DELAWARE COUNTY COMMISSIONER'S MEETING TUESDAY, JANUARY 17, 2023 @ 9:04 A.M. COMMISSIONERS' COURTROOM 100 W. MAIN ST. ROOM 309A CALL TO ORDER PLEDGE TO FLAG WELCOME

Comments may be made to the Commissioners via their email at commissioners@co.delaware.in.us

ROLL CALL

Mr. Shannon Henry

Mr. James King-absent

Ms. Sherry Riggin

Mr. John Brooke, County Attorney

Mr. Ed Carroll, Auditor

PUBLIC HEARINGS

Mr. John Brooke, Commissioners Attorney, presented the information regarding the Public Hearing for the amendments to the Traffic Ordinance (see below).

President Henry read aloud the below information.

Public Hearing on Amendments to County Traffic Ordinance

- 1. All Way Stop sign at CR 800W and Division Road in Mt. Pleasant Township
- 2. 40 mph speed limit on CR 800W from Jackson Street to River Valley Road in Mt. Pleasant Township
- 3. 40 mph speed limit on Nixon Road from Bell Creek Road to CR 550W in Mt. Pleasant Township
- 4. 40 mph speed limit on CR 563E from SR 32 to CR 100N in Liberty Township
- 5. 40 mph speed limit on CR 200N from CR 650E to Randolph County Line in Liberty Township
- 6. 30 mph speed limit on CR 500E from CR 350N to Orr Road in Liberty Township
- 7. 40 mph speed limit on Orr Road from CR 500N to CR 525E in Liberty Township
- 8. 40 mph speed limit on Orr Road from CR 525E to Randolph County line in Liberty Township

Ms. Angie Moyer, Project Manager said traffic studies had been done.

The Star Press 345 S. High Street Muncie, Indiana 47305 Delaware County, Indiana

BROOKE & STRUBLE, PC

Federal Id: 35-2061385

Account #:MNI-060322 Order #:0005543652 # of affidavits: 1 Total Amount of Claim:\$44.22 This is not an invoice

BROOKE & STRUBLE, PC ATTN Bridgett Dewees 112 E GILBERT ST MUNCIE, IN 47305

PUBLISHER'S AFFIDAVIT

STATE OF WISCONSIN, } ss: County Of Brown

Personally appeared before me, a notary public in and for said county and state, the undersigned

I, being duly sworn, say that I am a clerk for THE MUNCIE NEWSPAPERS a STAR PRESS newspaper of general circulation I, being duty sworn, say that I am a clerk for THE MUNCIE NEWSPAPERS a STAR PRESS newspaper of general circulation printed and published in the English language in the city of Muncie in the state of Indiana and county of Delaware, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 times., the dates of publication being it

Insertion being in issues dated:

Waller

Notary Public

Newspaper has a website and this public notice was posted in the same day as it was published in the newspaper. Pursuant to the provisions and penalties of Ch. 155. Acts 1953.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid. , 2023 Title: Clerk Subscribed and sworn to before me this <u>5</u> day of <u>January, 2023</u>

Notary Expires:

KATHLEEN ALLEN Notary Public State of Wisconsin

No public comments.

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

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

APPOINTMENTS

Mr. Brooke said Dr. Kurt Alexander's appointment ended December 31, 2022. The Aviation Board must be politically balanced. Dr. Alexander's term would be a four-year term expiring December 31, 2026.

MOTION: Commissioner Riggin made a motion to appoint Dr. Alexander to the Board of Aviation.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

President Henry said Ms. Cora Conatser is starting med school August 2023 and requested to become a community volunteer of the Fair Board instead of a voting member. President Henry recommended Ms. Jessica Masters to replace Ms. Conatser.

MOTION: Commissioner Riggin made a motion to appoint Ms. Masters to the Fair Board.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve January 3, 2023, December 28 and December 29, 2022,

Executive Session Minutes. SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

PRESENTATIONS

A.R.P TOURISM & HOSPITALITY GRANTS

Mr. Brooke said the Visitors Bureau approved Meg's Country Celebrations \$49,000 (Megan Alexander) and Delaware County Futbol Club Inc \$49,000 (Greg Posey). Mr. Brooke reviewed both applications.

OK Per John B

Muncie Arts & Culture Council

from City of Muncie.

did not qualify for A.R.P due to both companies had received money

MOTION: Commissioner Riggin made a motion to approve Meg's Country Celebrations and Delaware County Futbol Club Inc. each for \$49,000.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

CONTRACTS OR AGREEMENTS FOR APPROVAL

Mr. Brooke presented the annual Extension Services contract with Purdue. Mr. Brooke reviewed the agreement and all was in place for approval.

MOTION: Commissioner Riggin made a motion to approve the Extension Services contract with Purdue.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

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EXTENSION CONTRACTUAL SERVICES AGREEMENT

BETWEEN

PURDUE UNIVERSITY

AND GOVERNMENT OF

DELAWARE COUNTY, INDIANA

This agreement made this first day of January, 2023 by and between the government of Delaware County of the State of Indiana, hereinafter called the "County", and Purdue University of West Lafayette, Indiana 47907, on behalf of the Purdue Cooperative Extension Service, hereinafter called "University,"

WITNESSTH THAT:

WHEREAS, the County desires to provide financial support for county extension services of interest, specifically the 4-H YOUTH DEVELOPMENT. LEADERSHIP and COMMUNITY DEVELOPMENT. AGRICULTURE and NATURAL RESOURCES, and HEALTH AND HUMAN SCIENCES, the results of which may be of mutual benefit to the county and others interested in agriculture, health and human sciences, youth, and community development; and,

WHEREAS, the services are an integral part of the University's Cooperative Extension Service; and

WHEREAS, the services will be of benefit to the populace of Delaware County and the State of Indiana in the following manner: Extension Service Programs to include: 4-H YOUTH DEVELOPMENT, LEADERSHIP and COMMUNITY DEVELOPMENT, AGRICULTURE and NATURAL RESOURCES, and HEALTH AND HUMAN SCIENCES; and,

WHEREAS, the University is willing to undertake such work through its Cooperative Extension Service;

NOW THEREFORE, the parties hereto agree as follows:

- In exchange for the University's provision of the services described more fully in Appendix 1 to this
 Agreement, which is fully incorporated herein, for a period of one year from the date first written above
 the County agrees to contribute to Purdue University the dollar amounts specified in Appendix 1. Invoice
 will be issued by the University on or about April 1.
- The University agrees to use the funds thus contributed for the conduct of such services and will provide the necessary personnel required for the services. All personnel employed by the University specifically for the conduct of these services shall be employees of the University. The employment or assignment of any specific individual to any service position under this agreement is the responsibility of the Director of the Purdue Cooperative Extension Service and will be done in consultation with the County's Extension Board. This agreement applies only to those positions specifically stated herein.
- It is understood that the results of the services or reports of activities may be published by the University
 in such form as may be approved by the University.
- Any funds not expended or committed for said services can be made available for other uses benefiting the contributing county's Extension programs. Possible uses could include other salary support, supplies, capital equipment.
- 5. It is further understood that this agreement may be renewed at the expiration date subject to the approval of the County and the University.
- This Agreement supercedes any and all prior Agreements made between the parties for the subject matter

DocuSign Envelope ID: 756EEB28-716D-45B6-B26D-5EBD86DCB561

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The University agrees by the execution of this contract that in regards to its operation in Delaware County, Indiana:

- The provisions of all Federal Civil Rights laws and the Indiana Civil Rights law as applicable are incorporated by reference as part of this agreement.
- County shall not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, sex, religion, age, national origin or ancestry, marital status, parental status, sexual orientation, gender identity or expression, genetic information disability, handicap, or status as a veteran. Acceptance of this agreement signifies full compliance on the part of County with Title VI and Title VII of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. County ensures that no person shall on the grounds of race, sex, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, gender identity or expression, genetic information, disability, status as a veteran, or handicap be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program activity or with respect to any matter directly or indirectly related to employment.
- The provisions of the Affirmative Action Program adopted by the County as applicable are incorporated by reference as part of this agreement.
- County further agrees:

 To abide by Executive Order 11246, as amended, and the Rules and Regulations applicable thereto which are incorporated by reference and made a part of this Agreement;
 To take affirmative action to employ and advance in employment qualified handicapped individuals and qualified disabled veterans and Victnam-Era veterans as required by the Rehabilitation Act of 1973 and the Victnam-Era Veterans Readjustment Act of 1974, and the agreement.

FICA TAXES

The University shall pay all FICA taxes, from their own sources, for the employees who are the subject of this

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written PURDUE UNIVERSITY COOPERATIVE EXTENSION SERVICE

COOPERATIVE EXT	ENSION SERVICE		
, Documented by:	STIBION BERVICE:		
LES Beth Siple	10/21/2022	Jason Henderson	
Signature	Date	Signature	10/21/2022
Beth Siple		Signature	Date
Assistant Director Financial Affairs Ag Sponsored Program Service		Jason R. Henderson Senior Associate Dean and Director of Extension	
/	Sci vice	Sean and	Director of Extension
COUNTY COVERNME			
Z Z ZICIVIVII	-N-7:/		
BY: Min Him		0.1.10	
County Government Official		01/11/25	
SHANNON HENVIZU		Date	
Typed Name		- COMMISSIONER	
31 1	,	Title	
Ell Cell	Auditer		

Mr. Brooke presented a deed for Center Township. The property is owned by the Commissioners and is adjacent to East Main Street. Center Township plans are to expand services and offerings for the public. Mr. Brooke said since this is a governmental agency, there is no cost. Mr. Brook will prepare the sales disclosure and record the deed.

MOTION: Commissioner Riggin made a motion to approve the quit claim deed for Center Township Trustee at no cost.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

Mr. Cory Kissick, Emergency Management Agency, presented the Grant Agreement Hazard Mitigation Plan. EMA is requesting that a fund be set up. Several counties across Indiana received grant money from Homeland Security. Delaware County received \$20,304 with \$6769 coming from EMA and the remaining amount covered by Ball Brothers.

MOTION: Commissioner Riggin made a motion to approve the Grant Agreement Hazard Mitigation plan.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

GIFT OF VEHICLE TO WES-DEL SCHOOLS COMMISSIONERS TO TRANSFER COUNTY-OWNED PROPERTY TO WES-DEL COMMUNITY SCHOOLS RESOLUTION 2023-001

Mr. Tony Skinner, Delaware County Sheriff, said the county vehicle was purchased by Wes-Del and was utilized by a Reserve Deputy who worked at Wes-Del Schools as a Resource Officer. The vehicle had to be registered as a county owned vehicle because it was fully equipped with sirens, lights etc. The Resource Officer recently retired and Wes-Del is asking for the vehicle title to be presented as a gift. This vehicle will be a marked vehicle located on the school property.

MOTION: Commissioner Riggin made a motion to approve the gift of vehicle and title to Wes Del Schools.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

MOTION: Commissioner Riggin amended the motion to include Resolution 2023-001.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

RESOLUTION NO. 2023-001

RESOLUTION OF THE DELAWARE COUNTY, INDIAN COMMISSIONERS TO TRANSFER COUNTY-OWNED PROPERTY TO THE WES DEL COMMUNITY SCHOOLS

WHEREAS, the Delaware County Board of Commissioners, as the legislative body and executive of Delaware County, Indiana (hereinafter, the "Commissioners"), owns certain persona property that is described as a 2018 Chevrolet Silverado pick up truck with a VIN ending in 19881 that was used by the Delaware County Sheriff in its operations (hereinafter, the "County Property");

WHEREAS Wes Del Community Schools has expressed an interest in receiving and using said vehicle as part of its daily operations;

WHEREAS Wes Del Community Schools District desires to acquire the County Property from the Commissioners to be used in their daily operations; and

WHEREAS the Commissioners desire to transfer said County Property to Wes Del Community Schools, subject to acceptance of said County Property by the school district and upon the terms and conditions stated herein.

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

- The Delaware County Board of Commissioners shall transfer said County Property, as described above to Wes Del Community Schools upon acceptance of the County Property by Wes Del Community Schools.
- The school district's acceptance of the County Property shall be demonstrated by transfer of the title from the County to the School District corporation.
- 3. This Resolution shall be effective upon adoption.

" Cliff

DULY ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 17 day of 101 uary, 2023.

DELAWARE COUNTY BOARD OF COMMISSIONERS

Shannon Henry, President

James King, Commissioner

Sherry Riggin, Commissioner

ATTEST:

Edward Carroll, Auditor Delaware County, Indiana



STATE OF INDIANA

CERTIFICATE OF TITLE FOR A VEHICLE



CHEVROLET TITLE TYPE NORMAL

MODEL NAME SILVERADO K1500 LT FORMER TITLE/STATE C OF O/IN

CANAMA - ELOUBERTO - ELEVISORERE REPERENCIANA ANTANAMA MANAMA - CANAMA - CA

PURCHASE DATE

2018 ISSUE DATE 02/14/19

VIN 3GCUKREC7JG619811 USAGE TAX PAID

\$0.00

OWNER(S) NAME

01/16/19 ODOMETER/BRAND 000012/ACTUAL

BODY TYPE

BRAND(S)

DELAWARE COUNTY COMMISSIONERS 100 W MAIN ST MUNCIE IN 47305

ADDITIONAL OWNER(S)

MAILING ADDRESS DELAWARE COUNTY COMMISSIONERS 100 W MAIN ST MUNCIE IN 47305

4.4

FIRST HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

FIRST LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

PRINTED NAME:

POSITION:

DATE:

SECOND HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

SECOND LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

PRINTED NAME:

POSITION:

THIRD HOLDER OF LIEN, MORTGAGE OR ENCUMBRANCE

THIRD LIEN, MORTGAGE OR ENCUMBRANCE RELEASED BY:

PRINTED NAME:

POSITION:

The Commissioner of the Bureau of Motor Vehicles, pursuant to the laws of the State of Indiana, certifies that the vehicle/watercraft has been duly titled and the owner of the described vehicle/watercraft is subject to the liens set forth.

INDIANA BUREAU OF MOTOR VEHICLES

Peter L. Lacy, Commissioner

G6325484

State Form 9697 (R10 / 1-17) Approved by State Board of Accounts, 2016

DO NOT ACCEPT TITLE SHOWING ANY ERASURES, ALTERATIONS OR MUTILATIONS

TITLE NUMBER 19803032000090

ORDINANCES FOR FIRST READING

AN ORDINANCE FOR ESTABLISHING A FUND FOR GRANT TO REVISE HAZARD MITIGATION PLAN ORDINANCE NO. 2023-002

MOTION: Commissioner Riggin made a motion to introduce Ordinance 2023-002, An Ordinance for Establishing a Fund

for Grant to Revise Hazard Mitigation plan.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

MOTION: Commissioner Riggin made a motion to suspend the rules on Ordinance 2023-002, An Ordinance for

Establishing a Fund for Grant to Revise Hazard Mitigation plan.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

MOTION: Commissioner Riggin made a motion to approve Ordinance 2023-002, An Ordinance for Establishing a Fund

for Grant to Revise Hazard Mitigation plan.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

1/1/2023 ORDINANCE 2023 102

ORDINANCE FOR DELAWARE COUNTY COMMISSIONERS

ORDINANCE FOR DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY GRANGE ACCEPTANCE AND FUND ESTABLISHMENT

WHEREAS, the Delaware County Emergency Management Agency has received a grant from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the purpose of the grant from FEMA is to have Delaware County Emergency Management Agency to update their hazard mitigation plan for Delaware County; and

WHEREAS, the uses of the funds are controlled by the grant agreement with FEMA; and

WHEREAS, the Board of Commissioners are supportive of the Delaware County Emergency Management Agency in receiving these funds and needs to set up a separate fund for the deposit and use of the funds by the Delaware County Emergency Management Agency.

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

- The grant provided to the Emergency Management Agency shall be accepted for the purpose of revising the hazard mitigation program of the County.
- A separate fund shall be established by the Delaware County Auditor for the purpose of receiving any and all funds for the FEMA as awarded by for the Delaware County Emergency Management Agency to update the hazard mitigation program in the County.
- The Delaware County Auditor shall issue a budget fund number of _____ with respect to the funds received by the Delaware County Emergency Management Agency and said funds shall be non-reverting.
- Said funds shall reimburse expenses spent and shall be used by the Delaware County Emergency Management Agency, without appropriation, as per specified by the FEMA grant.

Adopted by the Board of Commissioners on the day of January, 2023.

BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA

ATTEST:

ORIGINAL

Award Letter

Effective date: 12/14/2022

U.S. Department of Homeland Security Washington, D.C. 20472

FEMA

HOMELAND SECURITY, INDIANA DEPARTMENT OF 302 W WASHINGTON ST ROOM E208 INDIANAPOLIS, IN 46204

EMC-2021-BR-065

Dear Ashley Steeb,

Enclosed please find your amended Fiscal Year 2021 Building Resilient Infrastructure and Communities award package that has been approved in the amount of \$582,076.11 in Federal Funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than \$194,027.85 for a total approved budget of \$776,103.96.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles
 Obligating Document
 FY 2021 BRIC Notice of Funding Opportunity (NOFO)

Please make sure you read, understand, and maintain a copy of these documents in your official file for

Sincerely.

Julia MCCARTHY

Deputy Mitigation Division Director

AN ORDINANCE TO AMEND THE DELAWARE COUNTY TRAFFIC CODE ORDINANCE NO. 2023-003

MOTION: Commissioner Riggin made a motion to introduce Ordinance 2023-003, An Ordinance to Amend the Traffic

Code.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Brooke said the county entered into a contract with OPENGOV to assist Delaware County with American Rescue plan reporting and financial matters. Mr. Ed Carroll and Mr. Brooke met with OPENGOV and they have revised and updated their contract for renewal of 2023 and 2024. The software cost for 2023 is \$39,000 and 2024 is \$59,000. Mr. Carroll is an advocate for the software package.

MOTION: Commissioner Riggin made a motion to adopt the OPENGOV agreement.

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

TOPE	ENGOV	
Quote Number:	OG-00OGDC23	
Created On:	1/13/2023 1/31/2023 1/1/2023	
Order Form Expiration:		
Subscription Start Date:		
Subscription End Date:	12/31/2024	
Customer Information	County of Delaware, IN	
Bill To/Ship To:	100 W Main St.	
biii ro/simp ro:	Muncie, IN 47305	
	United States	
CALCUIPE PROBLEM	Annually in Advance	
	Net Thirty (30) Days	
SOFTWARE SERVICES:		
Product / Service		
Budgeting & Plannin, Citizen	Services - 1 Service Areas	
Budgeting & Plannin, Citizen	Services - 1 Service Areas	

Prepared By: Julian Jackson
Email: Jjackson@opengov.com
Contract Term: 24 Months

Start Date End Date \$39,000.00 1/1/2024 12/31/2024

> Annual Subscription Total: See Billing Table

Billing Table: Billing Date
January 1, 2023
January 1, 2024

Order Form Legal Yerna
Welcome to OpenGov! Thanks for using our Software Services. This Order Form is entered into between OpenGov, Inc., with its principal place of business at 6525 Crown Blvd #41340 San Jose, CA 95160 ("OpenGov"), and you, the entity identified above ("Customer"), as of the Effective Date. This Order Form includes and incorporates the OpenGov Software Services Agreement, signed between the parties, effective December 6, 2021 as armended ("SSA") and the applicable Statement of Work ("SOW") incorporated herein in the event Professional Services are purchased. The Order Form, SSA and SOW shall hereafter be referred to as the "Agreement" Unless otherwise specified above, fees for the Software Services and Professional Services shall be due and payable, in advance, on the Effective Date. By signing this Agreement, Customer acknowledges that it has reviewed, and agrees to be legally bound by, the OpenGow Software Services
Agreement. Each party's acceptance of this Agreement is conditional upon the order's acceptance of the terms in the Agreement to the exclusion of all other terms.

County of Delaware, IN ature: form SHANNON OMMISSIONER PRES 01/17/2023

\$59,000.00

Signature: Date

President Henry said he and Mr. Steve Foster, Building Superintendent, have been discussing the problem with the air exchange system in the county building. President Henry would like to use \$75,000 from ARP money to allow updates to the system, due to the ongoing problems.

Mr. Brooke said this does not have to go out for bids but quotes would be needed for the service work. This work would fall within the American Rescue Plan.

Mr. Foster will get quotes. Mr. Foster explained in detail of the plan.

WEEKLY, MONTHLY AND QUARTERLY REPORTS

PAYMENT OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$2,010,721.56 and ARP claims in the

amount of \$123,787.51. SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

RECESS

MOTION: Commissioner Riggin made a motion to recess until February 6, 2023

SECOND: President Henry

YEAS: Commissioner Riggin, President Henry

ABSENT: Commissioner King

President, Mr. Shannon Henry

Member, Ms. Sherry Riggin

Auditor, Mr. Ed Carroll