

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, March 28, 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 March, 14, 2018 meeting. 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 monthly reports as presented: Henry County Sheriff's Maintenance report. Motion carried 3-0.

Wanda Hanning and Randy Howard, representing Citizens to Preserve Henry County Memorial Park, were present to discuss their previous request to place Memorial Park on the historic registry and the Indiana register of Historic Sites & Structures. During the previous meeting held March 14, 2018, the Commissioners requested for their group and the Friends of the Memorial Park work together with their fund raising and come back with a plan. The Friends of the Memorial Park representative, Joyce Jester stated they had no problem with placing the Park on the Historic registry and would welcome any help from the Preservation group. Mr. Howard stated they were ready to move forward. Jessie Russet discussed the process for placing the Park on the national registry. Mr. Yanos asked Ms. Russet if the Commissioners would be able to change anything structurally if the Park was placed on the historic registry, she replied the County could do whatever they wanted to the property. A motion was made by Mr. Cronk and seconded by Mr. Yanos to allow the Preservation group to move forward with the Friends of Memorial Park, working together and return to the next meeting with a plan. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve an Advanced Life Support Assistance Agreement between the Middletown Fall Creek Township Emergency Medical Services, Inc (EMS). Motion carried 3-0.

A motion was made by Mr. Yanos and seconded by Mr. Cronk to accept the Malcon certificate of Indirect Costs rates for the year ended on December 31, 2016 with anticipated General Fund Recovery in the amount of \$139,709.82. Motion carried 3-0.

Engineering firms from USI Consultants, FPBH Inc and SJCA presented contracts for Engineering and Inspection services for the Highway, since there was no Engineer on site for the Highway. Mr. Cronk made a motion to accept all three contracts. That motion died due to a lack of a second. After reviewing the contracts a motion was made by Mr. Baker and seconded by Mr. Yanos to approve SJCA to finish the rest of this year, then for the next year review the contracts again, all subject to legal review. Motion carried 3-0.

Mr. Wiley presented Resolution #2018-03-28 (009) for approval. A motion was made by Mr. Baker and seconded by Mr. Yanos to approve the resolution appointing the American with Disabilities Act (ADA) ADA Coordinator and adopting procedures. The ADA Coordinator for Henry County will be Kim Cronk. Motion was carried 3-0.

**BOARD OF COMMISSIONERS
HENRY COUNTY, INDIANA
RESOLUTION #2018-03-28-(009)**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA APPOINTING THE AMERICAN WITH DISABILITIES ACT (ADA) ADA COORDINATOR AND ADOPTING PROCEDURES

WHEREAS, the Federal government enacted the American with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA, Henry County, Indiana shall name an ADA Coordinator; and

WHEREAS, in compliance with the Title II of the ADA, Henry County, Indiana shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with the Title II of the ADA, Henry County, Indiana shall publish notice to the public regarding the ADA;

WHEREAS, in compliance with the Title II of the ADA, Henry County, Indiana shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA Grievance Procedure on its website.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Indiana:

1. Kim L. Cronk is designated as the ADA/Title VI Coordinator for Henry County:
2. The Notice under the American with Disabilities Act, a copy of which is attached hereto, is adopted as the Notice under the American with Disabilities Act.

3. The Henry County Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the government agencies of Henry County;
4. In compliance with Federal and State laws as set forth above, Henry County resolves to post the required information regarding the ADA coordinator, Notice under the American with Disabilities Act, and Henry County Grievance Procedure under the American with Disabilities Act on its website and at such other locations as may be determined from time to time.

Duly passed on this 28th day of March, 2018 by the Board of Commissioners for Henry County, Indiana.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the bond for Cheryl Wright, Henry County 4-H Treasurer. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve EMA's Hazardous Material Grant (#G18-005) in the amount of \$6500. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Yanos to approve Food & Beverage claims for L & W Outdoor Advertising in the amount of \$760 and JR Promotions LLC in the amount of \$320. Motion carried 3-0.

Mr. Baker recessed the regular meeting to open the floor on discussion concerning the rezoning request for Hissaydar Investments, LLC. The request was to rezone approximately 143 acres from Rural Residential (RR) to Light Industrial (LI). The property is located on Parcel#007-84331-00, on East County Road 300 S in Henry Township. This proposal received a favorable recommendation from the Henry County Planning Commission on March 15, 2018. Lori Pritchett and Corey Murphy each discussed the request favorably, stating it would bring growth, investments, jobs and marketability to the County. Others speaking for the zoning change were Keith Pritchett and Sheldon Dynes, who addressed the drainage concerns. Other comments were made by Ron Romine, Horace Walcott, Brian Morton, Janet Lundy, Tom Norris and Jerry Watts. Mr. Baker proceeded to read a letter from Mark Cherry, residing at 1541 Jordan Drive, New Castle, Indiana voicing his opinion as a no vote for the rezoning change, due to drainage and property values. Others voiced their concerns regarding the flooding in the area and property values. After discussion and comments, a motion was made by Mr. Baker and seconded by Mr. Cronk to table any decision until their next meeting to do further research. Motion carried 3-0.

After a short break the regular meeting was resumed.

Open for discussion was the approval of the Henry County Comprehensive Plan. Resolution 2018-03-28 (008), a Resolution amending the Comprehensive Plan Certified by the Henry County Planning Commission. Within the resolution there are 19 changes to be made to the Plan. Comments were made by Ron Romine, Peggy Stefandel, Patsy Conyers, Tom Norris, David Fisher and Wayne Foster, all voicing their opinions and concerns. After hearing the public, a motion was made by Mr. Cronk and seconded by Mr. Yanos to approve the resolution and accept the changes. Motion carried 3-0. The amended Comprehensive Plan will now go back to the Planning Commission for review.

RESOLUTION 2018-03-28-(008)

**A RESOLUTION AMENDING THE COMPREHENSIVE PLAN CERTIFIED
BY THE HENRY COUNTY PLANNING COMMISSION**

WHEREAS, Henry County Planning Commission ("Planning Commission") has 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, a copy of which is attached hereto as Exhibit "A", for consideration by the Board of Commissioners; and,

WHEREAS, following the certification of a Comprehensive Plan the legislative body of a unit may adopt a resolution approving, rejecting, or amending the certified plan; and

WHEREAS, the Board of Commissioners has considered the Certified Comprehensive Plan and believes that the Certified Comprehensive Plan should be amended.

NOW THEREFORE BE IT RESOLVED as follows:

1. The Board of Commissioners hereby amends the Certified Comprehensive Plan as described on the attached Exhibit "B". A copy of the Certified Plan with the Board of Commissioners amendments is attached hereto as Exhibit "C".

2. The amendments detailed in Exhibits "B" and "C" are necessary to more accurately describe Henry County's statement of objectives for future development, its statement of policy for land use development and its statement of policy for the development of public ways, public places, public lands, public structures and public utilities, all as set forth and described in Indiana Code §36-7-4-502. The amendments are also necessary to make the plan more accurate and to fully set out and describe the matters set forth in Indiana Code §36-7-4-503.

3. The Planning Commission is requested to consider the amendments to the Certified Comprehensive Plan in a manner consistent with Indiana Code §36-7-4-510.

Tom Green announced the new airport runway was now officially opened for business.

Mr. Baker opened the floor for 15 minutes of public input.

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

Butch Baker, President

Kim L. Cronk, Vice President

Ed Yanos

ATTESTED BY: _____
Patricia A. French, Henry County Auditor