TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
November 9, 2010

The Tippecanoe County Council met at 8:30 a.m. on November 9, 2010 in the Tippecanoe Room in the County Office Building. Council members present were: President Andrew S. Gutwein, Vice-President Roland K. Winger, John R. Basham II, Jeffrey A. Kemper, Kevin L. Underwood, and Kathy Vernon. Others present were: Auditor Jennifer Weston, Attorney David W. Luhman, and Secretary Kay Muse. Absent was: Councilmember Betty J. Michael.

President Gutwein called the meeting to order and led the pledge of allegiance.

APPROVAL OF MINUTES

- Councilmember Kemper moved to approve the minutes of the October 12, 2010 regular meeting as presented, second by Councilmember Vernon; motion carried.

AUDITOR'S REPORT–*Jennifer Weston*

Auditor Weston stated the General Fund beginning uncommitted balance was $472,982.50. The Council has granted additional appropriations of $171,969.00 and approved reductions of $226, 867.00 removing miscellaneous expenditures of $3,807.68 leaves an uncommitted balance of $524,072.82. Superior Court 3 submitted a reduction of $122,000, which is not on the agenda, however; the Council may act upon any reductions since they do not need to be advertised. A request for the County Health Insurance Fund of $400,000 was advertised at $500,000. This item will be discussed later in the meeting. A General Fund Revenue Report was distributed for review. Disregarding projected property tax for the year miscellaneous revenue is at 84.5% putting the County on target to meet projected revenues for the year. The County has received over 50% of the property tax due and the remainder will be received in December.

Beginning Net Balance	$472,982.50
Total Additional Appropriations	$171,969.00
Total Budget Reductions	$226,867.00
Miscellaneous Expenditures (to date)	$ 3,807.68
Uncommitted Funds	**$524,072.82**

TREASURER'S REPORT

Treasurer Plantenga stated September interest earnings do not reflect a large amount of property tax. The General Fund does show interest earnings of $26,400.04. That amount is comparable with May, which did include property tax. Treasurer Plantenga noted interest rates remain unchanged. Chase Bank shows a Homestead Credit Rebate balance of $128,203.85; those funds will soon be turned over to the state as unclaimed money. However, about $70,000 of that money, earned interest, will go to the General Fund. Lafayette Bank & Trust is paying .60% and shows $42,000,000. First Financial Bank is paying 1.75% however; there is a maximum balance of $10,000,000. Lafayette Savings Bank balance is paying 1.39% and has a balance of $24,000,000. Lafayette Bank & Trust does not charge the County banking transaction fees with a minimum balance of $31,000,000. The average interest rate is .87% and the weighted average is .98%. Sixty percent of fall taxes have been collected.

PUBLIC COMMENT – *Agenda Items*

None

ORDINANCE 2010-23-CL – *Innkeepers Tax Audit and Collection Procedures, First Reading*

Attorney Luhman said that the Treasurer and those entities who receive funding from the Innkeepers Tax have become increasingly concerned that some of those establishments have failed to report those taxes on a monthly basis as required. Innkeeper's tax is collected from the patrons of those businesses to help support the Lafayette & West Lafayette Visitor's & Convention Bureau, Department of Natural Resources, Historic Prophetstown State Park, Greater Lafayette Chamber of Commerce, and the Wabash River Enhancement Corporation. Currently the Treasurer is unable to monitor or enforce the monthly reporting of those taxes. This ordinance would allow the Treasurer to hire an outside consultant to audit those establishments that may not be reporting and remitting those taxes on a monthly basis. The results of that audit will be shared with the establishments in question and if the audit shows an overpayment, those funds will be remitted back to the establishment. If the audit shows an underpayment, a statement will be sent to the establishment payable within 30 days. If it is determined that an establishment has failed to file or pay the tax they will be responsible for the cost of that audit. Although state legislation indicates the Innkeeper's tax rates and disbursement percentages, the Council has authority to allow or disallow the tax within the county.

- Councilmember Winger moved to approve Ordinance 2010-23-CL as presented, second by Councilmember Basham.

Auditor Weston recorded the vote:

Basham	yes
Gutwein	yes
Kemper	yes
Underwood	yes
Vernon	yes
Winger	yes

Ordinance 2010-23-CL passes 6-0 on first reading.

RESOLUTION 2010-20-CL – *Amendment to Tippecanoe County Police Retirement Plan*

Sheriff Tracy Brown introduced Elaine Beatty with McCready and Keene Inc. to clarify Resolution 2010-20-CL. Ms. Beatty said that in June 2009 an addition to the Indiana Statute enables the County Police Retirement Plan to provide a service purchase feature. It concerns other public service that may be purchased by a participating member in each county's retirement plan. It will be at no cost to the County's fiscal body. It allows a member who is participating in the retirement program to purchase an equivalent amount of time, that was served in another public retirement fund in Indiana, by his or her own source of revenue and only if the other public service time does not result in a benefit payable under another public plan, if that time was short enough that it does not result in a PERF benefit. It is for benefit calculation purposes only and the employee is responsible for the full cost. It is not required but it is an option for members. Attorney Luhman reviewed the plan and requested a few changes. He said Resolution 2010-20-CL would approve the first amendment to the Tippecanoe County Retirement Plan. He added the Council is able to approve the resolution today and the Sheriff's Merit Board can approve it after reviewing the requested changes, noting it would not need to return to the Council.

- Councilmember Kemper moved to approve Resolution 2010-20-CL as presented, second by Councilmember Underwood; motion carried.

SHERIFF
General Fund 001

Sheriff Tracy Brown said this transfer would allow for the purchase of supplies, food, gasoline, and medical bills through the end of 2010. The source of these funds is excess salaries from previously vacant positions that have been filled at a lower pay rate.

Transfer $100,000

$40,000	Salaries & Wages/Full Time to Supplies/Food
$30,000	Salaries & Wages/Full Time to Departmental/Vehicle
$10,000	Salaries & Wages/Deputies to Department/Vehicle
$20,000	Social Security to Administrative/Institutional Care

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Underwood; motion carried.

SUPERIOR COURT 3
National Council of Juvenile and Family Court Judges Membership Grant Fund 516

Commissioner's Assistant Frank Cederquist said Superior Court 3 received a grant from the Indiana Supreme Court for $195. This amount will pay 75% of the dues for Judge Rush to join the National Counsel of Juvenile Court Judges.

Appropriation $195

$195	Operating/Dues & Subscriptions

- Councilmember Vernon moved to approve the appropriation as presented, second by Councilmember Basham; motion carried.

General Fund 001

Councilmember Gutwein said that although this item is not on the agenda, Council may consider it since it is a reduction.

Reduction $122,415

$87,415	Youth Center Operations
$35,000	Institutional Care

- Councilmember Vernon moved to approve the reduction as presented, second by Councilmember Basham; motion carried.

***PROSECUTOR** – Pat Harrington*
Project Safe Neighborhood Grant Fund 189

Prosecutor Harrington said this is a continuation grant for the Project Safe Neighborhood program. Indiana Criminal Justice Institute (ICJI) grants any excess funds that are not used by other programs. He added that Michigan City has requested assistance from Tippecanoe County in the start up of Project Safe Neighborhood in their community.

Appropriation $34,377

$34,377	Administrative/Other Professional

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Winger; motion carried.

Drug Task Force Fund 257

Prosecutor Harrington said this request is for general operating costs for the Drug Task Force. Prosecutor Harrington noted that the Drug Task Force Fund is forfeiture money.

Appropriation $10,900

$5,000	General Operating/Miscellaneous
$4,400	Buildings/Building Lease
$1,500	Utilities/Miscellaneous

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Winger; motion carried.

Infraction Diversion Fund 261

Prosecutor Harrington said that state law allows the purchase of office equipment and supplies from the Infraction Diversion Fund. This purchase will bring the prosecutor's office closer to becoming paperless. Clerk Elect Christa Coffey said the Prosecutor's office has chosen a system that is compatible with the courts system. Prosecutor Harrington said the launch would be approximately twelve to eighteen months. He noted that no tax dollars would be used and cost associated with the retention of records would be reduced.

Appropriation $95,000

$95,000	Equipment / Office

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Winger; motion carried.

Federal Drug Forfeiture Fund 263

As federal drug related cases are closed forfeited funds are returned to the County. This appropriation is for those funds returned to the County by the U.S. Attorney's Office. Although Tippecanoe County has only one Drug Task Force these funds are also used to assist programs such as the West Lafayette Narcotics Unit, Lafayette Street Crimes, and the Federal Drug Task Force. Funds are used to purchase equipment, supplies and intermittently used to purchase illegal drugs for investigative purposes.

Appropriation $13,685

$13,685	General Operating / Miscellaneous

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Winger; motion carried.

PUBLIC DEFENDER
General Fund 001

Public Defender Amy Hutchinson said this would transfer funds from part-time to professional service, which pays for expert expenses.

Transfer $8,113

$8,113	Salaries & Wages / Part Time-Other to Administrative / Other Professional Service

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Basham; motion carried.

COURT SERVICES
Drug Court Fund 577

Coordinator Lisa Smith said this appropriation would be used to replace the current phone system with the countywide phone system, thereby saving Court Services $360 per month for a minimum of three years. She noted that Fund 577 is generated through fees paid by offenders and is not from taxes. Commissioner Byers said he attended a meeting concerning the long-term goals and the future of Court Services. The department is reorganizing and making an effort to move forward to assure the continuation of the program. Coordinator Smith said Court Services is seeking to make improvements and create goals and objectives that will make it a greater asset to the community.

Appropriation $2,100

$2,100	Administrative / Other Professional Service

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

TEMA
Citizen Corps Program Training Fund 428

Commissioner's Assistant Frank Cederquist said that this is a grant from the Indiana Department of Homeland Security. It will provide training, education, and outreach for the Medical Reserve Corp, the Citizen's Corp, volunteers, and employees.

Grant Appropriation $8,345

$8,345	Training Costs / Travel & Training

- Councilmember Basham moved to approve the grant appropriation as presented, second by Councilmember Kemper; motion carried.

JUVENILE ALTERNATIVES
Big Tent Conference Fund 543

Child Services Director Rebecca Humphrey said this Lilly Endowment Grant would pay the cost associated with three people attending the Big Tent Conference in Houston Texas on November 18-20, 2010.

Grant Appropriation $2,777

$1,200	Training costs / Travel & Training
$1,577	Training Costs / Lodging

- Councilmember Vernon moved to approve the grant appropriation as presented, second by Councilmember Basham; motion carried.

General Fund 001

Director Humphrey said this reduction is the surplus wages of the former Focus Director who recently retired.

Reduction of Appropriation $39,931

$39,931	Salaries & Wages / Full Time

- Councilmember Vernon moved to approve the reduction of appropriation as presented, second by Councilmember Underwood; motion carried.

General Fund 001

Director Humphrey requested a transfer of funds to purchase a portable breathalyzer for performing sobriety checks in the field.

Transfer $1,600

$1,600	Salaries & Wages / Full Time to Office / Office Supplies

- Councilmember Vernon moved to approve the transfer as presented, second by Councilmember Underwood; motion carried.

CARY HOME
General Fund 001

Director Humphrey said the reduction requested by Juvenile Alternatives is the funding source for this appropriation and will fund the Multi Systemic Therapy (MST) start-up costs. The $1,700 is for the reimbursement of a vehicle that was purchased in October. Those funds will go back to automotive / garage to purchase additional gas for vehicles. The $6,250 is needed for travel cost associated with additional training for the MST start-up. The $6,300 is for current MST start up contractual fees. The $23,181 will be used to purchase laptops, docking stations, licenses, and a printer for Life Skills classes and home-based services. The $2,500 has been withdrawn from the request since the Sheriff and Probation Department have offered a vehicle for Cary Home use.

Appropriation $39,931

$1,700	Garage / Automotive
$6,250	Training Costs / Travel & Training
$6,300	Administrative / Other Professional Service
$23,181	Equipment / Data Processing-Hardware
~~$2,500~~	~~Equipment / Vehicle~~ (request withdrawn)

- Councilmember Vernon moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

HIGHWAY – Opal Kuhl
LOHUT Excise Surtax Fund 105

Director Kuhl said that this transfer request would pay the cost of materials used for the 2010 Paving Program. In-house paving allows the County to pave approximately twice the number of miles versus contracting the paving work out. She added that it is a substantial savings to the County. However, due to federal requirements, contractors must be used for ARRA work.

Transfer $346,670

$346,670	Roads / Infrastructure-Paving to Roads / Materials-Other

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Winger; motion carried.

AUDITOR – Jennifer Weston
General Fund 001

Auditor Weston stated that earlier in the year the Auditor's office purchased envelopes to accompany the tax bills for the return of state mandated homestead forms. This purchase depleted the supply account for the office.

Transfer $700

$700	Salaries & Wages / Full Time to Office / Printed Forms

- Councilmember Winger moved to approve the transfer as presented, second by Councilmember Kemper; motion carried.

General Fund 001

Auditor Weston said Health Fund 310 should be a non-negative fund at year's end and in order to avoid a shortfall an appropriation is needed to cover claims for the remainder of 2010. She said the actual amount needed could be as much as $513,000 or as low as $250,000. Year 2011 should be better because of the changes made to the County's health insurance plan. Human Resources Coordinator Shirley Mennen added that a refund of an unknown amount would be returned to the County due to an error by a provider. However, those funds will not be returned to the County until the provider has refunded them to CIGNA. Attorney Luhman stated any amount appropriated, but not used, would rollover to 2011. He reminded the Council there would not be another opportunity to appropriate these funds in 2010. After some discussion, the Council decided it would be best to appropriate the entire $500,000 that was advertised, and allow the Auditor to transfer only what is needed to cover a shortfall, the rest would remain in the General Fund.

Appropriation $400,000

$400,000	Benefits / Health Insurance

- Councilmember Kemper moved to approve the appropriation request for up to $500,000 to be transferred to Fund 310 as needed, second by Councilmember Underwood; motion carried.

HEALTH
Grant Fund 119

Director Cripe requested this item be tabled until the December meeting.

Appropriation $10,000

$10,000	Contracts / Consultants

- Councilmember Kemper moved to table this request until the December meeting, second by Councilmember Underwood; motion carried.

Immunization Grant Fund 465

Director Cripe said that the Indiana Department of Health Immunization Division is offering a one-time grant to purchase items that will assist in increasing immunization rates and comply with the Vaccines for Children program requirements. It will be used to purchase equipment used to sterilize needles before disposal and to equip the immunization trailer with shelving and a refrigerator.

Grant Appropriation $21,800

$19,000	Equipment / Miscellaneous
$2,800	Departmental / Medical

- Councilmember Underwood moved to approve the grant appropriation as presented, second by Councilmember Winger; motion carried.

Medical Reserve Corp Fund 763

Director Cripe said this transfer would cover the cost of air cards for computers. This allows Health Department personnel to have access to records when off-site. The funds in the Medical Reserve Corp could be used for anything to improve the infrastructure for health preparedness.

Transfer $1,500

$1,500	Uniforms & Clothing to Utilities / Internet

- Councilmember Underwood moved to approve the transfer as presented, second by Councilmember Basham; motion carried.

WIC
WIC Fund 880

This grant ends September 30, 2010; the remaining account balances were transferred to purchase supplies to be used in both the breastfeeding support programs and in nutrition education programs. Auditor Weston added that all of the WIC grant funds are reimbursable grants so this fund will always be negative or zero.

Transfer $34,394

$4,510	Salaries & Wages / Full Time to Office / Office Supplies
$7,969	Salaries & Wages / Part Time-Other to Office / Office Supplies
$21,874	General Operating / Miscellaneous to Office / Office Supplies
$41	Equipment / Miscellaneous to Office / Office Supplies

- Councilmember Underwood moved to approve the transfer as presented, second by Councilmember Kemper; motion carried.

RESOLUTION 2010-22-CL – *Endorsing an Amendment to the Economic Development Income Tax Capital Improvement Plan*

Attorney Luhman stated in 1989 Tippecanoe County imposed an Economic Development Income Tax (EDIT). One of the conditions of using the revenue from that tax is the County must have a plan for how the revenue will be used. The EDIT Capital Improvement Plan is a description of each project the County has designated to be funded with the EDIT revenue. Attorney Luhman said each year during the budget process the Council determines which needs of the County would be funded with proceeds from EDIT. From time to time additional projects arise and the plan is amended to include those projects. This resolution would endorse the Commissioners' actions in amending the Economic Development Income Tax Capital Improvement Plan by providing additional funding for those projects that the County Council decides should receive additional EDIT money in 2010.

The additions are as follows:

Project	# 3	Corner Markers	$209,726
	# 6	Graphical Information System (GIS)	$255,506
	# 7	Warning Sirens (Emergency Management)	$ 20,000
	#10	Information Technology Updates	$831,795
	#19	Lafayette – West Lafayette Economic Development Commission	$ 75,000
	#24	Parking Garage	$497,200
	#27	Hoosier Heartland Corridor Project	$ 10,000
	#38	Grant Coordinator	$ 63,108
	#40	Grant Contingency Fund	$ 10,000
	#43	Economic Development Incentives Fund	$900,000
	#46	Economic Development Professional Services	$ 30,000
	#49	Wabash River Corridor Enhancement Enabling Funds	$ 75,000
	#50	Economic Development Travel & Training	$ 7,500
	#51	County Employee Training Certification	$ 10,000
	#53	Self-Insured Liability Fund	$100,000
	#54	Environmental Service Response Fund	$ 11,000
	#56	HVAC Repair & Maintenance	$150,000

Attorney Luhman noted project 56 originally had funding of $100,000; the Commissioners have increased that amount to $150,000 to reflect the bids received for the Chiller Replacement Project.

Attorney Luhman described the following amendment to the plan as follows:

> Project 56 HVAC Repair & Maintenance was last amended in 2008 when repair work was done on the courthouse, 629 building, and jail. This amendment would include the County Office Building, Tippecanoe County Jail, 629 North 6th Street, and the Tippecanoe County Courthouse.

Attorney Luhman described five new projects to be added to the plan as follows:

Project #64 would provide funding for ongoing maintenance of the shared staff vehicle, which is estimated at $1,000 per year.

Project #65 would provide funding for Professional Services for the 2012 General Reassessment. The estimated cost is $1,150,000; in 2010, EDIT would fund $450,000.

Project #66 would provide funding of $200,000 for the storage of emergency management equipment.

Project #67 would provide funding for the installation of fiber optic and other communications infrastructure at the County Office Building and the County Extension Office. The total cost of the fiber optic project is $85,000.

Project #68 would provide funding for remodeling the County Office Building to provide facilities for an employee Wellness Center. The total cost would be $150,000 with a grant of $100,000 in fiscal year 2010 and $50,000 in fiscal year 2011.

Attorney Luhman stated there are two parts to using EDIT money; there must be a plan including the project stating how much EDIT money would be used and there must be an appropriation from the Council before that money can be spent. Councilmember Vernon asked if the $200,000 for TEMA would be used for the buildings at the Fairgrounds and if there were plans for another storage area offsite. Commissioner Byers said the $200,000 would be used for the new buildings at the Fairgrounds. Councilmember Vernon went on to ask if Wildcat Creek Solid Waste District had considered the de-contamination unit stored by TEMA for use. Commissioner Byers stated the decontamination unit that is for emergency use is not a practical solution. The unit is a very large portable trailer primarily used in the event of a large-scale emergency allowing the decontamination of many people in a short amount of time. Commissioner Byers added the Commissioners are continuing to look at the solution to the needs of Wildcat Valley Solid Waste District. Council members Vernon and Winger asked if the $1,000 for the maintenance of the county vehicle could be funded from another source, as it is primarily an operating expense.

Commissioner Murtaugh gave an update on the build-out for the Wellness Center. The three alternates were rejected and the County has approved the lowest base bid of $149,500 by C.F. Jones. He went on to say the bids for the Chiller project came in for less than the budgeted amount and that bid has been awarded to D. A. Dodd.

- Councilmember Kemper moved to approve Ordinance 2010-22-CL endorsing the amendment to the Tippecanoe County Economic Development Income Tax Capital Improvements Plan, second by Councilmember Basham; motion carried.

COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

COMMISSIONER FYI

Commissioner Murtaugh stated the following updates:

The County's 2010 United Way Campaign raised $7,496, which is up 11% from last year. Commissioner Murtaugh sent a special thanks to Teresa Duncan and Heather Maddox for their efforts in organizing the campaign and to the Highway Department who helped with the tailgate party.

Ivy Tech is holding a community celebration for Veteran's Day it will take place Wednesday November 10, 1:30 p.m. at Ivy Hall. The Veteran's Council is conducting a Veteran's Observance at Riehle Plaza at 10:45 a.m.

Former Sheriff Dave Murtaugh is being honored for his service with the U.S. Marshal Service on December 2, 2010 between 6 p.m. and 8:30 p.m. in Valparaiso, Indiana. All elected officials are invited.

November 10, 2010 is Commissioner Byers' birthday. Please extend best wishes to him.

PUBLIC COMMENT

None

Tippecanoe County Council

Andrew S. Gutwein, President

ABSENT

Roland K. Winger, Vice President

John R. Basham II

Jeffrey A. Kemper

Betty J. Michael

Kevin L. Underwood

Kathy Vernon

Attest: 12-14-2010
Jennifer Weston, Auditor