ROLL CALL
Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggin
Mr. John Brooke, Attorney
Mr. Charlie Richmond, Deputy Auditor

APPOINTMENTS
MOTION: Commissioner King made a motion to reappoint Mr. Scott Alexander, Mr. Cary Malchow and Ms. Rosa Selvey to Civic Center Authority Board. The term is July 1, 2019 through June 30, 2021.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin

APPROVAL OF MINUTES
MOTION: Commissioner King made a motion to approve May 6, 2019 minutes.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin

CONTRACTS OR AGREEMENTS FOR APPROVAL
BULLET RESISTANCE MATERIAL FOR JUDGES BENCH AT JUVENILE COURTS
Judge Dowling, Judge Circuit Court II, gave an update on current problems concerning Comcast and Odyssey.

Judge Dowling presented Option #1 and Option #2 regarding materials for the bullet resistance bench at Juvenile Court (see below).

MOTION: Commissioner King made a motion to approve option #2 for $9,200, see below.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin

Mr. Jim Flook, IT Director, provided additional information about Comcast support. The Comcast circuit is not running at its potential, there is a firewall issue regarding Odyssey. Both problems are being investigated for a solution. Plan B would be to go with wireless point to point.

Contract was not provided for materials.
Jennifer Honeycutt

From: Emily Anderson
Sent: Tuesday, May 14, 2019 2:04 PM
To: Jennifer Honeycutt
Subject: Bullet Resistant Material-Juvenile Court’s Judge’s Bench

This is the information I sent to the commissioners. You could print out for them so they can have it in front of them. Thanks.
Emily

David…. Please see the two options below….. There is a total of 8 optional materials to choose from. A 100 grade[ Stops a 9mm to A 800 grade][ Stops a M-14] I chose two mid range materials. Please discuss these options with the country first if I need to upgrade or degrade these I can requote.

The install would be to the inside of the bench as we discussed on site. Seeing how the exterior panels are laminate this seems to be the most economical manner to address this.

**General Conditions:**

**$357.88**

#1 Armorex OF 300:
Option stops up to a .44 Magnum Gun.

#2 Armorex OF 500:
Option stops up to a 7.62 Rifle Gun.

Option #1 Total: $2161.14

Option #2 Total: $3056.21

Regards,…Mike Tschuor

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From: Jennifer Honeycutt
Sent: Tuesday, May 14, 2019 1:58 PM
To: Emily Anderson <eanderson@co.delaware.in.us>
Subject: RE: Proposed Agenda:

Is there any paperwork you want put into the folders or will it just be discussion based...

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From: Emily Anderson
Sent: Tuesday, May 14, 2019 1:55 PM
To: Jennifer Honeycutt <jhoneycutt@co.delaware.in.us>
Subject: RE: Proposed Agenda:

Please add the following to the agenda for Monday, May 20th at 9:00 a.m.
Judge Dowling – Bullet Resistant Material for Juvenile Court’s Judge’s Bench

Is there any way possible that she can go at the beginning of the meeting? She has a full docket that morning? Please let me know. Thanks.
Emily

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COMMUNITY CORRECTIONS VEHICLE DONATION

Ms. Jayne Meranda, Community Corrections Director, requested that their old Community service van be donated to Prairie Creek once Community Correction receives their new van. The van needs to be serviced with the cost being approximately $6,000-$7,000. Prairie Creek is aware of the service needed for the van. The van is worth $6,500. Prairie Creek will help Community Corrections with transport of crews.

MOTION: Commissioner King made a motion to approve Community Corrections request to donate the van to Prairie Creek.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin
COMMUNITY CORRECTIONS JAIL RELEASE CONTRACT

Ms. Meranda said it was decided to move the contract to a calendar year since the State moved DOC budget to a calendar year. Community Corrections changed monitoring companies and the new contract reflects the new terminology.

MOTION: Commissioner King made a motion to approve Community Corrections Jail Release contract ending December 31, 2020.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin
CONTRACT FOR ELECTRONIC MONITORING OF INMATES FROM DELAWARE COUNTY JAIL BY DELAWARE COUNTY COMMUNITY CORRECTIONS

THIS CONTRACT made and entered into this 20th day of MAY, 2019 by and between DELAWARE COUNTY COMMUNITY CORRECTIONS (hereinafter DCCC), DELAWARE COUNTY COMMISSIONERS, and DELAWARE COUNTY SHERIFF’S OFFICE.

WHEREAS, the DCCC proposes to offer Pretrial Global Positioning System (GPS) Monitoring, COURTFACT Monitoring, and Remote Breath Monitoring of inmates placed in the Delaware County Jail to reduce jail population, and

WHEREAS, the parties have reached an agreement concerning the arrangement for such payment to DCCC from the Delaware County Commissioners for providing Pretrial GPS, COURTFACT, or Remote Breath Monitoring and supervision of inmates by referral from the Delaware County Courts and/or Delaware County Sheriff Department to the Pretrial GPS, SmartLink, or SoberLink Monitoring Programs.

NOW THEREFORE, in consideration of the parties hereto agree to as follows:

DCCC will offer to accept no more than one hundred fifty (150) inmates in the Pretrial GPS, COURTFACT, or Remote Breath Monitoring to assist in reduction of the population in the Delaware County Jail.

As to the GPS monitoring DCCC will invoice monthly the Delaware County Commissioners an initial fee of $10.00 per client and $14.00 per day to cover the cost of equipment rental, monitoring, and supervision.

As to COURTFACT or Remote Breath monitoring, DCCC will invoice monthly the Delaware County Commissioners an initial fee of $10.00 per client and $10.00 per day to cover the cost of equipment, monitoring, and supervision.

DCCC will supervise all Pretrial Electronic Monitoring clients, provide them with case management, weekly appointment schedules, and complete random drug screens deemed necessary by the case manager or as requested by the courts. Drug screens will be invoiced monthly to the Delaware County Commissioners at a rate of $15.00 per drug screen.

- Conditions for acceptance:
  a. residence in Delaware County or contiguous county
  b. court status that is pretrial or pending violation
  c. sign and abide by all rules set by the Pretrial Electronic Monitoring Program

- Referral process:
  a. Jail Supervisor shall notify the Home Detention Supervisor of a potential participant by forwarding their information.
  b. Referral by the Delaware County Courts.
c. Home Detention staff shall check the jail list daily and process any individual who may qualify for the program with the assistance of jail staff and Delaware County Courts.

- Violations: If a client violates the rules of Pretrial GPS, COURTFACT, or Remote Breath Monitoring Program notification will be sent by DCCC to the Sheriff's staff and/or the presiding court.
- Equipment Charges: If the client damages, cuts off, or discards the any equipment, DCCC shall notify the Sheriff's Office of the violation and County Commissioners of their financial obligation for reimbursement to DCCC for equipment replacement cost.

Reimbursement costs are:

a. GPS replacement $725 per transmitter, $25 per power cord, and $75 per strap.

b. Remote Breath replacement $1200 per device.

Delaware County Commissioners will be responsible for payment of any and all financial cost incurred by DCCC for supervision of the clients resulting from placement in the Pretrial GPS, COURTFACT, or Remote Breath Programs.

Delaware County Sheriff's Office is obligated to provide up to one hundred fifty (150) inmates that meet conditions for acceptance for the Pretrial GPS, COURTFACT, or Remote Breath Monitoring Programs.

This CONTRACT will be in effect from the date signed until 31st day of December, 2020 and made renewable/changeable with agreement between both parties each year thereafter.

Signed this 21st day of May, 2019 by and between:

Sherry Riggin, President
Delaware County Commissioner

Jayne Meranda,
DCCC, Executive Director

Shannon Henry, Vice President
Delaware County Commissioner

Tony Skinner
Delaware County Sheriff

James King
Delaware County Commissioner

Steve Craycraft
Delaware County Auditor

Charles E. Richmond
INDIANA FINANCE AUTHORITY SUPPLEMENTAL ENVIRONMENT PROJECT FINANCIAL CONTRACT CR3, PHASE II ANALYSIS FOR TIRE FACILITY.

Mr. Brooke said this contract is for CR3, phase II. There had been issues with phase I so it automatically goes into phase II.

Mr. Bill Walters, Economic Development, said phase II will help to get to the “no further action letters”. This property will then be placed back on the property roll
MOTION: Commissioner Henry made a motion to approve Indiana Finance Authority Supplemental Environment Project Financial Assistance agreement.
SECON: Commissioner King
YEAS: Commissioner Henry, Commissioner King, President Riggin
Mr. Brad Bookout is getting signatures, full agreement available in the Auditor’s office.
INDIANA FINANCE AUTHORITY  
SUPPLEMENTAL ENVIRONMENTAL PROJECT  
FINANCIAL ASSISTANCE AGREEMENT

This Financial Assistance Agreement ("Agreement"), entered into by and among the Indiana Finance Authority ("Authority"), the Supplemental Environmental Project ("SEP") Recipient ("SEP Recipient") (as denoted on the attached Master Schedule, which is incorporated herein by this reference, "Master Schedule"), and the Consultant named in the attached "Consultant Supplement" (when such supplement has been executed and delivered to the Authority as set forth in Section 3A herein), is executed pursuant to the terms and conditions set forth herein and shall be effective as of the date of the last signature of a party ("Effective Date"). In consideration of the mutual covenants, obligations and stipulations set forth in this Agreement, the parties agree as follows:

1. PURPOSE OF THIS SEP AGREEMENT:

The purpose of this Agreement is to make a conditional grant in the amount not to exceed the Supplemental Environmental Project Funds ("SEP Funds") (as denoted in the Master Schedule as modified from time to time) held in a sub-account of the Environmental Remediation Revolving Loan Fund ("Brownfields Fund") for the benefit of the SEP Recipient to provide for the payment of eligible costs and expenses incurred by the SEP Recipient in the completion of all activities, work, services and reports required to be undertaken pursuant to this Agreement ("Project Activities") including as outlined in the Scope of Work, attached hereto as Exhibit A of this Agreement, as the site denoted on the attached Master Schedule ("Site"). SEP Funds shall be used exclusively in accordance with this Agreement and in accordance with Ind. Code 13-19-5 et seq. (the "Act"). The SEP Funds are being made available to the SEP Recipient as the result of an Agreed Order executed between the Indiana Department of Environmental Management ("IDEM") and LAL Acquisition, Inc., in Case No. 2017-24700-R dated February 7, 2019. As used in this Agreement, "Project Activities" means those activities, including, but not limited to assessment and/or remediation activities, that are generally described in the Scope of Work in Exhibit A of this Agreement.

2. TERM OF AGREEMENT; COMPLETION OF PROJECT ACTIVITIES:

A. This Agreement shall be effective as of the Effective Date for the Term set forth in the Master Schedule, unless modified or extended pursuant to the provisions of this Agreement.

B. Within 2 years from the Effective Date or, if sooner, by each activity-based deadline otherwise noted in any Scope of Work or Workplan attached as Exhibit A (each a "Completion Deadline Date"), all Project Activities must be completed to the satisfaction of the Authority consistent with its rules, regulations, policy memorandum, guidelines and directives applicable to a SEP project as modified from time to time by the Authority's board ("Guidelines") attached as Exhibit B. The SEP Recipient may request that any such Completion Deadline Date be extended. If approved by the Authority, the Completion Deadline Date will be extended to the date set forth in such approval; however, all other provisions of this Agreement shall remain the same and in full force and effect. Additionally, in the event the Authority determines that the SEP Recipient or the selected environmental consultant(s) ("Consultant") is not working with reasonable dispatch toward completing the Project Activities under this Agreement, the Authority may unilaterally fix and determine the new Completion Deadline Date to be any date that is at least 90 days after the date notice is given by the Authority to the SEP Recipient, provided that such new Completion Deadline Date is no sooner than 1 year after the Effective Date. This Agreement shall be deemed to be substantially performed only when fully performed according to its terms and conditions and any written amendments or supplements.
ORDINANCES FOR SECOND READING
AN ORDINANCE AMENDING TITLE 4 OF THE DELAWARE COUNTY CODE DUE TO ENACTMENTS BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA
ORDINANCE NO. 2019-012

MOTION: Commissioner King made a motion to approve an Ordinance Amending Title 4 of the County Code due to Enactments by the General Assembly of the State of Indiana, Ordinance 2019-012.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin

ORDINANCE NO 2019-012
AN ORDINANCE AMENDING TITLE 4
OF THE DELAWARE COUNTY CODE DUE TO ENACTMENTS BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA

WHEREAS, In 2019 the General Assembly of the State of Indiana enacted Senate Bill 142/Public Law 3 creating IC 36-1-27, entitled BUILDING PERMIT CONFLICT OF INTEREST where “conflict of interest” means a direct or indirect financial interest in the issuance of a permit; and

WHEREAS. The chapter prescribes a unit shall adopt an ordinance to establish a procedure to address a conflict of interest that will prevent a building commissioner, building code official, or inspector from issuing a permit, and that creates a procedure to report a conflict of interest and a procedure to appoint a temporary replacement; and

WHEREAS, The General Assembly of the State of Indiana amended several building and fire codes in 2014 and Title 4 of the Delaware County Code shall be amended to reflect the changes.

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

Section 1. That following new section shall be added to Title 4 Chapter 1 of the Delaware County Code and existing sections at the point of insertion shall be renumbered accordingly:

4-1-2 Building Permit Conflict of Interest

1. As used in this chapter, “conflict of interest” means a direct or indirect financial interest in the issuance of a permit.
2. The Building Commissioner, or a building inspector of Delaware County, may not issue a permit or oversee the issuance of a permit through a subordinate if the Building Commissioner or inspector has a conflict of interest.
3. If the Building Commissioner, or a building inspector, has a conflict of interest with an application for a permit, he shall report the conflict to the Director of the Delaware-Muncie Metropolitan Plan Commission. The Director shall contact the Building Commissioner of Yorktown or the Building Commissioner of Muncie and request one of them to review the permit application, and if approved, issue the permit, and conduct the required inspections during construction.

Section 2. Title 4-1-4 of the Delaware County Code entitled Adoption of Regulations by Reference shall be amended as follows:

1

2. 4-1-4.4 Indiana Mechanical Code, 2008 Edition (675 IAC 18-1.3) shall be amended to read, 2014 Indiana Mechanical Code (675 IAC 18-1.6-1), which identifies, amends and incorporates therein the International Mechanical Code, 2012 Edition, first printing, as published by The International Code Council, Inc.


Adopted this ___ day of May, 2019.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, INDIANA

BY:

Sherry Riggin, President

James King, Commissioner

Shannon Henry, Commissioner

ATTEST:

Steven G. Craycroft, Auditor
Delaware County, Indiana
SENATE ENROLLED ACT No. 142

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 36-1-27 is added to the Indiana Code as a new chapter to read as follows [effective July 1, 2019]:

Chapter 27. Building Permit Conflict of Interest

Sec. 1. As used in this chapter, "conflict of interest" means a direct or indirect financial interest in the issuance of a permit.

Sec. 2. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109(b).

Sec. 3. A building commissioner, building code official, or inspector of a unit may not issue a permit or oversee the issuance of a permit through a subordinate if the building commissioner, building code official, or inspector has a conflict of interest.

Sec. 4. (a) Except as provided in subsection (c), a unit shall adopt an ordinance to establish a procedure to address a conflict of interest that prevents a building commissioner, building code official, or inspector from issuing a permit under section 3 of this chapter.

(b) An ordinance adopted under this section must include the following:

(1) A procedure for the building commissioner, building code official, or inspector to report a conflict of interest.

(2) A procedure for appointing a qualified temporary
replacement building commissioner, building code official, or inspector in the case of a conflict of interest.

(c) An ordinance adopted by a unit before July 1, 2019, satisfies the requirements of this section if the ordinance includes the procedures required by subsection (b).
RESOLUTION
AN AMENDMENT TO THE RESOLUTION APPROVING A FIXED AMOUNT OF COMPENSATION CONTRACT WITH THE SHERIFF OF DELAWARE COUNTY
RESOLUTION 2019-002A

Mr. Brooke said this is an amendment from the adoption in February 2019. The Sheriff is acceptable of the Resolution/contract. This will be retroactive back to January 1, 2019.

MOTION: Commissioner King made a motion to approve Resolution 2019-002A, An Amendment to the Resolution Approving a Fixed Amount of Compensation with Sheriff of Delaware County.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

President Riggin congratulated Mr. Tony Skinner, Sheriff of Delaware County, for hosting the Vice-President of United States, Mr. Michael Pence.

Mr. Skinner said his Deputies had a great time counter partnering with Secret Service for the week. Mr. Skinner was proud of his staff. Mr. Skinner said the annual Inspection Jail report should be finished soon.
BOARD OF COMMISSIONERS OF DELAWARE COUNTY

RESOLUTION NO. 2019–002A

AN AMENDMENT TO THE RESOLUTION APPROVING A FIXED AMOUNT OF COMPENSATION CONTRACT WITH THE SHERIFF OF DELAWARE COUNTY, INDIANA

WHEREAS, Indiana Code (“IC”) 6-8.1-8-3(c)(3) provides that a Sheriff is entitled to keep a collection fee equal to ten percent (10%) of monies collected through certain tax warrant levy proceedings; and

WHEREAS, Delaware County (“County”) pursuant to IC Section 36-2-13-2.8(c)(5), must pay Sheriff a minimum salary equal to ninety percent (90%) of the annual minimum salary that is paid by the state to a full-time prosecuting attorney in the County; and

WHEREAS, the Delaware County Council (“Council”) and the Delaware County Board of Commissioners (“Commissioners”), in consideration of Sheriff’s assignment of such monies that he would be entitled to keep as his fee on the levy of tax warrants to the Delaware County General Fund, are willing, pursuant to IC 36-2-13-2.5, to approve a fixed amount of compensation to be paid Sheriff in place of such fee compensation; and

WHEREAS, the parties have agreed to such a revised contract in the form attached hereto, marked “Exhibit A” and made a part of this Resolution;

WHEREAS, the year 2019 is the first year in office for the Delaware County Sheriff and pursuant to IC 36-2-5-13(b) the compensation of the Sheriff should be changed as per the contract.
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, Indiana, that that certain Sheriff's Salary Contract for the Sheriff of Delaware County, Indiana, establishing a fixed amount of compensation for the calendar year 2019 through 2022 (a true copy thereof being attached hereto, marked “Exhibit A” and made a part of this Resolution) is hereby APPROVED and made effective January 1, 2019.

DULLY ADOPTED this 10 day of May, 2019.

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA

By: 

Sherry Riggin, President

Shannon Henry, Vice President

James King, Member

ATTEST:

Steven G. Craycraft, Auditor

Charles E. Richmond
DEPARTMENT HEADS AND ELECTED OFFICIALS
VETERANS AFFAIRS INITIATIVES AND UPDATES

Mr. Nate Jones, Veterans Affairs Office, provided an update on the Veterans vehicle recently purchased to transport Veterans.

Mr. Jones gave recognition to Fraternal Order of Eagles for the $5,000 donation toward the Veterans vehicle. The group donated an additional $10,000 to the Veterans office.

Representatives from the group was presented a certificate of appreciation from the Commissioners and Veterans Office.

Mr. Jason Rogers, EMA/EMS Director, provided information about the recent shootings in Muncie, Indiana on May 18, 2019. Mr. Rogers gave recognition to his staff for their hard effort regarding the shootings.

Mr. Charlie Richmond, Chief Deputy Auditor, said because of the deed sale, the county brought in $416,000. The next sale will be August 13, 2019.

Mr. Richmond gave appreciation for the successful deed sale to the Commissioners, Mr. Brooke, Mr. Joe Rhett, Ms. Heather Ruddick, Mr. Josh Taulbee, Ms. Janet Kesler, Mr. Ed Carroll and his staff.

President Riggin said the Sheriff’s office had done a great job keeping the Vice-President safe during his recent visit.
### 2019 Commissioners Deed Sales

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<th>Description</th>
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<td>$416,200.00</td>
<td>Sold in Deed Sale</td>
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<td>&quot;Collected&quot; Money raised from Deed Sale</td>
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<td>Number of Buyers</td>
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**MONTHLY/WEEKLY REPORTS**

**PAYMENTS OF CLAIMS**

MOTION: Commissioner King made a motion to approve claims in the amount of $2,037,842.83.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

RECESS
MOTION: Commissioner King made a motion to recess until June 3, 2019.
SECOND: Commissioner Henry
YEAS: Commissioner Henry, Commissioner King, President Riggin

President, Ms. Sherry Riggin
Vice President, Mr. Shannon Henry

Member, Mr. James King
Auditor, Mr. Steven G Craycraft