

DELAWARE COUNTY COMMISSIONER'S MEETING

Monday, November 2, 2020 @ 9:00 A.M.

100 W. MAIN ST.

MUNCIE, IN 47305

QUESTIONS MAY BE DIRECTED TO COMMISSIONERS @CO.DELAWARE.IN.US

PLEDGE TO FLAG

ORIGINAL



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

APPROVAL OF MINUTES

MOTION: Commissioner Riggan made a motion to approve October 19, 2020 Commissioner Minutes.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

CONTRACTS OR AGREEMENTS FOR APPROVAL

EMERGENCY DECLARATION 2020-018

Mr. John Brooke, County Attorney, presented Emergency Declaration 2020-018.

MOTION: Commissioner Riggan made a motion to approve Emergency Declaration 2020-018.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggan, President Henry

**Disaster Emergency Declaration
2020-18**

Delaware County, Indiana

- WHEREAS,** the President of the United States, on March 13, 2020, has declared a nationwide emergency concerning the spread of COVID-19 viral infections, and
- WHEREAS,** the Governor of the State of Indiana, on March 16, 2020, has made an emergency declaration in response to the Coronavirus (COVID-19) disease epidemic; and
- WHEREAS,** the County Health Officer has determined that certain measures should be put into place to lessen the potential spread of the COVID-19 virus including the closing of some local businesses; and
- WHEREAS,** pursuant to I. C. 10-14-3-29(a) the Board of Commissioners of Delaware County, IN hereby makes a local disaster emergency declaration; and
- WHEREAS,** the trend in Delaware County for the past month has shown a significant increase in COVID-19 cases and the positivity rate for the last 7 days is 9.4% for the County; and
- WHEREAS,** there have been a total of 3,263 cases in Delaware County to date with an increase of 1,043 cases in October alone and IU Ball Memorial Hospital is at or near capacity; and
- WHEREAS,** younger members of the populace have been testing positive in greater numbers as well as greater illness rates among younger and younger people; and
- WHEREAS,** the Board of Commissioners of Delaware County, Indiana have determined that in response to the emergency believes that an Emergency Declaration is appropriate for the citizens of Delaware County and that the Emergency Declaration should be extended.

NOW THEREFORE WE, THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA HEREBY DECLARE THAT:

1. A local public health disaster continues to exist in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the entire County, including incorporated areas for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County and the restoration of local

government with a minimum of interruption. **This Emergency Order is effective immediately and shall be in place until the end of business November 16, 2020.**

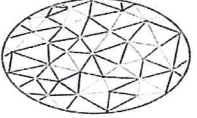
2. All employees in any county facility shall wear a face covering their nose and mouth at all times except while working in their own workspace, provided that the workspace is spaced more than 6' from other work spaces. Additionally, employees shall not be required to wear facial coverings when working outside (if they are working in an environment that allows for social distancing), in a vehicle by themselves or working remotely. Employees of the County shall also wear facial coverings when moving about the hallways, common areas, restrooms or other areas of the County facilities when not at their work space.
3. All members of the public that conduct business in any county building or facility shall maintain a social distance of at least 6 feet between individuals at all times and shall wear a face covering over the nose and mouth when inside any public building or other indoor space open to the public. This does NOT apply to private offices, private workplaces or meetings where social distancing can be achieved and maintained between people not in the same household. Member of the public are required to wear a face mask or other covering which covers the person's mouth and nose during their business in the County Building unless the member of public prohibits a face covering because of an underlying health condition prohibits wearing a face covering.
4. In instances where an individual must visit a retail business, the business shall follow the proper social distancing requirements in Executive Order 20-43 and the guidelines from the Center for Disease Control (CDC).
5. Those residents that meet the below stated criteria are not required to wear a facial covering:
 - a. Under 2 years of age;

PRESENTATIONS

Ms. Kyra Zylstra, Future of Work Muncie presented "The Future of Work". The Future of Work initiative is a network of citizens, businesses, nonprofits, and educational organizations working together to link existing assets and co-create solutions to 21st-century workforce needs.

THE FUTURE OF WORK

The Future of Work initiative is a network of citizens, businesses, nonprofits, and educational organizations working together to link existing assets and co-create solutions to 21st-century workforce needs.

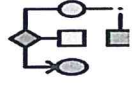


Web of Support
Everybody Succeeds

Building a connected, thriving and resilient community.

The Muncie Action Plan led Web of Support: Everybody Succeeds is a local mentoring initiative that uses a relational approach to help youth and adults identify, expand and strengthen their own support systems.


- Web of Support trainings and presentations
- Support for organizations and educators
- Connection and networking events for mentorship opportunities



Person Centered Workforce Development
Supporting a strong current and future workforce

An initiative to support a strong current and future workforce by creating opportunities for community members, business owners, and organizational leaders to explore new ideas, create connections, and design and implement programs that foster engagement, inspire innovation, and drive productivity.

- Strategic Doing: Agile strategy leadership
- Retirees Entrepreneurial Club
- Support for makers and emerging workforce






MUNCIE TECHNOLOGY AND ENGINEERING NETWORK

MTEN operates as a key convener to link and promote science, technology, engineering, and math (STEM) educational programming in Delaware County.

Elevating STEM education and opportunities



- K-12 Explorer Workshops
- Purdue Polytechnic trainings and certifications
- I AM THE FUTURE OF WORK career profile interview videos
- ECI VEX Robotics League







FOR MORE INFO

CONTACT: Kyra Zylstra
Kyra@sustainablemuncie.org

Future of Work Muncie
www.sustainablemuncie.org/future-of-work

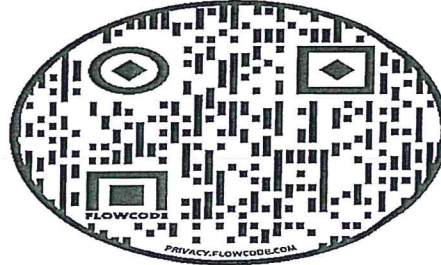
M  @mtenmuncie  @mtenmuncie

 @MuncieWeb  @muncie_web

THE FUTURE OF WORK

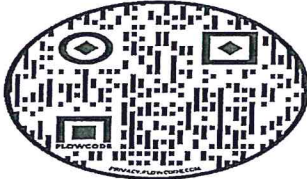
Take the Future of Work Action Survey

Imagine if all local residents were excited about their work and felt prepared for the future. What would that look like? We need your input, ideas, and energy to help shape the future of work in Muncie! Please consider joining our network of action teams working together to make our community a better place to live, work, and create by providing feedback in the form below. Scan the code or visit sustainablemuncie.org/future-of-work-action-survey/



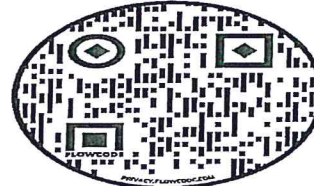
Web of Support Connections Bulletin

Sign up for the Web of Support Connections Bulletin to stay updated with quick tips for strengthening you web, ways to anchor and support others, and upcoming events!



Future of Work Newsletter

Sign up for the Future of Work Newsletter to receive monthly updates, events and special offers from the Future of Work, including METEN and the Web of Support.



CONTINUITY OF OPERATIONS PLAN

Ms. Emily Anderson, Court Administrator, presented the Continuity of Operations Plan.

MOTION: Commissioner King made a motion to approve the request Continuity of Operations Plan.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

Jennifer Honeycutt

From: Emily Anderson
Sent: Thursday, October 29, 2020 1:20 PM
To: Shannon Henry; Sherry Riggin; James King; Jennifer Honeycutt
Subject: COOP

ORIGINAL

The courts are required to submit a COOP (Continuity of Operations Plan) to the State by January 2021. It is a written plan if an emergency/pandemic occurs and we cannot operate at our facility. The judges and I have been working on it and are at the end of finalizing the draft. I provided the section below out of the COOP that deals with what I need to present at the meeting. The highlighted area is specific to what I need to get approved from the Commissioners. I will explain more at the meeting but if you have any questions before then please let me know. Thanks.
Emily

Phase III: Procedures for Alternative Facility Operations

The Delaware Circuit Courts operate in three locations (as of November, 2020, they will operate in two locations, so the Plan will not address the third location.) The two locations the Plan will address are: the Delaware County Justice Center/Jail Complex; and the Juvenile Court Division located at the Youth Opportunity Center Complex on West Kilgore Avenue, Muncie, Indiana.

The Juvenile Court Division: if the Juvenile Court Division is not able to conduct essential functions at the Youth Opportunity Center Complex, the Juvenile Court Division will relocate to the Delaware County Justice Center. The Coordinator will find space for staff to relocate. The Coordinator will find courtrooms in which the Juvenile Magistrate can conduct hearings until operations can resume at the YOC Complex.

Equipment and computer needs will be addressed depending on what equipment and computers the Magistrate and Staff are able to bring from the YOC Complex safely. No one is expected to put themselves at risk to "salvage" or "save" computers or equipment.

The Delaware County Justice Center: if the Delaware County Justice Center is not available for the courts to use for essential functions, the Board of Judges has selected the following alternate site:

The Commissioners' Courtroom in the Delaware County Building

The Board of Judges will arrange through the Delaware County Commissioners to enter a Memorandum of Understanding in order to have this space available if the Board of Judges must activate this portion of the Plan.

Emily M. Anderson
Court Administrator
Delaware County Court
100 W. Washington Street
Muncie, IN 47305
765-747-7734

Am. Zinn
Jeffrey
Henry Rogers

ASGA, Auditor

EXTENSION CONTRACTUAL SERVICES AGREEMENT FOR PURDUE UNIVERSITY

Ms. Molly Hunt, Extension Director, presented the Contractual Services agreement between Delaware County and Purdue University.

MOTION: Commissioner King made a motion to approve Extension Contractual Services Agreement for Purdue University.

SECOND: Commissioner Rigglin

YEAS: Commissioner King, Commissioner Rigglin, President Henry

DocuSign Envelope ID: 5F323B92-ED70-4268-BB60-83D7D993221A

EXTENSION CONTRACTUAL SERVICES AGREEMENT

BETWEEN

PURDUE UNIVERSITY

AND GOVERNMENT OF

DELAWARE COUNTY, INDIANA

ORIGINAL

This agreement made this first day of January, 2021 by and between the government of Delaware County of the State of Indiana, hereinafter called the "County", and Purdue University of West Lafayette, Indiana 47907, on behalf of the Purdue Cooperative Extension Service, hereinafter called "University."

WITNESSTH THAT:

WHEREAS, the County desires to provide financial support for county extension services of interest, specifically the 4-H YOUTH DEVELOPMENT, LEADERSHIP and COMMUNITY DEVELOPMENT, AGRICULTURE and NATURAL RESOURCES, and HEALTH AND HUMAN SCIENCES, the results of which may be of mutual benefit to the county and others interested in agriculture, home economics, youth, and community development; and,

WHEREAS, the services are an integral part of the University's Cooperative Extension Service; and

WHEREAS, the services will be of benefit to the populace of Delaware County and the State of Indiana in the following manner: Extension Service Programs to include: 4-H YOUTH DEVELOPMENT, LEADERSHIP and COMMUNITY DEVELOPMENT, AGRICULTURE and NATURAL RESOURCES, and HEALTH AND HUMAN SCIENCES; and,

WHEREAS, the University is willing to undertake such work through its Cooperative Extension Service;

NOW THEREFORE, the parties hereto agree as follows:

1. In exchange for the University's provision of the services described more fully in Appendix 1 to this Agreement, which is fully incorporated herein, for a period of one year from the date first written above the County agrees to contribute to Purdue University the dollar amounts specified in Appendix 1. Invoice will be issued by the University on or about April 1.
2. The University agrees to use the funds thus contributed for the conduct of such services and will provide the necessary personnel required for the services. All personnel employed by the University specifically for the conduct of these services shall be employees of the University. The employment or assignment of any specific individual to any service position under this agreement is the responsibility of the Director of the Purdue Cooperative Extension Service and will be done in consultation with the County's Extension Board. This agreement applies only to those positions specifically stated herein.
3. It is understood that the results of the services or reports of activities may be published by the University in such form as may be approved by the University.
4. Any funds not expended or committed for said services can be made available for other uses benefiting the contributing county's Extension programs. Possible uses could include other salary support, supplies, capital equipment.
5. It is further understood that this agreement may be renewed at the expiration date subject to the approval of the County and the University.
6. This Agreement supercedes any and all prior Agreements made between the parties for the subject matter herein.

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The University agrees by the execution of this contract that in regards to its operation in Delaware County, Indiana:

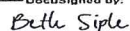
1. The provisions of all Federal Civil Rights laws and the Indiana Civil Rights law as applicable are incorporated by reference as part of this agreement.
2. County shall not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, sex, religion, age, national origin or ancestry, marital status, parental status, sexual orientation, gender identity or expression, genetic information disability, handicap, or status as a veteran. Acceptance of this agreement signifies full compliance on the part of County with Title VI and Title VII of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. County ensures that no person shall on the grounds of race, sex, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, gender identity or expression, genetic information, disability, status as a veteran, or handicap be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program activity or with respect to any matter directly or indirectly related to employment.
3. The provisions of the Affirmative Action Program adopted by the County as applicable are incorporated by reference as part of this agreement.
4. County further agrees:
 - a. To abide by Executive Order 11246, as amended, and the Rules and Regulations applicable thereto which are incorporated by reference and made a part of this Agreement;
 - b. To take affirmative action to employ and advance in employment qualified handicapped individuals and qualified disabled veterans and Vietnam-Era veterans as required by the Rehabilitation Act of 1973 and the Vietnam-Era Veterans Readjustment Act of 1974, and regulations issued pursuant to those Acts which are incorporated by reference and made a part of the agreement.

FICA TAXES

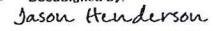
The University shall pay all FICA taxes, from their own sources, for the employees who are the subject of this contract.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

PURDUE UNIVERSITY
COOPERATIVE EXTENSION SERVICE:


DocuSigned by:
 10/9/2020
Signature Date

Beth Siple
Assistant Director Financial Affairs
Ag Sponsored Program Service

DocuSigned by:
 10/11/2020
Signature Date

Jason R. Henderson
Senior Associate Dean and Director of Extension

COUNTY GOVERNMENT

BY: 
County Government Official
SHANNON HENRY
Typed Name

11/02/2020
Date
Commissioners
Title

APPENDIX 1

**Memorandum of Understanding:
Purdue Extension Contractual Services Agreement in Delaware County**

The contractual services agreement between Purdue University and the government of Delaware County provides financial support for county extension services in four program areas: agriculture and natural resources, health and human sciences, community development and 4-H youth development. These services include access to services from county educators, campus specialists at Purdue University, and other Extension staff.

In exchange for a payment in the amount of \$84,055.00 from Delaware County to Purdue, Purdue Extension will provide Extension services through the Delaware County Extension, including three county educators. These staff will provide local extension services in the following program areas: agriculture and natural resources, health and human sciences, and 4-H youth development. Each educator will have an individual program area focus, but will work as a team to contribute to the success of all program areas. The educators will also contribute to regional or statewide programs to fulfill obligations to the state of Indiana for state financial support. State support for local services is allocated based on county size classification as determined by the State Board of Accounts. Initial local service delivery is supported with larger state support. Counties may enhance local service delivery with additional funding, which would include hiring additional Purdue staff for the county Extension office.

Period: January 1, 2021 through December 31, 2021

Total Contractual Services Appropriation for Extension Educators:

Amount: \$84,055.00

The County Extension Director will also provide annually a report on Extension services provided in Delaware County during the calendar year and an accounting of county funds spent.

Additional benefits of contractual services:

- As employees of Purdue University, the Extension educators and program assistant have access to health, retirement, and other Purdue University benefits.
- Each year, Purdue University provides funding for training and staff development for each Educator to enhance their skills.
- Purdue University will provide for the high-speed internet connection and a technology allowance for every county educator.
- Through a federally funded grant, a Community Wellness Coordinator's (CWC) provides the Nutrition Education Program to organize community and home interventions to bring about nutrition-related lifestyle changes.
- According to Indiana code 36-7-4-208, the agriculture and natural resource educator will serve on the county planning commission.

Purdue University Cooperative Extension

DocuSigned by:
Jason Henderson 10/11/2020
Signature Date

Senior Associate Dean and Director of Extension

County Government Official

[Signature] 11/02/2020
Signature Date

DS
LS

DocuSigned by:
Beth Siple 10/9/2020
Signature Date

Assistant Director Financial Affairs
Ag Sponsored Program Service

[Signature] Auditor

EMS VEHICLES TO SELL AT AUCTION

Mr. Mike Ashley, EMS Director, asked for approval to send four (4) vehicles to auction.

MOTION: Commissioner King made a motion to approve the sell at the auction.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

Delaware County EMS Vehicles to sell at Auction or back to Braun.

ORIGINAL

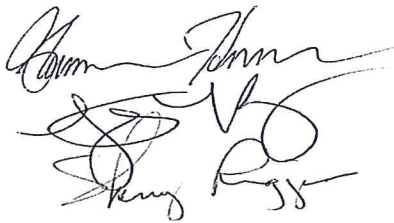
2012 Ford E-350: Braun Liberty Ambulance: VIN 1FDWE3FS1DDA41639

2009 Chevy G-3500: Braun Raider Ambulance: VIN 1GB6G2B6XA1126370

2007 Chevy G-3500: Life Star Ambulance: VIN 1GBJG316271220916

2000 Navistar International Box Truck, Model 4700: VIN 1HTSCAAMO1H389140

The plan is to send all to Auction, however, a representative from Braun wants to look at the 2 Braun Ambulances as they may be interested in buying those back for the value of the boxes. That would probably bring a better return on those two vehicles.


Three handwritten signatures are present. The top signature is cursive and appears to be 'John'. The middle signature is more stylized and cursive. The bottom signature is 'Sherry Ross'.

 ASG, Auditor

MUNCIE HOUSING AUTHORITY
RESOLUTION NO. 2020-041

Mr. Joseph Anderson, CEO Muncie Housing Authority, said a tax credit application was submitted, September 18, 2020 to secure titles of a building located at Heekin Park. The building would be demolished and a housing project would take place. Four acres have been secured through the Parks Department. Mr. Anderson requests that two parcels be secured that are adjacent north/south of building.

Mr. John Brooke, County Attorney, said a public hearing is not needed for 1501 South Monroe and 1521 South Monroe in Resolution 2020-041.

MOTION: Commissioner King made a motion to approve Resolution 2020-041, A Resolution Assigning Tax Sale Certificates to the City of Muncie for the Use and Benefit of Muncie Housing Authority.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

RESOLUTION NO. 2020-041

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS ASSIGNING TAX SALE CERTIFICATES TO THE CITY OF MUNCIE FOR THE USE AND BENEFIT OF THE MUNCIE HOUSING AUTHORITY

WHEREAS, the City of Muncie has identified the parcels of real property identified on Exhibit A, attached hereto, for which the Board of Commissioners currently hold tax sale certificates and has requested that these tax sale certificates be assigned to the City of Muncie's Housing Authority; and

WHEREAS, the Board of Commissioners now desires to assign the tax sale certificate for the above-referenced properties to the City of Muncie's Housing Authority for use for the public good.

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

SECTION 1. The Board of Commissioners hereby assigns the tax sale certificates for the properties identified on Exhibit A, attached hereto, to the Muncie Housing Authority for use for the public good, subject to the acceptance of the assignment by the City of Muncie.

SECTION 2. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ON THIS, THE 2 DAY OF November, 2020.

BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA


Shannon Henry, President


Sherry Riggin, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

Exhibit A

Tax Sale Certificate List

Parcel 1 –

Parcel ID No.:	18-11-15-376-006.000-003
Parcel Address:	1501 S. Monroe St., Muncie, Indiana
Certificate No.:	182000567

Parcel 2 –

Parcel ID No.:	18-11-15-376-008.000-003
Parcel Address:	1521 S. Monroe St., Muncie, Indiana
Certificate No.:	182000568

REVISED COVID-19 PROTOCOL FOR REPORTED POSITIVE TESTS OF EMPLOYEES OR POTENTIAL EXPOSURE
Mr. Brooke presented the revised Covid-19 protocol, process and changes to the definition of "close contact." Mr. Brooke worked with the Delaware County Health Department regarding the revised protocol.
MOTION: Commissioner King made a motion to approve Revised COVID-19 Protocol for Reported Positive Tests of Employees or Potential Exposure.
SECOND: Commissioner Riffin
YEAS: Commissioner King, Commissioner Riffin, President Henry

**Disaster Emergency Declaration
2020-18**

Delaware County, Indiana

WHEREAS, the President of the United States, on March 13, 2020, has declared a nationwide emergency concerning the spread of COVID-19 viral infections, and

WHEREAS, the Governor of the State of Indiana, on March 16, 2020, has made an emergency declaration in response to the Coronavirus (COVID-19) disease epidemic; and

WHEREAS, the County Health Officer has determined that certain measures should be put into place to lessen the potential spread of the COVID-19 virus including the closing of some local businesses; and

WHEREAS, pursuant to I. C. 10-14-3-29(a) the Board of Commissioners of Delaware County, IN hereby makes a local disaster emergency declaration; and

WHEREAS, the trend in Delaware County for the past month has shown a significant increase in COVID-19 cases and the positivity rate for the last 7 days is 9.4% for the County; and

WHEREAS, there have been a total of 3,263 cases in Delaware County to date with an increase of 1,043 cases in October alone and IU Ball Memorial Hospital is at or near capacity; and

WHEREAS, younger members of the populace have been testing positive in greater numbers as well as greater illness rates among younger and younger people; and

WHEREAS, the Board of Commissioners of Delaware County, Indiana have determined that in response to the emergency believes that an Emergency Declaration is appropriate for the citizens of Delaware County and that the Emergency Declaration should be extended.

NOW THEREFORE WE, THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA HEREBY DECLARE THAT:

1. A local public health disaster continues to exist in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the entire County, including incorporated areas for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County and the restoration of local

government with a minimum of interruption. **This Emergency Order is effective immediately and shall be in place until the end of business November 16, 2020.**

2. All employees in any county facility shall wear a face covering their nose and mouth at all times except while working in their own workspace, provided that the workspace is spaced more than 6' from other work spaces. Additionally, employees shall not be required to wear facial coverings when working outside (if they are working in an environment that allows for social distancing), in a vehicle by themselves or working remotely. Employees of the County shall also wear facial coverings when moving about the hallways, common areas, restrooms or other areas of the County facilities when not at their work space.
3. All members of the public that conduct business in any county building or facility shall maintain a social distance of at least 6 feet between individuals at all times and shall wear a face covering over the nose and mouth when inside any public building or other indoor space open to the public. This does NOT apply to private offices, private workplaces or meetings where social distancing can be achieved and maintained between people not in the same household. Member of the public are required to wear a face mask or other covering which covers the person's mouth and nose during their business in the County Building unless the member of public prohibits a face covering because of an underlying health condition prohibits wearing a face covering.
4. In instances where an individual must visit a retail business, the business shall follow the proper social distancing requirements in Executive Order 20-43 and the guidelines from the Center for Disease Control (CDC).
5. Those residents that meet the below stated criteria are not required to wear a facial covering:
 - a. Under 2 years of age;

- b. Over age 2 years and under age 8 years;
 - c. Any person with a medical condition, mental health condition or disability which prevents face coverings.
- 6. Those members of the public that are at least 65 and older and those with known high-risk health conditions should adhere to social distancing requirements and be cautious at work and in their communities and should wear facial coverings.
- 7. Citizens that have symptoms, may have been exposed, been in close contact (as defined by the CDC), have high-risk health conditions as well as others that desire peace of mind are encouraged to be tested for COVID-19 at the local facilities.
- 8. Social gatherings of up to 250 people or 25% of the occupancy level of the venue, whichever is less, may take place following CDC recommended social distancing guidelines.
- 9. Any gathering of more than 250 people or greater than 25% of the occupancy level of the venue, must first get the approval of the Delaware County Health Department at least 14 days in advance of the gathering or activity.
- 10. All individuals are encouraged to wear masks when going out to businesses, grocery stores or outside of their residence for any essential purpose.
- 11. This Emergency Declaration shall supersede and replace all prior Emergency Declarations made the by Board of Commissioners prior to this Emergency Order.
- 12. The Commissioners determine that all government operations are essential as the government operations from March 23, 2020 to the present and all essential governmental functions are operating and available to the public through remote or electronic access, as needed.

ORDINANCES FOR FIRST READING

**AN ORDINANCE OF DELAWARE COUNTY, IN, CREATING A FUND FOR THE DEPOSIT OF FUNDS RECEIVED BY THE
DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY FROM THE BALL BROTHERS FOUNDATION TO
PROVIDE FUNDING FOR THE PURCHASE OF EQUIPMENT**

ORDINANCE NO. 2020-020

Mr. John Coutinho, Director of Emergency Management, said Mr. Cory Kissick, Deputy of EMA applied for Ball Brothers Grant. This is for a drone that will assist Delaware County Sheriff's crash team reconstruction and search and rescue. The money has been received but a fund will need created to purchase the equipment. Mr. Coutinho asked that rules be suspended.

MOTION: Commissioner King made a motion to introduce Ordinance 2020-020, An Ordinance of Delaware County, IN, Creating a Fund for the Deposit of Funds Received by the Delaware County Emergency Management Agency from the Ball Brothers Foundation to Provide Funding for the Purchase of Equipment.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

MOTION: Commissioner King made a motion to suspend the rules of Ordinance 2020-020, An Ordinance of Delaware County, IN, Creating a Fund for the Deposit of Funds Received by the Delaware County Emergency Management Agency from the Ball Brothers Foundation to Provide Funding for the Purchase of Equipment.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

MOTION: Commissioner King made a motion to adopt Ordinance 2020-020, An Ordinance of Delaware County, IN, Creating a Fund for the Deposit of Funds Received by the Delaware County Emergency Management Agency from the Ball Brothers Foundation to Provide Funding for the Purchase of Equipment.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

ORDINANCE NO. 2020 - 020

ORIGINAL

An Ordinance of Delaware County, Indiana, creating a Fund for the Deposit of Funds Received by the Delaware County Emergency Management Agency from the Ball Brothers Foundation to provide funding for the purchase of equipment

WHEREAS, the Delaware Emergency Management Agency (DCEMA) has received grant funds from the Ball Brothers Foundation to provide funding for purchase of equipment, namely a small unmanned aircraft system to assist DCEMA in its duties and functions; and

WHEREAS, it is necessary to establish a fund in the Auditor's Office into which the proceeds will be deposited and from which expenditures will be disbursed.

NOW, THEREFORE, BE IT ORDAINED that the Auditor shall establish a fund entitled Delaware County Emergency Management Agency Grant fund for Equipment and said Auditor has issued a budget fund number of _____ with respect to these funds and such funds are non-reverting. Further, since the grant budget is approved and non-reverting, the expenditure of said funds shall not require appropriation by Delaware County Council.

Adopted by the Delaware County Board of Commissioners on this 2 day of November, 2020.

DELAWARE COUNTY COMMISSIONERS


Shannon Henry, Commissioner President


Sherry Riggins, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor, Delaware County

RESOLUTIONS FOR APPROVAL

**RESOLUTION OF THE DELAWARE COUNTY, IN, BOARD OF COMMISSIONERS AMENDING AND RESTATING
RESOLUTION 2020-037, APPROVING JOINT UNDERTAKING AGREEMENT, PLEDGING INCREMENT TO THE
DALEVILLE REDEVELOPMENT COMMISSION, AND AUTHORIZING EXECUTION OF DOCUMENTS**

RESOLUTION NO. 2020-040

Mr. Brad Bookout, Director of Economic Development, said this resolution amends the previous resolution, the amount is not changed, and the revised resolution only clarifies the language to allow the BOT payment to be made over the life of the agreement.

MOTION: Commissioner Riggin made a motion to approve Resolution 2020-040, Resolution of the Delaware County, IN, Board of Commissioners Amending and Restating Resolution 2020-037, Approving Joint Undertaking Agreement, Pledging Increment to the Daleville Redevelopment Commission, and Authorizing Execution of Documents

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

ORIGINAL

RESOLUTION NO. 2020-040

**RESOLUTION OF THE DELAWARE COUNTY, INDIANA, BOARD OF
COMMISSIONERS AMENDING AND RESTATING RESOLUTION 2020-037,
APPROVING JOINT UNDERTAKING AGREEMENT, PLEDGING
INCREMENT TO THE DALEVILLE REDEVELOPMENT COMMISSION,
AND AUTHORIZING EXECUTION OF DOCUMENTS**

WHEREAS, pursuant to Resolution No. 2019-05, the Town Council of the Town of Daleville, Indiana (the "Town Council"), adopted the provisions of Ind. Code §5-23, et seq. (the "BOT Statute"), and authorized the issuance of a request for proposals to develop, design, and construct a town hall and police station (the "BOT Project");

WHEREAS, pursuant to Daleville Town Council Resolution 2019-11, and in accordance with the requirements of the BOT Statute, the Town Council awarded the development, design, and construction of the BOT Project to Daleville Police Station Partners, LLC (the "Developer"), and authorized the negotiation and execution of a build-operate-transfer agreement (the "BOT Agreement"), compliance with which will be subject to: (a) approval by the Delaware County Board of Commissioners (the "County Board") and the Delaware County Redevelopment Commission (the "County RDC") of a pledge of financial support adequate to pay all installment payments payable by the Town of Daleville, Indiana (the "Town") pursuant to the BOT Agreement (the "BOT Payments"); and (b) the actual pledge of such adequate financial support to the Daleville Redevelopment Commission (the "Daleville RDC");

WHEREAS, the Town Council submitted to the County Board and the County RDC a proposal for the joint undertaking of the BOT Project pursuant to Ind. Code §36-7-25-4 (the "Joint Undertaking Statute");

WHEREAS, each of the County Board (pursuant to Resolution 2020-003) and the County RDC (pursuant to Resolution 2020-002) determined it to be in the best interests of Delaware County, Indiana, to work jointly with the Town on economic and quality of life projects;

WHEREAS, pursuant to Resolution 2020-003, the County Board designated the County RDC as the appropriate entity to enter into discussions with the Daleville RDC for the purposes of agreeing to the terms and conditions on which the BOT Project will be undertaken jointly, which terms and conditions would be subject to the approval of the Town Council and the County Board;

WHEREAS, pursuant to Resolution 2020-002, the County RDC agreed to engage in such discussions, subject to the requirement that it would execute a joint agreement with the Daleville RDC only upon the specific determination that the BOT Project will serve or benefit the allocation areas within the "Daleville Redevelopment Area" (the "Allocation Area");

WHEREAS, having made the required determinations, the County RDC and the Daleville RDC proceeded to agree on the terms and conditions of an agreement pursuant to which the BOT Project will be undertaken jointly, as permitted pursuant to the Joint Undertaking Statute (the "Joint Undertaking Agreement");

WHEREAS, the Joint Undertaking Agreement requires: (a) the Town to enter into the BOT Agreement; (b) the County Board to pledge to the Daleville RDC the increment generated in the Allocation Area (the "County Increment"); provided that: (i) the aggregate amount of that portion of the BOT Payments comprised of principal shall not exceed \$4,300,000.00; (ii) the annual amount pledged to the Daleville RDC for a given year shall be capped at the amount required to pay the BOT Payments for such year; and (iii) the aggregate amount pledged to the Daleville RDC shall not exceed the amount required to pay all of the BOT Payments (collectively, the "County Increment Cap"); (c) the County RDC to confirm the pledge of the County Increment (subject to the County Increment Cap) by the County Board, and, to the extent permitted pursuant to Ind. Code §36-7-14-39, to further pledge the County Increment (subject to the County Increment Cap) to the Daleville RDC; and (d) the Daleville RDC to: (i) accept the County Increment, subject to the County Increment Cap (such amount, the "Pledged Revenue"); and (ii) pledge the Pledged Revenue received by it to the payment of the BOT Payments for the term of the BOT Agreement;

WHEREAS, pursuant to the Joint Undertaking Statute, the County Board has the authority to pledge the County Increment to the Daleville RDC, notwithstanding that the BOT Project will not be constructed in the Allocation Area;

WHEREAS, to provide funds for the payment of costs and expenses that will be incurred in connection with the development, design, and construction of the BOT Project, including those incurred in connection with finalizing the required documentation, the Town, the Developer, a lender selected by the Developer and acceptable to the Town, and, as applicable, the Daleville RDC, the County Board, and/or the County RDC, will enter into a participation and purchase agreement (the "Participation Agreement") pursuant to which the Developer will absolutely assign to such lender its right to receive the BOT Payments;

WHEREAS, at a regularly scheduled meeting held on October 5, 2020, the County Board adopted Resolution 2020-037, pursuant to which the County Board: (a) approved, and authorized the execution of, the Joint Undertaking Agreement, the Participation Agreement, and any other documents or instruments necessary to close on the transaction contemplated in the BOT Agreements (the "Transaction Documents"); and (b) pledged the Pledged Revenue to the Daleville RDC in accordance with the Joint Undertaking Statute for further pledge by the Daleville RDC to the payment of the BOT Payments;

WHEREAS, contemporaneously with the adoption by the County Board of Resolution 2020-037, the Town Council, the Daleville RDC, and the County RDC adopted resolutions approving, and authorizing the execution of, the Joint Undertaking Agreement, which resolutions, contemporaneously with the adoption by the County Board of this Resolution, are being amended, restated, and superseded to be consistent herewith;

WHEREAS, contemporaneously with the adoption by the County Board of Resolution 2020-037, the Town Council adopted a resolution: (a) confirming the award of the BOT Project to the Developer; and (b) approving, and authorizing the execution of, the BOT Agreement and the Participation Agreement; which resolution, contemporaneously with the adoption by the County Board of this Resolution, is being amended, restated, and superseded to be consistent herewith;

documents or certificates executed and delivered, hereby are ratified, confirmed, and approved.

5. **No Conflict.** This Resolution amends, restates, and supersedes in its entirety Resolution 2020-037. All ordinances, resolutions, and orders (or parts thereof) that conflict with the provisions of this Resolution hereby are repealed to the extent of such conflict. After the issuance of the BOT Agreement, and until all BOT Payments have been paid (or prepaid) in full, and except as expressly provided herein: (a) this Resolution shall not be repealed or amended; and (b) the County Board shall not adopt any ordinance or resolution that in any way adversely affects this Resolution.

6. **Severability.** If any section, paragraph, or provision of this Resolution is held to be invalid or unenforceable for any reason, then the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Resolution.

7. **Effectiveness.** This Resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ON THIS, THE 2 DAY OF November, 2020.


BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA


Shannon Henry, President


Sherry Riffin, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

A RESOLUTION OF THE DELAWARE COUNTY, IN, BOARD OF COMMISSIONERS IDENTIFYING TAX SALE
CERTIFICATES TO BE ASSIGNED TO NONPROFIT ENTITIES PURSUANT TO IN CODE 6-1.1-24-6.7

RESOLUTION NO. 2020-042

Mr. Brooke said ECI, tax exempt nonprofit organization, contacted the county about certain tax sale certificates (see below).

MOTION: Commissioner King made a motion to approve Resolution 2020-042, A Resolution Identifying Tax Sale Certificates to be assigned to nonprofit Entities Pursuant to IN Code 6-1.1-24-6.7.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry

A public hearing will take place at 9:00 a.m. on November 16, 2020.

ORIGINAL

RESOLUTION NO. 2020-042

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS IDENTIFYING TAX SALE CERTIFICATES TO BE ASSIGNED TO NONPROFIT ENTITIES PURSUANT TO IND. CODE § 6-1.1-24-6.7

WHEREAS, Ind. Code §§ 6-1.1-24-6.7 and 6-1.1-24-17 set out the procedures the Board of Commissioners may utilize to assign tax sale certificates to a nonprofit entity;

WHEREAS, the Board of Commissioners has identified the parcels of real property identified on Exhibit A, attached hereto, for which the Board of Commissioners currently hold tax sale certificates, has been in one or more tax sales, and has taxes which remain severely delinquent;

WHEREAS, the Board of Commissioners now desires to assign the tax sale certificate for the above-referenced properties to nonprofit entities 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 properties assigned to them; and

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

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

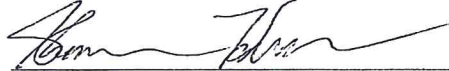
SECTION 1. The Board of Commissioners hereby identifies the properties identified on Exhibit A, attached hereto, as those for which the Board of Commissioners hold tax sale certificates and now desires to assign said certificates to nonprofit entities for use for the public good.

SECTION 2. The Board of Commissioners will conduct a public hearing to consider the assignment of the tax sale certificates to eligible nonprofit entities and said public hearing shall occur on the 16th day of November, 2020, 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 certificates for the identified properties assigned to them and consider said applications prior to making a final determination concerning the assignment of the tax sale certificates.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ON THIS, THE 2 DAY OF November 2020.

BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA


Shannon Henry, President


Sherry Riggins, Commissioner


James King, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

Exhibit A

Tax Sale Certificate List

Parcel 1 –

Parcel ID No.:	18-11-17-430-012.000-003
Parcel Address:	1701 W. 6th St., Muncie, Indiana
Certificate No.:	182000756

Parcel 2 –

Parcel ID No.:	18-11-16-208-003.000-003
Parcel Address:	713 W. Adams St., Muncie, Indiana
Certificate No.:	182000627

Parcel 3 –

Parcel ID No.:	18-08-01-305-019.000-005
Parcel Address:	226 S. Manor Ave., Albany, Indiana
Certificate No.:	182001046

Parcel 4 –

Parcel ID No.:	18-08-01-305-039.000-005
Parcel Address:	400 Blk E Oak St., Albany, Indiana
Certificate No.:	182001047

DEPARTMENT HEADS AND ELECTED OFFICIALS

Mr. Paul Singleton, Director of 911, said four 911 employees tested positive for COVID-19. To ensure safety, two more tests have been given to these employees, results showing no COVID-19. City of Muncie administrative calls were transferred to Ball State University. Much appreciation to BSU police department and dispatch for their assistance. Plan of action will be committed on paper and a memorandum of understanding. This will ensure not only for those agencies to assist but to give assistance to them as well. Staff has been great and have stepped up during this time of sickness.

Training will take place during the week of November 9, 2020 for the new telephone systems.

President Henry said the Commissioners are very appreciative of how this matter was taken care of in a professional manner.

Mr. Singleton thanked the Commissioners for their assistance also.

MONTHLY/WEEKLY REPORTS

Weights & Measures Monthly Report

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$1,464,195.11.

SECOND: Commissioner King

YEAS: Commissioner King, Commissioner Riggin, President Henry

PUBLIC COMMENTS AND QUESTIONS

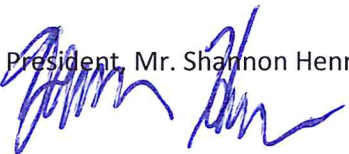
Mr. Brooke said there was a compliment regarding "The Future of Work" presentation and a complaint regarding those not wearing their mask.

RECESS

MOTION: Commissioner King made a motion to recess until November 16, 2020.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Riggin, President Henry


President, Mr. Shannon Henry


Member, Ms. Sherry Riggin


Vice President, Mr. James King


Auditor, Mr. Steven G. Craycraft