TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
June 6, 2016

The Tippecanoe County Commissioners met on Monday, June 6, 2016 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Tracy A. Brown and Member Thomas P. Murtaugh. Also present were: Attorney Doug Masson, Auditor Bob Plantenga, Commissioners' Assistant Paula Bennett and Recording Secretary Tillie Hennigar.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES
May 16, 2016
May 23, 2016 - Special Meeting

- Commissioner Murtaugh moved to approve the minutes from the May 16, 2016 regular meeting and the May 23, 2016 special meeting, second by Commissioner Brown; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS AND PAYROLL *– Paula Bennett*

Commissioners' Assistant Bennett recommended claims from May 18, 2016 through June 6, 2016, including the payroll from June 3, 2016 be approved without exception.

- Commissioner Brown moved to approve the Accounts Payable Vouchers and Payroll as presented, second by Commissioner Murtaugh; motion carried.

REZONE PETITION WITHDRAWAL
Z-2638—Summer Chase Management Co., LLC (A to NB)

Dan Teder, Attorney with Reiling Teder & Schrier stated he represents the petitioners Summer Chase and moved to withdraw Petition Z-2638.

- Commissioner Brown moved to approve the withdrawal of the Summer Chase rezone as presented, second by Commissioner Murtaugh; motion carried.

ROAD BUILDER PRESENTATION

Highway Director Opal Kuhl said another Highway Department employee obtained Road Builder status and introduced Pat Conner with Indiana Local Technical Assistance Program (LTAP) to present the award. Mr. Conner said the Road Scholar Program participants must complete 12 courses and obtain 300 credit hours through training or work experiences. Credit hours may be obtained by attending training at any of the Indiana LTAP scheduled events or other LTAP recognized events. Today, we recognize the dedication and sacrifice of Tom Ketterer who joins a group of 145 other Road Builders in Indiana and becomes the sixth person in Tippecanoe County to obtain the award. Mr. Conner presented the award to Tom Ketterer and the Commissioners congratulated him on the achievement.

OPENING OF BIDS FOR COURTHOUSE PROJECT

Two bids were received. Attorney Masson opened and read the bids from:

Wilhelm Construction, 3914 Prospect Street, Indianapolis 46203
Bulley & Andrews, LLC, 3815 River Crossing Parkway, Suite 100, Indianapolis 46240

BIDDER	BASE BID	ALTERNATE #1	ALTERNATE #2
Wilhelm Construction	$4,947,000	$380,000	$172,000
Bulley & Andrews, LLC	$3,280,000	$243,000	$ 64,000

Attorney Masson recommended the bids be taken under advisement for compliance. President Byers explained that the Base Bid was to repair the Courthouse dome, add a new roof, and other miscellaneous Courthouse projects. Alternate #1 was to repair the water fountain and Alternate #2 is for Courthouse lighting.

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

MAJOR BRIDGE TAX RATE HEARING

Highway Director Kuhl said the Major Bridge Fund can be established in counties with bridges expanding over 200 feet. There are five counties in Indiana with a Major Bridge Fund. Of the 209 bridges in Tippecanoe County, 27 would qualify for the Major Bridge Fund. Counties with a Cumulative Bridge Fund use the fund for maintenance, repairs, reconstruction, or new construction. The Cum Bridge Fund generates a little over $2 million which isn't enough to cover 209 bridges - normally one small bridge replacement a year is covered out of the Cum Bridge Fund. The 27 major bridges average $4.5 million each to replace.

The tax rate can go up to $0.033 per $100 of Assessed Valuation; however, for Tippecanoe County, $0.01 to $0.0125 is suggested. The Council will establish the rate during July when preparing budgets.

Director Kuhl continued to say four major bridges need replaced in the next 20 years; seven need replaced in 20-30 years; four need replaced in 30-40 years; seven need replaced in 40-50 years; and five need replaced in 50 or more years. Approximately $15 million will be needed to replace the first four bridges. Utilizing the $0.01 tax rate, $682,000 would be generated per year totaling a little over $13.5 million in the 20 year period – close but still short on the amount needed. One of the bridges is scheduled to be replaced in four years.

Commissioner Brown asked about the Wheel Tax that has been in place for almost a decade as it generates almost $500,000 per year. Director Kuhl said the Wheel Tax is about $1 million per year and is all used for resurfacing and chip sealing.

Attorney Masson reviewed the process saying publishing notice of the Public Hearing is first, followed by the Public Hearing for the public to voice opinions for or against. At the conclusion of the hearing, adoption of a proposal may be made specifying the tax rate. The approval must go through Council budget procedures; however, the Commissioners will set the rate. Council may select a rate below what the Commissioners set but cannot go above it.

Auditor Plantenga said the only thing about Major Bridge that is different than Cum Bridge is if the Cum Bridge rate is increased, other rates have to come down because it's within the maximum levy. The

Major Bridge rate is outside the maximum levy. It would be a true tax increase affecting all taxpayers who are not at tax cap. Although a $0.01 increase is not a major amount; it would generate about $1 million.

President Byers invited public comments in favor of or opposed to the Major Bridge Fund.

Gary Wolfelt, Lafayette – Mr. Wolfelt stated he is in favor of repairing and maintaining bridges because it is less expensive than replacing them. He does however object to the funding mechanism through property taxes. He is in favor of some type of gas tax and understands the County does not have the ability to add a gas tax. He suggested the County go to the legislature and ask for the law to be changed to allow a gasoline tax. He continued to say Auditor Plantenga said "other entities" and it appears it will land on businesses. Auditor Plantenga responded it will not land on businesses; individuals will not share the tax cap loss. "Other entities" are County entities like the school corporations.

Mr. Wolfelt said he realized the wheel tax is not enough money and it appears the County has no other choice except to allow the bridges to collapse or come up with new money. He referenced a recent article in the Journal and Courier newspaper from Tony Cook of the Indianapolis Star which indicated the State is sitting on a significant amount of money as a result of local option income taxes. It appears to be prudent to investigate access to some of those funds. Commissioner Byers said we do have a local option income tax - $6 million was received and projects are planned over a three year period. Commissioner Murtaugh met with the State Legislators several times attempting to get more funding options.

Mr. Wolfelt concluded by saying "any money saved is money that we don't have to tax citizens". He thanked the Commissioners for their time and listening.

Commissioner Brown said a lot of people would agree it makes the most sense to attach it to a fuel tax because it becomes the responsibility of those who use it the most. That is a difficult process and he is fearful that in years to come, a multi prong approach may be needed to have money to take care of our infrastructure. He appreciates Mr. Wolfelt speaking and sharing his concern of added property taxes. Commissioner Murtaugh stated he has been to the State House several times to talk about road funding; there is not an interest for a local option gas tax. Next year, there will be a lot of talk about long term sustainable road funding. If something falls into place at the next session allowing a smarter tool to fund major bridges, it can be reviewed and reconsidered. Currently, creating a Major Bridge Fund is the only tool available.

President Byers invited additional public comment in favor of or opposed to the Major Bridge Fund. There were none.

Attorney Masson said if the proposal is adopted today, the *Notice of Adoption* would be published in the newspaper. As part of the motion to adopt the proposal, the tax rate should be specified. If action is taken, it must be submitted to the State by August 1. Taking action later than the next meeting would delay the proposal until next year.

RESOLUTION 2016-20-CM – ESTABLISHING MAJOR BRIDGE FUND and MAJOR BRIDGE FUND TAX RATE UNDER IC 8-16-3.1

- Commissioner Murtaugh moved to approve Resolution 2016-20-CM Establishing a Major Bridge Fund and Major Bridge Fund Tax Rate of $0.01, second by Commissioner Brown; motion carried.

Attorney Masson said normally Resolutions require only a voice vote but since this adoption will go to the Department of Local Government Finance, he recommends a roll call.

Auditor Plantenga recorded the vote.

Byers	Aye
Brown	Aye
Murtaugh	Aye

Resolution 2016-20-CM passed 3-0.

HIGHWAY *- Opal Kuhl*
Awarding of Bid – Tippecanoe County Bridge #165 Project

Highway Director Kuhl said the bid for Bridge #165 is awarded to the low bidder, Yates Construction in the amount of $2,072,448.22. There was a computational error of $540 which did not affect the outcome of the bid comparisons. The project will begin in about two weeks.

- Commissioner Murtaugh moved to approve and award the Bridge #165 project to Yates Construction as presented, second by Commissioner Brown; motion carried.

LPA-Consulting Contract – between Tippecanoe County and Crossroads Engineers, PC (Consultant) the Reconstruction of Yeager Road 1,330' South of the West Lafayette City limits to County Road 500 North

Director Kuhl said this is a Federal Aid project for Yeager Road with Crossroads Engineers in the amount of $433,160.00. The contract covers all of the preliminary engineering, design, and right-of-way services through the purchase of right-of-way. The Yeager Road construction will be in 2020 or 2021.

- Commissioner Brown moved to approve the LPA Consulting Contract as presented, second by Commissioner Murtaugh; motion carried.

Supplemental Agreement No. 2 – USI Consultants, Inc. for Tippecanoe County Bridges #64 & #65, Lilly Road over Branch of Wea Creek

Director Kuhl said the agreement is with USI Consultants for bridges #64 and #65, the two narrow bridges past Evonik. Construction will begin next year. A Tree Mitigation and Restrictive Confirmation Easements were necessary for the bridges. The agreement is in the amount of $7,300.

- Commissioner Brown moved to approve Supplemental Agreement No. 2 with USI Consultants for $7,300 as presented, second by Commissioner Murtaugh; motion carried.

Warranty Deed – Klondike Road Project – Parcel 14, 14A, Larry J. Sturgeon and Gloria L. Sturgeon

Director Kuhl said they are currently purchasing right-of-way for the Klondike Road project. Construction for the project will begin in July or August of 2017. This Warranty Deed is for Parcel 14 and 14A in the amount of $165,000 for Larry J. and Gloria L. Sturgeon.

- Commissioner Murtaugh moved to approve the Warranty Deed for the Klondike Road project with Larry J. and Gloria L. Sturgeon in the amount of $165,000 as presented, second by Commissioner Brown; motion carried.

Warranty Deed – Klondike Road Project – Parcel 31, Dadipro, LLC an Illinois Limited Liability Company, an undivided 50% interest and Arrowdale Properties, LLC, an Illinois Limited Liability Company, an undivided 50% interest, as tenants in common

Director Kuhl said the Warranty Deed is for Parcel 31, Dadipro and Arrowdale Properties in the amount of $55,055.

- Commissioner Brown moved to approve the Warranty Deed with Dadipro, LLC and Arrowdale Properties, LLC for $55,055 as presented, second by Commissioner Murtaugh; motion carried.

Partial Release Deed – Klondike Road Project – Parcel 31, Dadipro, LLC an Illinois Limited Liability Company, an undivided 50% interest and Arrowdale Properties, LLC, an Illinois Limited Liability Company, an undivided 50% interest, as tenants in common

Director Kuhl said the Partial Release Deed goes along with the Warranty Deed for Dadipro, LLC and Arrowdale Properties, LLC.

- Commissioner Murtaugh moved to approve the Partial Release Deed for Dadipro, LLC and Arrowdale Properties, LLC as presented, second by Commissioner Brown; motion carried.

Temporary Easement Grant – Klondike Road Project – Parcel 31A, 31B, Dadipro, LLC an Illinois Limited Liability Company, an undivided 50% interest and Arrowdale Properties, LLC, an Illinois Limited Liability Company, an undivided 50% interest, as tenants in common

Director Kuhl said the Temporary Easement Grant is in the amount of $2,400. This type of grant is normally when driveway construction is necessary but permanent right-of-way is not granted.

- Commissioner Brown moved to approve the Temporary Easement Grant for Dadipro, LLC and Arrowdale Properties, LLC for $2,400 as presented, second by Commissioner Murtaugh; motion carried.

Warranty Deed – Klondike Road Project – Parcel 37, Wabash Civil Township

Director Kuhl said the Warranty Deed is for the Klondike Road Project in the amount of $35,835 for Parcel 37, Wabash Civil Township

- Commissioner Brown moved to approve the Warranty Deed with Wabash Civil Township as presented, second by Commissioner Murtaugh; motion carried. President Byers abstained.

Continuous Bond Letter – American Suburban Utilities for work in Right-of-Way

Director Kuhl stated the Continuous Bond Letter from American Suburban Utilities is in the amount of $5,000 to do work in the right-of-way.

- Commissioner Murtaugh moved to approve the Continuous Bond Letter from American Suburban for work in the right-of-way as presented, second by Commissioner Brown; motion carried.

Payment Bond – Tippecanoe County Bridge No. 35 from Yates Construction, Inc. in the amount of $494,701.45

Performance Bond – Tippecanoe County Bridge No. 35 from Yates Construction, Inc. in the amount $494,701.45

Director Kuhl presented a Payment Bond and a Performance Bond for the Bridge 35 project from Yates Construction.

- Commissioner Brown moved to approve the Payment and Performance Bond for Bridge 35 from Yates Construction as presented, second by Commissioner Murtaugh; motion carried.

Continuation Certificate – Frontier North, Inc. in the amount of $5,000.00

Director Kuhl stated the Continuation Certificate is for Frontier North in the amount of $5,000 for work in the right-of-way.

- Commissioner Murtaugh moved to approve the Continuation Certificate with Frontier North as presented, second by Commissioner Brown; motion carried.

***SURVEYOR** – Zach Beasley*
Agreement with INDOT concerning Trenchless Installation under US 52 of Upper J.N.Kirkpatrick Legal Drain

Surveyor Beasley requested approval of the agreement with INDOT concerning the Trenchless Installation under US52 for the final phase of the Upper J.N. Kirkpatrick county regulated drain project. The agreement is in the amount not to exceed $208,000.

- Commissioner Brown moved to approve the agreement with INDOT for the work under 52 on the upper J N Kirkpatrick Legal Drain, second by Commissioner Murtaugh; motion carried.

GRANT AGREEMENT – Pat Harrington

Prosecutor Harrington stated the grant is the annual Adult Protective Services Grant Agreement. Earlier this year, the Governor ordered $1.1 million additional funds for Adult Protective Services, which is underfunded throughout the state. The result for Tippecanoe County is it requires hiring one additional investigator. Tippecanoe County received $240,983 of the funds. All the costs for the new employee will be paid for by the grant agreement.

- Commissioner Brown moved to approve acceptance of the Grant Agreement from Indiana Family and Social Services Administration (FSSA) Division of Aging in the amount of $240,983 as presented, second by Commissioner Murtaugh; motion carried.

JUVENILE PROBATION - Scott Angstadt
Permission to Create a Probation Officer/Surveillance Position

Chief Deputy Probation Officer Angstadt requested permission to modify the description of an existing position of Juvenile Probation Officer/Surveillance to a Certified Probation Officer. The modification will help supplement the duties and obligations at the Intake Center. The funding source will not be changed. The primary function for the person will be Home Detention. Commissioner Murtaugh stated the other position will need eliminated. Executive Director of Youth Services Rebecca Humphrey said it is funded through the Department of Corrections Juvenile Community Corrections Grant. Human Resources Coordinator Shirley Mennen said when the new position is created and filled; the other position will need eliminated.

- Commissioner Murtaugh moved to approve the creation of the Probation Officer/Surveillance position as presented, second by Commissioner Brown; motion carried.

YOUTH SERVICES/JUVENILE ALTERNATIVES *- Rebecca Humphrey*
Juvenile Detention Alternatives Initiative Contract Updates

Youth Services Director Humphrey presented contract updates for the grant funding beginning July 1, 2016. The contracts are for Dr. Aalsma and Michael Daley for *Policing the Teen Brain*; Dr. Oliver for Restorative Justice for *Teaching the Teen Brain*; and Carol Kilver for Restorative Justice practices in the Lafayette School Corporation.

- Commissioner Brown moved to approve the contracts for Dr. Matt Aalsma in the amount of $4,000; Michael Daley in the amount of $2,000; Dr. Brandie Oliver in the amount of $850 per day, not to exceed $8,500; and Carol Kilver in the amount of $850 per day, not to exceed $3,400. Attorney Masson added that Dr. Oliver also has a second part to her contract for $850 per day, not to exceed $6,800. Commissioner Murtaugh seconded the motion; motion carried.

Indiana Youth Services Association Contract Updates

Director Humphrey said the grant and additional funding is for the continuation of *Safe Place*. Attorney Masson stated the Professional Services Agreement is new for Angelica Berry and an Addendum to the Professional Services Agreement for Rebecca Humphrey, Lindsey Wright, Devon Moore, Brittany Ouellette Jennings, and Alisha Phillips. The agreement has been changed from $75 per call to $75 per week for serving on call.

- Commissioner Murtaugh moved to approve the new agreement for Angelica Berry and the addendum for Rebecca Humphrey, Lindsey Wright, Devon Moore, Brittany Ouellette Jennings, and Alisha Phillips as presented, second by Commissioner Brown; motion carried.

CHINS Caseload Grant with IJC

Director Humphrey requested permission to apply and accept a grant for Superior Court III through the Indiana Judicial Center of CHINS Caseload reduction. The grant is $2,500 to develop a case management court toolkit.

- Commissioner Murtaugh moved to approve the application and acceptance of the CHINS Caseload grant with IJC as presented, second by Commissioner Brown; motion carried.

Director Humphrey said there is a second part to the grant which is a contract with Tricia Hall to perform the services for Superior Court III to develop the case management court toolkit. The contract is for an amount up to $2,500.

- Commissioner Murtaugh moved to approve the contract for the CHINS Caseload Grant as presented, second by Commissioner Brown; motion carried.

Cognitive Coaching Contract

Director Humphrey presented the Cognitive Coaching contract saying it is a school justice partnership through the Community Corrections grant to fund skill development for teachers and the Juvenile Justice system. The contract is for Toni Prickett.

- Commissioner Brown moved to approve the Cognitive Coaching Contract as presented, second by Commissioner Murtaugh; motion carried.

Permission to create the position of Juvenile Evidence-Based Programs Coordinator

Director Humphrey requested permission to create the position of Juvenile Evidence-Based Programs Coordinator saying it fills the position of the second Surveillance Officer and is funded through Juvenile Community Corrections. No additional funding is needed. Two Surveillance Officers have been funded in the past; however, two have not been needed due to the Intake Center taking up the slack.

- Commissioner Murtaugh moved to approve the creation of the position of Juvenile Evidence-Based Programs Coordinator as presented, second by Commissioner Brown; motion carried.

Permission to accept JDAI Performance-Based Grant Funding ($59,000)

Director Humphrey requested permission to accept $59,000 from the Department of Corrections for the JDAI Performance-Based Grant. Five counties in Indiana received the funds with a caveat to do something innovative and outside the box. A plan is due in September to explain what the money was used for.

- Commissioner Brown moved to approve permission to accept the $59,000 grant from the DOC for the JDAI Performance-Based grant funding, second by Commissioner Murtaugh; motion carried.

***AUDITOR** – Bob Plantenga*
2017 Salary Recommendation

Auditor Plantenga stated in preparation for the 2017 budget, an approval from the Commissioners of the recommendation of the salaries is needed. A recent study by Waggoner, Irwin, and Scheele set the salaries; the recommendation is to go to the full salary grid. The changes are not major - the increase would be a 2.86% average for the County, totaling approximately $775,000 of additional salaries from the current salaries. The General Fund salaries would be $656,000 before adding in Social Security and retirement. The amount would be about equal to the amount of increase of property taxes for the General Fund. Auditor Plantenga recommended the County go to the full grid. At budget time, the Council can decide if full grid is doable. Salary Statements need to be sent to the departments as they are due back to the Auditor's office before the end of June. He will bring those to the July meeting.

- Commissioner Murtaugh moved to recommend going to full grid for the 2017 salaries as recommended by the Waggoner, Irwin, and Scheele study. A 2% salary increase is

recommended for elected officials and chief deputies. Commissioner Brown seconded the motion; motion carried.

PUBLIC DEFENDER
Professional Services Agreement with Translator

- Commissioner Brown moved for approval of the Professional Services Agreement with Lourdes R. Daily for Translator services, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS – none

REPORTS ON FILE

The following reports will be on file in the Commissioners' office:

- Building Commission
- Central Mail and Duplicating
- Parks and Recreation

PUBLIC COMMENT

As there were no public comments, Commissioner Murtaugh moved to adjourn.

Meeting adjourned at 10:53 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

David S. Byers, President

Tracy A. Brown, Vice-President

Thomas P. Murtaugh, Member

ATTEST:

Robert A Plantenga, Auditor 06/20/2016

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant