TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
October 6, 2014

The Tippecanoe County Commissioners met on Monday, October 6, 2014 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President Thomas P. Murtaugh, and Commissioner David S. Byers. Also present were Attorney Dave Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held September 15, 2014, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS and PAYROLL CLAIMS

- Commissioner Murtaugh moved to approve the accounts payable vouchers for September 17, 18, 19, 24, 25, 26 and October 1, 2, 3, and 6, also payroll vouchers for September 26 and October 3, 2014 as submitted without exception, second by Commissioner Byers; motion carried.

HIGHWAY *– Opal Kuhl*
Change Order #1 – County Road 550 South Paving Project – Milestone Contractors, L.P.

Highway Director Kuhl presented Change Order #1 from Milestone Contractors for the paving project on County Road 550 South. The project is currently in progress and required a replacement of a pipe prior to paving. The change order amount is $6,665, bringing the total project to $591,713.

- Commissioner Murtaugh moved to approve the Change Order in the amount of $6,665 for the County Road 550 South paving project as presented, second by Commissioner Byers; motion carried.

Payment Bond and Performance Bond – County Road 550 South Paving Project

Director Kuhl said the Payment Bond and the Performance Bond is for the County Road 550 South paving project. Both bonds are the original contract amount of $585,048.70.

- Commissioner Murtaugh moved to approve the Payment and Performance Bond for the County Road 550 South paving project as presented, second by Commissioner Byers; motion carried.

Payment Bond and Performance Bond – Bridge #42 – Milestone Contractors, L.P.

Director Kuhl presented a Payment Bond and a Performance Bond from Milestone Contractors for Bridge #42, the culvert that was replaced on 550 S and 500 E..

- Commissioner Murtaugh moved to approve the Payment and Performance Bond for the Bridge #42 project as presented, second by Commissioner Byers; motion carried.

RESOLUTION 2014-17-CM - ESTABLISHING INTENT TO CONDUCT A COMMISSIONERS' SALE

Attorney Luhman said the Resolution is to sell Tax Sale Certificates for properties that have been through the Tax Sale and did not receive a minimum bid. A list of the properties is attached to the Resolution. The Commissioners may take title to the properties and authorize the sale of the Certificates. Adoption of the Resolution allows the Auditor and Treasurer to proceed by scheduling the Commissioners' Sale. Attorney Luhman said there are approximately 60 properties that qualify for the sale.

- Commissioner Murtaugh moved to approve Resolution 2014-17-CM, second by Commissioner Byers; motion carried.

ORDINANCE 2014-17-CM – 1ST Reading – AMENDING COUNTY CODE CHAPTER 90 ANIMAL CONTROL

- Commissioner Murtaugh moved to hear Ordinance 2014-17-CM on 1st reading, second by Commissioner Byers.

Attorney Doug Masson presented a revision to the Animal Control Ordinance, made necessary by various events through previous years and also new proposals regarding sterilization of dogs and cats. The revision removes the licensure language which hasn't been enforced since the General Assembly passed a law in 2006 requiring a County Option Dog Tax be imposed before a licensure system can be adopted by a County. The revision changes the rabies inoculation which is currently annually to be parallel with the State Administrative Code, requiring inoculation within three months and not less than every three years after that. The revision cleans up the humane treatment section requiring only potable water is given to animals. The impoundment section gives Animal Control and Shelters more flexibility on whether and when to impound, removing the impoundment of unlicensed animals since there is no longer a licensure system. It also removes mandatory impoundment for lack of inoculation and raises the redemption fee from $10 to $25.

Attorney Masson continued to say the revision authorizes the Animal Control Officer to seek a bond from the court when the case is criminal or a court case with a court order to impound. The revision allows agreements for impoundment of larger, exotic animals on a case-by-case basis. It adds references to the Animal Control Commission and specifies the procedure to pay a ticket directly to the Clerk versus going through the court system as an option. It removes current ordinances set up with *first warning, second offense, and third offense* with staggered fines and creates a single base fine for each offense. A new *habitual offender* category is added and would be handled through the court to apply the penalty.

As a population control effort, the newer part adds Breeder's Permit Sterilization requirement, modeled from Hamilton County, specifying it does not apply to commercial breeders who are governed by state law. There is no fee for the permit but must be obtained every year. It prohibits the sale or transfer from a litter for which there was no permit; however, it does give the Animal Control Officer some discretion where justice requires. Sterilization is required within six months, or nine months with veterinarian approval, unless the owner has a breeder's permit. The permit is good for one animal for one litter for a twelve month period. Litter registration and a litter number are handled by the Animal Control Officer; the litter number must be provided to buyers of the animal. Specified immunizations are required prior to transferring an animal and the sale or transfer prior to eight weeks of age is restricted. Fines range from $200 to up to $2,500 for acts of *animal cruelty* and *habitual offender.*

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

Commissioner Murtaugh commended Sheriff Brown and Attorney Masson for their work on updating and revising the Ordinance. He is concerned about the amount of time the Animal Control Officer will spend monitoring and enforcing breeder's permits and sterilization. He encouraged the public to provide feedback prior to the 2nd reading. Area Plan Commission (APC) Director Sallie Fahey said the zoning ordinance regulates breeding kennels separately from boarding kennels. When an application is received for a breeding kennel, APC would check with animal control. Commissioner Murtaugh said the breeder's permit is for any individual producing a litter, falling under the duties of the Animal Control Officer.

Auditor Weston recorded the vote.

Murtaugh	Aye
Knochel	Aye
Byers	Aye

Ordinance 2014-17-CM passed 3-0 on 1st reading.

BUILDING COMMISSION *– Ken Brown*
Continuation of Unsafe Structure Public Hearing – 9028 Yorktown Street, Stockwell, IN

Building Commissioner Brown said the owner, Mr. Wilbur was ordered to bring his building out of the definition of "unsafe" and complete a roof project. Mr. Brown presented pictures that were taken this morning saying it appears that all exterior work has been completed. The interior had some ceiling joists that were falling down; the damaged ones have been replaced with new lumber. Some construction trash remains in the back of the building but Mr. Brown and Commissioner Byers agreed that Mr. Wilbur has complied with all orders.

- Commissioner Byers moved to dismiss the pending order as Mr. Wilbur has substantially complied with prior orders, second by Commissioner Murtaugh; motion carried.

BOARD OF ELECTIONS & REGISTRATION *– Jared Bond, Brian Mangus, Christa Coffey*
2014 General Election Satellite Voting Locations
2014 General Vote Center Sites

Democrat Co-Chairperson Brian Mangus presented the proposed sites for early voting and for Election Day. The only change is the Lafayette Shrine Club/Debbie's Catering required a contract for payment ($100) for use of the facility; no other sites are currently paid. Clerk Coffey said the Shrine Club facility is the only location on that side of town that is ADA compliant and paying them has not created any concerns at this point.

Voting opens tomorrow in the Tippecanoe County Office Building on the third floor.

2014 GENERAL ELECTION SATELLITE VOTING LOCATIONS

DATE	TIME	LOCATION	ADDRESS
Oct 15	9AM-4PM	PURDUE UNIVERSITY STEWART CENTER	128 MEMORIAL MALL UNDER THE MURAL
Oct 16	9AM-11AM	INDIANA VETERANS' HOME LIBRARY	3851 N RIVER ROAD WEST LAFAYETTE
Oct 17	9AM-2PM	WESTMINSTER VILLAGE	2741 N SALISBURY ST WEST LAFAYETTE
Oct 20	9AM-1130AM	ROSEWALK COMMONS	250 SHENANDOAH DR LAFAYETTE
Oct 20	1PM-3PM	ROSEWALK VILLAGE	1903 UNION ST LAFAYETTE
Oct 21	9AM-1130AM	FRIENDSHIP HOUSE	1010 CUMBERLAND AVE WEST LAFAYETTE
Oct 22	9AM-1130AM	GREENTREE ASSITED LIVING	3675 SENIOR PL WEST LAFAYETTE
Oct 22	1PM-3PM	CUMBERLAND POINTE	1051 CUMBERLAND AVE WEST LAFAYETTE
Oct 24	9AM-2PM	UNIVERSITY PLACE	1700 LINDBERG RD WEST LAFAYETTE
Oct 25 - Nov 1	NOON-7PM DAILY	PAYLESS-GREENBUSH	2200 GREENBUSH STREET LAFAYETTE
Oct 25- Nov 1	NOON-7PM DAILY	PAYLESS-MAPLE POINT DR	2513 MAPLE POINT DR LAFAYETTE
Oct 25- Nov 1	NOON-7PM DAILY	PAYLESS- BECK LANE	65 BECK LANE LAFAYETTE
Oct 25- Nov 1	NOON-7PM DAILY	PAYLESS- WEST LAFAYETTE	1032 SAGAMORE PKWY WEST WEST LAFAYETTE

2014 GENERAL VOTE CENTER SITES

Tippecanoe County

St. Lawrence Church- Social Hall	1916 Meharry St	Lafayette
Faith Community Center	5526 St Road 26 E	Lafayette
Lafayette City Hall	20 N 6th Street	Lafayette
Jenks Rest Senior Center	1915 Scott Street	Lafayette
Lafayette Fire Station #5	750 N Creasy Lane	Lafayette
Lafayette Shrine Club	3024 Old State Road 25 N	Lafayette
4-H Fairgrounds- Home Ec Bldg	1010 Teal Road	Lafayette
Eagles Lodge	3208 S 18th Street	Lafayette
Evangelical Covenant Church	3600 S 9th Street	Lafayette
The Outpost Catering	2501 Old US Hwy 231 S	Lafayette
Purdue Memorial Union	101 N Grant Street	West Lafayette
Morton Community Center	22 N Chauncey Ave	West Lafayette
Federated Christian Church	2400 Sycamore Lane	West Lafayette
Burtsfield Gymnasium	1800 N Salisbury Street	West Lafayette
Calvary Baptist Church	310 Kalberer Road	West Lafayette
Wabash Twp Fire Station #1	2899 Klondike Road	West Lafayette
Battle Ground Fire Station	112 North Street	Battle Ground
Dayton United Methodist	7201 Wesleyan Drive	Dayton
Clarks Hill Christian Church	9510 Pearl Street	Clarks Hill

- Commissioner Murtaugh moved to approve the 2014 General Election Satellite Voting Locations and the 2014 General Vote Center Sites as presented, second by Commissioner Byers; motion carried.

Poll Worker Contract & Oath

Mr. Mangus said the only change to the Poll Worker Contract & Oath is an added line for the Poll Worker's address for ease of delivery of payment.

- Commissioner Murtaugh moved to approve the Poll Worker Contract & Oath as presented, second by Commissioner Byers; motion carried.

SURVEYOR *– Zach Beasley*
Acceptance of Deed – Lot #3 Shepherd's Point Tract (Detention Pond)

Surveyor Beasley presented a Deed for Lot #3 Shepherd's Point Subdivision saying at the September meeting, the Drainage Board approved Shepherd's Point residential subdivision located on the southeast corner of County Road 500 North and 50 West as a county regulated drain. The petitioner requests the detention basin, which serves as the discharge point for storm water collection, be transferred into the County's name. The request is non-typical and Surveyor Beasley would not normally recommend approval; however, in this case, it is warranted and he agrees with the petitioner's request. It is a County regulated drain and there was never a Homeowner's Association for the subdivision. Without the property taxes being paid, it will end up on the Property Tax Sale list. He supports and recommends approval of the deed transfer into the Commissioners name. Attorney Luhman said there may be outstanding taxes but he is unsure of whom the taxes are assessed to; Surveyor Beasley is also unsure.

- Commissioner Murtaugh moved to accept the Deed for Lot #3 in Shepherd's Point Subdivision for the detention pond as presented, second by Commissioner Byers; motion carried.

CORONER *– Mindy Brooks*

Coroner employee Mindy Brooks requested approval of a quote in the amount of $734.65 from Mulhaupt's to change the locks at the Coroner's office. The previous transfer company distributed keys labeled "*do not duplicate*"; a breach of security occurred. Those having keys to the Coroner's office are maintenance and Deputy Coroners. The transfer company has access to the morgue only through an outside door with no access to the office, file, or evidence room. A list of the names and their key numbers are kept for reference. Mulhaupt's quote was the cheapest of the quotes received.

- Commissioner Murtaugh moved to accept the quote from Mulhaupt's in the amount of $734.65 as presented, second by Commissioner Byers; motion carried.

HUMAN RESOURCES *– Shirley Mennen*
Proposed 2015 Holiday Schedule

Human Resources Director Mennen presented the proposed 2015 Holiday Schedule saying she mirrored the State schedule with the exception of the Thanksgiving and Christmas holidays. There are a total of 14 holidays for 2015. President Knochel said he disagreed with the schedule not recognizing President's Day.

DATE	HOLIDAY	DAY
January 1, 2015	New Year's Day	Thursday
January 19, 2015	Martin Luther King Jr. Day	Monday
April 3, 2015	Good Friday	Friday
May 5, 2015	Primary Election Day	Tuesday
May 25, 2015	Memorial Day	Monday
July 3, 2015	Independence Day	Friday
September 7, 2015	Labor Day	Monday
October 12, 2015	Columbus Day	Monday
November 3, 2015	General Election Day	Tuesday
November 11, 2015	Veterans Day	Wednesday
November 26, 2015	Thanksgiving Day	Thursday
November 27, 2015	Thanksgiving Holiday	Friday
December 24, 2015	Christmas Holiday	Thursday
December 25, 2015	Christmas Holiday	Friday

- Commissioner Murtaugh moved to approve the 2015 Holiday Schedule as presented, second by Commissioner Byers; motion carried.

GRANTS *– Frank Cederquist*
Permission to Accept Grant

Commissioners' Assistant Cederquist requested permission to accept a grant for the Drug Free Coalition in the amount of $125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA). It is a continuation grant in year 7 of 10 years to be used for training and travel administration, other professional services, and administrative miscellaneous.

- Commissioner Murtaugh moved to accept the grant for the Drug Free Coalition in the amount of $125,000 from SAMHSA as presented, second by Commissioner Byers; motion carried.

Commissioners' Assistant Cederquist requested permission to accept a grant for Superior Court 3 from the Indiana Judicial Center in the amount of $10,500. The grant is a continuation grant for mediation for the Court Improvement Program.

- Commissioner Murtaugh moved to accept the grant for Superior Court 3 for $10,500 from the Indiana Judicial Center as presented, second by Commissioner Byers; motion carried.

Commissioners' Assistant Cederquist requested permission to accept a grant for TEMA in the amount of $13,450 from the Indiana Department of Homeland Security (IDHS) for the Tippecanoe County LEPC, HMEP grant for HazMat training.

- Commissioner Murtaugh moved to accept the grant for TEMA in the amount of $13,450 from IDHS for HazMat training as presented, second by Commissioner Byers; motion carried.

Commissioners' Assistant Cederquist requested permission to accept a grant for CASA in the amount of $5,692 from the Indiana Criminal Justice Institute (ICJI) for continuation of the VOCA through December 31, 2014. The grant pays for a CASA Volunteer Coordinator. A new grant will run from January 1 through September 30, 2015.

- Commissioner Murtaugh moved to accept the grant for CASA in the amount $5,692 from the Indiana Criminal Justice Institute as presented, second by Commissioner Byers; motion carried.

CONTRACT FOR FAIRGROUNDS PREVENTATIVE MAINTENANCE – HVAC EQUIPMENT

Commissioners' Assistant Cederquist said the contract is from Eberhardt Heating and Cooling for preventative maintenance for the HVAC system that was installed in the Exhibit Hall and Home Ec building. The contract is $880.00 per year and includes two annual services, replacing filters, belts and batteries as per the contract.

- Commissioner Murtaugh moved to approve the preventative maintenance contract with Eberhardt in the amount of $880.00 as presented; second by Commissioner Byers; motion carried.

SCOPE OF SERVICES – FAIRGROUNDS – *Dave Byers*

Commissioner Byers presented a Scope of Services from CHA and Associates for design research of the Fairgrounds Coliseum building at a cost of $2,800.00. CHA is currently designing and studying the north and south buildings at the Fairgrounds. The Fairgrounds Improvement Committee recommended looking at all three structures for upgrading and modernization; the buildings as they exist could pose a potential fire hazard. The proposal should be returned in approximately three weeks.

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

APPOINTMENT TO GREATER WABASH RIVER RESOURCE CONSERVATION & DEVELOPMENT CORPORATION

Commissioners' Assistant Cederquist said the appointment is for Johanna Brown. Surveyor Beasley said the position is the Storm Water Educator for Tippecanoe County Partnership of Water Quality, a research and development group; Johanna will replace Monica Christopher.

- Commissioner Murtaugh moved to approve the appointment of Johanna Brown to the Greater Wabash River Resource Conservation & Development Corporation as presented, second by Commissioner Byers; motion carried.

APPOINTMENT TO COMMON WAGE BOARD

- Commissioner Murtaugh moved to approve the appointment of Frank Cederquist to serve on the Purdue University-West Lafayette campus Common Construction Wage Committee, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS – none

REPORTS ON FILE

President Knochel stated the following reports will be on file in the Commissioners' Office:

- Building Permits
- Central Mail and Duplicating
- Clerk
- Public Library meeting minutes
- Treasurer
- Wabash Valley Alliance

PUBLIC COMMENT

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

Meeting adjourned at 10:41 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

John L. Knochel, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 10/20/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant