

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom on Wednesday February 22, 2023 at 6:00 p.m. with the following members present: Steve Dellinger, Joe Wiley, Bobbi Plummer, Debbie Walker; Henry County Auditor and Joel Harvey; County Attorney.

Steve Dellinger called the meeting to order with the pledge followed by a prayer, led by himself.

Bobbi Plummer made a motion to approve the minutes from the previous meeting. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the claims. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the payroll. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve monthly reports from Weights and Measures and Henry County Treasurer. Motion was seconded by Joe Wiley and carried 3-0.

Steve Dellinger read a letter from IDEM concerning a permit for a Wastewater Treatment Plant being constructed in the Town of Shirley. The letter was just for information.

Bobbi Plummer made a motion to approve the following food and beverage claims; \$30,000.00 to M.L. Taylor Construction for project #41 NC Little League; \$6185.67 to HOPE Initiative for reimbursement for Day Care expenses; \$860.20 to Henry County Veterans Museum for reimbursement for office renovation; \$6,435.00 to Galaxy Concrete Coatings, \$50,760.00 to Quality Fabrication of Indiana, and \$995.90 to Pritchett's Backhoe Services for Project #40, Jordan Arena. Motion was seconded by Joe Wiley and carried 3-0.

Josh Estelle gave an update on Steele Insurance Benefits. The federal government has increased the deductible for the individual HSA to \$3,000.00. This will take effect after the June renewal.

Casey Richards and Rita Fisher gave an update on Memorial Park. They are ready to put the Shelter House repair out for bid. Because the estimated cost of the project is over \$220,000.00 they are required to obtain at least three bids. Superintendent Richards has estimated that the firework show will cost roughly \$40,000 this year and they will be sending out letters requesting donations in the near future.

Joe Wiley made a motion to approve two Deed of Gift Combat Material for Static Displays at Memorial Park from the U.S. Army lending the park cannons and tanks for display. Motion was seconded by Bobbi Plummer and carried 3-0.

Joe Wiley made a motion to approve Baker Tilly's Financial Advisory, Consulting, and Compilation Services Agreement. Motion was seconded by Bobbi Plummer and carried 3-0.

Bobbi Plummer made a motion to allow Henry County Community Corrections to apply for the 2023 Grant for Veterans Treatment Court. Motion was seconded by Joe Wiley and carried 3-0.

Steve Dellinger discussed Lieutenant Governor Crouch declaring Henry County as a Broadband Ready Community. The Lieutenant Governor visited Henry County on February 15, 2023 to announce this and congratulate Henry County.

Steve Dellinger discussed a property owned by the commissioners near Walmart, 3117 S State Road 3. The property was previously used as a carwash but now it is just sitting, vacant and not on the tax roll. Bobbi Plummer made a motion to obtain two appraisals on the property 3117 S State Rd 3 New Castle, IN 47362. Motion was seconded by Joe Wiley and carried 3-0.

Joe Wiley made a motion to accept Sheriff Sproles employment contract. Motion was seconded by Bobbi Plummer and carried 3-0.

Steve Dellinger discussed a quote from Jake's Heating Air and Plumbing. The HVAC system on the third floor of the Masonic Building is over 28 years old and has broken. Jake's quoted \$9,750.00 for a full HVAC system replacement. Joe Wiley made a motion to accept the \$9,750.00 quote from Jakes Heating Air and Plumbing replacing the HVAC system on the third floor of the Masonic Building. Motion was seconded by Bobbi Plummer and carried 3-0.

Joe Wiley made a motion to accept an authorization form from Wright's Tree Service to clean up brush and take down trees that are in the right of way between county roads 200 N and 300 N. Motion was seconded by Bobbi Plummer and carried 3-0.

Joe Wiley made a motion to accept a mutual release form from the Purchasing Agreement for the HOPE Initiative Building due to the buyer not meeting the requirements of the agreement. Motion was seconded by Bobbi Plummer and carried 3-0.

Steve Dellinger announced that there was another offer on the HOPE Initiative Building for \$145,000 from MTB Home Furnishings. Bobbi Plummer made a motion to accept the offer for \$145,000 from MTB Home Furnishings. Joel Harvey informed Bobbi Plummer that there was also a counter offer made. Bobbi Plummer rescinded her previous motion and made a new motion to accept the offer for \$145,000 from MTB Home Furnishings along with the counter offer and make some changes to the original offer for \$145,000. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to reappoint Kenneth Cox and Cheryl Tichenor to the Henry County Tourism Board as they were recommended by the RDC. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to adopt Ordinance 2023-02-22(002) Establishing the Henry County, Indiana Landbank. Motion was seconded by Joe Wiley and carried 3-0

ORDINANCE NO. 2023-02-22 (002)

AN ORDINANCE ESTABLISHING THE HENRY COUNTY, INDIANA LANDBANK

WHEREAS, the Board of Commissioners recognizes that within Henry County there are a substantial number of tax delinquent and other properties which are nonrevenue generating, vacant, or dilapidated; and,

WHEREAS vacant and tax delinquent properties are an economic burden to the County; and,

WHEREAS, the Indiana General Assembly, recognizing the problem effects many communities in the state, enacted Indiana Code § 36-7-38 for the purpose of allowing the establishment of a local landbank authority; and,

WHEREAS, landbanks are designed to help communities acquire tax delinquent or other properties which are nonrevenue generating, vacant, or dilapidated in order to foster the public purpose of returning such property to an effective utilization to produce revenue, new housing and revitalization and stabilization of neighborhoods; and,

WHEREAS, the Board of Commissioners desires to establish a landbank authority contemplated by Indiana Code § 36-7-38-1 (*et seq.*);

NOW THEREFORE BE ORDAINED by the Board of Commissioners of Henry County, Indiana, as follows:

(A) Pursuant to Indiana Code § 36-7-38-1 (*et seq.*), the Board of Commissioners shall organize a nonprofit corporation under Indiana Code § 23-17, known as "Henry County Landbank Corporation" as an independent instrumentality exercising essential government functions, as permitted by law.

(B) The primary purpose of the landbank shall be to acquire, manage, maintain, protect, rent, lease, repair, alter, sell, trade, exchange, or otherwise dispose of distressed real property acquired through tax foreclosure or other methods as provided in I.C. 36-7-38-1 (*et seq.*) located within Henry County, Indiana, except for those located within the City of New Castle or any other incorporated municipality that has established or establishes a separate landbank authority (the Territory), and any other governmental entity with which the landbank has agreed or contracted with to perform services.

(C) The landbank shall have at least seven (7) and up to nine (9) persons on its board of directors, which shall be comprised of the following:

(1) One (1) director, who must be a resident of Henry County, shall be appointed by the County Treasurer. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to one (1) calendar year.

(2) One (1) director, who must be a resident of Henry County, shall be appointed by the County Auditor. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to one (1) calendar year.

(3) One (1) director, who must be a resident of the City of New Castle, shall be appointed by the Mayor of New Castle. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to one (1) calendar year.

(4) One (1) director, who must be a resident of the Town of Middletown, shall be appointed by the Middletown Town Council. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to two (2) calendar years.

(5) One (1) director, who must be a resident of the Town of Knightstown, shall be appointed by the Knightstown Town Council. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to two (2) calendar years.

(6) One (1) director, who must be a resident of the Town of Spiceland, shall be appointed by the Spiceland Town Council. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to two (2) calendar years.

(7) One (1) director, who must be a resident of the Town of Kennard, shall be appointed by the Kennard Town Council. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to three (3) calendar years.

(8) Up to two (2) additional directors, appointed in the manner set forth in the landbank's bylaws established after the initial meeting of the directors appointed under paragraphs (C) (1)-(7) above. The directors appointed under this paragraph, if any, shall serve a term equal to the remainder of the calendar year in which the landbank is established plus renewable terms equal to three (3) calendar years.

(D) The landbank's goals and priorities concerning the disposition of properties must include the sale or transfer of properties:

- (1) for redevelopment that will act as a catalyst for further development;
- (2) that support a comprehensive development plan or strategic plan for neighborhood revitalization;
- (3) that reduce blight in the community;
- (4) that revitalize or stabilize neighborhoods;
- (5) that will be returned to productive, tax paying status;
- (6) that will be returned to productive uses, including development of side lots, green spaces, and gardens;
- (7) that are available for immediate ownership or occupancy without a need for substantial rehabilitation;
- (8) that will be used for affordable housing; or
- (9) that will generate income for the operating support for the functions of the land bank.

(E) The land bank shall do the following:

- (1) Maintain an inventory of real property held by the land bank.
- (2) Develop policies, guidelines, and procedures for the acquisition, redevelopment, and disposition of property by and from the land bank. The policies, guidelines, and procedures developed under this subdivision must be formulated in plain language with the objective of being clearly understood.
- (3) Make the information described in subsections (1) and (2) above available for inspection at the land bank's offices and online.

(F) The land bank shall be subject to Indiana Code § 5-14-1.5 (Open Door Law) and Indiana Code § 5-14-3 (Access to Public Records Act).


EFFECTIVE DATE: This Ordinance shall be effective upon passage.

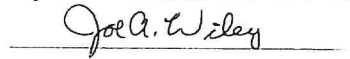
SEVERABILITY: Any provision contained in this ordinance, which is found by a court of competent jurisdiction to be unlawful, or by operation of law, including subsequent legislative enactment, is rendered inapplicable, shall be omitted and the rest and remainder of this ordinance shall remain in full force and effect.

REPEALER: All ordinances that are in conflict with the terms of this Ordinance are hereby repealed.

ADOPTED by the Board of Commissioners of Henry County, Indiana this 22nd day of February, 2023, by a vote of 3 to 0.

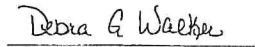
BOARD OF COMMISSIONERS OF
HENRY COUNTY, INDIANA





Joe A. Wiley

ATTEST:



Debra G. Walker, Henry County Auditor

Mike Broyles spoke about Resolution 2023-02-22(002) Transferring Interest in Tax Sale Certificates to the City of New Castle, stating that this process has worked out really well for the City of New Castle and he is glad to be able to do the same with the county. Once Mr. Broyles has possession of the eight properties in the resolution, he will flip them and attempt to get them back on the tax roll.

Bobbi Plummer made a motion to adopt Resolution 2023-02-22(002) Transferring Interest in Tax Sale Certificates to the City of New Castle. Motion was seconded by Joe Wiley and carried 3-0.

RESOLUTION NO. 2023-02-22(002)

A RESOLUTION TRANSFERRING INTEREST IN TAX SALE CERTIFICATES
TO THE CITY OF NEW CASTLE

WHEREAS, Pursuant to Indiana Code §6-1.1-24-6, Henry County has a lien on, and an interest in, properties offered for tax sale that are not sold and such liens are evidenced by a Tax Sale Certificate titled in the name of the Board of Commissioners of Henry County; and,

WHEREAS, the City of New Castle has established a Landbank Corporation for the purpose of disposing of excess properties it owns, to acquire properties in the City of New Castle for rehabilitation, and to promote development and reduce blight within the City of New Castle; and,

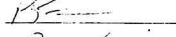
WHEREAS, the City of New Castle has requested that the Board of Commissioners transfer Tax Sale Certificates for certain undeveloped properties to allow the City of New Castle to eventually obtain title to the properties and to transfer the properties to its Landbank Corporation for the purpose of rehabilitating the property or transferring the property to a responsible owner that will properly maintain the property and pay taxes and assessments on the property, as such taxes and assessments become due; and,


WHEREAS, the Board of Commissioners of Henry County wishes to transfer its interest in Tax Sale Certificates in the properties set forth on Exhibit "A" to the City of New Castle, which, after acquiring title to the properties, will transfer the properties to its Landbank Corporation,


NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Henry County, Indiana that all right, title and interest of Henry County in any Tax Sale Certificate related to the properties described on Exhibit "A," and all lien rights it holds as a result of delinquent unpaid taxes on the properties described as Exhibit "A," are hereby transferred to the City of New Castle, Indiana. The County Auditor shall deliver the Tax Sale Certificates for the properties listed on Exhibit "A" to the City of New Castle.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA, THIS 22ND DAY OF FEBRUARY, 2022.

BOARD OF COMMISSIONERS OF HENRY
COUNTY, INDIANA



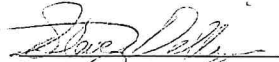





ATTEST:



Debra G. Walker, County Auditor

Bobbi Plummer made a motion to adjourn. Motion was seconded by Joe Wiley and carried 3-0.


Steve Dellinger, President


Joe Wiley, Vice President


Bobbi Plummer, Member

ATTEST:

Debra G. Walker, Auditor