TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 20, 2011

The Tippecanoe County Commissioners met on Monday, June 20, 2011 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Thomas P. Murtaugh, and Commissioner John L. Knochel. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse.

President Byers called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the June 6, 2011 regular meeting, second by Commissioner Knochel; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for June 9, 10, 15, 16, 17, and 20, 2011 as submitted without exception.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Knochel; motion carried.

***HIGHWAY** – Opal Kuhl*
Clothing Allowance Policy

Director Kuhl said when the Clothing Allowance Policy was recently adopted the dollar amount of the allowance was omitted from the policy. This will amend the policy to include $100 as the amount of the clothing allowance.

- Commissioner Murtaugh moved to approve the Clothing Allowance Policy with changes as presented, second by Commissioner Knochel; motion carried.

Change Order No. 3 for CR 50 S East Leg Project – The Schneider Corporation

Director Kuhl presented Change Order No. 3 for the design of the CR 50 S East Leg Project for approval. Water quality requires changes to the design; however, changes will simplify the project. It is on an hourly basis with a not to exceed amount of $3,000.

- Commissioner Murtaugh moved to approve Change Order No. 3 from The Schneider Corporation as presented, second by Commissioner Knochel; motion carried.

Warranty Deed and Partial Mortgage Release for Parcel 13 – North 9th Street and Burnett's Road Project

Director Kuhl requested approval of a warranty deed, temporary easement and partial mortgage release in the name of KIERCO, LLC, for Parcel 13 of the North 9th Street and Burnett's Road Project. It is in the amount of $35,860 for the warranty deed and $105 for the temporary easement. It is a Highway Safety Improvement Project (HSIP) and is mostly funded by the State. It is a 90/10 split with the County being responsible for 10%.

- Commissioner Murtaugh moved to approve the Warranty Deed, Temporary Easement, and Partial Mortgage Release for Parcel 13 as presented, second by Commissioner Knochel; motion carried.

Ordinance 2011-14-CM – and Hearing to Vacate a Public Way in the town of Monroe

- Commissioner Murtaugh moved to hear and approve Ordinance 2011-14-CM, second by Commissioner Knochel;

Director Kuhl said this vacate is in the town of Monroe and is located on property that has an alley plotted but has never been used. The owners have done all of the work necessary for the petition and have made the necessary advertisements. Commissioner Byers said the vacate was read at the last meeting and would not be read today.

Commissioner Byers asked for public comment opposing ordinance. There was none.

Commissioner Byers asked for public comment in favor of the ordinance. There was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-14-CM passes 3-0 on first reading.

- Commissioner Murtaugh moved to suspend the rules and hear Ordinance 2011-14-CM on second reading, second by Commissioner Knochel; motion carried.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-14-CM passes 3-0.

- Commissioner Murtaugh moved to approve Ordinance 2011-14-CM as presented, second by Commissioner Knochel;

Commissioner Byers again asked for any public comments in favor of or opposing the ordinance. There was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-14-CM passes 3-0 on second reading.

Opening of Bids for CR 50 S East Leg

Attorney Luhman opened the bids.

Reith-Riley Construction Co.	$452,219
Milestone Construction Co.	$551,000

Attorney Luhman recommended the bids be taken under advisement and review.

Director Kuhl asked that the bids be reviewed and awarded before the end of the meeting.

Commissioner Byers said that Director Kuhl could return later in the meeting to award the bid.

***GRANTS** – Laurie Wilson*

Grant Administrator Laurie Wilson presented the following grants for approval to accept:

TEMA

Grant Administrator Laurie Wilson asked permission to accept an Indiana Department of Homeland Security Grant in the amount of $350,000 for the 2010 annual (SHSP) grant. The grant will fund the District 4 Administrative Coordinator and equipment requests for the nine counties that make up District 4.

- Commissioner Murtaugh moved to accept the Indiana Department of Homeland Security Grant in the amount of $350,000 as presented, second by Commissioner Knochel; motion carried.

TEMA

Grant Administrator Laurie Wilson asked permission to accept an Indiana Department of Homeland Security Grant in the amount of $67,032.83 for the 2010 Emergency Management Performance Grant. It will reimburse 50% of three TEMA salaries from October of 2009 to December 2010. It is an annual grant that is based on performance.

- Commissioner Murtaugh moved to accept the Indiana Department of Homeland Security Grant in the amount of $67,032.83 for the 2010 Emergency Performance Grant as presented, second by Commissioner Knochel; motion carried.

TEMA

Grant Administrator Laurie Wilson asked permission to accept an Indiana Department of Homeland Security Grant in the amount of $70,000 for the Automated Critical Asset Management System (ACAMS) project. This is phase 3 of the grant. It will be used to pay contractors to access critical infrastructure throughout the District.

- Commissioner Murtaugh moved to accept the Indiana Department of Homeland Security Grant in the amount of $70,000 for the ACAMS program as presented, second by Commissioner Knochel; motion carried.

Grant Administrator Laurie Wilson requested permission to apply for the following grants.

CIRCUIT COURT

Grant Administrator Laurie Wilson asked permission to apply for $40,000 Court Reform Grant from the Indiana Supreme Court. It will fund 50% of an $80,000 contract for a Court Administrator position. Commissioner Knochel stated that he had discussed this grant with Judge Busch. Commissioner Murtaugh asked if things did not work out is there any harm in not accepting the grant if the County is awarded the grant. Ms. Wilson replied that there is no penalty for not accepting the grant. Commissioner Murtaugh asked if the position had to be a contract. Ms. Wilson stated that the grant is a one year only grant and a contract position has less liability than a full time employee. If the program does not work out or if funding is not available the contract would not be renewed.

- Commissioner Murtaugh moved to grant permission to apply for the $40,000 Indiana Supreme Court Grant as presented, second by Commissioner Knochel; motion carried.

Cary Home

Grant Administrator Laurie Wilson asked permission to apply for $170,000 grant from the U.S. Department of Health and Human Services, Administration for Children and Families. It is a Basic Center Grant for Runaway Services. It will fund the needs of a runaway center such as personnel, beds, advertising, and other needs for 20 runaways. Commissioner Knochel asked if this was for all runaways and not just Cary Home. Ms. Wilson said that was correct and added that Tippecanoe County gets runaways from other cities because it is on the bus line. Commissioner Murtaugh stated that if the grant is awarded there would be more questions.

- Commissioner Knochel moved to grant permission to apply for the U.S. Department of Health and Human Services, Administration for Children and Families as presented, second by Commissioner Murtaugh; motion carried.

ALABAMA STREET SIDEWALK DRAINAGE PROJECT, RIGHT-OF-ENTRY AND OWNERS PARTICIPATION AGREEMENT

Commissioner Murtaugh said this is for the sidewalk improvement project being done by the City of Lafayette. It includes the jury lot that is located at the corner of Alabama and Third Street that is owned by the County. This is the Right-of-Entry and Owner Participation Agreement in the amount of $6,120.

- Commissioner Murtaugh moved to approve the Right-of-Entry and Owner Participation Agreement as presented, second by Commissioner Knochel; motion carried.

DETERMINATION OF JUNE 14, 2011 POOR RELIEF HEARING

Attorney Luhman stated that the Commissioners conducted a poor relief hearing on June 14, 2011 at 2:00 p.m. concerning an appeal filed by Lorraine Delaney disputing a decision by the Fairfield Township Trustee. Fairfield Township Trustee Julie Rousch, Case Worker Susan Parkinson, and Lorraine Delaney were present and each presented testimony. Attorney Luhman stated that he prepared a proposed finding and order based on a request to do so. The appellant did apply for assistance for a Duke Energy bill and was found not to be eligible for assistance due to an uncompleted Workfare program. The proposed findings and order shows that the Trustee did correctly apply standards in reaching the decision. Furthermore the proposed findings and order finds that the appeal of Lorraine Delaney be denied.

- Commissioner Murtaugh moved to approve the findings and order as presented, second by Commissioner Knochel; motion carried.

CHANGE ORDER # 1 FROM R.W. ARMSTRONG FOR THE CATTLE BARN PROJECT

Commissioner Murtaugh presented Change Order No. 1 from R.W. Armstrong for the design, drawings, and bid package for electrical service to the cattle barn for approval. It is in the amount of $3,000.

- Commissioner Murtaugh moved to approve Change Order No. 1 as presented, second by Commissioner Knochel; motion carried.

Commissioner Byers stated that a change order from Fairfield would be forthcoming due to a large amount of stumps and concrete found while digging the retention pond.

TRANSLATOR AGREEMENT

Commissioner Murtaugh asked if Translator Agreements were done on an individual basis and if the amounts are consistent for each contract. Auditor Weston stated they are done individually whenever the Judge requests a translator and the amounts are generally consistent.

- Commissioner Murtaugh moved to approve the Translator Agreement in the amount of $35 per hour to be measured in 30 minute increments, second by Commissioner Knochel; motion carried.

VILLA

- Commissioner Murtaugh moved to approve the application of Shirley L. Arnold to Tippecanoe Villa, second by Commissioner Knochel; motion carried.

APPOINTMENTS

- Commissioner Murtaugh moved to appoint Dave Lahr, Frank Cederquist, and Jean Hall to the Common Wage Board for projects at Cary Home, second by Commissioner Knochel; motion carried.

REPORTS ON FILE

Clerk

UNFINISHED BUSINESS

Director Kuhl recommended approval of the low bid of Reith-Riley Construction Co. for the CR 50 S East Leg Project. It is in the amount of $452,219.

- Commissioner Murtaugh moved to award the bid to Reith-Riley Construction Co. as presented, second by Commissioner Knochel; motion carried.

NEW BUSINESS

Addendum to contract with Keystone for Courthouse Project

Commissioner Murtaugh presented an addendum to a contract with Keystone Architecture for the Courthouse Window Project. The addendum provides for structural and architectural drawings, details, and specification for repairs to the limestone in certain portions of the building. It is in the amount of $24,000 and is based on the recommendations of Arsee Engineers, Inc. dated May 27, 2011.

- Commissioner Murtaugh moved to approve the addendum with Keystone Architecture as presented, second by Commissioner Knochel; motion carried.

AFLAC

Human Resource Director Shirley Mennen requested permission to apply to AFLAC for individual and group policies. AFLAC merged with Continental American Insurance Co. and now offers two divisions. They will continue to offer the individual policy to employees but will add a group policy that could lower costs to policy holders. Approval from the Commissioners is needed to move forward so that AFLAC can proceed with the necessary preparations for the contract that will allow both the individual and group policy.

- Commissioner Murtaugh moved to apply for the AFLAC contract as presented, second by Commissioner Knochel; motion carried.

2012 Salary Recommendations

Commissioner Murtaugh asked Auditor Weston if there were any additions or changes to the salary cost estimates in the past two weeks. Auditor Weston replied there are no changes. Commissioner Murtaugh asked for confirmation the number for PERF is 8.5%. Auditor Weston said that was correct. Commissioner Murtaugh made a motion to increase employee pay by 2% excluding elected officials, chief deputies, and all employees whose salaries are currently frozen. Commissioner Knochel made a motion to amend the motion to exclude any employee whose salary is over $51,000 from the 2% increase. Director Mennen said that some of the employees over $51,000 are Sheriff's Deputies, Special Occupations, and the Prosecutor's Office. Commissioner Murtaugh stated that he is concerned about the confusion that could go along with excluding anyone over $51,000. Commissioner Byers stated that the amount of paperwork could be a problem.

- Commissioner Knochel moved to recommend a 2% increase to employee salaries excluding elected officials, and chief deputies with an amendment to freeze salaries of $51,000 except for emergency personnel, motion failed.

- Commissioner Murtaugh moved to recommend a 2% increase to employee salaries excluding elected officials, chief deputies, and positions that are frozen, second by Commissioner Byers; motion carried 2-1 with Commissioner Knochel voting no.

PUBLIC COMMENT

Paul Wright, *West Point,* said that he understood what the departments are trying to do that have hired quality people. The departments that have had more flexibility in their spending in the past want to increase their spending. Mr. Wright said that he looks at the total dollars spent. If pay increases are warranted then he supports them, but does not support increasing the budget. There are many departments that support things that not everyone appreciates or uses, such as the Parks Department, the Library, the Amphitheater, and the Wabash River Enhancement. Mr. Wright stated that if he remembers correctly the County is supporting the Wabash River Enhancement $500,000 per year to benefit a few people. Perhaps those departments could have fundraisers for those extra, unnecessary items. That way the people who use those facilities can support them instead of everyone. Mr. Wright said that he is for everyone paying their own way. He added that he is in favor of management taking a cut because they have not taken a cut during this recession.

Commissioner Byers, *President of the Board of Commissioners* said that he understands that Mr. Wright does not want to pay for facilities that he does not use. However, there are people who do use those facilities and they do attract businesses to the area which does promote growth.

Commissioner Murtaugh moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

David S. Byers, President

Thomas P. Murtaugh, Vice President

John L. Knochel, Member

ATTEST:

Jennifer Weston, Auditor 7-5-2011