

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, August 23, 2017, at 6:00 P.M., with the following members present: Butch Baker, Kim Cronk, Ed Yanos, Patricia A. French, Auditor, and Joel Harvey, County Attorney.

The meeting was opened with the Pledge to the Flag, followed with silent prayer.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the August 9<sup>th</sup> minutes as presented. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the payroll as presented. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the claims as presented. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to accept the reports as presented: Henry County Treasurer's Report for July, and Probation Detention Report. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve for the Health Department to use office space on the first floor of the 1201 Race Street building to combine the Environmental Health and Registrar's Offices. The purpose for combining the offices is to ensure that a staff member is always available to assist the public. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve fixing a bat problem at the residence of the Park Superintendent. The bat issue estimate is \$1985.00. Motion carried 3-0. Jeremiah Morrell, President of the Henry County Memorial Park Board also is requesting the purchase of a hot water boiler furnace for the Park Superintendent Residence at a cost of \$5,649.00. The purchase of a furnace is being tabled until the September 27<sup>th</sup> Council Meeting.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve grant application 2017-0012 for EOC telephone system upgrade, 2017-0013 for multiple conferences in and out of state for EM/DHS staff, 2017-0014 for 2016 EMPG de-obligated funding, and 2017-0015 for Fire Training Infrastructure Fund. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Indiana Economic Development Corporation Motorsports Improvement Fund Grant in the amount of \$200,000.00. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the Peine Engineering Company service contract in the amount of \$19,320.00 for Henry County Justice Center. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to proceed with an application with agreements for proposals of section corners within Henry County re-establishment subject to legal review then brought back to the Commissioners. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the contract with ES&S for voting machines in the amount of \$717,224.98. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the ordinance for a zone map change on parcel 012-01643-00 for Moe's Auto. Motion carried 3-0.

**ORDINANCE RE: ZONE MAP CHANGE PROPOSAL NO.:**

**CASE B: 2215 PRO #438**

WHEREAS, there was published in The Middletown News, a newspaper of general circulation in Henry County, Indiana, at least ten (10) days prior to this date, a notice of the time and place of a hearing on a change to zone maps pursuant to the Henry County, Indiana, Development Code (also known as the Henry County zoning ordinance (Ordinance No. 2004-1-1-28) effective March 5, 2004).

WHEREAS, this Zone Change Proposal proposes to amend the Development Code, particularly the zone map, as follows:

This being the request of William Mohler, requesting to rezone Parcel #012-01643-00 from Agricultural (A1) to General Business (GB) for the purpose of expanding his current Auto Sales Business. The property is owned by William Mohler, PO Box 285, Spiceland, IN 47385.

**DESCRIPTION**

Legal attached, incorporated and marked as Exhibit A.

WHEREAS, the Henry County Planning Commission has heard testimony on said proposed zone change and took action as follows:

NOW BE IT RESOLVED by the Henry County Planning Commission on the 17th day of August, 2017 that Zone Change Proposal No. 438 proposing to amend the Henry County, Indiana Development Code and particularly the zone map was fully considered.

NOW, THEREFORE, it is the decision of the Commission that it hereby recommends to the Board of Commissioners of Henry County, Indiana that the Spiceland Township zone map be changed as to the lots and land described in Exhibit A, attached, pursuant to the result of Case B: 2215 Zone Change Proposal No. 438.

The Secretary of this Commission is hereby directed to transmit a copy of this resolution pursuant to the Indiana Code to the Board of Commissioners of Henry County, Indiana for its information and consideration

BE IT ENACTED by the Board of Commissioners of Henry County, Indiana:

SECTION 1: That the Henry County, Indiana Development Code, particularly the Spiceland Township zone map is hereby changed as follows:

*Rezone Parcel #012-01643-00 from Agriculture (A1) to General Business (GB)*

SECTION 2: BE IT FURTHER ENACTED that the Zoning Administrator is hereby authorized and directed, upon the approval and enactment of this ordinance, to cause the change to be made on the Spiceland Township zone map and to note thereon the date of passage and approval of this ordinance.

SECTION 3: BE IT FURTHER ENACTED that this ordinance will take effect from and after its passage.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the variance for sight distance for Nathan Smith's driveway, located on Mill Rd. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the service agreement with Espy Services Inc. for possible savings on Henry County telecommunications. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$351.40 made payable to IMI. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$49.65 made payable to Hudson Tool Rental. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$330.64 made payable to RCS Contractor. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$64.14 made payable to Knapp Supply. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$112.49 made payable to Gillmans. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Food and Beverage request for New Castle Skate Park in the amount of \$193.26 made payable to Ace Hardware. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the appointment of Larry Brayton to fill the vacant position on the Planning Commission. Motion carried 3-0. Others interested were, Phillip D. Bright, David L. Fisher, Jonathan M. Greene (not eligible), John James, Jeremiah Morrell, Steven Peckinpaugh and Randy Maloyed who withdrew.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the continuing disclosure services for Food and Beverage Bonds of 2012 and 2015 to Umbaugh in the amount of \$3500.00 for professional services. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to assign three tax sale certificates to the City of New Castle, 030-47290-00 1605 Irvin Street, New Castle, 030-47291-00 1609 Irvin Street, New Castle, and 030-05810-00 1706 Woodward Avenue, New Castle. 020-05810-00 Blaine Street, Knightstown is being tabled until the next meeting. Motion carried 3-0.

**A RESOLUTION ASSIGNING TAX SALE CERTIFICATES  
TO THE CITY OF NEW CASTLE, INDIANA**

**WHEREAS**, Henry County, Indiana, by and through its Board of Commissioners, is the holder of the tax sale certificates on the properties described in **Exhibit A** attached hereto;

**WHEREAS**, pursuant to I.C. 6-1.1-24-9, the Henry County Board of Commissioners may assign tax sale certificates held in the name of the county executive to any political subdivision;

**WHEREAS**, the City of New Castle, Indiana, has expressed a desire to obtain the tax sale certificates on the properties described in **Exhibit A** and has requested from the Henry County Board of Commissioners an assignment of those certain tax sale certificates; and

**WHEREAS**, it is a benefit to both Henry County and the City of New Castle, Indiana, that the tax sale certificates for the properties described in **Exhibit A** now be assigned to the City of New Castle, Indiana

NOW, THEREFORE, **BE IT RESOLVED** BY THE HENRY COUNTY, INDIANA BOARD OF COMMISSIONERS:

1. That Henry County, Indiana by and through its Board of Commissioners hereby approves the assignment of the tax sale certificates held by the county to the City of New Castle, Indiana, for the properties described in **Exhibit A** attached hereto.
2. That all taxes, penalties and assessments against the properties described herein shall be waived for the tax year 2016 payable 2017 and prior as to the City of New Castle, Indiana.
3. That the period of redemption of the properties described herein shall be for one hundred twenty (120) days from the date the certificate is assigned, pursuant to applicable law.

**Exhibit A**

<b>Address</b>	<b>Parcel No. / Certificate Number</b>	<b>Legal Description</b>
1605 Irvin St	030-47290-00	OAK GROVE ADD LOT 92

	331400336	
1609 Irvin St	030-47291-00 331400337	OAK GROVE ADD LOT 93
1706 Woodward Ave	030-56202-00 331300380	THORNBURGS 2ND ADD LOT 1 BLK 9 (110' X 115.5')

Public input was made by the following: Tom Norris, David Fisher and Ron Romine.

A motion was made by Mr. Baker and seconded by Mr. Yanos to adjourn the meeting. Motion carried 3-0.

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Butch Baker, President

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Kim Cronk, Vice President

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Ed Yanos

Attested by: \_\_\_\_\_

Patricia A. French, Auditor

