

TIPTON COUNTY BOARD OF COMMISSIONERS' MEETING: APRIL 10, 2023

REGULAR MEETING

The Tipton County Board of Commissioners met in Regular Sessions on Monday, April 10, 2023, 9:00 a.m. Those in attendance were Dennis Henderson, Tracey Powell, Nancy Cline, and County Attorney, Mark Regnier.

The meeting was opened with a word of prayer by Reverend, Steve Brown and the Pledge of Allegiance was led by Commissioner Henderson.

IN THE MATTER OF APPROVAL OF MINUTES:

Prior Meeting Minutes of February 13, 2023; February 27, 2023; March 13, 2023 and Executive Meeting Minutes of February 13, 2023; March 13, 2023; April 3, 2023 and April 10, 2023, were tabled to the next regular Commissioners Meeting.

IN THE MATTER OF CLAIMS AND REPORTS:

There was discussion regarding claims and the Resolution the Commissioners passed regarding the Early Pay for the Drainage Board. The Commissioners would like to have a separate Early Pay Docket for Drainage Board.

The Payroll and Operating Claims were presented as follows:

Payroll Claims: The Commissioners' Payroll claims in the amount of \$201,664.29 for payment on April 14, 2023, were submitted and approved as presented on a motion by Commissioner Nancy Cline. The motion was seconded by Tracey Powell, and the motion carried.

Operating Claims: The Commissioners' Operating claims for payment on April 10, 2023, in the amount of \$187,345.82, were submitted and approved as presented on a motion by Commissioner Tracey Powell. The motion was seconded by Commissioner Nancy Cline, and the motion carried.

Early Docket #1 for payment on March 29, 2023, in the amount of \$3,461.54, was submitted and approved as presented on a motion by Commissioner Nancy Cline. The motion was seconded by Commissioner Tracey Powell, and the motion carried. Early Docket #2 for payment on March 29, 2023, in the sum of \$15.00, was submitted and approved as presented on a motion by Commissioner Tracey Powell. The motion was seconded by Commissioner Nancy Cline, and the motion carried. Early Docket #3 for payment on April 3, 2023 for Drainage Board in the sum of \$124,064.23, was approved as submitted on a motion made by Commissioner Nancy Cline, and seconded by Commissioner Tracey Powell. The motion carried.

IN THE MATTER OF DEPARTMENT BUSINESS AND REPORTS:

Tipton County Highway:

Highway Superintendent, Bret Morris requested permission to advertise for liquid asphalt for publishing on April 12, 2023, and April 26, 2023. The bid opening will be May 8, 2023, at 9:00 a.m. during the regular commissioners meeting.

Commissioner Tracey Powell made a motion to allow for advertising of liquid asphalt as requested. Commissioner Nancy Cline seconded the motion, and the motion carried. Bret requested signatures for advertising for bids.

Bret Morris received the quote from Sourcewell for the 2024 Triaxle dump truck in the sum of \$205,151.00. There was further discussion not picked up by livestream. Commissioner Tracey Powell would like for quotes to come back from Enterprise before moving forward with county vehicles at this time.

County Highway Engineer:

Highway Engineer, Phil Beer presented the 2022 Community Crossing Project located at C.R. 550, C.R. 560 West, will start in construction in May. The road will be closed and rerouted to C.R. 500.

He addressed the BOT Project agreement submitted by Envoy to begin the initial project of the old jail. There are incurred up front cost in the sum of approximately \$374,000. His recommendation is that the Commissioners request \$373,250 from the ARP Funds to fund this initial phase of the old jail project. He addressed Appendix D, which lays out the estimate of incurred costs. Ratio and Envoy will be working on this project. Oscar from Bondry will address the potential method for how phase II of this project will be funded. Phil Beer stated that the guaranteed maximum price would most likely come to fruition sometime in October of 2023. There was further discussion regarding logistics of the build and considerations for location of county offices and storage. The initial plan is to determine whether or not the cost to utilize the second floor of the old jail is cost effective.

Denny Henderson addressed the slate that fell off of the courthouse during the last heavy wind storm and tornado warning. Phil Beer explained how slate is replaced and clipped into place which is not as secure. Since slate is nailed and overlaid, clipping slate on as a replacement is the only option if going with slate.

Commissioner Tracey Powell made a motion to approach the Council with the request for funds to support the old jail project. Commissioners Nancy Cline seconded the motion, and the motion carried. Phil and Nancy will present to the Council. Nancy will present the request for funding before the Council.

County Maintenance Supervisor:

Rich Vautaw addressed the slate which fell off of the courthouse roof.

Rich and a few individuals walked the new jail roof to assess damage. LeMasters is going to repair the roof at the new jail.

Rich spoke to Lashure concrete in regard to the repair work needed on the south side of the courthouse. He has also had a company look at the granite floors in the courthouse to have someone put a seal coat to restore the shine to the surface.

Rich is going to go before the Council to request a transfer to purchase a computer and printer totaling \$495.

Commissioner Nancy Cline addressed an issue of roof leaks at the community building at the fairgrounds. They have had to place buckets to catch water when it rains. She would like to have Rich get quotes to have repair on the roof at the community building. If quotes come back over \$150,000, requests for bids will need to be advertised. She would like a quote on the north side only for asphalt; one for complete metal and one for complete asphalt. She would like to have the quotes by the next meeting if possible.

Commissioner Cline also wanted to address the restroom renovation at the fairground in consideration of utilizing the old Morton Building.

The third issue at hand is the potential for a fairgrounds manager or coordinator to handle the events at the fairgrounds.

Commissioner Cline informed the board that the farming at the farm ground currently is utilized for repair and maintenance at the fairgrounds. She stated that the fairground board is currently utilizing their own funds for heating and cooling at the facility.

It was decided that the Commissioners would obtain quotes for the community building quotes prior to presenting a request before the Council for funds for the repair. Rich Vautaw will obtain the quotes for this request and present to the Commissioners.

NEW BUSINESS:

Area Plan Commission:

Corrie Meyer from Innovative Planning, Inc. presented an Area Plan Consideration scenario to evaluate the potential of a consolidated plan commission for all of Tipton County. She addressed the process of implementing the area plan commission and the decision for towns to exercise their right to maintain a separate Board of Zoning Appeals. The Board of Zoning Appeals Documents would design whether or not it would consider the fringe or the town only. She presented an overhead and document showing the appointment schedule and involvement process of the APC Boards and Administration. She addressed a conceptual budget and the potential to save Tipton County money. Considering the bigger picture, and the efficiencies in budget, staffing and economic development by establishing an area plan commission.

Tax Sale Agreement:

Tabled

OLD BUSINESS:

Mowing Bids:

The Commissioners made the decision regarding the mowing bids. They are as follows:

<u>Company</u>	<u>Location</u>	<u>Quote</u>
Lawntech	Doctor's Park	\$140/per event
Cage's	New Jail	\$375/per event
Larry's Lawnmowing	Courthouse	\$75/per event

Old Jail

\$75/per event

Auditor Pickering will request contracts from the mowing companies for the Commissioners to review at the next meeting.

PUBLIC COMMENT:

Mitch Reeves lives on the edge of Sharpsville addressed the Council with a safety concern along Sharpsville C.R. 400 and the excessive speed.

Abbie Smith addressed the Commissioners with an RFPQ Draft for broadband internet. (Audio was inaudible)

There being no further public comment, Commissioner Nancy Cline made a motion to close public comment. Commissioner Tracey Powell seconded the motion, and the motion carried.

ATTORNEY COMMENTS:

Attorney, Mark Regnier presented the Amended Ordinance, 2023-06, Non-Reverting Fund adding paragraph #3 defining the interest in Fund 4508. A motion to approve the first reading of BOC #2023-06 was made by Commissioner Nancy Cline and seconded by Commissioner Tracey Powell. The motion carried. A motion to suspend the rules and move forward with the second reading of this ordinance was made by Commissioner Tracey Powell and seconded by Commissioner Nancy Cline. The motion carried. A motion to approve the second reading of Ordinance BOC 2023-06, was made by Commissioner Nancy Cline and seconded by Commissioner Tracey Powell. The motion carried. A motion to adopt Ordinance #2023-06 was made by Commissioner Tracey Powell and seconded by Commissioner Nancy Cline. The motion carried. The Ordinance is as follows:

ORDINANCE# BOC 2023- 06

AN ORDINANCE OF THE COMMISSIONERS OF TIPTON COUNTY, INDIANA AMENDING ORDINANCE BOC 2022-06, BOC 2022-14, and BOC 2023-04, ESTABLISHING A NON-REVERTING FUND TO BE USED BY THE TIPTON COUNTY HIGHWAY DEPARTMENT FOR ROAD MAINTENANCE OF OLD STATE ROAD 28 AND THE TRUCK ROUTE

WHEREAS, Tipton County, Indiana (“the County”), may, pursuant to Indiana Code Section 36-1-3 (Home Rule), enact ordinances for the effective governance of its departments; and

WHEREAS, in the fall of 2022, the County took over maintenance (except ice treatment and snow plowing) of a portion of Indiana State Road 28 in Tipton County, Indiana, that runs between County Road 300 West and County Road 560 West, and to upgrade and maintain Division Road that runs between the U.S. 31 and Indiana State Road 19, as a truck route (“Truck Route”), and in return, the Indiana Department of Transportation (“INDOT”) shall pay the County, the sum of Four Million Four Hundred Forty-one Thousand One Hundred Twenty-five Dollars (\$4,441,125.00), to offset the County’s cost of future maintenance of said roadways; and,

WHEREAS, the Board of Commissioners of Tipton County (“Commissioners”) desire to establish a non-reverting fund for the deposit of the INDOT relinquishment money and other funds, which shall be used by the Tipton County Highway Department (“County Highway”), solely for the purpose of maintaining Old State Road 28 and the Truck Route, and to reimburse any prior expenditures made in contemplation of the INDOT relinquishment, including reimbursement for construction of a salt barn at the County Highway Garage; and,

WHEREAS, the funds shall be designated as the County Highway Non-Reverting Fund (or the “Fund”); and

WHEREAS, deposits in the Fund shall consist of the initial funds received from the INDOT relinquishment of State Road 28 and the interest generated from those INDOT relinquishment funds, permit fees, donations, fines, reimbursement of insurance proceeds from damaged roads and other infrastructure, including but not limited to signs and guardrails, reimbursement from the sale or disposal of surplus County Highway property, and miscellaneous receipts to be held and expended for operations of the County Highway associated only with the maintenance of Old State Road 28 and the Truck Route; and,

WHEREAS, money in the Fund shall not revert to the County general fund nor any other fund at the end of each year but shall instead be held over in the Fund from year to year.

NOW THEREFORE, BE IT ORDAINED AND ADOPTED BY THE TIPTON COUNTY BOARD OF COMMISSIONERS, AS FOLLOWS:

1. There is established a non-reverting fund to be utilized by the Tipton County Highway Department (the “Fund”).
2. The County may deposit into the Fund, monies received from the INDOT relinquishment, and may deposit other funds such as permit fees, donations, fines, reimbursement of insurance proceeds from damage to county machinery and infrastructure, reimbursement from the sale or disposition of surplus County Highway property, and other miscellaneous receipts.
3. Any interest from the INDOT relinquishment funds for Old State Road 28 and Division Road, shall be deposited in the Fund and used only for those limited purposes set forth herein.
4. The monies in the Fund shall not revert each year to the county general fund nor any other fund but shall instead be kept in the Fund from year to year.

5. The Fund may only be used by the County Highway for reimbursement of costs for construction of a salt barn at the County Highway Garage which was done in anticipation of the INDOT relinquishment; to maintain that portion of Division Road which has or will be designated as a Truck Route from U.S. 31 to State Road 19, and to maintain that portion of what was formerly known as Indiana State Road 28, now Old State Road 28 which runs from County Road 300 West to County Road 560 West, and which will, hereafter be maintained by Tipton County; and,
6. Claims may be made from the Fund by the County Engineer or the County Highway Superintendent.
7. Any part of Ordinance BOC 2022-06 or BOC 2022-14 inconsistent with this Ordinance shall be null and void.
8. This Ordinance shall become effective upon adoption by the Board of Commissioners.

Passed and adopted this _____ day of April, 2023.

Tipton County Board of Commissioners by:

Dennis L. Henderson, President

Tracey Powell, Vice President

Nancy E. Cline, Member

Attest:

Melissa Pickering
Tipton County Auditor

Prepared by:

Mark R. Regnier #13757-80
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I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number from this document, unless required by law. Mark R. Regnier

ADJOURNMENT:

There being no further discussion, the meeting was adjourned on a motion made by Commissioner Tracey Powell. The motion was seconded by Commissioner Nancy Cline, and the motion carried.

Approved this _____, day of _____, 2023.

Dennis Henderson, President

Nancy Cline, Vice President

Tracey Powell, Commissioner

Attest:

Melissa Pickering, Tipton County Auditor and
Secretary to the Board of Commissioners

Meeting Minutes of April 10, 2023.