

DELAWARE COUNTY COMMISSIONER'S MEETING
 Tuesday, February 20, 2018 @ 9:00 A.M.
 COMMISSIONER'S COURTROOM
 100 W. MAIN ST.
 MUNCIE, IN 47305
 CALL TO ORDER
 PLEDGE TO FLAG
 WELCOME

ORIGINAL

ROLL CALL

- Mr. Shannon Henry
- Mr. James King
- Ms. Sherry Riggin
- Mr. Steven G. Craycraft
- Mr. John Brooke, Attorney

PUBLIC HEARING

- PUBLIC HEARING – AMEND TRAFFIC ORDINANCE
- PUBLIC HEARING FOR NONPROFIT – 1810 S. LIBERTY 18-11-16-489-004-000-003
- PUBLIC HEARING FOR NONPROFIT – 700 W. FUSON 18-11-28-451-004-000-003

Ms. Angie Moyer, Project Manager, said this is to establish a 4-way stop on Old Granville Road and Blacks Mill Road and to establish a 4-way stop at CR 700 South and 300 East.

Mr. Craig Graybeal, Executive Director of ecoREHAB, requested a Tax Certificate for 1810 South Liberty, Muncie, Indiana. This rehab would be transferred, once it is finished, to Muncie Mission.

Mr. Brad Bookout, Economic Development, said Mr. Bill Walters was not able to attend the meeting, however he does have an interested prospect for 700 West Fuson, Muncie, Indiana.

MOTION: Commissioner Riggin made a motion to close all three public hearings.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

TABLED BUSINESS

- YORKTOWN PUBLIC LIBRARY BOARD
- MEDICAID FOR INMATES AGREEMENT

Yorktown Public Library Board appointment and Medicaid for Inmate's agreements remained tabled.

UMBAUGH COMPREHENSIVE COUNTY FINANCIAL PLAN AGREEMENT

MOTION: Commissioner Henry made a motion to remove from the table Umbaugh Comprehensive County Financial Plan Agreement.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve Umbaugh Comprehensive County Financial Plan Agreement.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve February 5, 2018 minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

**CONTRACTS OR AGREEMENTS FOR APPROVAL
HIGHWAY DEPARTMENT-ANNUAL MATERIALS
EATON-ALBANY PIKE PAVING PROJECT 2018-01**

Mr. John Brooke, County Attorney, opened sealed bids and read aloud company names and prices for the Highway annual materials and Eaton-Albany Pike paving project.

MOTION: Commissioner Henry made a motion to takes all bids under advisement.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Ms. Angie Moyer, Project Manager, provided the tabulation sheet after the meeting (see below).

Tuesday, February 20, 2018
BID RESULTS
ROAD PAVING PROJECT 2018-01
DELAWARE COUNTY HIGHWAY DEPARTMENT
EATON-ALBANY PIKE
BETWEEN EATON TOWN LIMITS (EAST END) TO CR 800 EAST

ITEM	DESCRIPTION	QUANTITY	UNIT	1ST BROOKS CONSTRUCTION		MILESTONE		E & B PAVING	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEAN EDGE AND PREP	69,500.00	SYS	\$0.10	\$6,950.00	\$0.10	\$6,950.00	\$0.20	\$13,900.00
2	QC/QA 2.64 9.5mm HOT MIX ASPHALT (165#)	5,735	TONS	\$56.00	\$321,160.00	\$60.00	\$344,100.00	\$62.00	\$355,570.00
3	QC/QA 2.64 9.5mm HOT MIX ASPHALT Wedge and Level (165#)	5,735	TONS	\$54.00	\$309,690.00	\$61.00	\$349,835.00	\$56.00	\$321,160.00
4	BUTT JOINT MILLING	500	SYS	\$26.00	\$13,000.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00
5	ROAD BASE RECONSTRUCTION	450	SYS	\$40.00	\$18,000.00	\$45.00	\$20,250.00	\$40.00	\$18,000.00
6	HMA for APPROACHES	140	TONS	\$190.00	\$26,600.00	\$80.00	\$11,200.00	\$245.00	\$34,300.00
7	ASPHALT FOR TACK COAT	46	TONS	\$400.00	\$18,400.00	\$275.00	\$12,650.00	\$560.00	\$25,760.00
8	STONE SHOULDER AGGREGATE # 53	1,110	TONS	\$30.00	\$33,300.00	\$26.50	\$29,415.00	\$35.00	\$38,850.00
9	MAINTENANCE OF TRAFFIC	1	LS	\$25,075.49	\$25,075.49	\$15,200.00	\$15,200.00	\$54,260.00	\$54,260.00
10	STRIPING	1	LS	\$12,683.51	\$12,683.51	\$25,800.00	\$25,800.00	\$12,685.00	\$12,685.00
				TOTAL	\$784,859.00	TOTAL	\$825,400.00	TOTAL	\$884,485.00
	REQUIRED SUBMITTALS								
	ITEMIZED PROPOSAL				YES		YES		YES
	FORM 96				YES		YES		YES
	NON-COLLUSION AFFIDAVIT				YES		YES		YES
	5% BID SECURITY				YES		YES		YES

2018 - HIGHWAY DEPARTMENT ANNUAL BIDS

ITEM NO.1- ASPHALT MIXES & LIQUID ASPHALT

BIDDERS: ASPHALT MATERIALS, MARATHON PETROLEUM, E&B PAVING, BROOKS CONSTRUCTION

PRODUCT	ASPHALT MATERIALS, INC./ DELIVERED PER GALLON	ASPHALT MATERIALS/F.O.B PLANT PER GALLON	MARATHON PETROLEUM/F.O.B. INDIANAPOLIS PLANT/PER GALLON	MARATHON PETROLEUM/DELIVERED	K-TECH /PER GALLON/DELIVERED	K-TECH/ PER GALLON / FOB PLANT
AE-60			\$1.7600	\$1.7800		
AE-90	\$1.6898	\$1.68	\$1.7600	\$1.7800	\$1.75	\$1.65
RS-2			\$1.7600	\$1.7800		
AE-T				\$1.7800		
AE-150			\$1.8600	\$1.8800		
AE-200			\$1.8600	\$1.8800		
AE-300			\$1.9600	\$1.9800		
AE-PL (DUST CONTROL OIL)			\$1.7600	\$1.7800		
AE-90S	\$1.8097	\$1.80			\$1.95	\$1.85
DUSTLAY /LIQUID DUST CONTROL	\$1.5995	\$1.60			\$1.35	\$1.25
SS-1H/TACK	No Bid	\$1.70	\$1.7600		\$1.85	\$1.75
NOTES	SUBJECT TO ESCALATION/ DE-ESCALATION		SUBJECT TO ESCALATION/DE-ESCALATION		SUBJECT TO ESCALATION/ DE-ESCALATION	
	BID BOND INCLUDED		BID BOND INCLUDED		BID BOND INCLUDED	
					Minimum delivery load is 5,800 gallons. Demurrage will be charged after 1-1/2 hours free at \$105.00 per hour.	

COMMISSIONERS LIVE CERTIFICATE SALE SERVICES
ADDENDUM TO THE SRI MASTER SERVICES AGREEMENT

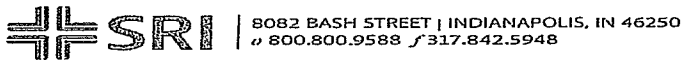
Ms. Janet Kesler, presented the SRI addendum agreement.

Mr. Brooke said he had reviewed the SRI addendum.

MOTION: Commissioner Henry made a motion to approve the addendum to the SRI Master Services Agreement.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King



ORIGINAL

COMMISSIONERS LIVE CERTIFICATE SALE SERVICES ADDENDUM TO THE SRI MASTER SERVICES AGREEMENT

As part of, and in accordance with, the SRI Services Master Agreement (hereinafter "the agreement") between SRI, Incorporated (hereinafter "SRI"), 8082 Bash St., Indianapolis Indiana 46250, and Delaware County (hereinafter "the County"), by and through its Board of Commissioners, 100 West Main, Muncie, IN 47305. The County elects to obtain and upon acceptance hereof, SRI agrees to provide such services as herein defined in accordance with the terms of the agreement and this addendum.

1. Description of SRI Services

The Commissioners Certificate Sale services to be performed by SRI, or as subcontracted by SRI, are more specifically described as follows:

- a. From various reports, data and information to be provided by the County Auditor, County Treasurer, and County Commissioners, SRI agrees to:
 - i. Prepare a list of properties eligible for sale at Commissioner's Sale (hereinafter the Certificate Sale List");
 - ii. Prepare a plan of events and procedures required to carry out the sale pursuant to 6-1.1-24-6.1 *et seq.*;
 - iii. Prepare all notices, publications, postings and other documents required to dispose of property pursuant to statute;
 - iv. Prepare all applicable forms and records prescribed or approved by State Board of Accounts;
 - v. Conduct the sale or auction of properties; and
 - vi. Place a listing of pertinent sale information and properties on the SRI website

2. Description of County Services

ORDINANCES FOR FIRST READING

**AN ORDINANCE TO AMEND AN ORDINANCE REGULATING TRAFFIC ON CERTAIN
PUBLIC STREETS IN DELAWARE COUNTY
ORDINANCE NO. 2018-003**

MOTION: Commissioner Henry made a motion to introduce Ordinance 2018-003, An Ordinance Regulating Traffic on Certain Public Streets in Delaware County.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

RESOLUTIONS FOR APPROVAL

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF
DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO
BE ASSIGNED TO A NONPROFIT CORPORATION #1A
RESOLUTION NO. 2018-008**

Ms. Kesler said Tax Sale Certificate would be assigned to ecoREHAB.

MOTION: Commissioner Riggin made a motion to approve Resolution 2018-008, Making a Final Determination of the Tax Sale Certificate to be Assigned to a Nonprofit Corporation #1A.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

ORIGINAL

RESOLUTION 2018-008

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #1a

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificates to a nonprofit corporation.

WHEREAS, a public hearing was held before the Commissioners pursuant to proper notice published by the Auditor; and

WHEREAS, there is one parcel in Delaware County that have been in one or more tax sales and have taxes that are severely delinquent. This parcel was offered to a nonprofit corporation that filed an application requesting same. The parcel is identified as:

18-11-16-489-004-000-003 1810 S Liberty Certificate #181700876 Del. Taxes: \$16,271.18

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

Section One. The Delaware County Board of Commissioners is hereby making a final determination of the tax sale certificates that the Board desires to assign to a nonprofit entity. Said tax sale certificate is described above.

Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificate described above to Ecorehab of Muncie, Inc.

Passed and adopted by the Commissioners on the 20 day of FEBRUARY, 2018 2018.

James King, President

Shannon Henry, Member

Sherry Riggins, Vice-President

ATTEST Steve Craycraft, Auditor

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #1B

RESOLUTION NO. 2018-009

Ms. Kesler said Tax Sale Certificate 700 West Fuson would be assigned to East Central Indiana Regional Planning District.

MOTION: Commissioner Riggins made a motion to approve Resolution 2018-009, Making a Final Determination of the Tax Sale Certificate to be Assigned to a Nonprofit Corporation #1B

SECOND: Commissioner Henry

YEAS: Commissioner Riggins, Commissioner Henry, President King

ORIGINAL

RESOLUTION 2018-009

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE, INDIANA, MAKING A FINAL DETERMINATION OF THE TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #1b

WHEREAS, Indiana Code 6-1.1-24-17 sets out the procedures for assigning tax sale certificates to a nonprofit corporation.

WHEREAS, a public hearing was held before the Commissioners pursuant to proper notice published by the Auditor; and

WHEREAS, there is one parcel in Delaware County that have been in one or more tax sales and have taxes that are severely delinquent. This parcel was offered to a nonprofit corporation that filed an application requesting same. The parcel is identified as:

18-11-28-451-004-000-001 700 W. Fuson Rd Certificate #181700006 Del. Taxes: \$84,759.20

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Indiana that:

Section One. The Delaware County Board of Commissioners is hereby making a final determination of the tax sale certificates that the Board desires to assign to a nonprofit entity. Said tax sale certificate is described above.

Section Two. The Delaware County Board of Commissioners hereby assigns the tax sale certificate described above to East Central Indiana Regional Planning District.

Passed and adopted by the Commissioners on the 20 day of FEBRUARY, 2018.

James King, President

Shannon Henry, Member

Sherry Riggins, Vice-President

ATTEST

Steve Craycraft, Auditor

**DEPARTMENT HEADS AND ELECTED OFFICIALS
QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION
CONFINED ANIMAL FEEDING OPERATION (CAFO)**

President King said a public meeting will be held for discussion purposes about the proposed Confined Animal Feeding Operation (CAFO). The meeting will be held at Heartland Hall, located at the Delaware County Fairgrounds on March 8, 2018 at 6:00 p.m.

The proposed location for the CAFO facility is 2601 West County Road 1270-North in Union Township.

Mr. Brooke will send invitations to the applicant and department heads that will be involved answering questions about the CAFO.

Mr. Fred Kachur asked that notifications be sent to property owners around the proposed area.

Ms. Marta Moody, Plan Commission Director, said the requirement for notification is ½ mile (2600 ft.).

MOTION: Commissioner Henry made a motion to hold a public meeting Heartland Hall, located at the Delaware County Fairgrounds on March 8, 2018 at 6:00 p.m.

SECOND: Commissioner Riggin

Mr. Keith Royston, Muncie Star will place the meeting notice in the newspaper.

Mr. Brooke will send meeting information to Hartford City newspaper.

Ms. Jeni Honeycutt, Executive Assistant, will place meeting information on the county website.

YEAS: Commissioner Riggin, Commissioner Henry, President King

Mr. Brooke asked that the Opioid Litigation agreement be removed from the table.

MOTION: Commissioner Henry made a motion to remove from the table, Opioid Litigation agreement.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

MOTION: Commissioner Henry made a motion to approve the Opioid Litigation agreement with Cohen & Malad, LLP and Bose McKinney & Evans LLP.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Mr. Brooke said Delaware County was approached from an adjacent owner regarding a strip of land in Eaton, Indiana. Delaware County received this land many years ago through a Tax Sale. According to State statute, both adjacent homeowners should begin a bidding process.

MOTION: Commissioner Henry made a motion to begin the process, according to State statute.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Mr. Brooke said he is working with Open Door about processing the Medicaid for Inmates agreement.

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$883,201.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

OTHER

Ms. Amy Fant, Muncie Action Plan, said on behalf of Building Better Neighborhoods, Shafer Leadership Academy and Muncie Action Plan, the Commissioners are invited to the 3rd annual Muncie Neighborhoods' IDEA conference at 9:00 a.m. on March 3, 2018. Ms. Fant said it would be very beneficial for the county to gain access to the available resources. Ms. Fant introduced Ms. Heather Williams. Williams has been working with Muncie Action Plan and Ball State University for five years building Neighborhood Associations.

Mr. Harry Evans, thanked the Commissioners for setting the CAFO meeting. Mr. Evans said they are on a time sensitive matter through IDEM. Mr. Evans asked for a moratorium so that no one regarding the CAFO can ask for a permit.

Ms. Moody and Mr. Brooke questioned rather a moratorium could be done the same day as the request. They both agreed that the terms would need to be laid out regarding the moratorium beforehand.

President King said a Special Meeting may be considered, due to the timeframe.

Commissioner Henry asked that the Building Commissioner not issue any building permits regarding CAFO's until the Commissioners can look into this further.

MOTION: Commissioner Henry made a motion that no permits are to be issued regarding the CAFO until reviewed further by the Commissioners.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

Mr. Derek Bailey, Community Correction Supervisor of Home Detentions, said the general release program is set for 150 clients on GPS. Bailey requests to take 15 of the clients on a 90 day trial with SMARTLINK. The price would go down from \$14 to \$10 per client. This is a lease restrictive monitoring. Mr. Bailey asked for an amendment to be approved. The Judges are in agreement.

Mr. Brooke said it would probably be appropriate to amend the agreement for a 90 day trial.

MOTION: Commissioner Henry made a motion to amend the agreement for 90 days.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King

*****No amendment was provided for sign off of the Commissioners.**

Due to the recent flooding and rain, sandbags are available at Fire Station 3, Fire State 2 and the Fairgrounds.

RECESS

MOTION: Commissioner Riggin made a motion to recess until March 5, 2018.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

President James King

Vice President Sherry Riggan

Member Shannon Henry

Auditor, Steven G. Craycraft