

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, October 11, 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. Yanos and seconded by Mr. Cronk to approve the 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. Yanos and seconded by Mr. Cronk to accept the reports as presented: Duke Energy notified they have identified vegetation which they will control with herbicide on S. County Road 400 W. New Castle, Henry County Attorney Report for September, Henry County Clerk's Monthly Report for September, Henry County LEPC Award Letter, IDEM Adoption of Completed & Agreed Order between City of New Castle & Henry County, IGMS 2017 Hazardous Materials Emergency Preparedness Quarterly Report, IGMS 2016 Emergency Management Competitive Grant Quarterly Report, IGMS 2017 Infrastructure Maintenance Grant Program Quarterly Report, IGMS 2016 State Homeland Security Grant Program Quarterly Report, IGMS 2016 Emergency Management De-obligated Grant Quarterly Report, INHS 2017 NIXLE Award Letter for \$10,500.00, INDOT Notice of Small Structure Replacement Project on US 35, Intech Service Order for September, Surveyor's Letter on Elizabeth Wiley, and Wayne Township Trustee Payroll for 2017. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the purchase of a Roadside Ditch Machine for the Highway Department from Maddock Construction Equipment in the amount of \$58,950.00 this amount includes a trade in of \$80,000.00 for a 2007 Asphalt Recycler. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to have the following applicants interested in the Memorial Park Board position come to a public meeting on October 18th at 5:00 to be introduced, Jacqueline Brayton, Ron Coatie, Landon J. Dean, Josh Dugger, Rita J. Fisher, and Tod A. Howard. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the Construction Agreement with James Thompson to oversee and supervise construction of improvements and repairs to buildings located in the Memorial Park. This Agreement is between the Commissioners, Park Board and James Thompson. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve the Motorsports Improvement Fund Grant Agreement between Indiana Economic Development and Henry County for \$200,000.00 eligible costs. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to allow an extension on the Food and Beverage grant for the Cemetery Board and allow payment of \$4,773.00 for funding of signs. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to assign Tax Sale Certificate 331700045 to Healthy Communities of Henry County, parcel #007-98321-00, Westwood Addition Pt Lot 21. Motion carried 3-0.

A RESOLUTION ASSIGNING TAX SALE CERTIFICATE TO HEALTHY COMMUNITIES HENRY COUNTY, INDIANA

WHEREAS, Henry County, Indiana, by and through its Board of Commissioners, is the holder of the tax sale certificate 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 certificate held in the name of the county executive to any political subdivision;

WHEREAS, Healthy Communities Henry County, Indiana, has expressed a desire to obtain the tax sale certificate on the property described in **Exhibit A** and has requested from the Henry County Board of Commissioner an assignment of those certain tax sale certificate; and

WHEREAS, it is a benefit to both Henry County and Healthy Communities Henry County, Indiana, that the tax sale certificate for the property described in **Exhibit A** now be assigned to Healthy Communities Henry County, 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 certificate held by the county to Healthy Communities Henry County, Indiana, for the property 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 Healthy Communities Henry County, 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

Address	Parcel No. / Certificate Number	Legal Description
W RAILROAD ST	007-98321-00 331700045	WESTWOOD ADD PT LOT 21 RR R/W

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the 2016 Emergency Management Performance Grant Agreement CFDA#97.042 Contract 22511. Motion carried 3-0.

Public input was made by the following: Bobbi Plummer, Judy Walker, Gary Rodgers, Melissa Elmore, and Peggy Stefandel. Bobbi Plummer submitted the following letter to Mr. Baker, and also the same letter was given to Mr. Cronk and Mr. Yanos.

October 11, 2017

RE: Request to Inspect and Copy
Certain Public Records

Mr. Bruce "Butch" Baker
Henry County Commissioner
101 S. Main St.
New Castle, IN 47362

Dear Mr. Baker,

Pursuant to the Access to Public Records Act (Ind. Code 5-14-3), I am requesting immediate access to inspect and obtain copies of certain public records. Hopefully by inspecting the records, I can reduce the time and effort you or your staff will need to expend to meet the production task.

As to obtaining copies of the identified public records, I would like to obtain them in the timeframe as provided in the Indiana Public Access Counselor's Handbook. To that end, please note this request is being hand delivered.

The records subject to this request are as follows:

1. The results of any and all studies that Henry County Commissioners have authorized regarding WECS, including but not limited to who performed the studies, the type of studies performed, dates and locations of the studies.

2. Any and all records, documentation and data supporting the original WECS Ordinance and the safety of the citizens of Henry County. This would include but not be limited to studies, personal notes, emails, letters, text messages, etc. generated by you, for you or given to you, your predecessors or other staff.
3. Any and all communications from any representative of the Commissioners to, from or regarding any WECS company representatives discussing additions, modifications or no changes to the current WECS ordinance. This would include but not be limited to studies, personal notes, emails, letters, text messages, etc. generated by you, for you or given to you, your predecessors or other staff.
4. Any and all and communications, documents and meeting information, from any representative of the Commissioners held with any and all WECS company representatives outside of public meetings. This would include but not be limited to dates, times, locations, persons in attendance and personal notes taken.
5. Any and all and communications, documents and meeting information from any representative of the Commissioners held with any Lease Holders outside of public meetings. This would include but not be limited to dates, times, locations, persons in attendance and personal notes taken.

With regard to this request, including the request for copies of e-mails and documents, please note the October 6, 2016 advisory opinion issued by the Indiana Public Access Counselor under case number 16-FC-227. I am attaching a copy of that opinion for your review.

I understand that if I seek copies of these records, there may be a copying fee. Could you please inform me of that cost prior to making the copies? I can be reached at 765-749-4168. My address is 4919 E. US Highway 40, Straughn, IN 47387

Per the statute, you have twenty-four (24) hours to respond to this request due to the fact I personally delivered this request to you at the Henry County Commissioner meeting dated October 11, 2017.

If you choose to deny the request, you are required to respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

Thank you for your assistance on this matter.

Respectfully,

Bobbi Plummer
4919 E. US Highway 40
Straughn, IN 47387
1-765-749-4168

Please note the attachment of the October 6, 2016 Advisory Opinion 16-FC-227 issued by the Indiana Public Access Counselor.

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

Butch Baker, President

Kim Cronk, Vice President

Ed Yanos

Attested by: _____

Patricia A. French, Auditor