

MONDAY December 2, 2019 @ 9:00 A.M.
COMMISSIONER'S COURTROOM
COMMISSIONER MEETING
100 W. MAIN STREET
MUNCIE, IN 47305
PLEDGE TO FLAG

Mr. Shannon Henry
Mr. James King
Ms. Sherry Riggin
Mr. Joe Rhett, Attorney
Mr. Steven Craycraft, Auditor

TABLED BUSINESS
REQUEST OF CONVENTION AND TOURISM COMMISSION AS TO EMPLOYEES
COMPUTER MANGEMENT AND CONSULTANTS

REMAINED ON TABLE

APPROVAL OF MINUTES

MOTION: Commissioner King made a motion to approve November 18, 2019 minutes.

SECOND: President Riggin

YEAS: Commissioner King, President Riggin

ABSTAIN: Commissioner Henry

CONTRACTS OR AGREEMENTS FOR APPROVAL

MOTION: Commissioner Riggin made a motion to approve the 2020 annual Purdue Extension 4-H contract.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

EXTENSION CONTRACTUAL SERVICES AGREEMENT
BETWEEN
PURDUE UNIVERSITY
AND GOVERNMENT OF
DELAWARE COUNTY, INDIANA

ORIGINAL

This agreement made this first day of January, 2019 by and between the government of Delaware County of the State of Indiana, hereinafter called the "County", and Purdue University of West Lafayette, Indiana 47907, on behalf of the Purdue Cooperative Extension Service, hereinafter called "University,"

WITNESSTH THAT:

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

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

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

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

NOW THEREFORE, the parties hereto agree as follows:

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

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

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

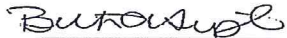
1. The provisions of all Federal Civil Rights laws and the Indiana Civil Rights law as applicable are incorporated by reference as part of this agreement.
2. County shall not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, sex, religion,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

FICA TAXES


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

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

**PURDUE UNIVERSITY
COOPERATIVE EXTENSION SERVICE:**

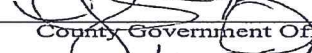
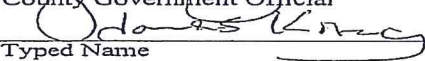

11/29/18
 Signature Date

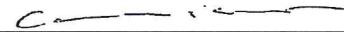
Beth Siple
Assistant Director Financial Affairs
AG Sponsored Program Service


11/29/18
 Signature Date

Jason R. Henderson
Associate Dean and Director Purdue Extension

COUNTY GOVERNMENT:

BY 
 County Government Official

 Typed Name

12/17/2018
 Date

 Title

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

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PURDUE UNIVERSITY
COOPERATIVE EXTENSION SERVICE:

7 Beth Siple 11/29/18
Signature Date

Beth Siple
Assistant Director Financial Affairs
AG Sponsored Program Service

Jason R. Henderson 11/29/18
Signature Date

Jason R. Henderson
Associate Dean and Director Purdue Extension

COUNTY GOVERNMENT:

BY James K. King
County Government Official
Typed Name

12/17/2018
Date
Commissioner
Title

MOTION: Commissioner King made a motion to approve 2020 Commissioner Meetings.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggins

2020 Commissioners' Meetings
Meetings start at 9:00 a.m.
In the
Commissioners' Courtroom
Room 309A
Delaware County Building
100 W. Main Street
Muncie, IN 47305

ORIGINAL

Monday	January 6, 2020	
Tuesday	January 21, 2020	(Holiday)
Monday	February 3, 2020	
Tuesday	February 18, 2020	(Holiday)
Monday	March 2, 2020	
Monday	March 16, 2020	
Monday	April 6, 2020	
Monday	April 20, 2020	
Monday	May 4, 2020	
Monday	May 18, 2020	
Monday	June 1, 2020	
Monday	June 15, 2020	
Monday	July 6, 2020	
Monday	July 20, 2020	
Monday	August 3, 2020	
Monday	August 17, 2020	
Tuesday	September 8, 2020	(Holiday)
Monday	September 21, 2020	
Monday	October 5, 2020	
Monday	October 19, 2020	
Monday	November 2, 2020	
Monday	November 16, 2020	
Monday	December 7, 2020	
Monday	December 21, 2020	

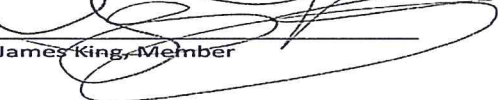
Dated this 2 day of December, 2019



Sherry Riggins, President



Shannon Henry, Vice President



James King, Member

Attest: 

Steve Craycraft, Auditor

Mr. Paul Singleton, Director of 911, presented the Motorola Solutions agreement.

MOTION: Commissioner King made a motion to approve the contract with Motorola Solutions.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggin

Mr. Singleton asked about billing the City of Muncie. Mr. Singleton said service is still being provided. Business as usual was recommended previously by Commissioners.

Mr. Joe Rhett said he will look into it but believes it is from October and November, 2019.

Full signed contract available in Auditor's office



MOTOROLA SOLUTIONS

1399 E. Algonquin Road
Schaumburg, IL 60196
(800) 247-2346

Date: 13-DEC-2018

Company Name: Delaware County Commissioners
Attn.:
Billing Address: 210 S Jefferson St
City, State, Zip Code: Muncie, IN 47305
Customer Contact: Bruce Dunn
Phone: 765-212-7713

ORIGINAL

SERVICE AGREEMENT

Contract Number: USC000007330
Contract Modifier: R03

P.O.#: TBD
Customer #: 1036031425
Bill to Tag#: 0005
Contract Start Date: 01-JAN-2019
Contract End Date: 31-DEC-2019
Payment Cycle: ANNUALLY
Currency: USD

QTY	MODEL/OPTION	SERVICES DESCRIPTION	MONTHLY EXT	EXTENDED AMT
	SVC01SVC1102C SVC01SVC1410C SVC01SVC1420C SVC01SVC2007C	www.RecurringServices.com ASTRO DISPATCH SERVICE ONSITE INFRASTRUCTURE SERVICE RESPONSE- STANDARD SP - LOCAL INFRASTRUCTURE REPAIR SP-ONSITE INFRA RESP	\$193.52 \$628.02 \$2,477.50 \$990.95	\$2,322.20 \$7,536.27 \$29,730.00 \$11,891.43
SPECIAL INSTRUCTIONS - ATTACH STATEMENT OF WORK FOR PERFORMANCE DESCRIPTIONS			Sub Total Taxes Grand Total	\$4,289.99 \$0.00 \$4,289.99
			THIS SERVICE AMOUNT IS SUBJECT TO STATE AND LOCAL TAXING JURISDICTIONS WHERE APPLICABLE. CONSULTING BY MOTOROLA	

Subcontractor(s)
Motorola Solutions
Call Center Operations

City: Muncie
State: IN

I received statements of work that describe the services provided on this Agreement. Motorola's Service Terms and Conditions, a copy of which is attached to this Service Agreement, is incorporated herein by this reference.

AUTHORIZED CUSTOMER SIGNATURE _____ DATE 12-17-2018

CUSTOMER (PRINT NAME) _____

MOTOROLA REPRESENTATIVE (SIGNATURE) _____ DATE 12/14/2018



DEC 17 2018

DELAWARE COUNTY AUDITOR

ORDINANCE AMENDING TITLE 1, CHAPTER 7 OF THE DELAWARE COUNTY CODE OF ORDINANCES REGARDING
TAX SALE AND DEED SALE FUNDS
ORDINANCE NO. 2019-027

MOTION: Commissioner King made a motion to approve Ordinance 2019-027, Amending Title 1, Chapter 7 of the Delaware County Code regarding Tax Sale and Deed Sale Funds.

SECOND: Commissioner Riggin

YEAS: Commissioner King, Commissioner Henry, President Riggin

ORIGINAL

ORDINANCE 2019-027

**ORDINANCE AMENDING TITLE 1, CHAPTER 7 OF THE DELAWARE COUNTY
CODE OF ORDINANCES REGARDING TAX SALE AND DEED SALE FUNDS**

WHEREAS, the Delaware County Board of Commissioners (the "Commissioners") previously established certain funds for the purpose of creating a dedicated source of funds to be used to pay various tax and deed sale-related expenses and to expedite contractual payments to vendors associated with the County's annual tax and deed sales; and

WHEREAS, the existing funds, codified at Section 1-7-4 of the Delaware County Code of Ordinances, as amended by Ordinance No. 2019-016, are funded with payments received by the County for tax sale fees assessed to tax sale buyers during the County's annual tax sales and property owners upon redemption, as well as revenue received from County deed and certificate sales; and

WHEREAS, the Commissioners have determined a need to amend Chapter 7 of Title 1 of the Code of Ordinances to revise the parameters of the Tax Sale Fund and to further address deed and certificate sale-related revenue and expenses; and

WHEREAS, the Commissioners hereby desire to amend Chapter 7 of Title 1 of the Code of Ordinances to ensure that money in the Tax Sale Fund may be used to pay all tax sale-related expenses and money in the Deed/Certificate Sale Fund may be used to pay all deed and/or certificate sale-related expenses.

IT IS THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA that:

1. Section 1-7-4 of the Delaware County Code of Ordinances, as amended by Ordinance No. 2019-016, shall be amended to state as follows:

"1-7-4. Tax Sale Fund (4923 Fund).

- A. There is hereby established the Tax Sale Fund (4923 Fund). Said Fund shall receive the payments received by the County from annual tax sales from fees assessed by the County to cover advertising, abstract, and other necessary expenses including, but not limited to, contractual and professional expenses directly related to the County's annual tax sales held pursuant to Ind. Code § 6-1.1-24-1 *et seq.*
- B. Receipts shall be accepted at the time of the payment of taxes and expenses before, during, or after the annual tax sales. The funds generated or received from fees assessed by the County shall be deposited in the Tax Sale Fund (4923 Fund) and may be used to pay tax sale-related expenses upon presentation to

the Auditor of a written claim form approved in the usual fashion by the Delaware County Commissioners.

- C. Payments made from the Tax Sale Fund (4923 Fund) shall not require an appropriation by the Delaware County Council and shall be spent according to the general rules for which other funds of the County are subject.
- D. All amounts placed in the Tax Sale Fund (4923 Fund) shall be invested and reinvested pursuant to the standard procedures followed by the County and amounts remaining in the Tax Sale Fund (4923 Fund) shall not revert to the County General Fund at the end of the year unless so decreed by ordinance adopted by the Delaware County Commissioners.”

2. The Delaware County Code of Ordinances shall be amended by inserting the following after Section 1-7-131 of Chapter 7, Title 1:

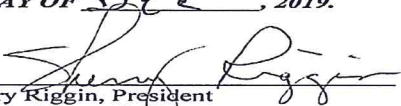
“1-7-132. Deed/Certificate Sale Fund (4922 Fund).

- A. There is hereby established the Deed/Certificate Sale Fund (4922 Fund). Said Fund shall receive the payments received by the County from all deed and/or certificate sales to cover all deed and/or certificate sale-related expenses including, but not limited to, contractual and professional expenses and other necessary expenses directly related to County deed and/or certificate sales.
- B. Receipts shall be accepted at the time of the payment by purchasers after the deed and/or certificate sales. The funds generated or received by the County from deed and/or certificate sales shall be deposited in the Deed/Certificate Sale Fund (4922 Fund) and, except as otherwise required by law, may be used to pay deed and/or certificate sale-related expenses upon presentation to the Auditor of a written claim form approved in the usual fashion by the Delaware County Commissioners.
- C. Payments made from the Deed/Certificate Sale Fund (4922 Fund) shall not require an appropriation by the Delaware County Council and, except as otherwise required pursuant to Ind. Code § 6-1.1-25-9, as may be amended from time to time, shall be spent according to the general rules for which other funds of the County are subject.
- D. All amounts placed in the Deed/Certificate Sale Fund (4922 Fund) shall be invested and reinvested pursuant to the standard procedures followed by the County and amounts remaining in the Deed/Certificate Sale Fund (4922 Fund) shall not revert to the County General Fund at the end of the year unless so decreed by ordinance adopted by the Delaware County Commissioners.”

3. Any and all existing ordinances, orders, and/or resolutions, or any parts thereof, which may be in conflict with this Ordinance, are hereby superseded.

4. This Ordinance shall take effect upon adoption and publication as required by law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA ON THIS, THE 2 DAY OF Dec, 2019.



Sherry Riggan, President
Board of Commissioners



Shannon Henry, Member
Board of Commissioners



James King, Member
Board of Commissioners

Attest:


Steven G. Craycraft, Auditor
Delaware County, IN

MONTHLY/WEEKLY REPORTS
Weights & Measures Monthly Report

PAYMENTS OF CLAIMS

MOTION: Commissioner King made a motion to approve claims in the amount of \$2,218,015.86.

SECOND: Commissioner Henry

YEAS: Commissioner King, Commissioner Henry, President Riggini

QUESTIONS, PUBLIC COMMENTS, ANSWERS, OTHER BUSINESS & DISCUSSION

Ms. Donna Patterson, Settlement Clerk, said the Commissioners eliminated bridge project 15 from Economic Development Increment Tax (EDIT) on November 8, 2019. Monies (\$49,000) was already spent in 2019. Some monies was reimbursed, however to cover claims, Patterson said she would need \$49,000.

Mr. Joe Rhett, County Attorney, said an EDIT amendment will be presented December 16, 2019 meeting.

Mr. Carl Gregory and Ms. Belinda Gregory, Muncie, Indiana, is concerned regarding a drainage problem on their property located at Whitney Road and Smithfield Pike. Gregory reported he is getting drainage from neighbors and his driveway and back yard is holding water. He provided details of information of his side.

Ms. Gregory shared concern regarding the trench.

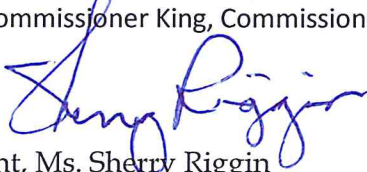
Overheads/pictures were presented to the Commissioners and they will try to come up with a solution.

RECESS

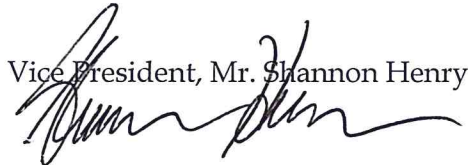
MOTION: Commissioner King made a motion to recess until December 16, 2019.

SECOND: Commissioner Henry

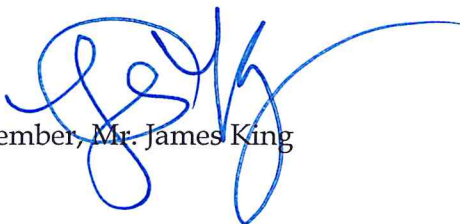
YEAS: Commissioner King, Commissioner Henry, President Riggini



President, Ms. Sherry Riggini



Vice President, Mr. Shannon Henry



Member, Mr. James King



Auditor, Mr. Steven G Craycraft