



Delaware County Commissioners

Meeting Minutes

Monday, February 3rd, 2025 @ 9:00 A.M.

ORDER OF BUSINESS

CALL TO ORDER:

PLEDGE TO FLAG:

ROLL CALL:

Commissioner Riggin
Commissioner Brand
Commissioner Henry
Attorney John Brooke
Auditor Ed Carroll

ANNOUNCEMENTS: Employee of the Month

Assessor James Carmichael presented the first employee of the month to Ms. Candy Abbott.

APPOINTMENT(S):

BZA Board

Commissioner Henry stated the previous appointment of Audi Barber was rescinded due to residency requirements. The board is seeking a Democrat who lives in an unincorporated territory of the county

MOTION: Commissioner Brand made a motion to resend the appointment of Audi Barber

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Brand, Commissioner Henry

Yorktown Public Library

Commissioner Henry stated they received a letter from Yorktown Public Library to reappoint Patricia Freeman.

MOTION: Commissioner Riggin made a motion to reappoint Patricia Freeman to the Yorktown Public Library

SECOND: Commissioner Brand

YEAS: Commissioner Riggin, Commissioner Brand, Commissioner Henry

ECIRPD Board

Commissioner Riggin stated she would like to appoint Ms. Kylene Swackhamer. Commissioner Brand stated he would like to appoint Ms. Tracy Lutton.

MOTION: Commissioner Brand made a motion to appoint Ms. Kylene Swackhamer and Ms. Tracy Lutton.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Brand, Commissioner Henry

Metropolitan Plan Commission

Commissioner Henry stated Teresa Hensley needs to be reappointed.

MOTION: Commissioner Riggin made a motion to reappoint Teresa Hensley

SECOND: Commissioner Brand

YEAS: Commissioner Riggin, Commissioner Brand, Commissioner Henry

TABLED BUSINESS:

Handbook Revisions – Pam McCammon

ORDINANCE NO. 2024-033: AN ORDINANCE APPROVING AMENDMENT TO THE COUNTY PERSONNEL HANDBOOK

Solar Moratorium – Stephen Brand

MOTION: Commissioner Brand made a motion to remove Solar Moratorium off the table

SECOND: Commissioner Riggins

YEAS: Commissioner Riggins, Commissioner Brand, Commissioner Henry

Commissioner Brand gave a brief update on the meetings he has attended pertaining Solar. He read the legal notice of evidentiary hearing Indiana utility Regulatory Commission cause number 46177 in the matter of petition by Royerton Solar LLC for certain determinations by the commission with respect to its jurisdiction over petitioners' activities as a generator of electric power. Notice is hereby given that the Indiana Utility Regulatory Commission will conduct a public evidentiary hearing in the above captioned cause in room 224 of the PNC Center 101 West Washington Street Indianapolis Indiana commencing at 1 pm on March 11th 2025 this hearing is open to the public

Commissioner Henry read aloud the update on the Solar Moratorium; This ordinance so everyone is aware a moratorium that was to expire on March 1st 2025 shall continue in place until such time as the county has completed additional amendments to the zoning ordinance regarding solar energy for the acceptance review and filing of any application by any person firm or entity seeking to place or install solar farm on any property in Delaware County. Nothing in this moratorium shall prohibit any person, firm, or entity to conduct discussions negotiations, meetings, or provided information about solar any proposed project or information about said projects to any person, elected official, or organization. Moratorium shall remain in effect until such time the zoning ordinance is amended and adopted by the Board of Commissioners or until such time as the moratorium is repealed by the act of the Commissioners in the event that zoning ordinance regarding solar energy is not amended.

MOTION: Commissioner Riggins made a motion to introduce Solar Ordinance 2025-025

SECOND: Commissioner Brand

YEAS: Commissioner Riggins, Commissioner Brand, Commissioner Henry

APPROVAL OF MINUTES:

Commissioner Meeting January 21st, 2025

MOTION: Commissioner Riggins made a motion to approve Commissioner Meeting Minutes for January 21st, 2025.

SECOND: Commissioner Brand

YEAS: Commissioner Riggins, Commissioner Brand, Commissioner Henry

Executive Session Minutes January 31, 2025

PRESENTATIONS:

Purdue Extension- Justin Curley

Mr Justin Curley invited the Commissioners and the public to the annual meeting on February 20th at the Academy for Model Aeronautics. Dinner will be at 6:30 PM, and RSVPs are requested.

Versiti Blood Drive – Human Resources

Mr. Mike Williams and Ms. Pam McCammon presented the idea of hosting a blood drive.

Commissioners discussed a place for the blood drive

MOTION: Commissioner Riggins made a motion for approval for the blood drive.

SECOND: Commissioner Brand

YEAS: Commissioner Riggins, Commissioner Brand, Commissioner Henry

CONTRACTS OR AGREEMENTS FOR APPROVAL:

Bid Opening – John Brooke

Attorney John Brooke read aloud the bids received from Calumet Civil Contractors, Midwest Paving, Brooks Construction, and E&B Paving for paving.

take the bids under advisement for Angie and Tommie for review

MOTION: Commissioner Riggan made a motion to take the bids under advisement for Angie and Tommy to review

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Attorney John Brooke read aloud the bids received from Brooks Construction. IMI provided a quote for sand, gravel, and asphalt while provided a quote for fuel. E&B Paving provided a quote for the asphalt mix.

MOTION: Commissioner Riggan made a motion to take the bids under advisement for to review

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

2025 Generator Contract – Steve Foster

Mr. Steve Foster presented the yearly contract for generator maintenance at county buildings

MOTION: Commissioner Brand made a motion to approve the yearly contract with W.W. Williams for the amount of \$3,980.00

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

New Norm Agreement – Jammie Bane

Mr. Jammie Bane presented the New Norm Agreement to assist the emergency Shelters for the homeless.

MOTION: Commissioner Brand made a motion to approve the New Norm Agreement

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Consent for Assignment- Angie Moyer

Ms. Angie Moyer requested approval for the contract with Triad Engineering Services to VS Engineering due to a recent merge.

MOTION: Commissioner Riggan made a motion to approve the Consent for Assignment agreement

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Local Roads and Bridges Matching Grant Agreement- Angie Moyer

Ms. Angie Moyer presented the standard agreement provided by INDOT

MOTION: Commissioner Brand made a motion to approve the Local Roads and Bridges Matching Grant Agreement.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

BR #112 – R/W Acquisitions- Angie Moyer

Ms. Angie Moyer requested approval for the purchase of parcels one and two, owned by Michael A. and Ruth C. Hinkle and Connor Family Farm LLC, respectively, along with a signed waiver resolution¹²

MOTION: Commissioner Brand made a motion to approve the BR #112 – R/W Acquisitions

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Audio Quotes – Mark Slusher

Commissioner Henry presented a quote for new audio for the courtroom for the amount of \$3,859

MOTION: Commissioner Brand made a motion to the quote

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Nyhart Company Service Agreement – Ed Carroll

Auditor Ed Carroll presented an agreement with Nyhart who helps with our audits throughout the year

MOTION: Commissioner Riggan made a motion to approve the Nyhart agreement

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

ORDINANCES FOR FIRST READING:

Ordinance 2025-03: CREATING A NEW FUND FOR GRANT FUNDED DELAWARE COUNTY ADULT DRUG COURT

Ms. Jayne Meranda stated this is similar to what was presented a couple of weeks ago except for these are existing grant funds that are already in an account that is audited by the Department of Corrections. This particular grant is Indiana Office of Court Services therefore we are just wishing to separate the two entities to make reporting a little easier.

MOTION: Commissioner Brand made a motion to introduce Ordinance 2025-03

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Ordinance 2025-04: CREATING A NEW FUND FOR GRANT FUNDED DELAWARE COUNTY VETERANS' TREATMENT COURT

MOTION: Commissioner Brand made a motion to introduce Ordinance 2025-03

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

Ordinance 2025-05: IMPOSING A MORATORIUM ON FILING AND ACCEPTING ANY NEW APPLICATIONS FOR SOLAR ENERGY INSTALLATIONS

ORDINANCES FOR SECOND READING:

RESOLUTIONS FOR APPROVAL:

OLD BUSINESS:

DEPARTMENT HEADS AND ELECTED OFFICIALS:

Oakville Road Project – Tommie Humbert

Mr. Tommie Humbert gave an update on the Oakville Road Project at the intersection of 775 South Old Road.

WEEKLY, MONTHLY AND QUARTERLY REPORTS:

PAYMENT OF CLAIMS: \$ 1,815,777.50

MOTION: Commissioner Riggan made a motion to approve payment of claims in the amount of \$1,815,777.50

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

PAYMENT OF ARP CLAIMS:

PAYMENT OF PAYROLL FOR 1/29/2025: \$ 1,084,187.77

MOTION: Commissioner Riggins made a motion to approve payment of payroll in the amount of \$1,084,187.77

SECOND: Commissioner Brand

YEAS: Commissioner Riggins, Commissioner Brand, Commissioner Henry

RECESS:

MOTION: Commissioner Riggins made a motion to recess for 10 minutes

SECOND: Commissioner Brand

PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION (ALL PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES AND SPEAKER MUST SIGN-IN BEFORE 9AM, PROVIDING NAME AND ADDRESS):

Mr. Dan Berry at 2901 E Co Rd 800 N Eaton gave his favorable opinion on solar.

Mr. Drew Cleveland at 264 N SR 1 Farmland gave his opinion on the Solar Moratorium.

Mr. Christian Hartselle at 549 W 1st St Albany stated some positive aspects of solar.

Mr. Doug Marshall at 17330 N CR 700 W Muncie explained why he was opposed of the solar farms.

Mr. Charles Lancaster at 11501 N 100 W Muncie stated some facts about his life and his home.

Ms. Holly Hanover at 4700 W Woodway Muncie gave her opinion on letting the moratorium expire.

Ms. Annette Rose at 8420 S CR 560 E Selma shared her opposition to solar energy.

Mr. Mike Johnson 11701 N CR 200 W strongly expressed his opposition to the solar farms that will completely surround his home.

Ms. Vici Gasaway at 1260 S CR 900 W Daleville expressed her opposition on the solar farms.

Mr. Tim Carter at 8820 N CR 25 W expressed his opposition on the solar farms.

Ms. Janet Gernand Daleville expressed her opposition on the solar farms.

Mr. Robert Koester 2709 W Bumel asked that the existing moratorium expire.

Ms. Brittany Mauck at 16670 N CR 600 W Gaston shared her opposition to solar energy.

Mr. Jonathan Myers 5011 Fall Creek Rd stated the positive aspects of solar for Delaware County.

Ms. Autumn Grismore at 2310 W Pineville Dr. Muncie shared her opposition to solar energy.

Mr. Joe Russell at 3501 E 700 N Eaton asked to have faith in the plan commission and move forward.

Ms. Sheryl Swingley of Muncie stated her thoughts on how solar would be good for Delaware County.

Mr. Ryan Richmond 10191 W 1200 N Gaston expressed his opposition on the solar farms.

Mr. Alan Goebel at 3401 W CR 750 N Muncie asked for ordinances to be published to the website prior to the meeting.

Mr. Jason Donati at 228 N Vine St Muncie expressed his opposition on the solar farms.

Mr. Steven Hinds of Muncie stated his 47302 expressed his concerns about the solar farm that will also surround his entire property.

Mr. Harold King of Gaston expressed his opposition on the solar farms.

[COMMENTS MAY BE MADE TO THE COMMISSIONERS VIA THEIR EMAIL AT commissioners@co.delaware.in.us

COMMISSIONERS COMMENTS:

32.5 Hour Work Week – Stephen Brand

Commissioner Brand stated there are senate and house bills that we will be paying attention to.

County Take Home Vehicles – Stephen Brand

Commissioner Brand stated he is putting together a proposal for county take home vehicles.

RECESS:

MOTION: Commissioner Riggins made a motion to recess

SECOND: Commissioner Brand

YEAS: Commissioner Riggan, Commissioner Brand, Commissioner Henry

The next Commissioner's meeting will be Tuesday February 18th, 2025, starting at 9:00 am.

To be placed on the next Commissioner's Agenda, contact the Commissioner's Office (765-747-7730) no later than 12:00 NOON on the Thursday prior to the scheduled meeting.