

Board of Commissioners Meeting

6-22-2020

This meeting was held telephonically via Zoom

Present: James Mullins, Mark Manier, Dennis Henderson

Others present: Mark Regnier, Bret Morris, Phil Beer, Lou Ann Millett, Stan Jones, Bill Steen, Gregg Townsend, Katy Kramer, Crystal Worthy, Jason Henderson, Carl Roudebush, Veteran Service Officer Bill Steen, Mark Baird, Tracy Powell, Lindsay Ogden, Tim Jensen, Marlon Webb, Tyler from the Kokomo Tribune.

The meeting was opened by President Jim Mullins with prayer by Reverend Carl Roudebush of the Windfall Christian Church and the Pledge of Allegiance.

Payroll – Crystal Worthy

Motion by Commissioner Henderson to approve payroll, check date June 26, 2020, in the amount of \$186,352.66. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Claims – Katy Kramer

Motion by Commissioner Henderson to approve an early claim from the General Fund, Election Board, to the Postmaster for docket date June 12, 2020, in the amount of \$593.75. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to approve a separate claim to the County Attorney Mark Regnier, from General, County Attorney, in the amount of \$687.50. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to approve a separate claim to the County Auditor Gregg Townsend, in the amount of \$121.45, from General Fund, Auditor Office Supplies. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to approve miscellaneous claims for docket date June 22, 2020, in the amount of \$309,853.04. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

New Jail Requisitions #22 and 23 are on hold pending a final walk-through scheduled for July 7, 2020.

Highway Department – Bret Morris

Superintendent Morris reported that all stone pads have been turned back to chip seal and they are working on maintenance chip seal. He also reported that the small structure on CR200N between CR700W and US31 has been installed and the old culverts removed, the old tile crushed and useable tiles rerouted to the new structure. Re road was reopened Friday, June 19, 2020. He stated that he had spoken to Duke Energy's engineer and was told that the utility poles should be moved out the way for small structure JE2025 within 10 to 14 days. He reported that the landfill has been mowed.

Engineer – Phil Beer

Engineer Beer reported that he has received the plans for the 90% landfill design plans. The engineer's estimate, based on those plans, with a 20 percent contingency, is \$777,117.60. He stated that budgeting for the project should be at approximately \$800,000. He will provide the Commissioners with copies of the plans and specifications for review. He is working with the Highway Department concerning repair and replacement plans for extension of headwalls on two bridges as well as design of two new structures. Jason Henderson stated that he and his office will be in the field this week to complete a survey needed for small structure CI4013, located at CR500S and CR 500W.

Sheriff – Tony Frawley – no report

Resolution BOC 2020-10

**RESOLUTION NO. BOC2020-10
COUNTY BOARD OF COMMISSIONERS, TIPTON COUNTY, INDIANA
ADOPTING INDIANA CODE § 5-23 AND
TAKING CERTAIN OTHER ACTIONS RELATED THERETO**

WHEREAS, the County Board of Commissioners of Tipton County, Indiana (the “Board”) have considered the provisions of Indiana Code § 5-23; and

WHEREAS, the Board now desires to adopt the provisions of Indiana Code § 5-23 by this resolution pursuant to Indiana Code § 5-23-1-1; and

WHEREAS, it is the intent of the Board to issue a request for proposals and qualifications (the “RFPQ”) under Indiana Code § 5-23 to explore the development, construction, financing, operation, and/or transfer of future public projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS, TIPTON COUNTY, INDIANA AS FOLLOWS:

SECTION 1. Adoption of Indiana Code § 5-23. The Board hereby adopts the provisions of Indiana Code § 5-23.

SECTION 2. Formation of RFPQ Committee. For the purposes of advertising any RFPQ in the future, the Board will serve as the RFPQ Committee (the “Committee”) unless otherwise directed by the Board via a majority vote for a specific future project.

SECTION 3. Authorization. The Board hereby authorizes the Committee to issue an RFPQ under Indiana Code § 5-23 to explore the development, construction, financing, operation, and transfer of any future public project as it deems necessary and wise, and to make recommendations to enter into an Agreement with an offeror under the terms of Indiana Code § 5-23.

SECTION 4. Other Actions. Any officer of the Board are hereby authorized to take any and all actions and execute any documents or certificates that such officers deem necessary or desirable to effect the foregoing resolutions. Any such actions taken or documents or certificates executed and delivered are hereby ratified, confirmed and approved.

SECTION 5. No Conflict. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed. After the issuance and execution of Agreement and so long as the Agreement remains in place, except as expressly provided herein, this Resolution shall not be repealed or amended, nor shall the County adopt any law, ordinance or resolution which in any way adversely affects this Resolution.

SECTION 6. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 7. Effectiveness. This Resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the County Board of Commissioners, Tipton County, Indiana, this
22nd day of June, 2020, by a vote of ___ ayes and ___ nays.

James N. Mullins, PhD. , President

Dennis Henderson, Vice-President

Mark Manier, Member

ATTEST:

Gregg A. Townsend
Tipton County Auditor

Resolution BOC 2020-10 was read by County Attorney Mark Regnier.

Motion by Commissioner Henderson to adopt Resolution BOC2020-10. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Resolution BOC2020-11

RESOLUTION BOC 2020-11

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
TIPTON COUNTY, INDIANA, EXTENDING THE DEADLINE FOR PAYMENT
OF 2019 DRAINAGE RECONSTRUCTION ASSESSMENTS DUE SPRING OF 2020**

WHEREAS, real property tax assessments, ditch and drainage assessments, and other assessments appear on the annual tax billings of the Tipton County Treasurer, but drainage reconstruction assessments do not appear thereon; and,

WHEREAS, the Governor of Indiana has, due to the COVID 19 emergency, extended the time for payment of real property taxes, ditch assessments, and other assessments, assessed 2019 and payable in the spring of 2020, from May 10, 2020 to July 10, 2020, but such extension does not specifically include reconstruction assessments; and,

WHEREAS, the Department of Local Government Finance ("DLGF") has recently advised Tipton County that the County can, by local action, extend the deadline for payment of such reconstruction assessments until July 10, 2020; and,

WHEREAS, the County Treasurer is concerned that most Tipton County tax payers may be under the mistaken impression that such reconstruction payments are automatically part of the Governor's extension, and therefore not due until July 10, 2020.

NOW THEREFORE BE IT RESOLVED, that in order to protect its taxpayers, the Board of Commissioners of Tipton County, Indiana, does now formally extend the time for payment of drainage reconstruction assessments originally due May 10, 2020, to July 10, 2020, without penalties or interest.

BE IT SO RESOLVED THIS 22nd DAY OF JUNE, 2020.

BOARD OF COMMISSIONERS OF
TIPTON COUNTY, INDIANA BY:

James N. Mullins, PhD.
President

Dennis Henderson
Vice President

Mark Manier
Board Member

Attest:

Gregg A. Townsend
Tipton County Auditor
Prepared by:
Mark R. Regnier #13757-80
Tipton County Attorney
120 S. West St.
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.
Resolution BOC2020-11 was read by County Attorney Mark Regnier.
Motion by Commissioner Henderson to adopt Resolution BOC2020-11. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

President Mullins stated that the following topics would be discussed at the next meeting, July, 6, 2020: Update of the CIP Plan, Reconsidering ambulance service, Infra-red cameras for the Courthouse and Jail, Generator for the Courthouse, Courthouse tile roof repairs.

Minutes for April 27, 2020 Meeting (Revised)

Motion by Commissioner Henderson to approve the revised minutes for the meeting held on April 27, 2020. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Minutes for June 8, 2020 Special Meeting

Motion by Commissioner Henderson to approve the minutes for the special meeting held on June 8, 2020. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Public Comment

Lindsay Ogden made a request on behalf of Tipton Main Street to use the Courthouse lawn, parking lots, restrooms and electricity for restart of the Food Truck Concert Series on July 23, August 20, September 17, and October 15, 2020.

Motion by Commissioner Manier to approve the use of Courthouse lawn, parking lots, restrooms and electricity for the Food Truck Concert Series July 23, August 20, September 17, and October 15, 2020. Second by Commissioner Henderson. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to re-open the Courthouse to the public and resume normal services on June 29, 2020. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to close public comment. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Motion by Commissioner Henderson to adjourn. Second by Commissioner Manier. Motion carries unanimously by roll call vote.

Approved this 6th day of July, 2020

James Mullins, President

Dennis Henderson, Vice President

Mark Manier, Commissioner

Attest:

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