

DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, AUGUST 16, 2021 @ 9:01 A.M.
COMMISSIONER'S COURTROOM
100 W. MAIN ST. ROOM 309A

ORIGINAL

CALL TO ORDER
PLEDGE TO FLAG
WELCOME

COMMENTS MAY BE MADE TO THE COMMISSIONERS VIA THEIR EMAIL AT commissioners@co.delaware.in.us

ROLL CALL

Mr. Shannon Henry
Mr. James King-off site
Ms. Sherry Riggin
Mr. Joe Rhetts, County Attorney
Mr. Steven G Craycraft, Auditor

ORDER OF BUSINESS

TABLED BUSINESS

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 recommended amending the cap on fees for solar farms, solar installations and floodplain development to \$200,000.

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

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-025, An Ordinance Amending Title 4 of the Delaware County Code Regarding Chapter 2 Permit Fees for Solar Farms, Solar Installations and Floodplain Development with a cap of \$200,000.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King

Ordinance available at www.co.delaware.in.us

APPROVAL OF MINUTES

MOTION: Commissioner Henry made a motion to approve August 2 and August 12 Commissioner Special Meeting minutes. .

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King

AGREEMENT FOR COLLECTION OF ACCOUNTS
ATLAS

Ms. Emily Anderson, Court Administrator and Mr. Jeff Hansard, Chief Probation Officer, presented the agreement with Atlas Collections. The Probationers are no longer on probation. They leave supervision owing probation fees, court costs and/or restitution. Approximately \$250,000 is owed to the county. Probation department no longer has an address and cannot find the probationer to be able to collect the fees. Atlas adds a 30% fee to the probation fees due to the county. Any payment received is split between County and Atlas, approximately 70% (County) and 30% (Atlas).

MOTION: Commissioner Henry made a motion to approve agreement with Atlas Collections.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King

Atlas Collection agreement available in Auditor's office

AGREEMENT FOR COLLECTION OF ACCOUNTS

This agreement is made and entered into this 16 of August, 2021 by and between DELAWARE COUNTY COURTS FEES (CLIENT) and ATLAS COLLECTIONS, INC. ("ATLAS"), a collection agency duly licensed (License #002586) by the laws of the State of Indiana. For good and valuable consideration, the parties hereby promise and agree as follows:

DELAWARE COUNTY COURTS FEES (CLIENT) hereby engages ATLAS, not as an employee or agent, but as an independent contractor, to undertake collection of certain accounts receivable and ATLAS agrees to pursue collection of such accounts, subject to the following terms and conditions:

1. ACCOUNT LISTING

The accounts shall be submitted to ATLAS on a regular schedule as determined by the DELAWARE COUNTY COURTS FEES (CLIENT).

2. ACCOUNTS TO BE COLLECTED

Under this Agreement, DELAWARE COUNTY COURTS FEES (CLIENT) agrees to submit only those accounts that are in default for Regular Collection efforts.

3. LEGAL ASSIGNMENT

ATLAS shall not initiate legal proceedings on any account without prior authorization by a designated individual or individuals by DELAWARE COUNTY COURTS FEES (CLIENT). All attorney fees incurred with legal collections proceedings will be the responsibility of ATLAS. Court costs expenses are the responsibility of the DELAWARE COUNTY COURTS FEES (CLIENT). Arrangements can usually be made with the local courts to defer these until collections are made on these accounts with judgments attached.

4. COMPROMISE OR SETTLEMENT

ATLAS shall make no compromise or settlement without approval from designated individual or individuals as selected by DELAWARE COUNTY COURTS FEES (CLIENT).

5. COMPLIANCE

All activities by ATLAS shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations. Further, all activities of ATLAS shall adhere to the policies and procedures of the INDIANA COLLECTORS ASSOCIATION, INC. and the AMERICAN COLLECTORS ASSOCIATION, INC. of which ATLAS is a member in good standing.

PORTABLE INCINERATOR

Mr. Jeff Stanley, Chief Deputy, said the Property Room Manager is seeking a \$5,000 grant for a portable incinerator.

MOTION: Commissioner Henry made a motion to approve the portable incinerator, if a grant of \$5,000 is approved.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggan, President King

ORDINANCES FOR SECOND READING
AN ORDINANCE TO LIMIT WEIGHT AND COMMERCIAL TRUCK
TRAFFIC ON COUNTY ROADS IN DELAWARE COUNTY, IN
ORDINANCE NO. 2021 – 026

MOTION: Commissioner Henry made a motion to table Ordinance 2021-026, An Ordinance to Limit Weight and commercial Truck Traffic on County Roads in Delaware County, Indiana. Mr. John Brooke, Ms. Angie Moyer and Mr. Tommie Humbert are still working together regarding Ordinance 2021-026.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggan, President King

RESOLUTIONS FOR APPROVAL
RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE ISSUANCE OF BONDS
RESOLUTION NO. 2021-021

Mr. Brad Bookout, Economic Development, said Resolution 2021-021 is specifically for refinancing of bonds by getting better rates saving Delaware County approximately \$170,000 dollars, no new additional proceeds. This is related to Park One Industria. This was initiated by Delaware County Redevelopment Commission.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-021, Approving the Issuance of Bonds.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggan, President King

ORIGINAL

RESOLUTION NO. 2021-021

RESOLUTION OF BOARD OF COMMISSIONERS
APPROVING THE ISSUANCE OF BONDS

WHEREAS, the Delaware County Redevelopment Commission ("Commission") has determined to issue its Redevelopment District Refunding Revenue Bonds, Series 2021 ("Refunding Bonds"), in the aggregate principal amount not to exceed \$3,000,000, to finance the cost of refunding its outstanding Redevelopment District Bonds, Series 2012, dated June 26, 2012 ("Refunded Bonds"), including incidental expenses incurred in connection with the refunding of the Refunded Bonds including funding a debt service reserve and premiums for a debt service reserve surety and municipal bond insurance, if necessary, and costs associated with the issuance of the Refunding Bonds pursuant to the Commission's resolution adopted on August 12, 2021 ("Bond Resolution");

WHEREAS, the Refunding Bonds will be payable solely out of Tax Increment and, to the extent Tax Increment is not sufficient, the Special Benefits Tax (each as defined in the Bond Resolution), allocated and deposited as provided in the Bond Resolution; and

WHEREAS, the Board of Commissioners of the County is required by IC 36-7-14-25.1(p) to approve the issuance of the Refunding Bonds; and

WHEREAS, pursuant to IC 36-7-14-25.1(c), the public purpose of the Refunding Bonds is to finance the refunding of the Refunded Bonds to achieve a savings which savings will be used in one or more of the following ways: (a) to fund a debt service reserve for the Refunding Bonds; (b) to pay debt service on the outstanding obligations; or (c) reduce the amount of Tax Increment needed annually to pay debt service on the Refunding Bonds, all pursuant to IC 51518(b);

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

1. The Board of Commissioners hereby approves the issuance of the Refunding Bonds in an aggregate principal amount not to exceed \$3,000,000 at a purchase price of 100% of the par value thereof, with a term ending no later than February 1, 2030, and a maximum interest rate of five percent (5.0%) per annum (actual rates will be determined by negotiation).
2. The Bonds shall be issued in denominations of \$5,000 or \$1,000 and integral multiples thereof, respectively, or minimum denominations of \$100,000 and multiples of \$1,000 thereafter, or as determined by the Auditor with the advice of the County's municipal advisor and bond counsel. The Bonds shall be payable upon presentation at the office of the Paying Agent (as defined in the Bond Resolution) or at the principal

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corporate trust office of any successor paying agent appointed under the Bond Resolution.

3. The Bonds are redeemable at the option of the Commission, but no sooner than five years after their date of issuance, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the Commission and by lot within maturities, at face value, together with no premium, plus accrued interest to the date fixed for redemption, and may be subject to mandatory sinking fund redemption as determined upon the sale of the Bonds.

4. This resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Board of Commissioners of Delaware County, Indiana, this 16th day of August, 2021.

BOARD OF COMMISSIONERS OF DELAWARE
COUNTY, INDIANA

Commissioner

Commissioner

Commissioner

ATTEST:

Auditor

RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO JOINTLY UNDERTAKE AN ECONOMIC
DEVELOPMENT PROJECT WITH THE TOWN OF YORKTOWN, IN PURSUANT TO IN CODE 36-7-25-1
RESOLUTION NO. 2021-029

Mr. Bookout said Resolution 2021-029 is to improve county road 600 west between State Road 67 and 32 for preliminary engineering. This would be paid through county redevelopment funding and is in corporation with Town of Yorktown.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-029, Delaware County Commissioners to Jointly Undertake an Economic Development Project with the Town Of Yorktown.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggan, President King

ORIGINAL

RESOLUTION NO. 2021- 029

RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO JOINTLY UNDERTAKE AN ECONOMIC DEVELOPMENT PROJECT WITH THE TOWN OF YORKTOWN, INDIANA PURSUANT TO IND. CODE § 36-7-25-1 ET SEQ.

WHEREAS, the Delaware County Board of Commissioners (the "Commissioners") serves as the legislative body of Delaware County, Indiana; and

WHEREAS, the County has previously established a department of redevelopment controlled by the Delaware County Redevelopment Commission and subject to oversight by the Commissioners; and

WHEREAS, the Delaware County Redevelopment Commission has established certain allocation areas within various economic development areas throughout the County, which receive property tax revenue from properties located within these allocation areas; and

WHEREAS, the Board of Commissioners of Delaware County believe that it is in the best interest of the County to work with the Town of Yorktown on their economic and quality of life projects; and

WHEREAS, the Board of Commissioners express a desire to have a long-term relationship with the Town of Yorktown officials for the overall improvement of the County; and

WHEREAS, the Town of Yorktown, Indiana (the "Town") has submitted a proposal to the Commissioners to jointly undertake economic development projects within the Town that will serve or benefit both units' jurisdictions; and

WHEREAS, Delaware County has some economic development areas in the Town of Yorktown which could be utilized for the benefit of Yorktown economic and quality of life projects; and

WHEREAS, the Commissioners now desire to enter into discussions with the Town regarding an agreement to jointly undertake economic development projects within the Town pursuant to the provisions of Ind. Code § 36-7-25-1 *et seq.* according to the general parameters stated herein.

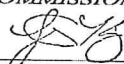
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA:


1. The Delaware County Board of Commissioners, through its duly appointed designee(s), shall engage in discussions with the Town to establish the terms and conditions of an agreement to jointly undertake the proposed project within the Town pursuant to the provisions of Ind. Code § 36-7-25-1 *et seq.*
2. The Board of Commissioners pledge to work together and enter agreements with the Town to jointly undertake economic development projects within the Town shall contain those terms and conditions which are in the best interest of both the Town and the County, but shall be subject to the following limitations:
 - a. The agreement shall be conditioned on the Town's willingness and ability to amend any and all applicable economic development plans to ensure the Town is properly authorized to engage in a joint project with the County.


- b. The agreement shall also be reviewed and approved by the Delaware County Redevelopment Commission.
 - c. The Board of Commissioners shall work with the Town of Yorktown and the Delaware County Redevelopment Commission to assist in funding the economic development project in the Town of Yorktown in amounts not to exceed One Hundred Thousand and 00/100 (\$100,000.00) Dollars during the term of the agreement. The County's assistance towards this project shall be funded exclusively from allocation area revenue received by the Delaware County Redevelopment Commission.
 - d. The agreement shall only obligate the County to pledge revenue from those allocations area(s) within the jurisdiction of Delaware County that are contiguous to the allocation area(s) within the jurisdiction of the Town of Yorktown.
3. A proposed agreement with the Town to jointly undertake economic development projects within the Town shall be subject to final approval of, and execution by, the Commissioners and the Redevelopment Commission before such agreement may become effective.
 4. The Commissioners shall not approve a final proposed agreement with the Town to jointly undertake economic development projects within the Town unless the Commissioners specifically find that the economic development projects described in the agreement will serve or benefit the County's applicable allocation areas.
 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 16 day of August, 2021.


DELAWARE COUNTY
BOARD OF COMMISSIONERS


James King, President


Sherry Riggin, Commissioner


Shannon Henry, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

DEPARTMENT HEADS AND ELECTED OFFICIALS
EMS – SURPLUS ITEMS

Mr. Ashley said they have three ambulances to go into surplus.

MOTION: Commissioner Henry made a motion to approve the surplus request.

SECOND: President King

YEAS: Commissioner Henry, Commissioner Riggin, President King

Mr. Jim Flook, IT Director, presented surplus equipment (see below). Greenwave Computer Recycling will pick items up at the county building.

MOTION: Commissioner Henry made a motion to approve Greenwave Computer Recycling.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King

Delaware County Surplus Equipment
July 30, 2021

PC's & Laptops	55
San disk shelves & disks	3
Servers	22
CRT monitors	12
Switches (HP,DELL,misc)	20
HP 8150 printers	8
Genicom printers	4
Inkjet printers	5
Multipurpose Printers	4
UPS units	10
Toshiba phones	150+

GreenWave Computer Recycling
Indianapolis, IN
Pick up

ORIGINAL



PAYMENTS OF CLAIMS

MOTION: Commissioner Henry made a motion to approve claims in the amount of \$1,345,142.17.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King

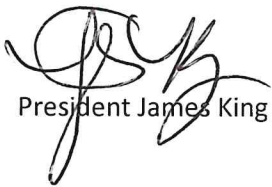
PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

No comments

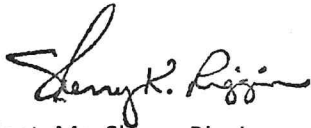
MOTION: Commissioner Henry made a motion to recess until September 7, 2021.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner Riggin, President King



President James King



Vice President, Ms. Sherry Riggin



Member, Mr. Shannon Henry

Auditor, Mr. Steven G Craycraft

