

# **Board of Commissioners Meeting**

11-8-2021

Present: Dennis Henderson, Tracey Powell Absent: Nancy Cline

Other Present: Tyler Juranovich, Dick Klein, Dennis Vandevender, Harry Diamond, Lou Ann Millett

The meeting was opened with prayer by Auditor Gregg Townsend, and the Pledge of Allegiance.

## **Payroll – Crystal Worthy**

Motion by Commissioner Powell to approve payroll, check date November 12, 2021, in the amount of \$187,679.14. Second by Commissioner Henderson. Motion Carries.

## **Claims – Katy Kramer**

Motion by Commissioner Powell to approve transfer of \$15.00 from General, Commissioners Change of Venue (1000.38300.000.0068) to Miscellaneous Fees (1000.38900.000.0068) to pay claims. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to approve transfer of \$1,898.95 from Courthouse Electric and Water(1000.35100.000.0161) to Repairs and Maintenance (1000.36000.000.0161) to pay claims. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to approve an early docket, in the amount of \$684,593.35, to Getrag Transmission Manufacturing, LLC and bond maintenance fees to Baker Tilly. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to approve an early docket, in the amount of \$2,762.83, to CenterPoint Energy and Encompass, to avoid late fees. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to approve miscellaneous claims for docket date November 8, 2021, in the net amount of \$140,860.07. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to approve a separate claim for the Covid testing site, in the amount of \$720.00, from Fund 9003. Second by Commissioner Henderson. Motion carries.

## **2022 Schedules for Meetings, Holidays, Payroll and Claims**

Motion by Commissioner Powell to approve the 2022 schedules, as presented. Second by Commissioner Henderson. Motion carries.

## **Highway- Superintendent Bret Morris – No Report**

## **Engineer – Phil Beer**

Engineer Beer reported that INDOT had awarded \$320,649 to Tipton County for the Community Crossings Matching Grant Program second round for 2021. The award will be used to resurface Division Road from CR800W to US31.

Motion by Commissioner Powell to authorize President Henderson to sign electronic contracts with INDOT. Second by Commissioner Henderson. Motion carries.

Engineer Beer stated that the Highway Department is working on a list of projects for Round 1 of 2022. The Ratio Schematic Drawing Agreement, in the amount of \$33,300, for the previous jail, was tabled. Commissioner Powell stated that we needed to blow out lines and turn on the heat at the old jail.

**Sheriff – Tony Frawley**

Sheriff Frawley stated that they are having problems making consistent heat in the sally port at the jail. PSI has agreed to install an infra-red heat system down the center of the room. The \$15-16,000 cost will be paid by PSI.

**'Tis the Season' –Tipton Main Street – Request to use Courthouse facilities December 3, 2021 5:30-7:30pm**

Motion by Commissioner Powell to approve. Second by Commissioner Henderson. Motion carries.

**Amended Health Department Fee Schedule Ordinance**

County Attorney Regnier read into the record the proposed amended fee schedule for the Health Department, which would go into effect January 1, 2022.

**ORDINANCE BOC 2021-07**

**AN ORDINANCE OF THE BOARD OF COMMISSIONER OF TIPTON COUNTY, INDIANA  
AMENDING THE SCHEDULE  
OF FEES CHARGED BY THE TIPTON COUNTY  
HEALTH DEPARTMENT**

**WHEREAS**, the Tipton County Board of Commissioners of Tipton County, Indiana (hereafter the "Commissioners") previously adopted a schedule of fees (hereafter "Fee Schedule") pursuant to state statute and or local ordinance, establishing fees for services to be charged by the Tipton County Health Department (hereafter "Health Department") for services provided to the public; and,

**WHEREAS**, the Health Department Fee Schedule has been previously amended, with the last amendment made pursuant to Ordinance BOC 2018-06; and,

**WHEREAS**, the Health Department has recommended changes to the current Fee Schedule to take effect in January of 2022 as set forth hereinafter on Amended Schedule A attached hereto; and,

**WHEREAS**, the Commissioners concur with the Health Department's recommendations regarding the proposed changes to the Fee Schedule and find that the recommended changes attached as Amended Schedule A are reasonable and not in excess of the cost for providing for such services.

**BE IT THEREFORE ORDAINED** by the Commissioners that on or after January 1, 2022 and the publication of the amended fee schedule adopted herein, the schedule of fees charged for services provided by the Health Department shall be as shown on Amended Schedule A attached hereto and made a part hereof, with such fees to be collected and disbursed in accordance with Section IV-A of the Tipton County Code.

**BE IT FURTHER ORDAINED** that all other provisions of the current Fee Schedule inconsistent with Amended Schedule A attached hereto, are hereby repealed, and that all other provisions of the current Fee Schedule and the Tipton County Code, except as expressly amended in this Ordinance, are hereby ratified and confirmed and the same shall remain in full force and effect.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Ordinance 2021-07

Page 2 of 2.

TIPTON COUNTY, INDIANA BOARD OF  
COMMISSIONERS BY:

\_\_\_\_\_  
Dennis Henderson  
President

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Tracey Powell  
Vice President

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Nancy Cline  
Member

ATTEST:

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GREGG A. TOWNSEND  
Tipton County Auditor  
Prepared by:  
Mark R. Regnier  
Tipton County Attorney  
120 S. West Street  
Tipton, Indiana 46072  
765-675-2211  
[markregnieratty@gmail.com](mailto:markregnieratty@gmail.com)

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document unless required by law. Mark R. Regnier

**AMENDED SCHEDULE A**

Fee Schedule established and collected in accordance with Section IV-A and made thereof of this Ordinance

**SECTION III – A**

**NEW**

**OLD**

**PERSONAL HEALTH SERVICES:**

TDaP	Current contracted price	\$34.00
Hepatitis B Series	Current contracted price	\$153.00
Hepatitis A Series	Current contracted price	\$134.00
TB Skin Test	\$20.00	\$15.00
Pnuemonia Vaccination		
• Prevnar 13	Current contracted price	\$184.00
• Pneumovax23	Current contracted price	\$95.00
Influenza Vaccination	\$20.00	No Change
A1C	\$40.00	No Change
Cholestec	\$20.00	No Change
First Aid	\$20.00	No Change
CPR	\$10.00	\$40.00
Vaccination Admin Fee	\$10.00	No Change

**SECTION III-B**

**VITAL RECORDS SERVICES:**

Birth Certificate	\$10.00	No Change
Death Certificate	\$10.00	No Change
Home Birth	\$10.00	No Change

**SECTION III – C & D**

**ENVIRONMENTAL HEALTH SERVICES**

**RETAIL FOOD SERVICES:**

Establishment License/ Number of Employees		
One (1) to Five (5)	\$150.00	\$125.00
Six (6) to Nine (9)	\$175.00	\$150.00
Ten (10) or more	\$225.00	\$200.00

**TEMPORARY FOOD SERVICE PERMIT:**

One (1) to Three (3) Consecutive Days	\$30.00	No Change
Four (4) to Fourteen (14) Consecutive Days	\$60.00	No Change
Late fee for Temporary Food Permits for Festivals	\$20.00	No Change

**SEASONAL FOOD PERMITS:**

Three Months	\$75.00	No Change
Six Months	\$105.00	No Change
Nine Months	\$135.00	No Change

**SEPTIC PERMITS**

New Residential System	\$200.00	No Change
Repair/Replacement of Residential System	\$150.00	No Change
New Commercial Construction	\$400.00	No Change
Repair/Replacement of Commercial System	\$300.00	No Change
Septic Installer License	\$50.00	No Change
Re-examination fee per person	\$20.00	No Change

**TATTOO & BODY PIERCING**

Tattoo or Body Piercing Establishment Permit	\$150.00
Tattoo Permit per Artist	\$50.00
Body Piercing Permit per Piercer	\$50.00

**RABIES**

Animal Head Shipment to ISDH Rabies Lab	\$20.00
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**SECTION III – E**

Late Fee: assessed on any permit not renewed by the expiration date \$25.00. Daily Late Fee: Should a permit not be renewed by the expiration date, \$10.00 additionally per day, will be assessed each late permit fee, in addition to the original \$25.00 late fee.

**\*Administrative Fines:**

- A. When the Health Officer finds that an individual has violated, or continues to violate, any provision of an Ordinance, permit, or order issued hereunder, or any other Standard or Requirement, the Health Officer may issue a fine in an amount not to exceed \$2,500.00 per violation, per day. The assessment of administrative fines on a per-violation, per-day basis shall be at the discretion of the Health Officer. In the case where violations of monthly or other long-term violations are documented, fines shall be assessed for each day during the period of violation.
- B. Unpaid charges, fines, and penalties shall, after sixty (60) calendar days, be assessed an additional penalty of twenty-five percent (25%) of the unpaid balance, and interest shall accrue thereafter at a rate of 3 percent (3.0%) per month. A lien against the User's property shall be sought for unpaid charges, fines, and penalties. Any individual subject to a charge, fine, or penalty hereunder shall, in addition, pay all reasonable attorney fees incurred by Tipton County and/or Tipton County Health Department in enforcing or collecting such charges, fines, or penalties.

County Attorney Regnier stated that there may be a need for a special meeting of the Board of Commissioners to address the West Elwood sewer project, county redistricting, and the ambulance service contract.

Motion by Commissioner Powell to approve the Seals Contract for two years. Second by Commissioner Henderson. Motion carries.

**Resolution BOC2021-09 Improvement of US 31 Corridor**

RESOLUTION BOC 2021-09

**RESOLUTION OF THE TIPTON COUNTY BOARD OF COMMISSIONERS  
CONCERNING THE IMPROVEMENT OF THE US 31 CORRIDOR**

**WHEREAS**, the State of Indiana has undertaken to redesign and improve US Highway 31 from Indianapolis to the Indiana/Michigan line and has completed various portions of US 31 as a freeway highway;

**WHEREAS**, Tipton County believes that the following projects should be constructed as part of the completion of US 31 as a freeway highway and to make this section of the road safer for the traveling public:

An interchange at Division Road and US 31 in Tipton County;  
An interchange at County Road 450N and US 31 in Tipton County;  
An overpass at County Road 300N and US 31 in Tipton County;  
An overpass at County Road 500S and US 31 in Tipton County; and  
An overpass at 296<sup>th</sup> Street and US 31 in Tipton County.

**NOW BE IT THEREFORE RESOLVED** by the Board of Commissioners of Tipton County, Indiana and that they promote and encourage, and request that the State of Indiana and in particular, the Indiana Department of Transportation construct the aforementioned projects.

The Tipton County Board of Commissioners have signed onto this Resolution and will have the County Auditor submit this completed resolution to Governor Holcomb, Governor of the State of Indiana, and Commissioner Joe McGuinness, at Indiana Department of Transportation

SO RESOLVED by the Board of Commissioners of Tipton County on the \_\_\_\_ day of November, 2021.

Tipton County Board of Commissioners by:

\_\_\_\_\_  
Dennis Henderson, President

\_\_\_\_\_  
Tracey Powell, Vice President

\_\_\_\_\_  
Nancy Cline, Member

Attest:

\_\_\_\_\_  
Gregg A. Townsend, Tipton County  
Auditor

Prepared by:

Mark R. Regnier #13757-80

Tipton County Attorney

120 S. West Street

Tipton, Indiana 46072

765-675-2211

[markregnieratty@gmail.com](mailto:markregnieratty@gmail.com)

I have taken reasonable care to redact each social security number in this document, unless required by law. Mark R. Regnier

The Resolution was read into record by County Attorney Mark R. Regnier.

Motion by Commissioner Powell to approve Resolution BOC2021-09 Resolution of the Tipton County Board of Commissioners concerning the Improvement of the US 31 Corridor. Second by Commissioner Henderson. Motion carries.

**Ordinance BC2021-08 Re-Zone CO-Z-22-21 Austin Henderson**

**ORDINANCE NO. BOC2021-08**

**AN ORDINANCE OF THE TIPTON COUNTY**

**BOARD OF COMMISSIONERS**

**PROVIDING THAT THE ZONING ORDINANCE OF  
TIPTON COUNTY, INDIANA BE AMENDED BY CHANGING AN  
ESTABLISHED ZONE CLASSIFICATION**

**CO-Z-22-21 Austin Henderson**

WHEREAS, THE TIPTON COUNTY PLAN COMMISSION by an 7-0 majority vote favorably recommended that its Petition **CO-Z-22-21** be adopted and that the Board of Commissioners rezone this property.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Tipton County, Indiana that:

SECTION 1. The County Zoning Ordinance No. 2008-12 as amended and readopted as amended and entitled "Tipton County Zoning Ordinance", and particularly the zone maps which are made a part of said Ordinance No. 2008-12, be and the same is hereby amended by making certain changes as follows:

By changing the following described real estate on the zone maps from its established zoning **AG Agricultural District classification to AB Agri-Business District classification:**

A part of the Southwest Quarter of Section 11, Township 22 North, Range 4 East of the Second Principal Meridian, Tipton County, Indiana, being described as follows:

Beginning at the Northwest corner of said Southwest Quarter, thence North 89 degrees 12 minutes 54 seconds East (Indiana State Plane Coordinate System – East Zone) along the North line of said Southwest Quarter, a distance of 426.00 feet; thence South 00 degrees 32 minutes 38 seconds East parallel with the West line of said Southwest Quarter, a distance of 327.00 feet; thence South 89 degrees 12 minutes 54 seconds West parallel with said North line, a distance of 144.00 feet; thence North 00 degrees 32 minutes 38 seconds West parallel with said West line, a distance of 30.00 feet; thence South 89 degrees 12 minutes 54 seconds West parallel with said North line, a distance of 282.00 feet to said West line; thence North 00 degrees 32 minutes 38 seconds West along said West line, a distance of 297.00 feet to the Point of Beginning, containing 3.00 acres, more or less.

SECTION 2. The Board of Commissioners now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and

the condition is not due to the general condition of the neighborhood. The Board of Commissioners further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

SECTION 3. The Executive Director or his/her designee is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

This Ordinance shall be in full force and effective upon passage by the Board of Commissioners of Tipton County and its publications as provided by law.

DULY ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Tipton County Board of Commissioners of Tipton County, Indiana.

BOARD OF COMMISSIONERS  
OF TIPTON COUNTY, INDIANA

\_\_\_\_\_  
Dennis Henderson – President

\_\_\_\_\_  
Nancy Cline - Member

ATTEST:

\_\_\_\_\_  
Tracey Powell - Vice President

\_\_\_\_\_  
Gregg A. Townsend, Tipton County Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Mark R. Regnier.

Prepared by Steve Niblick, Tipton Plan Department Executive Director

Reviewed by Mark Regnier, Attorney for the Tipton County Board of Commissioners

Motion by Commissioner Powell to approve Resolution BOC2021-08. Second by Commissioner Henderson. Motion carries.

#### **Courthouse Thanksgiving Pitch-in Lunch – November 19, 2021 from 11am to 1pm**

Use of the first floor meeting room for the Courthouse Thanksgiving lunch was approved without a vote of the members. Steve Niblick was instructed to schedule the meeting room with the Auditor's Office.

#### **Malcon – Annual Countywide IV-D Cost Allocation Plans 2021-2023**

Motion to approve by Commissioner Powell. Second by Commissioner Henderson. Motion carries.

#### **Minutes for October 25, 2021**

Motion by Commissioner Powell to approve the minutes for October 25, 2021. Second by Commissioner Henderson. Motion carries.

#### **Committee Comments**

Commissioner Powell stated that video presentations should be made on December 3, 2021 to the Indiana Economic Development Commission for the Ready Program and they should be making awards to the districts by the end of the year.

Commissioner Henderson stated that the Board of Commissioners had accepted the self-insurance plan for 2022 that was presented by Walker Hughes.

**Broadband – Harry Diamond**

Mr. Diamond requested that the Board of Commissioners fund a \$25,000 Broadband Feasibility study in Tipton County, with an emphasis on the Town of Kempton and the Tipton Municipal Utility service area. Tipton County Foundation Executive Director Mark Baird stated that the study was needed and that Tipton County does not have the expertise. The Farm Bureau is doing a speed test. Tipton Municipal Utilities has expressed an interest in using its assets (poles) to assist. FCC maps currently show Tipton County as covered. The study could help demonstrate that the FCC maps are not accurate. The study would help support grant applications. The matter was tabled to the next meeting.

**Mom's for Liberty**

The launch of this group will be at the Tipton County Foundation, on November 11, 2021, from 7pm to 8:30pm, with special speaker Micah Beckwith. All of the public is welcome to attend.

**Public Comments**

The Commissioners entertained comments from the public.

**Tipton County Foundation Countywide Vision Plan**

Mark Baird stated that the countywide vision plan would be finished and presented to the Board of Commissioners on December 6, 2021. He will be joined by David Terrell of Ball State University.

Motion by Commissioner Powell to close public comment. Second by Commissioner Henderson. Motion carries.

Motion by Commissioner Powell to adjourn the meeting. Second by Commissioner Henderson. Motion carries.

Approved this 6th day of December, 2021

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Dennis Henderson, President

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Tracey Powell, Vice President

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Nancy Cline, Commissioner

Attest:

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Gregg A. Townsend, Tipton County Auditor  
Respectfully submitted by Gregg A. Townsend