

June 1, 2020 @ 9:00 a.m.  
COMMISSIONER'S COURTROOM  
COMMISSIONER MEETING  
100 W. MAIN STREET  
MUNCIE, IN 47305  
MOMENT OF SILENCE FOR MR. GEORGE FLOYD  
QUESTIONS MAY BE DIRECTED TO COMMISSIONERS@CO.DELAWARE.IN.US  
PLEDGE TO FLAG

Mr. Shannon Henry  
Mr. James King  
Ms. Sherry Riggin  
Mr. John Brooke, County Attorney  
Mr. Steven G Craycraft, Auditor

**PUBLIC HEARING**

TO ESTABLISH A WEIGHT RESTRICTION ON CR 400 SOUTH BETWEEN SR 32 AND CR 800 W  
Ms. Angie Moyer, Project Manager said due to semi's going down 400 South, there have been numerous complaints and damage to the road. The State will place signage on SR 32, however the State requested an ordinance be approved by the County Commissioners first.

MOTION: Commission King made a motion to close the public hearing.  
SECOND: Commissioner Riggin  
YEAS: Commissioner King, Commissioner Riggin, President Henry

**APPOINTMENT(S)**

MOTION: Commissioner King made a motion to appoint Ms. Mary Louise Buck and Mr. Daniel Stallings.  
SECOND: Commissioner Riggin  
Ms. Jeni Honeycutt, Executive Assistant said both appointments are through June 1 of 2024.  
YEAS: Commissioner King, Commissioner Riggin, President Henry

MOTION: Commissioner King made a motion to appoint Mr. Mark Pitzer to the Fair Board through 12/31/2020. This appointment is due to health issues of Mr. Larry Clendendon.  
SECOND: Commissioner Riggin  
YEAS: Commissioner King, Commissioner Riggin, President Henry

**TABLED BUSINESS**

AN ORDINANCE TO RE-ESTABLISH A CUMULATIVE BRIDGE FUND  
FOR DELAWARE COUNTY, IN AND INCREASING THE TAX RATE  
FOR THE FUND PURSUANT TO IN CODE 6-1.1-41 & 8-16-3  
ORDINANCE NO. 2020-002

Remained tabled

### **APPROVAL OF MINUTES**

MOTION: Commissioner Riggin made a motion to approve May 18, 2020 Commissioner Minutes.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

MOTION: Commissioner King made a motion to approve Special May 26, 2020 Commissioner Minutes.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

### **CONTRACTS OR AGREEMENTS FOR APPROVAL**

Mr. Meeks Cockerill said residents of Daleville, Indiana and Westbrook addition filed petitions. Mr. Meeks reviewed the appeals and said they did not meet the criteria in the statute. The first standard rate did not amount to more than 5% yearly from the last rate increase. Neither petitions set forth as to why the rates were not just and reasonable, therefore as a matter of law, the part of appeal failed. Therefore, Mr. Cockerill said the Commissioners did not need to have a public hearing. The Commissioners should adopt both resolutions as followed to end the appeal process.

Mr. Jason Richards, Regional Waste Water Executive Director said several projects are taking place with a \$5 million project at Westbrook, Yorktown, Indiana. Per the State of Indiana, rates must be in order before the project can be started.

No major improvements have been made in Westbrook since 1979. A 60 inch pipe will replace the current 21 inch pipe. The project at Westbrook will be a 12 month project.

Mr. John Brooke, County Attorney said approving both resolutions will end any appeals.

### **RESOLUTION 2020-018 AND 2020-019, RATE INCREASE FOR DALEVILLE, INDIANA AND WESTBROOK ADDITION**

MOTION: Commissioner Riggin made a motion to approve Resolution 2020-018, rate increase for Daleville and Resolution 2020-019, rate increase for Westbrook.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

Resolution 2020-18

Resolution Regarding Petitions filed on Rate Increase for Daleville, Indiana

WHEREAS, the Delaware County Commissioners (hereinafter "Commissioners") have been petitioned to review the rates charged for the Delaware County Regional Wastewater District (hereinafter "District").

BE IT RESOLVED, that the Commissioners find as follows:

1. Pursuant to I.C. 13-26-11-15(b)(1)(A), the Commissioners are the district authority for the Delaware County Wastewater District which is located in Delaware County, Indiana.
2. The District passed Ordinance 2020-03 raising the monthly sewer rate for Daleville, Indiana which is part of the District from \$47 per month to \$60.31 per month.
3. The previous sewer rate for Daleville, Indiana of \$47 per month was adopted on October 19, 2011.
4. The current sewer rate for Daleville, Indiana of \$60.31 per month was adopted on April 30, 2020.
5. The following is part of IC 13-26-11-15(c): "If a district adopts an ordinance increasing sewer rates and charges at a rate that is greater than five percent (5%) per year, as calculated from the rates and charges in effect from the date of the districts last rate increase, the district shall mail, either separately or along with a periodic billing statement, a notice of the new rates and charges to each user of the sewer system who is affected by the increase." (emphasis added)
6. The monthly rate increase for Daleville, Indiana is less than 5% per year. The monthly rate increase would have to have been over \$72.91 per month to be at least 5% per year from the last rate increase.
7. The Commissioners received a petition from over 50 rate payers in the District on May 13, 2020.
8. The petition does not set forth any grounds for the ratepayer's objection to the monthly rate increase as required by IC 13-26-11-15(d)(3).

BE IT FURTHER RESOLVED, that the Commissioners find that they have no statutory authority to conduct a public hearing on this matter under IC 13-26-11-15.

BE IT FURTHER RESOLVED, that the Commissioners have no statutory authority to review the monthly rate increase for Daleville, Indiana.

BE IT FURTHER RESOLVED, the petition does not meet the statutory grounds found in IC 13-26-11-15.

All of this is adopted this 1<sup>st</sup> day of June, 2020.

Resolution 2020-19

Resolution Regarding Petitions filed on Rate Increase for Westbrook, Indiana

WHEREAS, the Delaware County Commissioners (hereinafter "Commissioners") have been petitioned to review the rates charged for the Delaware County Regional Wastewater District (hereinafter "District").

BE IT RESOLVED, that the Commissioners find as follows:

1. Pursuant to I.C. 13-26-11-15(b)(1)(A), the Commissioners are the district authority for the Delaware County Wastewater District which is located in Delaware County, Indiana.
2. The District passed Ordinance 2020-03 raising the monthly sewer rate for Westbrook, Indiana which is part of the District from \$48.90 per month to \$70.36 per month.
3. The previous sewer rate for Westbrook, Indiana of \$48.90 per month was adopted on June 15, 2011.
4. The current sewer rate for Westbrook, Indiana of \$70.36 per month was adopted on April 30, 2020.
5. The following is part of IC 13-26-11-15(c): "If a district adopts an ordinance increasing sewer rates and charges at a rate that is greater than five percent (5%) per year, as calculated from the rates and charges in effect from the date of the districts last rate increase, the district shall mail, either separately or along with a periodic billing statement, a notice of the new rates and charges to each user of the sewer system who is affected by the increase." (emphasis added)
6. The monthly rate increase for Westbrook, Indiana is less than 5% per year. The monthly rate increase would have to have been over \$75.86 per month to be at least 5% per year from the last rate increase.
7. The Commissioners received a petition from over 50 ratepayers in the District on May 21, 2020.
8. The petition does not set forth any grounds for the ratepayer's objection to the monthly rate increase as required by IC 13-26-11-15(d)(3).

BE IT FURTHER RESOLVED, that the Commissioners find that they have no statutory authority to conduct a public hearing on this matter under IC 13-26-11-15.

BE IT FURTHER RESOLVED, that the Commissioners have no statutory authority to review the monthly rate increase for Westbrook, Indiana.

BE IT FURTHER RESOLVED, the petition does not meet the statutory grounds found in IC 13-26-11-15.

All of this is adopted this 1<sup>st</sup> day of June, 2020.



**ORDINANCES FOR FIRST READING**

**AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC  
ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY  
ORDINANCE NO. 2020-006**

MOTION: Commissioner King made a motion to introduce Ordinance 2020-006, An Ordinance to Amend an Ordinance Regulating Traffic on Certain Public Streets in Delaware County.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Riggin, President Henry

**RESOLUTIONS FOR APPROVAL**

**RESOLUTION OF THE DELAWARE COUNTY COMMISSIONERS TO TRANSFER COUNTY-OWNED REAL PROPERTY TO  
THE CITY OF MUNCIE AND ACCEPT CITY-OWNED REAL PROPERTY FROM THE CITY OF MUNCIE  
RESOLUTION NO. 2020-016**

Mr. Brooke said this resolution was presented originally and then presented again. The resolution is to be sent to City of Muncie to transfer "exhibit B" 20 to 30 lots. The listed properties are blight elimination, for exchange of three properties located on Tillotson Avenue. This allows the city to continue their blight program. The city would then need to adopt a similar resolution for Delaware County.

MOTION: Commissioner King made a motion to approve Resolution 2020-016, A Resolution to the Delaware County Commissioners to Transfer County-Owned Real Property to the City of Muncie and Accept City-Owned Real Property from the City of Muncie.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

ORIGINAL

RESOLUTION NO. 2020-016

**RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO  
TRANSFER COUNTY-OWNED REAL PROPERTY TO THE CITY OF MUNCIE AND  
ACCEPT CITY-OWNED REAL PROPERTY FROM THE CITY OF MUNCIE**

*WHEREAS*, the Muncie Redevelopment Commission, as the governing body of the City of Muncie, Indiana's Department of Redevelopment, owns certain pieces of real property located in the City of Muncie, Indiana, which are specifically identified on "EXHIBIT A" attached hereto (hereinafter, the "City Property");

*WHEREAS*, the Delaware County Board of Commissioners, as the legislative body and executive of Delaware County, Indiana, desire to acquire the City Property from the Muncie Redevelopment Commission to be used in for various County-related purposes;

*WHEREAS*, the Delaware County Board of Commissioners own certain pieces of real property located in the City of Muncie, Indiana, which are specifically identified on "EXHIBIT B" attached hereto (hereinafter, the "County Property");

*WHEREAS*, the Muncie Redevelopment Commission desires to acquire the County Property from the Delaware County Commissioners to be used for various City-related purposes;

*WHEREAS*, the Muncie Redevelopment Commission desires to transfer said City Property to the Delaware County Commissioners, subject to acceptance of said City Property by the Delaware County Commissioners; and

*WHEREAS*, the Delaware County Commissioners desire to transfer said County Property to the Muncie Redevelopment Commission, subject to acceptance of said County Property by the Muncie Redevelopment Commission.

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

1. The Delaware County Board of Commissioners shall transfer said County Property referenced herein to the Muncie Redevelopment Commission:
  - a. Upon acceptance of the County Property by the Muncie Redevelopment Commission; and
  - b. In exchange for the Muncie Redevelopment Commission's transfer of the City Property to the Delaware County Commissioners.
2. The Muncie Redevelopment Commission's acceptance of the County Property shall be demonstrated by the adoption of a substantially similar resolution by the Muncie Redevelopment Commission indicating:

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- a. The Muncie Redevelopment Commission's intent and agreement to transfer to the City Property to the Delaware County Commissioners in exchange for the transfer of the County Property to the Muncie Redevelopment Commission; and
  - b. The Muncie Redevelopment Commission's acceptance of the County Property from the Delaware County Commissioners in exchange for the transfer of the City Property from the Muncie Redevelopment Commission.
3. The Delaware County Commissioners shall pay all transfer and recording fees for the City Property and the Muncie Redevelopment Commission shall pay all transfer and recording fees for the County Property.
4. The Delaware County Auditor shall provide an executed copy of this Resolution to the Muncie Redevelopment Commission and, upon receipt of a substantially similar resolution adopted by the Muncie Redevelopment Commission, the President of the Delaware County Board of Commissioners shall be authorized to execute all documents necessary to transfer the County Property to the Muncie Redevelopment Commission.
5. This Resolution shall be effective upon adoption.

*DULY ADOPTED* by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 1 day of June, 2020.

DELAWARE COUNTY  
BOARD OF COMMISSIONERS

  
Shannon Henry, President

  
Sherry Riggins, Commissioner

  
James King, Commissioner

ATTEST:

  
Steven Craycraft, Auditor  
Delaware County, Indiana

Resolution No. 2020-016

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## **EXHIBIT A**

### **CITY PROPERTY**

#### **Tract 1**

**Parcel No.:** 18-11-20-351-005.000-003

**Common Address:** 3100 S Tillotson Ave  
Muncie, Indiana 47302

**Legal Description:** A part of the West Half of the Southwest Quarter of Section 20, Township 20 North, Range 10 East in Center Township, Delaware County, Indiana, described as follows:

Commencing at a spike marking the Northwest corner of the Southwest Quarter of Section 20, Township 20 North, Range 10 East; thence South 89 degrees 58 minutes 03 seconds East 1329.40 feet (assumed bearing) to the aliquot Northeast corner of the West Half of said Southwest Quarter of said Section 20; thence South 00 degree 59 minutes 09 seconds East 763.90 feet along the East line of said Half-Quarter Section to the point of beginning; thence South 00 degree 59 minutes 09 seconds East 1036.31 feet to a 5/8 inch rebar that is 855.60 feet north of the South line of said Half-Quarter Section; thence South 89 degrees 29 minutes 41 seconds West 760.63 feet parallel with the South line of said Quarter Section; thence North 45 degrees 18 minutes 36 seconds West 615.60 feet to a point on the East line of the Commissioner's Tract described by Deed Record 1979 page 1073-4, Records of Delaware County, Indiana; thence North 11 degrees 06 minutes 25 seconds East 579.19 feet along said tract to the point of beginning of a curve, said point being South 78 degrees 53 minutes 35 seconds East 2914.75 feet from the radius point of said curve; thence Northerly 42.93 feet along said curve to a point that is South 79 degrees 44 minutes 13 seconds East 2914.75 feet from said radius point; thence South 89 degrees 58 minutes 03 seconds East 1060.88 feet to the point of beginning, containing 25.41 acres, more or less.

#### **Tract 2**

**Parcel No.:** 18-11-20-301-004.000-003

**Common Address:** 2900 Blk Cornbread Rd  
Muncie, Indiana 47302

**Legal Description:** A part of the West Half of the Southwest Quarter of Section 20, Township 20 North, Range 10 East in Center Township, Delaware County, Indiana, described as follows:

Commencing at a spike marking the Northwest corner of the Southwest Quarter of Section 20, Township 20 North, Range 10 East; thence South 89 degrees 58 minutes 03 seconds East 1329.40 feet (assumed bearing) along the North line of said Quarter Section to the aliquot

Resolution No. 2020-016

EXHIBIT A



Northeast corner of the West Half of said Southwest Quarter; thence South 00 degree 59 minutes 09 seconds East 396.00 feet along the East line of said Half-Quarter Section to a 5/8 inch rebar at the point of beginning; thence South 00 degree 59 minutes 09 seconds East 367.90 feet to a 5/8 inch rebar; thence North 89 degrees 58 minutes 03 seconds West 1060.88 feet to a 5/8 inch rebar on the curved Easterly right-of-way line of the Tillotson Avenue, said rebar being South 79 degrees 44 minutes 13 seconds East 2914.75 feet from the radius point of said curve; thence Northerly 370.52 feet along said curve to a 5/8 inch rebar that is South 87 degrees 01 minute 14 seconds East 2914.75 feet from said radius point; thence South 89 degrees 58 minutes 03 seconds East 1011.83 feet to the point of beginning, containing 8.71 acres, more or less.

**Tract 3**

**Parcel No.:** 18-11-20-301-010.000-003

**Common Address:** 2900 Blk Cornbread Rd  
Muncie, Indiana 47302

**Legal Description:** A part of the West Half of the Southwest Quarter of Section 20, Township 20 North, Range 10 East in Center Township, Delaware County, Indiana, described as follows:

Beginning at a MAG nail on the North line of the West Half of the Southwest Quarter of Section 20, Township 20 North, Range 10 East, said nail being South 89 degrees 58 minutes 03 seconds East 405.00 feet (assumed bearing) from a spike at the Northwest corner of said Half-Quarter Section; thence South 89 degrees 58 minutes 03 seconds East 259.65 feet to a MAG nail; thence South 00 degrees 57 minutes 59 seconds East 396.00 feet along the East line of the West Half of the West Half of said Southwest Quarter to a 5/8 inch rebar; thence North 89 degrees 58 minutes 03 seconds West 346.89 feet to a 5/8 inch rebar on the curved East line of the Tillotson Extension, said rebar being South 87 degrees 01 minutes 14 seconds East 2914.75 feet from the radius point of said curve; thence Northerly 199.98 feet along said curve to a 5/8 inch rebar that is North 89 degrees 06 minutes 26 seconds East 2914.75 feet from said radius point; thence North 00 degrees 53 minutes 34 seconds West 109.90 feet along said right-of-way line to a 5/8 inch rebar; thence North 45 degrees 06 minutes 58 seconds East 69.61 feet to a 5/8 inch rebar; thence South 89 degrees 58 minutes 03 seconds East 30.00 feet to a 5/8 inch rebar; thence North 00 degrees 56 minutes 41 seconds West 40.00 feet to the point of beginning, containing 3.01 acres, more or less, and subject to the right-of-way for the Cornbread Road along the Northerly side and to all easements of record.

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EXHIBIT A

# **EXHIBIT B**

## **COUNTY PROPERTY**

<b>Parcel Number</b>	<b>Common Address</b>	<b>Brief Tax Description</b>
18-07-35-307-030.000-003	1901 E Yale Ave	MORNINGSIDE LOTS 203 & 204
18-11-15-438-003.000-003	1305 E 7th St	GAL SUB LOT 419
18-11-15-413-010.000-003	1116 E 8th St	GAL SUB Lot # 402
18-11-15-257-014.000-003	721 S Beacon St	J B EVANS N 24 FT OF S 67 HLF FT LOT 6-7
18-07-34-354-007.000-003	111 E Berkley Ave	FAIRFAX ADD LOT 148
18-11-16-179-002.000-003	514 S Birch St	S T N S 35FT Block # 1 Lot # 7
18-07-34-358-011.000-003	425 E Dartmouth Ave	FAIRFAX LOT 87
18-11-15-379-009.000-003	1511 S Hackley St	S Z N 2 ADD LOT 10
18-11-15-260-004.000-003	1315 E Kirby Ave	PT NE QTR S15 T20 R10 0.080 AC
18-11-15-355-024.000-003	1623 S Mulberry St	GRAYS ADD MID 50 FT LOT 28-29-30
18-11-16-215-008.000-003	527 S Proud St	S T N ADD BLK 3 LOT 2
18-11-15-329-002.000-003	805 E Willard St	GAL SUB Lot # 34
18-11-10-286-008.000-003	921 N Brady St	W L CO 1 ADD Block # 6 Lot # 12
18-11-14-104-032.000-003	1712 E Dudley Ave	A J MEEKS SUB Lot # 28
18-11-15-193-023.000-003	806 E Willard St	GAL 6 SUB E13FT OF11 W14HLF FT OF10 Lot # 10-11
18-11-16-455-009.000-003	619 W 9th St	R W S SUB LOT 10 BLK 2
18-11-03-358-007.000-003	1520 N Granville Ave	W L CO 2 ADD & PT LOT 28 LOTS 24-25-26-27-28
18-11-15-181-013.000-003	717 S Vine St	COFF 1 ADD TO S M BLK 4 N40FT LOTS 7 & 8
18-11-10-154-013.000-003	741 N Mulberry St	W L CO 2 ADD Block # 2 Lot # 2
18-11-10-308-020.000-003	649 N Madison St	W L CO 2 ADD Block # 27 Lot # 3
18-11-10-357-011.000-003	300 E Washington St	GILBERT ADD & W HLF ALLEY ADJ Block 32 Lot 5
18-11-10-357-012.000-003	306 E Washington St	GILBERT ADD & W HLF ALLEY ADJ Block 32 Lot 6
18-11-10-357-013.000-003	312 E Washington St	GILBERTS ADD & E HLF ALLEY ADJ Block 32 Lot 7
18-11-10-496-003.000-003	1605 E Main St	T H AND K 1 ADD LOTS 2 & 3 BLK 13
18-11-09-481-013.000-003	211 N Franklin St	GILBERT DONATION N 45' JURY PARKING LOT
18-11-09-481-014.000-003	300 W Washington St	GILBERT DONATION S 80' JURY PARKING LOT

Resolution No. 2020-016

EXHIBIT B

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A RESOLUTION TO MOVE DELAWARE COUNTY BACK ON TRACK  
RESOLUTION NO. 2020-017

Mr. Brooke presented Resolution 2020-017, to Move Delaware County back on Track. This mirrors the Governors "Back on Track" program. This resolution will allow increased activity within the county building. Masks are required for employees and visitors entering the building.

MOTION: Commissioner King made a motion to approve Resolution 2020-017, A Resolution to Move Delaware County Back on Track.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

RESOLUTION 2020-017

*ORIGINAL*

**A RESOLUTION TO MOVE DELAWARE COUNTY, INDIANA BACK ON TRACK**

- WHEREAS,** the President of the United States, on March 13, 2020, declared a nationwide emergency concerning the spread of COVID-19 viral infections, and
- WHEREAS,** the Governor of the State of Indiana, on March 16, 2020, made an emergency declaration in response to the Coronavirus (COVID-19) disease epidemic; and
- WHEREAS,** the County Health Officer has determined that certain measures should be put into place to lessen the potential spread of the COVID-19 virus including the closing of some local businesses; and
- WHEREAS,** pursuant to I. C. 10-14-3-29(a) the Board of Commissioners of Delaware County, IN hereby makes a local disaster emergency declaration; and
- WHEREAS,** the Governor has adopted Executive Orders 20-25, 20-26, 20-27 and 20-28 as map for continued protection from the COVID-19 threat as well as a map of reopening the State and County; and
- WHEREAS,** the Board of Commissioners of Delaware County, Indiana have determined that in response to the emergency believes that the Governor's BACK ON TRACK PLAN should be made a part of the County's Policies for consistency and continuity and that certain parts of the County's the Emergency Declaration of May 8, 2020 should be extended.

**NOW THEREFORE WE, THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA HEREBY DECLARE THAT:**

1. A local disaster emergency continues to exist in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the entire County, including incorporated areas for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County and the restoration of local government with a minimum of interruption. **This Resolution is effective immediately and shall be in place until the end of business June 15, 2020.**
2. The Board of Commissioners adopt the Governor's Executive Order 20-28 in whole as part of their emergency declaration and plan to return to get back on track.



## DEPARTMENT HEADS AND ELECTED OFFICIALS

\*Ms. Molly Hunt, Director of Extension Office provided an update to the Commissioners regarding the Delaware County 4-H Fair. Ms. Hunt requested permission/approval from the Commissioners to use the Fairgrounds for the 2020 4-H events. Ms. Hunt said this is a community event so no final action will be approved until Purdue, Delaware County Commissioners, Delaware County Health Department and Director of Extension discuss the final plan.

Ms. Hunt provided the draft of the COVID-19 Safety Plan. The 4-H event will be more of a "show and go." A virtual Fair will be available for those not attending the open show. This plan only would receive approval if the Governor's plan is in stage 5.

Mr. Shawn Eldridge, Vice President of 4-H Counsel spoke about "premium only" auction. Animals will go back to owners. All previous businesses have been sent a letter with details of the auction. This will be a one pot auction dividing money collected between all 4-H participants.

More information will be provided on July 6, 2020 at the Commissioners meeting.

President Henry recommendation was to allow 2020 4-H events to take place at the Delaware County fairgrounds.

MOTION: Commissioner Riggan made a motion to approve that the Fairgrounds be used for the 2020 4-H events.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

\*\*Commissioner King said he commended the organizers of the protest Saturday May 30 and Sunday May 31, 2020 on behalf of Mr. George Floyd in Muncie, Indiana. Commissioner King said he stands with the protestors and citizens. The rioting and looting, however, is not the answer. Actions are destroying lives by looting. As a country, we should stand together.

President Henry agreed with Commissioner King 100%.

Commissioner Riggan said someone should have reviewed the 17 complaints that had been filed against the officer committing the action.

*\* On May 25, 2020, Mr. George Floyd, a 46-year-old black man, was killed in Minneapolis, Minnesota, during an arrest for allegedly using a counterfeit bill.*

## MONTHLY/WEEKLY REPORTS

### Weights & Measures Report

## PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$1,988,687.77.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry



### **PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION**

Ms. Gretchen Cheesman, City of Muncie wanted to clarify with Mr. Brooke that approved resolution 2020-016 passed at today's (June 1, 2020) meeting and the resolution passed Friday, May 29, 2020 by Muncie Redevelopment Commission must be substantially similar in order for the resolution to take effect.

Mr. Brooke said that was correct, the resolution adopted today (June 1, 2020) is different than Friday's (May 29 2020) resolution but Redevelopment Commissioner can still adopt "this" resolution to be substantially similar.

Ms. Cheesman said today's (June 1, 2020) meeting approved resolution was presented at the Muncie Redevelopment Commission and voted down.

Mr. Brooke explained that the version "adopted" today (June 1, 2020) by the Commissioners, in its entirety, was not voted down. There was an amendment made changing some of the properties.

Ms. Cheesman said Muncie Redevelopment Commission approved "today" (June 1, 2020) was voted down and approved another resolution of 19 properties only. The city agreed to pay \$87,900 to Delaware County for properties coming through the deed sale but no trading for other properties. Deadline for city to show site control properties is June 1, 2020. The 19 properties will not be demolished with money coming from State of Indiana unless the Commissioners approve what the MRDC Board presented Friday, May 29 2020.

Mr. Brooke said that is not what he understood. What the Commissioners adopted "today" (June 1, 2020) was a trade that included 19 properties and properties on south Tillotson giving control to the City if the MRDC would adopt a substantial resolution to go with the one adopted today (June 1, 2020).

Ms. Cheesman, Mr. Brooke, Mr. Zane Bishop and Commissioners continued discussion.

Mr. Brooke said that in the minutes of January 2018, MRDC made a request for 13 properties and promised that all of the requested properties would be back on the tax roll in 6 months. Now only 2 are on the tax rolls. Mr. Brooke further stated, that since 2014, the County has provided a total of 247 properties to MRDC and of that total 157 or 65% are still in the name of MRDC and are not back on the tax rolls.

Commissioner King said he had watched the MRDC meeting, in the meeting someone said that MRDC would send the list that they wanted and if it was not approved then MRDC would know that the county is against removing blight properties. Commissioner King said he was not against blight and wanted to work on development. Commissioner King wondered whether it was a political game or does MRC actually want to improve south of Muncie, Indiana. Commissioner King stated that MRDC does not have a Director, attorney or anyone providing guidance other than the Mayor of Muncie.

The Commissioners feel they have offered assistance through the county economic development team to assist Mr. Dave Smith because development in Muncie is a priority to the Commissioners.

For the record, Mr. Brooke read aloud an email that Mr. Zane Bishop, City of Muncie sent on May 18, 2020. The email was addressed to Mr. Ed Carroll, Ms. Gretchen Cheesman, Ms. Heather Ruddick and Mr. Joe Rhetts.

Date: Mon, May 18, 2020 at 3:49 PM

Subject: RE: BEP properties

To: Gretchen Cheesman <[gcheesman@cityofmuncie.com](mailto:gcheesman@cityofmuncie.com)>, Joseph Rhetts <[jrhetts@brooke-stevens.com](mailto:jrhetts@brooke-stevens.com)>, Ed Carroll <[ecarroll@co.delaware.in.us](mailto:ecarroll@co.delaware.in.us)>, Heather Ruddick ([hruddick@co.delaware.in.us](mailto:hruddick@co.delaware.in.us)) <[hruddick@co.delaware.in.us](mailto:hruddick@co.delaware.in.us)>

All,

Deadlines are not being extended by the Department of the Treasury, and IHCDA cannot grant extensions that the Treasury hasn't. However, if the Commissioners were to be able to provide a letter or resolution showing they are willing to transfer the properties, that would be all that is needed for the June 1st deadline.

Thank you,

**Zane Bishop**

**Planner / HOME Administrator**

MOTION: Commission Riggin made a motion to adopt Resolution 2020-016A, A Resolution of the Delaware County Board of Commissioners to Transfer County-Owned real Property to the City of Muncie for the Hardest Hit Fund Blight Elimination Program.

SECOND: Commissioner King

YEAS: Commissioner Riggin, Commissioner King

NAYES: Commissioner Henry

RESOLUTION NO. 2020-016 **A**

**RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO  
TRANSFER COUNTY-OWNED REAL PROPERTY TO THE CITY OF MUNCIE FOR  
THE HARDEST HIT FUND BLIGHT ELIMINATION PROGRAM**

*WHEREAS*, the Delaware County Board of Commissioners own certain pieces of real property located in the City of Muncie, Indiana, which are specifically identified on "EXHIBIT A" attached hereto (hereinafter, the "County Property");

*WHEREAS*, the Muncie Redevelopment Commission desires to acquire the County Property from the Delaware County Commissioners to be used for their Hardest Hit Fund Blight Elimination Program;

*WHEREAS*, the Delaware County Commissioners desire to transfer said County Property to the Muncie Redevelopment Commission, subject to acceptance of said County Property by the Muncie Redevelopment Commission.

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

1. The Delaware County Board of Commissioners shall transfer said County Property referenced herein to the Muncie Redevelopment Commission upon acceptance of the County Property by the Muncie Redevelopment Commission.
2. The Muncie Redevelopment Commission's acceptance of the County Property shall be demonstrated by the adoption of a substantially similar resolution by the Muncie Redevelopment Commission indicating:
  - a. The Muncie Redevelopment Commission's acceptance of the County Property from the Delaware County Commissioners; and
  - b. The Muncie Redevelopment Commission's agreement to pay to the Delaware County Commissioners an amount equal to Eighty-Seven Thousand Nine Hundred and 00/100 Dollars (\$87,900.00) for the County Property.
3. The Muncie Redevelopment Commission shall pay all transfer and recording fees for the County Property.
4. The Delaware County Auditor shall provide an executed copy of this Resolution to the Muncie Redevelopment Commission and, upon receipt of a substantially similar resolution adopted by the Muncie Redevelopment Commission, the President of the Delaware County Board of Commissioners shall be authorized to execute all documents necessary to transfer the County Property to the Muncie Redevelopment Commission.
5. This Resolution shall be effective upon adoption.

Resolution No. 2020-016

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*DULY ADOPTED* by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 1 day of JUNE, 2020.

*DELAWARE COUNTY  
BOARD OF COMMISSIONERS*

\_\_\_\_\_  
Shannon Henry, President

\_\_\_\_\_  
Sherry Riffin, Commissioner

\_\_\_\_\_  
James King, Commissioner

*ATTEST:*

\_\_\_\_\_  
Steven Craycraft, Auditor  
Delaware County, Indiana

Resolution No. 2020-016

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# **EXHIBIT A**

## **COUNTY PROPERTY**

<u>Parcel ID</u>	<u>Common Address</u>	<u>Brief Tax Description</u>
18-07-35-307-030.000-003	1901 E Yale Ave	MORNINGSIDE LOTS 203 & 204
18-11-15-438-003.000-003	1305 E 7th St	GAL SUB LOT 419
18-11-15-413-010.000-003	1116 E 8th St	GAL SUB Lot # 402
18-11-15-257-014.000-003	721 S Beacon St	J B EVANS N 24 FT OF S 67 HLF FT LOT 6-7
18-07-34-354-007.000-003	111 E Berkley Ave	FAIRFAX ADD LOT 148
18-11-16-179-002.000-003	514 S Birch St	S T N S 35FT Block # 1 Lot # 7
18-07-34-358-011.000-003	425 E Dartmouth Ave	FAIRFAX LOT 87
18-11-15-379-009.000-003	1511 S Hackley St	S Z N 2 ADD LOT 10
18-11-15-260-004.000-003	1315 E Kirby Ave	PT NE QTR S15 T20 R10 0.080 AC
18-11-15-355-024.000-003	1623 S Mulberry St	GRAYS ADD MID 50 FT LOT 28-29-30
18-11-16-215-008.000-003	527 S Proud St	S T N ADD BLK 3 LOT 2
18-11-15-329-002.000-003	805 E Willard St	GAL SUB Lot # 34
18-11-10-286-008.000-003	921 N Brady St	W L CO 1 ADD Block # 6 Lot # 12
18-11-14-104-032.000-003	1712 E Dudley Ave	A J MEEKS SUB Lot # 28
18-11-15-193-023.000-003	806 E Willard St	GAL 6 SUB E13FT OF11 W14HLF FT OF10 Lot # 10-11
18-11-16-455-009.000-003	619 W 9th St	R W S SUB LOT 10 BLK 2
18-11-03-358-007.000-003	1520 N Granville Ave	W L CO 2 ADD & PT LOT 28 LOTS 24-25-26-27-28
18-11-15-181-013.000-003	717 S Vine St	COFF 1 ADD TO S M BLK 4 N40FT LOTS 7 & 8
18-11-10-154-013.000-003	741 N Mulberry St	W L CO 2 ADD Block # 2 Lot # 2

Resolution No. 2020-016

EXHIBIT A

The Commissioners presented a plaque to Mr. Mike Ashley for Mr. Jason Rogers, EMA/EMS Director. The Commissioners appreciated the dedicated services Mr. Rogers provided while being a Delaware County employee. Commissioner King thanked Mr. Rogers for his efforts.

Mr. Mike Coutinho and Mr. Ashley will be taking on Mr. Rogers positions.

**RECESS**

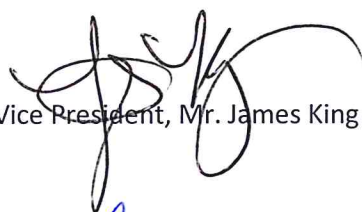
MOTION: Commissioner King made a motion to recess until June 15, 2020.

SECOND: Commissioner Riggin


YEAS: Commissioner King, Commissioner Riggin, President Henry



President, Mr. Shannon Henry



Vice President, Mr. James King



Member, Ms. Sherry Riggin



Auditor, Mr. Steven G Craycraft