

ORIGINAL

MONDAY, JULY 1, 2019 @ 9:00 A.M.
COMMISSIONER'S COURTROOM
COMMISSIONER MEETING
100 W. MAIN STREET
MUNCIE, IN 47305
PLEDGE TO FLAG

MOMENT OF SILENCE FOR MR. LARRY CROUCH, FORMER COMMISSIONER

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

TABLED BUSINESS

Flatland Resources – Fairgrounds ADA Compliance Project

MOTION: Commissioner King made a motion to keep Flatland Resource agreement tabled.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve June 17, 2019 Commissioner minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

CONTRACTS OR AGREEMENTS FOR APPROVAL

INDIANA DEPARTMENT OF TRANSPORTATION

PROJECT COORDINATION CONTRACT – BR #127

Ms. Angie Moyer, Project Engineer, presented replacement information for bridge #127, located on 600 west.

This contract is necessary to receive federal funding. The project will go to letting in February 2020.

MOTION: Commissioner King made a motion to approve Indiana Department of Transportation, Project Coordination contract for Bridge #127.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

Ms. Moyer will provide the Auditor's office the agreements once all signatures are received

**INDIANA DEPARTMENT OF TRANSPORTATION - LOCAL PUBLIC AGENCY
PROJECT COORDINATION CONTRACT**

EDS #: A249-19-L190058
Des. No.: 1700681
CFDA No.: 20.205

ORIGINAL

This Contract is made and entered into effective as of the date of the Indiana Attorney General signature affixed to this Contract, 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.

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 N955-LPA
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:

Greenfield District Office
32 South Broadway
Greenfield, Indiana 46140

- C. Notices to the LPA shall be sent to:

Delaware County
100 W Main Street, Room 103, County Building
Muncie, Indiana 47305

AGREEMENT FOR TREE REMOVAL

Commissioner Henry said he is working with Mr. Brad Bookout on the Industria Center Tree Project.

Mr. John Brooke, County Attorney, reviewed the below contract.

MOTION: Commissioner King made a motion to approve Hicks Watters Tree Service agreement for \$26,800.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Rigglin

Full signed agreement available in Auditor's office

ORIGINAL

AGREEMENT FOR TREE REMOVAL

This Agreement for Tree Removal (the "Agreement") is made as of the date of execution stated herein by and between *Delaware County, Indiana* ("County"), acting by and through its *Board of Commissioners* ("Commissioners"), and *Watters Enterprises Inc.*, an Indiana for-profit corporation transacting business under the assumed business name of *Hicks Watters Tree Service* ("Contractor"), for the project known as the Industria Centre Tree Removal Project ("Project"). The County and the Contractor agree as follows:

- I. **THE WORK.** The intent of the Agreement is to provide for the maintenance and removal of trees and the grinding of certain tree stumps described in the Project Documents attached hereto as Exhibit A, the terms of which are incorporated herein by reference. The Contractor shall provide all materials, labor, tools, equipment, supplies, transportation, and supervision necessary to perform, and shall perform, the Work generally described in the Project Documents, in a good and workmanlike manner and in accordance with the terms of the Project Documents as necessary to produce the results intended by the Project Documents (all hereinafter called the "Work").
 - A. **SUPERVISION AND CONSTRUCTION PROCEDURES; PERMITS.** The Contractor shall supervise and direct the Work using Contractor's best skill and attention. The Contractor shall be solely responsible for and have control over construction means, methods, techniques, sequences and procedures and for coordinating all portions of the Work. The Contractor shall be responsible to the County for the acts and omissions of the Contractor's employees, subcontractors, material suppliers, laborers, equipment lesser and all other persons performing portions of the Work. The Contractor shall be responsible for the inspection of the Work to determine that the Work is in proper condition. The Contractor is responsible for the acquisition of any and all permits necessary to coordinate and complete the Work under the Project Documents.
 - B. **LABOR AND MATERIALS.** The Contractor shall provide and pay for all labor, materials, equipment, tools, machinery, water, utilities, transportation, and other facilities and services necessary for the proper execution and completion of the Work, whether temporary or permanent and whether or not incorporated or to be incorporated in the Work.
 - C. **SUBCONTRACTORS.** Before commencement of the Work, the Contractor shall furnish in writing to the County the names of all persons or entities proposed to complete any portion of the Work and their respective contract sums. The Contractor shall not contract with a proposed person or entity to which the County has made a reasonable objection and the Contractor shall require each subcontractor, to the extent of the Work to be performed, to be bound by the terms of this Agreement as though each contract were a party hereto.
 - D. **REPRESENTATIONS.** The Contractor represents and warrants the following as a material inducement to the County to execute this Agreement, which representations and warranties shall survive the execution and delivery of this Agreement, any termination of this Agreement, and the final completion of the Work:

RESOLUTIONS

A RESOLUTION TO PERFORM WORK BY THE HIGHWAY DEPARTMENT RESOLUTION 2019-024

MOTION: Commissioner King made a motion to approve Resolution 2019-024 to Perform Work by the Highway Department.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORIGINAL

RESOLUTION 2019-024

A RESOLUTION TO PERFORM WORK BY THE HIGHWAY DEPARTMENT

WHEREAS, the County of Delaware (Highway Department) performs road and bridge work in the county highways from time to time; and

WHEREAS, the County Highway Department has a highly skilled, trained and professional workforce that can perform the work necessary for the maintenance and improvements of the county highways, bridges and roadways; and

WHEREAS, the employees of the County Highway Department have demonstrated their skill and expertise for many years on the roads and bridges in Delaware County, Indiana; and

WHEREAS, the County Highway Department has plan and wants to perform a paving project for County Road 700 West; and

WHEREAS, the cost of the project is projected to be less than \$250,000 including the rate for labor, materials, supplies and equipment.

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

1. The Delaware County Highway Department workforce has the requisite skill, training and expertise to perform a paving project for county road 700 West from State Road 67 to County Line South.
2. It is in the interest of the public that County performs the work using the County's own employees for a paving project for road 700 West from State Road 67 to County Line South.
3. The cost of the project was more than \$100,000 but less than \$250,000 with the component parts costing as follows:

a. Labor	\$11,041.40
b. Materials	\$155,870.40
c. Supplies	\$0.00
d. Equipment	\$15,542.50
e. Total	\$182,454.30
4. The project has been completed and inspected and the project has been completed adequately and professionally.

Passed and adopted by the Delaware County Board of Commissioners this 1 day of July, 2019

DELAWARE COUNTY BOARD OF COMMISSIONERS

Sherry Riffin
SHERRY RIGGIN, President

Shannon Henry
SHANNON HENRY, Vice President

James King
JAMES KING, Member

ATTEST:

Steven G. Craycraft
Steven G. Craycraft, Auditor

Commissioners July 1, 2019

Delaware County Highway Department
Paving Projects

Project		Estimated Cost		True Cost
700 west	SR 67 to Co Line South			
Field Measurements				
1.760 SYS				
Date Completed				
Materials	Gallon/Ton			
Asphalt	2.2820 /Ton		\$ 152,280.00	
Tack	1.496/Gal		\$ 3,590.40	
Total			\$ 155,870.40	\$ -
Equipment		HRS		HRS
\$50.00 per hour	Trucks	180	\$ 9,000.00	
\$63.75 per hour	Paver	30	\$ 1,912.50	
\$45.00 per hour	Roller	30	\$ 1,350.00	
\$22.00 per hour	Broom	10	\$ 220.00	
\$26.00 per hour	Pickups	60	\$ 1,560.00	
\$50.00 per hour	Distributor	30	\$ 1,500.00	\$ -
Total			\$ 15,542.50	
Man Hours		HRS		HRS
\$27.35 per hour	Truck Drivers	180	\$ 4,923.00	
28.49 per hour	Equipment Operators	160	\$ 4,558.40	
26.00 per hour	Labors	60	\$ 1,560.00	
Total			\$ 11,041.40	
Grand Total			\$ 182,454.30	\$ -

Robert Jessee-Superintendent 765-747-7818
7700 E Jackson Street, Muncie IN 47302

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Brooke presented the three year Economic Development Income Tax (EDIT). The plan in from July 1, 2019 through June 30, 2022.

MOTION: Commissioner King made a motion to approve Economic Development Income Tax (EDIT).

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riffin

ORIGINAL

**ECONOMIC DEVELOPMENT INCOME TAX
CAPITAL IMPROVEMENT PLAN OF DELAWARE COUNTY
JULY 1, 2019 THROUGH JUNE 30, 2022**

INTRODUCTION:

This Plan is intended for adoption by the Board of Commissioners of Delaware County in conformance with Ind. Code § 6-3.5-7-1 *et seq.* It is intended to create the Commissioners' three-year plan from July 1, 2019 through June 30, 2022. This Plan will cover only the projects for which distributions have been certified. This Plan should not be considered as final approval for expenditures on any of these specific projects. The timing of performance of each project and final approval of release of funds must be obtained by specific application to the Delaware County Board of Commissioners.

STATUS OF CAPITAL PROJECTS UNDER ORIGINAL PLAN:

Certain Capital Projects described in the Commissioners prior plans have been completed.

BOND ISSUES:

Under existing bond issues, EDIT revenues are committed at the annual amount of approximately \$978,000.00, payable in June and December of each year at the rate of approximately \$489,000.00 per payment. In addition, there is one final payment in the amount of \$30,600.00 due in December, 2013, to pay off the 2004 bond issue.

PROJECTS:**Project 1 - Bond Issues**

\$683,235.00 for 2019
\$1,363,896.25 for 2020
\$393,432.60 for 2021
\$200,433.75 for 2022

Description of Project: This project concerns the payment of obligations incurred over the course of time for bonds and projects prior to July 1, 2019. 2013 Bond for various projects payable semi-annually at amounts set forth in the schedule and 2014 Bond for various projects payable semi-annually at amounts set forth in the schedule. The 2013 Bond will be retired at the end of 2020.

Project 2 - Delaware County Justice Center and Jail

\$ 0.00 for 2019
\$ 0.00 for 2020
\$3,214,193 for 2021
\$1,607,560 for 2022

Description of Project: The renovation and construction of a new justice center Courthouse and jail complex at 3100 S. Tillotson, Muncie, IN 47302, payments for which are scheduled to begin in July 2021.

Project 3 - Delaware County Redevelopment Commission

\$375,000.00 for 2019
\$400,000.00 for 2020

Description of Project: Annual payment to the Delaware County Redevelopment Commission for operating expenses, salaries and other expenses of the Commission that are not reimbursable from Redevelopment projects/funds

Project 4 - Economic Development: \$ 83,333.00 for 2019
 \$166,667.00 for 2020
 \$166,667.00 for 2021
 \$ 83,333.00 for 2022

Description of Project: Economic incentive funds for economic development projects and expenses related thereto.

Project 5 - Town of Albany \$125,000 for 2020

Description of Project: Assistance provided to the Town of Albany for maintenance and upgrades to the Town's sidewalk infrastructure.

Project 6 - Town of Yorktown: \$143,000.00 for 2019
 \$286,000.00 for 2020
 \$286,000.00 for 2021
 \$143,000.00 for 2022

Description of Project: Assistance provided to the Town of Yorktown for its downtown redevelopment project, which will take place during the term of the Plan.

Project 7 - Town of Eaton \$100,000.00 for 2019
 \$100,000.00 for 2020

Description of Project: Assistance provided to the Town of Eaton for maintenance and upgrades to the Town's sidewalk infrastructure and for maintenance and upgrades to the Town's water system.

Project 8 - Town of Selma \$100,000.00 for 2019
 \$100,000.00 for 2020

Description of Project: Assistance to the Town of Selma for maintenance and upgrades to the Town's stormwater infrastructure, maintenance and repairs to Town-owned buildings, the purchase and installation of new street lights, the purchase and installation of a new Town welcome sign, and the purchase and installation of new park equipment.

Project 9 - Town of Daleville \$100,000.00 for 2019
 \$350,000.00 for 2020

Description of Project: Assistance provided to the Town of Daleville for design development and construction of its new Town Hall facility.

Project 10 - Town of Gaston \$100,000.00 for 2019
 \$100,000.00 for 2020

Description of Project: Assistance to the Town of Gaston for maintenance and improvements to the Town's water plant and water system infrastructure.

Project 11 - Building Upgrade and/or Maintenance: \$ 83,500.00 for 2019
 \$467,000.00 for 2020
 \$167,000.00 for 2021
 \$ 83,500.00 for 2022

Description of Project: Building maintenance, upgrades and repairs to existing County buildings in Delaware County, including maintenance and upgrades to the County's telecommunication system.

Project 12 - Brownfield Remediation \$15,000.00 for 2019
\$30,000.00 for 2020
\$30,000.00 for 2021
\$15,000.00 for 2022

Description of Project: Economic development funding assistance for costs associated with grant monies and/or removal of contaminants on real property.

Project 13 - Delaware County Fairgrounds \$50,000.00 for 2019
\$50,000.00 for 2020

Description of Project: Assistance with broad visioning planning session for future uses of the fairgrounds and facilities and related maintenance and improvements to fairground facilities.

Project 14 - Bridge #141 (Tiger Drive): \$54,286.25 for 2020

Description of Project: Assist with rebuilding and upgrading bridge # 141 to improve bridge safety and connect to the Town of Yorktown's greenway trail system adjacent to Tiger Drive.

Project 15 - Bridge #161 (Smithfield): \$189,000.00 for 2019
\$400,000.00 for 2020

Description of Project: Assist with the design and construction of bridge # 161 located in the area of Perry Township known as "Smithfield."

Project 16 - IT Software Maintenance and Equipment: \$125,000.00 for 2019
\$275,000.00 for 2020

Description of Project: The purchase and maintenance of software and hardware utilized by the County Information Technology Department.

Project 17 - Demolition/Site Cleanup Funds: \$25,000.00 for 2019
\$50,000.00 for 2020
\$50,000.00 for 2021
\$25,000.00 for 2022

Description of Project: Provide funding for County Building Commissioner to tear down structures that are condemned or unsafe. Also provide funds for site cleanup and mowing.

Project 18 - Animal Control \$ 75,000.00 for 2019
\$150,000.00 for 2020
\$150,000.00 for 2021
\$ 75,000.00 for 2022

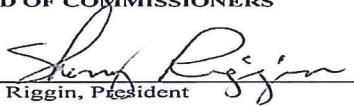
Project Description: Payment to the City of Muncie Animal Shelter to provide animal control services to unincorporated areas of the County as needed.

SEVENTY-FIVE PERCENT (75%) TEST:

In accordance with Ind. Code § 6-3.5-7-15, this Plan incorporates projects, the costs of which when taking into consideration funds already pledged for repayment of obligations from prior Projects, are at least seventy-five (75%) of the certified distribution the County expects to receive during the term of the Plan.

THIS ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN OF
DELAWARE COUNTY, INDIANA FOR JULY 1, 2019 THROUGH JUNE 30, 2021 IS HEREBY
ADOPTED ON THIS, THE ____ DAY OF JULY, 2019.


DELAWARE COUNTY, INDIANA
BOARD OF COMMISSIONERS


Sherry Riggins, President


Shannon Henry, Commissioner


James King, Commissioner

ATTEST:


Steven G. Craycraft, Auditor
Delaware County, Indiana

EMS PLAN

Mr. Brooke and Mr. Jason Rogers confirmed with the Commissioners that they have not received information of any plan from Mr. Dennis Tyler, Mayor of Muncie or Fire Chief, Mr. Eddie Bell.

Commissioner Henry is in fear that they will show up at Dispatch.

Mr. Paul Singleton, Director 911, said if they would show up, there is too much liability to do anything without a plan. Singleton is concerned that the more different "we" are that the more likely hood is a mistake.

Commissioner King and Commissioner Henry are in support of Mr. Singleton's comment.

Mr. Brooke will send another letter to Chief Mr. Bell and Mr. Tyler requesting a meeting.

A plan must be presented so EMS and 911 can

Mr. Brooke said discussion about ALS intercepts and interlocal agreement should take place.

Mr. Singleton and the Commissioners discussed training, staffing, intercept, frequency and the 800 system etc.

Mr. Ron Quakenbush, Council President, advised 911 and EMS to submit budgets as if nothing had changed.

Quakenbush said all of this matter regarding with 911 and EMS had been discussed and studied years ago. Council is 100% in support of the current system.

President Riggins said EMS is not broken and it is sad that someone wants to dismantle it.

MONTHLY/WEEKLY REPORTS

Weights & Measures Monthly & Yearly Reports

PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$5,432,760.49.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

QUESTIONS, PUBLIC COMMENTS ANSWERS, OTHER BUSINESS & DISCUSSION

Ball State University Telecommunication Journalism students and Mr. Terry Heifetz, Lecturer of Ball State University attended Commissioners meeting.

Ms. Linda Hanson, League of Woman's Voters asked that an open forum with the city and county be made available to the public regarding EMS. Woman's league of voters do attend City Council meetings.

Mr. Jason Rogers, Director of Emergency Management, said this is becoming very frustrating and taking a lot of time away from daily work, projects and programs. Information has already been provided. This is a

political hot bed that IU hospital does not want to get involved with. Less than favorable work environment is unfortunate.

President Riggin recommended taking officers from the league onsite to visit 911 and EMS..

Commissioner King said the city meeting is available through Mr. Roger Overby's facebook page.

Commissioner King is worried due to people's lives being in jeopardy.

All public records from EMS has been provided.

Mr. Brian Huffman, asked if a mowing ordinance exists in Delaware County.

Ms. Jeni Honeycutt, Executive Assistant, said Board of Health enforces the procedure. Ms. Honeycutt will provide this to Mr. Huffman.

RECESS

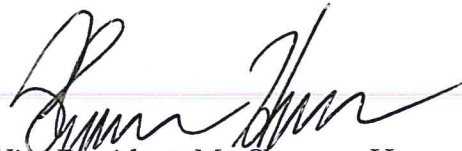
MOTION: Commissioner King made a motion to recess until July 15, 2019.

SECOND: Commissioner Henry

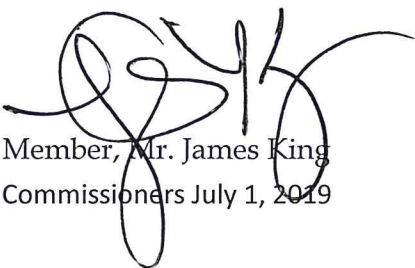
YEAS: Commissioner Henry, Commissioner King, President Riggin



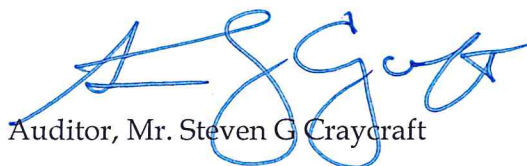
President, Ms. Sherry Riggin



Vice President, Mr. Shannon Henry



Member, Mr. James King
Commissioners July 1, 2019



Auditor, Mr. Steven G Craycraft