

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, June 13, 2018, 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 from the previous meeting held May 30, 2018. Motion carried 3-0. A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the minutes from the special called meeting held on May 10, 2018 to discuss the White Estates sewer project. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk 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 monthly reports presented for: Duke Energy Notice for Herbicide Vegetation Treatment in Henry County, May Attorney report, May Clerk's report, Sheriff's Maintenance report, Highway to Resurface County Line South Road, IDEM Wastewater Treatment Plant & Sanitary Sewer Construction Permit application form the Town of Knightstown, Intech Service report for May and Weights & Measures report for April and May. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to accept the notification from Malcon that the County would be receiving \$34,927.45 for Indirect Costs Recovery. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve an Ordinance for Dennis & Cheryl Stillions, vacating a public way adjacent to their property. Motion carried 3-0.

#### AN ORDINANCE VACATING A PUBLIC WAY

#### ORDINANCE #2018-(01) 06-13

WHEREAS, the Dennis R. and Cheryl Y. Stillions Keystone Trust has filed a petition to vacate a public right-of-way that can be described as follows:

All of the area of land, consisting of approximately 339 feet in length, between Parcel No. 014-10228-00 and Parcels No. 014-010235-00 and 014-10237-00 located within Knightstown Lake Addition, Wayne Township, Henry County, Indiana, and depicted on the attached Exhibit "A" as the hatched area.

WHEREAS, Henry County has no need to utilize this area as a public way and it is not utilized by the public as a means of ingress or egress; and,

WHEREAS, the Dennis R. and Cheryl Y. Stillions Keystone Trust is the owner of all real estate abutting the area that is proposed to be vacated.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Henry County that the petition to vacate real estate filed by the Dennis R. and Cheryl Y. Stillions Keystone Trust, in which the Trust seeks to vacate a public way, contiguous to real estate owned by the Trust, should be granted. The public way to be vacated is not located within the corporate limits of any municipality.

BE IT FURTHER ORDAINED, that the following public way is hereby vacated, to-wit:

All of the area of land, consisting of approximately 339 feet in length, between Parcel No. 014-10228-00 and Parcels No. 014-010235-00 and 014-10237-00 located within Knightstown Lake Addition, Wayne Township, Henry County, Indiana, and depicted on the attached Exhibit "A" as the hatched area.

This ordinance shall be in effect from and immediately after its passage.

Adopted by the Board of Commissioners of Henry County, Indiana this 13th day of June 2018.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve a resolution approving the Comprehensive Plan. Motion carried 3-0.

**RESOLUTION 2018-06-12 (12)**

**A RESOLUTION APPROVING COMPREHENSIVE PLAN**

WHEREAS, the Henry County Planning Commission (“Planning Commission”) coordinated and directed the preparation of a new Comprehensive Plan by the consultant, American Structure Point, Inc., in accordance with the provisions of Indiana Code §36-7-4-500, *et seq.*; and,

WHEREAS, on January 18, 2018, the Planning Commission held a public hearing to consider the adoption of a new and amended Comprehensive Plan for the County; and,

WHEREAS, on February 18, 2018, the Henry County Planning Commission certified a new Comprehensive Plan for consideration by the Board of Commissioners; and,

WHEREAS, on March 28, 2018, the Board of Commissioners of Henry County adopted a Resolution Amending the Comprehensive Plan Certified by the Henry County Planning Commission; and,

WHEREAS, on May 17, 2018, the Planning Commission received and reviewed the Board of Commissioner’s proposed amendments to the Certified Plan and voted to approve the Board of Commissioner’s amendments to the Certified Plan; and,

WHEREAS, the Board of Commissioners wishes to approve the Comprehensive Plan after receiving the favorable recommendation from the Planning Commission.

NOW THEREFORE BE IT RESOLVED that the document attached to this resolution as Exhibit “A” is hereby approved and made the Comprehensive Plan for Henry County, Indiana.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve a resolution initiating to amend the Henry County Code (WECS). Mr. Cronk went through the timeline and meetings the Commissioners had held with two representatives, Mr. Gary Rogers and Rosalind Richey, plus public meetings to get to this point. The resolution and the WECS Ordinance would now go the Planning Commission for approval and then come back to the Commissioners for the final approval. After reading the resolution the motions were made and carried with a vote of 3-0.

**RESOLUTION NO. 2018-6/13 (011)**

**A RESOLUTION INITIATING PROPOSAL TO AMEND**

**THE HENRY COUNTY CODE**

WHEREAS, the legislative body of a unit may initiate a proposal to amend the text a unit’s zoning code; and,

WHEREAS, the Board of Commissioners of Henry County is the legislative body for Henry County; and,

WHEREAS, the Board of Commissioners wishes to initiate proposals to amend the text of Henry County's Zoning Code.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. A proposal is initiated to repeal Sections 154.001 through 154.107 and replace such provisions with the text set forth on the attached Exhibit "A".
2. A proposal is initiated to add the text set forth on the attached Exhibit "B" to the beginning of Section 150.165(A) of the Henry County Code.
3. The proposals to amend the Zoning Code in accordance with this resolution are hereby referred to the Henry County Planning Commission to conduct a public hearing as required by law.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve a resolution assigning Tax Sale Certificates to the City of New Castle, certificate #'s 331700208 and #331600633. Motion carried 3-0.

**RSOLUTION #2018-06-13 (10)**

**A RESOLUTION ASSIGNING TAX SALE CERTIFICATES**

**TO THE CITY OF NEW CASTLE, INDIANA**

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**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 2017 payable 2018 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.

**PASSED AND ADOPTED** by the Henry County Board of Commissioners, this \_\_\_\_ day of \_\_\_\_\_, 2018.

***HENRY COUNTY, INDIANA BOARD OF COMMISSIONERS***

Discussion was held concerning the newly approved Planning Commission fees. Mr. Cronk stated he had many calls concerning this issue from taxpayers saying they felt the fees were raised to high. Mr. Cronk was asking the Planning Commission to show justification on the amount the fees were raised.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve a contract with Automated Logic Service for the annual fire alarm, monitoring pump & sprinkler inspections plus bi-annual smoke detector sensitivity from June 1, 2018-May 31, 2019 in the amount of \$5,150 and the 2<sup>nd</sup> year from June 1, 2019 to May 31, 2020 in the amount of \$5,305. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve additional paperwork for the Anthem renewal insurance contract, which was approved during the May 30, 2018 meeting. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve a proposal from AB Sealing to clean, prep, fill cracks, patch holes sealcoat & re-stripe lines for the Courthouse parking lots. Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to approve signing the signature page for Bridge #156. Motion carried 3-0. A motion was made by Mr. Cronk and seconded by Mr. Yanos to accept the Highway's annual report. Motion carried 3-0. A motion was made by Mr. Cronk and seconded by Mr. Yanos to accept 2019 budgets for the Highway, Local Road & Street, Cumulative Bridge, LOHUT and Community Crossing Matching Grant. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the purchases of 2 EMS 2010 Expeditions XLT squads for the ambulance fund in the amount \$ 5,000 each. Motion carried 3-0.

Mr. Baker opened the floor for public comment.

David Fisher inquired amount monies spent from Highway funds on the roads. Susie Huhn and Gary Rogers each discussed the windmills and the Comprehensive Plan.

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

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Butch Baker, President

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Kim L. Cronk, Vice President

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Ed Yanos

ATTESTED BY: \_\_\_\_\_  
Patricia A. French, Henry County Auditor