

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom on Wednesday August 9, 2023 at 11:00 a.m. with the following members present: Steve Dellinger, Joe Wiley, Bobbi Plummer, Debbie Walker, Henry County Auditor and Joel Harvey, Henry County Attorney.

The meeting was opened with the Pledge and a Prayer led by Steve Dellinger

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve the minutes of the July 26, 2023 meeting. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve the claims as presented. Motion carried unanimously.

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

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve the Treasurers monthly report and the IDEM Notice of Publication. Motion carried unanimously.

Josh Estelle from McGowan Insurance explained that all the Traveler's and IPEP renewal went down about \$25,000.00 from last year. Also Humana retiree insurance is up for renewal with minimal change, about a 4% increase and this will take effect January 1, 2024.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve the insurance renewals. Motion carried unanimously.

Penny York explained that she working on setting up Implicit Bias Training. The last time they had this training was December 2020. The cost is \$3,500.00 and would like to split the cost between the County and the City. This will be led by Shafer Leadership Academy. They are looking at dates the end of September or fist of October.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to table the request for the Implicit Bias Training until they can find where to pay if from. Motion carried unanimously.

Corey Murphy informed the Commissioners that he is wanting pursue getting a Corridor Plan for State Road 109. The Commissioners thinks this is a good idea and he should proceed with it.

Brain Clark gave a quick update on the Coroner's Office so far this year they have done 93 autopsies and that is up a little from last year.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to allow the Surveyor to proceed with drafting an ordinance with the County Attorney to collect alcohol fees. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve Ordinance 2023-08-09-009, Zone Map Change Proposal #463 RE: Case B:2267. Motion carried unanimously.

ORDINANCE

2023-08-09-009
ZONE MAP CHANGE PROPOSAL # 463
RE CASE B:2267

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 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 Gary Joslin, 8542 West US 36 to rezone approximately 1 acre from General Business (GB) to Rural Residential (RR).

DESCRIPTION:

Legal attached, incorporated and marked as Exhibits A

WHEREAS, the Henry County Planning Commission has heard all persons desiring to be heard on said proposed zone change and acted as follows:

NOW BE IT RESOLVED by the Henry County Planning Commission on the 20th day of July, 2023 that the Zone Change Proposal NO. 463 proposing to amend the Henry County, Indiana Development Code 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 Henry Township Zone Map be changed as to the lots and lands described in Exhibit A, attached, pursuant to the result of Case B: 2267, Zone Change 463

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 FALL CREEK Township zone map is hereby changed as follows:

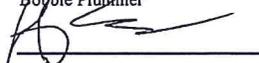
REZONE PARCEL # 003-01673-00 FROM GENERAL BUSINESS (GB) TO RURAL RESIDENTIAL (RR)

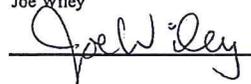
SECTION 2: BE IT FURTHER ENACTED that the Zoning Administrator is hereby authorized and directed, upon the approval and enactment of this ordinance, to cause the change to be made on the F a l l C r e e k Township zone map and to note thereon the date of passage and approval of this ordinance.

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

Adopted this 9th day of August 2023 by a vote of 3 in favor and 0 opposed.

Steve Dellinger


Bobbie Plummer


Joe Wiley


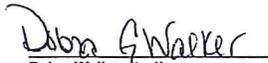
Attest:

Debra Walker, Auditor

Exhibit A:

THE LEGAL DESCRIPTION IS AS FOLLOWS:

003-01873-00: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 9 EAST, RUNNING THENCE WEST 208 FEET 8 INCHES; THENCE NORTH 208 FEET 8 INCHES ; THENCE EAST 208 FEET 8 INCHES; THENCE SOUTH 208 FEET 8 INCHES TO THE PLACE OF BEGINNING, CONTAING ONE ACRE, MORE OR LESS.

(Joslin_ PRO #463 B:2267)

ORDINANCE
2023-08-09-DIC
ZONE MAP CHANGE PROPOSAL # 464
RE CASE B: N/A

WHEREAS, a request 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) is requested by the Zoning Administrator of Henry County on behalf of the owner(s) of the property described herein.

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

This being the request of John T Carson to rezone approximately 6.23 acres of PART of Parcel 008-01732-00 from Rural Residential (RR) to Agricultural (A-1).

DESCRIPTION:

Legal attached, incorporated and marked as Exhibit A

WHEREAS, a review of the zoning of the described parcel or parts thereof indicate that an error in zoning is present and that the zoning of said parcel is in need of revision. The owner of the described property is in agreement with this decision and requests the change.

NOW BE IT RESOLVED by Board of Commissioners of Henry County that on the 9th day of August, 2023 that Zone Change Proposal NO. 464 proposing to amend the Henry County, Indiana Development Code particularly the zone map was fully considered.

NOW, THEREFORE, it is the decision of the Zoning Administrator that it hereby recommends to the Board of Commissioners of Henry County, Indiana that the Jefferson Township Zone Map be changed as to the lots and lands described in Exhibit A, attached, pursuant to the result of Zone Change 464

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 Jefferson Township zone map is hereby changed as follows:

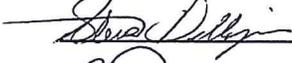
REZONE PART OF PARCEL 008-01732-00 FROM RURAL RESIDENTIAL (RR) TO AGRICULTURAL (A-1)

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 Jefferson 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.

Adopted this 9th day of August, 2023 by a vote of 3 in favor and 0 opposed.

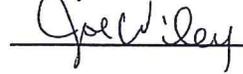
Steve Dellinger



Bobbie Plummer



Joe Wiley



Attest:

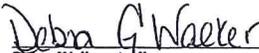

Debra Walker, Auditor

Exhibit A _ Carson, John T.

A part of the southwest quarter of Section 17, Township 18 North, Range 10 East in Jefferson Township, Henry County, Indiana, described as follows:

Beginning at a point on the south line of the southwest quarter of Section 17, Township 18 North, Range 10 East, said point being south 90 degrees 00 minutes 00 seconds east 598.40 feet (assumed bearing) from a casting at the southwest corner of said quarter section; thence north 00 degrees 12 minutes 00 seconds west 696.80 feet parallel with the west line of said quarter section; thence south 90 degrees 00 minutes 00 seconds east 150.00 feet; thence south 00 degrees 12 minutes 00 seconds east 696.80 feet to a point on the south line of said quarter section; thence north 90 degrees 00 minutes 00 seconds west 150.00 feet to the point of beginning, containing 2.40 acres, more or less, and subject to the right-of-way for State Highway #36 along the southerly side thereof and to all casements of record.

Sheriff Sproles gave an update on the number of inmates that are currently in the Henry County Jail. They have sent inmates that Henry County was housing for other departments to another location.

Casey Richards explained that IU is taking applications for an Eclipse Grant for up to \$2,000.00 and she would like to have the county Grant Writer submit an application for Henry County, the grant is due September 1st. The park will be holding an eclipse event on April 8, 2024 at Cardinal Field and this grant will help to purchase items needed for this event.

A motion was made by Bobbi Plummer and seconded by Joe Wiley allow for the Grant Writer to submit this grant. Motion carried unanimously.

Tim Welch, EMA Director presented an MOU with the City of New Castle, Health Department, Henry County, Henry County Emergency Management Agency and New Castle Fire Department. This is for Emergency Services training ground storage barn. He asked if the county would be able to keep the lot clear if there is a snow and they need into the barn. Joe Copeland said that the county will not be able to remove snow off of this lot.

Angela Cox gave an update on mental health/substance use program. She talked about the JCAP program and what they are working on. HOPE Initiative has secured a grant that has been used for numerous educational offerings as well as helping to spring board L;VE Coalition. She also discussed L;VE Coalition, Meridian Health Services, Turning Point mental health and addiction resources, Henry County Women's Recovery Center and the Guest House.

Retired Gary Wilson has asked to purchase his service AR-15. It was explained that the gun could not be purchased by the employee it would have to be sold to an authorized gun dealer. The firearm has to be less the \$1,000 in order for the Commissioners to sell it. The gun is less than \$1,000 in value.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to allow the Sheriff Department to transfer the AR-15 to an authorized dealer for Gary Wilson to purchase. Motion carried unanimously.

Randolph County sent a letter regarding the Next Level Trail Grant Program. Randolph County could not purchase all of the land needed for the trail. They are asking Henry County to work with Randolph county in order to bring Henry County Road 525 N and 900 E and Randolph County Road 1275 W and Randolph County Road 1000 S to a bicycle safe standard by the time of trail construction. Commissioners are going to look further into this.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to add asphalt to the Interlocal Agreement between Henry County Highway and the Town of Mooreland. Motion carried unanimously.

A motion was made by Joe Wiley and seconded by Bobbi Plummer to approve the Interlocal Agreement between Henry County Highway and the Town of Mooreland for salt, sand and asphalt. Motion carried unanimously.

A motion was made by Joe Wiley and seconded by Bobbi Plummer to approve Resolution 2023-08-09 (14), A Resolution Authorizing the Expenditure of Revenue (Abatement Share-Restricted) Received from the Settlement of Claims against Opioid Manufacturers and Distributors. Motion carried unanimously.

RESOLUTION NO.: 2023-08-09 (14)

A RESOLUTION AUTHORIZING THE EXPENDITURE OF REVENUE (ABATEMENT SHARE-RESTRICTED) RECEIVED FROM THE SETTLEMENT OF CLAIMS AGAINST OPIOID MANUFACTURERS AND DISTRIBUTORS

WHEREAS, the state of Indiana has entered into settlements with several pharmaceutical manufacturers, pharmaceutical distributors, and other parties, arising from the marketing, sale and distribution of opioids ("Settlements"); and

WHEREAS, a portion of the funds received from the Settlements have been and will be distributed to local government entities, including Henry County; and

WHEREAS, a portion of the revenue received by local governments from the Settlements may only be used for the treatment, support, housing and care of persons suffering from, or at risk to suffer from, opioid abuse and substance abuse, and to provide education, support and training to abate the abuse of opioids and other substances ("Abatement Share Funds"); and

WHEREAS, Jamie Owens currently provides mental health and substance related counseling through the JCAP program at the Henry County Detention Center and it is anticipated that Owens will become an employee of the Henry County Department of Health and will continue to provide counseling service through the JCAP program; and

WHEREAS, funding is needed to pay Owens' salary and benefits through the end of 2023 and to provide Owens with a computer; and

WHEREAS, Abatement Share Funds may be used to pay for substance abuse and mental health counseling services.

NOW THEREFORE, BE IT RESOLVED:

1. The sum of up to Forty Thousand Dollars (\$40,000.00) shall be paid from Abatement Share Funds received by Henry County for the purpose of paying Jamie Owens' salary and benefits through December 31, 2023, and to acquire a computer for Owens' use.

2. Additional expenditures of funds received from the Settlements shall be approved by separate Resolution.

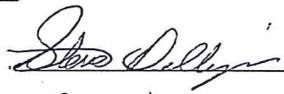
3. A list of expenditures of the Abatement Share Funds received by Henry County is attached to this Resolution as Exhibit "A."

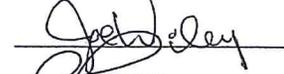
EFFECTIVE DATE: This Resolution shall be effective upon passage and appropriation of the amount set forth herein by the Henry County Council.

REPEALER: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be deemed unenforceable, shall be omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

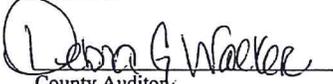
ADOPTED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA THIS 9 DAY OF August, 2023.







ATTEST:



County Auditor

EXHIBIT A

Abatement Share Funds received by Henry County, Indiana, as a result of the Settlements, shall be used for the following purposes:

1. The sum of One Hundred Thousand Dollars (\$100,000.00) shall be utilized for the repair or replacement of the roof on the Guest House building.
2. The sum of up to Forty Thousand Dollars (\$40,000.00) shall be utilized for the payment of Jamie Owens' salary through December 31, 2023.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to approve the Scope of Work Agreement with DLZ. Motion carried unanimously.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to change the Commissioners work session on August 23, 2023 from 3:00 p.m. to 2:00 p.m. and this will be a joint session with the County Council.

The Saunders family asked for a copy of the lease agreement between the County and Expo Center. The Expo board was to replace the Saunders family shelter and they have not yet done it. The estimated cost is \$45,000 to rebuild. They are going to be contacting a lawyer.

A motion was made by Bobbi Plummer and seconded by Joe Wiley to adjourn. Motion carried unanimously.


Steve Dellinger, President


Joe Wiley, Vice President


Bobbi Plummer, Member

