

MONDAY December 16, 2019 @ 9:01 A.M.  
COMMISSIONER'S COURTROOM  
COMMISSIONER MEETING  
100 W. MAIN STREET  
MUNCIE, IN 47305  
PLEDGE TO FLAG

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

APPOINTMENTS

MOTION: Commissioner King made a motion to appoint Ms. Marla Cook as a board member to Liberty Regional Wastewater District. She will be taking Mr. Adam Sewell appointment, effective immediately. The term will be through December 21, 2023.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

COMPUTER MANAGEMENT AND CONSULTANTS

MOTION: Commissioner King made a motion to remove Computer Management and Consultants agreement from the table.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

MOTION: Commissioner King made a motion to approve Computer Management and Consultants agreement.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

*Full signed agreement is available in the Auditor's office*

REQUEST OF CONVENTION AND TOURISM COMMISSION AS TO EMPLOYEES

MOTION: Commissioner Henry made a motion to remove Convention and Tourism Commission agreement from the table.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

Mr. Jim Mansfield, Executive Director of Muncie Visitors Bureau, said it is the wishes of Tourism Commission Board, after discussion with State Board of Accounts, to go with an option of not for profit organization. This is in the final stage of preparation and should be finished within three months. Upon legal advice and State Board of Accounts this would be similar to Civic Center Authority Board. The contract would be a two-year contract with automatic renewal. Terms are still being reviewed.

### APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve December 2, 2019 minutes.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

### CONTRACTS OR AGREEMENTS FOR APPROVAL

#### FIREWALL COMPUTER SYSTEM

Mr. Rick Spangler, Clerk, presented the Firewall Computer System.

Mr. Jim Flook, IT Director, said 25 counties are on board with the Firewall Computer System. This is a second layer of security protection. Mr. Flook provided details of the contract.

MOTION: Commissioner Henry made a motion to approve the Firewall Computer System.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

*Agreement is available in the Auditor's office, signatures still needed by Mr. Jim Flook, IT Director*

#### BIS CONTRACT(S)

Ms. Emily Anderson, Court Administrator and Mr. Michael Morin, BIS Account Manager, presented contracts for County Courts. This will provide courts with the latest technology.

Mr. Jeff Stanley, Deputy, asked if this would be the same company that would be used for investigations and the new jail. Mr. Stanley had questions regarding the jail and if they would have different camera systems.

MOTION: Commissioner King made a motion to approve Delaware County Courts.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

Commissioner King said the Sheriff's contract with BIS would be discussed January 2020.

Mr. Morin said the savings to Delaware County is \$48,800.

Commissioner Henry asked that an itemized list be provided by BIS to the Commissioners at each Commissioners meeting. Henry wants to make sure everything being purchased for the Jail is accounted for.

*No information or quotes/contracts was provided to the Auditor's office regarding the Delaware County Sheriff's department.*

#### QUALITY CORRECTIONAL CARE

Mr. Tony Skinner, Sheriff, presented Quality Correctional Care agreement January 1, 2020. This is the Jail Healthcare services.

MOTION: Commissioner King made a motion to approve Quality Correctional Care.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

*Agreement is available in the Auditor's office*

3<sup>RD</sup> REVISED EDIT PLAN  
ECONOMIC DEVELOPMENT INCREMENT PLAN

Mr. John Brooke, County Attorney, presented 3<sup>rd</sup> revised EDIT Plan.

MOTION: Commissioner Henry made a motion to approve 3<sup>rd</sup> revised EDIT Plan.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

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

ORIGINAL

**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**

**\$225,000.00 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. This also will include airport tower operations and ECI/RD costs.

**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:**

\$280,000.00 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** **\$150,000.00 for 2019**  
**\$ 50,000.00 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. Assist the Town with their local match funds for water project.

**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:** \$ 93,500.00 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** \$ 1,000.00 for 2019

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):** \$40,000.00 for 2019  
\$14,286.25 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):** \$ 11,000.00 for 2019  
\$578,000.00 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 - CANCELLED**

**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.

**Project 19- Youth Opportunity Center** \$150,000.00 for 2019  
\$0.00 for 2021  
\$0.00 for 2022

Description of Project: The contractual obligation amount to the Youth Opportunity Center for the remainder of 2019.

**Project 20-Attorney Fees**

**\$30,000.00 for 2019  
\$30,000.00 for 2020  
\$30,000.00 for 2021  
\$30,000.00 for 2022**


Project Description: Attorney fees related to the creation, amendment and maintenance of the EDIT plan on an annual basis.

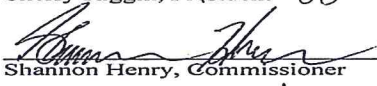
**SEVENTY-FIVE PERCENT (75%) TEST:**

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. December 16, 2019*

**DELAWARE COUNTY, INDIANA  
BOARD OF COMMISSIONERS**

  
Sherry Riggins, President

  
Shannon Henry, Commissioner

  
James King, Commissioner

**ATTEST:**

  
Steven G. Craycraft, Auditor  
Delaware County, Indiana

### TRIAD ASSOCIATES/GENERAL SERVICES AGREEMENT

Ms. Angie Moyer, Project Manager, presented Triad Associates General Services annual agreement.

MOTION: Commissioner King made a motion to approve Triad Associates General Services agreement.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riffin

#### DELAWARE COUNTY, INDIANA GENERAL SERVICES AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND TRIAD ASSOCIATES, INC.

THIS AGREEMENT, made and entered into the 16 day of December, 2019, by and between DELAWARE County Board of Commissioners, hereinafter referred to as the "COUNTY", and Triad Associates, Inc., 5835 Lawton Loop East Drive, Indianapolis, Indiana 46216 hereinafter referred to as the "CONSULTANT".

#### WITNESSETH

WHEREAS, the COUNTY desires to contract for General Engineering Services required for projects and tasks under the jurisdiction of the COUNTY, and

WHEREAS, the CONSULTANT has expressed a willingness to provide said Engineering Services:

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

#### ARTICLE 1. GENERAL ENGINEERING SERVICES

##### 1.1

##### **Design and Recommendations**

Upon notification by the COUNTY, the CONSULTANT shall make an inspection/analysis of each project or task. This inspection analysis shall be in sufficient detail to determine the type and degree of work required. The CONSULTANT shall prepare a report with recommendations, including any necessary sketches and plan details, and estimated costs of the improvements, based on the inspection/analysis. The report shall be submitted to the COUNTY for review and approval. The CONSULTANT will be available to the COUNTY for advice, consultation and assistance in implementation of any planned improvements. If required by the COUNTY, the CONSULTANT will prepare plans and documents necessary for construction of the project under contract.

##### 1.2

##### **Inspection of Construction**

Upon notification by the COUNTY, the CONSULTANT will provide qualified inspection personnel for observation of construction and field work at various locations on projects or operations at the request of the COUNTY. These inspection/observation services will include all reports and record keeping, measurement and verification of quantities and testing services required for each location.

##### 1.3

##### **General Consultation and Review**

Upon notification by the COUNTY the CONSULTANT shall provide consultation and review services to the County Highway Department and Project Director for various duties and responsibilities for which the COUNTY determines consultation and review services are required to be performed by the CONSULTANT.



DELAWARE County, Indiana  
General Services Agreement  
Page 2 of 3

**ARTICLE 2. INFORMATION AND SERVICES TO BE FURNISHED OR CAUSED TO BE FURNISHED, BY THE COUNTY**

- 2.1** The COUNTY shall furnish the CONSULTANT with the following:  
All records and plan documents available for each project or task.

**ARTICLE 3. THE CONSULTANT'S COMPENSATION FOR SERVICES RENDERED**

- 3.1** The CONSULTANT'S compensation for services rendered shall be paid on the basis of hours of work performed by essential personnel incurred in the accomplishment of the project or task, exclusively.

The following hourly costs shall be used in determining the CONSULTANT'S compensation:

Project Engineer, P.E.	\$150.00
Design Engineer	\$120.00
Cad Technician	\$ 85.00
Inspectors	\$ 90.00
Clerical	\$ 60.00

The total compensation shall not exceed \$15,000.00 unless approved in writing by the COUNTY.

- 3.2** The CONSULTANT shall be reimbursed for travel expenses at the rate of .38 per mile.
- 3.3** The CONSULTANT shall be reimbursed for actual costs of any special tests or services of special consultants required by the project.
- 3.4** If requested by the COUNTY, all cost records (including time records and payroll records) will be made available to the COUNTY for the purpose of verification of the compensation.
- 3.5** The CONSULTANT shall submit invoices to the COUNTY not more often than once per month during the progress of the work, for partial payment on account for the work completed to date.

**ARTICLE 4. EFFECTIVE AND EXPIRATION DATE**

- 4.1** This Agreement will become effective from the date of execution by the CONSULTANT and the COUNTY and will expire on December 31, 2020.

MODEL HOME PERMITS FOR BONTERRA PLACE, SECTION B – MARTA MOODY

Ms. Marta Moody, Executive Plan Commission Director, presented 3 Model Home permits for Bonterra Place, Section B. This allows a builder to start construction of homes but the homes cannot be occupied until final plat approval. Sanitary Sewers still need approval by Sanitary District, and acceptance of the new streets will come before Commissioners at a later date.

MOTION: Commissioner Henry made a motion to approve Model Home permits for Bonterra Place, Section B.

SECOND: Commissioner

YEAS: Commissioner King, Commissioner Henry, President Riggin



**DELAWARE  
COUNTY  
COMMISSIONERS**

**James King**  
District #1

**Sherry K. Riggin**  
District #2

**Shannon Henry**  
District #3

**Jeni Honeycutt**  
Executive Administrator

100 West Main Street  
Room 309 County Building  
Muncie, Indiana 47305  
Telephone 765.747.7730  
Fax 765.747.7899  
[www.co.delaware.in.us](http://www.co.delaware.in.us)

*An Equal Opportunity Employer*

December 16, 2019

*ORIGINAL*

Tom Fouch, Delaware County Building Commissioner  
Room 206, Delaware County Building  
Muncie, Indiana 47305

**RE: Model Home Permits for Bonterra Place, Section B**

Dear Mr. Fouch:

Please be advised that the Board of County Commissioners of Delaware County, Indiana, has approved the issuance of 3 model home permits for Bonterra Place, Section B a proposed subdivision of land for which a preliminary plat has been approved by the Delaware-Muncie Metropolitan Plan Commission as required by law, as follows:

Being Model Home Permits # 1, # 2 and #3 for the subdivision known as Bonterra Place, Section B to allow the construction of three single family homes in compliance with the Delaware County Comprehensive Zoning Ordinance, as more accurately shown on the attached surveys for proposed Lots 12, 24A and 27A.

The issuance of the above mentioned model home permits are hereby authorized as of this 16<sup>th</sup> day of December, 2019, with the following conditions: that the homes shall not be occupied until all required subdivision improvements have been installed and approved; and that the addresses shall be officially issued at the time of final plat approval.

**BOARD OF COMMISSIONERS OF  
DELAWARE COUNTY, INDIANA**

*Sherry Riggin*  
Sherry Riggin, President

*Shannon Henry*  
Shannon Henry, Member

*James King*  
James King, Member

**ATTEST:**

*Steven Craycraft*  
Steven Craycraft, Delaware County Auditor

# AGREEMENT FOR EMPLOYMENT OF DELAWARE COUNTY ATTORNEY

Commissioner Henry said Mr. Brooke has done a tremendous job during 2019 as the County Attorney. Commissioner Henry recommended Mr. Brooke to be 2020 County Attorney.

MOTION: Commissioner Henry made a motion to approve employment of Mr. Brooke as Delaware County Attorney for 2020.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

ORIGINAL

## AGREEMENT FOR EMPLOYMENT OF DELAWARE COUNTY ATTORNEY

THIS AGREEMENT is made and entered into by and between the Commissioners of Delaware County, Indiana, hereinafter referred to as "Commissioners" and John H. Brooke, attorney at Brooke Stevens, PC, 112 East Gilbert St., Muncie, Indiana, hereafter referred to as "Attorney."

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. That the Commissioners hereby employ Attorney to perform legal services and give legal advice, excluding litigation services, in relation to legal matters involving Delaware County and the Commissioners. Attorney hereby accepts said appointment and will render services described above during the term of the Agreement.
2. As compensation for services rendered by Attorneys pursuant to this Agreement, the Commissioners agree to pay Attorney the sum of Twenty-nine Thousand Four Hundred Forty-three Dollars (\$29,443.00) annually for the year 2020, payable in the same manner as other employees of Delaware County. The Attorney shall not accept the County's Health Insurance and specifically waives said insurance coverage for the reason that he presently has his own health insurance coverage.
3. The Commissioners agree to pay as additional compensation to Attorneys the amount of One Hundred Ninety-five Dollars (\$195.00) per hour as reasonable attorney fees for legal services provided by said Attorneys or their firm for any legal work involving litigation issues or extraordinary work tasks such as bond financings or major revisions to personnel policies, assigned by the Commissioners. The Commissioners also agree that to help reduce costs, they shall pay the rate of Eighty-five Dollars (\$85.00) for work performed by paralegals of the law firm on matters assigned. Nothing in this Agreement obligates Commissioners to assign extraordinary work tasks to the Attorneys. This additional compensation will be billed monthly to the Commissioners by invoices from Brooke Stevens, PC.

4. Delaware County and the Commissioners will be responsible for payment of any and all discovery related costs, expert witness fees, other consultation services, deposition costs, witness fees, court costs, and other costs which may be necessary in the defense of Delaware County or to prosecute on behalf of Delaware County or any of their officers, agents or assigns.
5. This Agreement shall be effective as of January 1, 2020, and shall continue in effect until termination.

Dated this 16 day of December <sup>2019</sup> 2020.

\_\_\_\_\_  
John H. Brooke

  
\_\_\_\_\_  
President, Delaware County Commissioners

Attest:  
  
\_\_\_\_\_  
Delaware County Auditor





**ORDINANCES FOR FIRST READING****ORDINANCE ADOPTING THE DELAWARE COUNTY PERSONNEL POLICIES HANDBOOK  
ORDINANCE 2019-028**

Mr. Brooke, presented Delaware County Personnel Policies Handbook changes.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2019-028, Adopting the Delaware County Personnel Policy Handbook changes.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

MOTION: Commissioner Henry made a motion to suspend the rules of Ordinance 2019-028, Adopting the Delaware County Personnel Policy Handbook changes.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

MOTION: Commissioner Henry made a motion to approve Ordinance 2019-028, Adopting the Delaware County Personnel Policy Handbook changes.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

*A blackline of Personnel Policies Handbook changes are available in the Auditor's office*

ORIGINAL

**ORDINANCE 2019-028****ORDINANCE ADOPTING THE DELAWARE COUNTY  
PERSONNEL POLICIES HANDBOOK**

WHEREAS, the Delaware County Board of Commissioners, as the executive of Delaware County, Indiana, has previously enacted and revised the Delaware County Personnel Policies Handbook, a manual which governs the relationship between the County Commissioners and County employees; and

WHEREAS, a review and revision of the Delaware County Personnel Policies Handbook has been recently completed to update, remove, and revise several of the County's personnel policies and procedures; and

WHEREAS, the Board of Commissioners has invited all of the elected officials in the County to join and adopt the Delaware County Personnel Policies Handbook to be used in all offices in the County so that all county employees have a consistent and established set of rules to govern their conduct, operations, and performance; and

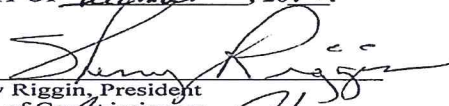
WHEREAS, the Board of Commissioners believes that, after a thorough review by the Human Resources Director, the County Attorney, and a committee of Elected Officials, the Delaware County Personnel Policies Handbook, as revised, is now ready for adoption and implementation.

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

1. The Delaware County Personnel Policies Handbook, Version 3.3 dated December 16, 2019, is hereby adopted and made a part of the employment requirements and obligations of all County employees.
2. The Delaware County Human Resources Department shall make the Delaware County Personnel Policies Handbook available to all County employees and shall conduct such training, review, and implementation workshops as the Delaware County Human Resources Department believes are appropriate for the employees.
3. The Delaware County Human Resources Department shall insure that all County employees execute the appropriate document evidencing receipt of the new Delaware County Personnel Policies Handbook, Version 3.3 dated December 16, 2019, and make said document part of each employee's personnel file.
4. Any and all existing ordinances, orders, and/or resolutions, or any parts thereof, which may be in conflict with this Ordinance, are hereby superseded.

5. This Ordinance shall take effect upon adoption and publication as required by law.

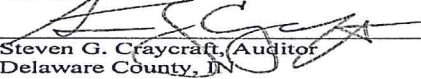
***PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA ON THIS, THE 16 DAY OF December, 2019.***

  
Sherry Riggins, President  
Board of Commissioners

  
Shannon Henry, Member  
Board of Commissioners

  
James King, Member  
Board of Commissioners

Attest:

  
Steven G. Craycraft, Auditor  
Delaware County, IN

### **RESOLUTIONS FOR APPROVAL**

#### **RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO TRANSFER COUNTY OWNED SURPLUS PERSONAL PROPERTY TO SALEM TOWNSHIP, OF DELAWARE COUNTY, IN**

##### **RESOLUTION NO. 2019-039**

Mr. Brooke presented Resolution 2019-039, Board of Commissioners to Transfer County Owned Surplus Personal Property to Salem Township. These are items in county surplus that need to be transferred to another county entity. MOTION: Commissioner King made a motion to Resolution 2019-039, To Transfer County Owned Surplus Personal Property to Salem Township, of Delaware County, Indiana.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

#### **RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS ESTABLISHING POLICIES AND PROCEDURES TO PROTECT DECORUM AND FOSTER THE EFFECTIVE ADMINISTRATION OF PUBLIC MEETINGS**

##### **RESOLUTION NO. 2019-040**

Mr. Brooke presented a more formalized procedure and policy for future Commissioners meetings. Resolution 2019-040, Establishing Policies and Procedures to Protect Decorum and Foster the Effective Administration of Public Meetings.

MOTION: Commissioner Henry made a motion to approve Resolution 2019-040 Establishing Policies and Procedures to Protect Decorum and Foster the Effective Administration of Public Meeting.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

ORIGINAL

## RESOLUTION NO. 2019-040

**RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS  
ESTABLISHING POLICIES AND PROCEDURES TO PROTECT DECORUM AND  
FOSTER THE EFFECTIVE ADMINISTRATION OF PUBLIC MEETINGS**

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

*WHEREAS*, the Commissioners conduct County business during its regularly scheduled and, if necessary, special meetings, all of which are open to the public; and

*WHEREAS*, the Commissioners previously adopted, and continue to follow, the general rules of parliamentary procedure as set forth in Robert's Rules of Order regarding the conduct and administration of its public meetings; and

*WHEREAS*, the Commissioners believe it is in the best interest of the County, as well as those individuals who choose to attend public meetings of the Commissioners, to adopt standard policies and procedures for the administration of public meetings to supplement or, as the case may be, in lieu of the parliamentary procedure set forth in Robert's Rules of Order; and

*WHEREAS*, the policies and procedures adopted herein are intended to provide the general public with a clear and concise set of standards for public meetings held by the Commissioners and, when applicable, rules regulating the conduct and decorum of members of the general public who wish to attend said public meetings; and

*WHEREAS*, in order to protect general meeting decorum and foster more effective administration of public meetings, the Commissioners now desire to adopt standard policies and procedures applicable to public meetings held by the Commissioners 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 hereby adopt the following rules which shall apply to all individuals attending public meetings of the Delaware County Board of Commissioners:
  - a. Members of the general public in attendance at a public meeting of the Board of Commissioners have no rights with reference to the meeting except as otherwise provided by law.
  - b. Although members of the general public have no right to speak during a public meeting, the Commissioners, at their sole discretion, may provide for a public comment period, during which time individuals may be given an opportunity to address the Commissioners.



- c. During any public comment period, individuals wishing to speak will be required to sign a speaker registration sheet and provide the speaker's name, address, and issue or topic they wish to address. Individuals will be called to speak in the order of which they have signed the speaker registration sheet.
- d. Individuals who wish to speak and have signed the speaker registration sheet may waive their opportunity to speak once called upon; however, an individual who waives their opportunity to speak will not be permitted to speak at a later time.
- e. Once called upon, all speakers shall first state their name, their county of residence, and the issue upon which they wish to speak. Speakers may only speak from a podium and must speak loudly and clearly into the microphone provided.
- f. Any speaker wishing to provide documents to the Commissioners at the meeting shall provide one copy for each of the three (3) Commissioners; however, speakers are encouraged to bring additional copies of any documents they intend to distribute during the meeting.
- g. Each speaker may only speak once and will be given a maximum of three (3) minutes to speak unless a shorter period of time is set forth by the Commissioners at the start of the public comment period. Time may not be reserved or yielded to other speakers and once an individual is finished speaking, that individual's remaining time, if any, is waived.
- h. Each speaker will be notified when their allotted time to speak is exhausted and any speaker that does not immediately conclude their remarks at the expiration of their allotted time will be deemed out of order and the speaker will be asked to stop.
- i. Comments which are duplicative or repetitive will be deemed out of order and the speaker will be asked to stop.
- j. Any speaker who is discourteous, argumentative, accusatory, or insulting will be deemed out of order and asked to stop.
- k. Once a speaker is deemed out of order for any reason, that speaker's remaining time, if any, will be forfeited and the speaker will not be granted an opportunity to make any further comment or presentation.
- l. All members of the general public attending a public meeting will be expected to adhere to these rules and, any person failing to do so will be deemed out of order.
- m. The Commissioners are authorized, and have sole discretion, to request any person deemed out of order leave the meeting and, once requested to leave, a person must immediately leave the meeting room.
- n. In extreme cases, if a person refuses to leave the meeting after being asked to do so and that person continues to disrupt the proceedings in a way that is obviously

hostile to the purpose of the meeting, the Commissioners may order that the person be removed by members of the Delaware County Sheriff's Department.

- o. During its public meetings, the Commissioners will take all measures necessary under the circumstances to maintain order. In exercising this discretion, the Commissioners will be guided by a judicious appraisal of the circumstances, including the conduct and decorum of members of the general public in attendance.
2. Upon the adoption of this Resolution, a copy of the rules stated herein shall be posted outside the Commissioners' Court Room and made available to the general public through the internet website for Delaware County, Indiana (<https://www.co.delaware.in.us/>).
3. 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 December, 2019.

DELAWARE COUNTY  
BOARD OF COMMISSIONERS

  
Sherry Riggan, President

  
James King, Commissioner

  
Shannon Henry, Commissioner

ATTEST:

  
Steven Craycraft, Auditor  
Delaware County, Indiana

**DEPARTMENT HEADS AND ELECTED OFFICIALS**

Mr. Brooke said he reviewed the AT & T agreement. This agreement is to switch the telephone system and lines over at 911 Center.

Mr. Paul Singleton, 911 Director, said as soon as the agreement is signed, work can begin. This is from a grant that was received and this will pay for lines and telephone system. This is a reimbursable grant and replaces 911 equipment.

MOTION: Commissioner Henry made a motion to approve the AT & T agreement.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggins

*No AT & T agreement was presented*

Mr. Robert Jesse, Highway Superintendent, thanked the Commissioners for allowing the Highway Department to do what needs to be done for the taxpayers regarding county roads. Mr. Jesse thanked all employees for the work they have done.

The Commissioners thanked the Highway Department employees for the good work that is getting done.

2019 Roads Paved				Total
Road	To/From	To/From	Feet	Lane Miles
625 E	170 S	300 Ft South	528	
McGalliard	RR Tracks	400 E	4752	
419 E	SR 35	650 S	3168	
450 S	Burlington	475 E	1584	
100 W	450 N	500 N	2640	
700 S	200 W	300 W	5280	
450 N	Wheeling	100 W	5280	
200 W	700 S	800 S	5280	
350 S	SR 67	Proctor	4752	
700 W	SR 67	Co Line South	13728	
800 W	700 S	Co Line South	5808	
700 S	600 W	700 W	4752	
500 S	SR 3	RR Tracks	4752	
400 S	Old SR 3	RR Tracks	4224	
Trackside	850 W	925 W	4224	
Winery Rd	400 E	Grandville	1584	
400 E	Gregory	750 N	5280	
Gregory	Bridge	New Pavement	2640	
400 S	200 W	SR 67	4224	
900 W	100 N	Pipe	1584	
700 W	Bridge	Pipe	528	
100 N	900 W	Deadend	528	
275 W	400 S	Deadend	1584	
900 N	100 W	200 W	5280	
450 N	320 E	SR 67	4224	
Beth Lane/Not on GIS	SR 67	Top of Hill	1056	
320 E	450 N	500 N	2640	
1100 N	East of 167	Jay Co Line	1320	
850 E	350 N	500 N	7920	
700 S	800 W	875 W	396	
800 E	100 N	250 N	7920	
200 S	AMA	Cecil Rd	1200	
2" avg with some leveling			120660	45.70

	<b>E&amp;B Paving</b>		<b>Feet</b>	<b>Lane Miles</b>
Black Cemetery	EAP	1000 N	2640	
800 S	Bridge	775 E	2460	
Phillip	Hoyt	Deadend	1584	
Westport Addition	West Port Dr, Burgess, Harrison		1584	
700 S	SR 3	200 E	2640	
700 N	600 W	Langdon	10560	
700 N	Landgon	825 W	3696	
675 W	700 N	SR 28	2640	
500 W	850 N	1000 N	7920	
			35724	13.53



2019 Road Maintenance				Total
Road	To/From	To/From	Feet	Lane Miles
Centennial	650 E	Country Club	18480	
500 E	SR 32	Centennial	5280	
563 E	SR 32	Centennial	5280	
600 E	SR 32	Centennial	5280	
200 S	Whitney	400 E	5280	
12th St	Whitney	400 E	6864	
388 E	Inlow Springs	400 E	5280	
Whitney	SR 32	Smithfield Pike	6600	
Meeker	300 S	800 S	17688	
650 S	Meeker	SR 35	8976	
550 S	Meeker	SR 35	6864	
300 E	550 S	800 S	13200	
450 S	SR 35	Meeker	5280	
350 S	SR 35	Meeker	5280	
700 S	SR 3	200 W	15840	
Sunrise	600 S	700 S	5280	
Twilight	600 S	700 S	6336	
Pugsley	Old St Rd 67	600 S	5280	
Bellcreek	550 S	600 S	2640	
Honeycreek	Old St Rd 67	Co Line South	15840	
400 W	700 S	Co Line South	5280	
700 S	300 W	400 W	4224	
600 S	200 W	600 W	21120	
600 S	Cowan	200 W	10560	
50 W	600 S	800 S	11616	
700 N	200 W	Grandville	10560	
300 E	SR 67	700 N/Blackmill	10560	
400 E	200 N	550 N	18480	
500 N	200 E	400 E	10560	
700 E	Eaton Albany Pike	1100 N	10560	
1100 N	SR 167	200 E	10560	
1200 N	SR 3	Walnut	5280	
200 E	1100 N	1200 N	5280	
300 E	1100 N	1200 N	5280	
100 W	1200 N	County Line North	5808	



1200 N	100 W	175 W	3696
1270 N	100 W	300 W/BR 16	10560
1000 N	Walnut	Wheeling	21120
200 W	Eaton Wheeling Pike	800 N	10032
375 N	800 W	850 W	2640
800 W	Bethel	375 N	2640
850 W	Bethel	200 N	11088

374352	141.80
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AE 90S Emulsion shot at .4/10 rate

Single Seal #11 stone layed at 20# to 23# per Sq Ft

Commissioner King gave thanks to County Council for doing a great job and thanks to Ms. Donna Patterson, Auditor's office too. Officials are in hopes that monies will not have to be borrowed for 2020 No accounts are in the red, Commissioner King thanked all employees of Delaware County Highway and wished them a Merry Christmas.

Commissioner King said Mr. Scott Alexander will be Council President and Ms. Jessica Piper will be Vice President.

### MONTHLY/WEEKLY REPORTS

#### PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount \$1,244,893.05.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

#### QUESTIONS, PUBLIC COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

President Riggin nominated Mr. Shannon Henry as President of Commissioners for 2020.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Henry, President Riggin

MOTION: Commissioner Riggin made a motion to nominate Mr. James King as Vice President of Commissioners for 2020.

SECOND: Commissioner Henry

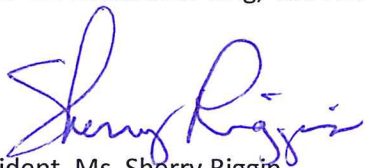
YEAS: Commissioner King, Commissioner Henry, President Riggin

#### RECESS

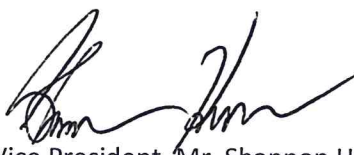
MOTION: Commissioner King made a motion to recess approve until January 6, 2020.

SECOND: Commissioner Henry

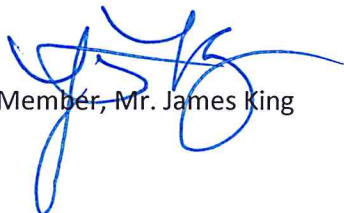
YEAS: Commissioner King, Commissioner Henry, President Riggin



President, Ms. Sherry Riggin



Vice President, Mr. Shannon Henry



Member, Mr. James King



Auditor, Mr. Steven G Craycraft