# DELAWARE COUNTY COMIMISSIONER'S MEETING MONDAY, OCTOBER 18TH, 2021 @ 9:02 A.M. COMMISSIONERS' COURTROOM 100 W. MAIN ST. ROOM 309A CALL TO ORDER PLEDGE TO FLAG WELCOME

Meetings will also be live streamed via the

Delaware County, Indiana Government Facebook Page

Comments may be made to the Commissioners via their email at <a href="mailto:commissioners@co.delaware.in.us">commissioners@co.delaware.in.us</a>]

**ROLL CALL** 

Mr. Shannon Henry

Mr. James King

Ms. Sherry Riggin

Mr. Joe Rhett, County Attorney

Mr. Steven Craycraft, Auditor

# PUBLIC HEARING REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY 600 EAST AT INTERSECTION 170-172 SOUTH

Commissioner Riggin said she is concerned, due to the amount of speed of traffic with the children leaving school.

Mr. Tommy Humbert, Highway Superintendent, said they have cleaned up the brush, removed the fence rows in the area. This will clear the view of the area both ways.

No public comments.

MOTION: Commissioner Riggin made a motion to close the Public Hearing on 600 East at Intersection 170-172 South.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

# **APPOINTMENTS**

Mr. Nate Jones, former Veteran Director, thanked the Commissioners for the opportunity to work at Delaware County Veterans office.

Commissioner Henry thanked Mr. Jones for everything he has done for Delaware County Veterans and for turning the Veterans office completely around taking the office in a new direction. Mr. Jones worked with the federal government to assist with pay for staff. Many thanks go out to Mr. Jones along with staff.

President King said they received two applications for the Veterans Director and would like to appoint Mr. Tommy Goul.

MOTION: Commissioner Henry made the motion to appoint Mr. Tommy Goul as the Veterans Director.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

Commissioner meeting October 18, 2021

Mr. Goul introduced himself and said he is looking forward to serving Veterans of Delaware County. Mr. Goul served in the US Air Force.

# TABLED BUSINESS AIRPORT AUTHORITY

# **APPROVAL OF MINUTES**

MOTION: Commissioner Henry made a motion to approve October 4, 2021 Commissioners' Meeting.

SECOND: Commissioner King

YEAS: Commissioner Henry, President King

ABSTAIN: Commissioner Riggin

# CONTRACTS OR AGREEMENTS FOR APPROVAL

# LEASE AGREEMENT FOR CHILDREN'S CLOTHING CENTER OF DELAWARE COUNTY, INC.

Commissioner Riggin said Children's Clothing Center of Delaware County, Inc. is a non-profit organization. Commissioner Riggin said they will keep the same hours as the county offices. An open house would be nice to have on a Saturday but details will be worked out at a later time.

MOTION: Commissioner Riggin made a motion to approve lease agreement for Children's clothing Center of Delaware County, Inc.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

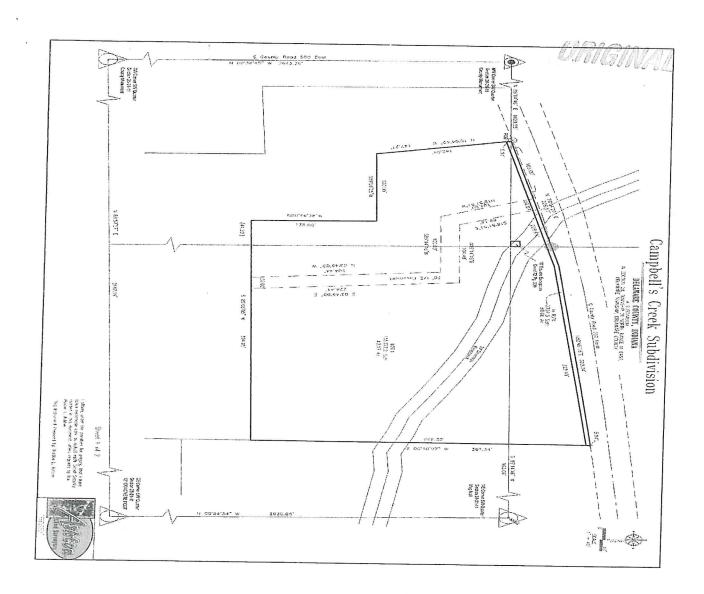
# ASHTON LAND SURVEYOR - CAMPBELL'S CREEK SUBDIVISION

Ms. Kathy Vannice, Ashton Land Surveyor, presented Campbell's Creek Subdivision. This has gone through the Plat Committee and was approved.

MOTION: Commissioner Henry made a motion to approve Campbell's Creek Subdivision.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King



# Campbell's Creek Subdivision

DELAWARE COUNTY, INDIANA

BI SECTION 28 TOWNSHIP 21 NORTH, PANCE 11 EAST, OCLAWARE TOWNSHIP, OCLAWARE SCHOOL 17



A part of the Countries Country and a part of the Northwest Southern of section 25, Township 21 Huttle, Human 1) Dest in Delivering Country, indicating desiration of the South Sout A part of the Southwest Quarter and a part of the Northwest Quarter of Section 23, Township 21 North, Range 11 East in Delaware County, Indiana, described as

The undersigned excepted in the Iserian described real distate. Completel's Grauk-bundaries, nor never the complete of the complete of size real estate, or any street or suddivision thereof, for such accounts of size real of develop the real solution for other than agricultural using hereby. So the right

To develop the real state are clear than approximately them, except first, actionalsteen and agrees that the Combibility Creek Deschieton is in and adjacent to an ereal some for applications as which were holder, but are not broken to production of creeps, aminor they shower, card application of animal tooling to product the creeps, animal they shower, and application of animal and are considered to the companion of the companion of the control of the control of feeding appreciately use of their mechanics, and the set of faring reducts, Second, valves any unit all opportunities, and the sale of facin products, sales any unit all opportunities is any such opicialized uses an ony residual years for such uses all only residual years of the Compbell's Green's Supervision, whether residuates are currently exist, and employing a financial uses in the cluster to enable or opportunities uses:

Fourth, agree that this seveness for the abriefli of the heldware Courts hading and all Eurones invalues in Superblanding the heldware Courts houndary of the Complete's Creek Subdivision and to enforceable be any of the Gregoline, together with factor other consensations may be required.

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PRIVATE DIVER ARREPORTED FOR ARREVER AR

Registered Lond Surveyor LS60940149 Huldon L. Avitten

Steven g. Croycufa

Shanan R Lichlyter After D Clemyter

State of Indiana ) County of Delaware )

Before me, a Natory Public in and for solid County and State, personally appeared Spaces R. & Allen D. Uchtyter, was acknowledged the assection at the foregoing plat, to be voluntary act and deed this day of 2021.

My Commission expires:

COUNTY COMMISSIBLERS. 1-6S IS TO CERTAY INSI HE BROKE OF COMMISSIBLERS OF Delaware County, Indiana, hereby, approves, and added the delayers of public lands and public improvements within the tomograp plat of the Competits Green Supplication.

AUDITO by colors of county of the Competition of the C

Auditor of Deloware County

RECORDER: Received for record and recorded this \_\_\_\_\_\_ day of \_\_\_\_\_\_ 2021.

Plat Back \_\_\_\_ page \_\_\_

Peceriar of Delaware County

Sheet 2 of 2

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Instrument, Prepared by Holdon L. Ashten.

# ECONOMIC DEVELOPMENT INCOME TAX (EDIT) CAPITAL IMPROVEMENT PLAN SEVENTH REVISED, DECEMBER 4, 2020 THROUGH JUNE 30, 2022

President King presented the revised EDIT plan. Due to unexpected expenditures of 911 and BIS/Courts the EDIT plan is being revised. An appropriation has been requested for \$2 million (done twice a year) so money will then be moved back into accounts to make those payments. The neighborhood grant program is new and has been added and will take effect in 2022.

MOTION: Commissioner Henry made a motion to approve seventh revised EDIT Plan.

SECOND: President King

Commissioner Riggin said she did not have time to study the EDIT Plan.

YEAS: Commissioner Henry, President King

ABSTAIN: Commissioner Riggin

MINE TORK

# <u>Seventh</u> Revised EDIT Capital Improvement Plan December 4, 2020 through June 30 2022

### ANNUAL BOND ISSUES:

Project 1- Bond Issues Series 2013 Bond, Pymt 1 \$485,505 Pymt 2 \$485,280 Series 2014 Bond, Pymt 1 \$195,224 Pymt 2 \$197,888 Series 2014 Bond, Pymt 1 \$195,440 Pymt 2 \$197,993 Series 2014 Bond, Pymt 1 \$200,434 Pymt 2 \$192,764 Bell Aqua Bond, Pymt 1 \$38,063 Pymt 2 \$32,485 Bell Aqua Bond, Pymt 1 \$36,960 Pymt 2 \$36,330
Bond Fees
Bond Fees, Pymt 1 \$500 Pymt 2 \$1,500
Bond Fees, Pymt 1\$500 Pymt 2 \$1,500

Project 2- Delaware County Justice Center Jail	
BOT, Pymt 1 \$1,610,000 Pymt 2 \$1,610,000	
BOT, Pymt 1\$1,610,500 Pymt 2 \$1,610,500	

Project 3- Delaware	County	Redevelopment	Comm
ojecto belawait	Country	nedevelopment	Comm.

Project 4-	Economic	Development
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Project	5-	Town	of	AI	bany

Project	6-	Town	of	Yorktown

Project 7- Town of Eaton

Project 8- Town of Selma

Project 9- Town of Daleville

\$970,785.00 for 2020 (Final Pymt) \$393,112.00 for 2020 \$393,432.60 for 2021 \$393,198.00 for 2022 \$70,548 for 2021 \$73,290 for 2022 \$500.00 for 2020 \$2,000.00 for 2021 \$2,000.00 for 2021

\$0 for 2020 \$3,214,193.00 for 2021 \$3,221,000.00 for 2022

\$225,000.00 for 2019 \$400,000.00 for 2020 \$100,000.00 for 2021 \$100,000.00 for 2022

\$600,000.00 for 2021 \$600,000.00 for 2022

\$125,000 for 2020 \$0 for 2021 \$50,000 for 2022

\$0 for 2020 \$0 for 2021 \$50,000 for 2022

\$50,000.00 for 2020 \$0 for 2021 \$50,000 for 2022

\$100,000 for 2020 \$0 for 2021 \$50,000 for 2022

\$150,000 for 2020 \$0 for 2021 \$50,000 for 2022

Project 10- Town of Gaston	\$100,000 for 2020 \$0 for 2021 \$50,000 for 2022
Project 11- Building Upgrade/Maintenance	\$93,500.00 for 2019 \$467,000.00 for 2020 \$600,000.00 for 2021 \$400,000.00 for 2022
Project 12- Brownfield Remediation	\$1,000.00 for 2019
Project 13- Delaware County Fairgrounds	\$50,000.00 for 2019 \$50,000.00 for 2020 \$0 for 2021 \$50,000.00 for 2022
Project 14- Bridge #141 Tiger Drive	Complete
Project 15- Bridge #161 Smithfield	\$125,000.00 for 2019 \$447,242.63 for 2020
Project 16- IT Software Maintenance/Equipment  Project 17- Cancelled	\$125,000.00 for 2019 \$275,000.00 for 2020 \$100,000 for 2021 \$100,000 for 2022
Project 18- Animal Control	\$75,000.00 for 2019 \$150,000.00 for 2020 \$75,000.00 for 2021 \$75,000.00 for 2022
Project 19- Youth Opportunity Center	\$150,000.00 for 2019 \$0 for 2021 \$0 for 2022
Project 20- Professional Fees	\$30,000.00 for 2019 \$30,000.00 for 2020 \$36,000.00 for 2021 \$40,000.00 for 2022
Project 21- Public Safety & Health	\$250,000.00 for 2020 \$250,000.00 for 2021 \$250,000.00 for 2022
Project 22- General Economic Development	\$250,000 for 2020 \$400,000 for 2021 \$400,000 for 2022
New Project:	
Project 23- Neighborhood Grant Program	\$100,000 for 2022

Note Attached Baker Tilly Illustrative EDIT Fund Cash Flow supplemental document tracking account transfers and additional expenditures through Third Quarter 2021.

Affan Jan

Steve g. Craycuff

# INMATE HOUSING AGREEMENT INTERLOCAL GOVERNMENT AGREEMENT

# BETWEEN DELAWARE COUNTY AND DEKALB COUNTY REGARDING INMATE HOUSING

Mr. Jeff Stanley, Chief Deputy, presented the interlocal agreement between Delaware County and Dekalb County. At this time, it is unknown when it will start and how many beds will be needed.

MOTION: Commissioner Henry made a motion to approve the interlocal agreement between Delaware County and Dekalb County regarding inmate housing.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

Mr. Stanley will provide the Auditor's office with signatures.



# INTERLOCAL GOVERNMENT AGREEMENT BETWEEN DELAWARE COUNTY AND DEKALB COUNTY REGARDING INMATE HOUSING

This agreement is made and entered into this <u>12</u> day of <u>Detable 1</u> between Delaware County, Indiana (hereinafter referred to as "Delaware County") and DeKalb County, Indiana (hereinafter referred to as "DeKalb County");

WHEREAS I.C. 36-1-7 et seq. provides that political subdivisions and governmental entities may enter into interlocal agreements to exercise certain powers authorized by State statute, and;

WHEREAS the DeKalb County Jail, from time to time, has more inmates than its capacity and may be unable to appropriately house those persons charged and awaiting trial and/or sentencing or convicted of crimes in DeKalb County for which DeKalb County is obligated under the law to house, and;

WHEREAS the Delaware County Jail has, from time to time, available space beyond its needs for the care and housing of those persons charged or convicted of crimes in Delaware County and Delaware County is willing to make the additional space available for use by DeKalb County.

NOW, THEREFORE, the parties hereby agree to the following:

- 2) TERMINATION. This Agreement may be terminated at any time by written notice from either party to the other party without liability for said termination. The written notice must be delivered by certified mail, express mail or some other type of delivery requiring a signature acknowledging acceptance to the mailing addresses set forth in section 3 of this Interlocal Agreement. Termination shall be effective ten (10) days after receipt of the Notice of Termination. After ten (10) days from receipt of notice of termination, DeKalb County agrees to remove its pre-trial detainees or persons in custody from Delaware County Jail.
- 3) MAILING ADDRESS. All notices, reports and correspondence to the respective parties of this Agreement shall be sent to the following location:

Delaware County Sheriff's Office Sheriff Tony Skinner 3100 S. Tillotson, Ste. 150 Muncie, IN 47302-6546

With a copy to;

Delaware County Attorney c/o Delaware County Commissioners 100 W. Main Street Muncie, IN 47305 DeKalb County Sheriff's Office Sheriff David Cserep 215 E. 8<sup>th</sup> Street Auburn, IN 46706

DeKalb County Attorney c/o DeKalb County Commissioners 100 S. Main Street, Courthouse Auburn, IN 46706

Notices mailed shall be deemed given on the date mailed. The parties shall notify each other in writing of any address changes.

# ORDINANCES FOR FIRST READING AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY (CR 600 EAST)

**ORDINANCE NO. 2021-029** 

MOTION: Commissioner Henry made a motion to introduce Ordinance 2021-029, An Ordinance to Amend an Ordinance Regulating Traffic on Certain Public Streets in Delaware County (CR 600 East).

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

MOTION: Commissioner Henry made a motion to suspend the rules on Ordinance 2021-029, An Ordinance to Amend an

Ordinance Regulating Traffic on Certain Public Streets in Delaware County (CR 600 East).

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-029, An Ordinance to Amend an Ordinance

Regulating Traffic on Certain Public Streets in Delaware County (CR 600 East).

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORIGINAL

ORDINANCE NO. 2021-029

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

BE IT ORDAINED: By the Board of County Commissioners, Delaware County, Indiana that an ordinance enacted prior to this day, / g しいかい, 2021, entitled "Traffic Ordinance" is hereby amended as follows:

Title 5, Chapter 4, Section 5, is to be amended as follows:

Item No. 1. There shall be an ALL WAY stop on C.R. 600 East at its intersection with C.R. 170 South/C.R. 172 South, located in Liberty Township, Delaware County, Indiana.

Item No. 2. 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.

Item No 3. The penalty for violation of this ordinance shall be as herein setforth in Article XVI, Section 16-1.

Item No. 4. This ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND ADOPTED by the Board of County Commissioners of Delaware County, Indiana the day of \_\_\_\_\_\_\_\_\_, 2021.

DELAWARE COUNTY COMMISSIONERS

James King, President

ry Riggin Vice President

Shannon Henry, Member

ATTEST Store g. Croyerf

Steven G. Craycraft, Auditor

# ORDINANCE TO AMEND THE DELAWARE COUNTY COMPREHENSIVE ZONING ORDINANCE

# **ORDINANCE 2021-030**

Ms. Marta Moody, Plan Commission Director, said this is a proposal for rezoning 180 acres from the F Farming Zone and Variety Business Zone to the IL Limited Industrial Zone. This is the second reading of Ordinance 2021-030 since the Plan Commission had their public hearing and returned a favorable recommendation. See ordinance for details.

Mr. David Charron, 7900 CR 925 said wetlands in this area have been damaged by the development before it even started. DNR is currently reviewing the damage to the wetland. Mr. Charron asked if there has been a feasibility study and environment impact study. If it is farming then no zoning has to be done.

Ms. Jane Glass, Bethel Avenue, owns property across from the site. Ms. Glass said her concern is once it is made into an industrial zone, what if this project fails? There are two failed projects in this area now, US Carports and a service station. How can we reclaim farm ground/agriculture? Ms. Glass said "you can't". "Once you lose farmland, it's lost forever, you cannot grow it and you cannot produce it". Ms. Glass said that is her concern.

Ms. Moody said for any proposed and/or future development, local approvals will be needed including a drainage plan and an erosion control/stormwater plan. Some plans will need state approvals on buildings as well as local building permits. Limited industrial zoning would allow farm use and a variety of other uses. The two ponds in the area are wetlands. The reference to the DNR was for work and clearing by the creek next to SR 332 and not for the wetlands.

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-030, An Ordinance to Amend the Delaware County Comprehensive Zoning Ordinance.

SECOND: Commissioner Riggin YEAS: Commissioner Henry, Commissioner Riggin, President King

2021.030

MARINE.

# REPORT TO THE BOARD OF COUNTY COMMISSIONERS

### OF DELAWARE COUNTY, INDIANA

October 8th, 2021

To The Honorable:

Board of County Commissioners of Delaware County, Indiana

Dear Board Members:

The Delaware-Muncie Metropolitan Plan Commission hereby submits to you the following report on the application of: Munsee Farms Holdings LLC, 1028 W. White River Blvd, Suite 103, Muncie, IN, such applicant petitioning the commission to rezone the real estate as described in the application, generally located at: 14290 W. McGalliard Rd, Yorktown, IN, from zone classification: BV Variety Business Zone amd F Farming Zone to zone classification: IL Limited Industrial Zone.

WHEREAS, the Commission has given reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout in the jurisdiction and responsible growth and development; and

NOW, THEREFORE, the Delaware-Muncie Metropolitan Plan Commission hereby FAVORABLY RECOMMENDS (5-0; 0 abstention, 4 absent) the application for rezoning.

DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION

Shannon Henry, President

Marta Moody, Secretar

# ORDINANCES FOR SECOND READING AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY (NEBO ROAD AND CR 350 NORTH)

**ORDINANCE NO. 2021-028** 

MOTION: Commissioner Riggin made a motion to approve Ordinance 2021-028, An Ordinance to Amend an Ordinance Regulating Traffic on Certain Public Streets in Delaware County (Nebo Road and CR 350 North).

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORDINANCE NO. <u>2021 – 028</u> AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY BE IT ORDAINED: By the Board of County Commissioners, Delaware County, Indiana that an ordinance enacted prior to this day, 18, October, 2021, entitled "Traffic Ordinance" is hereby amended as follows: Title 5, Chapter 4, Section 5, is to be amended as follows: Item No. 1. There shall be an ALL WAY stop on Nobo Road at its intersection with C.R. 350 North, located in Harrison Township, Delaware County, Indiana. Item No. 2. 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. Item No. 3. The penalty for violation of this ordinance shall be as herein setforth in Article XVI, Section 16-1. Item No. 4. This ordinance shall be in full force and effect from and after its passage and publication. PASSED AND ADOPTED by the Board of County Commissioners of Delaware County, Indiana the \_\_ day of October , 2021. DELAWARE COUNTY COMMISSIONERS James King, President

Shannon Henry, Member

Steven G. Craycraft, Auditor

# DEPARTMENT HEADS AND ELECTED OFFICIALS

Ms. Pam McCammon, Human Resource Director, provided information for flu shots.

October 20, 2021 from 8:30 am to 10:30 am at the County Building. They will be held in the Human Resource Conference Room- 3<sup>rd</sup> floor

October 20, 2021 from 12:00 pm to 2:30 pm at the Justice Center. They will be held in the Commissioners Conference Room - 1<sup>st</sup> floor

October 27, 2021 from 1:00 to 3:30 at the Highway Department.

# MONTHLY/WEEKLY REPORTS

# **PAYMENTS OF CLAIMS**

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$2,163,546.13.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

# PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

Mr. Jim Needham, Yorktown, Indiana, has concerns regarding the bridge closing and roundabout for 2022. Mr. Needham would like to have these to be separate projects.

Ms. Moody said both projects are federal aid so consultants are working on the roundabout and bridge #125 at the same time. Ms. Angie Moyer is the Project Manager for bridge #125 and Mr. Peter Olsen is the Project Manager for the roundabout. The approach being taken is to have the bid lettings at the same time to save costs of the projects. The current plan is to do a full closure of bridge #125. Part of the federal aid process is to include maintenance of traffic. The roundabout will be open as much as they but there will be a ten week period that the intersection will be closed. The replacement on the bridge will be done all at once. Ms. Moody understands the concerns of closures, however, the price different is significant. Federal dollars are 80% paid for the project but an important factor is keeping the price down.

President King suggested that Mr. Needham contact Ms. Moyer.

Ms. Moody said Ms. Moyer could probably get an estimate of doing the project as half and half.

# **RECESS**

MOTION: Commissioner Riggin made a motion to recess until November 1, 2021.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

President, James King

Vice President, Mr. Sherry Riggin

Member, Mr. Shannon Henry

Auditor, Steven & Craycraft