

DELAWARE COUNTY COMMISSIONERS MEETING
MONDAY, NOVEMBER 1, 2021 @ 9:02 A.M.
COMMISSIONERS' COURTROOM
100 W. MAIN ST. ROOM 309A

ORIGINAL

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 commissioners@co.delaware.in.us

ROLL CALL

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

APPOINTMENT
DCCC BOARD

Commissioner Riggan made a motion to table DCCC Board until November 18, 2021.

Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggan, President King

APPOINTMENTS/TABLED

Ms. Jeni Honeycutt, Executive Assistant, said a resignation was received for Airport Authority.

MOTION: Commissioner Riggan made a motion to appoint Mr. Scott Truax. Mr. Truax is a Professor at Ball State University and would balance out the board.

President King received interest from Mr. Truax and Ms. Nora Powell.

Commissioner Riggan did not know that Ms. Powell was interested.

President King asked Mr. John Brooke, Commissioner Attorney, about the vote since there are two interested candidates.

Mr. Brooke said depending on how you want, you can vote on both. Technically since President King mentioned Ms. Powell this would be a nomination. Under Robert Rules a second is not required. The majority would be selected or it can continue to be tabled since Commissioner Riggan just found out about Ms. Powell.

Airport Authority Board will remain tabled until November 15, 2021.

APPROVAL OF MINUTES

MOTION: Commissioner Henry made a motion to approve October 18, 2021 Commissioners' Meeting.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

CONTRACTS OR AGREEMENTS FOR APPROVAL

COMMISSIONERS MEETINGS FOR 2022

Commissioner Riggan recommended meetings be moved to 10:00 a.m. since often times people are commuting from Indianapolis, IN.

Commissioner Henry and President King preferred the meetings to remain at 9:00 a.m. since meetings often take place after Commissioners meetings.

MOTION: Commissioner Henry made a motion to approve Commissioners Meetings for 2022 at 9:00 a.m.

SECOND: Commissioner King

YEAS: Commissioner Henry, President King


NAYES: Commissioner Riggan

2022 Commissioners' Meetings
Meetings start at 9:00 a.m.
In the Commissioners' Courtroom
Room 309A
Delaware County Building
100 W. Main Street
Muncie, IN 47305

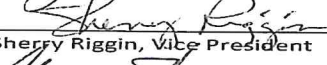
ORIGINAL

Monday	January 3, 2022
Tuesday	January 18, 2022 (Holiday)
Monday	February 7, 2022
Tuesday	February 22, 2022 (Holiday)
Monday	March 7, 2022
Monday	March 21, 2022
Monday	April 4, 2022
Monday	April 18, 2022
Monday	May 2, 2022
Monday	May 16, 2022
Monday	June 6, 2022
Tuesday	June 21, 2022 (Holiday)
Tuesday	July 5, 2022 (Holiday)
Monday	July 18, 2022
Monday	August 1, 2022
Monday	August 15, 2022
Tuesday	September 6, 2022 (Holiday)
Monday	September 19, 2022
Monday	October 3, 2022
Monday	October 17, 2022
Monday	November 7, 2022
Monday	November 21, 2022
Monday	December 5, 2022
Monday	December 19, 2022


Dated this 1 day of November, 2021



 James King, President



 Sherry Riggan, Vice President



 Shannon Henry, Member

Attest: 
 Steve Craycraft, Auditor

REVISED EDIT PLAN

President King said EDIT Plan is being revised again due to having to pay on 911 telephone system. The cost was over \$1 million and funds had to be taken out. This is where funds were placed back in, to pay bills that were due and pay bond payments too.

Commissioner Riggan asked which project did this come under.

Ms. Honeycutt said this was paid from project 11, building maintenance. President King, Mr. Brad Bookout and Ms. Honeycutt met and instead of just adding monies into 2021 the 2022 dates were removed off of the final figure from each project. This gives access to those funds. The project figures did not change. Ms. Honeycutt said this would then not have to wait until January 2022 to have access to 2022 funds as originally stated.

President King said if "we" didn't have the million dollar cost at that time then the plan would not have had to be revised. We thought we were going to end up getting reimbursed for a portion of the money, however, it was a federal and not state. The federal had to revert back to 911. It did not go back into the EDIT Plan and a \$2 million appropriation

had to be submitted to go back into EDIT. The project amounts again did not change and just dropped the 2022 final figure on projects so that funds were available.

Commissioner Riggin said project 22 went up \$200,000.

Ms. Honeycutt said that is how the original EDIT Plan was set up for 2022.

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

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

Eighth *ok per John Brooke*

**Seventh Revised EDIT Capital Improvement Plan
December 4, 2020 through June 30 2022**

ORIGINAL

ANNUAL BOND ISSUES:

Project 1- Bond Issues

Series 2013 Bond, Pymt 1 \$485,505 Pymt 2 \$485,280	\$970,785.00 for 2020 (Final Pymt)
Series 2014 Bond, Pymt 1 \$195,224 Pymt 2 \$197,888	\$393,112.00 for 2020
Series 2014 Bond, Pymt 1 \$195,440 Pymt 2 \$197,993	\$393,432.60 for 2021
Series 2014 Bond, Pymt 1 \$200,434 Pymt 2 \$192,764	\$393,198.00 for 2022
Bell Aqua Bond, Pymt 1 \$38,063 Pymt 2 \$32,485	\$70,548 for 2021
Bell Aqua Bond, Pymt 1 \$36,960 Pymt 2 \$36,330	\$73,290 for 2022
Bond Fees	\$500.00 for 2020
Bond Fees, Pymt 1 \$500 Pymt 2 \$1,500	\$2,000.00 for 2021
Bond Fees, Pymt 1 \$500 Pymt 2 \$1,500	\$2,000.00 2022

Project 2- Delaware County Justice Center Jail

BOT, Pymt 1 \$1,610,000 Pymt 2 \$1,610,000	\$0 for 2020
BOT, Pymt 1 \$1,610,500 Pymt 2 \$1,610,500	\$3,214,193.00 for 2021
	\$3,221,000.00 2022

Project 3- Delaware County Redevelopment Comm.

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

Project 4- Economic Development

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

Project 5- Town of Albany

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

Project 6- Town of Yorktown

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

Project 7- Town of Eaton

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

Project 8- Town of Selma

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

Project 9- Town of Daleville

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


Project 10- Town of Gaston

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


Project 11- Building Upgrade/Maintenance	\$93,500.00 for 2019 \$467,000.00 for 2020 \$600,000.00 for 2021 \$400,000.00
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
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	\$125,000.00 for 2019 \$275,000.00 for 2020 \$100,000 for 2021 \$100,000
Project 17- Cancelled	
Project 18- Animal Control	\$75,000.00 for 2019 \$150,000.00 for 2020 \$75,000.00 for 2021 \$75,000.00
Project 19- Youth Opportunity Center	\$150,000.00 for 2019
Project 20- Professional Fees	\$30,000.00 for 2019 \$30,000.00 for 2020 \$40,000.00 for 2021 \$40,000.00
Project 21- Public Safety & Health	\$250,000.00 for 2020 \$250,000.00 for 2021 \$250,000.00
Project 22- General Economic Development	\$250,000 for 2020 \$600,000 for 2021 \$400,000
New Project:	
Project 23- Neighborhood Grant Program	\$100,000

###Signatures on next page###

Adopted this 1 day of November, 2021.


James King, President

11.1.21
Date


Sherry Riggan, Vice President

11.1.21
Date


Shannon Henry, Member

11/01/21
Date

ATTEST:


Steven Craycraft, Auditor

11-1-2021
Date

INDOT-LPA PROJECT COORDINATION CONTRACT

Ms. Angie Moyer, Project Manager, presented Bridge 112 replacement project on county road 600 south at Williams Creek between Honeycreek and county road 300 west in Salem Township. INDOT has programmed 80% of federal funds toward engineering services allocating \$179,904.

MOTION: Commissioner Henry made a motion to approve INDOT-LPA Project.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

INDIANA DEPARTMENT OF TRANSPORTATION - LOCAL PUBLIC AGENCY
PROJECT COORDINATION CONTRACT
CONTRACT #0000000000000000000058157

ORIGINAL

Des. No.: 2003023
LPA DUNS #038235420
CFDA No.: 20.205

This Contract is entered into by and between the State of Indiana, acting by and through the Indiana Department of Transportation, (hereinafter referred to as "INDOT"), and the DELAWARE COUNTY, a local public agency in the State of Indiana (hereinafter referred to as the "LPA"), and collectively referred to as the "PARTIES" is executed pursuant to the terms and conditions set forth herein and shall be effective as of the date of approval by the Office of the Indiana Attorney General. In consideration of those mutual undertakings and covenants, the PARTIES agree as follows:

NOTICE TO PARTIES

Whenever any notice, statement or other communication is required under this Contract, it shall be sent to the following address, unless otherwise specifically advised.

- A. Notice to INDOT, regarding contract provisions shall be sent to:
- Office of LPA and Grant Administration
Attention: Director of LPA and Grant Administration
100 North Senate Avenue, Room N758 - LPA Program
Indianapolis, Indiana 46204

With a copy to:

Chief Legal Counsel and Deputy Commissioner
Indiana Department of Transportation
100 North Senate Avenue, Room N758
Indianapolis, Indiana 46204

- B. Notices to INDOT regarding project management shall be sent to respective District Office:
- INDOT Greenfield District
32 South Broadway
Greenfield, Indiana 46140
- C. Notices to the LPA shall be sent to:
- Delaware County
100 W. Main St.
Muncie, IN 47305

VEST SUBDIVISION

ASHLAND LAND SURVEYOR

Ms. Kathy Vannice, Ashton Land Surveyor, presented the dedication of property on county road 400 east along the west side of the parcel. This will be a one lot administrative plat for Vest subdivision.

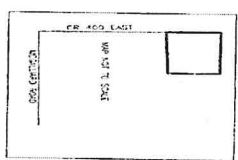
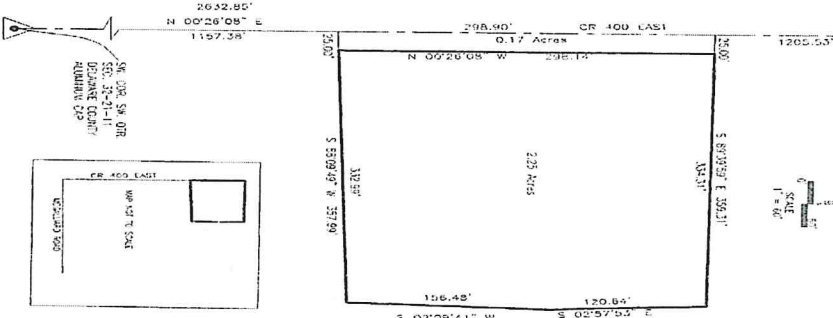
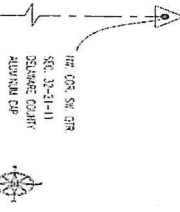
MOTION: Commissioner Riggin made a motion to approve the dedication of property at Vest subdivision.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORIGINAL

DELAWARE COUNTY, INDIANA
WEST Subdivision
N 3000 N, R 2200 W, S 31, 32, 33
EAST TOWNSHIP, DELAWARE COUNTY



3 3/4" = 100'

1" = 200'

1/2" = 400'

3/8" = 600'

1/4" = 800'

3/16" = 1200'

Property Owner: [Redacted]
Record Date: [Redacted]

Subdivision Name: [Redacted]
Block Number: [Redacted]
Lot Number: [Redacted]

OWNER CERTIFICATE
I, [Redacted], being the owner of the above described property, do hereby certify that the above described property is a portion of the property owned by [Redacted] and that the above described property is being conveyed to [Redacted] as shown on the attached plat.

WITNESSED and attested to by me this [Redacted] day of [Redacted], 20[Redacted].
[Redacted]

Notary Public for Delaware County, Indiana
My commission expires on [Redacted]

STATE OF INDIANA
DELAWARE COUNTY
WEST Subdivision

1. [Redacted]
2. [Redacted]
3. [Redacted]
4. [Redacted]
5. [Redacted]
6. [Redacted]
7. [Redacted]
8. [Redacted]
9. [Redacted]
10. [Redacted]



Sheet 1

MEADOW FORGE SOLAR PROJECT ECONOMIC DEVELOPMENT AGREEMENT

Mr. Brooke said he worked with Mr. Bookout and Mr. Joe Rhetts, Attorney. Negotiations have been taking place with the developer and is a fair agreement for both sides.

MOTION: Commissioner Henry made a motion to approve Meadow Forge Solar Project agreement.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

Agreement available in Auditor's office

CODIFICATION PROPOSAL CODE OF ORDINANCES AND ONLINE CODE

Mr. Brooke presented the proposal with American Legal Publishing for Codification Code of Ordinances and Online Code. This would be created electronically and place on Delaware County website. Precinct maps will also go into codification files. This will take approximately 90 days to gather information and to review. Mr. Brooke will provide copies to all Commissioners.

MOTION: Commissioner Henry made a motion to approve the proposal with American Legal Publishing.

SECOND: Commissioner Riggins

YEAS: Commissioner Henry, Commissioner Riggins, President King

Mr. Brooke is getting signatures and will provide to Auditor's office.

VERMILLION COUNTY INMATE HOUSING AGREEMENT

Mr. Tony Skinner, Delaware County Sheriff presented Vermillion County Inmate Housing Agreement. Once all parties sign the agreement, Mr. Skinner will provide to the Auditor's office.

MOTION: Commissioner Henry made a motion to approve Vermillion County Inmate Housing Agreement.

SECOND: Commissioner Riggins

YEAS: Commissioner Henry, Commissioner Riggins, President King

ORIGINAL

**INTERLOCAL GOVERNMENT AGREEMENT BETWEEN DELAWARE COUNTY
AND VERMILLION COUNTY REGARDING INMATE HOUSING**

This agreement is made and entered into this 1 day of Nov, 2021 between Delaware County, Indiana (hereinafter referred to as "Delaware County") and Vermillion County, Indiana (hereinafter referred to as "Vermillion 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 Vermillion 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 Vermillion County for which Vermillion 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 Vermillion County.

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

1) DURATION. This agreement shall be in full force and effect from Nov. 1, 2021 and end Oct. 31, 2022, subject to earlier termination provided hereto. This Agreement shall thereafter be renewed automatically annually on the anniversary date of adoption of this Interlocal Agreement and subject to termination as set forth herein. Nothing in this Agreement shall be construed to require Delaware County to house Vermillion County's inmates indefinitely.

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, Vermillion 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

Vermillion County Sheriff's Office
Sheriff Mike Phelps
P.O. Box 130
Newport, IN 47966-0130

With a copy to;

Delaware County Attorney
c/o Delaware County Commissioners
100 W. Main St., Room 309
Muncie, IN 47305

Vermillion County Attorney
c/o Vermillion County Auditor
P.O. Box 190
Newport, IN 47966-0190

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

RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS APPROVING AN AMENDMENT TO THE DELAWARE COUNTY, IN STATE AND LOCAL FISCAL RECOVERY FUNDS 2021 PLAN.

RESOLUTION 2021-046

Mr. Brooke said this is an amendment to State and Local Fiscal Recovery Funds for administrative costs. Mr. Ed Carroll, Treasurer is looking at software to help with reporting along with the Auditor's office. The treasury allowed up to 10% of the total amount for administrative purposes.

MOTION: Commissioner Henry made a motion to approve Resolution 2021-046, Resolution of Delaware County, Indiana Board of Commissioners Approving and Amendment to the Delaware County, IN State and Local Fiscal Recovery Funds 2021 Plans.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

RESOLUTION NO. 2021-046

RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS APPROVING AN AMENDMENT TO THE "DELAWARE COUNTY, INDIANA STATE AND LOCAL FISCAL RECOVERY FUNDS 2021 PLAN"

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, the Board of Commissioners previously adopted the "Delaware County, Indiana State and Local Fiscal Recovery Funds 2021 Plan" (the "ARP Plan"), which provides the overall plan for the County's use of funds received pursuant to the American Rescue Plan Act, Subtitle M of Title IX of Public Law 117-2; and

WHEREAS, the ARP Plan includes a "Project Inventory" describing each specific project that will be funded pursuant to the ARP Plan; and

WHEREAS, the Board of Commissioners has determined it is now necessary to amend the ARP Plan to add an additional project to the Project Inventory.

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

SECTION 1. The following shall be added as Project 10 to the Project Inventory section of the Delaware County, Indiana State and Local Fiscal Recovery Funds 2021 Plan:

1. "10. Administrative and Other Expenses

- A. Amount Allocated: \$2,200,000.00
- B. Description of Project: This section of the Plan deals with one aspect of the American Rescue Plan as to administrative costs, including legal fees, financial consultation costs, audits, evaluation and data analysis expenses, and other fees or costs associated with, or incurred, in the administration of the County's Plan. The amount allocated to this Project equals 10% of the total funds received, which is the allocation amount recommended by the Indiana State Board of Accounts and the United States Treasury.
- C. Administration of Funds: The Delaware County Commissioners
- D. Appropriation Year(s): 2021, 2022, 2023 and 2024

Resolution No. 2021-046

Page 1 of 2


E. Use Authority: 42 U.S.C. § 803(c)(1)(C)”


SECTION 2. All other sections of the ARP Plan shall remain in full force and effect.

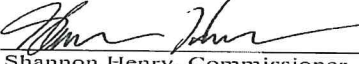
SECTION 3. This Resolution shall be effective upon its adoption by the Delaware County Board of Commissioners.

DULY ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 1 day of November, 2021.

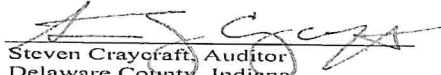
DELAWARE COUNTY
BOARD OF COMMISSIONERS


James King, President


Sherry Riggins, Commissioner


Shannon Henry, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

Resolution No. 2021-046

Page 2 of 2

OLIVE BRANCH CEMETERY

Mr. Brooke said he and the Commissioner was contacted by Washington Township Trustee. They had been contacted by Olive Branch Cemetery. A church located in Matthews, Indiana has been administrating the cemetery and want to turn it over to Delaware County or Township Trustee. Delaware County does not have a cemetery board in place. By statute the Trustee is given that responsibility. The trust fund still has money to maintain the cemetery that could go to Township Trustee or Delaware County, however, this is an elaborate process for Delaware County to set up a five member board. There is some possible tax ramifications that the cemetery board can make a request for council to have a tax rate for maintaining. Mr. Brooke would work with Trustees on how to use the funds, if this is approved by Commissioners.

All Commissioners agreed to have Mr. Brooke to work with Trustees regarding Olive Branch Cemetery.

ORDER ESTABLISHING PRECINCTS

Mr. Rick Spangler, Clerk, presented Voting Precincts. Mr. Brooke has prepared an order regarding precinct lines. This effected less than 100 voters. Once this is approved it will go to the Election Board, it will be advertised and Election Board will rule on it. A letter will be sent to all voters effected to notify them of changes.

Mr. Brooke said it has been 10 years since precincts were adopted. Albany, Muncie, Yorktown and Mount Pleasant have had some consolidations. This is only for precincts. Census Bureau released the data on August 12. Delaware County had to wait until the Legislature adopted the State Representative, State Senator and Congressional Districts. Delaware County is in congressional district five now. This was done in late September and then the Election Commission gave the counties until October 15, however they gave more lead way. Delaware County suffered 6,000 person loss according to the census.

MOTION: Commissioner Henry made a motion to approve the order establishing approve establishing precincts.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

The Commissioners and Mr. Spangler thanked Mr. Kyle Johnson, Chief Information Officer/GIS Coordinator, for his help on this project.

PURDUE EXTENSION

Ms. Laurynn Thieme, Purdue Extension Director, introduced Ms. Alexis Garbo. Ms. Garbo was hired for the 4-H Young Development position.

WEIGHTS AND MEASURES REPORT

PAYMENT OF CLAIM

MOTION: Commissioner Riggan made a motion to approve claims in the amount of \$2,252,974.68.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggan, President King

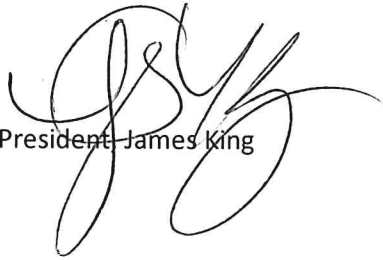
Mr. Brooke said there were two comments on the internet, one asking for the precinct maps to be placed on Delaware County website and one person would be interested in serving on Olive Branch Cemetery, if needed.

RECESS

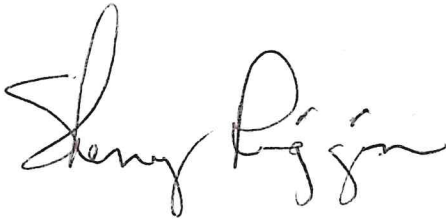
MOTION: Commissioner Riggin made a motion to recess until November 15, 2021.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King



President James King



Vice President, Ms. Sherry Riggin



Member, Mr. Shannon Henry



Donna Patterson, Chief Deputy
Auditor, Steven G Craycraft