

MONDAY JULY 15, 2019 @ 9:00 A.M.  
COMMISSIONER'S COURTROOM  
COMMISSIONER MEETING  
100 W. MAIN STREET  
MUNCIE, IN 47305  
PLEDGE TO FLAG

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

**APPOINTMENT**

MOTION: Commissioner King made a motion to appoint Ms. Lyndsey Wilmes, Adult Probation Representative, of Community Corrections Advisory Board. Term is July 2019 through June 2023.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

**TABLED BUSINESS**

Flatland Resources - Fairgrounds ADA Compliance Project

MOTION: Commissioner King made a motion to keep Flatland Resources agreement on the table.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

**APPROVAL OF MINUTES**

MOTION: Commissioner King made a motion to approve July 1, 2019 Commissioner minutes.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

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**CONTRACTS OR AGREEMENTS FOR APPROVAL**

Ms. Marta Moody, Executive Director for Delaware Muncie Metropolitan Plan Commission, and Mr. Spencer O'Dell, AR Engineering, presented information on a plat for ABC-DG subdivision. The Plat Committee met and made several changes to the drawing. Acceptance of Right-of-way would need approval from the Commissioners. The Plat Committee approved the plat, pending changes to the drawing and subject to acceptance from the Commissioners. The land is zoned Variety Business. A drainage permit and driveway permit would be needed but this is the first step in creating lot 1 (is containing the ABC existing building) and lot 2.

Mr. O'Dell said the plat is for Dollar General.

MOTION: Commissioner King made a motion to approve.

There was no second. Commissioner Henry stated he would like to take the plat under advisement.

MOTION: Commissioner King made a motion to table Plat for ABC-DG subdivision.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

#### **RESOLUTIONS FOR APPROVAL**

#### **RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO TRANSFER COUNTY OWNED REAL PROPERTY TO THE TOWN OF YORKTOWN**

#### **RESOLUTION 2019-025**

MOTION: Commissioner King made a motion to approve Resolution 2019-025, to Transfer County Owned Real Property to the Town of Yorktown.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

ORIGINAL

## RESOLUTION NO. 2019-025

**RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO  
TRANSFER OF COUNTY-OWNED REAL PROPERTY TO THE TOWN OF YORKTOWN**

*WHEREAS*, the Delaware County Board of Commissioners own a certain piece of real property located in the Town of Yorktown, Indiana, pursuant to a Tax Deed issued in July, 2019 (hereinafter, the "Property");

*WHEREAS*, the Property is specifically identified as follows:

<b>STATE PARCEL ID:</b>	<b>18-10-15-252-036.000-017</b>
<b>LEGAL DESC.:</b>	<b>Part of Northeast Quarter Evergreen West Section 2 Detention Pond Section 15, Township 20 North, Range 9 East 1.80 acres, said plat recorded in Plat Book 15, page 70 of the records of the Recorder of Delaware County, Indiana.</b>
<b>COMMON ADDRESS:</b>	<b>8600 Blk Celedon Drive Yorktown, Indiana 47396</b>

*WHEREAS*, the Town Council for the Town of Yorktown, Indiana desires to acquire the Property from the Delaware County Commissioners to be used in the future for various Town-related purposes; and

*WHEREAS*, the Delaware County Commissioners desire to transfer said property to the Town of Yorktown, Indiana, subject to acceptance of said property by the Town.

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

1. The Delaware County Board of Commissioners shall transfer the Property referenced herein to the Town of Yorktown, upon acceptance of the Property by the Town and upon the Town's payment in the sum of Three Hundred Fifty and 00/100 Dollars (\$350.00) to Delaware County as reimbursement of the County's acquisition costs for the Property.
2. The Town's acceptance of the Property shall be demonstrated by the adoption of a substantially similar resolution by the Town Council for the Town of Yorktown, Indiana indicating its acceptance of the Property from the Delaware County Board of Commissioners.
3. The Delaware County Auditor shall provide an executed copy of this Resolution to the Town Council for the Town of Yorktown, Indiana and, upon receipt of a substantially

similar resolution adopted by the Town Council for the Town of Yorktown, Indiana, the President of the Delaware County Board of Commissioners shall be authorized to execute all necessary documents to facilitate and carry out said transfer of the Property to the Town of Yorktown.

4. This Resolution shall be effective upon adoption.

*DULY ADOPTED* by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 15 day of July, 2019.

DELAWARE COUNTY  
BOARD OF COMMISSIONERS

  
Sherry Riggan, President

  
James King, Commissioner

  
Shannon Henry, Commissioner

ATTEST:

  
Steven Craycraft, Auditor  
Delaware County, Indiana

A RESOLUTION OF DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS  
IDENTIFYING A TAX SALE CERTIFICATE TO BE TRANSFERRED TO A NONPROFIT  
ENTITY PURSUANT TO IND. CODE 6-1.1-24-6.7  
RESOLUTION 2019-026

President Riggin said this parcel is for Muncie Mission.

MOTION: Commissioner King made a motion to approve Resolution 2019-026, Identifying a Tax Sale Certificate to be Transferred to a Nonprofit Entity Pursuant to Indiana Code 6-1.1-24-6.7

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggin

*ORIGINAL*

RESOLUTION NO. 2019-026

**A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF  
COMMISSIONERS IDENTIFYING A TAX SALE CERTIFICATE TO BE  
TRANSFERRED TO A NONPROFIT ENTITY PURSUANT TO IND. CODE § 6-1.1-24-6.7**

*WHEREAS*, Ind. Code § 6-1.1-24-6.7 sets out the procedures the Board of Commissioners may utilize to transfer property to a nonprofit entity;

*WHEREAS*, the Board of Commissioners has identified the following parcel of real property for which the Board of Commissioners currently hold the tax sale certificate, has been in one or more tax sales, and has taxes which remain severely delinquent:

Parcel ID No.:	18-11-16-485-005.000-003
Parcel Address:	1710 S. Liberty St., Muncie, IN 47302
Certificate No.:	181800946
Delinquent Taxes:	\$ 11,590.10

*WHEREAS*, the Board of Commissioners now desires to transfer the tax sale certificate for the above-referenced property to a nonprofit entity for use for the public good;

*WHEREAS*, the Board of Commissioners intends to accept written applications from eligible nonprofit entities that satisfy the requirements of Ind. Code § 6-1.1-24-6.7 and desire to have the tax sale certificate for the identified property assigned to them; and

*WHEREAS*, the Board of Commissioners will conduct a public hearing conduct a public hearing to consider all submitted applications and hear any opposition to the proposed assignment.

*IT IS THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:*

**SECTION 1.** The Board of Commissioners hereby identifies the above-referenced property as one for which the Board of Commissioners holds the tax sale certificate and desires to assign said certificate to a nonprofit entity for use for the public good.

**SECTION 2.** The Board of Commissioners will conduct a public hearing to consider the assignment of the tax sale certificate to a nonprofit entity and said public hearing shall occur on

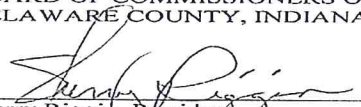


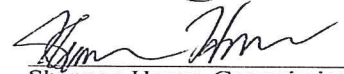
the 5th day of August, 2019, at 9:00 a.m. in the Delaware County Commissioner's Courtroom, Room 309, 100 West Main Street, Muncie, Indiana 47305.

**SECTION 3.** The Board of Commissioners shall cause to be published a notice regarding the public hearing and, prior to said public hearing, will accept written applications that are in compliance with the requirements of Ind. Code § 6-1.1-24-6.7(h) from eligible nonprofit entities that desire to have the tax sale certificate for the identified property assigned to them and consider said applications prior to making a final determination concerning the assignment of the certificate.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ON THIS, THE 15 DAY OF July, 2019.

BOARD OF COMMISSIONERS OF  
DELAWARE COUNTY, INDIANA

  
Sherry Riggins, President

  
Shannon Henry, Commissioner

  
James King, Commissioner

ATTEST:

  
Steven Craycraft, Auditor  
Delaware County, Indiana

# DEPARTMENT HEADS AND ELECTED OFFICIAL

Ms. Melanie Marshall, Fair Board member, promoted the Delaware County 2019 Fair.

Commissioner Henry asked Mr. Jason Rogers, EMS Director, if the City of Muncie had contacted him regarding EMS agreements.

Mr. Rogers, said no one has contacted him regarding agreements for the City of Muncie and Delaware County regarding the plan for city ambulances.

Mr. John Quirk, Attorney for City of Muncie, sent a letter to Mr. John Brooke, County Attorney, regarding city ambulance services (see below).

## QUIRK & HUNTER, PC

Attorneys at Law

Jack A. Quirk  
John A. Quirk

Joseph P. Hunter

Ana M. Quirk  
Megan B. Quirk

July 2, 2019

John Brooke  
112 E Gilbert St  
Muncie IN 47305  
Via: Hand delivered

RE: Letter dated July 1, 2019 titled City Ambulance Services

Dear John,

This letter is in reference to the above entitled correspondence. The City of Muncie has received your letter dated July 1, 2019 as well as your letter dated June 3, 2019. The City of Muncie was not aware that they needed to provide a plan of any type to the Delaware County Commissioners for the actions they take in The City of Muncie. The last communication we had with the commissioners on this topic we were told "we can do whatever we want." However, to show to Mr. Rhett that this has been "taken care of", Muncie Fire Chief Eddie Bell has already scheduled a meeting with the 911 Director. This meeting has been scheduled to move forward with this great opportunity to protect the citizen of Muncie, to save lives and continue the outstanding work of the City of Muncie First Responders.

Sincerely,

  
John Quirk  
Attorney at Law

JQ:jam

Cc: Board of Commissioners  
City Council Members  
Chief Eddie Bell  
Honorable Dennis Tyler

117 East Main Street - Muncie, Indiana 47305 - Telephone (765) 288-5035 - Fax (765) 288-0205

Commissioner meeting July 15, 2019

Discussion continued between the Commissioners, Mr. Rogers and Mr. Paul Singleton, Director of 911.

There is not a clear understanding of what is expected from Delaware County. The Commissioners are concerned for taxpayers of Delaware County and many questions that are unanswered, due to not having a solid plan.

Mr. Singleton said he met with Mr. Eddie Bell, Muncie Fire Chief, and Ms. Rachel Clark regarding dispatching units. A follow-up meeting will take place to lock down more information. Singleton's understanding is there is no effective date.

There is no new information on an interlocal agreement between the county and city.

Mr. Rogers said with Council's approval, he has presented a plan to give paramedics a pay raise, potentially, if passed, this will be broken up through classifications. This is an encouragement for employees to stay with Delaware County and to help retain employees. Rogers said this should be approved during July 2019 Council meeting and then approved for 2020 budget.

Ironman 2019 was a success.

Rogers has one vehicle that will be sold through auction.

MOTION: Commissioner Henry made a motion to approve the sale of vehicle.

SECOND: Commissioner King

YEAS: Commissioner Henry, Commissioner King, President Riggins

Sheriff Tony Skinner agreed with Mr. Rogers that Ironman 2019 was a success.

Sheriff Skinner said he and his officers will be at the Delaware County Fair during the week of July 15 through July 20, 2019.

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#### **PAYMENTS OF CLAIMS**

MOTION: Commissioner King made a motion to approve claims in the amount of \$1,837,327.20.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

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

No comments

#### **RECESS**

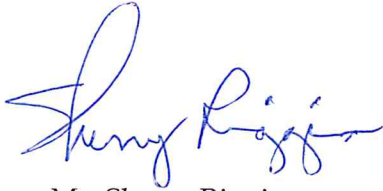
MOTION: Commissioner King made a motion to recess until August 5, 2019.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner King, President Riggins

Commissioner meeting July 15, 2019

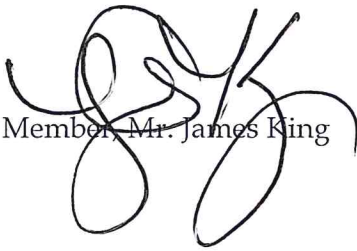




President, Ms. Sherry Riggin



Vice President, Mr. Shannon Henry



Member, Mr. James King



Auditor, Mr. Steven G Craycraft