

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom on Wednesday August 10, 2022 at 10:00 a.m. for a special meeting with the following members present: Ed Tarantino, Bobbi Plummer, Steve Dellinger, Debbie Walker, Henry County Auditor, and Joel Harvey County Attorney.

Bobbi Plummer calls the meeting to order.

Scott Hines, Henry County Building Inspector, states that he has received multiple calls over an old grain elevator in Honey Creek. He contacted the owner of the property and he never got back in touch with Scott. Scott is concerned that this structure will fall with the next storm.

Bobbi Plummer asks Joel Harvey, Henry County Attorney, what the next steps consist of. Joel states that Henry County has adopted Indiana's unsafe building code which states that the building inspector can issue certain types of orders for buildings that are unsafe. The purpose of today's meeting was due to the code requiring a hearing on the demolition of an unsafe building. The owner is aware of the hearing but did not appear.

Steve Dellinger makes a motion to affirm the demolition order to Manuel Romo. Motion is seconded by Ed Tarantino and carries 3-0.

DEMOLITION ORDER

TO: Manuel Romo
6825 West Thompson Road
Indianapolis, Indiana 46241

DATE: July 28, 2022

Be advised that the undersigned is the enforcement authority for the Henry County Unsafe Building Code.

An inspection has been made of certain property located within the Henry County, described as follows:

Lot 3 & 14 feet off the East side of Lot 4 all in Block 2 of the Western Addition to the Town of Honey Creek, Henry County, Indiana.

Commonly referred to as: 5345 West County Road 700 North, Middletown, Indiana 47356

Parcel No.: 003-03803-00 ("Real Estate")

You are hereby advised that the structures and improvements located at and upon the Real Estate have been determined to be unsafe as that term is defined by Henry County Code § 161.03. The Henry County Code incorporates the Indiana Unsafe Building Law (Indiana Code § 36-7-9-1 *et seq.*) by reference. If you wish to review the definition of unsafe building in the Henry County Code, you may do so on line at: <http://henryco.net/attachments/HenryCo153.pdf>

You are hereby ordered to take the following action with respect to the Real Estate:

1. Demolish and remove all structures or improvements on the Real Estate.

2. Remove of all trash, debris or other material in and about the Real Estate after demolition of the structures and improvements and dispose of the debris in a landfill or other lawful manner.

3. Take all other action necessary to render the Real Estate safe and in compliance with all applicable laws and regulations.

The action required by this order must be completed no later than thirty (30) days following the date notice of this Order is delivered to you or deemed to have been delivered to you.

A hearing has been set to consider and review this Order before the Board of Commissioners of Henry County, Indiana. That hearing will take place on August 10, 2022, at 10:00 a.m., in the former Circuit Court courtroom in the Henry County Courthouse, 2nd Floor, 101 South Main Street, New Castle, Indiana. You are entitled to appear at the hearing with or without legal counsel, present evidence, cross-examine any witnesses, and present argument. The Board of Commissioners may determine after the hearing that the property is abandoned as set forth in Indiana Code § 36-7-37 and may affirm, rescind or modify this Order.

In the event you do not comply with this Order, and it is affirmed by the Hearing Authority (Board of Commissioners), litigation may be commenced in a court of competent jurisdiction seeking a judgment directing compliance with this Order or authorizing Henry County to enter upon the Real Estate and perform the work required by this Order. Henry County may further seek a civil penalty against you in an amount up to \$5,000.00 and if it performs the work required by this Order, will seek a judgment against you in the amount incurred in enforcing this Order and performing the Work required by this Order. Henry County may pursue all remedies to collect any judgment entered against you, including attachment of


wages and assets. Henry County may also certify the costs of enforcing this Order and performing the Work as an assessment against the Real Estate and other real property that you own and may exercise any other remedy provided in Indiana Code § 36-7-9-1, *et seq.*

Pursuant to Indiana Code § 36-7-9-27, you must:

- (1) supply full information regarding this Order to a person who takes or agrees to take a substantial property interest in the Real Estate before transferring or agreeing to transfer that interest; and
- (2) within five (5) days after transferring or agreeing to transfer a substantial property interest in the Real Estate, supply the Henry County Building Inspector with written copies of:
 - (A) the full name, address, and telephone number of the person taking a substantial property interest in the Real Estate; and
 - (B) the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

This Order is being served upon you by First Class Mail and by Certified Mail to your last known address.

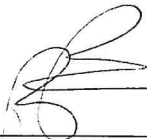
Enforcement Authority


 Henry County Building Inspector
 1201 Race Street, Suite 210
 New Castle, Indiana 47362
 Telephone: (765) 529-7404

COPIES OF ORDER DISTRIBUTED TO:

Manuel Romo
Joel Harvey-County Attorney

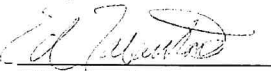
Steve Dellinger moves to adjourn the meeting. Motion is seconded by Ed Tarantino and carries 3-0.



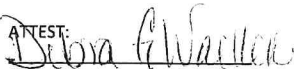
 Bobbi Plummer President



 Steve Dellinger, Vice President



 Ed Tarantino, Member

IN WITNESS WHEREOF:


 Debra G. Walker, Auditor