



DELAWARE COUNTY COUNCIL MEETING
March 26th, 2024
DELAWARE COUNTY COMMISSIONERS' COURTROOM
Call to Order
Pledge of Allegiance

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 (Absent)

Question from the public may be directed to CountyCouncilDIST@co.delaware.in.us

Agenda Posted

Approval of Agenda

MOTION: Councilmember Flanagan made a motion to approve the agenda.

SECOND: Councilmember Whitehead

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

Approval of the February 27th Council Meeting Minutes

MOTION: Councilmember Flanagan made a motion to approve February 27th minutes

SECOND: Councilmember Whitehead

Councilmember Whitehead made a correction to the Corporal Wyatt he did a ride along with.

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

Transfer and Appropriation Agenda

MOTION: Councilmember Webb made a motion to approve Auditor 126

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Jail 145

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Communications 124

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Public Defenders 139

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Assessor 134

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Plan Commission 148

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Recorder 128

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Sheriff 129

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Delaware Circuit Court 138

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Highway 1176/202/30000

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Ineligible Homestead 1216

SECOND: Councilmember Flanagan

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

NAYS; Councilmember Webb

MOTION: Councilmember Webb made a motion to approve DCCC Project Income 1122

SECOND: Councilmember Flanagan

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

NAYS; Councilmember Webb

Council discussed salary increases not at budget time.

MOTION: Councilmember Webb made a motion to approve DCCC DOC Grant 9220

SECOND: Councilmember Flanagan

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

NAYS; Councilmember Webb

MOTION: Councilmember Webb made a motion to approve Fairgrounds 4911

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Ball Brothers High Tech Crimes Unit 9214

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Ineligible Standard Deduction 1216

SECOND: Councilmember Flanagan

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

NAYS; Councilmember Webb, Councilmember Whitehead, Councilmember Kantz

Council and Ed Carroll, Auditor discussed salary increases not at budget time.

MOTION: Councilmember Webb made a motion to approve MVH Restricted 1173

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve CCMG-MVH 9076

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve 1222 Statewide 911

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Surveyor Corner Perpetuation 1202

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Webb made a motion to approve Local Public Health Services 1161

SECOND: Councilmember Flanagan

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

MOTION: Councilmember Flanagan made a motion to approve Edit 1112

SECOND: Councilmember Kantz

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

NAYS; Councilmember Webb

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

SECOND: Councilmember Flanagan

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

Ordinances and Resolutions

Kaleidoscope Properties, LLC | Resolution 2024-005

MOTION: Councilmember Webb made a motion to approve Resolution 2024-005

SECOND: Councilmember Flanagan

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

NAYS; Councilmember Webb

Ms. Janelle Kramer owner of Kaleidoscope Kids presented why she feels like she needs a tax abatement. In summary the cost of the facility where it started to where it ended is significantly more. The real reason that I'm asking is just because we've made a move here to try to really make a difference in our community with regards to child care. At Kaleidoscope kids, we're trying to be model child care facility for other facilities in our area. We want to try to bring in therapy for the children that long wait list. Our child care facility at this time is full.

Councilmember Kantz asked if this is a for-profit business and are you getting any state government funding?

Ms. Kramer stated yes this is a for-profit business. Our goal was to reach more families that are CCDF families which are poverty ridden families who get subsidized programs. Our goal is 25% for CCDF right now and we are just under that

Councilmember Kantz asked why was the request for the tax abatement after construction?

Ms. Kramer stated she didn't know that there was such a thing until talking with people.

Councilmember Kantz asked is the build and the construction all being funded via loans or investors?

Ms. Kramer answered by loans.

Councilmember Kantz asked how many acres is this on?

Ms. Kramer stated 10.84.

Councilmember Kantz asked why was the application filed in October and the SP1 was filed in November?
What's taken so long to get here?

Councilmember Hughes stated that would fall really on the tax abatement committee.

Councilmember Webb applaud Ms. Kramer for the daycare and bringing it to the community. He also expressed concerns on being able to declare it an ERA since the building is already built and about how it's a for-profit business.

Council and Ms. Kramer discussed how the voucher program works.

Councilmember Hughes stated the deadline under the state statute is only that the abatement or resolution has to be adopted within 60 days after the facility is assessed. At that point it's already built. Now if you look at any other county, town, or city in the state, I've been able to find they have guidelines such as: the abatement application should be filed before construction begins. Unfortunately, we don't have any guidelines at this time. No one in the public knows that we think you should do this before you start the building process. The tax abatement committee thought this was a worthy project that the county should encourage. It also provides up to 45 jobs which is a significant contribution to employment in the county. Lastly there's no cost to us as a county. Those considerations are why the committee recommended the approval.

Council discussed the timeframe if the tax abatement was granted.

Councilmember Hughes stated this will now be advertised for a public hearing for the April meeting at which time after the public comment, then the council will consider a confirming the resolution.

Appointments and Committee Reports

Councilmember Whitehead stated the code has been written up and distributed to the committee. We're in the process of reviewing it and then eventually we'll get it to council to make sure we've dotted our eyes and crossed our tees before we present it to the full council.

Elected Officials & Department Heads

Mr. Fred Cummings, 911 asked if council would improve the transfer process for employees. He also stated 911, EMS, and Sheriff's department will be requesting additional appropriations for overtime due to the events that have happened so far this year.

President Piper stated they received an email from the coroner giving us an update on how things are going. They've budgeted for roughly 11 autopsies each month and so far, they're currently at 33.

Councilmember Kantz stated there's an Indiana State Department of broadband office that has been created. They're already collected and now they're in the challenge phase of information around underserved or unserved areas relative to broadband use in Indiana. Anybody who's listening may recall there was \$868 million allocated to the state of Indiana by the federal government to specifically, be spent on getting

broadband access to really everybody. There's a website called connectingindiana.com and there's a map where you can see whether or not your address falls on the map that the FDC has put out. It allows you to test your internet to see if you live in an underserved area. You can email one of us or to the county council in general and we can submit a challenge that you are not receiving the internet that you are listed as. The deadline to submit a challenge is June 3.

Comments from the council

President Piper stated last night Councilman Whitehead, Councilmember Kantz, Councilmember Mochal, Councilmember Flanagan and herself attended the Association of Indiana County's East Central District meeting and as Councilmember Kantz pointed out, there was a lot of really good information that was shared with us. We were also joined by the Treasurer's office, Auditor's office and Commissioner Riffin. We were able to speak with our State Representatives and Senators to discuss the upcoming legislation and new bills that are going into play starting July 1st. She gave a thank you to our commissioners for activating our highway department to help with tree removal from the storm 2 weeks ago. EMA did a great job of keeping us informed.

Councilmember Webb thanked the small-town fire departments for all their volunteer help. He expressed his concerns on the pay raises in the middle of a budget season. He also expressed his concerns on how the employees of the county are present at the meetings that has nothing to do with them. He also addressed remodels that are happening in some departments. Those funds are coming out of an unappropriated fund not county general. He expressed his frustration to the commissioners on how they approved a contract to pay an employee working out of state.

Adjourn

MOTION: Councilmember Flanagan made a motion to adjourn

SECOND: Councilmember Whitehead

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

Next Meeting: Tuesday, April 23rd 9:00am

<https://www.youtube.com/watch?v=gsSSC1JlefQ>

RESOLUTION NO. 2024-~~008~~

**RESOLUTION DECLARING AN AREA WITHIN DELAWARE COUNTY, INDIANA
AS AN ECONOMIC REVITALIZATION AREA**

(Kaleidoscope Properties, LLC)

WHEREAS, Kaleidoscope Properties, LLC (the “Company”) has requested that the Delaware County Council approve a five-year phased-in Real Estate tax deduction for a new facility being built by the Company;

WHEREAS, the Company has advised the Delaware County Council that it is constructing the facility at **2401 W. Moore Road, Muncie, Indiana 47304** further described in the map attached hereto as Exhibit A; and

WHEREAS, the Company is requesting that the County Council designate the location as an Economic Revitalization Area (an “ERA”) for purposes of permitting a tax deduction; and

WHEREAS, the Company has submitted to the Delaware County Council an Application for Abatement, Statement of Benefits, Real Estate (Form SB-1/RE) in connection with the Real Estate as well as all information and documentation necessary for the Council to make an informed decision; and

WHEREAS, the Delaware County Council, as the Fiscal Body of the County, is the Designating Body authorized under the provisions of I.C. 6-1.1-12.1-1 et seq. (the “Act”) to designate the area as an ERA for the purposes described herein; and

WHEREAS, the Delaware County Council has considered the application submitted by the Company and has conducted a complete and proper investigation of the Real Estate and determined that the area qualifies as an ERA under Indiana statutes; and

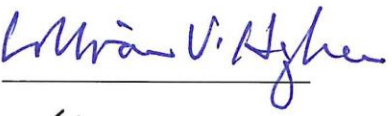
NOW, THEREFORE, BE IT RESOLVED BY THE DELAWARE COUNTY COUNCIL,

1. That the estimated value of the Real Estate is reasonable for a project of this nature.
2. That the benefits associated with the project can reasonably be expected to result in improvements to the property and overall community.
3. That the totality of benefits from the project is sufficient to justify a Real Estate tax deduction.
4. That all of the conditions for the designation of the ERA and all of the requirements for the tax deductions to be granted hereby, have been, or will be, met.
5. That all of the foregoing findings are true and all information required to be submitted has been, or will be, submitted in proper form.
6. That notice shall be published according to law stating the following: the adoption and substance of this Resolution, as well as a copy of the description of the affected area is available for inspection in the County Assessor's Office, and the date on which the County Council will hold a public hearing to receive and hear remonstrances and objections from interested persons, all as required by law.

PASSED AND ADOPTED by the Delaware County Council, at a regularly scheduled meeting, on this 26 day of MARCH, 2024.

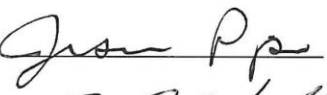
Signed:

Dan Flanagan 

William Hughes 

Matt Kantz 

Jim Mochal 

Jessica Piper 

Ryan Webb 

Eugene Whitehead 

Attest:


Auditor, Ed Carroll

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:
TRANSFERS FOR March 26, 2024

COUNTY GENERAL 1000	REQUEST	UPDATE	VOTE	NOTES
Auditor 126				
PERSONAL SERVICES				
Salaries and Wages				
A103 SR Settlement Deputy/Budget Advisor	-\$23,191.56			
B103 Finance Deputy	\$23,191.56			
D102 Chief Deputy	-\$27,692.42			
E102 Chief Deputy	\$27,692.42			
TOTAL:	\$0.00	\$0.00		
Jail 145				
PERSONAL SERVICES				
Salaries and Wages				
D153 Correctional Officer	-\$30,320.00			
E153 Correctional Officer	\$30,320.00			
TOTAL	\$0.00	\$0.00		
Communications 124				
PERSONAL SERVICES				
Salaries and Wages				
C134 Comm. Tech	-\$30,692.34			
D134 Comm. Tech	\$30,692.34			
TOTAL	\$0.00	\$0.00		
Public Defender's Office 139				
PERSONAL SERVICES				
Salaries and Wages				
156 Investigator	-\$2,000.00			
A156 Investigator	-\$2,000.00			
OTHER SERVICES AND CHARGES				
Perfessional Services				
313 Psychological Testing	\$4,000.00			
TOTAL	\$0.00	\$0.00		
Assessor 134				
PERSONAL SERVICES				
Salaries and Wages				
A102 Chief Deputy	-\$27,772.18			
B102 Chief Deputy	\$27,772.18			
TOTAL	\$0.00	\$0.00		
Plan Commission 148				
PERSONAL SERVICES				
Salaries and Wages				
105 Environmental & Development Planner	-\$41,714.00			
A105 Environmental & Development Planner	\$41,714.00			
109 Planning Technician	-\$30,833.00			
A109 Planning Technician	\$30,833.00			
A102 Principal Planner	-\$39,320.00			
B102 Principal Planner	\$39,320.00			
B107 Office Manager	-\$27,634.62			
C107 Office Manager	\$27,634.62			
TOTAL	\$0.00	\$0.00		
Recorder 128				
PERSONAL SERVICES				
Salaries and Wages				
F102 Chief Deputy	-\$38,209.00			
G102 Chief Deputy	\$38,209.00			
TOTAL	\$0.00	\$0.00		
Sherrif 129				
PERSONAL SERVICES				
Salaries and Wages				
D129 Deputy	-\$40,670.73			
E129 Deputy	\$40,670.73			
TOTAL	\$0.00	\$0.00		
Delaware Circuit Court 138				
PERSONAL SERVICES				
Salaries and Wages				
A106 Assistant Court Reporter	-\$24,425.30			
B106 Assistant Court Reporter	\$24,425.30			
TOTAL	\$0.00	\$0.00		
OTHER				
Highway 1176/202/30000				
PERSONAL SERVICES				
Salaries and Wages				

153 Certified Welder	-37,675.76		
A153 Certified Welder	37,675.76		
TOTAL	\$0.00	\$0.00	
Ineligible Homestead 1216			
PERSONAL SERVICES			
Salaries and Wages			
A103 Settlement/Budget Advisor	-2,665.38		
D102 Chief Deputy	2,665.38		
TOTAL	\$0.00	\$0.00	
DCCC Project Income 1122			
PERSONAL SERVICES			
Salaries and Wages			
B130 CAD Case Manager	-5,000.00		
B119 CAD Case Manger	5,000.00		
TOTAL	\$0.00	\$0.00	
DCCC DOC Grant 9220			
PERSONAL SERVICES			
Salaries and Wages			
110 Jail Diversion Coordinator	-\$35,504.98		
A110 HD Case Manager	\$31,504.98		
112 Surveillance Supervision	\$4,000.00		
TOTAL	\$0.00	\$0.00	
Councilmember Flannagan	<i>D. J. Flannagan</i>		
Councilmember Webb	<i>B. Webb</i>		
Councilmember Mochal	<i>E. Mochal</i>		
Councilmember Kantz	<i>M. Kantz</i>		
Councilmember Piper	<i>Jim Piper</i>		
Councilmember Hughes	<i>William V. Hughes</i>		
Councilmember Whitehead	<i>Ernest Whitehead</i>		
Auditor Carroll	<i>Ed Carroll</i>		

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:				
Appropriations for March 26, 2024				
MAJOR TRANSFER	REQUEST	UPDATE	VOTE	NOTES
TOTAL				
COUNTY GENERAL 1000	REQUEST	UPDATE	VOTE	
TOTAL				
OTHER	REQUEST	UPDATE	VOTE	
FAIRGROUNDS 4911				
OTHER SERVICES AND CHARGES				
384 GRANDSTAND	\$10,000.00			
391 ECLISPE 2024	\$6,000.00			
392 COBRA CON	\$3,000.00			
TOTAL	\$19,000.00	\$0.00		
BALL BROTHERS HIGH TECH CRIMES UNIT 9214				
OTHER SERVICES AND CHARGES				
393 SCHOOLING	\$12,749.69			
TOTAL	\$12,749.69	\$0.00		
INELIGIBLE STANDARD DEDUCTION 1216				
PERSONAL SERVICES				
1216/C111 INSURANCE DEPUTY	\$2,655.00			
TOTAL	\$2,655.00	\$0.00		
MVH RESTRICTED 1173				
OTHER SERVICES AND CHARGES				
312 CONTRACTUAL SERVICES	\$250,509.62			
TOTAL	\$250,509.62	\$0.00		
CCMG-MVH 9076				
OTHER SERVICES AND CHARGES				
310 CONTRACTUAL SERVICES	\$250,509.61			
TOTAL	\$250,509.61	\$0.00		
1222 STATEWIDE 911				
CAPITAL OUTLAYS				
Machinery Equipment				
443 PSAP ENQUIPMENT	\$15,000.00			
TOTAL	\$15,000.00	\$0.00		
Surveyor Corner Perpetuation 1202				
OTHER SERVICES AND CHARGES				
PROFESSIONAL SERVICES				
311 PROFESSIONAL SERVICES	\$30,000.00			
TOTAL:	\$30,000.00	\$0.00		
Local Public Health Services 1161				
OTHER SERVICES AND CHARGES				
Professional Services				
311 Contractual Inspections	\$50,706.31			
TOTAL	\$50,706.31	\$0.00		
EDIT 1112				
Capital Outlays				
OTHER CAPITAL OUTLAY				
1112 EDIT PROJECTS	\$5,482,296.00			
TOTAL	\$5,482,296.00	\$0.00		
Councilmember Flanagan	<i>01 281</i>			
Councilmember Hughes	<i>William J. Hughes</i>			
Councilmember Kantz	<i>[Signature]</i>			
Councilmember Mochal	<i>[Signature]</i>			
Councilmember Piper	<i>[Signature]</i>			
Councilmember Webb	<i>[Signature]</i>			
Councilmember Whitehead	<i>Eugene W. Whitehead</i>			
Auditor Carroll	<i>[Signature]</i>			

Jim Mochal, Councilman

William Hughes, Councilman

Eugene Whitehead, Councilman

Dan Flanagan, Councilman

Ryan Webb, Councilman

Matt Kantz, President Pro Tempore

Jessica Piper, President

Ed Carroll, Auditor