

Board of Commissioners Meeting

11-13-2018

Present: James Mullins, Gerald Shuck, Mark Manier

Others Present: Mark R. Regnier, Lou Ann Millett, Brent Snow, Jill Curnutt-Howerton, Jan L. Garrison, Schylar Leffler, Chloe Moore, Hannah Summers, James Snapp Jr., Vicky Boyd

The meeting was opened with pray by Reverend James Snapp, Jr., of Curtisville Christian Church, and the Pledge of Allegiance.

Amendments to Agenda:

Appointment to Health Board, Resolution of Janson lawsuit, signage for parking lot enforcement, Water loop project at the jail site, first floor conference room, County Park Board

Payroll – Katy Kramer

Motion by Commissioner Shuck to approve payroll, check date November 16, 2018, in the amount of \$152,085.89. Second by Commissioner Manier. Motion Carries.

Claims – Katy Kramer

Motion by Commissioner Shuck to approve an early claim, dated October 29, 2018, in the amount of 459.00 for Community Corrections. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve transfer of \$3,075 from General, Juvenile/Adult Care & Housing (1000.3770.000.0068) to Insurance All Types (1000.34200.000.0068). Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve transfer of \$59.20 from General, Courthouse Overtime (1000.12500.000.161) to Courthouse Supplies (1000.22401.000.0161). Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve miscellaneous claims for docket date November 13, 2018, in the amount of \$208,124.80. Second by Commissioner Manier. Motion carries.

Payroll Schedule for 2019

Motion by Commissioner Shuck to approve the Payroll schedule for 2019, as presented. Second by Commissioner Manier. Motion carries.

2019 Claims Schedule

Motion by Commissioner Shuck to approve the 2019 Claims schedule, as presented. Second by Commissioner Manier. Motion carries.

2019 Board of Commissioners Meeting and Holiday Schedule

Motion by Commissioner Shuck to approve the Board of Commissioner and Holiday schedule for 2019. Second by Commissioner Manier. Motion carries.

Highway- Bret Morris

Superintendent Morris reported that signage had been installed at the Court Street parking lot. The commissioners asked him to also post signage at the south courthouse parking lot. Superintendent Morris reported that the applications for Community Crossings grant projects were denied by INDOT

due to less money being available and a decision to award to small units that were applying for the first time. Highway will re-submit in 2019. He stated that there would be a preliminary filed check at the truck stop for the roundabout. He also reported that Division Road had been re-stripped the full length of the county.

Landfill Farming Bid Opening

One sealed bid, from Grant Dunn, was received by today's deadline. Gerald Shuck opened and read the bid: \$240/acre with 35% flex payment.

Motion by Commissioner Shuck to take the bid under advisement to the next meeting. Second by Commissioner Manier. Motion carries.

Sheriff – Tony Frawley

Sheriff Frawley presented copies of contracts from Combined Communications, Regional Financial Solutions, and Viticas Commissary.

Motion by Commissioner Shuck to authorize Sheriff Frawley to enter into contracts with Combined Communications, Regional Financial Solutions, and Viticas Commissary, pending review by the county attorney. Second by Commissioner Manier. Motion carries.

Sheriff Frawley reported that there was no progress on the purchase of new vehicles. He stated that his goal is to find four 2018 Chevrolet Tahoes this year.

He stated that he has a verbal agreement with a local policeman to take the courthouse security position. He stated that they would be going to the uniform shop. He is looking at the back room of the Commissioners meeting room as a location for the security officer.

He recommended January 1, 2019 as the date to commence enforcement of the no overnight parking ordinance for the Court Street and courthouse south parking lots to allow time to inform the public.

Motion by Commissioner Shuck to schedule January 1, 2019, for enforcement of the parking lot policy. Second by Commissioner Manier. Motion carries.

The sheriff also stated that he is dissatisfied with the mental health provider, Community Howard Mental Health.

Tipton County Historical Society – Jill Curnutt-Howerton

The Historical Society is requesting \$8,250 for the celebration of Tipton County's bicentennial.

The County was organized January 15, 1844. The kickoff will be January 15, 2019 at 4:30PM at the Historical Society. This event will feature the official return of the restored Commissioner Book "A".

The public is welcome and there will be food and drinks provided. There will be a catered dinner at the Kelley Agricultural Museum property on June 28, 2019 and a family event on the Courthouse Square on June 29, 2019, that is open to the public. She reported that the 2016 Bicentennial had cost \$14,000.

She also suggested an art contest at the schools to design a county seal. Auditor Townsend informed those in attendance that the County already has a county seal. He went to his office to retrieve the cast iron seal which was most likely manufactured sometime in the nineteenth century.

Motion by Commissioner Shuck to approve \$8,250 to the Tipton County Historical Society and authorize the use of the Courthouse Square for the county bicentennial. Second by Commissioner Manier. Motion carries.

The commissioners tabled discussion of the seal.

Closure of the Courthouse for Thanksgiving and Christmas employee lunches

Motion by Commissioner Shuck to approve closing the Courthouse on November 16, 2018 from 11am to 1pm and December 14, 2018 from 11am to 1pm, for Thanksgiving and Christmas employee lunches.

Second by Commissioner Manier. Motion carries.

Resolution BOC 2018-07

RESOLUTION NO. BOC2018-07

**A RESOLUTION ASSIGNING TAX SALE CERTIFICATES TO THE CITY OF
TIPTON, INDIANA**

WHEREAS, Tipton County, Indiana, by and through its Board of Commissioners, is the holder of certain tax sale certificates on the properties described in Exhibit A which is attached hereto, and;

WHEREAS, pursuant to I.C. 6-1.1-24-9(d), the Tipton County Board of Commissioners may assign tax sale certificates held in the name of the county executive to any political subdivision, and;

WHEREAS, the City of Tipton, Indiana has expressed a desire to obtain said tax sale certificates on the properties described in Exhibit A and has submitted to the Tipton County Board of Commissioners a Resolution to accept the assignment of said tax sale certificates, and;

WHEREAS, it is in the best public interest to both Tipton County and the City of Tipton that the tax sale certificates for the properties described in Exhibit A now be assigned to the City of Tipton, Indiana.

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

1. Tipton County, Indiana by and through its Board of Commissioners hereby approve the assignment of those tax sale certificates held by the County to the City of Tipton, Indiana for the properties described in Exhibit A attached hereto.
2. That all taxes, penalties and assessments against the properties described herein shall be waived for the tax year 2017 payable 2018 and prior as to the City of Tipton, Indiana.
3. That the period of redemption of the properties described herein shall be for one hundred twenty (120) days from the date the certificates are assigned pursuant to the Indiana Code.

PASSED AND ADOPTED by the Tipton County Board of Commissioners, this _____ day of November, 2018.

BOARD OF COMMISSIONERS OF TIPTON COUNTY, INDIANA

James N. Mullins, Commissioner

Mark Manier, Commissioner

Gerald D. Shuck, Commissioner

ATTEST:

Gregg A. Townsend, Tipton County Auditor

Prepared by: Mark R. Regnier
Tipton County Attorney;
GRAHAM, REGNIER, FARRER & WILSON, P.C.
120 S. West Street
Tipton, Indiana 46072

Exhibit A

Address	Parcel No.	Legal Description
837 N. Main St.	80-11-02-521-027.000-002 001-01907-00	Kemps 3 rd I:7 B:3
122 Third St.	80-11-11-555-023.010-002 001-02829-00	K & W Oak Hill I:3 B:6

126 Third St.	80-11-11-555-024.010-002 001-02818-00	K & W Oak Hill I:4 B:6

Resolution BOC 2018-08

RESOLUTION NO. BOC2018-08

A RESOLUTION ASSIGNING TAX SALE CERTIFICATES TO THE TOWN OF SHARPSVILLE, INDIANA

WHEREAS, Tipton County, Indiana, by and through its Board of Commissioners, is the holder of certain tax sale certificates on the properties described in Exhibit A which is attached hereto, and;

WHEREAS, pursuant to I.C. 6-1.1-24-9(d), the Tipton County Board of Commissioners may assign tax sale certificates held in the name of the county executive to any political subdivision, and;

WHEREAS, the Town of Sharpsville, Indiana has expressed a desire to obtain said tax sale certificates on the properties described in Exhibit A and has submitted to the Tipton County Board of Commissioners a Resolution to accept the assignment of said tax sale certificates, and;

WHEREAS, it is in the best public interest to both Tipton County and the Town of Sharpsville that the tax sale certificates for the properties described in Exhibit A now be assigned to the Town of Sharpsville, Indiana.

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

1. Tipton County, Indiana by and through its Board of Commissioners hereby approve the assignment of those tax sale certificates held by the County to the Town of Sharpsville, Indiana for the properties described in Exhibit A attached hereto.
2. That all taxes, penalties and assessments against the properties described herein shall be waived for the tax year 2017 payable 2018 and prior as to the Town of Sharpsville, Indiana.
3. That the period of redemption of the properties described herein shall be for one hundred twenty (120) days from the date the certificates are assigned pursuant to the Indiana Code.

PASSED AND ADOPTED by the Tipton County Board of Commissioners, this _____ day of November, 2018.

BOARD OF COMMISSIONERS OF TIPTON COUNTY,
INDIANA

James N. Mullins, PhD., Commissioner

Gerald Shuck, Commissioner

Mark Manier, Commissioner

ATTEST:

Gregg A. Townsend, Tipton County Auditor

Prepared by: Mark R. Regnier
 Tipton County Attorney;
 GRAHAM, REGNIER, FARRER & WILSON, P.C.
 120 S. West Street
 Tipton, Indiana 46072

Exhibit A

Address	Parcel No.	Legal Description
409 N. North St.	80-06-04-300-004.000-006 002-00100-00	Sharpville Outlot 4-22-4 O:X
509 N. Church St.	80-06-04-200-064.000-006	SW Cor SW NW 1.28 Ac 4-22-4

Motion by Commissioner Shuck to approve Resolution BOC 2018-07, a resolution assigning tax sale certificates to the City of Tipton, Indiana. Second by Commissioner Manier. Motion carries.

Motion by Commissioner Shuck to approve Resolution BOC 2018-08, a resolution assigning tax sale certificates to the Town of Sharpville, Indiana. Second by Commissioner Manier. Motion carries.

Ordinance BOC 2018-05 Conflict of Interest

ORDINANCE 2018-05

A ORDINANCE OF THE BOARD OF COMMISSIONERS OF TIPTON COUNTY, INDIANA ESTABLISHING AND ADOPTING A CONFLICT OF INTEREST POLICY

WHEREAS, Tipton County, Indiana, recognizes the importance of eliminating conflicts of interest in the conduct of County business;

WHEREAS, Conflicts of interest are not only against state and federal regulations but are detrimental to the County's good reputation and the public's confidence in County government;

WHEREAS, the Board of Commissioners also recognizes the value of collaboration that occurs at special events and functions such as conferences, dinners, and social outings in which Tipton County officials and employees may be guests of one (1) or more vendors that do business with the County; and

WHEREAS, the Board of Commissioners desires to fulfill both the letter and spirit of federal and state regulations addressing conflicts of interest, and desires to establish a dollar threshold of \$250.00, below which any financial interest or value of any gratuity is not substantial or the gift is an unsolicited item of nominal value.

NOW, THEREFORE, BE IT THEREFORE ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPTON, INDIANA THAT:

1. The dollar value of \$250.00, below which any financial interest or value of any gratuity is not substantial and may be accepted per this policy.
2. The Board of Commissioners of Tipton County, Indiana, establishes and adopts the Conflict of Interest Policy, which is attached to and made part of this Ordinance.
3. This policy shall be effective upon signing by the Board of Commissioners.

APPROVED this 13th day of November, 2018.

BOARD OF COMMISSIONERS OF
 TIPTON COUNTY, INDIANA

By: _____

James N. Mullins, PhD., President

Gerald D. Shuck, Commissioner

Mark Manier, Commissioner

ATTEST:

Gregg A. Townsend, Tipton County Auditor

Tipton County, Indiana

CONFLICT OF INTEREST POLICY

The following paragraphs apply to all public officials and employees of Tipton County, Indiana.

No officers or employees of the county shall neither solicit nor accept gratuities, favors, or anything of monetary value from Consultants, potential Consultants, or parties to subagreements, unless in accordance with this Conflict of Interest Policy. The aforementioned prohibition does not include gratuities, favors, or anything of monetary value under \$250.00. Any financial interest under \$250.00 shall be considered not substantial in accordance with the Code of Federal Regulations.

This policy conforms to the standards set forth in the Code of Federal Regulations and by the Indiana Department of Transportation. A "Consultant" is defined as an individual or firm providing engineering and design related services as a party to a contract with a recipient or subrecipient of federal assistance. Motion by Commissioner Shuck to approve Ordinance BOC2018-05 on first Reading. Second by Commissioner Manier. Motion carries unanimously.

Motion by Commissioner Shuck to approve Ordinance BOC2018-05, as read. Second by Commissioner Manier. Motion carries.

RC Club – Use of Landfill

Motion by Commissioner Shuck to extend the contract between the Board of Commissioners and the RC Club for 2019. Second by Commissioner Manier. Motion carries.

Health Board Appointment to fill vacated seat of Helen Hoffbeck – Tabled to next meeting

Janson Lawsuit

Dr. Mullins stated that the Janson lawsuit had been dismissed by Judge Matthew Kincaid.

County Attorney – Advertisement for bids

Motion by Commissioner Shuck to authorize Auditor Townsend to advertise for bids for county attorney. Second by Commissioner Manier. Motion carries.

Minutes for October 29, 2018

Motion by Commissioner Shuck to approve the October 29, 2018 minutes, as presented. Second by Commissioner Manier. Motion carries.

Public Comment -

The Commissioners entertained comments from the public.

Motion by Commissioner Shuck to close public comment. Second by Commissioner Manier. Motion carries

Motion by Commissioner Shuck to adjourn the meeting. Second by Commissioner Manier. Motion carries.

Approved this 26th day of November, 2018

James Mullins, President

Gerald Shuck, Vice President

Mark Manier, Commissioner

Attest:

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