

DELAWARE COUNTY COMMISSIONER'S MEETING

MONDAY, OCTOBER 4, 2021 @ 9:00 A.M.

COMMISSIONER'S COURTROOM

100 W. MAIN ST. ROOM 309A

CALL TO ORDER

PLEDGE TO FLAG

WELCOME

COMMENTS MAY BE MADE TO THE COMMISSIONERS VIA THEIR EMAIL AT commissioners@co.delaware.in.us

ROLL CALL

Mr. Shannon Henry

Mr. James King

Ms. Sherry Riffin

Mr. Joe Rhett, County Attorney

Mr. Steven Craycraft, Auditor

PUBLIC HEARING

REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY

Ms. Linda Michael, Muncie, Indiana, asked that the Commissioners consider approving an ordinance to place stop signs on 560 east along the east side of Prairie Creek, Muncie, Indiana. This is a high traffic area and is a safety concern.

Ms. Bob Taylor, Parker, Indiana, thanked the Commissioners for hearing the concerns from the people that live around the area. Mr. Parker recommended solar powered devices that measure the speed, record license plates number and then ticket the individual.

Ms. Ashley Wright, City of Muncie Prairie Creek, said she feels the only concern is the beach entrance. Ms. Wright is concerned about the liability if the sign is placed in the area and then taken down or someone hits the sign.

Commissioner Henry said due to the park and curve, the signs would be to slow people down. Delaware County would maintain the signs. The beach and park area is where the problem occurs.

Mr. Justin Clark, Superintendent of Prairie Creek, is for the stop signs also. Mr. Clark would like to have input with the beach entrance. Mr. Clark said there is going to be a lot of foot traffic also due to expansion in the area. The concept of slowing down traffic is wonderful.

Ms. Cheryl Lindus, Selma, Indiana, said stop sign should not be used for speed control. Ms. Lindus asks that this be tabled or voted down until proper due diligence can be completed for the stretch of the road. The danger is the parking lot of the beach area and not the roads. People ignore the 30 mph speed limit on 560 east because it is too low. A child is at a greater risk to be hit in the parking lot by someone doing donuts then on the road. The berm that was installed has aided in keeping children back from the road. Ms. Lindus has requested accident reports to see if they are from impaired driving, speeding or distractions.

Commissioner Henry said digital speed signs would be placed at the beginning of the areas.

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Mr. Tony Skinner, Sheriff, is in agreement with Ms. Lindus regarding the speed. This is an unreasonable and unrealistic 30 mph speed limit. Burlington Drive is 40 mph and is much curvier. Three stop signs are punitive to the people living in the area. Mr. Skinner proposed, due to the success of bike paths in south and north end of Muncie, that a bike path from the campground to the playground 1.2 miles be considered. People on golf carts and pedestrians walking and riding bikes are a major concern. Mr. Skinner said speed cameras are not legal in the State of Indiana.

Mr. Tommy Humbert, Highway Superintendent, said drivers are not paying attention to speed limits. Recently when the Highway Department was working in the area they were almost hit. This road is closed by Highway Department if road work is done, due to concern of safety. Something needs to be done and the inconvenience of stop signs are for safety. If it doesn't work, it is a start. Flashing signs will help. Raising the speed limit would not do anything.

Ms. Kristen Herbst, Muncie, Indiana, is a cyclist and often bikes on 560-east, however, she said bikers are not going to stop three times on that road. Ms. Herbst read aloud traffic study regarding stop signs.

President King asked about the trail, has the City or Prairie Creek reviewed this? King said Prairie Creek is leased by the City and owned by the County.

Ms. Wright and Mr. Clark said conversation has taken place about trails but they would have to find funding. They are however, in support of a bike path. Ms. Wright said this could be a future conversation with the American Water Company. The water company would need to be in the discussion too and they are in support of development as long as it doesn't affect the water quality.

Ms. Lindus said years ago, Mr. Dennis Tyler, Mayor of Muncie, had a plan to connect the north-south through roadways that were already there.

Mr. Clark said Mr. Jud Fisher, Ball Brothers Foundation and Mr. Phil Tevis, Flatland Resources worked with Mr. Dan Ridenour and uncovered the 2007 master plan. The plan had extensive road work development and trails built into the plan, but it was never implemented.

President King said Community Foundation, Ball Foundation and American Water are options that could/should be considered.

Commissioner Henry said there may be federal dollars coming from Washington regarding infrastructure bill.

Mr. Clark said they would love to have the support of the county and to work together so dollars could go further toward a plan.

Ms. Janet Bertram, Muncie, Indiana, said speed is a problem, however the stop signs are not the answer. Problems occur more in the parking lots than on the road. Ms. Bertram agrees that the speed limit should be 40 mph at least until the park area. Certain times of the year are worst. There are no statics regarding children.

Ms. Wright said they have been lucky regarding accidents involving kids but there was one person that was hit 25 years ago.

MOTION: Commissioner Henry made a motion to close the Public Hearing.

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SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

APPOINTMENT(S)

MOTION: Commissioner Henry made a motion to appoint Mr. John Adams as a nonvoting appointment for Delaware County Redevelopment Commission.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

President King has received two letters of interest for Airport Authority Board, however, a resignation letter has not been received as of date.

Commissioner Riggin said has to be a Republican due to it being a balanced board.

MOTION: Commissioner Henry made a motion to table until the next Commissioner's meeting, October 18, 2021.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

APPROVAL OF MINUTES

MOTION: Commissioner Riggin made a motion to approve September 20th, 2021 Commissioners' Meeting.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

PRESENTATIONS

Mr. Mitch Issacs, President of Creekwood Neighborhood Association Board, wanted to thank the Commissioners and Highway Department publically for paving some of the roads in the Country Village neighborhood. The Commissioners have a five-year plan. The roads in the neighborhood have not been paved for over 40 years. With the help of the Commissioners the roads will meet the quality of the neighborhood. Much appreciation goes out to the Highway Department and Commissioners. Mr. Issacs presented cookies from a local bakery, Sea Salt and Cinnamon, as a token of appreciation.

CONTRACTS OR AGREEMENTS FOR APPROVAL

HOLIDAY SCHEDULE

Commissioner Henry read aloud 2022 Holiday Schedule.

Commissioner Riggin recommended working until noon on December 24, 2021.

Commissioner Henry said most families have a lot to do on Christmas Eve day and recommended keeping it as presented.

MOTION: Commissioner Henry made a motion to approve 2022 Holiday Schedule.

SECOND: Commissioner King

YEAS: Commissioner Henry, President King


NAYES: Riggin

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**DELAWARE COUNTY COMMISSIONERS
2022 HOLIDAY SCHEDULE**


| | | |
|---------------------------|--------------|------------------------|
| New Year's Day (for 2022) | Friday | December 31, 2021 |
| Martin Luther King Day | Monday | January 17, 2022 |
| President's Day | Monday | February 21, 2022 |
| Good Friday | Friday | April 15, 2022 |
| Primary Election | Tuesday | May 3, 2022 |
| Memorial Day | Monday | May 30, 2022 |
| Juneteenth | Monday | June 20, 2022 |
| Independence Day | Monday | July 4, 2022 |
| Labor Day | Monday | September 5, 2022 |
| General Election | Tuesday | November 8, 2022 |
| Veteran's Day | Friday | November 11, 2022 |
| Thanksgiving | Thurs/Friday | November 24 & 25, 2022 |
| Christmas Eve | Friday | December 23, 2022 |
| Christmas Day | Monday | December 26, 2022 |
| New Year's Eve | Friday | December 30, 2022 |

Adopted this 4 day of October, 2021
Delaware County Board of Commissioners,


James King, President

Sherry Riggan, Vice President


Shannon Henry, Member

ATTEST: 
Steve Craycraft, County Auditor

BR #112 – LPA CONSULTING CONTRACT – RQAW

Commissioner meeting October 4, 2021

Ms. Angie Moyer, Project Manager, presented the standard bridge contract for Bridge 112, located at 600 south at Williams Creek. INDOT reviewed and accepted the contract. RFP process has been followed along with scoring. The amount of the contract shall not exceed \$224,880 with 80% reimbursement.
MOTION: Commissioner Henry made a motion to approve the LPA contract with RQAW.
SECOND: Commissioner Riggin
YEAS: Commissioner Henry, Commissioner Riggin, President King

Version 6-8-2017

LPA - CONSULTING CONTRACT

This Contract ("this Contract") is made and entered into effective as of _____, 2021 ("Effective Date") by and between Delaware County, Indiana, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and RQAW Corporation ("the CONSULTANT"), a corporation organized under the laws of the State of Indiana.

Des. No.: 2003023

Project Description: Bridge Replacement for CR 600S over Williams Creek, County Bridge No. 112

RECITALS

WHEREAS, the LPA has entered into an agreement to utilize federal monies with the Indiana Department of Transportation ("INDOT") for a transportation or transportation enhancement project ("the Project"), which Project Coordination Contract is herein attached as Attachment 1 and incorporated as reference; and

WHEREAS, the LPA wishes to hire the CONSULTANT to provide services toward the Project completion more fully described in Appendix "A" attached hereto ("Services");

WHEREAS, the CONSULTANT has extensive experience, knowledge and expertise relating to these Services; and

WHEREAS, the CONSULTANT has expressed a willingness to furnish the Services in connection therewith.

NOW, THEREFORE, in consideration of the following mutual covenants, the parties hereto mutually covenant and agree as follows:

The "Recitals" above are hereby made an integral part and specifically incorporated into this Contract.

SECTION I SERVICES BY CONSULTANT. The CONSULTANT will provide the Services and deliverables described in Appendix "A" which is herein attached to and made an integral part of this Contract.

SECTION II INFORMATION AND SERVICES TO BE FURNISHED BY THE LPA. The information and services to be furnished by the LPA are set out in Appendix "B" which is herein attached to and made an integral part of this Contract.

SECTION III TERM. The term of this Contract shall be from the date of the last signature affixed to this Contract to the completion of the construction contract which is estimated to be December 31, 2026. A schedule for completion of the Services and deliverables is set forth in Appendix "C" which is herein attached to and made an integral part of this Contract.

SECTION IV COMPENSATION. The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix "D" which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed \$224,880.

SECTION V NOTICE TO PROCEED AND SCHEDULE. The CONSULTANT shall begin the work to be performed under this Contract only upon receipt of the written notice to proceed from the LPA, and shall deliver the work to the LPA in accordance with the schedule contained in Appendix "C" which is herein attached to and made an integral part of this Contract.

LPA CONSULTING CONTRACT – CONSTRUCTION INSPECTION SERVICES – BR #125

Ms. Moyer, Project Manager, presented bridge contract for Bridge 125, located at CR 400 West, Nebo Road over York Prairie Creek Bridge. INDOT reviewed and accepted the contract. RFP process has been followed. The amount of the contract shall not exceed \$214,700 with 80% reimbursement.

Commissioner Riggan asked if there was a possibility of delay due to the roundabout.

Ms. Moyer said Mr. Pete Olson said people do not want their neighborhood to be cut through for a two-year period and would prefer that it is done all at once. Mr. Olson's project would be a 10-week closure. Ms. Moyer said she does not want to lose funding. Ms. Moyer has had multiple conversations with Yorktown trying to schedule. Mr. Olson is trying to get the project done while school is closed for the summer of 2022.

MOTION: Commissioner Henry made a motion to approve LPA Consulting Contract with Lochmueller Group, Inc.

SECOND: Commissioner Riggan

YEAS: Commissioner Henry, Commissioner Riggan, President King

LPA - CONSULTING CONTRACT

This Contract ("this Contract") is made and entered into effective as of , 20 ("Effective Date") by and between Delaware County, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and Lochmueller Group, Inc. ("the CONSULTANT"), a corporation organized under the laws of the State of Indiana.

Des. No.: 1700680

Project Description: Construction Inspection Services for the Nebo Road (CR 400W) over York Prairie Creek Bridge 125 Replacement

RECITALS

WHEREAS, the LPA has entered into an agreement to utilize federal monies with the Indiana Department of Transportation ("INDOT") for a transportation or transportation enhancement project ("the Project"), which Project Coordination Contract is herein attached as Attachment I and incorporated as reference; and

WHEREAS, the LPA wishes to hire the CONSULTANT to provide services toward the Project completion more fully described in Appendix "A" attached hereto ("Services");

WHEREAS, the CONSULTANT has extensive experience, knowledge and expertise relating to these Services; and

WHEREAS, the CONSULTANT has expressed a willingness to furnish the Services in connection therewith.

NOW, THEREFORE, in consideration of the following mutual covenants, the parties hereto mutually covenant and agree as follows:

The "Recitals" above are hereby made an integral part and specifically incorporated into this Contract.

SECTION I SERVICES BY CONSULTANT. The CONSULTANT will provide the Services and deliverables described in Appendix "A" which is herein attached to and made an integral part of this Contract.

SECTION II INFORMATION AND SERVICES TO BE FURNISHED BY THE LPA. The information and services to be furnished by the LPA are set out in Appendix "B" which is herein attached to and made an integral part of this Contract.

SECTION III TERM. The term of this Contract shall be from the date of the last signature affixed to this Contract to the completion of the construction contract which is estimated to be 5/2023. A schedule for completion of the Services and deliverables is set forth in Appendix "C" which is herein attached to and made an integral part of this Contract.

SECTION IV COMPENSATION. The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix "D" which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed **\$214,700.00**.

SECTION V NOTICE TO PROCEED AND SCHEDULE. The CONSULTANT shall begin the work to be performed under this Contract only upon receipt of the written notice to proceed from the LPA and shall deliver the work to the LPA in accordance with the schedule contained in Appendix "C" which is herein attached to and made an integral part of this Contract.

HUMANA GROUP MEDICARE ADVANTAGE PLAN RENEWAL

Ms. Pam McCammon, Human Resource Director, presented the Humana Group Medicare Advantage Plan renewal. This carves out employees that are over 65. This is an annual agreement.

MOTION: Commissioner Henry made a motion to approve Humana Group Medicare Advantage Plan (renewal).

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

Pam McCommon
Delaware County Government
100 W Main St. Room 208
Muncie, IN 47305

ORIGINAL Humana.

Humana Group Medicare Advantage Plan Renewal

In signing this document, you are accepting the renewal, effective January 1, 2022, of the Group Medicare plan(s) submitted by your Humana Account Executive and described in the enclosed renewal package. The new rate is effective January 1, 2022. It is important that we receive acceptance of your renewal no later than October 1, 2021. This will ensure we meet CMS requirements and provide on-time delivery of member materials.

2022 Plan/Option: Delaware County Government-AO-PPD

You, the Plan Sponsor, understand, acknowledge, and agree that:

- You have carefully reviewed the enclosed renewal package.
- Only individuals who meet the eligibility requirements of the plan are eligible to maintain coverage.
- Providing incomplete, inaccurate, or untimely information may void, reduce, or increase premium, or terminate an individual's coverage or the plan coverage.
- The Plan Sponsor can subsidize different premium amounts for different classes of enrollees in a plan provided: 1) such classes are reasonable and based on objective business criteria, such as years of service, date of retirement, business location, job category, and nature of compensation (e.g., salaried vs. hourly), 2) the premium cannot vary for individuals within a given class of enrollees, and 3) the Plan Sponsor must pass through any direct subsidy payments received from CMS to reduce the amount that the beneficiary pays (or in those instances where the subscriber to or participant in the plan pays premiums on behalf of a Medicare eligible spouse or dependent, the amount the subscriber or participant pays). With regard to the Part D premium, different classes of enrollees cannot be based on eligibility for the Part D Low-Income Subsidy (LIS).
- If plan enrollees are entitled to a reduction of their premium as Part D LIS enrollees and Humana receives a Low-Income Premium Subsidy for such enrollees, Humana will pass the Low-Income Premium Subsidy amount through to the LIS enrollees to reduce their premiums.
- With regard to the Part D premium, the Plan Sponsor cannot charge an enrollee for prescription drug coverage provided under the PDP/MAPD plan more than the sum of his or her monthly beneficiary premium attributable to basic prescription drug coverage and 100% of the monthly beneficiary premium attributable to his or her non-Medicare Part D benefits (if any).

Organization: Delaware County Government

Signature: [Signature]

Title: Commissioner

Date: 10/02/2021

Important reminder:

Please sign and return the enclosed "Humana Group Medicare Advantage Plan Renewal" form no later than October 1, 2021 to accept the plan's benefits and rates and continue the plan in the coming year.

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THE INFORMATION TRANSMITTED IS INTENDED ONLY FOR THE PERSON OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN CONFIDENTIAL MATERIAL. IF YOU RECEIVE THIS MATERIAL/INFORMATION IN ERROR, PLEASE

ORDINANCES FOR FIRST READING
AN ORDINANCE TO AMEND AN ORDINANCE
REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN DELAWARE COUNTY
NEBO ROAD AND 350 NORTH
ORDINANCE NO. 2021 – 028

Ms. Moyer said a Public Hearing will take place October 18, 2021.

Due to both intersecting roads having high volumes of traffic, complaints regarding high-speed, accidents and site obstruction are ongoing issues.

MOTION: Commissioner Henry made a motion to introduce Ordinance 2021-028, An Ordinance to Amend an Ordinance Regulating Traffic on Certain Public Streets in Delaware County.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORDINANCES FOR SECOND READING
An Ordinance to Amend an Ordinance Regulating Traffic on Certain
Public Streets in Delaware County
Ordinance No. 2021 – 027

MOTION: Commissioner Henry made a motion to approve Ordinance 2021-027, Regulating Traffic on Certain Public Streets in Delaware County with hope that some type of path can be put in.

Died for lack of second.

Commissioner Riggin asked the public who would be in favor of one stop sign at 400 south, 450 south, 560 east (beach). Three are excessive.

President King said Commissioner Riggin is wanting to amend the motion.

Mr. Joe Rhett, Attorney, said Commissioner Riggin is wanting to strike 1 and 3 off of the ordinance that is presented.

Commissioner Henry said if Commissioner Riggin isn't going to second his motion then he will amend his motion to include 450 south and do away with stop signs at 400 south and 460 south by the beach, with electronic signs. If this does not help, then Commissioner Henry will come back again to amend the ordinance.

MOTION: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King

ORDINANCE NO. 2021-027

AN ORDINANCE TO AMEND AN ORDINANCE
REGULATING TRAFFIC ON CERTAIN PUBLIC STREETS IN
DELAWARE COUNTY

BE IT ORDAINED: By the Board of County Commissioners, Delaware County, Indiana that an ordinance enacted prior to this day, Oct. 4th, 2021, entitled "Traffic Ordinance" is hereby amended as follows:

Title 5, Chapter 4, Section 5, is to be amended as follows:

Item No. 1. There shall be an ALL WAY stop on C.R. 450 South at its intersection with C.R. 560 E, located in Perry Township, Delaware County, Indiana.

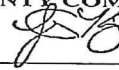
Item No. 2. The County Highway Department of Delaware County, Indiana, is hereby authorized to erect appropriate signage pursuant to the Indiana Manual on Uniform Traffic Control Devices.

Item No 3. The penalty for violation of this ordinance shall be as herein setforth in Article XVI, Section 16-1.

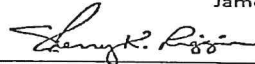
Item No. 4. This ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND ADOPTED by the Board of County Commissioners of Delaware County, Indiana the 4th day of October, 2021.

DELAWARE COUNTY COMMISSIONERS



James King, President



Sherry Kiffin, Vice President



Shannon Henry, Member

ATTEST:


Steven G. Craycraft, Auditor

DEPARTMENT HEADS AND ELECTED OFFICIALS

*Ms. McCammon presented the dates of flu shots.

October 20, 2021 from 8:30 am to 10:30 am at the County Building. They will be held in the Human Resource Conference Room- 3rd floor

October 20, 2021 from 12:00 pm to 2:30 pm at the Justice Center. They will be held in the Commissioners Conference Room – 1st floor

October 27, 2021 from 1:00 to 3:30 at the Highway Department.

October 20, 2021 8:30 to 10:30, Justice 12:00 to 2:30

*President King asked Mr. Tony Skinner, Sheriff of Delaware County questions.

- Out of county inmates-mid 20's @ \$40 per day
- Meals @\$1.40 per day, no formula for manpower, laundry, electricity.
- 26 or 27 Correction Officers have quit since January 2021
- 5 Deputies have quit since January 2021

Employees come and go. Discussion about the CARES Act money was discussed. The Commissioners do not have control of county general.

President King asked Mr. Steven Craycraft, Auditor of Delaware County

- How much money out of county has been brought into general fund
- What are the cost savings by not filling open positions for Corrections Officers and Deputies
- What is the savings of insurance, PERF and FICA
- If raises were given, what amount would PERF and FICA be
- What would have to be placed into the Sheriff's Pension

Commissioner Henry said this is Council's job to do and is not the Commissions job.

Commissioners are not the ones that give raises and are not in control of county general.

President King said 40 hours verses 32.50 should be broken down when comparing salaries also.

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Mr. Steven Craycraft, Auditor's office, said the daily out of county rate has been counted as anticipated revenue. During the budget process this is taken into account. EDIT, LOIT revenue has to be anticipated too. LOIT tax is a payroll tax. Mr. Craycraft will get the numbers. COVID will not shake out for the next few years, so they do not know how this will effect revenue.

King said unappropriated should be considered instead of anticipated.

Mr. Skinner said the pay lines with Corrections Officers will not be much because they pulled every penny they could for overtime. On the Merit side there should be money sitting in the pay lines.

MONTHLY/WEEKLY REPORTS

PAYMENTS OF CLAIMS

MOTION: Commissioner Riggin made a motion to approve claims in the amount of \$1,087,922.19.

SECOND: Commissioner Henry

YEAS: Commissioner Henry, Commissioner Riggin, President King

PUBLIC COMMENTS, QUESTIONS, OTHER BUSINESS & DISCUSSION

Commissioner Riggin gave a shout out to the Mayor, Sheriff Department, EMA, EMS, Highway Department and Park Department for their hard work and dedication to Iron Man.

Moment of Silence for Mr. Brent Langdon, Langdon, Superintendent of Delaware County Fairgrounds.

RECESS

MOTION: Commissioner Henry made a motion to recess until October 18, 2021.

SECOND: Commissioner Riggin

YEAS: Commissioner Henry, Commissioner Riggin, President King



President, James King



Vice President, Mr. Sherry Riggin



Member, Mr. Shannon Henry



Auditor, Steven G Craycraft

Commissioner meeting October 4, 2021