

DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, NOVEMBER 7, 2022 @ 9:02 A.M.
COMMISSIONERS' COURTROOM
100 W. MAIN ST. ROOM 309A
CALL TO ORDER
PLEDGE TO FLAG
WELCOME

ORIGINAL

ROLL CALL

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggan
Ms. Danielle Struble, County Attorney
Ms. Donna Patterson, Auditor Office

ORDER OF BUSINESS

PUBLIC HEARINGS

TRANSFER OF PROPERTY TO NOT FOR PROFIT PURSUANT TO IC 36-1-11-5.6

MOTION: Commissioner King made a motion to close the Public Hearing.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King

No comments for or against the transfer

APPOINTMENTS

Ms. Donna Patterson, Settlement Clerk, presented two appointments for the Delaware County Fair Board, Mr. Joey Kaelin and Ms. Bailey Jester.

MOTION: Commissioner Henry made a motion to appoint Mr. Fred Cummings and Mr. Kaelin to the Fair Board. Ms. Jester was not appointed.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riggin

APPROVAL OF MINUTES

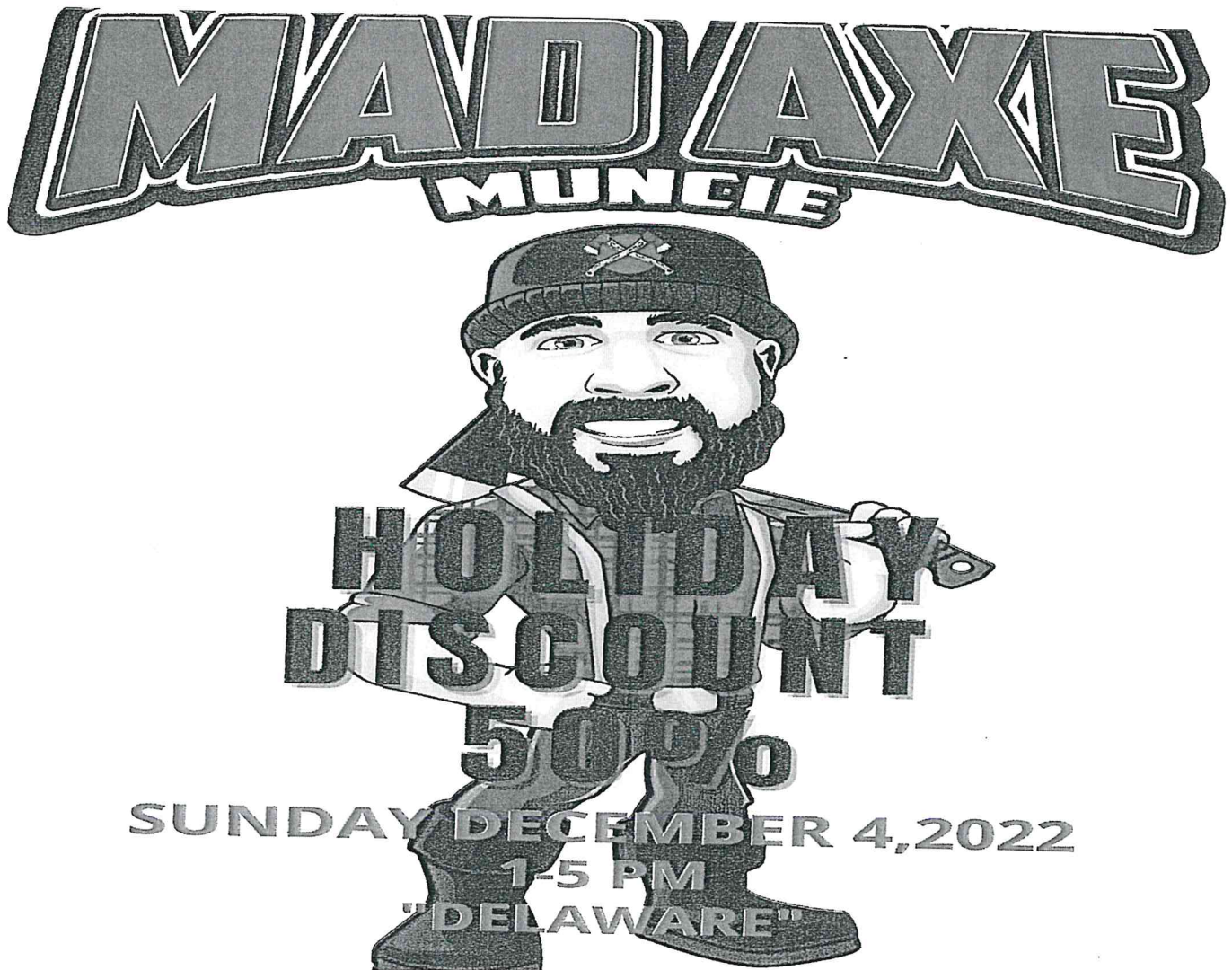
MOTION: Commissioner King made a motion to approve minutes for October 17, 2022.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

PRESENTATIONS

Mr. Nathaniel Carroll, Mad Axe, offered a holiday discount of 50% for Delaware County employees. Sign up can take place online.



Mr. Fred Cummings, 911 Director, recognized Communications Tech, Mr. Carl Barber, 911, for his assistance with a live birth delivery on October 10, 2022.

Mr. Carl Barber, 911, received a certificate of recognition.

The Commissioners commended Mr. Barber and all dispatch for their dedication and hard efforts.

CONTRACTS OR AGREEMENTS FOR APPROVAL
APEX BENEFITS RENEWAL

Ms. Pam McCammon, Human Resource Director, presented APEX Benefits Renewal for 2023. Ms. McCammon thanked Mr. John Brooke, Attorney for Delaware County and Ms. Ginger Brown, Human Resource Assistance for their help.

Ms. McCammon said several vendors were contacted regarding quotes, however, GPA, Apex is still providing the best rates saving Delaware County money.

An HRA account was added in 2022 for employees. The deductible has gone up to \$5000 out of pocket and then paid out at 100%. *The Commissioners will only pay the \$1000 difference for each employee.*

Last year the prescription company was changed to TRUErx, saving \$163,000 for Delaware County. The vision, Delta Dental, One American Life Insurance, Voluntary Life, short term and long term will remain the same until 2024.

The increase will be 3.5%, however, without hesitation the Commissioners are picking up the increase for employees.

Commissioner Henry agreed that Apex is probably the best and did not want to take the 5% raise from employees. All Commissioners felt the same way as Commissioner Henry.

MOTION: Commissioner King made a motion to approve APEX Benefits Renewal for 2023.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

Once everyone has signed, Ms. McCammon will send the agreement to the Auditor's office.

LPA CONSULTING CONTRACT
RQAW

Mr. King said the contract is not to exceed \$214,890.

Ms. Danielle Struble, County Attorney, sitting in for Mr. John Brooke said Mr. Brooke had reviewed the contract.

President Riggin said Bridge 51, located at McGalliard (200 North) west of I-69 will not be finished until 2027.

MOTION: Commissioner King made a motion to approve the RQAW LPA Consulting contract.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

JocuSign Envelope ID: 7C725637-8F01-4F3C-B5DB-E73CCD05078E

11.7-2022
Original
Version 6-8-2017

LPA - CONSULTING CONTRACT

This Contract ("this Contract") is made and entered into effective as of 11.7, 2022 ("Effective Date") by and between Delaware County, Indiana, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and RQAW Corporation ("the CONSULTANT"), a corporation organized under the laws of the State of Indiana.

Des. No.: 2101736

Project Description: County Bridge No. 51 Rehabilitation

RECITALS

WHEREAS, the LPA has entered into an agreement to utilize federal monies with the Indiana Department of Transportation ("INDOT") for a transportation or transportation enhancement project ("the Project"), which Project Coordination Contract is herein attached as Attachment 1 and incorporated as reference; and

WHEREAS, the LPA wishes to hire the CONSULTANT to provide services toward the Project completion more fully described in Appendix "A" attached hereto ("Services");

WHEREAS, the CONSULTANT has extensive experience, knowledge and expertise relating to these Services; and

WHEREAS, the CONSULTANT has expressed a willingness to furnish the Services in connection therewith.

NOW, THEREFORE, in consideration of the following mutual covenants, the parties hereto mutually covenant and agree as follows:

The "Recitals" above are hereby made an integral part and specifically incorporated into this Contract.

SECTION I SERVICES BY CONSULTANT. The CONSULTANT will provide the Services and deliverables described in Appendix "A" which is herein attached to and made an integral part of this Contract.

SECTION II INFORMATION AND SERVICES TO BE FURNISHED BY THE LPA. The information and services to be furnished by the LPA are set out in Appendix "B" which is herein attached to and made an integral part of this Contract.

SECTION III TERM. The term of this Contract shall be from the date of the last signature affixed to this Contract to the completion of the construction contract which is estimated to be November 30, 2027. A schedule for completion of the Services and deliverables is set forth in Appendix "C" which is herein attached to and made an integral part of this Contract.

SECTION IV COMPENSATION. The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix "D" which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed \$214,890.

SECTION V NOTICE TO PROCEED AND SCHEDULE. The CONSULTANT shall begin the work to be performed under this Contract only upon receipt of the written notice to proceed from the LPA, and shall deliver the work to the LPA in accordance with the schedule contained in Appendix "C" which is herein attached to and made an integral part of this Contract.

Signed contract available in Auditor's office

Commissioners meeting held November 7, 2022

BALL BROTHERS GRANT AWARD FOR MOBILE DISPATCH VEHICLES

Mr. Cummings said this is a request for the Commissioners to sign off on purchase order for getting two vehicles.

MOTION: Commissioner King made a motion to approve signing off on purchase order for vehicles.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

QUIT CLAIM DEED

Ms. Struble said this was approved, however someone from Cash & Carry Lumber Company said they were interested in the small section next to their property. A Quit Claim deed was prepared to transfer this to Cash & Carry Lumber Company.

MOTION: Commissioner King made a motion to approve Quit Claim deed to Cash & Carry Lumber Company.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

ORIGINAL

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH, That the County Board of Commissoiners of Delaware County, Indiana, a municipal corporation a/k/a Delaware County Commissioners, Grantor, for valuable consideration, the receipt of which is hereby acknowledged, CONVEYS AND QUIT CLAIMS to the C & G HOME INVESTMENTS, LLC, a Nevada Limited Liability Corporation, the following described real estate located in Delaware County, State of Indiana, to-wit:

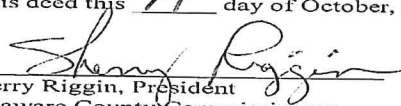
A part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section eleven 11, Township Twenty (20) North, Range Ten (10) East, more particularly described as follows, to-wit:- Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of section Eleven (11), Township Twenty (20) North, Range Ten (10) East; thence North on the East line of the said Southwest Quarter of the Southeast Quarter Forty (40.0) feet; thence West parallel to the South line of the said Southwest Quarter of the Southeast Quarter Four hundred ninety-nine (499.0) feet to a point, which point is the point of beginning for the land herein described; thence continuing West and parallel with the South line of the said Southwest Quarter of the Southeast Quarter One (1.0) foot; thence North One hundred twenty-five (125.0) feet; thence East one (1.0) foot; thence South One hundred twenty-five (125.0) feet to the point of beginning. Estimated to contain 0.002 of an acre, more or less.

Parcel No. 18-11-11-463-002-000-003

Commonly Known as: 2700 Block East Jackson St., Muncie, Indiana 47305

Mail tax statements to: 571 Union St., Brooklyn, NY 11215

IN WITNESS WHEREOF, the Grantor has executed this deed this 17 day of October, 2022.


Sherry Riggins, President
Delaware County Commissioners

TYLER TECHNOLOGIES

Mr. Jim Flook, IT Director, said Tyler Technologies is doing an upgrade at no charge. This is an agreement stating they can provide the license for the multi-server searches. This is a feature that is will be used nationwide and local for searches for persons and vehicles. A memorandum of understanding will be at a later date

MOTION: Commissioner Henry made a motion to approve Tyler Technologies for zero dollars.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riggins

11-7-2022

ORIGINAL



INVESTMENT SUMMARY

Tyler Software	\$ 0
Services	\$ 0
Third-Party Products	\$ 0
Travel	\$ 0
Total One-Time Cost	\$ 0
Annual Recurring Fees/SaaS	\$ 0
Tyler Software Maintenance	\$ 0

2022-353810-CONSYO

Page 1

Nov 7, 2022

Donna Patterson
 Chief Deputy Director

PROFESSIONAL SERVICES AGREEMENT WITH CATALYST PUBLIC AFFAIRS GROUP

President Riggin would like to table the agreement.

MOTION: Commissioner Henry agreed and made a motion to table the agreement.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riggin

Commissioners meeting held November 7, 2022

AGREEMENT FOR SERVICES WITH DELAWARE COUNTY JUSTICE PARTNERS

Ms. Struble and Mr. Brooke both reviewed the Build Operate Transfer (BOT). The BOT is from Delaware County Justice Partners.

In order for the building to become a regional mental health facility at the Justice Center, the Commissioners will have to engage to find a professional to assist in doing this. Responses were accepted by the Commissioners in July 2022. Mr. Brooke has been working with the contractor and mental health provider to design the space as well as get the state to accredit the area.

MOTION: Commissioner King made a motion to approve the BOT.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

Full signed agreement is available in Auditors office

ORIGINAL

11-17-2022

AGREEMENT FOR SERVICES

This Agreement for Services (the "Agreement"), executed as of October 11, 2022, (the "Effective Date"), by and between Commissioners of Delaware County, Indiana ("County"), and Delaware County Justice Partners, LLC, an Indiana limited liability company ("Service Provider").

RECITALS

WHEREAS, County has selected Service Provider in connection with a project to develop, design, build and finance the County's mental health and rehabilitation center (the "Project");

WHEREAS, County and Service Provider have not yet entered into a project agreement in connection with the Project (a "BOT Agreement");

WHEREAS, as an accommodation to County in order to meet the proposed timeline for the Project, County has requested that Service Provider commence preliminary services prior to completion and execution of the BOT Agreement, and County has agreed to compensate Service Provider for such Services as set forth herein in the event that the Project does not progress to the point where a BOT Agreement would be appropriate;

WHEREAS, Service Provider has experience in providing the Services; and

WHEREAS, County and Service Provider desire to enter into this Agreement to formalize the terms and conditions upon which Service Provider shall perform the Services;

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged hereby, County and Service Provider agree as follows:

1. Services. Subject to the terms and conditions of this Agreement, Service Provider shall perform the Services described in Exhibit A (the "Services"). Service Provider shall be an independent contractor of County. The term of this Agreement shall be for the period: (a) commencing on the Effective Date; and (b) ending on the earlier of executing a formal BOT Agreement or 130 days (the "Outside Date"), unless earlier terminated in accordance with the terms and conditions of this Agreement.

2. Payment.

a. The Service Provider will perform the BOT Agreement Assembly Phase services described in Exhibit A to create plans at a level of detail sufficient to allow the Service Provider to obtain a Guaranteed Maximum Price bid. If, prior to the Outside Date, the Service Provider successfully produces plans meeting the approved scope and budget and a BOT Agreement is executed to cover final design and construction services, all compensation for the Services performed under this Agreement shall be included in the BOT Agreement. In the event a formal BOT Agreement is not executed by the Outside Date, as compensation in full for the Services, County shall pay Service Provider for Services completed at the time of termination a lump-sum fee of \$75,000.

3. Performance. Service Provider shall perform the Services: (a) in coordination with County; (b) in accordance with the prevailing professional standards in the Delaware County, Indiana, area for similar services; and (c) in compliance with applicable laws, statutes, and/or ordinances, and any applicable governmental rules, regulations, guidelines, orders, and/or decrees (collectively, the "Laws"). Prior to commencing the Services, Service Provider shall: (a) obtain all permits and approvals required by the Laws; and (b) obtain and maintain during performance of the Services, all professional licenses and certifications required by the Laws. Service Provider shall provide to County, upon request, copies of any and all such

AN ORDINANCE OF DELAWARE COUNTY, IN CREATING A FUND FOR THE DEPOST OF FUNDS RECEIVED BY DELAWARE
COUNTY EMERGENCY COMMUNICATION DEPARTMENT FROM BALL BROTHERS FOUNDATION TO PROVIDE FUNDING
FOR MOBILE DISPATCH VEHICLES

ORDINANCE 2022-026

Ms. Patterson said the ordinance is not needed because a fund for Ball Brothers foundations can go into the same fund.

MOTION: Commissioner Henry made a motion to accept the money coming in from Ball Brothers Foundation.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin



BALL BROTHERS FOUNDATION
322 SOUTH MULBERRY STREET, BOX 408, MUNCIE, INDIANA 47304-7657
www.ballbfndn.org

11-7-2022

ORIGINAL

October 20, 2022

Fred Cummings
911 Director
Delaware County Emergency Communications Center
210 S Jefferson St
Muncie, IN 47305

Dear Fred:

I am pleased to inform you that Ball Brothers Foundation has approved a grant of \$75,000 for the Mobile Dispatch Vehicles.

Enclosed please find a copy of a detailed grant agreement signed by the Foundation. Please sign and return a copy to BBF. Another copy should be retained for your records. Please refer to this document when designating the funds within your organization. Funds are expected to be utilized as outlined in the budget submitted with the request. Any reallocation of funds must be approved in advance. When the signed copy is received the grant check will be forwarded to your attention.

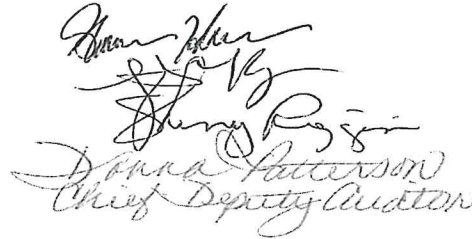
On behalf of the Ball Brothers Foundation, I congratulate you on the award and look forward to reading about your project in the final report. Until then, best wishes for a successful project.

Sincerely,


Jud Fisher
President & CEO

Enclosure

cc: Jim Fisher


Donna Patterson
Chief Deputy Auditor

The Legacy Continues 1926 -- Today



**BALL BROTHERS FOUNDATION
MUTUAL UNDERSTANDING AGREEMENT**

Application Number: 00004234

Grant Awarded to: Delaware County Emergency Communications Center
Grant Restricted to: Mobile Dispatch Vehicles
Grant Period: 11/1/2022 to 2/1/2023
Total Amount Awarded: \$75,000

Requirements by Delaware County Emergency Communications Center in Order to Receive Grant:

- Send one original signed copy of this document back to BBF (keep the other for Delaware County Emergency Communications Center records)
- The designated signee hereby certifies that Delaware County Emergency Communications Center is a 501c3 eligible organization, an instrumentality of the state, or an institution of higher education created by state statute, in good standing, as determined by the Internal Revenue Service
- Delaware County Emergency Communications Center acknowledges that no grant funds may be expended for political or lobbying activity
- Delaware County Emergency Communications Center agrees to use funds as outlined in the budget submitted with the request and to notify Ball Brothers Foundation immediately of any change in status involving this award
- Delaware County Emergency Communications Center agrees that any grant payment may be discontinued, modified, or withheld at any time at the discretion of Ball Brothers Foundation or when such action is necessary to comply with the requirements of law or this agreement
- Delaware County Emergency Communications Center acknowledges information related to this grant may be included in a press release with other recent BBF grants
- Submission of a final report no later than 3/3/2023


 911 Director
 Del. Co. Emergency Communications Center


 President/CEO
 Ball Brothers Foundation

Date of Board Approval: 10/14/2022

SOURCE SELECTION AUTHORIZATION SPECIAL PROCUREMENT

Dept./Agency: Delaware County 911 P. O. No.: _____
 Requisition No.: _____ Amount: 84,700 ⁰⁰
 Date: November 7, 2022

Pursuant to IC 5-22-10, the purchasing agent of Delaware County 911 has determined that the supplies and/or services referenced, may be procured from Kelley Chevy, LLC by a **Special Procurement** as follows:

- ☐ Threats to public health, welfare or safety (5-22-10-4).
- ☐ Unique opportunity for substantial savings (5-22-10-5).
- ☐ Auctions (5-10-22-6).
- ☐ Data processing, contracts or license agreements (5-22-10-7).
- ☐ Compatibility of equipment, accessories or replacement parts (5-22-10-8).
- ☐ Impairment of functions of using agency (5-22-10-9).
- ☒ Failure to receive responsive offer through other methods (5-22-10-10).
- ☐ Evaluation of supplies or system (5-22-10-11).
- ☒ Discount (5-22-10-12).
- ☐ Single source for supply (5-22-10-13).
- ☐ Price equal to or less than Federal Supply Services Schedule (5-22-10-14).
- ☐ Contract with Federal or State Agency (5-22-10-15). Agency/Contract #: _____
- ☐ Transfer of supplies from Federal Government (5-22-10-16).
- ☐ Gifts (5-22-10-17).
- ☐ Purchase of copyrighted materials (5-22-10-18).

A written determination of the basis for the Special Procurement and for the selection of the particular contractor and services/supplies offered, is attached.

Requester Signature: [Signature]
 Printed Name: Fred Cummings

Date: 11/7/2022
 Position: 911 Director

AN ORDINANCE AMENDING TITLE 4, CHAPTER 2 OF THE DELAWARE COUNTY CODE REGARDING PERMIT FEES
ORDINANCE NO. 2022-027

Ms. Brandy Ingermann, Office Manager, said the electrical portion for building permits on commercial projects is lengthy and confusing for contractors.

The same for plumbing, the amount of reviews and inspections that Mr. Tom Fouch, Building Commission has to do will change with this ordinance and be more on the line of what other counties do. There are some increases.

MOTION: Commissioner King made a motion to introduce Ordinance 2022-027, An Ordinance Amending Title 4, Chapter 2 of the Delaware County Code Regarding Permit Fees.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORDINANCES FOR SECOND READING
AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC
ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY, IN
ORDINANCE NO. 2022-025

MOTION: Commissioner King made a motion to approve Ordinance 2022-025, An Ordinance to Amend an Ordinance Regulating Traffic on Certain Public Streets in Delaware County, IN.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORDINANCE NO. 2022- 025 11-7-2022

**AN ORDINANCE TO AMEND AN ORDINANCE
REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN
DELAWARE COUNTY**

WHEREAS, the Board of Commissioners are charged with protecting the health and welfare of the citizens of Delaware County; and

WHEREAS, the Board of Commissioners are obligated to review and, if necessary, amend the Street and Road Regulations of the County Highway System to allow for the more orderly and safe mode of travel on the roads; and

WHEREAS, the Board of Commissioners conducted a public hearing on October 17, 2022 with respect to a number of all way stops and speed limit changes; and

WHEREAS, the Board of Commissioners determine that certain changes will be necessary to the Delaware County Code, Title 5, Chapter 4, Street and Traffic Regulations.

THEREFORE, BE IT ORDAINED: By the Board of County Commissioners, Delaware County, Indiana that Delaware County Code, Title 5, Chapter 4, Street and Road Regulations shall be amended as setforth herein:

1. Title 5, Chapter 4, Section 5, is to be amended as follows:

- A. There shall be an all way stop at the intersection of CR 800E and Centennial Ave. located in Liberty Township, Delaware County, Indiana for all traffic.
- B. There shall be an all way stop at the intersection of McGalliard Road and Country Club Road located in Liberty Township, Delaware County, Indiana for all traffic.


2. Title 5, Chapter 4, Section 8, is to be amended as follows:

- A. There shall be a speed limit of 30 miles per hour on McGalliard Avenue from SR 67/3 and US 35 ("the By-Pass) east to CR 333E in Center Township until County Club Road and then in Liberty Township, Delaware County, Indiana.
- B. There shall be a speed limit of 40 miles per hour on Centennial Avenue from the Randolph/Delaware County line west to County Road 650E in Liberty Township, Delaware County, Indiana.
- C. There shall be a speed limit of 40 miles per hour on the speed limit on CR 800E starting at SR 32 and headed north to Edgewater Road in Delaware Township, Delaware County, Indiana.

3. The County Highway Department of Delaware County, Indiana, is hereby authorized to erect appropriate signage pursuant to the Indiana Manual on Uniform Traffic Control Devices.
4. The penalty for violation of this ordinance shall be as herein set forth in Article XVI, Section 16-1.
5. This ordinance shall be in full force and effect from and after its passage and publication.

HEREBY INTRODUCED ON THE 17th DAY OF OCTOBER, 2022 AND ADOPTED by the Board of County Commissioners of Delaware County, Indiana on the 7 day of November, 2022.

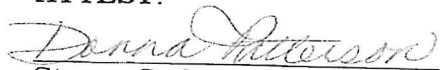
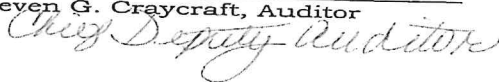
DELAWARE COUNTY COMMISSIONERS


Sherry Riggins, President


Shannon Henry, Vice President


James King, Member

ATTEST:


Steven G. Craycraft, Auditor

Chief Deputy Auditor

RESOLUTIONS FOR APPROVAL

RESOLUTION OF THE DELAWARE COUNTY, IN BOARD OF COMMISSIONERS IDENTIFYING CERTAIN PROPERTIES TO BE
TRANSFERRED TO A NONPROFIT ENTITY PURSUANT TO IN CODE 36-1-11-5.6

AMENDED RESOLUTION 2022– 020A

Ms. Struble said the Public Hearing was accurate, however, Mr. Kyle Johnson, Chief Information Officer, found additional parcels not included on the map. This was corrected and is now consistent with Resolution 2022-020A.

MOTION: Commissioner King made a motion to approve Resolution 2022-020A, Identifying Certain Properties to be Transferred to a Nonprofit Entity.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

11-7-2022

AMENDED RESOLUTION NO. 2022-020A

**RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS IDENTIFYING CERTAIN PROPERTIES TO BE
TRANSFERRED TO A NONPROFIT ENTITY PURSUANT
TO IND. CODE § 36-1-11-5.6.**

ORIGINAL

WHEREAS, the Board of Commissioners of Delaware County, Indiana (the "Board of Commissioners") is the county executive of Delaware County, Indiana (the "County"); and

WHEREAS, Ind. Code §§ 36-1-11-5.6 set forth the procedures by which a county executive may transfer properties to a nonprofit entity that is created for agricultural, educational or recreational purposes; and

WHEREAS, the Board of Commissioners has identified parcels of real property for which it has acquired and now desires to transfer to a nonprofit entity to be used for the public good; and

WHEREAS, the property the Board of Commissioners now desires to transfer to a nonprofit entity to be used for the public good is identified and listed on EXHIBIT A, attached hereto; and

WHEREAS, the Board of Commissioners intends to accept written applications from eligible nonprofit entities that desire to have the identified properties transferred to the nonprofit entity and will conduct a public hearing to consider all submitted applications and hear any opposition to a proposed transfer.

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

SECTION 1. The Board of Commissioners hereby identifies the properties listed on EXHIBIT A, attached hereto, as that for which the Board of Commissioners desires to transfer to a nonprofit entity to be used for the public good.

SECTION 2. The Board of Commissioners will conduct a public hearing to consider the transfer of the properties to a nonprofit entity and said public hearing shall be set to occur on the 7th day of November, 2022, at 9:00 a.m. in the Delaware County Commissioner's Courtroom, 100 West Main Street, Room 309A, Muncie, Indiana 47305.

SECTION 3. The Board of Commissioners shall cause to be published a notice regarding the public hearing pursuant to of Ind. Code §5-3-1-2(b) and, prior to said public hearing, will accept written applications that are in compliance with the requirements from non-profit entities that are not otherwise ineligible pursuant to Ind. Code § 36-1-11-16 and desire to have the identified property transferred to them.

Amended Resolution No. 2022-020

Page 1 of 3

SECTION 4. The Board of Commissioners will consider any written applications submitted by eligible nonprofit entities and, immediately following the public hearing, will make a final determination concerning the transfer of the identified properties.

DULY ADOPTED by the Board of Commissioners of Delaware County at a public meeting held on this, the 7th day of November, 2022.

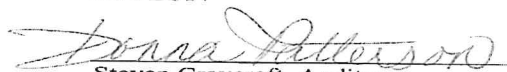
DELAWARE COUNTY
BOARD OF COMMISSIONERS


Sherry Riggins, President


Shannon Henry, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana
Chief Deputy Auditor

Amended Resolution No. 2022-020

Page 2 of 3

Exhibit A

Parcel ID Numbers

18-10-06-300-014.000-014
18-10-06-200-012.000-014
18-10-06-200-013.000-014
18-10-06-200-011.000-014
18-10-05-100-015.000-014
18-10-05-100-017.000-014
18-10-05-100-016.000-014
18-06-32-300-023.600-008
18-06-32-300-024.000-008
18-06-32-400-016.000-008

Amended Resolution No. 2022-020

Page 3 of 3

RESOLUTION OF THE DELAWARE COUNTY, IN BOARD OF COMMISSIONERS TRANSFERRING CERTAIN PROPERTIES TO A
NONPROFIT ENTITY PURSUANT TO IN CODE 36-1-11-5.6

RESOLUTION 2022-022

MOTION: Commissioner King made a motion to approve Resolution 2022-022, Transferring Certain Properties to a Nonprofit Entity Pursuant to IN Code 36-1-11-5.6.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

11-7-2022

RESOLUTION NO. 2022-022

ORIGINAL

**A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS MAKING A FINAL DETERMINATION TO DEEDS TO A
NONPROFIT ENTITY PURSUANT TO IND. CODE § 36-1.11-5.6**

WHEREAS, Ind. Code § 36-1-11-5.6 sets out the procedures the Board of Commissioners may utilize to assign real property to a nonprofit entity that is created for agricultural, educational or recreational purposes; and

WHEREAS, the Board of Commissioners previously adopted Resolution No. 2022-020A, which identified certain parcels for which the Board of Commissioners now desires to assign to a nonprofit entity for use for the public good; and

WHEREAS, the Board of Commissioners desires to transfer to a nonprofit entity for use for the public good is identified in Resolution 2022-020A for a nominal fee; and

WHEREAS, the Board of Commissioners accepted written applications from eligible nonprofit entities and, on November 7, 2022, conducted a public hearing to consider all applications and hear any opposition to a proposed assignment of the real estate parcels; and

WHEREAS, having considered the submitted applications and public comments presented at the public hearing, the Board of Commissioners now desires to make a final determination on the assignment of the identified real estate parcels.

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

SECTION 1. Having received and considered the applications from nonprofit entities, copies of which are attached hereto, the Board of Commissioners issues the final determination described in Exhibit A, attached hereto, regarding the proposed assignment to a nonprofit entity of the parcels identified in Resolution 2022-020A.

SECTION 2. The assignment of the identified parcels shall be completed according to the specific terms and conditions described in the Commissioners' final determination of the Agreement that the County enters into with the nonprofit for the parcels to be sold to them for a nominal fee.

SECTION 3. The Board of Commissioners hereby assigns the real estate identified in parcel numbers:

Parcel ID No.: 18-10-06-300-014.000-014; 18-10-06-200-012.000-014; 18-10-06-200-013.000-014; 18-10-06-200-011.000-014; 18-10-05-100-015.000-014; 18-10-05-100-017.000-014; 18-10-05-100-016.000-014; 18-06-32-300-023.600-008; 18-06-32-300-024.000-008; 18-06-32-400-016.000-008

to East Central Indiana Regional Planning District, Inc. for their use and development.

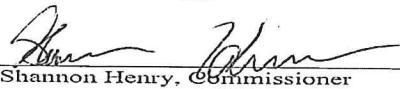
SECTION 4: If the assignee nonprofit entity fails to comply with the terms and conditions of the terms and conditions of Exhibit A to this Resolution and the Commissioners' Agreement the parcels shall revert to Delaware County to be retained or disposed of by the Board of Commissioners.

SECTION 5. The President of the Board of Commissioners is hereby authorized to execute all documents necessary to carry out the terms of this Resolution.


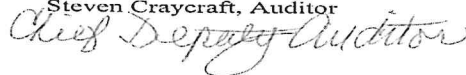
PASSED AND ADOPTED ON THIS, THE 7 DAY OF November, 2022
BY THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS.

DELAWARE COUNTY, INDIANA
BOARD OF COMMISSIONERS


Sherry Riggins, President


Shannon Henry, Commissioner


James King, Commissioner

ATTEST:

Steven Craycraft, Auditor

Chief Deputy Auditor

Delaware County, Indiana

Exhibit A

Final Determination of the Delaware County, Indiana Board of Commissioners

Parcel ID No.: 0632400016000; 0632300024000; 1005100017000; 1005100015000;
1006200011000; 1006200013000; 1006200012000; 1006300014000; 1005100016000; 0632300023600

Common Address: no common address of parcels. All parcels are located in Mt. Pleasant township from one-half mile east of County Road 800W and west to the intersection of CR 850W and Priority Way south of SR 332.

Total Applications Submitted: 1

Applications Received from: EAST CENTRAL INDIANA REGIONAL PLANNING DISTRICT,
INC.

EAST CENTRAL INDIANA REGIONAL PLANNING DISTRICT, INC. (the "Assignee") and shall be assigned according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the Assignee's application.
2. The use must be implemented and maintained within 180 days/months/years from the date the Assignee receives title to the property.
3. Other terms and conditions (optional): The Assignee must enter into an agreement with the Board of Commissioners as to the use of the property under the terms and conditions approved by the Board of Commissioners
4. Parcels: 0632400016000; 0632300024000; 1005100017000; 1005100015000; 1006200011000; 1006200013000; 1006200012000; 1006300014000; 1005100016000; 0632300023600 shall revert to Delaware County if the Assignee fails to comply with any of these terms and conditions and the Assignee shall execute any and all documents necessary to facilitate this transfer.

DEPARTMENT HEADS AND ELECTED OFFICIALS

*Mr. John Coutinho, EMA Director, said November 9, 2022 at 10:00 a.m. there will be a dedication at the new flagpole, located at the Dispatch Center, in honor of Mr. Adam Grimes.

**Mr. Flook said a few weeks ago when there was a water blow out from the pipe in the boiler room the Uninterrupted Power Supply (back-up of power) was ruined. A new UPS will be delivered on November 9, 2022.

Ms. Jeni Honeycutt, Executive Assistant, said Mr. Steve Foster, Superintendent, will provide invoices to turn this claim into insurance.

***Mr. Foster said he needs to know where and how to process the shingles from the Justice Center roof. An insurance claim was submitted in 2018, however it was not fixed. Mr. Foster has two bids that he will send to the Commissioners. Mr. Foster is also going to build a blast wall so the water cannot go directly onto the Uninterrupted Power Supply.

****Mr. Brad Bookout, Director of Economic Development, said he, Commissioner Henry, Mr. Bill Walters had a very successful trip to Italy. They met with 40 companies. Mr. Bookout provided details of the companies within the last five years that have come to Delaware County. Mr. Bookout provided details regarding construction and current happenings within Delaware County at this time.

*****Mr. Tony Skinner, Delaware County Sheriff, said in January 2023 the provider of the jail/inmate communications will change to Combined Public Communications. Tyler will set the software up through the vendor at no cost to Delaware County.

The Commissioners would like Mr. Skinner to send the agreement to them via email.

*****Commissioner King said the Commissioners along with the Judges recently learned that the operations of the detention facility will be reduced. This will be effective January 1, 2023. The detention center will no longer allow female detainees and the beds will be reduce from 22 to 10. Delaware County pays YOC \$550,000 yearly to operate. The Commissioners realize this will be dumped on Delaware County Commissioners. Judge Kimberly Dowling, Juvenile Court, was surprised to learn of the reduction also. If detainees are housed outside of the county it could be \$150 to \$175, per day, plus the transport of juveniles. Mr. Brooke has been in contact with their attorney.

WEEKLY, MONTHLY AND QUARTERLY REPORTS

Weights & Measures Monthly Report

PAYMENT OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$2,373,196.24 and ARP claims in the amount of \$535,834.20.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

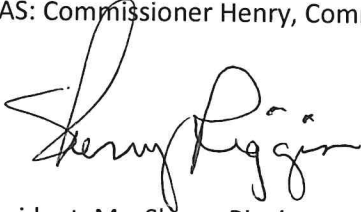
Ms. Ashley Williams, Eastern Indiana Works, LOCAL Workforce Development Board introduced the new program. She can be reached at 765-716-6403.

RECESS

MOTION: Commissioner King made a motion to recess until November 21, 2022.

SECOND: Commissioner Henry

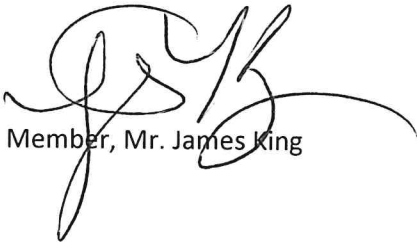
YEAS: Commissioner Henry, Commissioner King, President Riffin



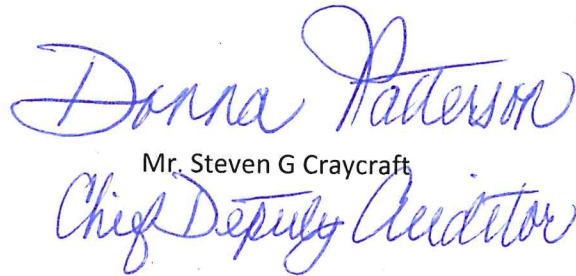
President, Ms. Sherry Riffin



Vice President, Mr. Shannon Henry



Member, Mr. James King



Mr. Steven G Craycraft

Chief Deputy Auditor