

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**December 6, 2010**

The Tippecanoe County Commissioners met on Monday, December 6, 2010 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President David S. Byers, and Commissioner Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse.

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

***PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS***

Commissioner's Assistant Frank Cederquist recommended approving accounts payable vouchers for November 17, 18, 19, 22, 23, 24, and December 1, 2, 3, 6, 2010, without exception.

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

***HIGHWAY – Opal Kuhl***

**Opening of Bids for Gasoline, Diesel Fuel and Rental of Equipment**

Attorney Luhman opened the following bids for consideration.

Gasoline and Diesel Fuel

Ceres Solutions  
 Newton Oil Company

Equipment Rental

Milestone  
 American Paving & Asphalt  
 Reith-Riley Construction

Attorney Luhman recommended taking the bids under advisement and review for compliance of the bid specifications. He added that the Commissioners can approve all of the proposals and those rates can be used in 2011. All bids are available in the Auditor's office for review by the public.

- Commissioner Byers moved to take the bids under advisement as presented, second by Commissioner Murtaugh; motion carried.

**Warranty Deed for Parcel 6 on Cumberland Road Project**

Director Kuhl presented a Warranty Deed in the amount of \$41,125 for Parcel #6 in the name of Bethel Christian Life Center, INC.

- Commissioner Murtaugh moved to approve the Warranty Deed for Parcel #6 as presented, second by Commissioner Byers; motion carried.

### **Wildcat Valley Estates Erosion Remediation Project Contract with Fairfield Contractors, Inc.**

Director Kuhl presented a contract with Fairfield Contractors, Inc. in the amount of \$41,930. Work will correct an erosion problem within Wildcat Valley Estates. A storm sewer is being relocated allowing drainage into the creek.

- Commissioner Byers moved to approve the contract with Fairfield Contractors, LLC as presented, second by Commissioner Murtaugh; motion carried.

### **Change Order #3 for Bridge 210 with HIS Contractors, LLC**

Director Kuhl presented Change Order #3 with HIS Contractors, LLC for approval. Bridge 210 is located in Shadeland. The change order is in the amount of \$324, which brings the total contract to \$885,435.84.

- Commissioner Murtaugh moved to approve Change Order #3 with HIS Contractors, LLC as presented, second by Commissioner Byers; motion carried.

### **Parcelization Grant of Right-of-Way located on 525 West**

Director Kuhl presented a Parcelization Grant of Right-of-Way for land located on 525 West; it is in the name of Forest Goings. When parcelization takes place, the Area Plan Commission requires the right-of-way be granted.

- Commissioner Byers moved to approve the Parcelization Grant of Right-of-Way as presented, second by Commissioner Murtaugh; motion carried.

### **Contract Modification #2 for Bridge #151 with Jack Isom Construction Company**

Director Kuhl presented Contract Modification #2 with Jack Isom Construction for Bridge 151 also known as Hog Point Bridge. Unexpected problems arose when cutting into the hill, such as soft soil. Improvements to the grade will allow for ease of driving and better site distance. However, these items required further excavation work and additional retaining walls. The contract modification is for \$196,143, which brings the total contract amount to \$2,601,935.22.

- Commissioner Murtaugh moved to approve Contract Modification #2 for Bridge 151 as presented, second by Commissioner Byers; motion carried.

### ***SURVEYOR – Zach Beasley***

#### **Berlowitz Regional Detention Facility Agreement**

Director Beasley presented a land transfer from Clarian Arnett Partners to Tippecanoe County in lieu of paying storage fees for storm water discharge into Berlowitz Regional Detention Facility. The Board of Commissioners must approve the agreement since land will be transferred to the County. Attorney Luhman said the County would have had ownership of land that was formerly the Berlowitz Regional Drain site; it has been relocated.

- Commissioner Byers moved to approve the agreement with Clarian Arnett Partners and Tippecanoe County for the Berlowitz Regional Detention Facility, second by Commissioner Murtaugh; motion carried.

***COMMUNITY CORRECTIONS – Dave Heath*****Total Court Services Lease**

Community Corrections Director Dave Heath presented a lease concerning the County and Total Court Services a company that provides drug-testing services for Community Corrections. It is for the lease of office space within the Community Corrections building. This allows participants to come to the Community Corrections building for testing. There is no cost to the County since Total Court Services assumes liability of uncollected fees. He added that the service is available to all County departments.

- Commissioner Murtaugh moved to approve the lease with Community Corrections and Total Court Services as presented, second by Commissioner Byers; motion carried.

***PROFESSIONAL SERVICE AGREEMENT*****Maximus Consulting Services**

Commissioner's Assistant Frank Cederquist presented an agreement with Maximus Consulting for approval. The consultant will provide the development of a central services cost allocation plan, which identifies the various cost incurred by the County to support and administer Federal and State programs. They negotiate the completed cost allocation plan with the representatives of the federal agency and assist in preparing the claims to the State for recovery of funds due the County from the Federal and State of Indiana governments. Two agreement options are available; a one year agreement for \$12,100 or a three year agreement for \$11,500 per year. Auditor Weston stated that the \$11,500 paid to Maximus does return several hundreds of thousands of dollars in federal reimbursements. The County has used the Maximus service for several years and it has proved successful. Attorney Luhman added there is no downfall to approving the agreement for three years since it can be terminated at any time with a 30-day notice and is subject to Council appropriation annually.

- Commissioner Murtaugh moved to approve the Professional Service Agreement with Maximus for a period of three years as presented, second by Commissioner Byers; motion carried.

***CRYSTAL CREEK BOARDING KENNEL*****Animal Sheltering Agreement**

The County has contracted with Crystal Creek Kennels for several years now. A contract for 2011 was presented in the amount of \$52,000, which is unchanged from last year.

- Commissioner Byers moved to approve the agreement with Crystal Creek Kennel as presented, second by Commissioner Murtaugh; motion carried.

***VILLA***

- Commissioner Byers moved to accept the application of Teresa Bushman to the Tippecanoe Villa, second by Commissioner Murtaugh; motion carried.

***APPOINTMENTS***

- Commissioner Byers moved to appoint David Lahr to the Common Wage Board for Lafayette School Corporation, and appoint Jack Bogan, Roy Meeks, and David Lahr to the Common Wage Board for the Fairground Cattle Barn Project, second by Commissioner Murtaugh; motion carried.

**GRANTS—Laurie Wilson**

Grant Facilitator Laurie Wilson asked permission to accept a grant for the Sheriff's Department from the Indiana Department of Transportation for the E-911 project. It is for \$448,212 and the match will be met from current 911 funds.

- Commissioner Murtaugh moved to grant permission to accept the grant as presented, second by Commissioner Byers; motion carried.

Commissioner Murtaugh stated that this is for the upgrade of the E-911 equipment, adding the Sheriff worked very hard to secure grant funding.

Grant Facilitator Laurie Wilson asked permission to accept a \$24,500 grant for Superior Court 3 from the Indiana Criminal Justice Institute for the Saturday School Project. This is the third and final year of the grant. The program has been very successful and funding will take it through March of 2012.

- Commissioner Murtaugh moved to grant permission to accept the grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson asked permission to apply for a \$4,000 Indiana Department of Homeland Security Foundation Grant for the Sheriff's Department. Grant funds will be used to purchase diving equipment.

- Commissioner Murtaugh moved to grant permission to apply for the grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson asked permission to apply for a \$183,000 Indiana Department of Homeland Security Grant for District 4 Task Force. Grant funds will be used to purchase equipment and supplies such as bottled water, tents, meals, and other equipment that will get the task force ready to deploy.

- Commissioner Murtaugh moved to grant permission to apply for the grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Laurie Wilson presented a Professional Services Agreement for WIC. It is for the Assistant State Breastfeeding Coordinator. Attorney Luhman has reviewed and approved the agreement.

- Commissioner Murtaugh moved to accept the Professional Services Agreement as presented, second by Commissioner Byers; motion carried.

**UNFINISHED BUSINESS****Resolution 2010-23-CM**

Commissioner Byers stated that Resolution 2010-23-CM is the transfer of an automobile that is in need of repair to Tippecanoe School Corporation. The Commissioners have determined that the value of the vehicle is less than the cost associated with selling and transporting the vehicle. The vehicle will be used for training purposes in the Mechanic Shop Class.

- Commissioner Byers moved to approve Resolution 2010-23-CM as presented, second by Commissioner Murtaugh; motion carried.

**WECS Ordinance**

Commissioner Murtaugh stated that the amendment to the WECS Ordinance would be continued until a later date.

***NEW BUSINESS***

None

***REPORTS ON FILE***

Tippecanoe Public Library  
Parks and Recreation  
Clerk  
Crystal Creek Boarding  
Treasurer

Reports are on file in the Commissioner's Office for public viewing.

***PUBLIC COMMENT***

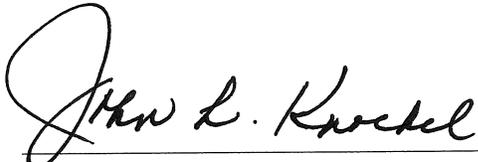
Jim Pairitz, 8323 W 1200 S, West Point, thanked the Commissioners for honoring the public's request to hire a consultant. Mr. Pairitz asked how soon the ordinance would be available for public viewing before being placed on the Commissioner's Agenda. Attorney Luhman stated that 24 hours before the meeting the amended ordinance would be available for public viewing. Attorney Luhman added that the ordinance could also be amended during the course of the meeting and approved at that time. Mr. Pairitz requested that before the consultant begins examining the ordinance he would like them to explain the proposed changes. Mr. Pairitz went on to say one of the protections for landowners would be removed if the ordinance passes without further changes.

Tim Strueh, 624 Bennett Road, Tippecanoe County, asked if there was any information available on the company that has been hired to examine the WECS ordinance and if the report would be made available to the public.

Commissioner Murtaugh said the consultant would be a company recommended by the American Acoustical Society of Chicago.

Commissioner Byers moved to adjourn.

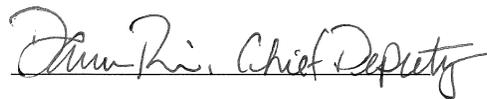
**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**

  
\_\_\_\_\_  
John L. Knochel, President

  
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David S. Byers, Vice President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Member

**ATTEST:**

  
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Jennifer Weston, Auditor