

**DELAWARE COUNTY COMMISSIONER'S MEETING
MONDAY, MAY 15, 2017 @ 9:00 A.M.
ROOM 309 A, 100 WEST MAIN STREET
MUNCIE, IN 47305
CALL TO ORDER
PLEDGE TO FLAG
ROLL CALL**

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

PUBLIC HEARING
**PUBLIC HEARING TO ASSIGN TAX SALE CERTIFICATES
TO NON-PROFIT CORPORATION #4A 3700 S. MADISON ST**

**APPLICATION FOR ASSIGNMENT OF TAX SALE CERTIFICATES
TO NON-PROFIT CORPORATION 3700 BLK MADISON ST**

Mr. Jim Mochal, President of Muncie Visitors Bureau/Muncie Sports Commission and Mr. Jim Mansfield, Executive of Muncie Visitors Bureau/Muncie Sports Commission ask that the Commissioners assign the Tax Sale Certificates on both properties.

MOTION: Commissioner Riggan made a motion to close the public hearing for the non-profit properties.
SECOND: Commissioner Henry
MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES

MOTION: Commissioner Henry made a motion to approve May 1, 2017 Minutes.
SECOND: Commissioner Riggan
MOTION PASSED UNANIMOUSLY

PRESENTATIONS TO COMMISSIONERS

**CONTRACT FOR RAIN GARDEN BIO-SWALE
AT THE DELAWARE COUNTY HIGHWAY GARAGE**

Mr. John Brooke, County Attorney, said he has reviewed the Rain Garden Bio-Swale contract.
MOTION: Commissioner Henry made a motion to approve the 5 year maintenance contract for Rain Garden Bio-Swale at the Delaware County Highway Garage.
SECOND: Commissioner Riggan
MOTION PASSED UNANIMOUSLY

The contract was approved on May 15, 2017 at the Commissioners meeting; however there was a contract signed on March 31, 2017 and signed by Mr. Bob Jesse and Mr. Philip Tevls, Flatland Resources.

Flat Land Resources, LLC

P.O. Box 1293, Muncie, Indiana 47308
Tel (765) 284-2323 Fax (765) 284-2323

ORIGINAL

May 15, 2017
meeting

April 4, 2017

Delaware County Highway Garage
7700 East Jackson Street
Muncie, IN 47302
Attention: Mr. Robert Jessee, Superintendent

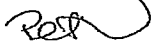
Re: Signed 5 Year Maintenance Contract for Rain Garden Bio-Swale at the Delaware County Highway Garage

Dear Robert

Enclosed please find a signed copy of the Maintenance Contract for the County Highway Garage Rain Garden.

If you have any questions, or need any additional information from us, please do not hesitate to contact our office.

Sincerely,



Philip Tevis
Principal
Flat Land Resources, LLC

aFlatLandResources.com

04/03/2017 14:57 Delaware County Commissioners

(FAX) 765 747 7889

P.001/002

Flat Land Resources, LLC
 P.O. Box 1293, Muncie, Indiana 47308
 Tel (765) 264-2328 Fax (765) 264-2353

Contract for Maintenance
 County Highway Garage Rain Garden

November 7, 2016

Robert Jasace
 Delaware County Highway Garage
 7700 East Jackson Street
 Muncie, IN 47302

Mr. Jasace:

FlatLand Resources, LLC (FLR) is pleased to submit this proposal for continued maintenance on the rain garden bio-swale installed at the Delaware County Highway Garage. The rain gardens are a component of the Storm Water Utility's good housekeeping compliance requirements. This fee is based on our observations and site knowledge through our last five years of maintenance. FLR will provide labor, equipment, and materials to maintain the rain gardens. A map of the two areas is attached.

Due to the proximity of the split barn and drainage patterns of the adjacent land the western rain garden will not support the same plant composition as found in the eastern garden. Maintenance of this area will focus on controlling invasive species, encourage diversity and native plants, but will not eradicate the invasive.

COST:

| | | |
|--------------------------------|----|------------------------|
| 5 year Maintenance (2000/year) | \$ | 5,000 |
| | | \$5,000 |
| | | Five Thousand Dollars. |

Terms:

Payment will be Net 30 days.

Contract Qualifications:

FLR is not responsible for mowing around the rain garden bio-swales.

04/03/2017 14:57 Delaware County Commissioners

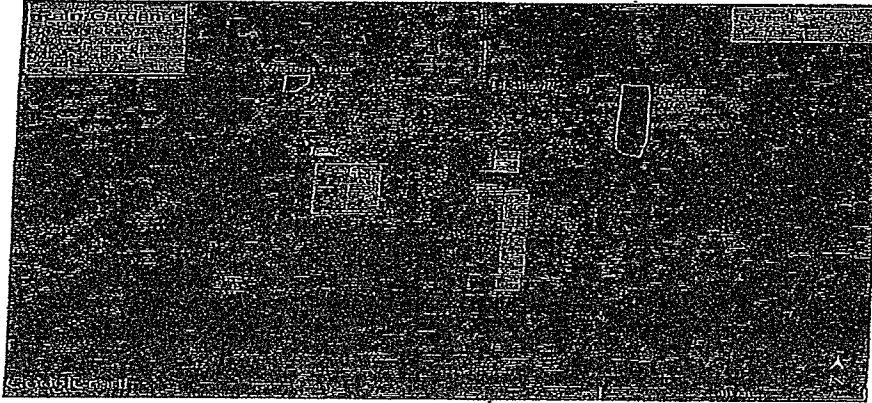
(FAX)765 747 7899

P.002/002

Flat Land Resources, LLC

P.O. Box 1299, Muncie, Indiana 47306

Tel (765) 264-2328 Fax (765) 264-2323



Acceptance:

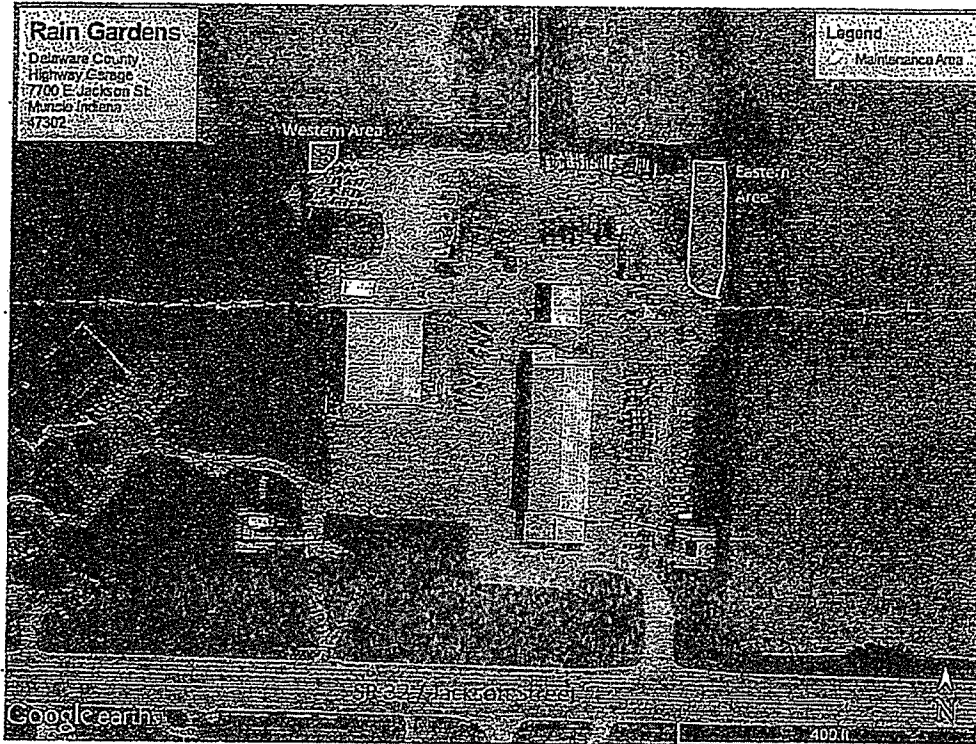
Robert J. Jessor Date 3/31/17
 Robert Jessor, Delaware County Highway Superintendent

Philip Tevis Date 3-31-2017
 Philip Tevis,
 Member/Owner FlatLand Resources, LLC

Flat Land Resources, LLC

P.O. Box 1293, Muncie, Indiana 47308

Tel (765) 284-2328 Fax (765) 284-2353



Acceptance:

[Signature]

Date 5.15.2017

Robert Vessey, Delaware County Highway Superintendent

[Signature]

Date 5.16.2017

Philip Tevis,

Member/Owner FlatLand Resources, LLC

EXTENDED WARRANTY AND SUPPORT SERVICES AGREEMENT

Mr. Brooke presented the Extended Warranty and Support Services agreement. This is for Whitely Land Company's 2nd Addition, Pt Lot 1, Block 19 (Muncie Sanitary District).

MOTION: Commissioner Henry made a motion to approve the Extended Warranty Agreement.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

 **ORIGINAL**

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That the **Delaware County Commissioners**, ("Grantor") a Governmental Entity organized and existing under the laws of the State of Indiana, **CONVEYS AND WARRANTS** to **Muncie Sanitary District**, a municipal utility existing pursuant to I.C. 8-1.5-6-1, ("Grantee"), for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Delaware County, Indiana:

Whitely Land Company's 2nd Addition, Pt Lot 1, Block 19

Subject to all easements, encroachments and rights-of way, etc. of record.

Tax ID Number 18-11-10-501-040.000-003
Parcel Number 1110501040000

Grantee assumes and agrees to pay all taxes and assessments now or hereafter a lien on the above-described real estate.

The undersigned certify under oath that no Indiana Gross Income Tax is due or payable by reason of the within conveyance.

The undersigned further certify that the conveyance of the above-described real estate does not represent substantially all of the corporate assets.

The undersigned persons executing this Deed on behalf of Grantor represent and certify that he/she is a duly elected Commissioner of the County of Delaware, Indiana, and has been fully empowered to execute and deliver this Deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

Mail Tax Statements To: Muncie Sanitary District
300 N. High Street
Muncie, Indiana 47305

IN WITNESS WHEREOF, the Grantor has executed this Deed this 15th day of May, 2017.

DELAWARE COUNTY COMMISSIONERS

STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

James King
Shannon Henry

Before me, a Notary Public in and for said County and State, personally appeared the above named James King/Shannon Henry who acknowledged the execution of the foregoing Corporate Warranty Deed for and on behalf of Grantor and who having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 15th day of May, 2017.

Jennifer Honeycutt, Notary Public
Resident of Delaware County, Indiana

This instrument prepared by: Mark R. McKinney #16125-18, McKINNEY & MALAPIT, P.C.
114 E. Washington Street, Muncie, Indiana 47305 (765) 896-8964



**SALES DISCLOSURE FORM**

State Form 46021 (R11/12-11)

Prescribed by Department of Local Government Finance
Pursuant to IC 6-1.1-5.5

PRIVACY NOTICE: The telephone numbers and Social Security numbers of the parties on this form are confidential according to IC 6-1.1-5.5-3(d).

SDF ID

| County | Year | Unique ID |
|-----------|------|-----------|
| SDF Data: | | |

SDF Date:

PART 1 - To be completed by BUYER/GRANTEE and SELLER/GRANTOR

A. PROPERTY TRANSFERRED - MUST BE CONVEYED ON A SINGLE CONVEYANCE DOCUMENT

| MUST BE CONVEYED ON A SINGLE CONVEYANCE DOCUMENT | | | |
|--|---|--|---|
| 1. Property Number | Check box if applicable to parcel | 5. Complete Address of Property | 6. Complete Tax Billing Address (if different from property address) |
| A.) 18-11-10-501-040.000-003 | <input checked="" type="checkbox"/> 2. Split <input type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement | | 300 N. High Street Muncie, IN 47305 |
| 7. Legal Description of Parcel A: Whitely Land Co's 2nd Add., Ex W 40 Ft Block 19, Lot 1 | | | |
| B.) | <input type="checkbox"/> 2. Split <input type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement | | |
| 7. Legal Description of Parcel B: | | | |

B. CONDITIONS – IDENTIFY ALL THAT APPLY

If condition 1 applies, filer is subject to disclosure and a disclosure filing fee.

| YES | NO | CONDITION |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. A transfer of real property interest for valuable consideration. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Buyer is an adjacent property owner. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Vacant land. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Exchange for other real property ("Trade"). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Seller paid points. <i>(Provide the value Table C Item 12.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Change planned in the primary use of the property? <i>(Describe in special circumstances in Table C Item 3.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Existence of family or business relationship between buyer and seller. <i>(Complete Table C Item 4.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Land contract. Contract term (yr): _____ and contract date (MM/DD/YYYY): _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Personal property included in transfer. <i>(Provide the value Table C Item 5.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Physical changes to property between March 1 and date of sale. <i>(Describe in special circumstances in Table C Item 3.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Partial interest. <i>(Describe in special circumstances in Table C Item 3.)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Easements or right-of-way grants. |

C. SALES DATA - DISCLOSE VALUE OF ITEMS LISTED IN TABLE B, ITEMS 1-15

1. Conveyance date (MM/DD/YYYY): _____

2. Total number of parcels: _____ 1 _____

3. Describe any unusual or special circumstances related to this sale, including the specification of any less-than-complete ownership interest and terms of seller financing.

| YES | NO | CONDITION |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Family or business relationship existing between buyer and seller? Amount of discount: \$ _____ |

Disclose actual value in money, property, a service, an agreement, or other consideration.

If conditions 13-15 apply, filers are subject to disclosure, but no disclosure filing fee.

| YES | NO | CONDITION |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Document for compulsory transactions as a result of foreclosure or express threat of foreclosure, divorce, court order, judgment, condemnation, or probate. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 15. Transfer to a charity, not-for-profit organization, or government. |

| | | | |
|--|-------------------------------------|---|------|
| 5. Estimated value of personal property: | | \$ | 0.00 |
| 6. Sales price: | | \$ | 0.00 |
| YES | NO | CONDITION | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Is the seller financing sale? If yes, answer questions (8-13). | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Is buyer/borrower personally liable for loan? | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is this a mortgage loan? | |
| 10. Amount of loan: | | \$ | |
| 11. Interest rate: | | | % |
| 12. Amount in points: | | \$ | |
| 13. Amortization period: | | | |

| INDIANA SALES DISCLOSURE FORM | | SDF ID: | Page 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------------------------------------|---|--------|-----------|--------------------------|-------------------------------------|--|--|--|--|--------------------------|-------------------------------------|--|--|--|--|---|--|-----|----|-----------|--------------------------|-------------------------------------|--------------|--------------------------|-------------------------------------|--|--------------------------|-------------------------------------|----------------------|--------------------------|-------------------------------------|-------------------------------|--------------------------|-------------------------------------|---|--------------------------|-------------------------------------|--|--------------------------|-------------------------------------|---|
| D. PREPARER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mark R. McKinney #19839-18 <i>Preparer of the Sales Disclosure Form</i> 114 E. Washington St. <i>Address (Number and Street)</i> Muncie, IN 47305 <i>City, State, and ZIP Code</i> | | Attorney at Law <i>Title</i> McKinney & Malapit, PC <i>Company</i> 765-896-8964 tom@mandmlegal.com <i>Telephone Number</i> <i>E-mail</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E. SELLER(S)/GRANTOR(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Delaware County Commissioners <i>Seller 1 - Name as appears on conveyance document</i> 100 East Main Street <i>Address (Number and Street)</i> Muncie, IN 47305 <i>City, State, and ZIP Code</i> <i>Telephone Number</i> <i>E-mail</i> | | <i>Seller 2 - Name as appears on conveyance document</i> <i>Address (Number and Street)</i> <i>City, State, and ZIP Code</i> <i>Telephone Number</i> <i>E-mail</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act". | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Signature of Seller</i> <i>Printed Name of Seller</i> <i>Sign Date (MM/DD/YYYY)</i> | | <i>Signature of Seller</i> <i>Printed Name of Seller</i> <i>Sign Date (MM/DD/YYYY)</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| F. BUYER(S)/GRANTEE(S) - APPLICATION FOR PROPERTY TAX DEDUCTIONS - IDENTIFY ALL ITEMS THAT APPLY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Muncie Sanitary District <i>Buyer 1 - Name as appears on conveyance document</i> 300 N. High Street <i>Address (Number and Street)</i> Muncie, Indiana 47305 <i>City, State, and ZIP Code</i> 765-747-4894 ngrigsby@msdeng.com <i>Telephone Number</i> <i>E-mail</i> | | <i>Buyer 2 - Name as appears on conveyance document</i> <i>Address (Number and Street)</i> <i>City, State, and ZIP Code</i> <i>Telephone Number</i> <i>E-mail</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| THE SALES DISCLOSURE FORM MAY BE USED TO APPLY FOR CERTAIN DEDUCTIONS FOR THIS PROPERTY. IDENTIFY ALL OF THOSE THAT APPLY. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>YES</th> <th>NO</th> <th>CONDITION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county:</td> </tr> <tr> <td colspan="3"> <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> </td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county:</td> </tr> <tr> <td colspan="3"> <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> </td> </tr> </tbody> </table> | | YES | NO | CONDITION | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county: | <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county: | <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>YES</th> <th>NO</th> <th>CONDITION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>3. Homestead</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>4. Solar Energy Heating/Cooling System</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>5. Wind Power Device</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>6. Hydroelectric Power Device</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>7. Geothermal Energy Heating/Cooling Device</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>8. Is this property a residential rental property?</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>9. Would you like to receive tax statements for this property via e-mail? (Provide contact information below. Please see instructions for more information. Not available in all counties.)</td> </tr> </tbody> </table> <i>Primary property owner contact name</i> <i>E-mail</i> | | YES | NO | CONDITION | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Homestead | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Solar Energy Heating/Cooling System | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Wind Power Device | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Hydroelectric Power Device | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Geothermal Energy Heating/Cooling Device | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Is this property a residential rental property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Would you like to receive tax statements for this property via e-mail? (Provide contact information below. Please see instructions for more information. Not available in all counties.) |
| YES | NO | CONDITION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Address (Number and Street)</i> <i>City, State, ZIP Code</i> <i>County</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| YES | NO | CONDITION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Homestead | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Solar Energy Heating/Cooling System | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Wind Power Device | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Hydroelectric Power Device | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Geothermal Energy Heating/Cooling Device | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act". (Note: being filed.) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Signature of Buyer 1</i> Nikki Grigsby, Administrator, MSD <i>Printed Legal Name of Buyer 1</i> <i>Sign Date (MM/DD/YYYY)</i> | | <i>Signature of Buyer 2/Spouse</i> <i>Printed Legal Name of Buyer 2/Spouse</i> <i>Sign Date (MM/DD/YYYY)</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Last 5 digits of Buyer 1 Driver's License/ID/Other Number</i> <i>State</i> <i>Last 5 Digits of Social Security Number</i> | | <i>Last 5 digits of Buyer 2/Spouse Driver's License/ID/Other Number</i> <i>State</i> <i>Last 5 Digits of Social Security Number</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Ms. Heather Lennington, McKinney & Malapit, PC will pick the Corporate Warranty Deed up from the Auditors office (Plat room) and then take to the Recorders office to record.

ORDINANCES FOR FIRST READING
AN ORDINANCE OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS
CONSTRUCTION SITE & POST CONSTRUCTION SITE STORMWATER CONTROL
ORDINANCE NO. 2017-011

Mr. Brooke presented Ordinance 2017-011, An Ordinance of the Delaware County Board of Commissioners Construction Site & Post Construction Site Stormwater Control.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2017-011, An Ordinance of the Delaware County Board of Commissioners Construction Site & Post Construction Site.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

Mr. Brooke said the ordinance will need to be published, once it is approved, due to fees. Stormwater Board does not have the authority to adopt ordinances.

ORDINANCE NO. 2017-011

ORIGINAL

AN ORDINANCE OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS

Construction Site & Post Construction Site Stormwater Control Ordinance

WHEREAS, the Delaware County Storm Water Board was created pursuant to I. C. 8-1.5-5 et. seq.; and

WHEREAS, the Delaware County Storm Water Board has the obligation to protect the rivers, creeks and waterways of the County from pollution and improper discharge by construction activity; and

WHEREAS, the Delaware County Storm Water Board believes that an ordinance requiring the development of Stormwater Pollution Prevention Plans (SWPPP) for all land disturbing activities required to obtain a 327 IAC 15-5 permit. The plan includes erosion and sediment control measures, materials handling procedures, construction and post construction control measures to be submitted as part of the construction plans and specifications for new development and redevelopment in order for there to be issued a Stormwater Erosion & Sediment Control Permit for construction sites disturbing one acre or more of land in Delaware County.

WHEREAS, new requirements for stormwater quality affect the County directly resulting from the United States Environmental Protection Agency (EPA) regulation entitled "National Pollutant Discharge Elimination System (NPDES)—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (Federal Register, Volume 64, Number 235, pages 68722 – 68852) on December 8, 1999 as required by section 402(p) of the Clean Water Act (CWA); and

WHEREAS, the program is administered by the Indiana Department of Environmental Management with the adoption of 327 IAC 15-5 for Storm Water Run-off Associated with Construction Activity, and 327 IAC 15-13 for Storm Water Run-Off Associated with Municipal Separate Storm Sewer System (MS4) Conveyances; and

WHEREAS, 327 IAC 15-13-15 (b) requires the County to pass an ordinance, or other local regulatory mechanism, establishing a construction program that controls polluted run-off from construction activities with a land disturbance greater than or equal to one acre, or disturbances of less than one acre of land that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one or more acres of land; and

WHEREAS, the required ordinance, or other local regulatory mechanism, must contain at a minimum the requirements of 327 IAC 15-5, except for state permitting process references, and submittal deadlines of construction plans; and

WHEREAS, the required ordinance, or other regulatory mechanism must contain, at a minimum, the post-construction requirements of 327 IAC 15-5-6.5(a)(8); and

WHEREAS, the creation of a new stormwater management program could help address stormwater management problems; and

WHEREAS, the County Stormwater Control Board recommends approval of this Ordinance.

Now Therefore be it Ordained by the Board of Commissioners of Delaware County, Indiana that:

SECTION 1: PURPOSE/INTENT

A. Site Construction Control

The purpose of this ordinance relative to Construction and Post Construction Control is to establish requirements for stormwater discharges from construction activities so as to protect the public health, existing water uses, and aquatic

AN ORDINANCE FOR PUBLIC WORKS PROJECTS IN DELAWARE COUNTY
ORDINANCE NO. 2017-012

MOTION: Commissioner Riggin made a motion to introduce Ordinance 2017-012, An Ordinance for Public Works Projects in Delaware County.

SECOND: Commissioner Henry

MOTION PASSED UNANIMOUSLY

ORDINANCE 2017- 012

ORIGINAL

AN ORDINANCE FOR PUBLIC WORKS PROJECTS IN DELAWARE COUNTY

WHEREAS, the County of Delaware (Highway Department) performs paving work on 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 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 Indiana Code section 36-1-12-3 requires that any public works projects with an estimated cost of \$250,000 be submitted for public bid and review; and

WHEREAS, the Indiana Code section 36-1-12-3 requires that any public works project with an estimated value of \$100,000 or greater must conduct a review and determination if the project can be performed by the county workforce; and

WHEREAS the Board of Commissioners shall adopt an ordinance for the requirements on the cost of the public works projects \$100,000 or greater.

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

1. For projects \$100,000 or more, but less than \$250,000 the process shall be as follows:

- a. The County Highway Department management along with the engineering staff or any other department to determine the anticipated cost of the project. The cost for the projects shall include the anticipated costs for labor, equipment, materials and supplies. The Department shall also make a determination as to whether the Department shall use its own work force or sent the matter for bid.
- b. If the estimate of the project is \$100,000 or more, but less than \$250,000 then the Highway Department management or other department shall notify the Board of Commissioners to conduct a public hearing.
- c. Once the Board of Commissioners is notified by the Highway Department management or any other Department that provides notification to the Board of Commissioners and that the Department desires to use their own work force to complete the project, then the Board of Commissioners shall publish a notice of public hearing as part of one of their public meetings pursuant to I. C. 5-3-1 et. seq.
- d. At the public hearing, the Department requesting the completion of a public works project with an anticipated cost of \$100,000 but less than \$250,000 shall provide information to the Board of Commissioners as to the skills, training, or expertise of the work force to complete the project. Any other person, firm or entity that desires to speak and provide information at the public hearing concerning the proposed public works project.
- e. At the conclusion of the public hearing the Board of Commissioners shall make a determination if the proposed county's work force has the skill, training or expertise to complete the project. If the Board of Commissioners determines that the work force has the skill, training or expertise to complete the project then the Board shall

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 #4A
RESOLUTION NO. 2017-020

Mr. Brooke said this is for the tax certificate for the Muncie Visitors Bureau.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-020, Making a Final Determination of the Tax Sale Certificate to be Assigned to a Nonprofit Corporation #4A.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

RESOLUTION ¹²⁰ 2017.

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 #4a

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:

18-11-27-176-001-000 3700 S. Madison Tax Sale Certificate: #1810601149 Delinquent Taxes: \$5,501.02

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 certificate 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 the **Muncie Sports Commission, Inc.**

Passed and adopted by the Commissioners on the 15 day of May, 2017.


James King, President


Sherry Riffin


Shannon Henry

ATTEST 
Steve Craycraft, Auditor

RESOLUTION TO ASSIGN TAX SALE CERTIFICATES FROM DELAWARE COUNTY
TO THE HOUSING AUTHORITY OF THE CITY OF MUNCIE, INDIANA
RESOLUTION NO. 2017-021

President King said Resolution 2017-021 should be removed from the agenda. A Public Hearing will take place June 5, 2017.

RESOLUTION TO ASSIGN TAX SALE CERTIFICATES
FROM DELAWARE COUNTY TO THE CITY OF MUNCIE, INDIANA
RESOLUTION NO. 2017-022

Ms. Megan Quirk, Attorney for City of Muncie, asked for approval of Resolution 2017-022. The tax sale certificate for 723 S Liberty was provided in February 2017, however the second step of getting the Resolution approved was not done.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-022, Tax Sale Certificate from Delaware County to the City of Muncie, Indiana.

SECOND: Commissioner Riggan

MOTION PASSED UNANIMOUSLY

ORIGINALRESOLUTION 2017-022RESOLUTION TO ASSIGN TAX SALE CERTIFICATES
FROM DELAWARE COUNTY TO THE CITY OF MUNCIE, INDIANA

WHEREAS, there is a property in the City of Muncie that are delinquent in the payment of property taxes and have been offered for tax sale and received no bids equal to or in excess of minimum sale prices; and

WHEREAS, the Commissioners may assign such properties to the City of Muncie, Indiana, subject to its acceptance of such properties;


WHEREAS, by so doing, such property will be improved and used for the betterment of the City; said property is as follows:

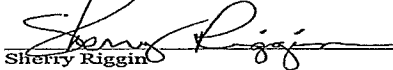
| <u>Certificate Number</u> | <u>Street Address or Other Common Description</u> | <u>Parcel Number</u> |
|---------------------------|---|--------------------------|
| 181600797 | 723 S LIBERTY | 18-11-16-258-029-000-003 |

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Delaware County that the Commissioners shall assign such properties to the City of Muncie, Indiana, subject to acceptance by the City of Muncie of such properties. If not accepted, these properties shall be returned to the next available tax sale.

Passed and adopted by the Commissioners on the 15 day of May, 2017


James King, President


Shannon Henry


Sherry Riggins

ATTEST:

Steven Craycraft, Auditor

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
COUNTY OF DELAWARE, INDIANA, IDENTIFYING A TAX
SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT CORPORATION #6
RESOLUTION NO. 2017-023

Ms. Kesler said this is the first step to assigning the tax sale certificate. The Public Hearing will be June 5, 2017.

MOTION: Commissioner Riffin made a motion to approve Resolution 2017-023, Identifying a Tax Sale Certificate to be Assigned to a nonprofit #6.

SECOND: Commissioner Henry

MOTION PASSED UNANIMOUSLY

RESOLUTION 2017-023

ORIGINAL

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF DELAWARE,
INDIANA, IDENTIFYING A TAX SALE CERTIFICATE TO BE ASSIGNED TO A NONPROFIT
CORPORATION #6

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

WHEREAS, there is a parcel in Delaware County that has been in one or more tax sales and have taxes that are severely delinquent. These parcels will be offered to a nonprofit corporation. The parcel is identified as follows:

18-11-15-334-007.000-003 510 E 7TH Tax Sale Certificate: #1810600666 Delinquent Taxes: \$1,814.38

WHEREAS, the Board of Commissioners intends to accept written applications from nonprofit corporations who satisfy the requirements of Indiana Code 6-1.1-24-17 who desire to have the identified tax sale certificate assigned to them.

WHEREAS, the Board of Commissioners hereby sets a public hearing on the 5TH day of JUNE, 2017, at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificates.

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

Section One. The Delaware County Board of Commissioners hereby identifies the tax sale certificate 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 sets a public hearing on the 5TH day of JUNE, 2017, at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305 to discuss the assignment of said tax sale certificate.

Section Three. The Delaware County Board of Commissioners shall publish a notice regarding the public hearing and will process applications and transfer the parcel in accordance with Indiana Code 6-1.1-24-17.

Passed and adopted by the Commissioners on the 15 day of May, 2017.


James King, President


Shannon Henry


Sherry Riffin

ATTEST 
Steve Craycraft, Auditor

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA
 APPROVING A DECLARATORY RESOLUTION AND
 ECONOMIC DEVELOPMENT PLAN OF THE
 DELAWARE COUNTY REDEVELOPMENT COMMISSION
 AND APPROVING ORDER OF THE DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
 RESOLUTION NO. 2017-024

Mr. Brooke said this is a Resolution that was adopted by the Redevelopment Commission for Economic Development. The Redevelopment Commission asked for the Commissioners approval.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-024, Approving a Declaratory Resolution and Economic Development Plan of the Delaware County Redevelopment Commission and Approving Order of the Muncie Metropolitan Plan Commission.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

RESOLUTION NO. *2017-024*

ORIGINAL

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA

APPROVING A DECLARATORY RESOLUTION
 AND ECONOMIC DEVELOPMENT PLAN OF THE
 DELAWARE COUNTY REDEVELOPMENT COMMISSION
 AND APPROVING ORDER OF THE
 DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION

WHEREAS, the Delaware County ("County") Redevelopment Commission ("Commission"), has, on the 13th day of April, 2017, approved a Redevelopment Plan ("Plan") for the Daleville Redevelopment Area ("Area") in the County; and

WHEREAS, the Commission has, on the 13th day of April, 2017 adopted a declaratory resolution enlarging the Area as a redevelopment area and subject to redevelopment activities pursuant to IC 36-7-14 and IC 36-7-25 ("Act"); and

WHEREAS, the Delaware-Muncie Metropolitan Plan Commission ("Plan Commission"), on the 4th day of May, 2017, approved the Plan and Declaratory Resolution; and,

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan and the action of the Plan Commission by the Board of Commissioners of the County ("Board");

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, Indiana, as follows:

1. That the Plan for the Area is in all respects approved, ratified and confirmed by the Board.
2. That the action of the Plan Commission on May 4, 2017, approving the Plan and the Declaratory Resolution is in all respects approved, ratified and confirmed by the Board.
3. That the County Auditor is hereby directed to file a copy of the Declaratory Resolution, the Plan and the approving Order of the Plan Commission with the permanent minutes of this meeting.
4. This Resolution shall be effective from and after passage.

PASSED AND ADOPTED by the Board of Commissioners of Delaware County, Indiana, this 15th day of May, 2017, by a vote of _____ ayes and _____ nays.

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA

By:

President

ATTEST:

Delaware County Auditor

18468683

2

A RESOLUTION TO PERFORM WORK BY THE HIGHWAY DEPARTMENT

RESOLUTION NO. 2017-025

Mr. Brooke presented Resolution 2017-025, to Perform Work by the Highway Department.

MOTION: Commissioner Henry made a motion to approve Resolution 2017-025, to Perform Work by the Highway Department

SECOND: Commissioner Riggins

MOTION PASSED UNANIMOUSLY

Commissioners May 15, 2017 meeting

RESOLUTION 2017- 085

A RESOLUTION TO PERFORM WORK BY THE HIGHWAY DEPARTMENT

WHEREAS, the County of Delaware (Highway Department) performs paving work on 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 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 planned and performed a road paving project on Old Granville Road of approximately 3.1 miles of repaving; and

WHEREAS the cost of the project was 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 work force has the requisite skill, training and expertise to perform a road improvement project of 3.1 miles along Old Granville Road in Delaware County, Indiana.
2. It is in the interest of the public that County perform the work using the County's own employees for the paving along Old Granville Road in Delaware County, Indiana.
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 | \$ 26,840.63 |
| b. Materials | \$128,084.14 |
| c. Supplies | \$ 0.00 |
| d. Equipment | \$ 47,054.50 |
| e. Total | \$201,979.27 |
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 15th day of May, 2017.

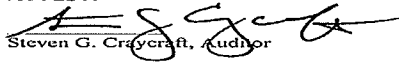
DELAWARE COUTY BOARD OF COMMISSIONERS


JAMES K. KING, President


SHERRY RIGGIN, Vice President


SHANNON HENRY, Member

ATTEST:


Steven G. Crycraft, Auditor

18090082.1

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Robert Jesse, Highway Superintendent, presented an interlocal agreement between Delaware County and City of Muncie for Riggin road.

Commissioner Riggin said before the work is done, the drainage issues should be corrected and Riggin asked who was doing the design work. This is a waste of money to do work on Riggin if it is not done right. De-brushing needs to be done too.

Mr. Jesse said drainage issues pertains to the City of Muncie. There is not a problem with the culverts under Riffin, the problems are the ditch lines along the edge of the road.

MOTION: Commissioner Henry made a motion to approve Interlocal agreement between Delaware County and City of Muncie to get Riffin road paved.

SECOND: Commissioner Riffin

MOTION PASSED UNANIMOUSLY

Commissioner Riffin asked when chip-n-seal would be started and asked if two crews would be working.

Mr. Jesse said prep work and paving is currently being done. Chip-n-seal will start in June, however, there is not enough staff to run two crews.

Riffin suggested hiring part-time college students.

ORIGINAL**INTERLOCAL AGREEMENT**

WHEREAS, Delaware County, Indiana and City of Muncie, Indiana, enter into an Interlocal agreement with one another; and

WHEREAS, Delaware County, an Indiana political subdivision hereinafter called "County"; and

WHEREAS, City of Muncie, Indiana, hereinafter called "City", desire to obtain services from County by way of use of equipment and labor; and

WHEREAS, the parties hereto recognize that it is in the best interests of the citizens within their respective jurisdictions and in the furtherance of the safety and welfare of the citizens to have Riffin Road resurfaced from the roundabout at North Walnut Street to the Muncie bypass; and

WHEREAS, the governing body of each party has resolved, agreed, or ordained that this Interlocal Agreement may be entered into;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

I) **DEFINITIONS AND FUNCTIONS**

I-A) City shall provide all Asphalt material needed to complete this project and also to provide new road markings at the City's expense.

I-B) County shall equip, operate, staff, supervise, and provide all labor needed to complete this project at the County's expense.

II) **MODIFICATIONS**

This agreement may only be modified in writing approved by action of County and City.

III) **EQUIPMENT**

County shall maintain and repair all equipment and assets previously obtained or purchased by County for the purposes of this project.

IV) **TERM**

This Interlocal Agreement shall be in full force and effect upon execution by County and City. The agreement shall not renew and will terminate after the satisfactory completion by both parties.

V) **DURATION AND TERMINATION**

Except as otherwise specifically provided herein, any party to this Agreement may withdraw from this Agreement upon at least one (1) week (7 days) after the execution of this Agreement.

VI) EXECUTION OF AGREEMENT

Each party to this agreement may bind itself with all other parties to this agreement by signing a duplicate original of this Agreement and submitting such signed original duplicate original to county. It is understood that such execution shall not require that one original agreement be signed by each party to this agreement, but that there will be multiple duplicate originals signed by each party to this agreement. The purpose of this provision is to facilitate the signing of this agreement and to avoid undue delay in the execution of the agreement. This agreement, however, shall be executed on behalf of party by its authorized representative(s).

VII) NO PARTNERSHIP

It is understood and agreed by the parties that nothing within this Agreement shall be construed as creating or constituting a partnership between the parties.

CITY OF MUNCIE
BOARD OF PUBLIC WORKS & SAFETY

JOHN QUIRK

ROGER OVERBEY

BOBBIE CLEMENS

CITY OF MUNCIE
MAYOR

DENNIS TYLER

DELAWARE COUNTY
COMMISSIONERS

JAMES KING

SHERRY RIGGIN

SHANNON HENRY

AND 1702

Waiting on signatures from City of Muncie

*Mr. Jason Rogers, EMS Director, discussed threat of cyber-attacks at the county through the computer systems. This is a constant threat for private industries and government. It is important to not open unknown emails.

*Commissioner Henry said the county does not have any desire to separate 911 Center from the City of Muncie. The Commissioners desire is only to change the Board and to put it back in the hands to those that use 911, such as Sheriff, Muncie Fire Chief, Police Chief, Town Marshalls, EMS/EMA and Town Fire Chiefs, excluding the Commissioners.

*President King said they (Commissioners) would like to see politics removed from the 911 Board. The 911 Center is important, due to the staff that work there and the link that connects the community. The 911 Center is

Commissioners May 15, 2017 meeting

a life line to Police and Firemen. King does not want to see Directors removed from their positions due to political reasons. Focusing on training the dispatchers is important and this has been done by Mr. Paul Singleton, current 911 Director and Ms. Sandy Campbell (previous 911 Director). It is important that the Director is onsite.

President King said the equipment was paid for by Delaware County Commissioners, out of EMS funds and EDIT funds. Small towns are helped through EDIT monies, small town Fire Chiefs and Marshalls are not paid by the county and they cannot be removed by the Commissioners.

Mr. Brooke said EDIT funds from the small towns were pledged to the county years ago and the county has an obligation to share the EDIT funds.

The Commissioners are in support of Mr. Singleton 100%.

Commissioner Riggin went to the City Hall (bad parking) for a 911 meeting and asked the President if they sign off on the Directors payroll and they said no.

King said it is important to have meetings onsite at the 911 Center; Mr. Singleton (current Director) attends those meetings and would be available if there is a crisis or emergency.

Mr. Singleton invited anyone to visit the 911 Center anytime. Singleton said it continues to be a problem of employees leaving the 911 Center, due to other opportunities in public service.

Mr. Ron Quakenbush, Representing County Council, explained that the article (see below) bothered him. Years ago, the city and county looked at state of art communication centers and worked together to come up with a plan/system that would work for a 911 Center in Delaware County. At that time, Quakenbush was a Commissioner.

Quakenbush said as a Councilman, the Commissioners chose to move the 911 Center. Delaware County bought the new 911 Center (old Library), paid for the underground cable and equipment. Recently, the Commissioners signed a contract insuring the cable was always protected. The original agreement (1989) was that the city and county would hire the Director at the board level and the rest of the operation would work under the county. It was determined that city employees would be at the Dispatch unit, this changed at the last minute (1989).

Mr. Quakenbush said the center was built with at \$350,000 grant from federal government. Requirements were requested and met regarding the grant. Quakenbush supports the Commissioners in the change to the 911 board. One concern as a Councilman is taking all elected officials off of the board and then having surprises. It is important to keep communications going.

President King said these will be open door meetings. King said the Board will be safety officials, Sheriff, Town Marshall, Police/Fire Chief (City), Volunteer Fire Chief and EMS/EMA Director.

Mr. Quakenbush said the board, President King is describing is much like the original board. The current board was a result of court action.

Commissioners May 15, 2017 meeting

Commissioner Henry said there would be an Executive Oversight Board that would consist of the Mayor, Commissioner, City Council and County Council member. The 911 Board would bring their budget to the Executive Oversight Board for approval.

Article May 13, 2017 in Muncie newspaper.

The battle between the Delaware County commissioners and Muncie officials — which resulted in the county's move to dismantle the long-standing agreement to jointly operate a 911 dispatch center — has taken another turn, with the commissioners proposing a new 911 oversight board that would not include Mayor Dennis Tyler.

There's been an ongoing feud between the Republican commissioners and Tyler and the Democrat-majority 911 board for a while, and in February, the commissioners sent the city notice that they wanted to dissolve the agreement to jointly operate the dispatch center, which has dispatched city, county and rural emergency services calls since the late 1980s.

Several months into the 12-month notice the commissioners served on Tyler and the 911 board — which does have county representatives — the commissioners have written a letter to Tyler, noting that the commissioners hoped to have "some meaningful dialogue as to changes" to the agreement.

The letter, signed by Commissioners James King, Shannon Henry and Sherry Riggan, said the existing agreement "was not working for the benefit of public safety."

The commissioners' letter says the county wants to rework the agreement.

"Delaware County is blessed to have some great emergency dispatchers, but under the current agreement, politics plays a role in the operations which was never intended," the county's letter reads in part.

Noting that the city and county each contribute hundreds of thousands of dollars annually for the 911 dispatch center and that funding from telephone landlines is decreasing because the landlines themselves are decreasing, the commissioners say it would cost the city a substantial amount to set up its own center. So county officials proposed revamping the agreement and the board.

"What is also important to the board of commissioners is that elected officials not serve on the Emergency Communications Board (except the sheriff, who is a public safety officer) in any capacity," county officials wrote.

Commissioners May 15, 2017 meeting

This would mean that not only Tyler would have to leave the board but Muncie City Council member Brad Polk, Delaware County Council member Mary Chambers and any county commissioner.

In their place would serve representatives of local town marshals and volunteer fire departments.

In a meeting of the 911 board last week, attended by Tyler and other city officials but not the commissioners, the county's proposal and the mayor's response were discussed.

In his letter in response, Tyler noted the commissioners had given "no indication of what the 'benefit of public safety'" meant.

The mayor also noted in the meeting that the agreement would "put people on the board that they funnel money to," a reference to town officials who share in county EDIT funds.

Tyler also noted that 911 director Paul Singleton, who was appointed by the board, was making an inventory of equipment in the dispatch center.

"Why would they think all the equipment and software would stay with the county?" Muncie Police Chief Joe Winkle, a former 911 director, said.

"I don't know what they're thinking, Joe," Tyler replied.

The board set a special meeting for 3 p.m. Wednesday to discuss the standoff.

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to pay claims in the amount of \$1,576,032.46.

SECOND: Commissioner Henry

MOTION PASSED UNANIMOUSLY

QUESTIONS, COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Mr. Brooke said clarification for the record, Resolution 2017-020; Tax Sale Certificate is for the Muncie Sports Commission and is not the Visitors Bureau.

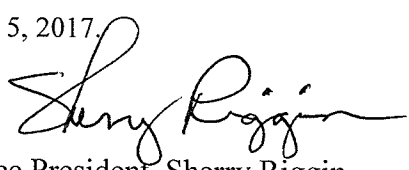
RECESS

MOTION: Commissioner Riggin made a motion to recess until June 5, 2017.

SECOND: Commissioner Henry


MOTION PASSED UNANIMOUSLY


President, James King


Vice President, Sherry Riggin


Member, Shannon Henry

Commissioners May 15, 2017 meeting


Auditor, Steven G Graycraft