

Tipton County Council Meeting

9-27-2022

Present: Jim Ashley, Jim Purvis, Brad Nichols, Butch Harpel, Mike Terry, Kirk Retherford

Absent: Jan Smith

Also Present: Dick Klein, Jim Ankrum, Bob Edinger, Tracey Powell, DC, Abby Phillips, Nicholas Hughes, Ray Sheppard, Mark Regnier, Linda Johnson, Melissa Pickering

The Council meeting was opened by Jim Ashley with the Pledge of Allegiance.

Sheriff Request to Advertise for Additional Appropriation of \$8,500 in Cumulative Capital Development for Sheriff's Department Storage Building

Sheriff would like to place a metal storage building between the dumpster and parking area.

Brad Nichols and Mike Terry expressed interest in seeing information about the building.

Motion by Jim Purvis to authorize advertising for \$8,500 additional appropriation in CCD for the Sheriff's storage building. Second by Kirk Retherford. Motion carried.

Readi Grant Letter of Intent – Jim Ankrum

An additional \$500,000 is needed for the match for the Readi Grant. A letter of Intent is needed for the additional amount. The proposed letter calls for the additional funding to come from a TIF area. Discussion ensued regarding use of a TIF from an uncertain development.

Motion by Jim Purvis to allow Mark Regnier re-work the letter with wording to rely on TIF, or other sources, and have the two presidents sign before the next meeting. Second by Kirk Retherford. Motion carried.

Tipton County 2023 Budget – Public Hearing

Jim Ashley explained the major figures involved in the 2023 Budget.

Jim Ashley opened the public hearing. There was no comment.

Motion by Brad Nichols to close the public hearing. Second by Mike Terry. Motion carried.

Tipton County Solid Waste 2023 Budget – Public Hearing

Jim Ashley presented the basics of the proposed budget.

Jim Ashley opened the public hearing. There was no comment.

Motion by Mike Terry to close the public hearing. Second by Kirk Retherford. Motion carried.

Resolution CC2022-26 Madison Township Budget for 2023

Motion by Jim Purvis to approve Resolution CC2022-26. Second by Kirk Retherford. Motion carried.

Resolution CC2022-19 Additional Appropriation – Commissioners – Earned Employee Benefits

ADDITIONAL APPROPRIATION RESOLUTION CC2022-19

Whereas, It has been determined that it is now necessary to appropriate more money in other funds than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it resolved by the County Council of Tipton County, Tipton, Indiana; that for the expenses of the taxing units listed below; the following sums of money are hereby additionally

appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	Requested Amount	Approved Amount
1000 General 0068 Commissioners		
17000 Earned Employee Benefits	<u>\$30,000.00</u>	
10000 Personal Services	\$30,000.00	
Total for Fund	\$30,000.00	\$30,000.00

Adopted and dated this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley

Jim Purvis

Janice L. Smith

Michael Terry

Butch Harpel

Kirk Retherford

Attest:

Brad Nichols

Gregg A. Townsend, Secretary and County Auditor

Prepared by: Mark R. Regnier

Tipton County Attorney;

MARK R. REGNIER, ATTORNEY AT LAW.

120 S. West Street

Tipton, Indiana 46072

Motion by Jim Purvis to approve Resolution CC2022-19. Second by Mike Terry. Motion carried.

Resolution CC2022-29 Additional Appropriation – CCD – Courthouse Elevator

ADDITIONAL APPROPRIATION RESOLUTION CC2022-29

Whereas, It has been determined that it is now necessary to appropriate more money in other funds than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it resolved by the County Council of Tipton County, Tipton, Indiana; that for the expenses of the taxing units listed below; the following sums of money are hereby additionally appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	Requested Amount	Approved Amount
1138 Cumulative Capital Development		
41001 Courthouse	<u>\$193,500.00</u>	
4000 Capital Outlays	\$193,500.00	
Total for Fund	\$193,500.00	\$193,500.00

Adopted and dated this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley

Jim Purvis

Janice L. Smith

Michael Terry

Butch Harpel

Kirk Retherford

Attest:

Brad Nichols
Prepared by: Mark R. Regnier
Tipton County Attorney;
MARK R. REGNIER, ATTORNEY AT LAW.
120 S. West Street
Tipton, Indiana 46072

Gregg A. Townsend, Secretary and County Auditor

Jim Ashley opened the public hearing. There was no comment.
Motion by Jim Purvis to close public hearing. Second by Mike Terry. Motion carried.
Motion by Mike Terry to approve Resolution CC 2022-29, in the amount of \$193,000. Second by Jim Purvis. Motion carried.

Resolution CC2022-30 Additional Appropriation – Community Corrections

ADDITIONAL APPROPRIATION RESOLUTION CC2022-30

Whereas, It has been determined that it is now necessary to appropriate more money in other funds than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it resolved by the County Council of Tipton County, Tipton, Indiana; that for the expenses of the taxing units listed below; the following sums of money are hereby additionally appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	Requested Amount	Approved Amount
1175 Community Corrections		
44302 Motor Vehicles	<u>\$35,000.00</u>	
4000 Capital Outlays	\$35,000.00	
Total for Fund	\$35,000.00	\$35,000.00

Adopted and dated this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley

Jim Purvis

Janice L. Smith

Michael Terry

Butch Harpel

Kirk Retherford

Attest:

Brad Nichols
Prepared by: Mark R. Regnier
Tipton County Attorney;
MARK R. REGNIER, ATTORNEY AT LAW.
120 S. West Street
Tipton, Indiana 46072

Gregg A. Townsend, Secretary and County Auditor

Jim Ashley opened the public hearing. There were no comments.
Motion by Brad Nichols to close the public hearing. Second by Mike Terry. Motion carried.
Motion by Jim Purvis to accept Resolution CC2022-30, in the amount of \$35,000. Second by Kirk Retherford. Motion carried.

Resolution CC2022-27 Transfer – Coroner**RESOLUTION # CC2022-27****A RESOLUTION AUTHORIZING TRANSFER OF FUNDS.**

WHEREAS, it has been determined that it is now necessary to transfer monies from one appropriation category to another or from one personal services line to another;

NOW THEREFORE, BE IT RESOLVED, by the Tipton County Council, Tipton, Indiana, the following transfers are allowed:

<u>FUND-DEPARTMENT</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General - Coroner	Furniture & Equipment 1000.44100.000.0008	Outside Professional Services 1000.31500.000.0008	\$2,300.00
	Other Operating Supplies 1000.22500.000.0008	Outside Professional Services 1000.31500.000.0008	\$800.00
	Furniture & Equipment 1000.44100.000.0008	Office Supplies 1000.21100.000.0008	\$17.44
	Postage 1000.32200.000.0008	Travel, Conference 1000.32300.000.0008	\$25.00
TOTAL			\$3,142.44

Approved this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley, President

Jim Purvis, Vice-President

Jan Smith, member

Michael Terry, member

Kirk Retherford, member

Butch Harpel, member
Attest:

Brad Nichols, member
Prepared by: Mark R. Regnier
Tipton County Attorney

Gregg A. Townsend, Tipton County Auditor

Coroner Bob Nichols explained that the transfers were necessary to cover cost of autopsies. Motion by Mike Terry to approve Resolution CC2202-27, transferring funds, in the amount of \$3,142.44. Second by Jim Purvis. Motion carried.
Motion by Jim Purvis to advertise for \$3,000 additional appropriation to Coroner for Outside Professional Services. Second by Mike Terry.

Resolution CC2022-28 Transfer - Probation**RESOLUTION # CC2022-28****A RESOLUTION AUTHORIZING TRANSFER OF FUNDS.**

WHEREAS, it has been determined that it is now necessary to transfer monies from one appropriation category to another or from one personal services line to another;

NOW THEREFORE, BE IT RESOLVED, by the Tipton County Council, Tipton, Indiana, the following transfers are allowed:

<u>FUND-DEPARTMENT</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Probation	Travel, Conference 2001.32300.000.0000	Office Supplies 2001.21100.000.0000	\$650.00

TOTAL

\$650.00

Approved this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley, President

Jim Purvis, Vice-President

Jan Smith, member

Michael Terry, member

Kirk Retherford, member

Butch Harpel, member
Attest:

Brad Nichols, member

Gregg A. Townsend, Tipton County Auditor

Prepared by: Mark R. Regnier

Tipton County Attorney

Motion by Brad Nichols to approve Resolution CC2022-28, in the amount of \$650.00. Second by Kirk Retherford. Motion carried.

VASIA – Adult Guardianship – Linda Johnson

Linda Johnson reported on services offered by VASIA. She reported that they will be closing out business with Area V and joining forces with the program based in Anderson, but will remain financially separate entities, though sharing resources.

Ordinance CC2022-08 IMPA Purchase of County Owned Land in Industrial Park (Number Corrected from CC2022-25 to fit Ordinance Numbering Sequence) – Second Reading

ORDINANCE CC-2022-08

AN ORDINANCE OF THE TIPTON COUNTY COUNCIL OF TIPTON COUNTY INDIANA APPROVING SALE OF COUNTY REAL ESTATE

WHEREAS, the Board of Commissioners of Tipton County, Indiana (hereafter “COMMISSIONERS”) and the City of Tipton, Indiana (hereafter the “CITY”) did on the ____ day of November, 2020, jointly purchase (City 4/7’s and County (3/7’s) approximately sixty (60) acres of vacant real estate at or near Northgate Industrial Park in Tipton, Indiana, which real estate is more particularly described as shown on the attached legal description, marked as Exhibit A (hereafter the “60 acres”); and,

WHEREAS, the COMMISSIONERS, the CITY, and the Indiana Municipal Power Agency (hereafter “IMPA”) have or will all adopt substantially identical resolutions providing for the sale of approximately 7.401 acres of the real estate, which is partially described on Exhibit B attached hereto, through the transfer from the COMMISSIONERS and the CITY of its interest in the 7.401 acres to IMPA for purposes of constructing a solar park; and,

WHEREAS, the COMMISSIONERS, the CITY, and the IMPA are all political subdivisions for purposes of purchasing guidelines, and all qualify under Indiana Code (“IC”) Section 36-1-11-8 to transfer the 7.401 acres for any amount of consideration and upon terms agreed to by all; and,

WHEREAS, by the adoption identical resolutions, the COMMISSIONERS and the CITY will transfer to IMPA, pursuant to a deed to be recorded in the office of the Recorder, Tipton County, Indiana, approximately 7.401 acres from the sixty (60) acre parcel, with the exact legal description to be provided after survey of the parcel prior to closing on the sale; and,

WHEREAS, the COMMISSIONERS previously adopted the language of IC 36-2-2-20 which requires an ordinance of the Tipton County Council (hereafter “Council”) in order to sell or purchase real estate with a value of One Thousand Dollars (\$1,000.00) or more.

NOW, THEREFORE, BE IT ORDAINED BY THE TIPTON COUNTY COUNCIL:

Section 1. That the County's sale of its 3/7 interest in approximately 7.401 acres to IMPA for the construction of a solar park, which 7.401 acres is partially described on Exhibit B attached, for the sum of Twelve Thousand Dollars (\$12,000.00) per acre, minus the County's prorated portion of the closing expenses, is now hereby approved.

Section 2. The County Council does furthermore authorize County Attorney, Mark R. Regnier to prepare all other documents necessary to complete the sale of the 7.401 acres described herein, including but not limited to a deed of conveyance, and deliver said deed to IMPA at closing in exchange for the County's pro rata share of the sale proceeds.

Section 3. This ordinance shall be effective from and after passage.
Passed and Adopted this _____ day of August, 2022.

TIPTON COUNTY COUNCIL:

James D. Ashley, President

Jim Purvis

Michael Terry

Jan Smith

Kirk Retherford

Butch Harpel

Brad Nichols

ATTEST:

Gregg A. Townsend
Tipton County Auditor
Prepared by:
Mark R. Regnier
Tipton County Attorney
120 South West Street
Tipton, Indiana 46072
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

Read into record for second time by County Attorney Mark Regnier.

Motion by Jim Purvis to approve the second reading of Ordinance CC2022- 08 Second by Mike Terry. Motion carried.

Brad Nichols noted that the County will have to cover some closing costs. He made the point that the original purchase was made with money from EDIT, and that proceeds should return to EDIT.

Motion by Kirk Retherford to adopt Ordinance CC2022-08. Second by Jim Purvis. Motion carried.

Ordinance CC2022-07 Purchase of INDOT Parcels 13 & 14 along US31 North of Loves (Number corrected to from CC2022-24 to fit Ordinance Numbering Sequence) – Second Reading

ORDINANCE #CC 2022-07

**AN ORDINANCE OF THE COUNTY COUNCIL OF TIPTON COUNTY INDIANA
APPROVING THE ACQUISITION OF INDOT PARCELS 5923- 13 & 14
AT OR NEAR U.S. 31 AND STATE ROAD 28**

WHEREAS, the Indiana Department of Transportation (“INDOT”) is currently the owner of Parcels 5923- 13 & 14 (“INDOT Parcels”) at or near the intersection of U.S. 31 and State Road 28 in Tipton County, Indiana (“County”), which two (2) Parcels are more particularly described on Exhibit A attached; and,

WHEREAS, it is the intent of Tipton County, Indiana by and through its Board of County Commissioners (“Commissioners”) to acquire the INDOT Parcels; and,

WHEREAS, INDOT has offered the INDOT Parcels to the County for the combined sum of Eleven Thousand Eight Hundred Dollars (\$11,800.00); and,

WHEREAS, INDOT will require that a member of the Commissioners have authority to sign all documents necessary to complete the purchase of the INDOT Parcels.

NOW THEREFORE BE IT ORDAINED that the Tipton County Council now approves the purchase of the two (2) INDOT Parcels 5923- 13 & 14 and more particularly described on Exhibit A attached hereto, for the total sum of Eleven Thousand Eight Hundred Dollars (\$11,800.00).

BE IT FURTHER ORDAINED that the County Council now authorizes Dennis L. Henderson, President of the Tipton County Board of Commissioner, to sign all documents on behalf of the County in order to complete the purchase of the INDOT Parcels described herein.

SO ORDAINED, this _____ day of _____, 2022.

COUNTY COUNCIL BY:

James D. Ashley, President

Jim Purvis

Michael Terry

Jan Smith

Kirk Retherford

Butch Harpel

Brad Nichols

ATTEST:

Gregg A. Townsend

Tipton County Auditor

Prepared by:

Mark R. Regnier

Tipton County Attorney

120 South West St.

Tipton, Indiana 46072

765-675-2211

markregnieratty@gmail.com

I affirm under the penalties for perjury that I have redacted each social security number in this document, unless required by law. Mark R. Regnier

Motion by Brad Nichols to approve Ordinance CC2022-07 on second reading. Second by Mike Terry.

Resolution CC2022-31 Transfer Statewide 911

RESOLUTION # CC2022-31

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS.

WHEREAS, it has been determined that it is now necessary to transfer monies from one appropriation category to another or from one personal services line to another;

NOW THEREFORE, BE IT RESOLVED, by the Tipton County Council, Tipton, Indiana, the following transfers are allowed:

<u>FUND-DEPARTMENT</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Statewide 911	Radio 1222.44301.000.0000	Maintenance 1222.36200.000.0000	\$6,000.00
TOTAL			\$6,000.00

Approved this 27th day of September, 2022

TIPTON COUNTY COUNCIL

James D. Ashley, President

Jim Purvis, Vice-President

Jan Smith, member

Michael Terry, member

Kirk Retherford, member

Butch Harpel, member
Attest:

Brad Nichols, member

Gregg A. Townsend, Tipton County Auditor

Prepared by: Mark R. Regnier

Tipton County Attorney

Motion by Brad Nichols to approve Resolution CC2022-31. Second by Mike Terry. Motion carried.

Committee Reports - None

Public Comment

Bob Edinger asked where the money goes from the sale of property. Brad Nichols explained that it typically is returned to the fund from which the original purchase was made.

Motion by Jim Purvis to adjourn the meeting. Second by Kirk Retherford. Motion carried.

Approved this 15th day of November, 2022

Tipton County Council

James D. Ashley, President

Jim Purvis, Vice President

Kirk Retherford, member

Brad Nichols, member

Jan Smith, member

Butch Harpel, member

Michael Terry, member

Attest:

Gregg A. Townsend, Tipton County Auditor
Secretary to the Tipton County Council