

DELAWARE COUNTY COMMISSIONER'S MEETING
TUESDAY, JULY 6, 2021 @ 9:07 A.M.
COMMISSIONER'S COURTROOM
100 W. MAIN ST. ROOM 309A
DELAWARE COUNTY, INDIANA GOVERNMENT FACEBOOK PAGE
CALL TO ORDER
PLEDGE TO FLAG
WELCOME

ROLL CALL

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

APPROVAL OF MINUTES

MOTION: Commissioner Riggan made a motion to approve June 21, 2021 Commissioner Meeting minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggan, President King

PRESENTATION

DELAWARE COUNTY FAIR QUEEN

Ms. Kalyn Melham, 2021 Fair Queen and Ms. Ashleigh, 2nd runner-up, provided details of the 2021 Fair activities.

CONTRACTS OR AGREEMENTS FOR APPROVAL

RANDOLPH COUNTY - GIS DATA EXCHANGE AGREEMENT

Mr. Kyle Johnson, Chief Information Office, said he is working with 911 Dispatch on CAD software upgrades. Albany Fire Department responds to Green Township in Randolph County so mapping is being expanded. A signed contract is needed.

Mr. John Brooke, Delaware County Attorney, reviewed the GIS Data Exchange agreement with Randolph County.

MOTION: Commissioner Henry made a motion to approve GIS Exchange agreement.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

JAG GRANT

Ms. Nancy Marvin, Office Manager in Sheriff's office, presented the JAG Grant. This grant is shared with City of Muncie.

MOTION: Commissioner Henry made a motion to approve the JAG Grant.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

Mr. Brooke will prepare an ordinance for JAG grant to be approved at the next Commissioners meeting held on July 19, 2021.

BID AND QUOTE RESULTS

Mr. Tommie Humbert, Highway Superintendent, provided information of bids of the below projects.

- CR 600 W from the north Gaston Town Limits to the Grant Co. Line – Road Paving Project-Brooks Construction \$706,911.
- CR 1100 N – approx. 1200' east of SR 3 N – Slip Lining Project-Debco Metals for \$129,750. (only one quote received)
- CR 800 E south of Eaton-Albany Pike – Small Structure Replacement #9229-Hoosier Pride for \$103,137.50.

MOTION: Commissioner Henry made a motion to approve all three bids.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORDINANCE 2021-023

BALL FOUNDATION GRANT

Mr. Jeff Stanley, Chief Deputy, said Ordinance 2021-023, Ball Foundation grant is for a rapid grant. The grant will focus on cybercrime and child sex crimes. This money will be used for computer software and telephone forensics.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2021-023, Ball Foundation Grant.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

MOTION: Commissioner Henry made a motion to suspend rules on Ordinance 2021-023, Ball Foundation Grant.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-023, Ball Foundation Grant.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

023

ORDINANCE NO. 2021 - 031

An Ordinance of Delaware County, Indiana, creating a Fund for the Deposit of Funds Received by the Delaware County Sheriff's Department from the Ball Brothers Foundation to provide funding for the Project Sybertooth

WHEREAS, the Delaware County Sheriff's Department has received grant funds from the Ball Brothers Foundation to provide funding for Project Sybertooth to assist Delaware County Sheriff's Department in its duties and functions; and


WHEREAS, it is necessary to establish a fund in the Auditor's Office into which the proceeds will be deposited and from which expenditures will be disbursed.

NOW, THEREFORE, BE IT ORDAINED that the Auditor shall establish a fund entitled Delaware County Sheriff's Department Project Sybertooth Grant fund and said Auditor has issued a budget fund number of _____ with respect to these funds and such funds are non-reverting. Further, since the grant budget is approved and non-reverting, the expenditure of said funds shall not require appropriation by Delaware County Council.

Adopted by the Delaware County Board of Commissioners on this 6 day of July, 2021.

DELAWARE COUNTY COMMISSIONERS


Shannon Henry, Commissioner President


Sherry Riggan, Commissioner


James King, Commissioner

ATTEST:


Steven G. Craycraft, Auditor, Delaware County

ORDINANCES FOR SECOND READING
AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY LOCATED IN DELAWARE COUNTY, IN
ORDINANCE NO. 2021– 022

Mr. Brooke said this vacate was presented June 21, 2021. The location is Oakville, Indiana.

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-022, An Ordinance Vacating Public Right-of-Way in Oakville, Indiana.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORIGINAL

ORDINANCE 2021-022

ORDINANCE VACATING PUBLIC RIGHT-OF-WAY
LOCATED IN DELAWARE COUNTY, INDIANA

WHEREAS, having received from Co-Alliance Cooperative, Inc., an Indiana agricultural cooperative, a petition to vacate certain rights-of-way, the Board of Commissioners of Delaware County, Indiana, has provided notice, pursuant to Ind. Code § 36-7-3-12(c) and Ind. Code § 5-3-1 stating that it now desires to vacate a certain public right-of-way located within Delaware County, Indiana, as illustrated in "EXHIBIT A" attached hereto (the "Vacation Area"), which said Vacation Area is generally described as follows:

A vacation of Bridle Lane being that portion 50-feet-wide between Lot 4, Block 2, and Lot 1, Block 3, in Turner H. Johnson's Addition to the Town of Oakville as shown by the records of Delaware County, Indiana, described as follows:

Beginning at the Northwest corner of Lot 4, Block 2, in Turner H. Johnson's Addition to Oakville; thence North 00 degrees 38 minutes 56 seconds West 50 feet (assumed bearing) to the Southwest corner of Lot 1, Block 3, in said Addition; thence North 89 degrees 28 minutes 32 seconds East 107.3 feet to the Southeast corner of said Lot 1; thence South 00 degrees 38 minutes 56 seconds East 50 feet to a nail at the Northeast corner of said Lot 4; thence South 89 degrees 28 minutes 32 seconds West 107.3 feet to the point of beginning, containing 0.12 acres, more or less.

ALSO, A vacation of an alley being 14-feet-wide and located along the South side of Lot 3, Block 2, in Turner H. Johnson's Addition to the Town of Oakville as shown by the Records of Delaware County, Indiana, described as follows:

Beginning at the Northwest corner of Lot 2, Block 2, in Turner H. Johnson's Addition to the Town of Oakville; thence North 00 degrees 38 minutes 56 seconds West 14 feet (assumed bearing) to the Southwest corner of Lot 3, Block 2, in said addition; thence North 89 degrees 28 minutes 32 seconds East 107.3 feet to the Southeast corner of said Lot 3; thence South 00 degrees 38 minutes 56 seconds East 14 feet to the corner of Lot 1, Block 2; thence South 89 degrees 28 minutes 32 seconds West 107.3 feet to the point of beginning, containing 0.03 acres, more or less.

WHEREAS, the notice further provided information regarding a public hearing on the proposed vacation, which said public hearing was held on June 21, 2021 consistent with, and pursuant to, Ind. Code § 36-7-3-12; and

AN ORDINANCE AMENDING TITLE 4 OF THE DELAWARE COUNTY CODE REGARDING CHAPTER 2 PERMIT FEES
FOR SOLAR FARMS, SOLAR INSTALLATIONS AND FLOODPLAIN DEVELOPMENT

ORDINANCE NO. 2021 – 025

Ms. Marta Moody, Plan Commission Director, said some areas have placed a cap on the maximum fee for solar farms, Ms. Moody provided examples. The Ordinance at this time does not have a cap in place.

MOTION: Commissioner Henry made a motion to table Ordinance 2021-025, Amending Title 4 of the Delaware County Code Regarding Chapter 2 Permit Fees for Solar Farms, Solar Installations and Floodplain Development.

SECOND: Commissioner Riggins

YEAS: Commissioner Henry, Commissioner Riggins, President King

RESOLUTIONS FOR APPROVAL

TO TRANSFER COUNTY-OWNED REAL PROPERTY TO THE TOWN OF EATON, IN

RESOLUTION NO. 2021-030

Mr. Brooke said Town of Eaton is requesting a transfer of property that is located close to Eaton Town Hall (see resolution). This request is permitted since the property is going from government entity to government entity.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-030, to transfer county-owned real property to the Town of Eaton, Indiana.

SECOND: Commissioner Riggins

YEAS: Commissioner Henry, Commissioner Riggins, President King

030
RESOLUTION NO. 2021-025

**RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS TO TRANSFER COUNTY-OWNED REAL
PROPERTY TO THE TOWN OF EATON, INDIANA**

WHEREAS, the Delaware County Board of Commissioners, as the legislative body and executive of Delaware County, Indiana (hereinafter, the "Commissioners"), owns certain real property located in the Town of Eaton, Indiana, which is specifically identified on EXHIBIT A, attached hereto (hereinafter, the "County Property");

WHEREAS, the Town of Eaton, Indiana (hereinafter, the "Town"), desires to acquire the County Property from the Commissioners to be used to provide for, and improve, the health and general welfare of the Town's residents and visitors; and

WHEREAS, the Commissioners desire to transfer said County Property to the Town, subject to acceptance of said County Property by the Town as evidenced by the adoption of a substantially similar resolution by the Town's Town Council and upon the various terms and conditions as stated herein.

*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, as described in EXHIBIT A, attached hereto, to the Town of Eaton, Indiana, upon acceptance of the County Property by the Town and upon the Town's payment in the sum of Six Hundred and 00/100 Dollars (\$600.00) to Delaware County as reimbursement of the County's acquisition costs for the Property, as well as payment of any required transfer and/or recording fees.
2. The Town's acceptance of the County Property shall be demonstrated by the adoption of a substantially similar resolution by the Town's Town Council, a copy of which shall be provided to the Commissioners upon its adoption by the Town's Town Council and maintained in the Commissioners' records.
3. The Delaware County Auditor shall provide an executed copy of this Resolution to the Town and, upon receipt of a substantially similar resolution adopted by the Town's Town Council, the President of the Board of Commissioners shall be authorized to execute all necessary documents to facilitate and carry out said transfer of the County Property to the Town.
4. This Resolution shall be effective upon adoption and publication as may be required by law.


Resolution No. 2021-025

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DULY ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 6 day of JULY, 2021.

*DELAWARE COUNTY
BOARD OF COMMISSIONERS*


James King, President


Sherry Riggins, Commissioner


Shannon Henry, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

Resolution No. 2021-025

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Exhibit A

Parcel No.: 18-03-23-426-007.000-023
Common Address: 104 East Harris Street
Eaton, Indiana 47338
Legal Description: A part of Lot Number Five (5) and a part of Lot Number Six (6) both in Block Number Seven (7) in William A. Long's Addition to Eaton, now Town of Eaton, bound and described as follows, to-wit:

Beginning at a point in the South line of said Lot Six (6); Forty-two (42) feet East of the Southwest corner of said Lot Six (6); running thence North from said beginning point Eighty (80) feet to a point Twenty (20) feet North of the South line of said Lot Five (5); running thence East parallel to the South line of said Lot Five (5), Seventeen (17) feet; running thence South parallel with the West line of said Lots Five (5) and Six (6), Eighty (80) feet to the South line of said Lot Six (6); running thence West on said South line of said Lot Six (6) Seventeen (17) feet to the point of beginning, in the Office of the Recorder of Delaware County, Indiana.

Resolution No. 2021-025

Page 3 of 3

IDENTIFYING CERTAIN PROPERTY 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.

RESOLUTION NO. 2021-026

Mr. Brooke said this is the start of the process for property located 4701 South Walnut, Muncie, Indiana that the county has that will be transferred to a nonprofit. A Public Hearing will take place after the adoption of Resolution 2021-026.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-026, Identifying Certain Property to be Transferred to a nonprofit Entity Pursuant to Indiana code.

SECOND: Commissioner Riffin

YEAS: Commissioner Henry, Commissioner Riffin, President King

RESOLUTION NO. 2021-026

ORIGINAL

RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS IDENTIFYING CERTAIN PROPERTY 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 a parcel of real property for which it has acquired a tax deed and now desires to transfer to a nonprofit entity to be used for the public good; and

WHEREAS, the property the Board of Commissioners now desires to transfer to a nonprofit entity to be used for the public good is 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 property 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 property listed on EXHIBIT A, attached hereto, as that for which the Board of Commissioners desires to transfer to a nonprofit entity to be used for the public good.

SECTION 2. The Board of Commissioners will conduct a public hearing to consider the transfer of the property to a nonprofit entity and said public hearing shall be set to occur on the 19th day of July, 2021, 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 the identified property transferred to them.

Resolution No. 2021-026

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RESOLUTION REGARDING THE AMENDMENT OF THE INDUSTRIA CENTRE
ECONOMIC DEVELOPMENT AREA IN DELAWARE COUNTY, IN
RESOLUTION NO. 2021-027

Mr. Brad Bookout, Delaware County Redevelopment, said this is a recap of the TIF Development area that will include new projects.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-027, Regarding the Amendment to the Industria Centre Economic Development are in Delaware County.

SECOND: Commissioner Riggins

YEAS: Commissioner Henry, Commissioner Riggins, President King

RESOLUTION NO. 2021-027

**RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS REGARDING THE AMENDMENT OF THE INDUSTRIA CENTRE
ECONOMIC DEVELOPMENT AREA IN DELAWARE COUNTY, INDIANA**

WHEREAS, the Delaware County Redevelopment Commission ("Commission"), on May 13, 2021, approved and adopted Resolution 2021-002A entitled "Resolution of the Delaware County Redevelopment Commission Approving an Amendment to the Declaratory Resolution and Amended and Restated Economic Development Plan for the Industria Centre Economic Development Area" (the "Declaratory Resolution") pursuant to IC 36-7-14, and subsequently confirmed the Declaratory Resolution on June 24, 2021 after conducting a duly noticed public hearing; and

WHEREAS, IC 36-7-14-41(c) requires that the determination that a geographic area is an economic development area be approved by the Board of Commissioners of Delaware County, Indiana (the "County Commissioners"), as the executive and legislative body of Delaware County, Indiana; and

WHEREAS, the County Commissioners reviewed the Declaratory Resolution as confirmed by the Commission, the Commission's Economic Development Plan approved pursuant to the Declaratory Resolution, and the written order of the Delaware-Muncie Metropolitan Plan Commission regarding the Declaratory Resolution and the Economic Development Plan, and now desire to make the determination that the geographic area described therein is an economic development area,

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

1. The County Commissioners hereby find and determine that it will be in the best interests of Delaware County to amend the Industria Centre Economic Development Area as described in the Declaratory Resolution as confirmed by the Commission.
2. The reestablishment of an Economic Development area in the area known as the Industria Centre Economic Development Area as described in the Declaratory Resolution and in Exhibit A to the Declaratory Resolution is hereby approved.
3. This Resolution shall be effective from and after its passage.

Resolution No. 2021-027

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DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Bookout said State of Indiana has launched the regional economic acceleration and development READI program. The State has allocated \$500 million to promote investments within the State of Indiana. This will be appropriated to 92 counties within the State of Indiana. The Resolution confirms that Delaware County supports the efforts of State funding.

Ms. Traci Lutton, Muncie-Delaware County Economic Alliance, said the Resolution demonstrates that Delaware County is participating with their neighboring counties and Delaware County will submit a regional economic development plan to bring up to \$50 million into Delaware County.

MOTION: Commissioner Henry made a motion to approve the Resolution, presented by Ms. Lutton.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

President King thanked Ms. Lutton and Mr. Bookout for all of their continued efforts that they put into economic development within Delaware County and especially with CANPACK.

A RESOLUTION IDENTIFYING A REGION FOR THE CREATION OF A REGIONAL DEVELOPMENT PLAN (RDP) AND PARTICIPATION IN THE INDIANA REGIONAL ECONOMIC ACCELERATION AND DEVELOPMENT INITIATIVE (READI)

ORIGINAL

WHEREAS, the state of Indiana, through its Indiana Economic Development Corporation (IEDC) launched the Regional Economic Acceleration and Development Initiative (READI); and

WHEREAS, House Enrolled Act No. 1001, of the 2021 Session of the Indiana General Assembly provided \$500 million in state appropriations to promote strategic investments that will make Indiana a magnet for talent and economic growth; and

WHEREAS, the READI program guidelines call for Indiana communities (counties, cities and towns) to identify their regions, coordinating organization and notify the IEDC by July 1, 2021 of their intent to seek implementation funding up to \$50 million for each region; and

WHEREAS, the IEDC will make available up to \$50,000 for a planning grant to assist in the creation of a Regional Development Plan (RDP) for submission to the IEDC by August 31, 2021; and

WHEREAS, both the planning and implementation phases of READI require matching funds from the private sector and local community; and

WHEREAS, the READI program guidelines discourage more than one RDP from the same region and the guidelines state, "overlap between regions could indicate a lack of regional collaboration;" and

WHEREAS, support from local government elected officials of the East Central Indiana Regional Partnership area (www.forgeeci.com) are important in the creation of the RDP and critical for its subsequent execution; and

WHEREAS, the East Central Indiana 21st Century Talent Region Designation's application, data and relationships will provide the framework for the creation of the RDP; and

NOW THEREFORE, BE IT RESOLVED, the undersigned
Commissioners (Commissioners, County Council, City or Town
Council) determine that Delaware County (County, City or Town) shall join the East
Central Indiana Forge Your Path READI Regional effort as described herein.

[Signature Block for Local Government Board and/or Council]

Ms. Moody presented a 2003 Trailblazer that was used by the Building Commissioner, owned by the Commissioners that no longer runs. A new vehicle was purchased for the Building Commissioner, due to maintenance costs of the 2003 Trailblazer. Ms. Moody contacted Ivy Tech but they had no interest on the vehicle.

MOTION: Commissioner Henry made a motion to place the 2003 Trailblazer on the auction site.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

Mr. Brooke is preparing a master "blank" lease that will include all county properties. Any requests will be approved by the Commissioners agreement.

PAYMENTS OF CLAIMS

Mr. Steven Craycraft, Auditor said claims are being paid out for small towns and City of Muncie (settlement).

MOTION: Commissioner Riggan made a motion to approve claims in the amount of \$46,209,121.26.

SECOND: Commissioner Henry

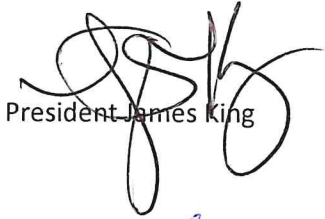
YEAS: Commissioner Henry, Commissioner Riggan, President King

RECESS

MOTION: Commissioner Riggan made a motion to recess until Monday, July 19, 2021.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggan, President King



President James King



Vice President, Ms. Sherry Riggan



Member, Mr. Shannon Henry



Auditor, Mr. Steven G Craycraft