***TIPPECANOE COUNTY BOARD OF COMMISSIONERS***
***REGULAR MEETING***
***June 1, 2015***

The Tippecanoe County Commissioners met on Monday, June 1, 2015 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Thomas P. Murtaugh, Vice President David S. Byers and Commissioner Tracy A. Brown. Also present were: Attorney Doug Masson, Auditor Bob Plantenga, Commissioners' Assistant Paula Bennett, and Recording Secretary Tillie Hennigar.

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

***APPROVAL OF MINUTES***
May 18, 2015

- Commissioner Byers moved to approve the minutes of the regular meeting held May 18, 2015, second by Commissioner Brown; motion carried.

***PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS AND PAYROLL***

- Commissioner Brown moved to approve the accounts payable vouchers for May 19 through June 1, 2015 and payroll vouchers for May 22, 2015 as presented without exception, second by Commissioner Byers.

***HIGHWAY*** - *Opal Kuhl*
**ORDINANCE 2015-11-CM - Vacate a Portion of Public Right-of-Way,** Kevin W. & Janice R. Brown, 775 Cardinal Drive, *Public Hearing*

Attorney Masson said the Public Hearing should be held first and then immediately move to the Ordinance.

Highway Director Kuhl said the house was built too close to the road and needed more of a setback. Part of the right-of-way is being vacated. When the roundabout was built, the road was moved over and the public right-of-way is no longer being used.

President Murtaugh invited public comment in favor of or opposed to the Ordinance. There were none.

- Commissioner Byers moved to hear Ordinance 2015-11-CM Vacate a Portion of Public Right-of-Way, second by Commissioner Brown.

President Murtaugh invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Plantenga recorded the vote.

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| Murtaugh | Aye |
| Byers | Aye |
| Brown | Aye |

Ordinance 2015-11-CM passed 3-0 on first reading.

- Commissioner Byers moved to suspend the rules and hear Ordinance 2015-11-CM on second reading, second by Commissioner Brown; motion carried.

- Commissioner Byers moved to hear Ordinance 2015-11-CM Vacate a Portion of Public Right-of-Way on second reading, second by Commissioner Brown.

President Murtaugh invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Plantenga recorded the vote.

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| Byers | Aye |
| Brown | Aye |
| Murtaugh | Aye |

Ordinance 2015-11-CM passed 3-0 on second and final reading.

**Awarding of Bid- Bridge #4001 Rehabilitation Project**

Director Kuhl said Bridge #4001 is west of the Harrison Bridge over North River Road. It is a rehabilitation project to improve the deck and some patching underneath the bridge. The low bid was from American Contracting & Services in the amount of $625,525. All the paperwork is in order and the bid needs to be awarded, the contract needs signed, and the various bonds need accepted.

- Commissioner Brown moved to approve the bid to American Contracting & Services for Bridge #4001 in the amount of $625,525 as presented, second by Commissioner Byers; motion carried.

**Bridge #4001- Bid Bond (5% of Bid), Payment Bond, Performance Bond, Maintenance Bond from American Contracting & Services, Inc.**

- Commissioner Byers moved to approve the Bid Bond, Payment Bond, Performance Bond, and Maintenance Bond from American Contracting & Services for Bridge #4001 in the amount of $625,525, second by Commissioner Brown; motion carried.

***COMMUNITY CORRECTIONS*** *- Dave Heath*
**Securas Technologies Agreement**

Community Corrections Director Heath presented an agreement with Securas Technologies for participant phone service at the work release facility. Attorney Masson reviewed the agreement and added an addendum of standard provisions. There is no cost.

- Commissioner Brown moved to approve the agreement with Securas Technologies for Community Corrections inmate phone services as presented, second by Commissioner Byers; motion carried.

***HEALTH*** *- Craig Rich*
**ORDINANCE 2015-12-CM Health Data Collection and Reporting,** *2nd Reading*

- Commissioner Byers moved to hear Ordinance 2015-12-CM Health Data Collection and Reporting on second reading, second by Commissioner Brown.

Health Director Rich stated the Ordinance is a Marion County grant. Tippecanoe County is one of the select counties to be a recipient of free services allowing immediate access to local information regarding diseases or illness such as food-borne illness. The hospitals don't have to do anything; it's all handled by a third party. Director Rich said he has not received any positive or negative input.

President Murtaugh invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Plantenga recorded the vote.

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| Brown | Aye |
| Murtaugh | Aye |
| Byers | Aye |

Ordinance 2015-12-CM passed 3-0 on second and final reading.

**ORDINANCE 2015-13-CM Body Modification,** *1st Reading*

- Commissioner Brown moved to hear Ordinance 2015-13-CM Body Modification on first reading, second by Commissioner Byers.

Director Rich said in 1997, the Indiana State Department of Health passed a guideline for sanitary operation of tattoo and body piercing Ordinances. They were only guidelines and counties were supposed to establish a local Ordinance for regulation. Currently, approximately 1/3 of the counties that are like size or larger than Tippecanoe County have an Ordinance. In 2002, local establishments were visited to develop an Ordinance but the Ordinance was never developed. In August, 2014, a local establishment approached the Health Department to pursue the Ordinance. The Health Department has been working with four businesses to develop the Ordinance; representatives from the four businesses are in attendance. All known establishments were sent notices of the Ordinance development and meeting via a link to the County webpage.

Attorney Masson reviewed the Ordinance structure saying it regulates tattooing, piercing, branding, and scarification throughout the county. Doctors and individuals who pierce only the ear lobe with a single-use stud and clasp ear piercing system are exempt. It requires body art establishments to have a permit which is good for one year and also requires body art practitioners to have a permit. Two inspections per year are provided by the Health Department. Minimum requirements are set for the facilities. Regulations for single use items such as inks, dyes, and pigments are set as well as standards for sanitization and sterilization. The Ordinance requires posting of notices about the risk of body art procedures; the name, address, and phone number of the Health Department; and an emergency plan for contacting police, with phone numbers. It also sets record keeping provisions and prohibits mobile or temporary body art establishments. Procedures are described for an exposure incident or injury report. Enforcement mechanisms for the Health Department are described including suspension, denial, revocation and the procedures for violations, hearings, and penalties.

Director Rich said the Health Department will do all the inspections and enforcements.

President Murtaugh invited public comment in favor of or opposed to the Ordinance.

**Carrie McGill** – 645 Woods Edge Court, West Lafayette – Ms. McGill said she is one of the owners of a local studio. They have been in operation for eight years and the Ordinance has been a long time coming. "In the eight years, it has been a battle to set ourselves apart from the guys that do tattooing out of their house. We have seen all kinds of horror coming into their studio – not just shoddy work but also

infections, rejection of piercing, embedded piercings – it's horrible. Unfortunately, the general public doesn't know what to look for. Someone has to have some kind of oversight; currently, it's a free for all. Having the Ordinance sets us up to verify we have been inspected and checked out. We all support the Ordinance 100%. We sat down with the Board of Health and worked together and came to mutual agreements. There is absolutely nothing in the Ordinance that anyone has a problem with. We hope it passes".

President Murtaugh asked if the Ordinance was based on another county Ordinance. Director Rich said it was based on the State of Massachusetts Ordinance with the addition of wording from several local county Ordinances.

Commissioner Brown asked about the number of businesses. Director Rich said there are eighteen businesses performing tattooing and piercing. He does not know the number of unknown businesses.

Commissioner Byers thanked Director Rich and the businesses trying to follow the rules stating that providing support is long overdue. Those working out of a back room need to be caught.

Auditor Plantenga recorded the vote.

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| Murtaugh | Aye |
| Byers | Aye |
| Brown | Aye |

Ordinance 2015-13-CM passed 3-0 on first reading.

President Murtaugh said a second reading is required on an Ordinance. The Ordinance will be heard on second reading at the next Commissioner meeting.

**GRANTS -** *Sharon Hutchison*
**Permission to Apply for Grant**

Grant Facilitator Hutchison requested permission to apply for a grant for the Health Department in the amount of $65,427.73 from the Indiana State Department of Health for the local Health Department Trust Account (LHDTA) continuation.

- Commissioner Byers moved to approve permission to apply for a grant for the Health Department from the Indiana State Department of Health in the amount of $65,427.73 as presented, second by Commissioner Brown; motion carried.

Grant Facilitator Hutchison requested permission to apply for a grant for the Health Department in the amount of $72,672 from the Indiana State Department of Health for the Local Health Maintenance Fund (LHMF).

- Commissioner Brown moved to approve permission to apply for a grant for the Health Department from the Indiana State Department of Health in the amount of $72,672 as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Hutchison requested permission to apply for a grant for the Prosecutor in the amount of $161,141 from Indiana Family and Social Services Administration (FSSA), Division of Aging for eligible costs of the Adult Protective Services program.

- Commissioner Byers moved to approve permission to apply for the grant for the Prosecutor from FSSA in the amount of $161,141 as presented, second by Commissioner Brown; motion carried.

Grant Facilitator Hutchison requested permission to apply for a grant for Cary Home in the amount of $46,490 from the Indiana Criminal Justice Institute (ICJI) Title V Funding to continue working on decreasing disproportionate minority contact in our community.

- Commissioner Brown moved to approve permission to apply for the Cary Home grant in the amount of $46,490 from ICJI Title V Funding, second by Commissioner Byers; motion carried.

Grant Facilitator Hutchison presented a contract with Purdue University for two part-time Environmentalists for the summer at a cost of $4,800.

- Commissioner Byers moved to approve the contract to hire two part-time Environmentalist for the summer, second by Commissioner Brown; motion carried.

***YOUTH SERVICES*** *– Rebecca Humphrey*
**Contract with Tippecanoe School Corporation for Restorative Justice Training**

Cary Home Director Humphrey presented a contract with Tippecanoe School Corporation (TSC) to pay stipends to teachers at Mayflower Mill and Battle Ground Elementary Schools to attend after school Restorative Justice Training. The contract funding is from a grant through Juvenile Detention Alternatives Initiative (JDAI) Grant Funding.

- Commissioner Brown moved to approve the contract with TSC for Restorative Justice Training at Mayflower Mill and Battle Ground Elementary as presented, second by Commissioner Byers; motion carried.

**Contract with Dr. Matt Aalsma to provide Adolescent Brain Development Training**

Director Humphrey presented two contracts for Dr. Matt Aalsma to provide training for Adolescent Brain Development and Policing the Teen Brain training. One contract ends June 30, 2015 and one ends June 30, 2016. Funding is from the JDAI Grant.

- Commissioner Byers moved to approve the two contracts with Dr. Matt Aalsma to provide training as presented, second by Commissioner Brown; motion carried.

**Contract with Mike Daley to provide Juvenile Law Training to Officers**

Director Humphrey presented two contracts for Mike Daley, an Attorney and IMPD Officer, to teach the Juvenile Law portion of Policing the Teen Brain. The contracts cover two grant cycles, one contract ends June 30, 2015, the other ends June 30, 2016. Funding is from the JDAI Grant.

- Commissioner Brown moved to approve the contracts with Mike Daley to provide Juvenile Law Training to Officers as presented, second by Commissioner Byers; motion carried.

**Contract with Dr. Brandie Oliver - Restorative Justice and Teaching the Teen Brain Training**

Director Humphrey presented a contract with Dr. Brandie Oliver for 2015/2016 to provide Restorative Justice and Teaching the Teen Brain training. The contract is $26,450 to teach at Lafayette School Corporation and Tippecanoe School Corporation; funding is from JDAI Grant Funding.

- Commissioner Byers moved to approve the contract with Dr. Oliver as presented, second by Commissioner Brown; motion carried.

***YOUTH SERVICES*** *- Rebecca Humphrey*
Permission to Accept Grant

Director Humphrey requested permission to accept grant funding from Indiana Youth Services Association for Runaway Services in the amount of $7,560.

- Commissioner Brown moved to approve permission to accept the grand funding from Indiana Youth Services Association in the amount of $7,560 as presented, second by Commissioner; motion carried.

***ABATEMENT REQUEST – APEX WAREHOUSE***

**Bill Sherman** from Apex Warehouse said the request is from a prior request in place. They will be adding on to an existing building; beginning construction immediately. The add-on will be a 32,000 square foot building. Currently, they are at capacity and stated that 90% of their competitors do not have available space. They are located along the 52 corridor, across from GE Aviation.

Commissioner Byers asked if Apex plans to add more jobs. Mr. Sherman said they had a company committed to the building and previously received a ten year abatement on the 40,000 square foot building. The commitment fell through but they were too invested to pull back. They are over capacity on the 40,000 square feet with a lot of storage and handling from a company in Carroll County. They have created four full time jobs and two part time jobs. The additional 32,000 of space will be occupied with their proximity to SIA, GE, and other businesses that will need space.

Attorney Masson said the Commissioners hear the request because it is in the TIF District and approve the Statement of Benefits. Without approval of the Statement of Benefits by the Commissioners, County Council can't approve the Tax Abatement. Without a schedule recommendation, Council can approve up to ten years.

Mr. Sherman continued to say their hope is to find a supplier for a company like SIA or GE; it would strictly be a lease operating out of the building.

- Commissioner Byers moved to approve the Statement of Benefits for Apex Warehouse and Logistics LLC as presented with an abatement schedule recommendation of six years, second by Commissioner Brown; motion carried.

**PARKING GARAGE EQUIPMENT REPLACEMENT PROPOSAL – Light & Breuning, Inc.**

President Murtaugh said they have worked closely with Link Management to upgrade the equipment in the Parking Garage. Three quotes were requested and the lowest quote is from Light & Breuning, Inc. who currently does the maintenance on the equipment. The total cost is $119,630. The budget was $100,000 for the Parking Garage; however, a project has been added for new passcode locks for the Tippecanoe County Office Building (TCOB). The new passcode locks will incorporate the same technology and software to enable one card to access the garage and TCOB. The locks project will be

completed late summer/early fall and paid for from the money budgeted for the parking garage and also some ADA money.

- Commissioner Brown moved to approve the contract with Light & Breuning, Inc. in the amount of $119,630 for upgrades to equipment in the County Parking Garage, second by Commissioner Byers; motion carried.

***CONFLICT OF INTEREST DISCLOSURE STATEMENT-*** *Sean Barnes (snow removal)*

The Conflict of Interest was withdrawn due to a clerical issue. It will be reintroduced at the next meeting.

***UNFINISHED/NEW BUSINESS*** - none

***REPORTS ON FILE***

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

- Crystal Creek Boarding Kennel
- Parks and Recreation Board

***RESOLUTION 2015-15-CM – APEX WAREHOUSE and LOGISTICS LLC***

Commissioner Byers moved to approve Resolution 2015-15-CM, Board of Commissioners of Tippecanoe County Approving Application for Property Tax Deduction for APEX Warehouse and Logistics LLC, second by Commissioner Brown; motion carried.

***PUBLIC COMMENT***

**Susan Schechter** – 1001 Ferry St, Lafayette – Ms. Schechter stated she is a community bicyclist who rides from her home on Ferry Street to the Research Park in West Lafayette. She rides for health and economic reasons, enjoys riding and believes it is good for all to ride. She recently attended the League of America Bicyclist Traffic Skills 101 training. When the pedestrian bridge closed she was disappointed that there was not an alternate route identified for cyclist to safely cross the river. Last Friday, a cyclist was struck by an automobile on Harrison Bridge while the driver was reaching for his cell phone. The cyclist has a spinal injury which will likely impact him for the rest of his life. Who is responsible for providing safe crossing of the river? Are the municipality's partners in providing safe routes for crossing the rivers? Is it a reasonable expectation for cyclist to safely cross the river? There is very little opportunity to choose a safe crossing of the river; especially now. Her family is invested in cycling; safety of cyclist seems to be of minimum concern. Her granddaughter is five years old and often a passenger crossing the river under pedal power. Should parents and grandparents give up cycling with their children because they are at risk?

President Murtaugh thanked Ms. Schechter for her comments and said Tippecanoe County, the Cities of Lafayette and West Lafayette do sit together to develop safe routes. The Harrison Bridge is county property but if the property is State or Federal; INDOT would also be involved.

Extension Office Director Roberta Crabtree introduced Dee Nicely, the newest 4-H Educator. Director Crabtree said the Extension Office and the Fairgrounds is fully staffed for the first time in three years. There were 21 Community Forums held across the state by the School of Agriculture and Extension. The community is invited to discuss children, youth, family, community, economy, agriculture, and natural

resources. Director Crabtree provided the Commissioners a copy of the responses from the Forum held in Tippecanoe County.

As there were no other Public Comments, Commissioner Byers moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy A. Brown, Member

ATTEST:

Robert A Plantenga, Auditor 06/15/2015

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant