

# Board of Commissioners and Redevelopment Commission

## Joint Meeting

05-10-2021

Present: Dennis Henderson, Tracey Powell, and Nancy Cline

Other Present: Mike Cline, Chuck Bell, Steve Brown, Jim Leffler, Brice Delph, Adinda Webster, Lisa Stokes Bear, Dick Klein, Kent Boyer, Lou Ann Millett, Thomas E. Dolezal, Jim Ankrum, Linda Smeltzer, Don Smeltzer, Cassie Hoover, Ayden Stanley, Aaron Conaway, Bianca Turner, Malea Moore

The meeting was opened with prayer by Reverend Logan Westrick of the Ash Street Wesleyan Church and the Pledge of Allegiance.

### **Payroll – Crystal Worthy**

Motion by Commissioner Cline to approve payroll, check date May 14, 2021, in the amount of \$182,450.12. Second by Commissioner Powell. Motion Carries.

### **Claims – Katy Kramer**

Motion by Commissioner Powell to approve miscellaneous claims for docket date May 10, 2021, in the net amount of \$343,805.94. Second by Commissioner Cline. Motion carries.

### **Highway- Superintendent Bret Morris**

Highway Superintendent Morris stated that Tipton County had been awarded a \$999,858.00 INDOT Community Crossings matching grant. The projects will be on CR100N between CR500W and CR700W; CR 500W between Division Road and CR100N; and CR700W between Division Road and CR100N, to take the extra traffic that will result from the INDOT US31 project at CR100S.

Motion by Commissioner Cline to set bid opening for the Community Crossings grant project for June 21, 2021, and to authorize President Henderson to sign any necessary paperwork before the next meeting.

He stated that they are ripping areas that are beyond repair and will start converting to chip seal.

The Commissioners clarified that the Courthouse ramp parking will be 2 hour parking from 7am to 7pm.

### **Engineer – Phil Beer –**

Engineer Beer reported that the low bidder on the US31 at Railroad Crossing (CR100S) was Gradex, Inc., with a bid of \$19,745,000.

Engineer Beer asked the Commissioners to cover the cost of thermos plastic striping for the pedestrian crossing on CR850W at Total Seed Production. Discussion ensued concerning using public funds for a private company. Aaron Conaway with Total Seed Production stated that the company was prepared to provide signs and asked that the County pay for what is installed on the roadway, that is the labor, paint and rumble strips.

Motion by Commissioner Powell to have the Highway Department purchase and install rumble strips. Second by Commissioner Cline. Motion carries.

### **Tipton County Pork Festival – Brice Delph**

Brice Delph presented a short history of the Pork Festival, which started in 1969. He related that the festival had been cancelled in 2020, due to the pandemic, leaving the organization with over \$6,000 in bills with no revenue. The Pork Festival is one of the top five events in Indiana. This year, the Pork Festival will be September 9,10, and 11, with set-up starting on September 7, and teardown through

September 12, 2021. This year's request from the Commissioners is use of the Courthouse lawn, restrooms, parking lots, and \$10,000. It was learned that the Pork Festival organization is a 501(c)4 not-for-profit. The requests were tabled to the next meeting to verify that the County can support a 501(C)4.

**Sheriff – Tony Frawley**

Sheriff Frawley reported that he had no update on the sally port floor. He requested an additional parking space on the Courthouse Ramp for transportation of inmates.

Motion by Commissioner Cline to designate a second parking spot on the Courthouse ramp for law enforcement, making a total of two. Second by Commissioner Powell. Motion carries.

**Ordinance BOC2021-04**

**ORDINANCE NO. BOC2021-04**  
**CREATING A NEW FUND FOR THE RECEIPT OF FUNDING FROM THE AMERICAN RESCUE PLAN AS ADOPTED BY CONGRESS IN 2021**

**WHEREAS**, the federal government has adopted the American Rescue Plan (ARP) which has been signed into law by the President; and

**WHEREAS**, it is necessary to establish a new fund in the Auditor's Office into which the proceeds of the ARP are to be deposited;

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

1. There is created a new fund with the Auditor's Office that shall be entitled "ARP Grant Fund", and the Auditor has issued a fund number of 8950 with respect to these funds and such funds shall be non-reverting.
2. The purpose of the funds is to be used for only the following reasons as set forth in §603(C) of the ARP in accordance with US Treasury Guidance:
  - A. To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or to aid the impacted industries such as tourism, travel and hospitality;
  - B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible works of the metropolitan city, non-entitlement unit of local government or county that are performing such essential, or by providing grants to eligible employers that eligible workers who perform essential work;
  - C. For the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government or county prior to the emergency;
  - or
  - D. To make necessary investments in water, sewer or broadband infrastructure as approved by the United States Treasury.
3. The funds shall be appropriated by the County's fiscal body before use.
4. All expenditure of funds shall be approved by the Board of Commissioners with any and all claims to be paid from the County's ARP fund.
5. The Board of Commissioners will establish the plan, conditions and rules upon which the funds are to be requested and used.

6. Any unused funds shall be paid back to the United States Treasury when required. Note: The number would be chosen from the assigned range in the SBOA memo from the Chart of Accounts Commissioners may choose other officials to have responsibility for developing a plan with the commissioners
7. The Auditor shall keep accurate and complete financial records of the receipt and expenditure of any and all funds deposited and paid from this new Fund.
8. No money received in the ARP fund shall be used for any type of deposit into any pension fund.

Dated this \_\_ \_ day of \_\_\_\_\_, 2021

BOARD OF COMMISSIONERS BY:

\_\_\_\_\_  
Dennis Henderson  
President

\_\_\_\_\_  
Tracey Powell  
Vice President

\_\_\_\_\_  
Nancy Cline  
Member

Attest:

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Gregg A. Townsend  
Tipton County Auditor

Prepared by:  
Mark R. Regnier #13757-80  
Tipton County Attorney

Motion by Commissioner Cline to approve Ordinance BOC2021-04 Creating a New Fund for the Receipt of Funding From the American Rescue Plan as Adopted by Congress in 2021. Second by Commissioner Powell. Motion carries.

**Resolution BOC2021-06**

**RESOLUTION NO. BOC2021-06**

**A RESOLUTION ASSIGNING TAX SALE CERTIFICATES TO THE TOWN OF WINDFALL, 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 Windfall, 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 Windfall that the tax sale certificates for the properties described in Exhibit A now be assigned to the Town of Windfall, 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 Windfall, 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 2020 payable 2021 and prior as to the Town of Windfall, 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 \_\_\_\_\_, 2021.

BOARD OF COMMISSIONERS OF TIPTON COUNTY,  
INDIANA

\_\_\_\_\_  
Dennis Henderson, Commissioner

\_\_\_\_\_  
Tracey Powell, D.C., Commissioner

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Nancy E. Cline, Commissioner

ATTEST:

\_\_\_\_\_  
Gregg A. Townsend, Tipton County Auditor

**Exhibit A**

Address	Parcel No.	Legal Description
Part of NW Corner of Lot behind 126 E. Sherman St.	80-07-10-506-063.000-011 003-00470-00	Keith's First Add – Pt NW Cor 1:3 B:1

Motion by Commissioner Powell to approve Resolution BOC2021-06. Second by Commissioner Cline. Motion carries.

**Plan Commission – Judy Coker – Request for Order to Appear**

Motion by Commissioner Cline for the Plan Commission to issue an order for the owner of the property located at 769 N. CR600 E. to appear at the next meeting. Second by Commissioner Powell. Motion carries. The owner on E SR28 has made progress.

**Architects' Reports on Previous Jail** – Tabled to next meeting.

**Plan Commission – Area Planning**

Linda Smeltzer stated that Sharpsville needs assistance with planning and stated that the County needs to go to Area Planning. She said that the town was out of their league when Dollar General came to Sharpsville. She said that they need help with enforcement. She stated that the small communities need to be under the same ordinances so that there is standardization county-wide.

### **Annexation and Scout Woods – Mayor Tom Dolezal**

Mayor Tom Dolezal stated that the annexation is voluntary and that there is a process for development. Commissioner Cline stated that she is ready to recommend annexation of the 60 acres next to the industrial park, but needs time to research and to consider the other properties. She asked Mayor Dolezal if he had purchased land west of town. Mayor Dolezal stated that he had ownership interest in property west of the requested annexation area.

Commissioner Henderson stated that he had visited the new Scout Woods area. He stated that removal of trees in a wetland for a parking area can cause a problem and does not want to get the county in trouble. Mayor Dolezal stated that he understood that woods are declared wetlands until examined.

Commissioner Powell stated that there is a power pole located in the middle of the access road location. Motion by Commissioner Powell to accept Annexation as presented. Motion failed for lack of second.

Motion by Commissioner Cline to support annexation of the 60 acre area adjacent to the Industrial Park. Second by Commissioner Powell. Motion carries.

### **Courthouse Dumpster – Tracey Powell**

Commissioner Powell stated that Republic was charging \$867 per month for the Courthouse dumpster, and that he had a quote from Bunn Boxes for \$150 per month, saving \$600 to &700 per month. He stated that Bunn Box had already set a dumpster, though they had not yet been given instruction to do so.

Motion by Commissioner Powell to convert the Courthouse dumpster to Bunn Boxes. Second by Commissioner Cline. Motion carries.

### **Constellation – Natural Gas Contract**

Motion by Commissioner Powell to switch natural gas from Constellation to Vectren. Second by Commissioner Cline. Motion carries.

Mark Baird recommended looking at the options available from Vectren. He stated that there may be other savings with other companies. He stated that may be other options available that we don't know about because we did not ask the right questions.

### **GoGov Application and Soofa Signs- William Steen**

Information Technology Director Steen presented information concerning GoGov Application that is a means of notifying the public, that costs the County \$3,000 per year, but is free to use to the public. He also presented information on Soofa Signs, solar powered Wi-Fi controlled public signs that could be used at different location to inform the public. The cost is \$12,000 per sign per year for two years. The matter was tabled.

Commissioner Cline stated that waste truck employees were not getting their truck shut resulting in trash being spread around the county. She will contact the company.

She also stated that she has received several complaints about the Tipton Public Library still requiring masks for 2 years old through adult. She stated that the Library is a public facility that is tax payer funded. She stated that she had spoken to the Director twice and to the State. She stated that patrons should have the freedom to not wear masks. She stated that the Director told her that she is not accountable to the Commissioners. County Attorney Regnier stated that he had called the Director and that she told him that the State Association attorney advises her. Attorney Regnier requested their attorney to send him their rationale for their decisions. Attorney Regnier stated that the Governor did not address libraries. He will ask again for the rationale. He said it is an enforcement issue and that Sheriffs have not been given direction or guidance.

Commissioner Henderson stated that the West Elwood project is ongoing. He stated that the State Revolving Fund has come up with more money, but the County may have to match. With the American Rescue Plan money, Mr. McGriff does not want to wait on an OCRA grant. Commissioner Powell suggested speaking with Steven Ray about other sources of funding besides the American Rescue Plan. He suggested forming a committee to look at projects. Commissioner Cline stated that the Auditor should be included in the process. There will be more need than money, and we should stick to those who have knowledge. Attorney Regnier stated that a short list for the committee should be ready for the May 24, 2021 meeting.

Attorney Regnier stated that Elwood was concerned about the trickle of water at the West Elwood site. Highway Superintendent Morris suggested using dye and a camera. Commissioner Henderson stated that it could be a drain tile source. Attorney Regnier expressed the need to be aggressive at determining the source and to keep Elwood involved and informed. Highway Superintendent Morris suggested digging at the blockage and using a camera.

### **Minutes for April 26, 2021**

Motion by Commissioner Cline to approve the minutes for April 26, 2021. Second by Commissioner Powell. Motion carries.

### **Public Comment:**

Tipton County Foundation Executive Director Mark Baird stated that the Purdue Center for Regional Development wants to conduct a survey of broadband connectivity in two mailers to the public, at a cost of \$5,000 to \$7,000, in order to challenge the Federal maps on countywide connectivity. He stated that the Post Office has a program that hits every address in the county. It would be a post card with a QR code. He would like to have it done before the end of school. He suggested using Economic Development Income Tax to fund the project.

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

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

Approved this 24th of May, 2021

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Dennis Henderson, President

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Tracy Powell, Vice President

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Nancy Cline, Commissioner

Attest:

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

