

**DELAWARE COUNTY COMMISSIONER'S MEETING**  
**Monday, April 2, 2018 @ 9:00 A.M.**  
**COMMISSIONER'S COURTROOM**  
**100 W. MAIN ST.**  
**MUNCIE, IN 47305**

**ROLL CALL**

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

**ORIGINAL**

**TABLED BUSINESS**

Commissioner Riggin said she is currently working toward making an appointment to the Yorktown Public Library Board at the next Commissioners meeting.

Mr. John Brooke, County Attorney, said he is still reviewing the Medicaid for Inmates agreement. A decision could be made regarding the agreement at the April 16, 2018 Commissioners meeting.

Mr. Brooke said a bid had not been submitted, as Mr. Brooke instructed Mr. Michael Hines. Mr. Hines has not completed paperwork regarding parcel #18-03-23-289-009-000.

The Commissioners agreed to keep parcel #18-03-23-289-009-000 on the table.

**APPROVAL OF MINUTES**

MOTION: Commissioner Riggin made a motion to approve March 19, 2018 Minutes.

SECOND: Commissioner King

YEAS: Commissioner Riggin, Commissioner Henry, President King

**PRESENTATIONS TO COMMISSIONERS**

Ms. Jennifer Wilson/Crowe Chizek, presented the Delaware County Regional Wastewater Rates report.

Commissioner Henry confirmed that Muncie Sanitary District is charging 300 to 400% higher.

Mr. Brooke is an appointment to the Regional Wastewater Board. Mr. Brooke said this is an important study. Even though it was presented during January 2018 during the appeal hearing that all three areas were stand alone and that they all pay for their own way. The report shows that this is not the case. The former Executive Director said that every area stood on their own. Daleville and Westbrook are adding to the cost of Royerton. Muncie Sanitary District has a significant increase rate and residents in Royerton and Desoto are paying for projects that are going on in the Muncie Sanitary District and they are paying 300 to 400 times the cost. Royerton is paying for every gallon of water that goes through and is treated by Muncie. The report will be shared with the Board on Wednesday, April 4, 2018.

*The evaluation of the Delaware County Regional Wastewater District Rate Study of April 26, 2017, is available through the Auditor's Office*

**CONTRACTS OR AGREEMENTS FOR APPROVAL  
PSC ASSOCIATES PROPOSAL/JAMES CARMICHAEL**

Mr. James Carmichael, County Assessor, presented the PSC Associates proposal.

Mr. Brooke reviewed the contract and recommended the approval of PSC Associates.

MOTION: Commissioner Henry made a motion to approve PSC Associates four year contract.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

*Full view of agreement is available at the Auditor's office.*

**BR #204 – REPLACEMENT - AGREEMENT**

Ms. Angie Moyer, Project Manager, presented Bridge #204 agreement and recommended Hoosier Pride which was the lowest bidder.

MOTION: Commissioner Henry made a motion to approve/accept the bid of Hoosier Pride.

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

BID DATE: March 19, 2018 BID TIME: 8:50 A.M.		DELAWARE CO., INDIANA 3 COMMUNITY CROSSING PROJECT DELAWARE COUNTY BRIDGE 204 REPLACEMENT		
No.	ITEM/DESCRIPTION	HOOSIER PRIDE EXCAVATING, INC.	BEATY CONSTRUCTION, INC.	DUNCAN ROBERTSON, INC.
1	CONSTRUCTION ENGINEERING	\$4,500.00	\$6,000.00	\$7,500.00
2	MOBILIZATION & DEMOBILIZATION	\$15,000.00	\$31,725.00	\$22,500.00
3	CLEARING OF RIGHT OF WAY	\$4,500.00	\$20,000.00	\$9,000.00
4	PRESENT STRUCTURE REMOVAL	\$49,031.00	\$163,409.91	\$50,000.00
5	EXCAVATION, WET	\$14,250.00	\$85,500.00	\$5,700.00
6	EXCAVATION, FOUNDATION, UNCLASS.	\$3,939.00	\$12,120.00	\$6,060.00
7	SUBGRADE TREATMENT, TYPE II	\$5,128.00	\$8,493.25	\$3,846.00
8	AGGREGATE FOR END BENT BACKFILL	\$13,020.00	\$14,105.00	\$14,105.00
9	COMPACTED AGGREGATE NO. 53 BASE	\$4,988.00	\$5,160.00	\$6,020.00
10	QC/QA-HMA, 2,64,SURFACE 9.5MM	\$6,450.00	\$6,020.00	\$6,880.00
11	QC/QA-HMA, 2,64,INTERMEDIATE 19.0MM	\$7,455.00	\$7,100.00	\$7,810.00
12	ASPHALT FOR TACK COAT	\$129.25	\$103.40	\$103.40
13	REINFORCED CONCRETE APPROACH, 10 IN.	\$9,630.00	\$12,840.00	\$13,910.00
14	GEOTEXTILES	\$1,050.00	\$1,275.00	\$1,050.00
15	RIPRAP, CLASS 1	\$4,455.00	\$5,022.00	\$6,075.00
16	MOB/DEMOB FOR SEEDING	\$300.00	\$325.00	\$360.00
17	MULCHED SEEDING R	\$1,227.00	\$1,194.28	\$1,431.50
18	WATER	\$12.40	\$62.00	\$68.20
19	PILE, 14" DIAMETER	\$17,440.00	\$30,520.00	\$21,800.00
20	CONCRETE, C, SUBSTRUCTURE	\$74,139.00	\$85,545.00	\$96,951.00
21	REINFORCED BARS, EPOXY COATED	\$23,807.30	\$25,877.50	\$31,053.00
22	6" END BENT DRAIN	\$808.00	\$909.00	\$808.00
23	INSTALLATION OF E&H STEEL PACKAGE	\$65,067.00	\$85,000.00	\$115,000.00
24	SURFACE SEAL	\$3,500.00	\$1,600.00	\$6,500.00
25	EROSION SEDIMENT CONTROL	\$4,000.00	\$6,800.00	\$7,500.00
26	MAINTENANCE OF TRAFFIC	\$2,500.00	\$5,000.00	\$10,000.00
27	CONSTRUCTION SIGN TYPE A	\$1,400.00	\$1,200.00	\$2,000.00
28	DETOUR ROUTE MARKER ASSEMBLY	\$2,000.00	\$1,400.00	\$2,200.00
29	BARRICADE TYPE III-A	\$1,104.00	\$960.00	\$624.00
30	BARRICADE TYPE III-B	\$1,656.00	\$1,440.00	\$936.00
31	ROAD CLOSURE SIGN ASSEMBLY	\$1,500.00	\$1,375.00	\$1,250.00
32	EXCAVATION, COMMON	\$400.00	\$1,060.00	\$1,400.00
33	BORROW	\$8,640.00	\$12,720.00	\$9,600.00
34	6" DENSE GRADED SUBBASE	\$1,350.00	\$1,980.00	\$1,350.00
	<b>TOTAL BID</b>	<b>\$354,375.95</b>	<b>\$643,841.34</b>	<b>\$471,391.10</b>

### DEPARTMENT HEADS AND ELECTED OFFICIALS

\* Mr. Brooke provided an extension to the existing union contracts. Negotiations are concluded and they are working on finalizing the contract.

MOTION: Commissioner Henry made a motion to approve the extension agreement (see below).

SECOND: Commissioner Riggan

YEAS: Commissioner Riggan, Commissioner Henry, President King

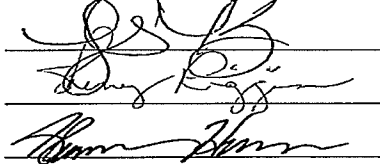
EXTENSION AGREEMENT

April 2, 2018

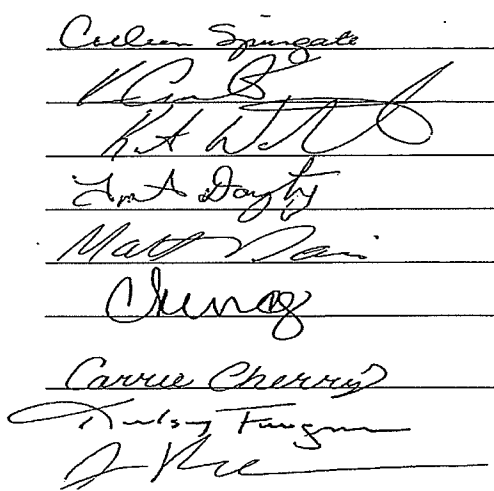
The termination date of the Agreement (including all supplements thereto, if any) between Delaware County Commissioners and Delaware County Council for Delaware County Emergency Services Communication Technicians and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and its Local 321, is hereby extended from April 2, 2018 to April 16, 2018 and thereafter on a day-to-day basis. Should either party desire to terminate the Agreement, said party shall give written notice to the other party at least twenty-four (24) hours in advance, and the Agreement shall be terminated on the date and hour specified in the twenty-four (24) hour notice.

In Witness Whereof the parties have on this 2<sup>nd</sup> day of April, 2018 caused this Agreement to be signed by their duly authorized representatives.

Delaware County, Indiana

Three handwritten signatures on horizontal lines, representing Delaware County, Indiana.

Local 321, UAW

Seven handwritten signatures on horizontal lines, representing Local 321, UAW.

\*Mr. Jason Rogers, EMS/EMA Director, presented information regarding GovDeals.  
MOTION: Commissioner Henry made a motion to approve to sell the surplus equipment (see below).  
SECOND: Commissioner Riggin  
YEAS: Commissioner Riggin, Commissioner Henry, President King



**DELAWARE  
COUNTY  
EMERGENCY  
MANAGEMENT  
AGENCY**

**JASON ROGERS**  
*Executive Director*

*210 South Jefferson Street  
Muncie, IN 47305*

*Phone: (765) 747-7719*

*Fax: (765) 747-7739*

*ema@co.delaware.in.us*

**April 2, 2018**

**Commissioners,**

**The following items have been deemed as surplus or excess inventory. In effort to utilize the GovDeals website.**

**GovDeals provides services to various government agencies that allow them to sell surplus and confiscated items via Internet auctions. The following items need your approval to be listed with GovDeals. Com**

**Item 1. 1979 Snowmobile VIN #361700294**

**Item 2. 2009 Ford Van (Old 2209) chassis VIN # 1FDWE35P59DA13735**

**Item 3. Chevy Impala VIN #2G1WF55K559320713**

**Items 4. Miscellaneous Emergency Lighting components from Emergency warning lights, including a Code 3 red light bar and Code 3 red & blue light bar.**

\*Mr. Brooke said the Commissioners previously approved a hold on CAFO permits. At the last meeting, the Commissioners received the approval from IDEM. A draft amendment was presented by Brooke to the Commissioners regarding zoning regulations. Modification on the zoning ordinance would be reviewed by Ms. Marta Moody, Plan Commission, and would need to be sent to the Plan Commissioner Board for a recommendations.

Commissioner Henry said the regulations that pertain to the current application in question would be the zoning requirements currently in effect.

Mr. Brooke confirmed they will be grandfathered in, from this point on, and won't have to abide with new requirements, but the future ones will. Some suggested regulations are setbacks to existing residences.

Commissioner Henry said the residents of Delaware understandably have been upset. Another CAFO was built last year with no one opposing the CAFO. New regulations will be reviewed, however, Henry does not want to get into legal action with the permittee. This has been approved by IDEM. Commissioner Henry would like to release the permits.

Commissioners April 2, 2018 meeting

Mr. Brooke said “for the record” legal action has been threatened.

MOTION: Commissioner Henry made a motion to release the permits.

SECOND: Commissioner Riggin

YEAS: Commissioner Riggin, Commissioner Henry, President King


**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**
*We Protect Hoosiers and Our Environment.*

 100 N. Senate Avenue • Indianapolis, IN 46204  
 (800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

 Eric J. Holcomb  
 Governor

March 22, 2018

 Bruno L. Pigott  
 Commissioner

 Rhett Light, Owner/Operator  
 1155 South Angling Pike  
 Hartford City, Indiana 47348

Dear Mr. Light:

 Re: Confined Feeding Operation  
 Approval with Construction  
 Rhett Light  
 Delaware County  
 Farm ID # 7000  
 Animal Waste Number AW-6749

Your confined feeding operation (CFO) application seeking approval for your new swine operation in Delaware County with planned construction is approved.

The application and supporting information was determined to satisfy both the Confined Feeding Control Law (IC 13-18-10), and the Confined Feeding Operation regulation (327 IAC 19). Your CFO Approval and the other enclosures to this letter provide important information about your responsibilities as a CFO owner or operator. Please take time to review these documents before putting them in your operating record. Feel free to contact us if you have any questions.

Your CFO meets the definition of a Concentrated Animal Feeding Operation (CAFO). Please note that CAFO size operations have additional requirements above those required by smaller CFOs. The requirements are explained in more detail in the Special Conditions section of this CFO Approval.

Your application proposed an alternative compliance approach (ACA) under 327 IAC 19-5-1(c). Details of this ACA are included in your CFO Approval.

You can view this document along with the final approved application and design sheets along with all public records for this CFO Approvals on IDEM's Virtual File Cabinet (VFC) website. Go to <http://vfc.idem.in.gov/Default.aspx> and use the "Document Search" tab. In the "Alternate Field" tab, select "CFO/CAFO" from the dropdown menu. Type the farm ID #, 7000; in the box to the right of the "Alternate Field". Click the **Search** button. We post documents within approximately 5 days of when we send or receive them. Contact us if you cannot locate a particular document.

A weekly posting of pending permits is located on our agency website at:  
<http://www.in.gov/idem/landquality/2349.htm>.



Full view of agreement is available at the Auditor's office

**MONTHLY/WEEKLY REPORTS**

Weights & Measures February 16, 2018 through March 15, 2018

**PAYMENTS OF CLAIMS**

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$1,324,104.21.

SECOND: Commissioner Henry

YEAS: Commissioner Riggin, Commissioner Henry, President King

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

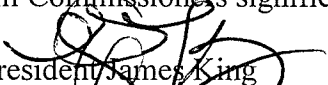
Mr. Perry Evans, Muncie, Indiana, said he understood that the Commissioners do not want to get into legal action. Mr. Evans is concerned about the CAFO, the expense of the roads and that it is 1000 ft. away from his property.

**RECESS**

MOTION: Commissioner Riggin made a motion to recess until April 16, 2018.

SECOND: Commissioner Henry

All Commissioners signified in agreement by saying "aye".

  
President James King



Vice President Sherry Riggin

Member Shannon Henry



Auditor, Steven G. Craycraft

