

**DELAWARE COUNTY COMMISSIONER'S MEETING
TUESDAY, JULY 5, 2016 @ 9:00 A.M.
ROOM 309 A, 100 WEST MAIN STREET**

ORIGINAL

**MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
ROLL CALL**

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggan
Auditor, Steven G Craycraft
Attorney, Mr. Joe Rhett

**PUBLIC HEARING
APPLICATION FOR ASSIGNMENT
OF TAX SALE CERTIFICATES TO A NONPROFIT CORPORATION
200 SOUTH SYCAMORE-GASTON-ECI REGIONAL PLANNING DISTRICT**

Mr. Bill Walters, Augusta Consulting, said the Commissioners ~~has~~ an entity in Gaston, Indiana that they want to develop. The property is at 200 South Sycamore, Gaston, IN. *over*

No one opposed.

MOTION: Commissioner King made a motion to close public hearing.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

**TABLED BUSINESS
Letter of Intent
Agreement for Property Exchange
Delaware County Commissioners
Muncie Sanitary District**

Remained tabled.

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve June 20, 2016 Commissioner Minutes.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

PRESENTATIONS TO COMMISSIONERS

Ms. Nancy Carlson, Delaware County Coordinator of “All things Bicentennial for Indiana 200th”. Ms. Carlson received notification from State of Indiana of approval of 24 torch carriers. The torch will pass the county building September 27, 2016. Carlson would like the county offices to close so that employees can support the torch carriers. A free pancake breakfast will be from 7:00 a.m. to 9:00 a.m. at Heartland Hall, located at the Fairgrounds, present by the Albany Lions Club.

CONTRACTS OR AGREEMENTS FOR APPROVAL**FLAT LAND RESOURCES, LLC****CONTRACT FOR PROFESSIONAL SERVICES****SUPPLEMENTAL AGREEMENT TO RAILROAD SPUR MITIGATION**

President Henry said this contract is for the rail spur. Henry entertained a motion for approval, upon Mr. John Brooks review.

MOTION: Commissioner King made a motion to approve pending Mr. Brooke review.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

Flat Land Resources, LLC ORIGINAL
 P.O. Box 1293, Muncie, Indiana 47308
 Tel (765) 284-2328 Fax (765) 284-2333

**CONTRACT FOR PROFESSIONAL SERVICES
 Supplemental Agreement to Railroad Spur Mitigation Contract**

Date:
 June 14, 2016

Project Owner:
 Delaware County Commissioners

Project Name:
 Railroad Spur Mitigation Project

Project Agent:
 Shannon Henry
 President of Delaware County Commissioners
 100 W. Main St., Ste. # 309
 Muncie, Indiana 47604

Project Location:
 Delaware County, Perry Township, east of the Inlow Springs Road Bridge that passes over the White River and due north of the intersection of Inlow Springs Road and East Windsor Road.

Project Description:
 This supplemental agreement is invasive species treatment of approximately 2.25 acres of thistle, teasel, and honeysuckle. The treatment will consist of 3 site visits per year at 18 hours total, \$65 per hour. The original invasive species treatment consisted of 0.1 acres of treatment for only cattails and reedcanary grass. The treatment of thistle, teasel, and honeysuckle is in addition to the already in place treatment of reed cattails and reedcanary grass. This agreement is in reference to the contract signed on March 3, 2015 "Railroad Spur Mitigation Project."

Scope of Services:

- o FLR will provide invasive species treatment of approximately 2.25 acres of thistle, teasel, and honeysuckle.

Flat Land Resources, LLC
 P.O. Box 1293, Muncie, Indiana 47308
 Tel (765) 284-2328 Fax (765) 284-2353

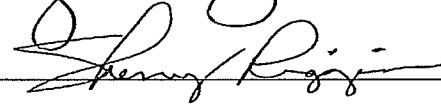
Fees:

- 1) 2016 Invasive Species Treatment: One Thousand One Hundred and Seventy Dollars (\$1,170)
- 2) 2017 Invasive Species Treatment: One Thousand One Hundred and Seventy Dollars (\$1,170)

Approval:

Commissioner  _____

Commissioner  _____

Commissioner  _____

FlatLand Resources, LLC _____

Invoicing and Payments:

FLR will prepare and submit invoices on a monthly on or about the 15th of each month for services rendering between the 1st and the last day of the month of the previous month. Additional fee and/or reimbursements will be invoiced monthly after the expense. All invoicing will be net 30 days.

Flat Land Resources, LLC

P.O. Box 1293, Muncie, Indiana 47308
Tel (765) 284-2328 Fax (765) 284-2333

The Owner or the Owner's Agent hereby agrees that payment will be made for the said Services within 30 days from date of invoice; and in default of such payment, hereby agrees to pay all cost of collection, including reasonable attorney's fees regardless of whether legal action is initiated. The Owner or the Owner's Agent hereby acknowledges that unpaid invoices shall accrue interest at 18 percent per annum after they have been outstanding for over 60 days. FLR will reserve the right to suspend work if payments become delinquent. If work is suspended, services will not resume until payment is made in full, including related collection fees, attorney's fees, interest and late charges.

Ms. Moyer is out of the office until July 12, 2016. Once she returns FlatLand Resources, LLC signature will be provided.

ROYERTON PARTNERS, LLC – DEED AND DEDICATION FOR ROADWAY

MOTION: Commissioner King made a motion to approve Royerton Partners, LLC-Deed and Dedication for Roadway.

SECOND: Commissioner Riggins

MOTION PASSED UNANIMOUSLY

ORIGINAL

Parcel Number: 18-07-15-476-002.000-006; 18-07-15-476-006.000-006

DEED AND DEDICATION FOR ROADWAY

This Indenture Witnesseth, That Royerton Partners, LLC, an Indiana limited liability company, ***Conveys and Warrants*** to the Board of Commissioners of the County of Delaware, Delaware County, Indiana, (Grantee) for the sum of One & 00/100 Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

A part of the Southeast quarter of Section 15, Township 21 North, Range 10 East, in Hamilton Township, Delaware County, Indiana, described as follows:

Beginning at a nail on the South line of the Southeast Quarter of Section 15, Township 21 North, Range 10 East, said nail being South 89 degrees 55 minutes 57 seconds West 262.47 feet (assumed bearing) from the Southeast corner of said quarter-section; thence South 89 degrees 55 minutes 57 seconds West 64.53 feet to a nail; thence North 00 degrees 18 minutes 28 seconds West 25.00 feet parallel with the East line of said Southeast quarter; thence North 89 degrees 55 minutes 57 seconds East 108.08 feet; thence South 83 degrees 22 minutes 03 seconds West 43.73 feet; thence South 00 degrees 04 minutes 03 seconds East 20.00 feet to the point of beginning, containing 0.04 acres, more or less.

This deed is intended to be a conveyance in fee simple.

It is understood and agreed by the parties hereto that the title to the real estate herein conveyed is warranted only insofar as it might be affected by any act of the grantor during its ownership thereof and not otherwise.

Subject To any and all easements, assessments, agreements, and restrictions of record, including the rights of any existing public and private utilities to use the property conveyed herein for utility purposes.

Title to this property was transferred to Grantor through a Warranty Deed dated March 10, 2016 and recorded in Inst. No. 2016R03057 of the records of the Recorder of Delaware County, Indiana.

ACCEPTANCE BY:

The undersigned, each being a Commissioner of Delaware County, Indiana, do hereby accept this Deed and Dedication for Roadway from Royerton Partners, LLC, an Indiana limited liability company, by Resolution adopted July 5, 2016.

Shannon Henry, Commissioner




James King, Commissioner



Sherry Riggiri, Commissioner

ATTEST:



Steven G. Craycraft, Auditor of Delaware County, Indiana

Send tax bills to and Grantee's street or rural route address is: 100 W. Main St., Muncie, IN 47305.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. James W. Trulock

This instrument prepared by: James W. Trulock, Attorney at Law.

**HUSTON ADDITION – ACCEPTANCE OF RIGHT-OF-WAY DEDICATION
SPANGLER ADDITION – ACCEPTANCE OF RIGHT-OF-WAY DEDICATION**

Ms. Marta Moody, Director of Plan Commission, presented Huston Addition and Spangler Addition, both are one lot plats that will be going before the Plat Committee to finalize. Both cases are dedicating ½ right of way for frontage of their properties.

MOTION: Commissioner Kin made a motion to approve Huston and Spangler Addition Right-of-Way Dedication.

SECOND: Commissioner Riggiri

MOTION PASSED UNANIMOUSLY

ORIGINAL
HUSTON
ADD.

A part of the Northwest quarter of Section 1W
Beginning at a point on the west line of
seconds West 1425.08 feet (assumed bearing
seconds West 332.22 feet; thence South 08 4
thence South 08 degrees 43 minutes 40 a
south line of said quarter section to the point
westerly side, for a legal drain across the ac

NE COR. NW. QTR.
SEC. 17-20-11
WOOD POST

Hobson L. Austin
Hobson L. Austin
Registered Land Surveyor LS20040149

OWNERS CERTIFICATE

The undersigned owner, Denny Roy Huston, CO.
dedicate right of way for County Road 400 E17
subdivision in Liberty Township, Delaware Count

Witness our Hands this 24th day of July
Denny Roy Huston
Denny Roy Huston

State of Indiana)
County of Delaware) SS

Before me, a Notary Public in and for said C
be voluntary act and deed this 24th day
Y. B. McVann
Notary Public

PLAN COMMISSION: Under authority of the Ar
Metropolitan Plan Commission hereby approves
DATED this _____ day of _____

Secretary

COUNTY COMMISSIONERS: THIS IS TO CERTIFY
and public Improvements within the foregoing
DATED this _____ day of _____

President

Duly entered for taxation this _____ day of _____

Auditor of Delaware County


Received for record and recorded this _____
Plat Book _____ page _____

Recorder of Delaware County

SE COR. NW. QTR.
SEC. 17-20-11
STONE FOUND
10" STEEL POST
25 WEST
0.3 NORTH

30'
DING LINE
RING HOLE
WELL
EBAR SET

10
10



[Handwritten signatures and initials]

[Handwritten text: "Denny Roy Huston"]

[Handwritten text: "Y. B. McVann"]

[Handwritten text: "H. J. ..."]

ORIGINAL

Spangler
Add.

A part of the Northwest quarter of Section follows:
Beginning at a county monument north East; thence North 00 degrees 43 minutes 18 seconds South 89 degrees 45 minutes 05 seconds 43 minutes 40 seconds East 132.00 containing 1.09 acres more or less and all encumbrances of record.

Holden L. Ashton
Holden L. Ashton
Registered Land Surveyor LS 80040149

Note: The existing house is a legal non-occupancy restriction. No building shall be within the replacement area as shown on this plot.

OWNERS CERTIFICATE
The undersigned owner, Derek R. Spangler, subdivides a lot, and dedicates the road to the west side of the existing home. This subdivision includes consisting of lot 1 and the dedicated alternate field in the case of failure of the hereafter modified or vacated.

Witness our Hands this 22nd day of July, 2016
Derek R. Spangler
State of Indiana))SS
County of Delaware)

Before me, a Notary Public in and for said county of the foregoing plot, to be voluntarily dedicated to the public use of the County of Delaware, Indiana.

PLAN COMMISSIONER: Under authority of the Board of Commissioners of the County of Delaware, Indiana, I do hereby certify that the foregoing plat is a true and correct copy of the original on file in my office.
DATED this _____ day of _____, 2016.

Secretary
COUNTY COMMISSIONERS: THIS IS TO CERTIFY that the foregoing plat is a true and correct copy of the original on file in my office.
DATED this _____ day of _____, 2016.

President
Duly entered for location this _____ day of _____, 2016.

Auditor of Delaware County
Received for record and recorded this _____ day of _____, 2016.

Plot Book _____ page _____

Recorder of Delaware County

Scale 1" = 50'
B/L = BUILDING LINE
S/S = 5/8" REBAR SET
@ = SOIL BORING HOLE
@ = EXISTING WELL

able care to be had by law.

[Handwritten signatures and initials]

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 #7**

MOTION: Commissioner Riggan made a motion to approve Resolution 2016-038, 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 #7.

SECOND: Commissioner King
MOTION PASSED UNANIMOUSLY

RESOLUTION 2014-138

ORIGINAL

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 #7

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 are 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:

18-02-34-301-012-000-025 200 S Sycamore Cert #181501758 Del. Taxes \$5016.65

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.**

Passed and adopted by the Commissioners on the 5 day of July, 2016.


Shannon Henry, President


James King, Vice-President


Sherry Riggan, Member

ATTEST 
Steve Craycraft, Auditor

DEPARTMENT HEADS AND ELECTED OFFICIALS

MONTHLY/WEEKLY REPORTS
County Treasurer's Report – May, 2016

PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$4,574,218.17.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Mark DiFabio, Fair Board President, said the Fair will be July 18th through July 23, 2016. Mr. DiFabio said the Queen contest went well; Ms. Mariah Rumfelt is the 2016 Delaware County Fair Queen. DiFabio thanked the Commissioners for their support of the Fair.

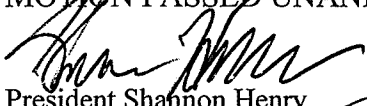
Ms. Pam McCammon, Executive Board Member, thanked the Commissioners for their support of the Queen contest and the Fair. Ms. McCammon is Co-Chair of the Queen contest.

RECESS

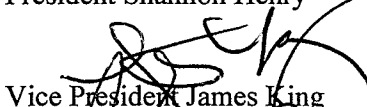
MOTION: Commissioner King made a motion to recess.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY



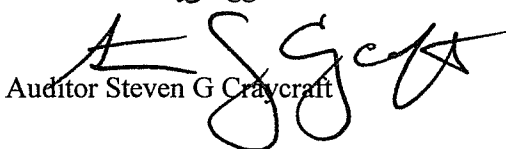
President Shannon Henry



Vice President James King



Member Sherry Riggan



Auditor Steven G Craycraft