TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
July 20, 2009

The Tippecanoe County Commissioners met on Monday, July 20, 2009 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 Member Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Deputy Auditor Dawn Rivera, Commissioner's Assistant Frank Cederquist, and Secretary Jennifer Prange.

Commissioner Knochel called the meeting to order and led the pledge of allegiance.

APPROVAL OF MINUTES

- Commissioner Byers moved to approve minutes from the July 7, 2009 Regular Meeting and July 7, 2009 Poor Relief Hearing, second by Commissioner Murtaugh; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for July 10, 17, 20, 2009 as presented with no exceptions.

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

HIGHWAY – Opal Kuhl

Director Kuhl recommended approval of an agreement for Professional Engineering Services on Bridge #210 located on 300 South in Shadeland from Butler, Fairman and Seufert, Inc. for $104,000.

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

A Utility Maintenance Bond from Tipmont REMC was presented for continuation of work in the right-of-way in the amount of $5,000.

- Commissioner Murtaugh moved to approve the Utility Maintenance Bond from Tipmont REMC, second by Commissioner Byers; motion carried.

A Continuation Certificate from Vectren Energy of Indiana was recommended for approval in the amount of $5,000 for work in the right-of-way.

- Commissioner Murtaugh moved to approve the Continuation Certificate as presented, second by Commissioner Byers; motion carried.

Opening of Bids

Bridge #210 and 300 South over Norfolk and Southern Railroad

Jack Isom Construction Co., Inc.
$876,954.84

George Harvey & Son, Inc.
$846,033.35

Wirtz & Yates Construction, Inc.
$909,250.49

Milestone Contractors, Inc.
$842,400.87

HIS Constructors, LLC
$827,888.84

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

Director Kuhl requested approval of a Professional Engineering Agreement Amendment #1 for the Highway Garage Building and Site Improvement project with R.W. Armstrong & Associates, Inc. for $39,700.

- Commissioner Murtaugh moved to approve the PE Agreement Amendment as presented, second by Commissioner Byers; motion carried.

Approval was requested for a Warranty Deed and Temporary Easement Grant for Parcel 3 & 3A for Doris Sucker on the Bridge #210 Project.

- Commissioner Murtaugh moved to approve the Warranty Deed and Temporary Easement Grant for Parcel 3 and 3A as presented, second by Commissioner Byers; motion carried.

AREA PLAN COMMISSION – Sallie Fahey

Director Sallie Fahey requested approval to rename CR 350 S between US 231 and Old US 231to Veterans Memorial Parkway South as well as CR 350 S between US 52 to SR 26 E to Veterans Memorial Parkway East. She added most of the CR 350 has been annexed into the city, but there are four sections in the county.

- Commissioner Byers moved to approve the request to rename CR 350 between US 231 ad Old US 231 to Veteran's Memorial Parkway South and CR 350 S between US 52 to SR 26 East to Veteran's Memorial Parkway East, second by Commissioner Murtaugh; motion carried.

BUILDING COMMISSION – Ken Brown

Steven & Michelle Mitchell Property

4918 Sherman Street, Buck Creek - Zoning Officer Ken Brown reported the property owned by Steven and Michelle Mitchell has been on the unsafe structure list for at least one year. The Building Commission has worked with them over the last year to bring the home into compliance. Mr. Mitchell informed the Commission the home would be re-roofed in the spring of 2009; after an inspection inside the home it was noted there was quite a bit of damage. Mr. Brown reported the Health Department has declared the home unfit for human habitation. Mr. Mitchell was given 30 days by the Commission to obtain a building permit or demolish the home. Commissioner Knochel stated a letter was received from the owner stating due to the short notice he was unable to attend.

- Commissioner Murtaugh moved to continue the hearing until the first meeting in August, second by Commissioner Knochel; motion carried. *Commissioner Byers abstained.*

Beverly Adams Property

6900 Church Street in Colburn – Mr. Brown reported the home owned by Beverly Adams has been on the unsafe structure list for at least a year. Mr. Brown made contact with Ms. Adams and her mortgage company with no progress. He reported the roof is almost non-existent, indoors the ceiling is falling and mold and mildew are present. Mr. Brown contacted the owner's attorney who led him to believe Ms. Adams is not in a position to repair or demolish the home.

- Commissioner Byers moved to notify the owner and postpone the hearing until the first meeting in August to allow the owner to respond, second by Commissioner Murtaugh; motion carried.

Ash Grove Elevator

Corner of Harrison Road & 900 North – Mr. Brown reported there is a structure on top of the elevator which is leaning drastically. Residents in the area have complained about the sheet metal siding falling off during heavy storms. The Building Commission notified the owner of the issues; the owner informed the Commission it is not feasible for him to fix the structure at this time.

- Commissioner Murtaugh moved to continue the hearing until the first meeting in August and begin the formal process with notice to the owner of the hearing, second by Commissioner Byers; motion carried.

MITS – Dave Sturgeon

MITS Director Dave Sturgeon recommended the commissioners accept the agreement from Net Tech of Carmel, Indiana for the Voice Over Internet Protocol (VOIP) system. He reported an RFP was sent last summer for bids to replace the current phone system. The agreement states the first phase of the system will include the county office building, Courthouse, and the 629 N. 6th Street building. The other county locations will be added in the second phase.

- Commissioner Byers moved to approve the agreement RFP for Voice-Over Internet Protocol with Net Tech of Carmel, Indiana, second by Commissioner Murtaugh; motion carried.

GRANTS – Laurie Wilson

Grant Coordinator Laurie Wilson requested approval to apply for an E-911 grant for the Sheriff's Department for $100,000.

- Commissioner Murtaugh moved to approve the request to apply for the E-911 grant as presented, second by Commissioner Byers; motion carried.

She also requested approval to apply for a grant from the Indiana Department of Homeland Security (IDHS) for the District IV Administrative Coordinator position.

- Commissioner Byers moved to grant permission to apply for the Department of Homeland Security Grant for District IV, second by Commissioner Murtaugh; motion carried.

AFFIRMATION OF FINDINGS AND DECISION OF POOR RELIEF HEARING

Attorney Doug Masson explained the affirmation of findings on the Poor Relief Hearing for Ivor W. Broderick. The Wea Township Trustee represented by Attorney Timothy Broden and Assistant Roseanne Giltner were present for the hearing. Applicant Ivor W. Broderick was not present at the hearing; his appeal was denied based on failure to comply with the trustees standards for the provision of the request of relief and the denial for relief was proper under the circumstances.

- Commissioner Byers moved to approve the affirmation of findings on the Poor Relief Hearing for Ivor W. Broderick, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS

Commissioner Byers invited everyone to attend the Tippecanoe County 4-H fair at the fairgrounds.

Commissioner Knochel reported the Council Budget Hearings will begin on August 24, 2009.

REPORTS ON FILE

Weights and Measures
Clerk of the Circuit Court

PUBLIC COMMENT

Paul Wright – West Point, questioned why the commissioners approved the agreement for MITS without stating the amount. He suggested the way the agreement was explained a large amount of money may be spent over time which taxpayers aren't aware of. Commissioner Knochel suggested Mr. Wright talk to MITS Director Dave Sturgeon if he would like more information. Mr. Wright attended the July 9th presentation held in the Tippecanoe Room hosted by the Assessor regarding property assessments. He said the two hour presentation was worthwhile and time well spent. He said as property values decrease, tax revenues will follow. He added the rate of increased spending on the federal level is rising 8% faster than the economy and when federal grants are applied for taxes are increased. He suggested the commissioners take this information and the economy into consideration when planning next year's budget.

Commissioner Knochel stated the commissioners and council will consider the current economy when approving the budget. He added, if the county is offered grants where local taxpayer's dollars aren't spent and the county doesn't accept then the county is not doing its job.

- Commissioner Byers moved to adjourn.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

John L. Knochel, President

David S. Byers, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor