

DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, OCTOBER 3, 2022 @ 9:01 A.M.
COMMISSIONERS' COURTROOM
100 W. MAIN ST. ROOM 309A
CALL TO ORDER
PLEDGE TO FLAG
WELCOME

ROLL CALL

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riffin
Mr. John Brooke, County Attorney
Ms. Tonya Dunsmore, Auditor Office

ORIGINAL

ORDER OF BUSINESS

PUBLIC HEARING

VACATION OF UNIMPROVED WASHINGTON STREET

Mr. John Brooke, County Attorney, said the Public Hearing is for a street located in Medford, Indiana, Delaware County.

Mr. Jacob O'Connor, Representative for the petitioners said Mr. and Mrs. Jeff Felton presented the vacate of the property located in Medford, Indiana (see below).

No comments from the public.

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

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORIGINAL

STATE OF INDIANA }
DELAWARE COUNTY }
} SS: BEFORE THE BOARD OF COMMISSIONERS
IN RE: } OF DELAWARE COUNTY, INDIANA
PETITION TO VACATE }

NOTICE OF PUBLIC HEARING

On Oct 3, 2022, the Board of Commissioners of Delaware County, Indiana, will hold a public hearing at _____ in the Commissioners Courtroom, Room 309A in the Delaware County Building located at 100 West Main Street, Muncie, Indiana.

The hearing will be held on the matter of a petition filed with the Board of Commissioners of Delaware County, Indiana seeking to vacate part of four (4) alleyways and a street located within Delaware County, Indiana, and more particularly described as follows:

The vacation of unimproved Washington Street, the East Half of the unimproved alley at the West side of Lot 2 and Lot 16. ALSO, the vacation of the unimproved alley at the North side of Lots 1 and 2 in the Town of Medford as the same is platted in Plat Book 3, page 64 in the Records of Delaware County, Indiana, described as follows:

Beginning at the Southwest corner of Lot 2 in the Town of Medford; thence South 88 degrees 46 minutes 29 seconds West 5.00 feet (assumed bearing) along the Westerly extension of the South line of said Lot 2; thence North 01 degrees 13 minutes 31 seconds West 310.00 feet parallel with the West line of Lots 2 and 16 in said Town of Medford to the North line of Washington Street; thence North 88 degrees 46 minutes 29 seconds East 130.00 feet along the North line of said street; thence South 01 degrees 13 minutes 31 seconds East 50.00 feet to the Northeast corner of Lot 17 in said town; thence South 88 degrees 46 minutes 29 seconds West 125.00 feet to the Northwest corner of Lot 16 in said town; thence South 01 degrees 13 minutes 31 seconds East 125.00 feet to the Southwest corner of said Lot 16; thence North 88 degrees 46 minutes 29 seconds East 125.00 feet to the Southeast corner of said Lot 17; thence South 01 degrees 13 minutes 31 seconds East 10.00 feet to the Northeast corner of Lot 1 of said town; thence South 88 degrees 46 minutes 29 seconds West 125.00 feet to the Northwest corner of Lot 2; thence South 01 degrees 13 minutes 31 seconds East 125.00 feet to the point of beginning, containing 0.21 acres more or less.


ALSO, The vacation of unimproved Washington Street, the West Half of the unimproved alley at the East side of Lots 3 and 15, ALSO the vacation of the unimproved alley at the North side of Lots 3 and 4 in the Town of Medford as the same is platted in Plat Book 3, page 64 in the Records of Delaware County, Indiana, described as follows:

Beginning at a 5/8 inch rebar at the Southeast corner of Lot 3 in the Town of Medford; thence North 01 degrees 13 minutes 31 seconds West 125.00 feet (assumed bearing) to the Northeast corner of said Lot 3; thence South 88 degrees 46 minutes 29 seconds West 125.00 feet to the Northwest corner of Lot 4 in said town; thence North 01 degrees 13 minutes 31 seconds West 10.00 feet to the Southwest corner of Lot 14 in said town; thence North 88 degrees 46 minutes 29 seconds East 125.00 feet to the Southeast corner of Lot 15; thence North 01 degrees 13 minutes 31 seconds West 125.00 feet to the Northeast corner of said Lot 15; thence South 88

degrees 46 minutes 29 seconds West 125.00 feet to the Northwest corner of said Lot 14; thence North 01 degrees 13 minutes 31 seconds West 50.00 feet; thence North 88 degrees 46 minutes 29 seconds East 130.00 feet along the North line of Washington Street; thence South 01 degrees 13 minutes 31 seconds East 310.00 feet; thence South 88 degrees 46 minutes 29 seconds West 5.00 feet to the point of beginning, containing 0.21 acres, more or less.

Anyone interested in, or affected by, the proposed vacation of said alleyways and/or street may attend the public hearing at the time and address referenced above, and may speak in favor of said petition, or remonstrate against the same, as provided by law.

The public hearing may be continued from time to time. Written comments, suggestions, or objections may also be submitted to the Commissioners in person or by mail prior to the public hearing, or via email at commissioners@co.delaware.in.us. Copies of the petition to vacate may be examined at the Delaware County Auditor's Office, Room 103 in the Delaware County Building located at 100 West Main Street, Muncie, Indiana.

By: 
Sherry Riddell
Delaware County, Indiana

Dated: Oct 3, 2022



Joseph D. Durnell

TABLED BUSINESS
AN ORDINANCE TO AMEND THE DELAWARE COUNTY CODE
FOR THE PURPOSE OF CONTROLLING UNWANTED AND EXCESSIVE NOISE IN DELAWARE COUNTY, IN
ORDINANCE NO. 2022 - 022

MOTION: Commissioner Henry made a motion to remove Ordinance 2022-022, Ordinance to Amend the Delaware County Code for the Purpose of Controlling Unwanted and Excessive Noise in Delaware County, Indiana.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin

Sheriff Tony Skinner spoke regarding the noise ordinance. Mr. Skinner read aloud the state statute regarding Indiana's disorderly conduct, this statute is active and effectively stands up in court.

Mr. Skinner recommended that any complaints regarding noise should go to the Sheriff's office.

MOTION: Commissioner King made a motion to not approve Ordinance 2022-022, Controlling Unwanted and Excessive Noise in Delaware County, Indiana at this time.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve September 19, 2022 Minutes.

SECOND: Commissioner Henry

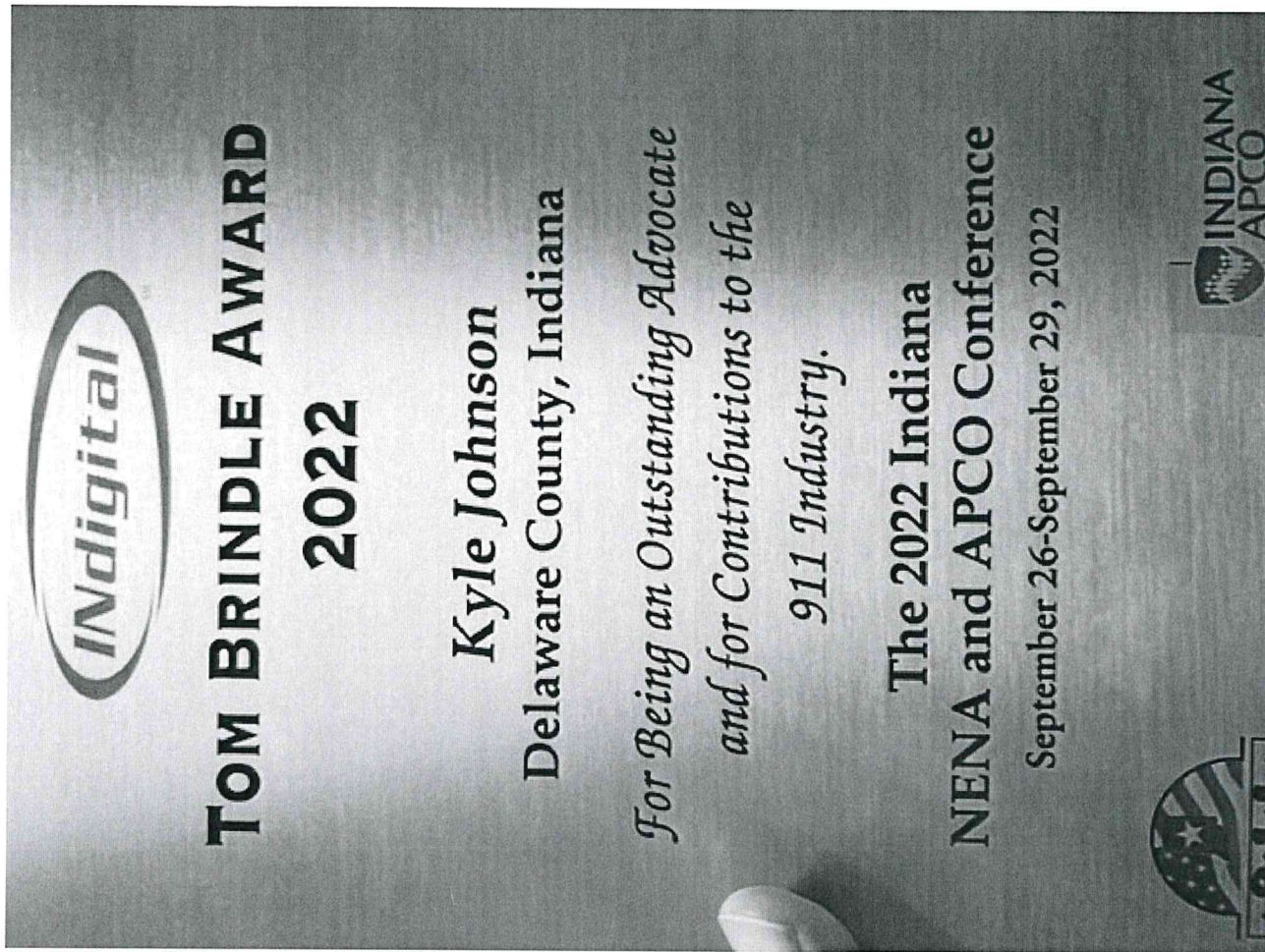
YEAS: Commissioner Henry, Commissioner King, President Riffin

PRESENTATIONS
INDIGITAL / AWARD PRESENTATION

Mr. Shake Rekeweg, Indigital Market Manager, presented the Tom Brindle award to Mr. Kyle Johnson, Chief Information Officer/GIS Coordinator.

Mr. Fred Cummings, 911 Director, nominated Mr. Johnson for the reward. See below*

The Commissioners thanked Mr. Johnson for his hard work.



FARMINGTON ADDITION

Mr. John Fallon was unable to attend today's meeting (October 3, 2022).

CONTRACTS OR AGREEMENTS FOR APPROVAL
HOLIDAY SCHEDULE FOR 2023

Ms. Jeni Honeycutt, Executive Assistant, presented the 2023 Holiday Schedule.

MOTION: Commissioner King made a motion to approve Holiday Schedule for 2023.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

**DELAWARE COUNTY COMMISSIONERS
2023 HOLIDAY SCHEDULE**

 **ORIGINAL**

Martin Luther King Day	Monday	January 16, 2023
President's Day	Monday	February 20, 2023
Good Friday	Friday	April 7, 2023
Primary Election	Tuesday	May 2, 2023
Memorial Day	Monday	May 29, 2023
Juneteenth	Monday	June 19, 2023
Independence Day	Tues/Wednesday	July 4 & 5, 2023
Labor Day	Monday	September 4, 2023
General Election	Tuesday	November 7, 2023
Veteran's Day	Friday	November 10, 2023
Thanksgiving	Thurs/Friday	November 23 & 24, 2023
Christmas	Fri/Monday	December 22 & 25, 2023
(New Year's Day	Monday	January 1, 2024)

Adopted this 3 day of October, 2022
Delaware County Board of Commissioners,


Sherry Riggins, President


Shannon Herby, Vice President


James King, Member


ATTEST: _____
Steve Craycraft, County Auditor

INDOT UNOFFICIAL DETOUR AGREEMENT

Ms. Angie Moyer, Project Manager, presented information regarding the bridge located at 28 and 67 north over Mississinewa River. The road will be closed for repairs of the bridge. INDOT proposed the detour route (see attached).

MOTION: Commissioner Henry made a motion to approve INDOT detour agreement.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin



INDIANA DEPARTMENT OF TRANSPORTATION

Greenfield District
32 S. Broadway St.
Greenfield, IN 46140

PHONE: 317-462-7751
FAX: 317-462-7031

Eric Holcomb, Governor
Mike Smith, Commissioner

September 23, 2022

Delaware County Board of Commissioners
100 West Main Street
Muncie, IN 47305

ORIGINAL

RE: Unofficial Detour Letter of Understanding
SR 28 over Mississinewa River
Bridge Replacement
Contract R-40497, DES 1701336

Dear Delaware County Board of Commissioners,

This is a follow up letter to our recent discussion concerning the closure of the location listed above. Traffic restrictions are expected to begin April 10, 2023 with an estimated completion date of August 28, 2023. The total closure time for this project will be approximately 120 days.

The Official Detour, in accordance with IC 8-23-21 and shown on the attached map, will utilize SR 28, SR 3, SR 167, SR 67. The Unofficial Detour, as shown on the attached map, is proposed to be Old Grandville Rd., E. Blacks Mill Rd.. The Unofficial Detour will be in effect during the same time period as the Official Detour.

INDOT will set up and maintain the necessary signage and traffic control for the Official Detour route or arrange with others to furnish the necessary items. The Unofficial Detour route will not be signed as a detour. Your County Commissioners will be responsible for any necessary weight restriction signage on the Unofficial Detour.

INDOT agrees to reimburse your County for costs related to damage repair on the listed Unofficial Detour. Reimbursable work must be pre-approved by INDOT prior to the completion of any work. All expenses must be documented to be considered for reimbursement. Once the District has agreed to the documented expenses, INDOT and the County must execute an agreement concerning reimbursement for the repairs. This will not occur until after the INDOT Official Detour is eliminated.

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If the terms of the Unofficial Detour detailed in this letter are acceptable, please check the "Detour Approved" option below, sign accordingly, then return to Taylor Darrah, Greenfield District Project Manager, at tdarrah@indot.in.gov within thirty (30) days. If the terms are not acceptable, please check the "Detour Rejected" option below, sign accordingly, and provide an alternative detour within thirty (30) days for our consideration. If we do not hear from you within thirty (30) days of the date of this letter, We will take the position that the Unofficial Detour is not acceptable to you and you must provide an alternative detour for our consideration.

Respectfully,

Taylor Darrah
Taylor Darrah, Project Manager
INDOT Greenfield District

DETOUR APPROVED: ☐

James King
James King, Commissioner - District 1

Sherry Riffin
Sherry Riffin, Commissioner - District 2

Shannon Henry
Shannon Henry, Commissioner - District 3

DETOUR REJECTED: ☐

10/3/2022
Date

10/3/2022
Date

10/3/2022
Date

cc: File

Cheryl Quismore
Deputy Auditor

10-3-22

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3-26-2021

ORDINANCES FOR FIRST READING
ORDINANCE TO VACATE A PART OF FOUR ALLEYS AND A STREET IN MEDFORD, DELAWARE COUNTY, IN
ORDINANCE NO. 2022-023

Mr. Brooke asked that the rules be suspended due to a real estate transaction.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2022-023, Ordinance to Vacate a Part of Four Alleys and a Street in Medford, Delaware County, Indiana.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin

MOTION: Commissioner Henry made a motion to suspend Ordinance 2022-023, Ordinance to Vacate a Part of Four Alleys and a Street in Medford, Delaware County, Indiana.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin

MOTION: Commissioner Henry made a motion to approve Ordinance 2022-023, Ordinance to Vacate a Part of Four Alleys and a Street in Medford, Delaware County, Indiana.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORDINANCE 2022- 023

ORDINANCE TO VACATE A PART OF FOUR ALLEYS
AND A STREET IN MEDFORD, DELAWARE COUNTY, INDIANA

WHEREAS, Susan Felton and Paul Voyles, having filed their Petition for Vacation of Part of Four Alleys and a Street in Medford, Delaware County, Indiana, the Board of Commissioners of Delaware County, Indiana, has provided notice, pursuant to Ind. Code § 36-7-3-12(c) and Ind. Code § 5-3-1 stating that it now desires to vacate parts of Washington Street and four (4) alleys located within Delaware County, Indiana, as illustrated in "EXHIBIT A" attached hereto (the "Vacation Area"), which said Vacation Area is generally described as follows:

TRACT 1:

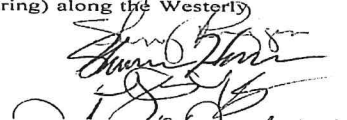
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TRACT 2:

The vacation of unimproved Washington Street, the East Half of the unimproved alley at the West side of Lot 2 and Lot 16. ALSO, the vacation of the unimproved alley at the North side of Lots 1 and 2 in the Town of Medford as the same is platted in Plat Book 3, page 64 in the Records of Delaware County, Indiana, described as follows:

Beginning at the Southwest corner of Lot 2 in the Town of Medford; thence South 88 degrees 46 minutes 29 seconds West 5.00 feet (assumed bearing) along the Westerly



Full signed ordinance available in Auditors office

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Brooke presented a special event registration form from Mr. and Mrs. Cindy Bennefeld (Baker) from Grace and Mercy Church, located at 5015 E. State Road 28, Muncie, Indiana 47303. The fall bash is October 29 from 2:00 p.m. until 11:00 pm and October 30, 2022 from 12:00 p.m. until 9:00 p.m. No local roads will be closed.

MOTION: Commissioner Henry made a motion to approve the special event located at Grace and Mercy Church.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riffin



Mr. Tommie Humbert, Highway Superintendent and Mr. Bob Daughterty, Sign Department, presented two roadways that are issues because of the roads being narrow. This is dangerous especially with farm equipment/semis and tractors traveling these roads.

Discussion went on between the Commissioners, Mr. Humbert and Mr. Daughterty regarding many country roads that are dangerous due to speed and not appropriate stop signs. A study is needed in the rural areas.

Ms. Moyer also has concerns regarding county roads and speed. Ms. Moyer will meet with Mr. Brooke for further discussion.

Commissioner King suggested to place counters and digital signs in the locations.

All Commissioners agreed that options are needed regarding county roads.

Mr. John Brooke, Commissioner Attorney, said a Public Hearing is needed.

Mr. Skinner said all county roads are 50 mph, unless it is marked specific to the area.

WEIGHTS & MEASURES MONTHLY REPORT

CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$1,038,233.14 and ARP claims in the amount of \$21,674.17.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

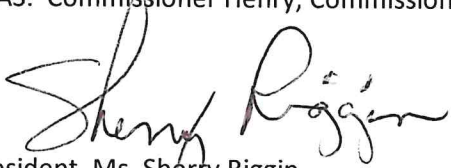
No comments.

RECESS

MOTION: Commissioner King made a motion to recess until October 17, 2022.

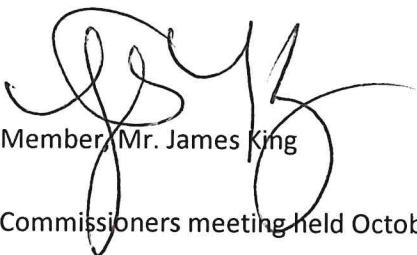
SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin




President, Ms. Sherry Riffin

Vice President, Mr. Shannon Henry



Member, Mr. James King



Mr. Steven G Craycraft