

ORIGINAL

DELAWARE COUNTY COUNCIL MEETING
DELAWARE COUNTY COMMISSIONERS' COURTROOM

October 24, 2023

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Questions from the public may be directed to countycouncildist@co.delaware.in.

ROLL CALL

Present: Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead, Auditor, Mr. Ed Carroll, Attorney, Mr. Ben Freeman

AGENDA POSTED and APPROVAL OF AGENDA

MOTION: Councilmember Flanagan made a motion to approve agenda, as presented.

SECOND: Councilmember Whitehead

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

APPROVAL OF SEPTEMBER 26, 2023 COUNCIL MEETING

MOTION: Councilmember Whitehead made a motion to approve September 26, 2023 minutes.

SECOND: Councilmember Flanagan

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

COUNTY GENERAL

Ms. Tonya Dunsmore, Settlement Clerk, read aloud requests.

MOTION: Councilmember Webb made a motion to approve Sheriff 129 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Circuit Court 138 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Ms. Emily Anderson, Court Administrator, said this is what she had mentioned during budget 2024.

Psychological testing is mandatory.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Treasurer 127 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Mr. Brad Polk, Treasurer, said this will cover paper, ink and receipt paper needed in the Treasurer's office.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Prosecutor 1000-137 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Ms. Lisa Carr, Prosecutors Office Manager, said she had contacted Mr. Steve Foster, Building Superintendent, regarding placing a wall and electrical outlet in the new office. The amount requested includes a laptop and furniture. Ms. Carr said she is waiting on a quote. Ms. Carr contacted IT regarding the data line.

Councilmember Mochal does not want a lot of money to be used for walls and the door. Having the quotes at the meeting would have helped. Once quotes are received, Councilmember Mochal asked that they be sent to councilmembers.

Ms. Carr said unless the money is transferred this month she would not be able to order anything with the new office. The money would need to be made available before year end to pay the invoice in 2023.

Councilmember Hughes reminded council that when the Deputy Prosecutor position was approved by Council, Council asked that she find the money for the office remodel and this is what took place.

Councilmember Webb said any money that does not have to be appropriated is a plus. Councilmember Webb said this a blind transfer and an itemized list should have been provided.

Councilmember Whitehead said the Prosecutors office asked for three (3) employees and \$14,000 for remodel, computers and furniture and now asking to transfer \$24,695.27. Councilmember Whitehead does not feel comfortable moving this money, until estimates are provided.

Ms. Carr assured Councilmembers that "she" is very careful with money. Ms. Carr said once the money was found, she requested the transfer so it could be used before year-end.

Councilmember Mochal said the money being spent is not the problem, however he would like the copiers, equipment, office wall and remodel to be included in the price.

Ms. Carr said it is for one wall and one door but is not sure at this time of the cost. This came up at Finance meeting regarding the copiers. Unless monies are transferred, the computer cannot be ordered.

Councilmember Webb recommended coming back in November with a detailed list because it is the Council's job to allocate money appropriately.

Councilmember Kantz reiterated what Ms. Carr said and believes the department head should be entrusted regarding their own office. This money is not an allocation only a transfer.

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President Piper said it must balance back to zero. Ms. Carr is using monies from positions that remain open.

MOTION: Councilmember Flanagan made a motion for the amount to be amended from the request (see below).

SECOND: Councilmember Webb

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

NAYS; Councilmember Kantz

Ms. Carr will send the quote to all Councilmembers once it is received.



**OFFICE OF THE PROSECUTING ATTORNEY
ERIC M. HOFFMAN, PROSECUTOR
46TH JUDICIAL CIRCUIT
DELAWARE COUNTY, INDIANA**

3100 S. TILLOTSON AVE., SUITE 270
MUNCIE, IN 47302-6548

TELEPHONE 765-747-7801
FAX: 765-747-7830

October 23, 2023

County Council Members,

Thank you for approving the new Deputy Prosecutor position for our office. We are working to fill that position and in order to have things in place by January 1st, we have submitted a request to transfer \$1,000.00 to Office Supplies and \$24,695.27 to Office Remodel. This money will come from an investigator position and two deputy prosecutor positions.

The question came up at finance whether we gave back money from our 2023 budget during the budget hearings, and yes we did give back money from transcripts, legal services and witness fees.

The office remodel line will also allow us to fund a computer and furniture.

I have contacted Dell regarding a new laptop and dock and that quote is \$2,126.23.

The last VLA Office Standard license I purchased from IT was \$290.75.

I have contacted Thomas Business regarding a desk, chair and mat and that quote is \$1,150.97.

We will need some other miscellaneous items that include computer monitors, scanner, label writer, phone, etc.

I have contacted the IT Department about adding a data line and another electrical outlet. They have requested an estimate, but as of now, I have not received that.

To create a new office, Steve Foster has been contacted to give us an estimate for a wall and door, which will be our biggest expense, but as of this afternoon, he has not supplied that to us.

The other question that came up, after the Courts informed Finance that their copiers were at the end of life, is whether we could fund a copier out of this. I did contact Weber Office Equipment. I currently have 3 copiers. Our color copier is 9 years old and has \$551,199 total prints. The 2 black copiers are 8 years old and have 488,590 and 524,040 prints on them. I have requested quotes from Weber. If we have money left over, we could use it toward a copier.

Lisa Carr

Chief of Staff
Investigator to the Prosecutor
Delaware County Prosecutor's Office
3100 South Tillotson Avenue, Suite 270
Muncie, IN 47302-6548
(765) 747-7801 Ext. 347

MOTION: Councilmember Webb made a motion to approve Public Defenders Office 139 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Councilmember Webb asked about the "contract attorney fees" written on the request form.

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Ms. Shelley Harvey, Public Defenders Office Manager, said monies being transferred is due to conflicts on cases or one of the attorneys are at the top of their numbers, hitting quotas, or an attorney not employed by the Public Defender's office. That attorney is paid hourly (\$100) for example. This is set by the Public Defenders Commission.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

OTHER

MOTION: Councilmember Webb made a motion to approve Highway Department MVH 1176 transfer (see below).

SECOND: Councilmember Flanagan

Councilmember Flanagan asked if this was to get ready for winter season.

Favorable recommendation at Finance meeting.

Councilmember Webb asked why so much part-time money is being transferred to overtime.

Mr. Tommie Humbert, Highway Superintendent, said when 600 tons of mix is ordered, sometimes equipment breaks down and overtime is required to complete the work immediately. Mechanics have to stay over or come in early to get equipment up and running. Complaint calls are handled within 24 hours. When tractors go down, and they are unable to mow, once they are repaired then the mowing has to get done. When the guys are at a job and they go in thinking it will be an eight-hour job but it turns out to be a 12-hour they cannot leave the site. Mr. Humbert said tractors were broken down over the summer and we didn't have part time help, now we have new tractors, so this should not be a problem.

Ms. Carrie Dye, Office Manager, said they don't think they will need to use all of the money requested, however, "we" don't want to get to the end of the year, have a snow fall, and not have the funds to pay overtime. Last year due to the snow storm, the guys had to split shifts due to it being over Christmas.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Highway Department Bridge 1135 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve JAIL LIT 1170 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

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YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Prosecutor LIT 1170 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Public Defenders Supplemental Fund #247 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

ADDENDUM COUNTY GENERAL

MOTION: Councilmember Webb made a motion to approve Jail 145 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Sheriff 129 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Councilman Webb asked about the transfer request.

Ms. Nancy Marvin, Sheriff Office Manager, said the person promoted had more time in the department than the person who left the previous Corporal position.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Auditor 126 transfer (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

OTHER

MOTION: Councilmember Webb made a motion to approve Community Corrections (DOC Grant) 9320 transfer (see below).

SECOND: Councilmember Flanagan

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Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Community Corrections (Drug Project Income) 2501 transfer (see below).

SECOND: Councilmember Flanagan

Councilmember Hughes said the crew supervisor left in the middle of the 2023 and the position is not going to be filled.

Ms. Melissa Ritchie, Financial Manager, confirmed the statement.

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

ADDENDUM AFTER FINANCE COMMITTEE MEETING
COUNTY GENERAL

MOTION: Councilmember Webb made a motion to approve Public Defenders Office 139 for \$46,350 (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Ms. Harvey, said when she prepared 2023 budget, she had made a mistake and placed extra money in FICA but shorted PERF. The request is needed to pay PERF back. Psychological testing has to be done for mental evaluation. Defense Council requests the evaluation, that test tells if the client is competent to stand trial. Ms. Harvey is in hopes that this will cover the remainder of 2023. Dr. Bobby Hatfield is willing to work with the Public Defender's Office, although Ms. Harvey does not like to carry over anything into the next year.

Councilmember Webb asked why then was the extra money not somewhere else.

Ms. Harvey said she had taken money out of FICA and placed it into PERF. After 2024 budget was approved her and Mr. Kelly Bryan, Chief Public Defender, went through line by line, due to monies being so close. Ms. Harvey said that is why nothing could be given back to Council for 2024 budget. Ms. Harvey said once trials are over and they are found guilty, the person appeals 100% of the time and then a transcript has to be done. Ms. Harvey provided an example of a time when she was a court reporter and had to do a five-day trial transcript costing \$4,000.

Councilmember Kantz acknowledged the balancing act that takes place and said the Public Defender's office juggles funds on a regular basis.

Ms. Harvey has been the Office Manager since 2017, 90% of the budget is salaries and they do not have much room to play with. Due to turnover, there was some money that could be used. Since Council gave fair salary to the Public Defenders, the department has had only one person that left. Due to COVID they are still playing catch up.

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Mr. Bryan said plea bargaining gets a bad rap but without it the system would collapse. Defendants have the right to appeal. Public Defenders and the Prosecutor, Mr. Eric Hoffman and Deputy Prosecutors work well together. Some trials are long and Mr. Bryan said usually if it is in the newspaper then the cases go to trial. Mr. Bryan recognized Ms. Harvey's honesty and "although she isn't perfect, she is damn close."

Ms. Dunsmore said for July, August, September and October, the total included \$629,231 and Ms. Dunsmore put in \$550,000 and the difference is \$79,231.

Councilmember Hughes said that would reduce the cash balance for the end of 2023. Council is asking that no appropriations be turned in for November 2023.

Ms. Harvey said the 40% reimbursement will come in 2024.

Councilmember Kantz said the balancing act with funds is something that has to be done. Prosecutors office is doing what needs to be done, however, it is holding those responsible and money well spent.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Whitehead, Councilmember Piper
NAYS: Councilmember Webb

MOTION: Councilmember Webb made a motion to approve Treasurer 127 for \$989 (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Mr. Polk said earlier in 2023 the Head Cashier, Ms. Susie Dillon passed away, her time did not run out until after the tax sale, however, the new Head Cashier had to be trained before the sale so the salaries overlapped. Mr. Polk did give back monies for the 2024 budget.

Councilmember Webb asked if there was any money from another fund that could have been transferred.

Mr. Polk said there was not.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

OTHER

MOTION: Councilmember Webb made a motion to approve EDIT Projects 1112 for \$1,500,000 (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

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Councilmember Webb said the balance is \$1,409,348.

Ms. Dunsmore said this is something that is done at the first of the year when money is encumbered. March 2023, the Commissioners appropriated \$3.5 million, which gets them through until now and then they appropriate the rest remaining in EDIT for the year. All of the revenue, through the end of year, is accounted for, so Councilmember Webb is right and it is coming back as \$1.4 instead of \$1.5 so we are \$91,000 short.

Councilmember Hughes said it was \$4 million in March 2023.

Councilmember Whitehead said it is \$1.4 million.

Ms. Hodges said she could do \$1.4 million and come back in November if needed.

MOTION: Councilmember Webb made a motion to amend the motion to \$1,409,348. (see below).

SECOND: Councilmember Flanagan

Councilmember Webb asked about the 18 projects and said it is hard to vote on something that he doesn't know what he is voting on.

President Piper said the Commissioners did provide the list earlier, however EDIT is in the Commissioners budget and Council really doesn't get preview of EDIT unless Commissioners chose to provide.

Mr. Shannon Henry, Commissioner President, said the EDIT was provided to Council a vote to approve was done by Council.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

Ms. Sara Hodges, Executive Assistant, said she will provide the list to the Councilmembers regarding the projects.

Councilmember Kantz said Council did receive the EDIT plan. More reporting should take place but this conversation can be discussed at a later time. A monthly ledger would be awesome.

MOTION: Councilmember Webb made a motion to approve GAL CASA Grant 1212 for \$2,150.84 (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Public Defenders Supplemental Fund 1200 for \$2,500. (see below).

SECOND: Councilmember Flanagan

Councilmember Kantz asked Ms. Harvey about an October 2, 2023 email Council received regarding ARP money.

Ms. Harvey said an appropriation to designate the transcript had to be done. An attorney was on two murder cases and submitted bills totaling \$20,000. This was paid out from ARP. Ms. Harvey usually pays for supplies out of 1200 but she was out of money. This is the supplemental fund that does not come out of county general.

Councilmember Hughes said this must be approved by state board and is limited on what can be spent. Favorable recommendation at Finance meeting.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Webb made a motion to approve Sheriff Operation Pullover 8109 for \$30,000 (see below).

SECOND: Councilmember Flanagan

Favorable recommendation at Finance meeting.

Mr. Tony Johnson, Captain, said he oversees the Indiana Criminal Justice Institute federal grant. The federal grant pays overtime to deputies to do traffic enforcements, operation pullovers, seatbelt enforcement and aggressive driving to keep motorist safe. The grant is 100% reimbursable by the State. Captain Johnson said the state has had problems getting people to volunteer for these grants due to going elsewhere for more money such as security jobs. The state increased the wage to a double time rate. People now want to work operation pullover. At the beginning of the year, Captain Johnson foresaw that they would spend no more than \$30,000 for the grant and has hit that limit as of August or September 2023. Captain Johnson is asking for an increase of \$30,000. The total grant is \$121,000 and is 100% reimbursable.

Councilmember Webb asked about the balance.

Ms. Dunsmore provided the numbers and provided information. The state is being set up and will be paid in line 8109. The state provided a letter confirming the \$121,000, however, it does not state when the grant will be received. The grant runs from October 1 through September 30 of next year.

Councilmember Hughes said this is a reimbursement grant, therefore, money has to be spent before receiving money.

Continued discussion took place regarding the deputies and payout.

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

MOTION: Councilmember Whitehead made a motion to approve financial, transfers, and to amend salary ordinance with like reductions.

SECOND: Councilmember Flanagan

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YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

APPOINTMENTS AND COMMITTEE REPORTS

President Piper thanked all department heads for adjusting to the Council Rules and Regulations. The representation at Finance Committee and Council meetings must take place.

President Piper read aloud the board appointments that will expire 12/31/2023. President Piper asked for confirmation regarding Mr. Bart Keesling's appointment on the Fair Board. The deadline to those interested is serving on a board must be turned in by December 1, 2023.

NEW BUSINESS

CODE OF CONDUCT COMMITTEE

Councilmember Piper introduced the Code of Conduct Committee idea. This will provide information regarding meetings to the public and how they should be presented.

Councilmember Whitehead volunteered.

Councilmember Webb asked what the difference from Council Rules and Regulations from Code of Conduct Committee and what the capabilities of the committee would be?

President Piper said the committee would create the actual code of conduct, however the county handbook also has this. This is more of an option to the public.

Councilmember Webb said Council does not have real teeth to any enforcement.

Mr. Ben Freeman, Council Attorney, said Council as a whole would be the enforcement. As Council "you" essentially have the authority to some circumstances over the membership of Council. The committee would come together to draft something as was done regarding the Council rules.

Councilmember Kantz asked about the statutes and said this committee would determine what code of conduct may be. The optics of one thing and the actual reality of what it can do is another. If this is passed by Council, what authority does this committee actually have.

Councilmember Hughes said the committee would want input by all councilmembers and public.

Councilmember Hughes, Councilmember Flanagan and Councilman Whitehead volunteered to be on committee. Councilman Whitehead will be the Chairman.

Councilmember Webb said the code of conduct is because he is the most outspoken elected official.

Councilmember Webb said he has very strong opinions and speaks openly. If Council is talking about conflict of interests or awarding contracts, that is one thing but if "you" are talking about code of conduct being vocal

on his beliefs of two genders, no. This could be offensive; however, Councilmember Webb will continue to speak of reality and will not filter himself.

Flu shots will be provided October 24, 2023.

Ms. Anderson provided information regarding copiers and end of life on copiers.

ELECTED OFFICIALS & DEPARTMENT HEADS

Councilmember Kantz said a lease agreement may be more feasible regarding copiers. Councilmember Kantz provided information regarding the solar eclipse and asked other Councilmembers to review the information.

Councilmember Hughes presented information regarding the public hearing set for November 2, 2023. See below.

Councilmember Webb said the topic of the solar farms has not been discussed by Council for some time. Council approved a tax abatement, under the impression that there was no opposition, and told there was not. Then there were hundreds with legal representation regarding this matter at one of Councils meetings. At that time, Councilmember Webb asked that the tax abatement be rescinded until the Planning Commission knew more, then there was the Commissioners moratorium. Councilmember Webb understands with the death of Ms. Marta Moody things have rightfully moved slow.

President Piper said they had the bipartisan subcommittee to review everything, the Commissioner moratorium and now Council is waiting to see where the cards land.

Councilmember Webb said he hopes the Commissioners consider placing solar panels on the roof at the Justice Center.

Councilman Webb encourages everyone to vote.

President Piper said no questions from livestream or email.

President Piper said the Muncie Civic Theatre is doing a production of White Christmas from December 8 through December 23, 2023. This is a large military component; the Civic Theater is inviting all veterans and a guest to attend "free of charge".

NOTICE OF PUBLIC HEARING

On November 2nd, 2023, the Delaware-Muncie Metropolitan Plan Commission (DMMPC) will hold a public hearing using the alternate conduct of an individual hearing to consider proposed amendments to the text of the Delaware County Comprehensive Zoning Ordinance regarding provisions for large solar installations in the F Farming Zone affecting properties in the unincorporated territory of Delaware County, IN. The amendments deal with: adding requirements for a pre-application meeting with the Plan Director; adding requirements for a pesticide management plan; adding requirements to the decommission and restoration plan and agreement; requiring the owner of a solar farm to provide any needed specialized equipment to the Delaware County Emergency Management Agency; changing the public notice of a solar project; adding insurance requirements; verifying that changes to an existing solar farm requires a new application; adding land use limitations for solar farms; adding a property value guarantee; adding a good neighbor policy; adding requirements for the transfer of ownership of a solar farm; adding a nuisance provision; and adding a definition.

The hearing will begin at 6:00 P.M. in the Auditorium at the Delaware County Justice and Rehab Center, 3100 S. Tillotson Ave., Muncie, Indiana. During the hearing, written comments on the proposal, filed with the Commission's Secretary before the hearing, will be considered and oral comments will be heard. During the consideration of the amendment, the Commission may approve, amend, delete or modify all, or a part of, said amendment and will forward a recommendation to the Delaware County Commissioners for final action. Copies of the proposal and the alternate rules of an individual hearing are on file for examination in the Plan Commission Office, Room 206, Delaware County Building, Muncie, Indiana, and on the DMMPC's website www.DMMPC.org. Comments may be forwarded by phone, 765-747-7740, or by email to fdaniel@co.delaware.in.us. Any individual with a disability may request accommodation in order to participate in, or benefit from, the public hearing. Requests for accommodation should be made at least 4 days in advance of the public hearing by contacting the DMMPC office by phone or by email to Fred Daniel at fdaniel@co.delaware.in.us.

Please be advised the hearings may be continued from time to time as may be found necessary.
Fred Daniel, Zoning Planner

(MNI - 10/20/23, 10/22/23 - 0005847243)

hspaxlp

ADJOURN

MOTION: Councilmember Flanagan made a motion to adjourn until November 21, 2023.

SECOND: Councilmember Webb

YEAS; Councilmember Flanagan, Councilmember Hughes, Councilmember Kantz, Councilmember Mochal, Councilmember Piper, Councilmember Webb, Councilmember Whitehead

WFBP

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget:		
SECTION 1, THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same on October 24, 2023		
Transfers for October 24, 2023		
COUNTY GENERAL		
SHERIFF 129		
PERSONAL SERVICES		
Salaries and Wages		
129/152 DEPUTY		
129/A152 DEPUTY		
TOTAL	\$0.00	
CIRCUIT COURT 138		
PERSONAL SERVICES		
Salaries and Wages		
164 PROBATION OFFICER	-\$2,965.51	- 2965.51
196 PART-TIME PROBATION OFFICER	-\$1,600.00	- 1600.
A106 ASSISTANT COURT REPORTER	-\$3,494.54	- 3494.54
A150 JUVENILE PROBATION SUPERVISOR STIPEND	-\$211.54	- 211.54
B120 ASSISTANT COURT REPORTER/COURT BAILIFF	-\$4,117.30	- 4117.30
B131 COURT REPORTER	-\$1,287.00	- 1287.
C138 ASSISTANT COURT REPORTER	-\$837.42	- 837.42
C165 COURT SECRETARY	-\$68.80	- 68.80
E146 ASSISTANT COURT REPORTER	-\$69.81	- 69.81
F140 PRE-TRIAL SCREENING ANALYST	-\$837.45	- 837.45
OTHER SERVICES AND CHARGES		
313 PSYCHOLOGICAL TESTING	\$15,489.37	15,489.37
TOTAL	\$0.00	

*WFBP
Flanagan*

ORIGINAL

TREASURER 137		
SUPPLIES 211 1000-127-00000-211 OFFICE SUPPLIES	\$1,000.00	1000.
OTHER SERVICES AND CHARGES		
325 1000-127-5-00000-325 PRINTING	with Flanagan -\$1,000.00	-1000.
TOTAL	\$0.00	
PROSECUTOR 137		
PERSONAL SERVICES		
Salaries and Wages		
C113 DEPUTY PROSECUTOR	with Flanagan -\$780.00	780.
108 PART-TIME	\$780.00	780
B111 INVESTIGATOR	with Flanagan -\$2,085.00	-2085
C113 DEPUTY PROSECUTOR	-\$8,798.32	-8798.32
B115 DEPUTY PROSECUTOR	take out -\$14,811.95	-14811.95
SUPPLIES		
211 OFFICE SUPPLIES	\$1,000.00	1000.
CAPITAL OUTLAYS		
420 OFFICE REMODEL	\$24,695.27	24,695.27
TOTAL	\$0.00	8883.32 9883.32

ORIGINAL

PUBLIC DEFENDERS OFFICE 139		
PERSONAL SERVICES		
Salaries and Wages		
1000-139-5-00000-186 ATTORNEY FEES	\$10,000.00	10,000
1000-139-5-00000-195 DISABILITY INSURANCE	-\$1,100.00	-1,100.
1000-139-5-00000-171 FICA	-\$20,000.00	-20,000
1000-139-5-00000-194 LIFE INSURANCE	\$560.00	560.
1000-139-5-00000-193 HEALTH INSURANCE	\$7,650.00	7,650.
1000-139-5-00000-172 PERF	\$12,890.00	12,890.
OTHER SERVICES AND CHARGES		
1000-139-5-00000-312 CONTRACT ATTORNEY FEES	-\$10,000.00	-10,000
TOTAL	\$0.00	0
OTHER		
HIGHWAY DEPARTMENT MVH 1176		
PERSONAL SERVICES		
Salaries and Wages		
B132 1176-202-5-2000B-132 TRUCK DRIVER	-\$7,814.43	-7,814.43
C132 1176-202-5-2000C-132 TRUCK DRIVER	\$7,814.43	7,814.43
116 1176-202-5-20000-116 EQUIPMENT OPERATOR	-\$7,139.54	-7,139.54
A116 1176-202-5-2000A-116 EQUIPMENT OPERATOR	\$7,139.54	7,139.54
170 PART-TIME 1176-202-5-200000-170	-\$30,000.00	-30,000
160 OVERTIME 1176-202-5-200000-160	\$30,000.00	30,000
TOTAL	\$0.00	0

ORIGINAL

HIGHWAY DEPARTMENT BRIDGE 1135		
PERSONAL SERVICES		
Salaries and Wages		
B140 1135-400-5-0000B-140 OPERATOR/WELDER	-\$10,330.22	-10,330.22
C140 1135-400-5-0000C-140 OPERATOR/WELDER	\$10,330.22	10,330.22
173 HEALTH INSURANCE 1135-400-5-00000-173	-\$15,000.00	-15,000
160 OVERTIME 1135-400-5-00000-160 OVERTIME	\$15,000.00	15,000
TOTAL	\$0.00	0
JAIL LIT 1170		
PERSONAL SERVICES		
Salaries and Wages		
1170/F111 CORRECTIONAL OFFICER	-\$10,858.58	-10,858.70
1170/G111 CPRRECTIONAL OFFICER	\$10,858.58	10,381.70
TOTAL	\$0.00	0
PROSECUTOR LIT 1170		
PERSONAL SERVICES		
Salaries and Wages		
B103 INVESTIGATOR	-\$1,833.00	-1,833
C103 INVESTIGATOR	\$1,833.00	1,833
TOTAL	\$0.00	0

webb
Flanagan

ORIGINAL

PUBLIC DEFENDERS SUPPLEMENTAL FUND #247		
PERSONAL SERVICES		
Salaries and Wages		
1200-247-5-00000-173 HEALTH INSURANCE	-\$200.00	-200.
1200-247-5-00000-172 PERF	\$120.00	120
1200-247-5-00000-171	\$80.00	80.
TOTAL	\$0.00	0
Councilmember Flanagan	DL 281	
Councilmember Hughes	William V. Hughes	
Councilmember Kantz	[Signature]	
Councilmember Mochal	[Signature]	
Councilmember Piper	[Signature]	
Councilmember Webb	[Signature]	
Councilmember Whitehead	Engene Whitehead	
Auditor Carroll	[Signature]	

Webb
Flanagan

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget October 24, 2023 ADDENDUM 1		
SECTION 1, THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same on October 24, 2023 addendum 1 transfers		ORIGINAL
COUNTY GENERAL		
JAIL 145		
PERSONAL SERVICES		
Salaries and Wages		
145/G113 CORRECTIONAL OFFICER	-8,514.00	-8514
145/H113 CORRECTIONAL OFFICER	8,514.00	8514
145/G139 CORRECTIONAL OFFICER	-13,422.91	-13,422.91
145/H139 CORRECTIONAL OFFICER	13,422.91	13,422.91
TOTAL	0.00	0
SHERIFF 129		
PERSONAL SERVICES		
Salaries and Wages		
129/197 OVERTIME	-76.94	-76.94
129/D122 CORPORAL	76.94	76.94
TOTAL	0.00	0

ORIGINAL

<i>Jail</i>		
SHERIFF 145 Jail		
PERSONAL SERVICES		
Salaries and Wages		
145/048 CLOTHING ALLOWANCE		-1,500.00
145/049 CLOTHING ALLOWANCE	<i>Webb</i>	-1,500.00
145/050 CLOTHING ALLOWANCE		-1,500.00
145/051 CLOTHING ALLOWANCE	<i>Flanagan</i>	-1,500.00
145/052 CLOTHING ALLOWANCE		-1,500.00
145/053 CLOTHING ALLOWANCE		-1,500.00
145/054 CLOTHING ALLOWANCE		-1,500.00
145/055 CLOTHING ALLOWANCE		-1,500.00
145/056 CLOTHING ALLOWANCE		-1,500.00
145/062 CLOTHING ALLOWANCE		-1,500.00
145/C135 CORRECTIONAL OFFICER		6,360.00
145/197 OVERTIME		8,640.00
TOTAL		0.00
AUDITOR		
PERSONAL SERVICES		
Salaries and Wages		
126 E104 PAYROLL		-6,059.22
126 F104 PAYROLL		6,059.22
126B119 TAX SALE DEPUTY		-7,475.61
126 C119 TAX SALE DEPUTY		7,475.61
TOTAL		0.00
OTHER		
COMMUNITY CORRECTIONS (DOC GRANT) 9320		
PERSONAL SERVICES		
Salaries and Wages		
9320-000-5-0000A-109 ADMIN ASSISTANT		-3,366.41
9320-000-5-0000B-108 ADMIN ASSISTANT		3,366.41
9320-000-5-0000A-109 ADMIN ASSISTANT		-147.35
9320-000-5-0000A-107 FINANCIAL MANAGER		147.35
TOTAL		0.00

[Handwritten bracket on the right side of the Sheriff 145 section]

*6089.22
6059.22
-7475.61
7475.61
0*

*-3366.41
3366.41
-147.35
147.35
0*

ORIGINAL

COMMUNITY CORRECTIONS (DRUG PROJECT INCOME)2501		
PERSONAL SERVICES		
Salaries and Wages		
2501-215-5-0000B-108 FINANCIAL MANAGER	-35.20	-3520
2501-215-5-000C-108 FINANCIAL MANAGER	35.20	3520
2501-215-5-00000-104 WORK CREW SUPERVISOR	-24,920.16	-2492016
2501-215-5-00000-173 HEALTH INSURANCE	24,920.16	2492016
TOTAL	0.00	0
ADDED AFTER FINANCE MEETING		
TRANSFERS COUNTY GENERAL		
JAIL 145		
145/G134 CORRECTIONAL OFFICER	-12,325.93	12,325.93
145/H134 CORRECTIONAL OFFICER	12,325.93	12,325.93
TOTAL	0.00	0
PUBLIC DEFENDERS OFFICE #139		
PERSONAL SERVICES		
100-139-5-00000-B173 LEGAL SECRETARY	-2,550.00	-2550.
1000-139-5-00000-C173 LEGAL SECRETARY	2,550.00	2550.
TOTAL	0.00	0
Councilmember Flanagan		Di 284
Councilmember Hughes		William V. Hyman
Councilmember Kantz		
Councilmember Mochal		
Councilmember Piper		
Councilmember Webb		
Councilmember Whitehead		Engene Whitehead
Auditor Carroll		

Webb
Flanagan

Ryan
Dan

Di 284
William V. Hyman
[Signature]
[Signature]
[Signature]
Engene Whitehead
[Signature]

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same on October 24, 2023 Financials		
COUNTY GENERAL		
PUBLIC DEFENDERS OFFICE 139		
PERSONAL SERVICES		
Salaries and wages		
1000-139-5-00000-172 PERF	\$17,850.00	17,850
OTHER SERVICES AND CHARGES		
1000-139-5-00000-313 PSYCHOLOGICAL TESTING	\$3,325.00	3325.
1000-139-5-00000-185 TRANSCRIPTS	\$25,175.00	25175
TOTAL	\$46,350.00	46350
TREASURER 127		
PERSONAL SERVICES		
Salaries and Wages		
104 1000-127-5-0000A-104 HEAD CASHIERS DEPUTY	\$989.00	989.
TOTAL	\$989.00	989.
OTHER		
EDIT PROJECTS 1112		
OTHER SERVICES AND CHARGES		
1112-662-5-00000-300 EDIT PROJECTS	\$1,500,000.00	1,409,348
TOTAL	\$1,500,000.00	1500,000 1500,000 1,409,348

GAL CASA GRANT 1212

ORIGINAL

PERSONAL SERVICES

Salaries and Wages

196 Overtime

\$2,150.84 2,150.84

TOTAL

\$2,150.84 2,150.84

PUBLIC DEFENDERS SUPPLEMENTAL FUND 2471200

SUPPLIES

OFFICE SUPPLIES 1200-247-5-00000-211

webb

\$2,500.00 2500.

TOTAL

Flanagan

\$2,500.00 2500

SHERIFF OPERATION PULLOVER 8109

PERSONAL SERVICES

Salaries and Wages

8109-278-101 DUI GRANT OPERATION PULLOVER

webb

\$30,000.00 30,000

TOTAL

Flanagan

\$30,000.00 30,000

*121K
-30K*

Councilmember Flanagan

0 of 28K

Councilmember Hughes

LM on V. Stager

Councilmember Kantz

[Signature]

Councilmember Mochal

[Signature]

Councilmember Piper

[Signature]

Councilmember Webb

[Signature]

Councilmember Whitehead

Engene Whitehead

Auditor Carroll

[Signature]

Councilmember Flanagan

Handwritten signature in black ink, appearing to read "01281" with a flourish.

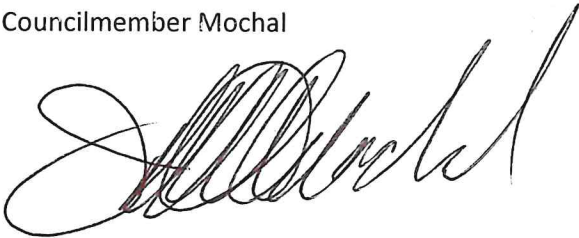
Councilmember Hughes

Handwritten signature in blue ink, appearing to read "William V. Hughes".

Councilmember Kantz

Handwritten signature in black ink, appearing to read "Kantz".

Councilmember Mochal

Handwritten signature in black ink, appearing to read "Mochal".

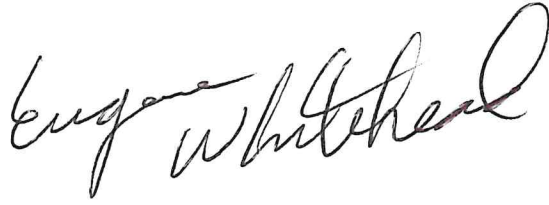
Councilmember Piper

Councilmember Webb

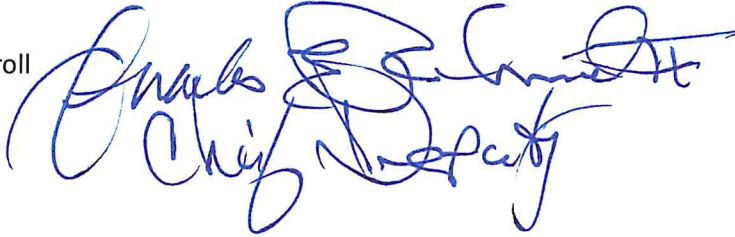
Handwritten signature in blue ink, appearing to read "Webb".

October 24, 2023 Regular County Council meeting

Councilmember Whitehead



Auditor, Mr. Ed Carroll



<https://www.youtube.com/watch?v=LuitDsAMRJo>

October 24, 2023 Regular County Council meeting