. 1997-023, Council meeting, 10/28/97)**

Establish the "Comprehensive Plan Fund":  
**(Ordinance No. 1997-031, Council meeting, 10/28/97)**

## 1996

Equipment Tax Abatement for CAMTool, Inc:  
**(Resolution No. 1996-001, Council meeting, 1/23/96)**

Amendment to the 1996 Salary Ordinance:  
**(Ordinance No. 1996-006, Council meeting, 4/23/96)**

Economic Development Revenue Bond for Diamond Plastics Corporation:  
**(Resolution No. 1996-007, Council meeting, 4/23/96)**

Real Estate Tax Abatement for Diamond Plastics Corporation:  
**(Resolution No. 1996-011, Council meeting, 5/28/96)**

Amendment to the 1996 Salary Ordinance:  
**(Ordinance No. 1996-012, Council meeting, 5/28/96)**

Equipment Tax Abatement for Diamond Plastics Corporation:  
**(Resolution No. 1996-012, Council meeting, 5/28/96)**

Real Estate Tax Abatement for Attlin Construction, Inc:  
**(Resolution No. 1996-013, Council meeting, 5/28/96)**

Real Estate Tax Abatement for D. M. I. Distribution, Inc:  
**(Resolution No. 1996-018, Council meeting, 6/25/96)**

Revenue bonds for Diamond Plastics Corporation:  
**(Resolution No. 1996-021, Commissioners' meeting, 7/22/96)**

Equipment Tax Abatement for Kern Investments, Inc./CS Kern, Inc:  
**(Resolution No. 1996-016, Council meeting, 7/23/96)**

Real Estate Tax Abatement for Kern Investments, Inc./CS Kern, Inc:  
**(Resolution No. 1996-017, Council meeting, 7/23/96)**

Transfer C.O.I.T. distribution funds:  
**(Resolution No. 1996-024, Council meeting, 8/27/96)**

Equipment Tax Abatement for Penborn Tool Company:  
**(Resolution No. 1996-025, Council meeting, 8/27/96)**

Payment of longevity in 1997:  
**(Resolution No. 1996-017, Council meeting, 9/6/96)**

Amendment to the Salary Ordinance:  
**(Ordinance No. 1996-026, Council meeting, 9/6/96)**

Amendment to the Salary Ordinance:  
**(Ordinance No. 1996-027, Council meeting, 9/6/96)**



Amendment to the Salary Ordinance:  
**(Ordinance, Council meeting, 9/6/96)**

Equipment Tax Abatement for Reliance Machine Company, Inc:  
**(Resolution No. 1996-029, Council on 10/22/96)**

Real Estate Tax Abatement for Reliance Machine Company, Inc:  
**(Resolution No. 1996-030, Council meeting, 10/22/96)**

Indiana Bond Bank:  
**(Ordinance No. 1996-036, Council meeting, 12/10/96)**

Amendment to the Salary Ordinance:  
**(Ordinance, Council meeting, 12/10/96)**

## 1995

Recognition of the Delaware Bandits, a semi-professional football team:

**(Resolution No. 1995-1-A, Commissioners' meeting, 1/9/95)**

Approval of waiver of payment in lieu of taxes for the Housing Authority:

**(Resolution No. 1995-12, Commissioners' meeting, 1/9/95)**

Authorization for the Delaware County Sheriff to apply for a Cops Ahead Grant:

**(Resolution No. 1995-1, Commissioners' meeting, 2/27/95, Council meeting, 2/28/95)**

Authorization for the transfer of funds:

**(Resolution No. 1995-3, Council meeting, 3/28/95)**

Authorization for the transfer of funds:

**(Resolution No. 1995-4, Council meeting, 3/28/95)**

Real Estate Tax Abatement for Twoson Tool Company, a division of Mursix Corporation:

**(Resolution No. 1995-005, Council meeting, 5/23/95)**

Equipment Tax Abatement for Twoson Tool Company, a division of Mursix Corporation:

**(Resolution No. 1995-006, Council meeting, 5/23/95; Amended by Resolution No. 1995-006A, Council meeting, 7/28/98)**

Authorization for the submittal of the Housing Development Fund Application:

**(Resolution No. 1995-007, Commissioners' meeting, 6/5/95)**

Confirmation of publication of Resolution No. 1995-05:

**(Resolution No. 1995-005A, Council meeting, 6/27/95)**

Confirmation of publication of Resolution No. 1995-006:

**(Resolution No. 1995-006A, Council meeting, 6/27/95)**

Empowering Delaware County Police Department to accept donated funds:

**(Ordinance No. 1995-021, Commissioners' meeting, 7/10/95)**

Transfer of funds for the Delaware County Emergency Medical Services for overtime pay:

**(Resolution No. 1991-60A, Council meeting, 7/25/95)**

Extended the ordinance freezing longevity pay for county employees:

**(Ordinance No. 1995-036, Commissioners' meeting, 8/11/95)**

Approval of distribution of COIT to solid waste management district or joint solid waste management district:

**(Resolution No. 1995-010, Council meeting, 8/22/95)**

Authorization to transfer funds:

**(Resolution No. 1995-011, Council meeting, 8/22/95)**

Per diem pay for reassessment:  
**(Ordinance No. 1995-038, Council meeting, 9/11/95)**

Amend the Salary Ordinance:  
**(Ordinance No. 1995-39, Council meeting, 9/13/95)**

Approval of an emergency short term loan from EDIT funds to 911 communications:  
**(Resolution No. 1995-013, Commissioners' meeting, 9/18/95)**

Authorization for the submittal of the Housing Development Fund Application:  
**(Resolution No. 1995-007A, Commissioners' meeting, 10/2/95)**

Insurance for retiring county employees:  
**(Ordinance No. 1995-050, Commissioners' meeting, 11/17/95)**

Construction of a juvenile detention center:  
**(Resolution No. 015, Commissioners' meeting, 11/27/95)**

Authorization to make temporary loans to meet current running expenses:  
**(Ordinance No. 1995-053, Council meeting, 11/27/95)**

Authorization for the borrowing of money by the Delaware County Office of Purdue University Cooperative Extension Service:  
**(Ordinance No. 1995-052, Council meeting, 11/28/95)**

Approval for contingent authority to pay "Welfare Note" and "Lease Rental Payment":  
**(Resolution No. 1995-17, Council meeting, 12/12/95)**

Approval of execution of lease:  
**(Ordinance No. 1995-051, Council meeting, 12/12/95)**

Amendment to the Salary Ordinance:  
**(Ordinance 1996-056, Council meeting, 12/12/95)**

Authorization of Delaware County-Landrey Ditch Reconstruction Loan of 1995:  
**(Ordinance No. 1995-022, Council meeting)**

Authorization of Delaware County-Marine Ditch Reconstruction Loan of 1995:  
**(Ordinance No. 1995-023, Council meeting)**

Authorization of Delaware County-Fimple North Ditch Reconstruction Loan of 1995:  
**(Ordinance No. 1995-024, Council meeting)**

Authorization of Delaware County-Rarick Drain Reconstruction Loan of 1995:  
**(Ordinance No. 1995-025, Council meeting)**

Authorization of Delaware County-Jarnigan Ditch Reconstruction Loan of 1995:  
**(Ordinance No. 1995-026, Council meeting)**

Authorization of Delaware County-Lenox Ditch Reconstruction Loan of 1995:  
**(Ordinance No. 1995-027 Council meeting)**

## 1994

Equipment Tax Abatement for Henman Engineering & Machine, Inc:  
**(Resolution No. 1994-1, Council meeting, 1/25/94)**

Real Estate Tax Abatement for Henman Engineering & Machine, Inc:  
**(Resolution No. 1994-2, Council meeting, 1/25/94)**

Issuance and approval of an order of the Delaware-Muncie Metropolitan Plan Commission approving a certain declaratory resolution and redevelopment plan:  
**(Resolution No. 94-3, Commissioners' meeting, 2/7/94)**

Issuance and approval of an order of the Delaware-Muncie Metropolitan Plan Commission:  
**(Resolution No. 94-4-A, Commissioners' meeting, 2/7/94)**

Equipment Tax Abatement for Eagle CNC Machining, Inc:  
**(Resolution No. 1994-6-4, Council meeting, 2/22/94)**

Notice of Commissioners' Executive Session:  
**(Resolution No. 1994-4, Commissioners' meeting, 3/7/94)**

Delaware County shall assume future or consequential litigation in regard to the Delaware County Justice Center Project:  
**(Ordinance No. 1994-7, Commissioners' meeting)**

Authorization of the transfer of funds:  
**(Resolution No. 1994-9-A, Council meeting, 3/22/94)**

Recognition of Russ Sloan for his efforts that have benefited Delaware County:  
**(Ordinance No. 7-A, Council meeting, 3/22/94)**

Approval of Library Capital Projects Plan:  
**(Resolution, Council meeting, 3/22/94)**

EDIT Plan:  
**(Resolution No. 1994-8, Commissioners' meeting, 4/11/94)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc. d/b/a Selma Wire Products:  
**(Resolution No. 1994-12, Council meeting, 5/24/94)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc. d/b/a Cowan Road Plant:  
**(Resolution No. 1994-12-A, Council meeting, 5/24/94)**

Establishment of a leave of absence policy for County employees who are members of the Indiana National Guard, etc:  
**(Ordinance No. 1984-0-20, Commissioners' meeting, 7/9/94)**

Transfer of funds pursuant to IC 36-1-8-4:  
**(Resolution No. 1994-16, Council meeting, 9/9/94)**

Equipment Tax Abatement for Franklin Powder Coatings and Manufacturing - Proposed Name:  
**(Resolution No. 1994-17, Council meeting, 9/27/94)**

Real Estate Tax Abatement for Attlin Construction, Inc. on behalf of Franklin Powder Coatings and Manufacturing - Proposed Name:  
**(Resolution No. 1994-18, Council meeting, 9/27/94)**

Equipment Tax Abatement for Phillips Pattern & Castings, Inc:  
**(Resolution No. 1994-19, Council meeting, 9/27/94)**

Equipment Tax Abatement for Magna-Tech Manufacturing Corporation:  
**(Resolution No. 1994-20, Council meeting, 9/27/94)**

Real Estate Tax Abatement for William Boyd Franklin on behalf of Magna-Tech Manufacturing Corporation):  
**(Resolution No. 1994-21, Council meeting, 9/27/94)**

Approval of notice of hearing for the water distribution system in the Town of Daleville:  
**(Resolution, Commissioners' meeting, 10/17/94)**

Authorization and direction to execute lease between Town of Daleville and Delaware County EDIT Corporation regarding construction of a water distribution system:  
**(Resolution No. 1994-25, Commissioners' meeting, 10/31/94)**

Establishment of the "Tax Sale Expense Fund":  
**(Ordinance No. 1994-35, Commissioners' meeting, 11/21/94)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc. d/b/a Cowan Road Plant:  
**(Resolution No. 1994-31, Council meeting, 11/22/94)**

Equipment Tax Abatement for Mid-West Metal Products Co., Inc. d/b/a Mt. Pleasant Boulevard Plant:  
**(Resolution No. 1994-32, Council meeting, 11/22/94)**

Equipment Tax Abatement for Reliance Machine Company, Inc:  
**(Resolution No. 1994-33, Council meeting, 11/22/94)**

Equipment Tax Abatement for Dillon Environmental Resources, Inc:  
**(Resolution No. 1994-34, Council meeting, 11/22/94)**

Real Estate Tax Abatement for Dillon Environmental Resources, Inc:  
**(Resolution No. 1994-35, Council meeting, 11/22/94)**

Authorization to make temporary loans to meet current running expenses:  
**(Ordinance No. 1994-38, Council meeting, 12/28/94)**

Proceeds of the Judgment Funding Bonds of 1994 be applied on the cost of the judgment:  
**(Ordinance No. 1994-18?, Council meeting)**

Authorization for payment of lease payments from existing funds as they become due:  
**(Ordinance No. 1994-33, Council meeting)**

Justice Center fund transfers:

**(Resolution No. 1994-9, Commissioners' meeting)**

Equipment Tax Abatement for Arrowhead Plastic Engineering, Inc:

**(Resolution No. 1994-15, Council meeting, /94)**

## 1993

Amendment to lease agreement between Delaware County EDIT Corporation and Delaware County:  
**(No. 1993-6, Commissioners' meeting 1/25/93)**

Adoption of Library Capital Projects Plan:  
**(Resolution No. 1993-3, Council meeting, 3/23/93)**

Resolution appealing Ordinance No. 50-1992 due to non-enforcement:  
**(Resolution No. 4-1993, Commissioners' meeting, 5/10/93)**

Re-establishment of Councilman Districts:  
**(Ordinance, Commissioners' meeting 6/7/93)**

Establishment of the Digital Delaware County Gen-Systems Management Committee:  
**(Resolution No. 1993-7, Commissioners' meeting, 7/26/93)**

Authorization of the preparation of studies necessary for the formation of a tax increment financing district:  
**(Resolution No. 1993-8, Commissioners' meeting, 7/26/93; Council meeting 8/93)**

Authorization and direction to execute lease:  
**(Resolution No. 1993-9, Commissioners' meeting, 7/26/93)**

Authorization of the preparation of studies necessary for the formation of a tax increment financing district:  
**(Resolution No. 1993-15, Commissioners' meeting, 7/26/93; Council meeting, 8/93)**

Cowan Road Project shall be funded out of the EDIT tax collected:  
**(Resolution No. 1993-12, Commissioners' meeting 8/16/93)**

Authorization to purchase software without the benefit of public bidding:  
**(Resolution No. 1993-16, Commissioners' meeting, 8/30/93)**

Authorization to administer Center Township poor relief funds to pay poor relief claims in the same manner as other township claims are paid:  
**(Resolution No. 1993-17, Commissioners' meeting, 10/4/93)**

Authorization of the bidding process for the lease of the Delaware County Health Center:  
**(Resolution No. 1993-18, Commissioners' meeting, 10/4/93)**

Approval of lease between Mun-Del Building Corporation and Delaware County:  
**(Resolution No. 1993-25, Commissioners' meeting, 10/25/93)**

Authorization of execution of lease and execution of a deed and sell of real estate:  
**(Resolution No. 1993-26, Commissioners' meeting, 10/25/93)**

Authorization to apply for grant funding from the Indiana Housing Finance Authority:  
**(Resolution No. 1993-24, Council meeting, 10/26/93)**



Acceptance of bid of EAI, Bell Atlantic Public Safety Systems for hardware and maintenance:  
**(Resolution No. 1993-20, Commissioners' meeting, 11/1/93)**

Reduction of the General Fund appropriation for 1994:  
**(Resolution No. 1993-21, Council meeting, 11/23/93)**

Equipment Tax Abatement for Reliance Machine Co., Inc:  
**(Resolution No. 1993-22, Council meeting, 11/23/93)**

Real Estate Tax Abatement for Thomas L. and Connie L. Francis:  
**(Resolution No. 1993-23, Council meeting, 11/23/93)**

Authorization to make temporary loans to meet current running expenses:  
**(Ordinance No. 1993-41, Council meeting, 11/23/93)**

Notice of executive session, closed to the public:  
**(Resolution No. 1993-27, Commissioners' meeting, 12/13/93)**

Amendment to the 1993 Salary Ordinance:  
**(Ordinance No. 1993-03, Council meeting)**

## 1992

Authorization to sell real estate located at 105 First Street, Albany, to highest bidder:  
**(Resolution, Commissioners' meeting, 4/27/92)**

Equipment Tax Abatement for Reber Machine & Tool Co., Inc:

Approval of the Library Capital Projects Plan and Tax Rate for 1993:  
**(Resolution, Council meeting, 4/28/92)**

Establishment an economic development area in the Meijer Superstore Economic Development Area:  
**(Commissioners' meeting, 5/18/92)**

Establishment of a Transportation Study Committee:  
**(Resolution, Commissioners' meeting, 6/22/92)**

Adoption of all of the recommended policies as outlines by the task force:  
**(Council meeting, 6/23/92)**

Adoption of the EDIT Capital Improvement Plan:  
**(Commissioners' meeting, 6/29/92)**

Transfer of land known as "the Indy Fence Company Lots" to the Trustee of Center Township:  
**(Resolution, Commissioners' meeting, 7/6/92)**

## 1991

Commissioners contracts with Wagner Hohns and Inglis, Inc. for construction consulting services regarding the Justice Center:

**(Commissioners' meeting, 2/4/91)**

Commissioners execute a reservation of rights agreement with Baystone Construction Company:

**(Commissioners' meeting, 2/4/91)**

Set over of building located at 211 West Harris Street, Eaton, to Town Council of Eaton:

**(Resolution, Commissioners' meeting, 2/19/91)**

Approval of a portion of the Delaware County Economic Development Income Tax Capital Improvement Plan:

**(Ordinance No. 1992, Council meeting, 6/11/91)**

Authorization to apply for grant for Academy of Model Aeronautics:

**(Resolution, Commissioners' meeting, 6/24/91)**

Amendment to the Salary Ordinance:

**(Ordinance No. 1991, Council meeting, 6/25/91)**

Amendment to the Salary Ordinance:

**(Ordinance No. 1991-59, Council meeting, 9/24/91)**

Loan to complete the Justice Center:

**(Resolution, Council meeting, 10/7/91)**

Establishing salary for prosecutor's investigator for alternative sentencing and diversions:

**(Ordinance 1990, Council meeting, /91)**

## 1990

Request that Council borrow money and issue bonds from the Special Tax to pay for the costs of the Children's Home project:

**(Resolution, Commissioner's meeting, 2/12/90)**

Commissioner's request that the Council issue bonds for the Justice Center:

**(Council meeting, 2/20/90)**

Establish Delaware County Children's Home Capital Improvement Account:

**(Resolution, Council meeting, 3/27/90)**

Approval of request sent to Board of Tax Commissioners' regarding lease payment funds:

**(Resolution, Commissioners' meeting, 4/9/90, Council meeting, 4/9/90)**

Approval of voting place in all 98 precincts in Delaware County for the primary election:

**(Resolution, Commissioners' meeting, 4/9/90)**

Request to recharacterize lease payment funds:

**(Resolution, Council meeting, 4/10/90)**

Approval of the issuance by Mun-Del for re-funding bonds to prevent default and to facilitate completion of the Justice Center project:

**(Resolution, Commissioner's meeting, 5/21/90)**

Seeking postponement of scheduled hearings:

**(Resolution, Commissioners' meeting, 5/25/90)**

Approval of Deerbrook Estates, Section B Plat:

**(Commissioners' meeting, 6/18/90)**

Approval of funding for CHMS central facility:

**(Resolution, Commissioners' meeting, 6/18/90)**

Request by CMHS for increase budget allocation:

**(Resolution, Council meeting, 6/26/90)**

Amend bond issue ordinance with AMBAC:

**(Ordinance 1990-08, Council meeting, 6/26/90)**

Recognize collective bargaining agreement with Teamsters Local Union No. 135 for County Highway employees:

**(Resolution, Commissioners' meeting, 7/16/90)**

Allocate monies to fight against alcohol and other drug abuse:

**(Resolution, Commissioners' meeting, 7/24/90)**

Approve sale of 1985 Ford LTD to the Town Council of Eaton:

**(Resolution, Commissioners' meeting, 7/30/90)**

Submittal of a CFF application to the department of commerce:  
**(Resolution, Council meeting, 8/28/90)**

Authorization of appointment of grantsman for Comprehensive Alcohol and other abuse for their planning committee:  
**(Resolution, Commissioners' meeting, 9/10/90)**

Request to the legislative representatives to change four year assessment law to every ten years:  
**(Resolution, Commissioner's meeting, 9/17/90)**

The County shall pay the Mun-Del Building Corporation from the proceeds of its COIT bonds:  
**(Resolution, Commissioners' meeting, 9/17/90)**

Authorization for Bose McKinney and Evans to represent Delaware County regarding the Justice Center:  
**(Resolution, Commissioner's meeting, 9/24/90)**

Appeal for relief from the levy limitations proposed by State law:  
**(Resolution, Council meeting, 9/25/90)**

Approved funding for Hyde Park Subdivision:  
**(Resolution, Commissioners' meeting, 10/22/90)**

Terminate the franchise agreement with Spectrum Cable and Delaware County:  
**(Resolution, Commissioners' meeting, 11/5/90)**

Approved plat for Ashford Lake, Section A:  
**(Commissioners' meeting, 11/26/90)**

Adopted the Delaware County Emergency Preparedness Plan:  
**(Commissioners' meeting, 11/26/90)**

Introduced ordinance for real estate tax abatement for Arrowhead Plastics:  
**(Council meeting, 11/27/90)**

Adopted Personnel Policy & Procedure Manual:  
**(Commissioners' meeting, 12/3/90)**

Recognized the Teamsters Local Union 135 as the collective bargaining agent for the Delaware County Health Center for all employees except administrative, secretarial, supervisors, and part-time:  
**(Commissioner's meeting, 12/17/90)**

Agreement between Mun-Del and Delaware County:  
**(Commissioners' meeting 12/20/90)**

## 1989

Equipment and Real Estate Tax Abatement for R & L Transfer Company, Inc:  
**(Resolution, Council meeting, 5/23/89 and 6/27/89)**

Real Estate Tax Abatement for United Postal Service:  
**(Resolution, Council meeting, 5/23/89 and 6/27/89)**

Final plat for Farmington, plat 15, subdivision in Hamilton Township:  
**(Commissioners' meeting, 6/5/89)**

Resolved to terminate contracts between Delaware County and the Joint Ventures of Graham, Love, Graham Architects and Polson Architects:  
**(Commissioners' meeting, 6/13/89)**

Support for application for additional rent subsidized housing from HUD:  
**(Resolution, Council meeting, 6/27/89)**

Authorization for the creation of a "Special Fund" for the Delaware County Sheriff's Department:  
**(Resolution, Commissioners' meeting, 7/10/89)**

Mun-Del Corporation is to make no further payments with funds acquired on the credit of Delaware County:  
**(Resolution, Commissioners' meeting 7/10/89)**

Delaware County shall fully defend and indemnify Mun-Del Building Corporation:  
**(Resolution, Commissioners' meeting, 8/14/89)**

Plat for Southwind Village, Section A, subdivision in Monroe Township:  
**(Commissioners' meeting, 8/21/89)**

Longevity scale:  
**(Ordinance No. 1989-, Council meeting, 9/5-8/89)**

Final plat for Robinwood, Section A:  
**(Commissioners' meeting, 9/25/89)**

Lower the flags at all County facilities to half mast in remembrance of Officer William Callihan:  
**(Resolution, Commissioners' meeting, 10/16/89)**

Appeal to the legislators representing the County to actively support legislation to return at least 25% of all net lottery proceeds to Counties, Cities, and Towns throughout the State of Indiana:  
**(Resolution, Commissioners' meeting, 10/30/89)**

Authorization for submission of an infrastructure (IDIP) grant application (Exide Corporation):  
**(Resolution, Commissioners' meeting, 10/30/89)**

Settlement of the lawsuit involving Rebecca Glass and Delaware County:  
**(Commissioners' meeting, 11/6/89)**

County Councilmen Election Districts:

**(Amendment to Ordinance 1-3-3, Commissioners' meeting, 11/19/89)**

Order setting voter precincts:

**(Commissioners' meeting, 12/18/89)**

Adoption of the agreement between Teamsters Union 135 and the Board of Commissioners for the Delaware County Highway Department:

**(Resolution, Commissioners' meeting, 12/26/89)**

Approval of the issuance of refunding bonds for Mul-Del Building Corporation):

**(Resolution, Commissioners' meeting, 12/27/89)**

## 1988

Authorization for an appropriation and the issuance and sale of bonds for EMS building:  
**(Ordinance, Council meeting, 4/12/88)**

Birth and death certificate fees:  
**(Resolution No. 1988, Commissioners' meeting, 5/9/88)**

Group health insurance for retired employees:  
**(Ordinance No. 1988-0-2, Commissioners' meeting, 12/19/88)**

Proclamation of Harold Samuel Richardson Day:  
**(Commissioners' meeting, 12/23/88)**



## 1987

Funding for out-of county inmates:

**(Resolution No., Commissioners' meeting, 1/5/87)**

Accepted Farmington, plat 12, a subdivision of Center Township:

**(Commissioner's meeting, 1/12/87)**

Request by Council of Commissioners to adopt ordinances to establish the Council as the legislative branch of County government:

**(Resolution, Council meeting, 4/28/87)**

Recognition that statutorily the Council is powerless to unilaterally change decision regarding approval of joint lease:

**(Resolution, Council meeting, 4/28/87)**

Approval of final plat on Olde Willington Towne:

**(Commissioners' meeting, 6/22/87)**

Abolishment of the Tax Adjustment Board:

**(Ordinance, Council meeting, 6/23/87 and 6/30/87)**

Approved plats 11-12-13-14 on Farmington Road:

**(Commissioners' meeting, 6/29/87)**

Approval of final plat:

**(Commissioner's meeting, 6/29/87)**

Approved Farmington Addition plats #12-13-14:

**(Commissioners' meeting, 7/6/87)**

Smoking Ordinance:

**(Ordinance No. 1987, Commissioners' meeting, 8/31/87)**

Approved Creekwood plat:

**(Commissioners' meeting, 10/5/87)**

Approved Local Emergency Planning District:

**(Resolution, Council meeting, 12/21/87)**

## 1986

Additional appropriation for salaries and benefits for Delaware County Highway Department:  
**(Commissioners' meeting, 1/6/86)**

EMS overtime pay:  
**(Resolution No. 1986-0-4, Commissioners' meeting, 4/21/86)**

Noted rules and regulations of the Delaware County Highway Department:  
**(Commissioner's meeting, 5/19/86)**

Final Plat for Towns End subdivision:  
**(Commissioners' meeting, 7/21/86)**

Approval of the certification of voting places by precinct for the General Election:  
**(Commissioners' meeting, 10/14/86)**

## 1985

Approval of the interlocal agreement:

**(Resolution No. 1985-R-2, Council meeting, 1/29/85 and 2/25/85)**

Consent to financing for Marsh Supermarkets, Inc:

**(Resolution No. 1985-R-3, Council meeting, 1/29/85)**

Issuance of Bonds for Marsh Supermarkets, Inc:

**(Resolution No. 1985-R-4, Commissioners' meeting, 2/25/85)**

Authorization of the electronic transfer of funds:

**(Ordinance, Council meeting, 3/26/85)**

Approval of interlocal agreement:

**(Resolution, Council meeting, 4/2/85)**

Provide the Perry Township Poor Relief account with funding:

**(Resolution, Commissioners' meeting, 4/15/85)**

Approval of interlocal agreement:

**(Resolution No. 1985-R-2, Council meeting, 5/10/85)**

Dedication of Clara Lane:

**(Resolution 1985-R-6, Commissioners' meeting, 5/20/85)**

Change to job description:

**(Ordinance No. 1985-0-5, Council meeting, 5/28/85)**

Notice of Exercise of Option:

**(Commissioners' meeting, 6/27/85)**

Final Plat of Keller Place:

**(Commissioners' meeting, 7/22/85)**

Amend Salary Ordinance:

**(Ordinance, Council meeting, 8/27/85)**

Disposal of the County home:

**(Resolution No. 1985-R-10, Council meeting, 9/24/85)**

Request of Welfare Department to furnish budget information:

**(Resolution No. 1985-R-11, Council meeting, 9/24/85)**

Approval of revenue bonds for Mid-West Metal Products Co., Inc:

**(Resolution, Council meeting, 11/20/85)**

Approval to proceed with necessary negotiations and all other steps to erect facilities by the Mun-Del Building Corporation and the leasing of such facility:

**(Resolution, Commissioners' meeting, 11/25/85)**

Hearing date established for the Muncie/Delaware Public Safety Complex Lease:

**(Resolution, Commissioners' meeting, 12/5/85)**

Authorization for the execution of lease and notice of execution:

**(Resolution, Commissioners' meeting, 12/18/85)**

Approval for the incorporation of Mun-Del Building Corporation and approving lease:

**(Resolution, Council meeting, 12/18/85)**

## 1984

Amend the Police Reserve Ordinance No. 1984-2-0:  
**(Commissioners' meeting, 1/9/84)**

Final subdivision plat for Westbridge Estate, Section C:  
**(Commissioners' meeting, 2/6/84)**

Naming of a paramedic squad unit after William P. Spolyar:  
**(Resolution, Commissioners' meeting, 2/21/84)**

Authorization to issue and to advertise sale of bonds for the Center Township poor relief purposes:  
**(Ordinance No. 1984-0-9, Council meeting, 4/24/84)**

Authorization to issue and to advertise sale of bonds for welfare purposes:  
**(Ordinance No. 1984-0-10, Council meeting, 4/24/84)**

Adoption of standards for subdivision street construction:  
**(Resolution No. 1984-R-8, Commissioners' meeting, 6/25/84)**

Re-establishing boundaries of certain Councilman Election Districts:  
**(Ordinance No. 1984-0-19, Commissioners' meeting, 7/2/84)**

Daleville authorization for county action:  
**(Resolution No. 84-6, Commissioners' meeting, 7/16/84)**

Waived covenant limiting access to McGalliard:  
**(Resolution No. 1984-R-10, Commissioners' meeting, 7/23/84)**

Recognition of Jack Earl McQuate:  
**(Resolution, Commissioners' meeting, 10/29/84)**

Amend Ordinance No. 1984-0-9, authorizing the issuance and sale of bonds for Center Township Poor Relief Purposes:  
**(Ordinance No. 1984-0-9-A, Council meeting, 10/30/84)**

Amend Ordinance No. 1984-0-9, authorizing the issuance and sale of bonds for Center Township Poor Relief Purposes:  
**(Commissioners' meeting, 11/5/84)**

Authorization for the County Welfare Board to enter into a contract with Allied Adjustment & Collection:  
**(Resolution No. 1984-R-12, Council meeting, 12/11/84)**

## 1983

Proclamation of Mothers Against Drunk Drivers Awareness Week (MADD):  
**(Commissioners' meeting, 2/21/83)**

Adoption of the Official Precinct Maps as amended:  
**(Commissioners' meeting, 3/21/83)**

Regarding revenue sharing payments made to recipients:  
**(Resolution, Commissioners' meeting, 3/28/83)**

Concerning the creation of a commission to promote the development and growth of the Convention, Recreation and Visitor Industry:  
**(Ordinance No. 1983-0-2, Commissioners' meeting, 4/4/83)**

Appointment of Commissioner Quakenbush as representative in charge of coordinating Jobs Training Partnership Act Program:  
**(Resolution, Commissioners' meeting, 4/25/83)**

Removed certain real-estate from the tax rolls:  
**(Resolution, Commissioners' meeting, 5/23/83)**

Concerning the inability to meet the matching funds and requirements to complete the Cowan Road overpass:  
**(Resolution, Commissioners' meeting, 11/7/83)**

Approved the personnel policy of the Delaware Blackford Partnership Act:  
**(Commissioners' meeting, 12/27/83)**

## 1982

Dedication of four bridges in honor of former Councilmen and Commissioners, Chalmers King, Perry Thornburg, Gilbert Fuller and Allen Abrams:

**(4 Resolutions, Commissioners' meeting, 12/6/82)**

Adoption of the County Code of Ordinances:

**(Ordinance No. 1982-12-0, Commissioners' meeting, 12/20/82)**

To establish a fee entry in the County budget for being attended:

**(Ordinance No. 1982-13-0, Commissioners' meeting, 12/20/82)**

Data Processing Advisory Agency Ordinance:

**(Ordinance No. 1982-14-0, Commissioners' meeting, 12/20/82)**

Adopted the County Employee's Sick Leave Ordinance:

**(Ordinance No. 1982-16-0, Commissioners' meeting, 12/20/82)**