

June 15, 2020 @ 9:00 a.m.
COMMISSIONER'S COURTROOM
COMMISSIONER MEETING
100 W. MAIN STREET
MUNCIE, IN 47305
QUESTIONS MAY BE DIRECTED TO COMMISSIONERS@CO.DELAWARE.IN.US
PLEDGE TO FLAG

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggan
Mr. John Brooke, County Attorney
Ms. Donna Patterson, Deputy Auditor

TABLED BUSINESS

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

MOTION: Commission Riggan made a motion to remove from the table, Ordinance 2020-002, 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.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

MOTION: Commission Riggan made a motion to adopt Ordinance 2020-002, 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.

SECOND: Commissioner King

The money from this line item will be used for rehab/maintenance of bridges. A line item should be created.

Mr. John Brooke, County Attorney, said with the adoption of the ordinance, the maximum rate is only being set by the Commissioners. County Council is the one that sets the actual rate itself through budget hearings. This is giving council a tool to use so if they want to go up to that rate.

Commissioner Riggan said this is a tough call but maintenance on 30 Delaware County bridges has to get done.

YEAS: Commissioner King, Commissioner Riggan, President Henry



Timber
7/20/20 Commissioner Riggan amended her motion on July 20, 2020 to State "Timber" Commissioner King seconded all yeas

AN ORDINANCE TO RE-ESTABLISH A CUMULATIVE BRIDGE FUND FOR DELAWARE COUNTY, INDIANA AND INCREASING THE TAX RATE FOR THE FUND PURSUANT TO IND. CODE §§ 6-1.1-41 & 8-16-3

WHEREAS, the Delaware County Board of Commissioners previously established a Cumulative Bridge Fund for Delaware County, Indiana (the "Fund"), and set the tax rate for the Fund pursuant to Ind. Code §§ 6-1.1-41 and 8-16-3; and

WHEREAS, the Board of Commissioners has now determined that it is in the best interest of the County to re-establish the Fund and increase the Tax Rate for the Fund to provide additional resources for the adequate maintenance of the County's aging bridge infrastructure.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Delaware County, Indiana:

SECTION 1. The Board of Commissioners hereby re-establishes the Delaware County Cumulative Bridge Fund pursuant to Ind. Code § 6-1.1-41, to be used for the purposes allowed and set forth in Ind. Code § 8-16-3.

SECTION 2. An ad valorem property tax levy is hereby imposed at a rate not to exceed seven cents (\$0.07) on each one hundred dollars (\$100) of assessed valuation. Said tax rate will be levied beginning with taxes for the 2020 payable in 2021 tax year and the revenues from said levy shall be retained in the special fund to be known as the Bridge Fund. The Board of Commissioners shall adhere to the provisions of Ind. Code § 8-16-3-1 *et seq.*

SECTION 3. The Delaware County Auditor is hereby directed to submit proofs of publication of the public hearing held on the 2nd day of March, 2020, a certified copy of this Ordinance, and all other relevant and required documentation to the Department of Local Government Finance of the State of Indiana requesting approval of the Delaware County Cumulative Bridge Fund as provided by law. This Cumulative Fund is subject to the approval of the Department of Local Government Finance

SECTION 4. The provisions of this Ordinance shall become effective upon adoption, publication as required by law, and all necessary approvals have been received and shall remain in full force and effect until repealed.

DULY ADOPTED by the Board of Commissioners of Delaware County following a vote with _____ of its members in favor and _____ of its members against, at a regularly scheduled public meeting held on this, the 15 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

APPROVAL OF MINUTES

MOTION: Commission King made a motion to approve June 1, 2020 Commissioners meeting.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

CONTRACTS OR AGREEMENTS FOR APPROVAL

Ms. Kathy Vannice, Ashton Land Surveyor, presented five (5) plats that have gone before and was approved by the Plat Committee. The road frontage of the five properties need to be dedicated to Delaware County. The properties are Nebo, 500 East, 525 West, 350 North and Whitney Road.

MOTION: Commission King made a motion to approve the five (5) plats, per approval from the Plat Committee and the request from Ms. Vannice.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

Shroyer Subdivision

DELAWARE COUNTY, INDIANA
A SUBDIVISION
IN SECTION 28, TOWNSHIP 21 NORTH, RANGE 11 EAST,
DELAWARE TOWNSHIP, DELAWARE COUNTY

A part of the West Half of the Northwest Quarter of Section 28, Township 21 North, Range 11 East in Delaware Township, Delaware County, Indiana, described as follows:
Beginning at a nail on the West line of the North Half of the Northwest Quarter of Section 28, Township 21 North, Range 11 East, said nail being North 00 degrees 43 minutes 54 seconds West 593.38 feet (assumed bearing) from the Southwest corner of said Half-Quarter Section being a county reference monument corner; thence North 00 degrees 43 minutes 54 seconds West 100.10 feet to a nail; thence North 47 degrees 32 minutes 23 seconds East 288.43 feet parallel with and 20 feet southeasterly of the right-of-way line of the L. E. and W. Railroad to a 3/4 inch rebar; thence South 00 degrees 43 minutes 54 seconds East 289.94 feet to a 3/4 inch rebar; thence South 85 degrees 41 minutes 55 seconds West 215.27 feet to the point of beginning, containing 0.96 of an acre, more or less, and subject to the right-of-way for County Road 500-E across the Westerly side and to all easements of record.

Haldon L. Ashton
Registered Land Surveyor LS80040149
Haldon L. Ashton



The Boundary Survey Recorded in Instrument Number 2020 R.0.7216

The undersigned owner(s) of the herein described real estate, Shroyer Subdivision, for himself, and for all future owners and occupants of said real estate, or any parcel or subdivision thereof, for and in consideration of the right to develop the real estate or other than agricultural uses, hereby:

First, acknowledges and agrees that the Shroyer Subdivision is in and adjacent to an area zoned for agricultural uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confined feeding operations, use of farm machinery, and the sale of farm products.

Second, waives any and all objections to any such agricultural uses on any real estate zoned for such uses within two miles of any boundary of the Shroyer Subdivision, whether such uses currently exist, are enlarged, or changed in use in the future to another agricultural use;

Third, agrees that such agricultural uses, whether currently existing, or hereafter established, enlarged, or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily harm to third parties, or directly endanger human health; and

Fourth, agree that this covenant is for the benefit of the Delaware County Indiana and all persons engaged in agricultural uses within two miles of any boundary of the Shroyer Subdivision and is enforceable by any of the foregoing; together with such other covenants as may be required.

OWNERS CERTIFICATE
The undersigned owners, Austin Shroyer of the real estate shown and reserved hereon, do hereby certify that they lay off, plot, subdivide into lots, and dedicate the road to the public thereof, in accordance with the plat here-with. This subdivision shall be known as the Shroyer Subdivision, a subdivision in Delaware Township, Delaware County, Indiana.

Witness our Hands this 15 day of June 2020

Austin Shroyer
Austin Shroyer

State of Indiana)
)SS
County of Delaware)

Before me, a Notary Public in and for said County and State, personally appeared Austin Shroyer, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this 15 day of June 2020

Haldon L. Ashton
Notary Public for the State of Indiana

My Commission expires: 1-22-2021 Resident of
Henry County, Indiana



PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plat of the Shroyer Subdivision.

DATED this 17 day of June 2020

Haldon L. Ashton
Secretary
Haldon L. Ashton
President

COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana, hereby approves and accepts the dedication of public lands and public improvements within the foregoing plat of the Shroyer Subdivision.

DATED this 15 day of June 2020

Haldon L. Ashton President Shroyer Member
Merritt

Duly entered for taxation this _____ day of _____, 20____

Duly Entered for Deed
Transfer Fees \$ 32.00
JUN 17 2020 ERP
Alan S. Cray
Deborah County Clerk

Auditor of Delaware County

Received for record and recorded this _____ day of _____, 20____

Plat Book _____ page _____

Recorder of Delaware County

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.
Haldon L. Ashton
This Instrument Prepared by: Haldon L. Ashton





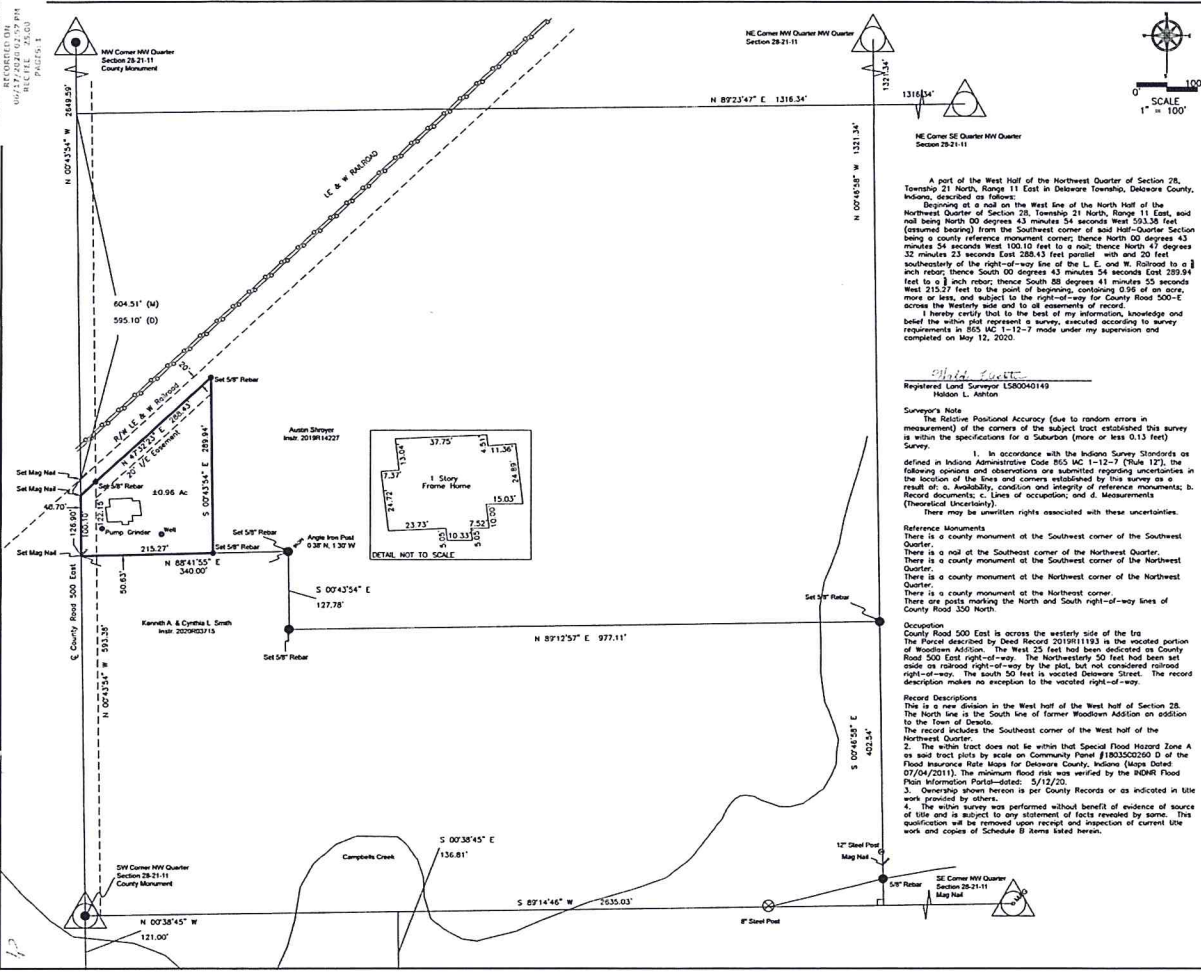
325 W. Washington St.
 Muncie, IN 47305
 Ph: 765-282-5594
 Fax: 765-282-5596
 www.ashtonland.com

Property Division
 North County
 Road 500 East
 Muncie, Indiana

I affirm, under the penalties for perjury, that I have been responsible for the preparation of this Survey and that the information herein is true and correct to the best of my knowledge and belief.



Revisions
 No. 47120
 Date: 05/12/20
 Reason:
 Drawn: SMK
 Date: 05/12/20
 Job: 2020193
 Client: Austin Shroyer
 City: EA
 Electronic Field Book
 Field Date: 05/08/20
 IUPPS REF: #2004214274
 Sheet



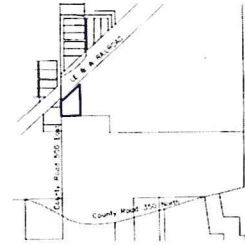
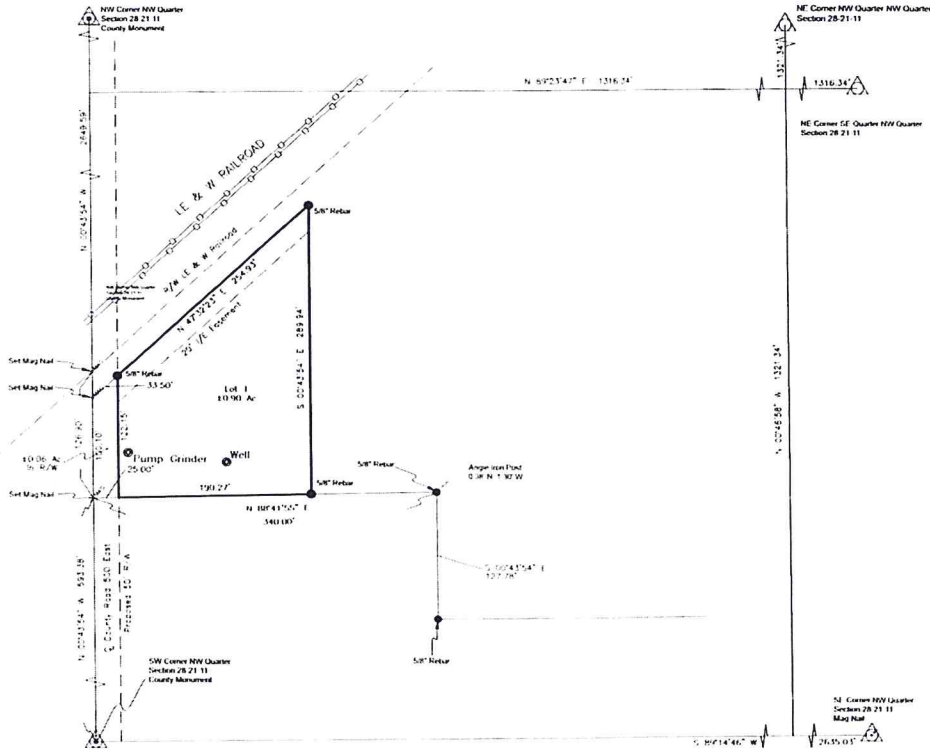
Ashton Land Surveyors

202007217
 MELANIE HANSMALL
 DELAWARE COUNTY RECORDER
 864.772.820 81.38 PM
 REC'D
 OFFICE

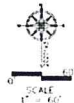
Shroyer Subdivision

DELAWARE COUNTY, INDIANA

A SUBDIVISION
 IN SECTION 28 TOWNSHIP 21 NORTH, RANGE 11 EAST,
 DELAWARE TOWNSHIP, DELAWARE COUNTY



Location Map not to Scale



Note: Dwelling is a Lawful Non-Conforming Structure

Sheet 1 of 2

I affirm, under the penalties for perjury, that I have taken reasonable care to make each Social Security number on this document, unless required by the Hidden 1 Action.
 This Instrument Prepared by: **Hidden 1 Action**



Cline Subdivision

DELAWARE COUNTY, INDIANA
A SUBDIVISION
IN SECTION 26, TOWNSHIP 21 NORTH, RANGE 9 EAST,
HARRISON TOWNSHIP, DELAWARE COUNTY

A part of the Southeast Quarter of the Southeast Quarter of Section 26, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows:
Beginning at a MAG nail on the East line of the Southeast Quarter of the Southeast Quarter of Section 26, Township 21 North, Range 9 East, said nail being North 00 degrees 00 minutes 00 seconds East 217.46 feet (assumed bearing) from a nail over a road casting marking these corners of said quarter-quarter section; thence North 89 degrees 12 minutes 56 seconds West 235.95 feet parallel with the South line of said quarter-quarter section to a 1/4 inch rebar; thence North 00 degrees 01 minutes 04 seconds East 95.00 feet; to a 1/4 inch rebar; thence North 89 degrees 12 minutes 56 seconds West 1109.28 feet; thence North 00 degrees 02 minutes 53 seconds West 157.01 feet to a 1/4 inch rebar; thence North 89 degrees 12 minutes 56 seconds East 1159.40 feet to a 1/4 inch rebar; thence North 00 degrees 00 minutes 00 seconds West 35.50 feet to a 1/4 inch rebar; thence South 89 degrees 12 minutes 56 seconds East 186.00 feet to a nail on the East line of said quarter-quarter section; thence South 00 degrees 00 minutes 00 seconds West 287.51 feet to the point of beginning containing 5.50 acres more or less and subject to all easements of record.

Registered Land Surveyor LS80040149
Holdon L. Ashton

The Boundary Survey Recorded in Instrument Number _____

Driveway Ingress Egress Maintenance Easement

Vehicle Parking. Except for delivery trucks, while deliveries are actually being made to the premises, and except for the trucks of tradesmen, while such tradesmen are actually in the performance of services within the confines of a lot, no vehicle of any sort other than a passenger automobile of a pickup truck shall be parked at any time within the confines of a lot in this development, nor shall any vehicle be stored upon any such lot at any time. All such other vehicles, including, without limitation thereto, house-trailers, camping trailers, camping or recreation vehicles, trucks, boat trailers, boats, snowmobiles, golf carts, shall be parked completely within the enclosed garage area on the lot.

Conservation Fee. A continuing fee of Ten Dollars (\$10.00) per month, shall be assessed against each property owner (except for (parcel B)) to be used for road repair, water drainage and general conservation of the area. The fee shall be paid to Assured Property Management LLC until a Home Owners Association is established. Fees may be adjusted (raised or eliminated) to meet current needs, depending upon current economic conditions. Any adjustment of the fee will receive a vote of a majority of owner/occupants.

No Building shall be built within the Replacement Septic Field area.

The undersigned owner(s) of the herein described real estate, Cline Subdivision, for himself, and for all future owners and occupants of said real estate, or any parcel or subdivision thereof, for and in consideration of the right to develop the real estate or other than agricultural uses, hereby:

First, acknowledges and agrees that the Cline Subdivision is in and adjacent to an area zoned for agricultural uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confined feeding operations, use of farm machinery, and the sale of farm products.

Second, waives any and all objections to any such agricultural uses on any real estate zoned for such uses within two miles of any boundary of the Cline Subdivision, whether such uses currently exist, are enlarged, or changed in use in the future to another agricultural use;

Third, agrees that such agricultural uses, whether currently existing, or hereafter established, enlarged, or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily harm to third parties, or directly endanger human health; and

Fourth, agree that this covenant is for the benefit of the Delaware County Indiana and all persons engaged in agricultural uses within two miles of any boundary of the Cline Subdivision and is enforceable by any of the foregoing; together with such other covenants as may be required.

OWNERS CERTIFICATE

The undersigned owners, Assured Property Management LLC, and David W. Cline of the real estate shown and reserved hereon, do hereby certify that they lay off, plot subdivide into lots, and dedicate the road to the public thereat, in accordance with the plat herewith. This subdivision shall be known as the Cline Subdivision, a subdivision in Harrison Township, Delaware County, Indiana.

Witness our Hands this _____ day of _____, 20____.

David Cline - Member Assured Property Management LLC.

:State of Indiana)
)SS
County of Delaware)

:Before me, a Notary Public in and for said County and State, personally appeared David Cline, Representative of Assured Property Management LLC, who acknowledged the execution of the foregoing plot, to be voluntary act and deed this _____ day of _____, 20____.

Notary Public
My Commission expires: _____ Resident of _____ County, _____.

David W. Cline
:State of Indiana)
)SS
County of Delaware)

:Before me, a Notary Public in and for said County and State, personally appeared David W. Cline, who acknowledged the execution of the foregoing plot, to be voluntary act and deed this _____ day of _____, 20____.

Notary Public
My Commission expires: _____ Resident of _____ County, _____.

Witness our Hands this _____ day of _____, 20____.

PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plot of the Cline Subdivision.

DATED this _____ day of _____, 20____.

Secretary

President

COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana, hereby approves and accepts the dedication of public lands and public improvements within the foregoing plot of the Cline Subdivision.

DATED this _____ day of _____, 20____.

President _____ Member _____

Member _____
Duly entered for taxation this _____ day of _____, 20____.

Auditor of Delaware County
Received for record and recorded this _____ day of _____, 20____.

Plot Book _____ page _____

Recorder of Delaware County



Sheet 2 of 2



I affirm, under the penalties for perjury, that I have taken reasonable care to reflect each Social Security number in this document, unless required by law.
Holdon L. Ashton

Cline Subdivision

DELAWARE COUNTY, INDIANA
A SUBDIVISION
IN SECTION 26, TOWNSHIP 21 NORTH, RANGE 9 EAST,
HARRISON TOWNSHIP, DELAWARE COUNTY

A part of the Southeast Quarter of the Southeast Quarter of Section 26, Township 21 North, Range 9 East in Harrison Township, Delaware County, Indiana, described as follows:
Beginning at a M&C nail on the East line of the Southeast Quarter of the Southeast Quarter of Section 26, Township 21 North, Range 9 East, said nail being North 00 degrees 00 minutes 00 seconds East 217.46 feet (assumed bearing) from a nail over a road casing marking these corners of said quarter-quarter section; thence North 89 degrees 12 minutes 56 seconds West 235.55 feet parallel with the South line of said quarter-quarter section to a 1/4 inch rebar; thence North 00 degrees 01 minutes 04 seconds East 95.00 feet; to a 1/4 inch rebar; thence North 89 degrees 12 minutes 56 seconds West 1109.28 feet; thence North 00 degrees 02 minutes 53 seconds West 157.01 feet to a 1/4 inch rebar; thence North 89 degrees 12 minutes 56 seconds East 1159.40 feet to a 1/4 inch rebar; thence North 00 degrees 00 minutes 00 seconds West 33.50 feet; to a 1/4 inch rebar; thence South 89 degrees 12 minutes 56 seconds East 186.00 feet to a nail on the East line of said quarter-quarter section; thence South 00 degrees 00 minutes 00 seconds West 287.51 feet to the point of beginning containing 5.50 acres more or less and subject to all easements of record.

Haldon L. Ashton
Registered Land Surveyor LS00040149
Haldon L. Ashton

The Boundary Survey Recorded in Instrument Number _____

Driveway Ingress Egress Maintenance Easement

Vehicle Parking. Except for delivery trucks, while deliveries are actually being made to the premises, and except for the trucks of tradesmen, while such tradesmen are actually in the performance of services within the confines of a lot, no vehicle of any sort other than a passenger automobile of a pickup truck shall be parked at any time within the confines of a lot in this development, nor shall any vehicle be stored upon any such lot at any time. All such other vehicles, including, without limitation thereto, house-trailers, camping trailers, camping or recreation vehicles, trucks, boat trailers, boats, snowmobiles, golf carts, shall be parked completely within the enclosed garage area on the lot.

Conservation Fee. A continuing fee of Ten Dollars (\$10.00) per month, shall be assessed against each property owner (except for parcel B) to be used for road repair, water drainage and general conservation of the area. The fee shall be paid to Assured Property Management LLC until a Home Owners Association is established. Fees may be adjusted (raised or eliminated) to meet current needs, depending upon current economic conditions. Any adjustment of the fee will receive a vote of a majority of owner/occupants.



No Building shall be built within the Replacement Septic Field area.

The undersigned owner(s) of the herein described real estate, Cline Subdivision, for himself, and for all future owners and occupants of said real estate, or any parcel or subdivision thereof, for and in consideration of the right to develop the real estate or other than agricultural uses, hereby:

First, acknowledges and agrees that the Cline Subdivision is in and adjacent to an area zoned for agricultural uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confined feeding operations, use of farm machinery, and the sale of farm products.

Second, waives any and all objections to any such agricultural uses on any real estate zoned for such uses within two miles of any boundary of the Cline Subdivision, whether such uses currently exist, are enlarged, or changed in use in the future to another agricultural use:

Third, agrees that such agricultural uses, whether currently existing, or hereafter established, enlarged, or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily harm to third parties, or directly endanger human health; and

Fourth, agree that this covenant is for the benefit of the Delaware County Indiana and all persons engaged in agricultural uses within two miles of any boundary of the Cline Subdivision and is enforceable by any of the foregoing; together with such other covenants as may be required.

OWNERS CERTIFICATE

The undersigned owners, Assured Property Management LLC, and David W. Cline of the real estate shown and reserved hereon, do hereby certify that they lay off, plat subdivide into lots, and dedicate the road to the public thereof, in accordance with the plat herewith. This subdivision shall be known as the Cline Subdivision, a subdivision in Harrison Township, Delaware County, Indiana.

Witness our Hands this _____ day of _____, 20__.

David Cline - Member Assured Property Management LLC.

(State of Indiana)
JSS
County of Delaware)

Before me, a Notary Public in and for said County and State, personally appeared David Cline, Representative of Assured Property Management LLC, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this _____ day of _____, 20__.

Notary Public
My Commission expires: _____ Resident of _____ County, _____

David W. Cline
(State of Indiana)
JSS
County of Delaware)

Before me, a Notary Public in and for said County and State, personally appeared David W. Cline, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this _____ day of _____, 20__.

Notary Public
My Commission expires: _____ Resident of _____ County, _____

Witness our Hands this _____ day of _____, 20__.

PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plat of the Cline Subdivision.

DATED this _____ day of _____, 20__.

Secretary

President

COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana, hereby approves and accepts the dedication of public lands and public improvements within the foregoing plat of the Cline Subdivision.

DATED this _____ day of _____, 20__.

David Cline President
Sherry Rigsby Member

David Cline Member
Duly entered for taxation this _____ day of _____, 20__.

Auditor of Delaware County

Received for record and recorded this _____ day of _____, 20__.

Plat Book _____ page _____

Recorder of Delaware County

Sheet 2 of 2



I affirm, under the penalties for perjury, that I have taken reasonable care to reflect each Social Security number in this document, unless required by law.
Haldon L. Ashton

VanDeusen Subdivision

DELAWARE COUNTY, INDIANA
A SUBDIVISION
IN SECTION 16, TOWNSHIP 21 NORTH, RANGE 10 EAST,
HAMILTON TOWNSHIP, DELAWARE COUNTY

A part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 North, Range 10 East, Hamilton Township, Delaware County, Indiana described as follows:
Beginning at a nail on the West line of the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 North, Range 10 East, said nail being North 00 degrees 10 minutes 18 seconds East 171.90 feet (assumed bearing) from a 1/2 inch iron pin at the Southwest corner of said Quarter-Quarter Section, thence North 00 degrees 10 minutes 18 seconds East 292.30 feet to a nail; thence North 89 degrees 14 minutes 15 seconds East 358.03 feet to a 1/2 inch rebar; thence South 00 degrees 10 minutes 18 seconds West 243.50 feet to a 1/2 inch rebar; thence South 89 degrees 14 minutes 15 seconds West 276.20 feet to a 1/2 inch rebar; thence South 56 degrees 09 minutes 58 seconds West 89.41 feet to the point of beginning containing 2.00 acres, more or less, subject to the right-of-way for County Road 25-West across the Westerly side and to all easements of record.

March 9, 2020.

Holdon L. Ashton
Registered Land Surveyor LS0040149
Holdon L. Ashton



The Boundary Survey Recorded in Instrument Number _____

No Building shall be constructed in the Replacement Septic Field area.

The undersigned owner(s) of the herein described real estate, VanDeusen Subdivision, for himself, and for all future owners and occupants of said real estate, or any parcel or subdivision thereof, for and in consideration of the right to develop the real estate or other than agricultural uses, hereby:

First, acknowledges and agrees that the VanDeusen Subdivision is in and adjacent to an area zoned for agricultural uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confined feeding operations, use of farm machinery, and the sale of farm products.

Second, waives any and all objections to any such agricultural uses on any real estate zoned for such uses within two miles of any boundary of the VanDeusen Subdivision, whether such uses currently exist, are intended, or changed in use in the future to another agricultural use;

Third, agrees that such agricultural uses, whether currently existing, or hereafter established, enlarged, or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily harm to third parties, or directly endanger human health; and

Fourth, agree that this covenant is for the benefit of the Delaware County Indiana and all persons engaged in agricultural uses within two miles of any boundary of the VanDeusen Subdivision and is enforceable by any of the foregoing; together with such other covenants as may be required.

OWNERS CERTIFICATE

The undersigned owners, Gail R. VanDeusen and Pamela S. VanDeusen, of the real estate shown and reserved hereon, do hereby certify that they lay off, plat, subdivide into lots, and dedicate the road to the public thereof, in accordance with the plat herewith. This subdivision shall be known as the VanDeusen Subdivision, a subdivision in Hamilton Township, Delaware County, Indiana.

Witness our Hands this 15 day of June, 2020

Gail R. VanDeusen Pamela S. VanDeusen
Gail R. VanDeusen Pamela S. VanDeusen

State of _____

County of _____

Before me, a Notary Public in and for said County and State, personally appeared Gail R. VanDeusen and Pamela S. VanDeusen, Owner, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this _____

day of June, 2020

Henry VanDeusen
Notary Public

My Commission expires: 4-23-2024 Resident of _____

Henry County, Indiana

PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plat of the VanDeusen Subdivision.

DATED this _____ day of _____, 20____

Secretary _____ President _____

COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana, hereby approves and accepts the dedication of public lands and public improvements within the foregoing plat of the VanDeusen Subdivision.

DATED this 15 day of June, 2020
Barry Ann Shawn P. P. [Signature]
President Member Member

Duty entered for taxation this _____ day of _____, 20____

Auditor of Delaware County _____

Received for record and recorded this _____ day of _____, 20____

Plat Book _____ page _____

Recorder of Delaware County _____

Sheet 2 of 2

I affirm, under the penalties for perjury, that I have taken reasonable care to recheck each Social Security number in this document, unless required by law.
Holdon L. Ashton



VanDeusen Subdivision

DELAWARE COUNTY, INDIANA

A SUBDIVISION
IN SECTION 16, TOWNSHIP 21 NORTH, RANGE 10 EAST,
HAMILTON TOWNSHIP, DELAWARE COUNTY

A part of the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 North, Range 10 East, Hamilton Township, Delaware County, Indiana described as follows:
Beginning at a nail on the West line of the Southeast Quarter of the Northeast Quarter of Section 16, Township 21 North, Range 10 East, said nail being North 00 degrees 10 minutes 18 seconds East 171.90 feet (assumed bearing) from a 3/4 inch iron pin at the Southwest corner of said Quarter-Quarter Section; thence North 00 degrees 10 minutes 18 seconds East 222.20 feet to a nail; thence North 89 degrees 14 minutes 15 seconds East 358.03 feet to a 1/2 inch rebar; thence South 00 degrees 10 minutes 18 seconds West 243.50 feet to a 1/2 inch rebar; thence South 89 degrees 14 minutes 15 seconds West 276.29 feet to a 1/2 inch rebar; thence South 56 degrees 00 minutes 50 seconds West 89.41 feet to the point of beginning containing 2.00 acres, more or less, subject to the right-of-way for County Road 25-West across the Westerly side and to all easements of record.

March 9, 2020.

Hudson L. Ashton
Registered Land Surveyor LS30040149
Hudson L. Ashton



The Boundary Survey Recorded in Instrument Number _____

No Building shall be constructed in the Replacement Septic Field area.

The undersigned owner(s) of the herein described real estate, VanDeusen Subdivision, for himself, and for all future owners and occupants of said real estate, or any parcel or subdivision thereof, for and in consideration of the right to develop the real estate or other than agricultural uses, hereby:

First, acknowledges and agrees that the VanDeusen Subdivision is in and adjacent to an area zoned for agricultural uses, which uses include, but are not limited to, production of crops, animal husbandry, land application of animal waste, the raising, breeding and sale of livestock and poultry, including confined feeding operations, use of farm machinery, and the sale of farm products.

Second, waives any and all objections to any such agricultural uses on any real estate zoned for such uses within two miles of any boundary of the VanDeusen Subdivision, whether such uses currently exist, are enlarged, or changed in use in the future to another agricultural use;

Third, agrees that such agricultural uses, whether currently existing, or hereafter established, enlarged, or changed, do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily harm to third parties, or directly endanger human health; and

Fourth, agree that this covenant is for the benefit of the Delaware County Indiana and all persons engaged in agricultural uses within two miles of any boundary of the VanDeusen Subdivision and is enforceable by any of the foregoing; together with such other covenants as may be required.

OWNERS CERTIFICATE

The undersigned owners, Gail R. VanDeusen and Pamela S. VanDeusen, of the real estate shown and reserved hereon, do hereby certify that they lay off, plot, subdivide into lots, and dedicate the road to the public thereof, in accordance with the plat hereunto. This subdivision shall be known as the VanDeusen Subdivision, a subdivision in Hamilton Township, Delaware County, Indiana.

Witness our Hands this 12 day of June 2020

Gail R. VanDeusen Pamela S. VanDeusen



State of)
) SS
County of)

Before me, a Notary Public in and for said County and State, personally appeared Gail R. VanDeusen and Pamela S. VanDeusen, Owner, who acknowledged the execution of the foregoing plat, to be voluntary act and deed this _____

day of June 2020

Notary Public

My Commission expires: 7-22-2024 Resident of _____

Henry county, Indiana

PLAN COMMISSION: Under authority of the Acts of 1947 enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, the Delaware-Muncie Metropolitan Plan Commission hereby approves the foregoing plat of the VanDeusen Subdivision.

DATED this _____ day of _____, 20____

Secretary _____ President _____

COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the Board of Commissioners of Delaware County, Indiana, hereby approves and accepts the dedication of public lands and public improvements within the foregoing plat of the VanDeusen Subdivision.

DATED this 16th day of June 2020

President _____ Member _____ Member _____

Duly entered for taxation this _____ day of _____, 20____

Auditor of Delaware County

Received for record and recorded this _____ day of _____, 20____

Plat Book _____ page _____

Recorder of Delaware County

Sheet 2 of 2



I affirm, under the penalties for perjury, that I have taken reasonable care to reflect each Social Security number in this document, unless required by law.
Hudson L. Ashton

BIS AGREEMENTS FOR THE COURTS

Ms. Emily Anderson, Court Administrator, presented three BIS agreements. These agreements will be used in the courtrooms for court zoom hearings and court traveling recording equipment. The courts have discussed taking jury selection off-site. BIS will be able to capture higher quality of zoom meetings, audio and will connect direct, however software has to be purchased. The courts have funds for the equipment. Ms. Anderson is hoping that they will be reimbursed.

MOTION: Commission King made a motion to approve all three BIS contracts.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

Agreements can be found at the Auditor's Office

PERMANENT STORMWATER EASEMENT

Mr. Brooke said an easement for Town of Daleville is needed due to the storm water improvement project.

MOTION: Commission Riggan made a motion to approve the easement.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

Full easement filed in Records office

ORIGINAL

PERMANENT STORMWATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, for good and valuable consideration provided to DELAWARE COUNTY COMMISSIONERS, hereinafter referred to as GRANTOR, by the Town of Daleville, Indiana, hereinafter referred to as GRANTEE, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successors and assigns, a permanent easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove a storm sewer and related appurtenances over, across, and through the land of the GRANTOR situated in Delaware County, State of Indiana, said land being described as follows:

Parcel No.: 18-14-06-326-005.000-026

Instrument Number: DEED 1991 PAGE 0137, Records of the Delaware County Recorder

together with the right of ingress and egress over the adjacent lands of the GRANTOR, its successors and assigns, for the purpose of this easement.

The permanent easement shall be described as follows:

See EXHIBIT "A" attached hereto

The GRANTEE covenants and agrees to maintain the easement area in good repair so that no unreasonable damage will result from its use to the land of the GRANTOR, its successors and assigns. GRANTEE further covenants and agrees that, in the event GRANTEE damages or disturbs any of GRANTOR's real estate in the exercise of its easement rights, GRANTEE shall restore GRANTOR's real estate to a condition reasonably comparable to that which it was in prior to the exercise of GRANTEE's rights. GRANTEE agrees that it will provide GRANTOR with reasonable notice before entering onto GRANTOR's property to exercise its easement rights; provided, however, that no notice shall be required in the case of any *bona fide* emergency threatening immediate harm to persons or property.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors, and assigns.

BRIDGE #501 - COWAN RD OVER BUCK CREEK

Ms. Angie Moyer, Project Manager, presented a supplemental agreement with United Consulting for rehabilitation of Bridge 501, located at Cowan Road over Buck Creek. The letting will take place in late fall 2020 or early spring 2021. The project will begin spring 2021.

MOTION: Commission King made a motion to approve the United Consulting supplemental agreement.

SECOND: Commissioner Riggini

YEAS: Commissioner King, Commissioner Riggini, President Henry



ORIGINAL

ENGINEERING
ENVIRONMENTAL
INSPECTION
LAND SURVEYING
LAND ACQUISITION
PLANNING
WATER &
WASTEWATER
SINCE 1965

OFFICERS
William E. Hall, PE
Dino Richter, PE, FLS
Steven W. Jones
Christopher R. Popp, PE
B. Keith Bryant, PE
Michael Rowe, PE

PROFESSIONAL STAFF
Andrew T. Wicks, PE
Devlin L. Stecker, AICP
Michael S. Ophardt, AICP
E. Rachelle Pemberton, PE
Timothy J. Cozart, FLS
Jon E. Clodfelter, PE
Steven R. Pincay, PE
Brian J. Pierson, PE
Christopher L. Hammond, PE
Paul D. Glodtman, PE
Brian S. Friedrich, PE
Jay N. Roberts, PE
Christopher J. Dyer, PE
Matthew R. Lee, PE
Jeremy A. Richardson, PE
Hassner E. Kipson, PE
Adam J. Greulich, FLS
Caleb C. Ross, PE
Dawn C. Borrett, PE
Scott G. Mannich, PE
Michael D. Ferrell, CPA
Jim R. Lesh, PE
Nicholas J. Kocher, PE
Kelson S. Cunningham, PE
Braun S. Rodgers, PE
Chris J. Andrzejewski, PE
Greg J. Braz, PE
Joshua D. Conry, PE
Erin S. Hantsger, PE
Ian A.R. Scott, PE
Rob D. Iversen, PE
Jeffrey E. Luzzati, PE
John George Gorgio, PE

3240 Harrison Pike, Suite 200, Indianapolis, IN 46220 | 317.555.2666 | www.unic.com

April 7, 2020

Ms. Angela Moyer
Project Director/Administrator
Delaware County Highway Department
7700 East Jackson Street
Muncie, IN 47302

RE: Supplemental Agreement No. 1
Rehabilitation of Delaware County Bridge No. 501
Cowan Road over Buck Creek

Dear Ms. Moyer:

Transmitted herewith is an executed electronic copy of Supplemental Agreement No. 1 to our original LPA-Consultant Agreement for Bridge No. 501 Rehabilitation project dated June 19, 2017. This "Net Zero" Supplemental Agreement is required to resubmit the lapsed IDNR Construction in a Floodway Permit as previously discussed.

After this document has been signed by the Delaware County Board of Commissioners, please return one fully executed electronic PDF file for our records. We are happy to attend a future Commissioners' meeting to assist with any questions that may arise during the presentation of this supplement for approval.

If you have any questions or comments, please contact me anytime. My cell number is (317) 514-3235.

Sincerely,
UNITED CONSULTING

Jon E. Clodfelter
Jon E. Clodfelter, P.E.
Manager, Bridge Design Services

enclosures

c: Jeff Larrison, UNITED
File 17-211

APCO INTELLICOMM GUIDECARD SOFTWARE AS A SERVICE AGREEMENT

Mr. Paul Singleton, 911 Director, presented APCO Guidecard Software. This is an update of what they currently have. Two companies that went into a partnership have split and neither company can sell the software that is used now. This is replacement software that is used by 1 out of 3 throughout the nation. Police and fire dispatchers will be able to certify through the system. Monies will come from 466 State monies.

MOTION: Commission King made a motion to approve the APCO Intellicomm Guidecard Software agreement.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

DONATE SURPLUS VEHICLE TO EATON PD

Mr. Jeff Stanley, Chief Deputy, said Eaton Police department called and they are having vehicle issues and asked if Delaware County had any vehicles that they were not using. Mr. Stanley said they have a 2010 Dodge Charger available. There is front end issues, however, Delaware County is willing to donate this 2010 Dodge Charge with the repair cost being paid by Eaton.

MOTION: Commission King made a motion to donate the 2010 Dodge Charge to Eaton Police Department.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

*President Henry said there have been some concerns due to the Commissioners not speaking about current events within the police departments nationwide and the current events taking place.

Mr. Stanley said he and Mr. Tony Skinner, Sheriff have discussed and reviewed standard operations procedures (SOP) for the department. A firm will be hired to review current standards. Mr. Skinner along with his team consistently review standards and have had no problems with residents of Delaware County. Mr. Stanley said recent protest within Delaware County was peaceful. Mental health is a hot topic and a major problem nationwide. Stanley said further help is needed instead of Jail. Substance abuse is a major problem.

Commissioner Riggan asked about the hiring process and how to hiring the right person.

Mr. Stanley agreed that this is a continuous problem. Two hiring processes have taken place, since Mr. Skinner, has been in office. As a department "we" are always looking for professionals with good background checks. Currently all police departments nationwide are going through the same thing and competing for good applicants. The administration does the best job to determine problems before they occur, however the pool of applicants are not there. Mr. Stanley said they are not getting the diverse applicants that they want. Weeding out candidates can take place at the academy but that is the department's job.

Commissioner Riggan asked about CIT mental training.

EMERGENCY DECLARATION 2020-12

Mr. Brooke said he follows the Governor's phase 4 plan effective until July 4, 2020.

MOTION: Commissioner King made a motion to approve Emergency Declaration 2020-012.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

**Disaster Emergency Declaration
2020-12**

Delaware County, Indiana

ORIGINAL

- WHEREAS,** the President of the United States, on March 13, 2020, has 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, has 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 and 20-26 as map for continued protection from the COVID-19 threat as well as a map of reopening the State and County; and
- WHEREAS,** the Governor has extended the current declaration of a public health emergency in Executive Order 20-30 to July 4, 2020; and
- WHEREAS,** the Board of Commissioners of Delaware County, Indiana have determined that in response to the emergency believes that the Governor's order should be made a part of the County's Emergency Declaration for consistency and continuity and that the Emergency Declaration of June 1, 2020 should be extended.

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

1. A local public health disaster 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 Emergency Order is effective immediately and shall be in place until the end of business July 4, 2020.**
2. The Board of Commissioners adopt the Governor's Executive Order 20-30 in whole as part of their emergency declaration and plan to return to get back on track.

3. Commencing on June 15, 2020 and continuing through July 4, 2020 the public may enter the County Building and Justice Center under certain rules and restrictions. All members of the public that conduct business in any county building or facility shall maintain a social distance of at least 6 feet between individuals at all times. Employees and member of the public are encouraged to wear a face mask or other covering which covers the person's mouth and nose during their business in the County Building.
4. The Governor's Executive Order 20-30 is incorporated by reference and made a part of this Emergency Declaration.
5. In instances where an individual must visit a retail business, the business shall follow the proper social distancing requirements in Executive Order 20-30 and the guidelines from the Center for Disease Control (CDC).
6. Those residents that are 65 and older and those with known high-risk health conditions should adhere to social distancing requirements and be cautious at work and in their communities.
7. Residents that have symptoms, may have been exposed, have high-risk health conditions as well as others that desire peace of mind are encouraged to be tested for COVID-19 at the local facilities.
8. Social gatherings of up to 250 people may take place following CDC recommended social distancing guidelines.
9. The Stage 4 guidelines for the State of Indiana are implemented for Delaware County, IN.
10. All individuals are encouraged to wear masks when going out to businesses, grocery stores or outside of their residence for any essential purpose.
11. This Emergency Declaration shall supersede and replace all prior Emergency Declarations made the by Board of Commissioners prior to this Emergency Order.

ENERGY INCENTIVE AGREEMENT

Mr. Brooke worked with electrical, gas, lights contractors and energy providers at the jail about the energy incentives available. The contractors will provide serial numbers and Delaware County will submit the information with rebates being shared by both parties, contractors 35% and Delaware County 65%.

MOTION: Commission King made a motion to approve Energy Incentive agreement.

SECOND: Commissioner Riggins

YEAS: Commissioner King, Commissioner Riggins, President Henry

ORIGINAL

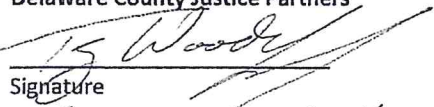
Energy Incentive Agreement

Delaware County Board of Commissioners (Owner) and Delaware County Justice Partners (Developer) agree to pursue electrical utility rebates for the Delaware County Justice Center (Project).

1. Developer and its consultants will investigate available incentives and rebates from local utility companies.
2. If appropriate, the design of the Project will be modified to further increase any savings to the Project for energy-efficient lighting, HVAC and building equipment, insulation, and/or other building envelope systems.
3. The Owner, with assistance from the Developer, will submit an application to the electrical utility for a rebate based on the energy-efficient design.
4. The rebate request form will designate Developer as the payee.
5. To the extent a rebate is approved by the electrical utility, the amount of the rebate will be distributed as follows:
 - a. Developer's time and materials to research and incorporate energy-efficient design, including time to revise the design plans in order to maximize the efficiency rebate), will be credited against the rebate amount.
 - b. Any potential costs for additional construction scope to allow for better incentive/rebate savings will be credited and paid for against the rebate amount
 - c. All remaining rebate funds will be shared, with 65% of the remaining amount going to the Owner, and 35% payable to the Developer.
 - d. Owner's portion of the rebate funds will appear as a credit on the completion payment of the Project agreement.

This Agreement entered into, effective as of the date of the latest required signature below.

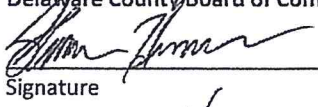
Delaware County Justice Partners


Signature

Troy Woodruff
Printed Name and Title

6-16-20
Date

Delaware County Board of Commissioners


Signature

SHANNON HENRY
Printed Name and Title

06-15-2020
Date

ORDINANCES FOR SECOND READING
AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC
ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY
ORDINANCE NO. 2020-006

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

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

Ms. Moyer will let the State know that Ordinance 2020-006 has been approved. Ms. Moyer said new signs should go up within a week.

ORDINANCE NO 2020-006

ORIGINAL

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

WHEREAS, the Board of Commissioners, through its Highway Department has conducted studies and determined that certain changes will need to be made to the Ordinances concerning traffic regulation on the roads in Delaware County, and

WHEREAS, based upon the best possible evidence and information available, the Board of Commissioners believe that it is in the safety of the general public to amend the Ordinances as to certain traffic regulations herein.

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

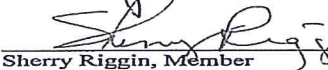
1. The Ordinances concerning traffic regulation in the County shall be amended as setforth in this Ordinance.
2. There shall hereby be a weight limit of "10 TONS" for all vehicles, except farm vehicles and those providing a public service, on W. C.R. 400 South, between S.R. 32 South and S. C.R. 800 West, located in Salem 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 setforth in Article XVI, Section 16-1.
5. This ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the Board of County Commissioners of Delaware County, Indiana the 15 day of JUNE, 2020.

DELAWARE COUNTY COMMISSIONERS


Shannon Henry, President


James King, Vice President


Sherry Riggan, Member

ATTEST:


Steven G. Craycraft, Auditor

ORDINANCES FOR FIRST READING

**AN ORDINANCE AMENDING TITLE 4, CHAPTER 1 OF THE
DELAWARE COUNTY CODE REGARDING THE BUILDING CODE
ORDINANCE AND ADOPTION OF REGULATIONS BY REFERENCE
ORDINANCE NO. 2020-007**

Ms. Marta Moody, Plan Commission Director, presented an amendment to the building code ordinance that will allow Delaware County to stay up to date with state codes. Specific codes will be listed at www.co.delaware.in.us.

Mr. Brooke said this is a constant changing three year cycle. By adopting the ordinance, this allows Delaware County Building Commissioner to keep up with the changes without having to come for approval before the Commissioners each time.

MOTION: Commission Riggan made a motion to introduce Ordinance 2020-007, An Ordinance Amending Title 4, Chapter 1 of the Delaware County Code Regarding the Building Code and Adoption of Regulations.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

RESOLUTIONS FOR APPROVAL

**A RESOLUTION OF THE DELAWARE COUNTY, IN BOARD OF COMMISSIONERS IDENTIFYING CERTAIN PROPERTIES
TO BE TRANSFERRED TO A NONPROFIT ENTITY PURSUANT TO IN CODE 6-1.1-24-6.7 AND 36-1-11-1
RESOLUTION NO. 2020-020**

Mr. Brooke said Resolution 2020-020 is a process for non-profit entities to be transferred. A public hearing will take place on July 6, 2020.

MOTION: Commission King made a motion to approve Resolution 2020-020, A Resolution of the Delaware County Board of Commissioners Identifying Certain Properties to be transferred to a Nonprofit Entity Pursuant to IN Codes.

SECOND: Commissioner Riggan

YEAS: Commissioner King, Commissioner Riggan, President Henry

ORIGINAL

RESOLUTION NO. 2020-020

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS IDENTIFYING CERTAIN PROPERTIES TO BE TRANSFERRED TO A NONPROFIT ENTITY PURSUANT TO IND. CODE § 6-1.1-24-6.7 AND IND. CODE § 36-1-11-1 ET SEQ.

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 §§ 6-1.1-24-6.7 and 36-1-11-1 *et seq.* set forth the procedures by which a county executive may transfer property to a nonprofit entity; and

WHEREAS, the Board of Commissioners has identified multiple properties for which it has acquired tax deeds and now desires to transfer to nonprofit entities to be used for the public good; and

WHEREAS, the properties the Board of Commissioners now desires to transfer to nonprofit entities to be used for the public good are 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 those for which the Board of Commissioners desires to transfer to nonprofit entities 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 nonprofit entities and said public hearing shall be set to occur on the 6th day of July, 2020, at 9:00 a.m. in the Delaware County Commissioner's Courtroom, 100 West Main Street, Room 309, Muncie, Indiana 47305.

SECTION 3. The Board of Commissioners shall cause to be published a notice regarding the public hearing and, prior to said public hearing, will accept written applications that are in compliance with the requirements of Ind. Code § 6-1.1-24-6.7(h) from nonprofit entities that are not otherwise ineligible pursuant to Ind. Code § 36-1-11-16 and desire to have one or more of the identified properties transferred to them.

Resolution No. 2020-020

Page 1 of 2

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 regularly scheduled public meeting held on this, the 15 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. 2020-020

Page 2 of 2

Exhibit A

Proposed Property Transfer List

PROPERTY 1:

Parcel ID: 18-11-16-378-009.000-003
Common Address: 1000 BLK W 8TH ST
MUNCIE, IN 47302
Legal Description: Lot 63, except the North ten (10) feet thereof, and also the vacated North seventeen and one-half (17.5) feet of 9th Street lying adjacent to Lot 63 in Winton Place, an addition to the City of Muncie, Indiana.

PROPERTY 2:

Parcel ID: 18-11-10-308-020.000-003
Common Address: 649 N MADISON ST
MUNCIE, IN 47305
Legal Description: Lot Number Three (3) in Block Number Twenty-seven (27) in the Whitely Land Company's Second Addition to the City of Muncie, Indiana.

PROPERTY 3:

Parcel ID: 18-11-10-494-009.000-003
Common Address: 1339 E MAIN ST
MUNCIE, IN 47305
Legal Description: Lot Number Three (3) in Block Number Ten (10) in Thomas H. Kirby's Addition to the City of Muncie, Indiana.

Resolution No. 2020-020

Exhibit A

PROPERTY 4:

Parcel ID: 18-11-16-259-045.000-003

Common Address: 900 BLK S MOUND ST
MUNCIE, IN 47302

Legal Description: A part of the WS Hall's Addition to the City of Muncie, as shown in Plat Book 2 page 75, records of Delaware County, Indiana, described as follows: Beginning at the southwest corner of Lot 27 in WS Hall's Addition to the City of Muncie; thence north 00 degrees 12 minutes 00 seconds west 66.56 feet (assumed bearing) along the west line of said Lot 27 and Lot 26; thence north 90 degrees 00 minutes 00 seconds east 167.64 feet parallel with the south line of said Lot 27 and along the north side of a block wall; thence north 00 degrees 16 minutes 45 seconds east 50.05 feet along the center of a common wall; thence south 89 degrees 57 minutes 15 seconds east 25.85 feet along the north face of a building wall; thence north 00 degrees 02 minutes 45 seconds east 23.43 feet along the building wall; thence south 89 degrees 57 minutes 15 seconds east 99.94 feet along the building wall to a point; thence south 00 degrees 13 minutes 33 seconds east 4.37 feet along a building wall; thence north 89 degrees 46 minutes 27 seconds east 26.46 feet; thence south 00 degrees 12 minutes 00 seconds east 130.68 feet parallel with the east line of Lot 20 in said addition to a point on the south line of Lot 19 in said addition; thence south 90 degrees 00 minutes 00 seconds west 145 feet along the south line of Lots 19, 20 and 21 in said addition; thence south 00 degrees 12 minutes 00 seconds east 5.00 feet; thence south 90 degrees 00 minutes 00 seconds west 175 feet along the south line of said Lot 27 to the point of beginning, containing 0.73 acres, more or less.

PROPERTY 5:

Parcel ID: 18-11-16-376-001.000-003

Common Address: 1300 BLK W 8TH ST
MUNCIE, IN 47302

Legal Description: A part of the Southwest Quarter of Section 16, Township 20 North, Range 10 East of the State of Indiana, more particularly described as follows, to-wit: Commencing at the southwest corner of the Southwest

Resolution No. 2020-020

Exhibit A

PAYMENTS OF CLAIMS

MOTION: Commission King made a motion to approve claims in the amount of \$3,332,255.94.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Riggin, President Henry

QUESTIONS, PUBLIC COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Cameron Grubbs, Muncie, Indiana, requested that the Commissioners communicate better with the citizens of Delaware County by discussing their plan of action that they are taking regarding the police and recent happenings at Minnesota.

Ms. Michelle Owen, Muncie, Indiana, requested an official statement from the Commissioners regarding transparency and police accountability from leadership.

Mr. Brooke said it is not up to the Commissioners to issue statements. This would be up to the Sheriff's department.

Mr. Stanley, Sheriff Deputy, said anyone, at any time may contact the Delaware County Sheriff's office to set up an appointment to speak with Mr. Stanley or Mr. Tony Skinner, Sheriff. The Sheriff's office has an open door policy. The Sheriff Department will not play keyboard warrior on social media.

RECESS

MOTION: Commission King made a motion to recess until July 6, 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