

Board of Commissioners

Meeting

11-22-2021

Present: Dennis Henderson, Tracey Powell, Nancy Cline

Other Present: Dick Klein, Kegan Schmicker, Steve Brown, Jim Ankrum, Austin Pearson, Randy Carlisle, Justine Reeves

The meeting was opened with prayer by Reverend Randy Carlisle of the First Baptist Church, and the Pledge of Allegiance.

Payroll – Crystal Worthy

Motion by Commissioner Cline to approve payroll, check date November 26, 2021, in the amount of \$188,628.79. Second by Commissioner Powell. Motion Carries.

Claims – Katy Kramer

Motion by Commissioner Powell to approve an early docket to Star Wealth, in the amount of \$47,943.75, to pay a bond payment. Second by Commissioner Cline. Motion carries.

Motion by Commissioner Cline to approve transfer of \$1,301.00 from Courthouse Electric and Water(1000.35100.000.0161) to Repairs and Maintenance (1000.36000.000.0161) to pay claims. Second by Commissioner Powell. Motion carries.

Motion by Commissioner Powell to approve miscellaneous claims for docket date November 22, 2021, in the net amount of \$285,113.66. Second by Commissioner Cline. Motion carries.

Highway- Superintendent Bret Morris

Motion by Commissioner Cline to authorize the Highway Department to advertise, on November 30, 2021 and December 10, 2021 for Materials for 2021, with bid opening on December 20, 2022. Second by Commissioner Powell. Motion carries.

Highway Superintendent Morris stated that companies are only guaranteeing prices for 30 days, right now. He also stated that they are waiting on favorable weather to start on small structure PR1024. They are patching holes and cutting brush. They have ordered an additional 58 tons of salt for the winter season.

Engineer – Phil Beer

Motion by Commissioner Powell to move forward with the schematic drawing by Ratio, at an expense of \$33,300.00, and to authorize President Henderson to sign the proposal. Second by Commissioner Cline. Motion carries.

Discussion of the relinquishment of SR28 and SR19 by INDOT was tabled to a special meeting on Wednesday, November 24, 2021, at 12:30pm.

Sheriff – Tony Frawley

Sheriff Frawley stated that the Board of Commissioners need to take bids for mowing. Commissioner Powell stated that he had spoken to two dealers and that equipment is difficult to obtain. He stated that they may begin at the jail for the first year.

Sheriff Frawley also stated that it is difficult to obtain sheriff's vehicles and may have to wait until 2023. He stated that it may take Ford and Chevrolet three or four years to return to normal.

He stated that the revised dog ordinance may be after the first of next year.

Community Mental Health Center- Dr. Allison Bordeaux, PsyD, HSPP

Dr. Bordeaux presented the annual report of mental health services provided to the citizens of Tipton County by Community Mental Health Center.

She stated that 198 patrons and 118 youth had been served, for a total of 316. There is a great increase in opioid abuse and depression during this pandemic. They work with inmates at the jail and do follow-up services after release. They are working with an architect to more than double the site of the clinic in Tipton.

Termination of the Tipton County Landfill Post-Closure Trust

RESOLUTION BOC 2021-08

**A RESOLUTION OF THE TIPTON COUNTY INDIANA BOARD OF COMMISSIONERS AUTHORIZING
THE TERMINATION OF THE POST CLOSURE LANDFILL TRUST AGREEMENT**

WHEREAS, on the 31st day of October, 2000, the Tipton County Landfill ("Landfill") began a thirty (30) year post closure maintenance period, which is set to expire on or about 2030; and,

WHEREAS, on November 19, 1990, pursuant to direction of the Indiana Department of Environmental Management ("IDEM"), the Tipton County Board of Commissioners (Commissioners") established a Trust Agreement (hereafter "Trust") to preserve funds for the Landfill post closure period whereby Farmers Loan & Trust Company of Tipton, Indiana became the initial trustee, and several other successor trustees have controlled said Trust fund since the establishment thereof, with the current trustee being Northwest Bank; and,

WHEREAS, on the 15th day of November, 2021, IDEM did agree to the termination of the Trust and provided that the funds in said Trust, minus some administration expenses, be returned to Tipton County; and,

WHEREAS, the Trust Funds returned to Tipton County, may, if the Commissioners so choose, be re-allocated for other Landfill type expenses.

NOW THEREFORE, be it resolved that the Commissioners do now approve the termination of the Trust, and authorize the Tipton County Auditor to execute any other documents necessary to close said Trust and accept transfer of the funds remaining in the Trust into the County general fund.

BE IT SO RESOLVED THIS ____ DAY OF NOVEMBER, 2021.

BOARD OF COUNTY 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

I affirm under the penalties for perjury that I have taken reasonable care to redact all social security numbers in this document, unless required by law. Mark R. Regnier
Resolution BOC2021-08 was read into the record by County Attorney Mark R. Regnier.
Motion by Commissioner Cline to approve Resolution BOC2021-08 a Resolution of the Tipton County Indiana Board of Commissioners Authorizing the Termination of the Post Closure Landfill Trust Agreement. Second by Commissioner Powell. 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

Tracey Powell

Vice President

Nancy Cline
Member

ATTEST:

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

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
Pneumonia 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
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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 IIII – 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 read into the record the proposed amended fee schedule for the Health Department, which would go into effect January 1, 2022.

Motion by Commissioner Cline to approve the first reading of Ordinance BOC2021-07.

Seals Ambulance Service Contract – Proposed final draft

County Attorney Mark Regnier provided the Commissioners with copies of a proposed final draft of the two year contract with Seals Ambulance Service. Seals has not yet indicated their approval of the draft.

Working Agreement with the City of Elwood on the West Elwood Sewer Project

County Attorney Regnier stated that a working agreement with the City of Elwood concerning the West Elwood sewer project needs to be completed by year's end.

Clerk's Records – Digitization

County Attorney Regnier informed the Commissioners that, because of the size, scope, and cost of the Clerk's records digitization, there would have to be an RFP advertised, with accommodations for records to remain in the State of Indiana and the data searchable.

Motion by Commissioner Cline to authorize issuing an RFP for Clerk's records digitization, contingent upon County Council appropriation. Second by Commissioner Powell. Motion carries.

The County Attorney will assist the Clerk in preparation of the necessary documents.

Redistricting

County Attorney Regnier explained that redistricting is done in the year after a census. District boundary lines are re-drawn. He stated that the State had made four or five changes. The only significant changes are in Cicero 4 and 7. The State had no knowledge of the City boundaries and had put the Southwood subdivision in Cicero 7, which is outside the City limits. Southwood is inside the City and the change would have deprived those citizens of their right to vote for city elections. The Clerk has notified the State of the error and the State will redraw the boundary to include Southwood inside the City of Tipton.

INDOT Relinquishment of State Roads 28 and 19

County Engineer Beer stated that he had received a message from INDOT 's Greenfield office stating that they needed to have a decision from the City and County by late Wednesday or Monday November 29, 2021 or funding would be pulled and made available to other communities.

Purdue Extension Contractual Services Agreement and Appendix 1 Renewal for 2022

Motion by Commissioner Cline to approve the Purdue Contractual Services Agreement for 2022 and authorize President Henderson to sign. Second by Commissioner Powell. Motion carries.

Broadband Survey – Jim Ankrum, Tipton Municipal Utilities

Mr. Ankrum stated that a group from Tipton County had met with the Southern Indiana REMC at Martinsville, in a four hour meeting to discuss broadband. He is recommending that NRTC do a feasibility study at a cost of \$25,000 plus a membership fee of \$500. There would be an RFP for a broadband provider. Mr. Ankrum stated that the broadband study would be useful in grant applications. Commissioner Powell asked if a representative of NRTC could make a presentation. Mr. Ankrum will make that request. Commissioner Powell stated that he would talk to Commissioner Wyman to see how things are done in Howard County.

Plan Commission – Area Planning Commission

The towns of Sharpsville, Windfall and Kempton have passed resolutions requesting an area plan commission. The current City/County Plan Commission recommends the use of Innovative Planning, LLC to assist with the process of creating an area plan commission, including conducting public meetings and preparation of ordinances and other required documents. Their proposal is 56 hours of work, for a cost of \$9,800. (see below for motion)

Surveyor Vehicle – Request to advertise for bids

Motion by Commissioner Powell to authorize Surveyor Henderson to advertise for bids for a vehicle for the Surveyor's Office. Second by Commissioner Cline. Motion carries.

Motion by Commissioner Cline to approve the Innovative Planning LLC agreement to provide Consulting services for area planning at \$9,800.00. Second by Commissioner Powell.

Motion amended by Commissioner Cline to authorized President Henderson to sign. Second by Commissioner Powell. Motion carries.

Old Jail Boiler and Heat System

Bruce Thompson requested an executive session to discuss the heat system at the old jail. Attorney Regnier commented that it does not qualify for an executive session.

Tipton County Chamber of Commerce – Kegan Schmicker – Branding and Marketing Tipton County
Mr. Schmicker requested that the County pay \$75,000 of a \$151,250 contract with Rhyme & Reason Design to do sophisticated branding and marketing for Tipton City and County, including a logo and branding for social media, commercials, post cards, flyers, and billboards to promote tourism. He will make the same presentation to the City Council, today, at 5pm. The matter was tabled to the next meeting.

IMPA Recognition – Nancy Cline

Commissioner Cline stated that IMPA has been named one of the top 20 in Economic Development, according to an article in “The Wire,” a trade publication. Dick Klein was recognized for his many years of service on the IMPA Board.

Public Comment

Tipton County Foundation Executive Director Mark Baird submitted a draft copy of a proposed abandoned vehicle ordinance that they had been developing. It has been reviewed and amended by County Attorney Mark Regnier.

It would be placed in the County Code, Title VII Traffic Code, Chapter 73 Abandoned, inoperable and/or junk vehicles. The language was borrowed heavily from the City of Tipton’s existing code.

Mr. Baird stated that blight was a main topic at last summer’s listening sessions.

Kegan Schmicker stated that the Chamber is hosting “So You Want to be an Elected Official” December 2, from 6:30 to 8:30pm at the Foundation. Representative Tony Cook, Mark Regnier, Ken Ziegler, and a representative from U.S. Representative, Victoria Sparts’ office will be there.

Engineer Beer stated that he had received a word from the INDOT Greenfield office that they need to hear from the County by Friday, at 5pm on the issue of relinquishment of SR28 and SR19.

The Commissioners will meet in special session on Wednesday, November 24, 2021, at 12:30pm.

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

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

Approved this 6th day of December, 2021

Dennis Henderson, President

Tracey Powell, Vice President

Nancy Cline, Commissioner

Attest:

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