

DELAWARE COUNTY COMMISSIONERS
9:00 a.m. Monday, October 17, 2011
Delaware County Commissioners Courtroom

Room 309A
100 W. Main Street
Muncie, IN 47305
www.co.delaware.in.us

ORIGINAL

PLEDGE TO FLAG
CALL TO ORDER
ROLL CALL

Todd Donati, Commissioner President
Don Dunnuck, Commissioner Vice-President
Larry Bledsoe, Member
Jack Quirk, Attorney
Denise Smith, Recording Secretary
Judy Rust, Auditor

APPROVAL OF MINUTES
October 3, 2011 COMMISSIONERS

MOTION: Commissioner Dunnuck motioned to approve the October 3, 2011 minutes.

SECOND: Commissioner Bledsoe

Motion PASSED UNANIMOUSLY

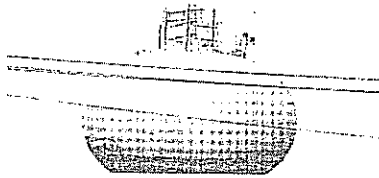
UNISON SITE MANAGEMENT
CELL SITE LEASE LOCATION

9:02 a.m.

Mr. Jack Squier, Unison presented information about changes in the telecom industry. The Unison program provides capital for important programs, services and/or capital improvements. See below.

President Donati suggested that Mr. Squier present a proposal.

October 17, 2011



THE UNISON PROGRAM FOR MUNICIPAL ENTITIES Unison Client Recommendations

Serving Your Community

The Unison program provides capital for important programs, services or capital improvements. Here are a few of the ways Unison has helped municipal entities serve their communities:

Create Capital

"The Town will use the lump sum to help defray the cost of a project the Town otherwise would have had difficulty funding and launching."

—Robert B. Lowe, Town Administrator, Town of North Smithfield, North Smithfield, RI

"Thank you for your time and attention to our tower transaction. We truly do appreciate the advice and knowledge you shared about the wireless industry."

—John F. Turben, Mayor, Village of Kirtland Hills, Kirtland Hills, OH

"In times of federal budget reductions, housing authorities have to be creative in finding new methods to enhance our revenue. The easement and lease arrangement with Unison was certainly a great opportunity to add revenue to our budget."

—Stephen J. O'Rourke, Executive Director, Providence Housing Authorities, Providence, RI

Eliminate Financial Risk

"Your advice and counsel were very accurate in that we were recently informed that the rental fees we were charging would be negotiated downward so the opportunity to sell was a very good one for our City."

—George Mans, City Administrator, City of Southgate, Southgate, MI

"We became concerned that industry consolidation would cause our rents to be negotiated downwards. The opportunity to sell our wireless leases to Unison represented a good and timely option for the Housing Authority."

—Michael W. Siwck, Executive Director, West Haven Housing Authority, West Haven, RI

Customized Service

"Park City has had several companies contact City government with interest in permanent easement on the new City Hall site. The city was unable to conclude negotiations and formed the impression that these companies were not willing to work with the City in addressing the many legitimate concerns the city had. Unison proved them all wrong. Negotiations were direct and professional and the legal team was very accommodating."

—Peter Karlovics, City Attorney, City of Park City, Park City, IL

"We were very pleased with Unison's professional conduct and follow-through, in particular the special attention their legal department gave to the specifics of our transaction."

—Kevin A. Breen, Town Administrator, Town of West Greenwich, Greenwich, RI

How to Contact Unison

Please visit our company website at www.unisonsite.com or call 866-599-SITE (7483).

97 Thomas Johnson Drive, Suite 130
Frederick, MD 21702
866-599-SITE (7483) • www.unisonsite.com

((UNISON))

Converting Wireless Leases into Lasting Value

October 17, 2011

2012 COMMISSIONERS MEETINGS

9:07 a.m.

MOTION: Commissioner Bledsoe motioned to approve the 2012 Commissioner meetings.

SECOND: Commissioner Dunnuck

Motion PASSED UNANIMOUSLY

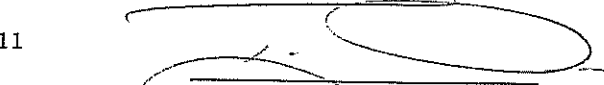
October 17, 2011

COMMISSIONERS' MEETINGS - 2012
Meetings start at 9:00 a.m.
In The
Commissioners' Courtroom
Room 309A
Delaware County Building
100 West Main Street
Muncie, IN

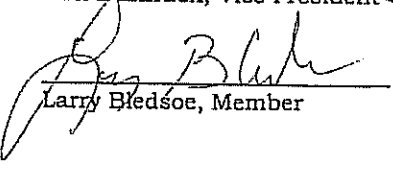
ORIGINAL

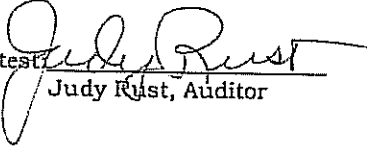
Tuesday	January 3, 2012	(Holiday Jan 2 nd)
Monday	January 16, 2012	
Monday	February 6, 2012	
Monday	February 20, 2012	
Monday	March 5, 2012	
Monday	March 19, 2012	
Monday	April 2, 2012	
Monday	April 16, 2012	
Monday	May 7, 2012	
Monday	May 21, 2012	
Monday	June 4, 2012	
Monday	June 18, 2012	
Monday	July 2, 2012	
Monday	July 16, 2012	
Monday	August 6, 2012	
Monday	August 20, 2012	
Tuesday	September 4, 2012	(Holiday Sept 3 rd)
Monday	September 17, 2012	
Monday	October 1, 2012	
Monday	October 15, 2012	
Monday	November 5, 2012	
Monday	November 19, 2012	
Monday	December 3, 2012	
Monday	December 17, 2012	

Dated this 17 day of October, 2011


Todd R. Donati, President


Don Dismuck, Vice President


Larry Bledsoe, Member

Attest 
Judy Rust, Auditor

October 17, 2011

CONTRACT FOR BRIDGE 516 REPAIR PROJECT

9:08 a.m.

HANNUM, WAGLE & CLINE ENGINEERING

3050 Poplar Street, Suite B

Terre Haute, IN 47803

(812) 234-2551 (812) 234-9067 (fax)

AGREEMENT TO PROVIDE SERVICES

This **AGREEMENT** is recognized as being established the _____ day of _____,
2011, by and between Hannum, Wagle & Cline Engineering, Inc., of Terre Haute, Indiana

October 17, 2011

(hereinafter referred to as "HWC") and Delaware County Board of Commissioners (hereinafter referred to as "CLIENT"), concerning the following:

The Project Name, Location, and Address are:

Delaware County Bridge 516 Repair Project
Tillotson Avenue over White River
Delaware County, Indiana.

The CLIENT's Name and Address is:

Delaware County Board of Commissioners
100 W Main Street
Muncie, IN 47305

The Project's Designated CLIENT Representative and his/her contact information (including title, address, phone number, fax number, and e-mail address) are:

Ms. Angie Moyer
Project Director/Administrator
Engineering Department
100 W Main Street
Muncie, IN 47305

The Project's Designated HWC Representative and his/her contact information (including title, address, phone number, fax number and e-mail address) are:

Mr. Jonathan Moen, P.E.
Hannum, Wagle & Cline Engineering, Inc.
1108 S 9th Street
Noblesville, IN 46060
317-849-9722
317-849-9475 FAX
jmoen@febengr.com

The applicable HWC Project Number is: 2011-224

October 17, 2011

9:10 a.m.

October 17, 2011

SECOND READING

**PROPOSED TATTOO AND BODY PIERCING
ORDINANCE 2011-031**

Commissioner Bledsoe said due to questions that may arise, the agency (Board of Health) should have had a Public Hearing for public input prior to introducing the ordinance to the Commissioners. Planning Commission presents an ordinance to the Commissions once the Public Hearing and board members votes have taken place.

Mr. Jack Quirk, County Attorney said the ordinance has redundancy of the Indiana State Statute and asked that the proposed ordinance be reviewed on these matters.

MOTION: Commissioner Bledsoe motioned to table ordinance 2011-031, Proposed Tattoo and Body Piercing.

SECOND: Commissioner Dunnuck

President Donati asked that the ordinance is reduced down and not a duplication of what the State has offered as well.

Commissioner Bledsoe said Mr. Williams, Health Department should use the Planning Commission procedures as an example. The Health Board should have a Public Hearing, make necessary changes, if any and then introduce the ordinance.

Mr. Williams explained how the ordinance and protocol came about.

President Donati read aloud State rules regarding the Tattoo and Body Piercing. Are you actually falling within the guidelines that the State is offering.

Motion PASSED UNANIMOUSLY

**HANDICAPPED PARKING IN FRONT OF THE DELAWARE COUNTY BUILDING
ORDINANCE 2011-032**

MOTION: Commissioner Dunnuck motioned to approve ordinance 2011-032, Handicapped Parking in Front the County Building.

SECOND: Commissioner Bledsoe

Mr. Scott Alexander, Muncie, Indiana asked the amount of time on the parking.

Commissioner Dunnuck asked who would enforce the handicapped parking.

The Sheriff Department will enforce the ordinance.

Motion PASSED UNANIMOUSLY

October 17, 2011

ORIGINAL

ORDINANCE NO. 2011-032

HANDICAPPED PARKING IN FRONT OF THE DELAWARE COUNTY BUILDING

Parking of a vehicle by any persons in a space reserved by this Ordinance and marked with signs without a visible permit showing such parking to be authorized shall be unlawful and shall subject the owner and driver of the vehicle, so parked, to penalties provided by this Ordinance.

It is unlawful for any persons to park a motor vehicle which does not have a placard or plate, as defined in I.C. 9-18-22-1 or this section, in a parking space reserved for a handicapped person's vehicle, on the plaza of the Delaware County Building located at 100 W. Main Street, Muncie, Indiana. Such parking is limited to a two (2) hour period of time and after the expiration of two (2) hours the vehicle must be moved or shall be in violation of this Ordinance.

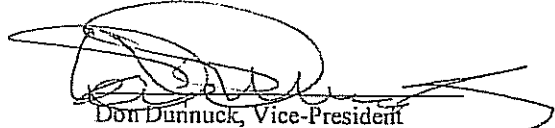
Any vehicle parked in a parking space reserved for a handicapped person's vehicle in violation of this Ordinance may be removed by Delaware County at the owner's expense and the owners of the vehicle shall be fined up to \$100.00 plus court cost for each offense.

If any part of this Ordinance is declared invalid or unlawful, that part shall be separated from this Ordinance and the remainder will be in full force and effect.

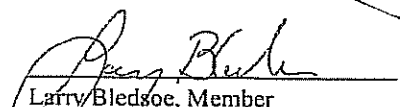
THIS ORDINANCE IS PASSED AND ADOPTED THIS 17 DAY OF OCTOBER, 2011



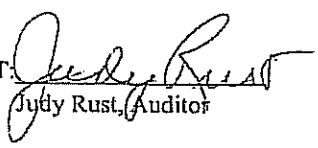
Todd Donati, President



Don Dinnuck, Vice-President



Larry Bledsoe, Member
Delaware County Board of Commissioners

ATTEST: 
Judy Rust, Auditor

October 17, 2011

**BOARDS AND COMMISSIONERS APPOINTMENTS PERSONAL PROPERTY AND/OR
REAL PROPERTY TAXES
ORDINANCES 2011-033**

MOTION: Commissioner Bledsoe motioned to introduce ordinance 2011-033, Boards and Commissioner Appointments personal property taxes.

SECOND: Commissioner Dunnuck
President read the ordinance aloud.

Mr. Jack Quirk asked that the last paragraph be changed to "*may* be removed from board or commission, as to service the best interest of the public.

Mr. John Dorer, Treasurer said that a vendor list is reviewed bi-weekly of vendors etc that owe taxes.

Motion PASSED UNANIMOUSLY

October 17, 2011

Ordinance No. 2011-033
Boards and Commissions Appointments
Personal Property and/or Real Property Taxes

ORIGINAL

WHEREAS, the Delaware County Commissioners are county executives, and appoint individuals to boards and commissioners, some of which are expressly authorized by statute, as provided by law, and;

WHEREAS, individuals appointed to such boards and commissions must act and regulate according to state statutes and necessary to the public interest, and;

WHEREAS, some of the responsibilities of boards and commissions are enforcement of policies, procedures, and resolutions, prepare and submit budgets to county executives for approval, and recommend ordinances and resolutions to executives for consideration and;

WHEREAS, the function of Delaware County Government is relied upon by all individuals, corporations, partnerships, and other entities that owe and make payment for personal property and/or real property taxes that are due and owing, and;

WHEREAS, the Delaware County Treasurer shall notify the county executive of any individual who is presently, or will be considered for, appointment to any board and/or commission by county executive that has taxes that are past due, and;

WHEREAS, understanding that exigent circumstances might exist where individuals, corporations, partnerships, and other entities that owe personal property and/or real property taxes that are past due, the executive shall investigate, then act accordingly.

NOW, THEREFORE, be it ordained by the Commissioners of Delaware County, that any individual being considered or currently serving on a board or commission that owes outstanding real or personal property taxes and after careful examination as to any exigent circumstance, shall be removed from board or commission, as to serve the best interest of the public. *may*

Board of Delaware County Commissioners

Todd Donati, President

Don Dunnuck, Vice-President

Larry Bledsoe, Member

ATTEST: _____
Auditor, Judy Rust

October 17, 2011

**CREATING A FUND FOR INDIANA CANCER CONTROL PROGRAM (ICCP) FUNDS
ORDINANCE 2011-034**

Mr. Williams asked for the rules to be suspended.

MOTION: Commissioner Bledsoe motioned to introduce ordinance 2011-034, creating a Fund for Indiana Cancer Control Program.

SECOND: Commissioner Dunnuck

Motion PASSED UNANIMOUSLY

MOTION: Commissioner Bledsoe motioned to suspend the rules for ordinance 2011-034, creating a Fund for Indiana Cancer Control Program.

SECOND: Commissioner Dunnuck

Motion PASSED UNANIMOUSLY

MOTION: Commissioner Bledsoe motioned to approve 2011-034, creating a Fund for Indiana Cancer Control Program.

SECOND: Commissioner Dunnuck

Motion PASSED UNANIMOUSLY

October 17, 2011

ORIGINAL

ORDINANCE NO 2011- 034
DELAWARE COUNTY COMMISSIONERS
CREATING A FUND FOR INDIANA CANCER CONTROL PROGRAM (ICCP) FUNDS

WHEREAS, the Delaware County Health Department will be receiving proceeds from the Indiana State Department of Health through the Indiana Cancer Control Program funds.


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

NOW, THEREFORE, BE IT ORDAINED that the Auditor shall establish a fund entitled Indiana Cancer Control Program Fund and has issued a budget fund number of _____ with respect to these funds and such funds are non reverting, further the expenditure of said funds shall not require appropriation by County Council.

DATED THIS THIS 17 DAY OF October, 2011.

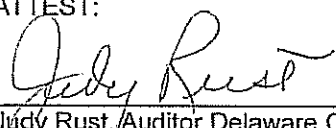
DELAWARE COUNTY COMMISSIONERS


TODD R. DONATI, Commissioner


DONALD H. DUNNUICK, Commissioner


LARRY D. BLEDSOE, JR., Commissioner

ATTEST:


Judy Rust, Auditor Delaware County

October 17, 2011

October 17, 2011

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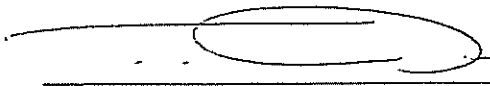
AMENDED RESOLUTION NO 2011-021
DELAWARE COUNTY BOARD OF COMMISSIONERS
A RESOLUTION SETTING THE TIME WHEN THE DELAWARE COUNTY
BUILDING SHALL BE OPENED FOR BUSINESS AND SERVICE TO THE PUBLIC

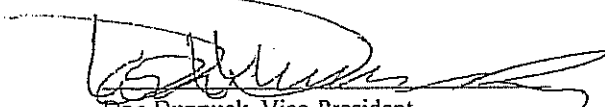
WHEREAS, Delaware County is experiencing financial restraints where it has become necessary to adjust the Delaware County Building's business hours in order to meet financial and service to the public obligations, and

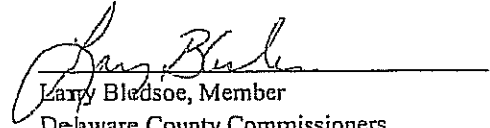
THEREFORE, it is resolved, until no longer necessary, the Delaware County Board of Commissioners' beginning October 6, 2011, hereby sets the regular business and working hours as each Monday, Tuesday, Wednesday, and Thursday, at eight o'clock a.m. (8:00) to five o'clock p.m. (5:00) and each Friday the Delaware County Building shall be closed to the public. Regular business hours for the Delaware County Justice Center will not change and will remain eight thirty o'clock a.m. (8:30) to four o'clock p.m. (4:00) Monday thru Friday.

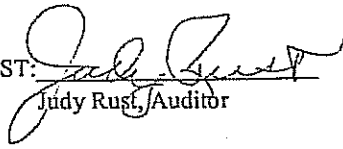
THEREFORE BE IT RESOLVED, that the Delaware County Board of Commissioners' hereby adopt this Resolution as the Regular Business Hours for the Delaware County Building and the Delaware County Justice Center.

Dated this 3 day of October, 2011.


Todd Donati, President


Don Dunnuck, Vice-President


Larry Bledsoe, Member
Delaware County Commissioners

ATTEST: 
Judy Rust, Auditor

October 17, 2011

DEPARTMENT HEADS

2011 PRECINCT PROJECT

Ms. Angie Moyer, Engineer Department updated the Commissioners about the 2011 Precinct Project. The proposed draft will be submitted to the State Election Division this week (October 17-October 21, 2011). Currently the precincts are 75, 78 will be proposed.

9:46 a.m.

Mr. John Dorer, Treasurer updated the Commissioners about the October 3, 2011 Tax Sale. Delinquencies of \$7,310,000 and 2277 properties were listed in the Tax Sale.

Mr. Gary Turner, Muncie, Indiana said he was the driving force behind the Viet Nam veteran's memorial.

President Donati offered an apology because when the plaza was redesigned, it was felt that "we" were placing it in a more visible location. There was no basic of changing the plaque and it will be replaced.

Mr. Jerry Griffis, Veterans Affairs Service Officer sent the below apology email to President Donati, Vice President Don Dunnuck, Commissioner Larry Bledsoe, Ms. Jane Eastman and Ms. Pattie Lackey.

October 17, 2011

"I accept responsibility for the new veterans dedication plaque.

Several changes were to the old monument.

It was moved to a higher focal point, out to the street (Walnut and Main) for higher visibility.

The new dedication plaque was made of black granite to match the existing pillars.

It seemed a good idea to name the current commissioners and VA officers.

No one was trying to "re-write history".

I appogize for the controversy. "

Respectfully

Jerry griffis
Veterans Affairs Service Officer

40/400 - assets
sale

October 17, 2011

Comments about the history of war, dedications, privacy, duties, casualties of war.

PAYMENT OF CLAIMS

MOTION: Commissioner Bledsoe motioned to approve claims of \$1,057,717.98.

SECOND: Commissioner Dunnuck

Motion PASSED UNANIMOUSLY

PUBLIC COMMENT

Mr. Cary Malchow, Muncie, Indiana wondered how the public would be notified when the building is closed.

Mr. Cary Malchow complained about the process of Tax Sales.

Mr. Alexander asked about a meeting that had taken place before the Commissioners meeting.

Any/all taxpayers were/are welcomed at any/all open door meetings.

Denise Smith, Muncie, Indiana complimented the Bridge Department regarding a culvert recently repaired.

October 17, 2011

10:19 a.m.

Mr. Quirk read aloud information pertaining to the ordinance presented regarding delinquent taxes.

President Donati said Muncie Action Plan (MAP), section 5.6 states information on infrastructure and reusing sustainable stormwater and rerouting of stormwater, use of native plants. The Plaza project covered all bases in the MAP (as requested).

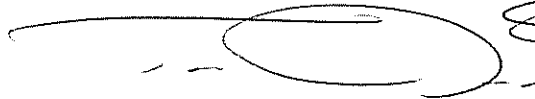
Mr. Tom Modlin spoke regarding the move of the Veteran's plaque.

RECESS

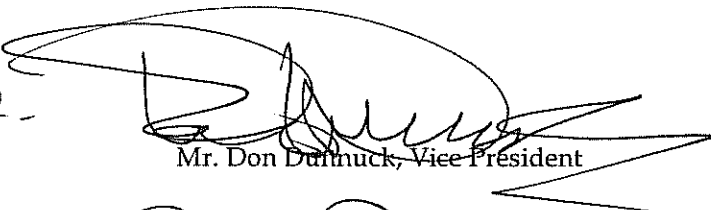
MOTION: Commissioner motioned Bledsoe to recess until November 7, 2011.

SECOND: Commissioner Bledsoe

Motion PASSED UNANIMOUSLY



Mr. Todd Donati, President



Mr. Don Dumuck, Vice President



Mr. Larry Bledsoe, Member



Ms. Judy Rust, Auditor

October 17, 2011