

HENRY COUNTY INDIANA
BOARD OF COMMISSIONERS
RESOLUTION NUMBER: 2021-06-23-011

A RESOLUTION IDENTIFYING A REGION FOR THE CREATION OF A REGIONAL DEVELOPMENT PLAN (RDP) AND PARTICIPATION IN THE INDIANA REGIONAL ECONOMIC ACCELERATION AND DEVELOPMENT INITIATIVE (READI)

WHEREAS, the state of Indiana, through its Indiana Economic Development Corporation (IEDC) launched the Regional Economic Acceleration and Development Initiative (READI); and

WHEREAS, House Enrolled Act No. 1001, of the 2021 Session of the Indiana General Assembly provided \$500 million in state appropriations to promote strategic investments that will make Indiana a magnet for talent and economic growth; and

WHEREAS, the READI program guidelines call for Indiana communities (counties, cities and towns) to identify their regions, coordinating organization and notifying the IEDC by July 1, 2021 of their intent to seek implementation funding up to \$50 million for each region; and

WHEREAS, the IEDC will make available up to \$50,000 where planning grant to assist in the creation of a Regional Development Plan (RDP) for submission to the IEDC by August 31, 2021; and

WHEREAS, both the planning and implementation phases of READI require matching funds from the private sector and local community; and

WHEREAS, the READI program guidelines discourage more than one RDP from the same region and the guidelines state, "overlap between regions could indicate a lack of regional collaboration"; and

WHEREAS, support from local government elected officials of the East Central Indiana Regional Partnership area (www.foregeeci.com) are important in the creation of the RDP and are critical for its subsequent execution; and

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday June 23, 2021 at 6:00 p.m. with the following members present: Ed Tarantino, Bobbi Plummer, Steve Dellinger, Debra Walker, Henry County Auditor and Martin Shields, County Attorney.

The meeting was opened with the Pledge and a Prayer by Ed Tarantino.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to approve the minutes of the June 3, 2021; June 7, 2021; June 8, 2021; June 14, 2021 and June 15, 2021 meetings. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve payroll as presented. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve claims as presented. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve Resolution 2021-06-23-011, A Resolution Identifying a Region for the Creation of a Regional Development Plan (RDP) and Participating in the Indiana Regional Economic Acceleration and Development Initiative (READI). Motion carried unanimously.

WHEREAS, the East Central Indiana 21st Century Talent Region Designation's application, data and relationships will provide the framework for the creation of the RDP.

NOW THEREFORE, BE IT RESOLVED, the undersigned Board of Commissioners of Henry County, Indiana ("Commissioners") determine that Henry County, Indiana ("County") shall join the East Central Indiana Forge Your Path READI Regional effort as described herein.

Adopted this 23rd day of June 2021.

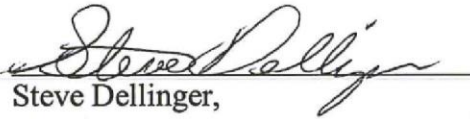
BOARD OF COMMISSIONERS OF
HENRY COUNTY, INDIANA



Ed Tarantino,
President

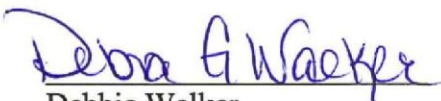


Bobbi Plummer,
Vice President



Steve Dellinger,
Member

Attest:



Debbie Walker,
Auditor,
Henry County, Indiana

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to give the endorsement for Henry County to contribute up to \$15,000.00 for the READI Program. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to allow the New Castle RDC to move forward with getting two quotes for the Annex Building at the corner of 12th & Broad, to come up with the average of the two quotes as an offer to purchase the building from the County. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to table the bid from NEXUS Group for the reassessment package for 2022-2026 in the amount of \$710,000. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer approve the following reports:

Henry County Weights & Measurers - May and State Reports

Henry County Treasurer – May and June Reports

Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to approve the following bonds:

Utility Clerk town of Straughn

Town Of Straughn

Clerk/Treasurer town of Straughn.

Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve the contract with United Consulting, which has been approved by the State, for the federal aid sign project inspection. The amount of the contract is \$96,400.00 and is 90% reimbursable. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to accept the contract with Clear Structure after negotiations. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to add to the contract on the Dublin Pike resurface project \$36,380.50. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to approve the purchase of a roadside tractor and mower for the Highway Department in the amount of \$93,923.28. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to accept the 2022 Highway Budget to be presented to the Council. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to approve Ordinance 2021 (5) 6-23, An Ordinance establishing the Speed Limit for 100 North Between Golf Course Drive and State Road 3. Motion carried unanimously.

**Henry County Ordinance Number: 2021 (5) 6-23
An Ordinance Establishing the Speed Limit for 100 North
Between Golf Course Drive and State Road 3**

WHEREAS, the Board of Commissioners of Henry County, Indiana, (“BOC”), as a part of their duties, are vested with the authority regarding the preservation of public health, safety, and general welfare of the residents of, and visitors to, Henry County, Indiana; and

WHEREAS, Ind. Code 9-21-5-0.1 et. Seq. sets forth the statutory authority for the BOC to set the speed limit on certain roads within the jurisdiction of the BOC; and

WHEREAS, the Indiana Code provides that state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the county, except as the county, as authorized by state law, declares and determines, based upon the basis of engineering and traffic investigations, that certain speed regulations shall be applicable on specified streets in certain areas, and which it shall be unlawful for any person to drive a vehicle at a speed in excess of the speed declared by this Ordinance; and

WHEREAS, the BOC requested that Joe Copeland, a licensed engineer, investigate this matter, based upon engineering and traffic investigations, and to report back to the BOC as to whether or not the speed limit on County Road 100 North, between Golf Drive East and State Road 3, in Henry County, Indiana should be modified; and

WHEREAS, Joe Copeland has investigated this matter, and based upon engineering and traffic investigations, has determined that the speed limit on County Road 100 North, between Golf Drive East and State Road 3, Henry County, Indiana should be modified from 40 mph to 30 mph; and

WHEREAS, the BOC, in exercising its authority to address general public health, safety, and the general welfare of Henry County, Indiana residents and visitors thereto, now finds it is in the best interest that the speed limit on County Road 100 North, between Golf Course Drive East and State Road 3, Henry County, Indiana should be modified from and 40 mph to 30 mph; and

WHEREAS, the BOC and Joe Copeland have complied with the requirements as found in I. C. 9-21-5-0.1 et. Seq. and any other statute addressing this issue; and

WHEREAS, this Ordinance only modifies the speed limit at the specific location described herein. This Ordinance does not amend, modify, or change any other ordinance addressing speed limits at any other location in Henry County, Indiana.

NOW THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

1. It is in the public health, safety, and general welfare that the speed limit on County Road 100 North between Golf Course Drive East and State Road 3 be modified from 40 mph to 30 mph.
2. The statutory process for amending the speed limit as provided herein at that location has been accomplished in a manner as required by Indiana law.
3. This Ordinance shall be effective upon its publication. The Henry County Auditor is tasked with the publication of this Ordinance, all as required by law.
4. The Henry County Auditor is hereby authorized and ordered to file a copy of this Ordinance in the Code of Ordinances in the Office of the Henry County Clerk and at any other required location.

5. A certified copy of this Ordinance shall be presumptive evidence in all courts and places of this Ordinance and all provisions thereof.
6. The Henry County Highway Department shall ensure that the proper speed limit signs are posted at the locations as determined by law.

Upon a motion and a proper second, this Ordinance was passed by the Board of Commissioners of Henry County, Indiana at a public meeting properly advertised.

Henry County, Indiana
 Board of Commissioners
 June 23, 2021

AYE

NAY

ATTEST:

 Debbie Walker, Auditor
 Henry County, Indiana

Tracy Harrison gave an update on upcoming events at memorial Park.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to accept the Engagement letter from Baker Tilly to help with the ARP money. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to approve Ordinance 2021 (6) 6-23. Motion carried unanimously.

ORDINANCE NO 2021 (6) 6-23

An Ordinance Amending the Text of the Henry County, Indiana Development Code

WHEREAS, there was published in The Courier-Times, 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 the zoning text 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 Zoning Text Change Proposal proposes to amend the Development Code, particularly Title 1 of the Development Code, as follows:

Section 3.2 should be amended to delete the density language from to R1, R2, and R3 zoning districts.

Section 6.1 INTENT should be amended to delete the density language from to R1, R2, and R3 zoning districts.

Section 6.2 Table 6 should be amended to add the following: "With Sewer System" to Dwelling, Multi-Family and to mark R1 and R2 a permitted zoning districts.

Section 6.3 Table 7 should be amended to delete the following: "(1 unit/lot)", "With Sewer Systems (2 units/lot)", the square footage requirements in the same line, and "in R3"

Section 6.3 Table 7 should be amended to change the following: R1, R2, and R3 density with sewer systems to 6,000 square footage, the lot width with sewer systems in R1, R2, and R3 to 50 feet, the front yard setbacks in R1 to be the same as R2, side yard setbacks in R1 and R2 to be 10 feet, adding "Primary" between Minimum and Building, and from 3 to 2 units/lot or more.

Section 8.2 Table 18 should be amended to add the following: Apartment for Residential Use in Business Building as a permitted use in LB and GB.

Section 10.1 ACCESSORY USES should be amended as follows: Section E (1) should read as such "That the apartment is an accessory use to the primary business use." And Section E (2) should read as such "That the residential use complies with the property development standards set forth residences in R3 Districts."

DESCRIPTION

Changes attached, incorporated and marked as Exhibit A.

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

NOW BE IT RESOLVED by the Henry County Planning Commission on the 17th day of June, 2021 that the proposed amendment to Title 1 of the Henry County Development Code 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 Title 1 of the Henry County Development Code be amended as proposed.

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 Title 1 of the Henry County, Indiana Development Code is hereby changed as follows:

Section 3.2 should be amended to delete the density language from to R1, R2, and R3 zoning districts.

Section 6.1 INTENT should be amended to delete the density language from to R1, R2, and R3 zoning districts.

Section 6.2 Table 6 should be amended to add the following: "With Sewer System" to Dwelling, Multi-Family and to mark R1 and R2 a permitted zoning districts.

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SECTION 2: BE IT FURTHER ENACTED that this ordinance will take effect from and after its passage.

Adopted this 23 day of June, 2021 by a vote of 3 in favor and 0 opposed.

Board of Commissioners
Henry County, Indiana



Ed Tarantino

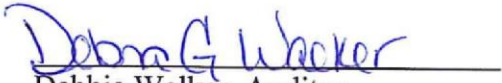


Bobbi Plummer



Steve Dellinger

Attest:



Debbie Walker, Auditor

EXHIBIT A:

3.2 PURPOSE OF ZONING DISTRICTS

R1 Single Family Residential Districts are established to permit one- (1-) family dwellings in urbanizing areas of the County that may expect to be served by centralized sewer and water facilities in the immediate future. ~~Density shall not exceed two and one-half (2.5) dwelling units per gross acre with sewer services and one (1) dwelling unit per gross acre without sewer services.~~

R2 Residential Districts are established to permit medium density residential development of one- (1-) and two- (2) family dwelling units. ~~Density shall not exceed four (4) dwelling units per gross acre and one (1) dwelling unit per gross acre without sewer service.~~

R3 Residential Districts are established to permit two- (2-) family and multiple family dwellings in communities. Centralized water and sewer facilities are required for higher density development. ~~Density shall not exceed six (6) dwelling units per gross acre.~~

6.1 INTENT

- B. R1 Single Family Residential Districts are established to permit single family dwellings in urbanizing areas of the County that may expect to be served by centralized sewer and water facilities in the immediate future. ~~Density shall not exceed two and one-half (2.5) units per gross acre with sewer services and one (1) dwelling unit per gross acre without sewer services.~~
- C. R2 Residential Districts are established to permit medium density residential development of one- (1-) and two - (2) family dwelling units. ~~Density shall not exceed four (4) dwelling units per gross acre and one (1) dwelling unit per gross acre without sewer service.~~
- D. R3 Residential Districts are established to permit two- (2-) family and multiple family dwellings in communities. Centralized water and sewer facilities are required for higher density development. ~~Density shall not exceed six (6) dwelling units per gross acre.~~

Table 6

Dwelling, Multi-Family With Sewer System			P	P	P
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Table 7

A. Maximum Density ¹	RR	R1	R2	R3
With Septic Systems (1 unit/lot)	1 unit/20 acres	65,340 sf	65,340 sf	
With Septic Systems (2 units/lot)			87,120 sf	
With Sewer Systems (1 unit/lot)	1 unit/20 acres	6,000 sf	6,000 sf	6,000 sf
With Sewer Systems (2 units/lot)			26,136 sf	17,424 sf
With Sewer Systems (2 units/lot or more)	Add 6,000 square feet for each additional unit in R3.			
B. Minimum Lot Width				

With Septic Systems	150 ft.	150 ft.	100 ft.	n. a.
With Sewer Systems	150 ft.	50 ft.	50 ft.	50 ft.
For Corner Lots	Increase width by 25 percent.			
C. Maximum Building Height				
In stories	2.5	2.5	2.5	3
In feet	35 ft.	35 ft.	35 ft.	35 ft.
D. Minimum Primary Building Size (sq. ft.)				
One-Family, One Story (ground floor area)	1,250	1,200	900	
One-Family, Two Story (ground floor area)	1,000	900	720	
Two-Family, One Story			1,440	1,440
Two-Family, Two Story			1,440	1,440
Multi-Family, One Story (3 units)				1,800
Multi-Family, Two Story (3 units)				1,800
Multi-Family, Each Additional Unit				500
E. Minimum Front Yard Setback				
Lots abutting a Major Collector Road or Street	85 ft.	65 ft.	65 ft.	55 ft.
Lots abutting a Minor Collector Road or Street	60 ft.	40 ft.	40 ft.	30 ft.
Lots abutting a Local Road or Street	40 ft.	30 ft.	30 ft.	30 ft.
Former E-R12 or E-R13	Avg.	Avg.	Avg.	Avg.
F. Minimum Side Yard Setback (Two Required)				
Each Yard	25 ft.	10 ft.	10 ft.	10 ft.
Former E-R12 or E-R13			5 ft.	
G. Minimum Rear Yard Setback				
Each Lot	35 ft.	30 ft.	25 ft.	20 ft.
Former E-R12 or E-R13			10 ft.	

Table 10

Apartment for Residential Use in Business Building, subject to Section 10.1 E	P	P		
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10.1 ACCESSORY USES

- E. Apartments located within the same building as a business may be permitted as set forth in Section 8.2, Table 10, provided:
1. That the apartment is an accessory use to the primary business use.
 2. That the business residential use complies with the property development standards set forth for one (1) family residences in R3 Districts.

Mr. Steckley spoke about his request to the Planning Commission that was denied. He is asking for a two month extension so that he can do more research and change his plans. This is Case B: 2246-PRO #457. He felt he didn't have enough time to research why it was denied.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to move forward with Case B: 2246 – PRO #457. Motion carried unanimously.

Mr. Stickily explained to the Commissioners why he is wanting he property rezoned for Agriculture to Business. He has no plans at this time to put anything there. Kinsey Barker expressed her concern about rezoning and how the majority of the neighbors did not want it.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to deny case B: 2246 – PRO #457. Motion carried unanimously.

Gerald Pittsford talked with the Commissioners about the Broadband survey that was done by Farm Bureau. He presented the Commissioners with the results. He also invited the Commissioners to the annual meeting of Farm Bureau.

Kameron Gray presented an Ordinance to the Commissioners banning Vaccine Passports in Henry County. Also speaking against the passports were Linda Burch, Josh Gilmore, Annett Gray and Dallas Weaver.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to table the Ordinance on Vaccine Passports. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to allow the Expo Committee to boar under the road and put electric back to the Expo Center. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Steve Dellinger to purchase chairs from Complete Office for the Commissioner and Council in the courtroom. Motion carried unanimously.

A motion was made by Steve Dellinger and seconded by Bobbi Plummer to adjourn. Motion carried unanimously.

Ed Tarantino, President

Bobbi Plummer, Vice President

Steve Dellinger, Member

Attested by: Debra G. Walker, Auditor