

Tipton County Council Meeting

3-16-2021

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

Absent: Jan Smith, Jim Purvis

Other Present: Ray Sheppard, Chuck Bell, Dennis Henderson

Jim Ashley opened the meeting with the pledge of allegiance.

Resolution CC2021-10 Additional Appropriation – Cumulative Capital Development

This is proposed to have funding available for architectural and engineering costs for a possible coroner facility.

ADDITIONAL APPROPRIATION RESOLUTION CC2021-10

Whereas, It has been determined that it is now necessary to appropriate more money 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 additional sums of money are hereby 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 (CCD)		
41500 Other County Properties	<u>\$20,000.00</u>	
40000 Capital Outlays	<u>\$20,000.00</u>	

Adopted and dated this 16th day of March, 2021

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

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

Motion by Mike Terry to close the public hearing. Motion carries, unanimously.

Discussion ensued.

Resolution CC2021-11 Additional Appropriation – LOIT Public Safety

This is requested to replace dispatch work stations.

ADDITIONAL APPROPRIATION RESOLUTION CC2021-11

Whereas, It has been determined that it is now necessary to appropriate more money 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 additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

Fund Name:	Requested Amount	Approved Amount
1170 LOIT Public Safety		
44100 Furniture/Equipment	<u>\$42,978.00</u>	
40000 Capital Outlays	\$42,978.00	\$42,978.00

Adopted and dated this 16th day of March, 2021

TIPTON COUNTY COUNCIL

James D. Ashley

Jim Purvis

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Michael Terry

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Attest:

Brad Nichols

Gregg A. Townsend, Secretary and County Auditor

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120 S. West Street

Tipton, Indiana 46072

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

Motion by Brad Nichols to close the public hearing. Second by Mike Terry. Motion carries, unanimously.

Motion by Mike Terry to approve Resolution CC2021-10, in the amount of \$20,000. Second by Brad Nichols. Motion carries four to one, with Kirk Retherford voting nay.

Motion by Brad Nichols to approve Resolution CC2021-11, in the amount of \$42,978, Second by Kirk Retherford. Motion carries, unanimously.

Minutes for February 23, 2021

Motion by Brad Nichols to table for correction of text of Resolution CC2021-06. Second by Mike Terry. Motion carries.

Council Comment

Brad Nichols reported that the Personnel Committee had met to organize and to assign tasks. At the February meeting, the Council members had recognized the need and had expressed that they needed more information. He asked the council members how many had done any research.

Jim Ashley stated that that task had been given to the Personnel Committee.

Brad Nichols asked what information the council members wanted.

Butch Harpel stated that he had missed the prior meeting. He stated that the whole county lags compared to the surrounding areas. He asked if it would be better to have a salary audit by an outside agency.

Mike Terry stated that we have a responsibility to the taxpayers. He asked what other needs will draw on our funding. He stated that other benefits need attention. He said that this is one piece of a big pie and that we need to look at the whole pie.

Jim Ashley stated that it is not the only office that would like to have more money and that we should look county-wide. At this time, there are uncertainties of revenues and we need to renovate the old jail. There is an unsure revenue stream from Local Option Tax.

Kirk Retherford stated that there are unsure revenue streams and we want to do it right.

Brad Nichols stated that he is concerned about the Jail staff, the turn-over, and risk.

Sheriff Frawley stated the housing of out of county inmates generated \$251,000 in six months of 2020 and about \$380,720 from May, 2020 to March, 2021.

Jim Ashley stated that he had heard that Howard County had a \$2 million shortfall in income for their jail.

Brad Nichols stated that \$88,000 is needed to raise the jailers' pay.

Mike Terry asked what it costs to house inmates.

Sheriff Frawley stated that it costs \$3.20 per day for meals per inmate. Electric and heat are used anyway. The inmates must be able to shower once every 72 hours, though they have an opportunity to shower once each day. He experimented with having showers always available and had an \$8,000 water bill. He said that he charges \$40 per day per inmate and that it costs less than 10 to 12 dollars per day. Thirty inmates at \$40 per day for 365 days is \$438,000.

Jim Ashley stated that it is hard to validate the indirect cost of the facility, jailers and benefits.

Sheriff Frawley stated that the revenue from out of county inmates is deposited to the General Fund. He said that the jailers are asked to show up for work and make \$32,784 per year, out of which they pay about \$6,000 in taxes and insurance. He asked for the jailers wages to be increased to \$38,000. He stated that we are losing jailers to Clinton, Howard and Clinton counties. He stated that he had not heard from anyone except Mike Terry. He stated that he tried to do this at budget time and did not get it done, and that it will bite us in the rear end.

Additional discussion ensued.

Motion by Brad Nichols to increase the jailers to \$37,000, at a cost of \$88,536.00 in Resolution CC2021-06, which is an increase of \$4,216 per jailer, out of the General Fund. Jim Ashley called for a second. Butch Harpel asked if, after tracking revenue for January through March, the revenue would level out. Sheriff Frawley stated that they currently have 31 inmates and that 30 is committed. Butch Harpel seconded the motion.

Mike Terry stated that he does not disagree with bringing the jailers to \$37,000, but that it is premature when looking at the other benefits.

Kirk Retherford thanked Ray Sheppard for sharing at the last meeting.

Jim Ashley called for a vote. Butch Harpel, Kirk Retherford, and Brad Nichols voted "Yea", while Jim Ashley and Mike Terry voted "nay". Jim Ashley stated that the motion failed for lack of a majority. He stated that this was short circuiting, and he could not support undermining the process.

Brad Nichols and Sheriff Frawley questioned whether four votes were necessary, or simply a majority of those present. Commissioner Dennis Henderson stated that in the past, it was a majority of the board, not attendees; that is, it takes four votes. It was decided to inquire of the County Attorney for a correct interpretation.

Motion by Brad Nichols to table Resolution CC2021-05 –Additional Appropriations – Sheriff. Second by Kirk Retherford. Motion carries.

Motion by Brad Nichols to table Resolution CC2021-07 –Additional Appropriations – FICA. Second by Mike Terry. Motion carries.

Motion by Brad Nichols to table Resolution CC2021-09 –Additional Appropriations – EDIT. Second Butch Harpel. Motion carries.

Public Comment

Sheriff Frawley stated that he had called County Attorney Mark Regnier and that he had said that it looks like three to two counts, but he will get back.

Chuck Bell stated that he thought that the Coroner’s body cooler might be paid out of a federal grant and stated that he is willing to look at grant requirements.

Appointment to the Regional Planning Council

Motion by Brad Nichols to appoint Jim Ashley to the Regional Planning Council. Second by Mike Terry. Motion carries.

Public Comment - Continued

Sheriff Frawley stated that he would wait for the County Attorney’s opinion. He stated that he has a responsibility for the safety of his jailers and he can’t let the jail staff house the out of county inmates. He stated that on March 1, 2021, he had met with Sheriff Asher and tendered a 30 day notice to terminate the Memorandum of Understanding between Howard and Tipton Counties, effective March 31, 2021, and would be returning their inmates.

The Sheriff reported that he had called County Attorney Mark Regnier a second time and that Mark Regnier indicated that he thought the vote stands, but that he would check and report in the morning.

Motion by Brad Nichols to adjourn the meeting. Second by Mike Terry. Motion carries.

Approved on 20th day of April, 2021

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