TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
November 5, 2012

The Tippecanoe County Commissioners met on Monday, November 5, 2012 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Thomas P. Murtaugh, Vice President John L. Knochel, and Commissioner David S. Byers. Also present were: Attorney Doug Masson, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Tillie Hennigar.

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

PROCLAMATION – Supplier Diversity Development Coalition

Jessie Moore from the Supplier Diversity Development Coalition thanked the Board of Commissioners, West Lafayette Mayor John Dennis, and Lafayette Mayor Tony Roswarski for recognizing the efforts of the Supplier Diversity Coalition of Greater Lafayette. He continued to say it is a milestone for the Coalition as it was two years ago that Larry Pherson of Purdue and Bill Ensign from Lily Labs formed the organization to fulfill their company goals to increase opportunities for diverse businesses. It was and still is an organization of approximately ten greater Lafayette larger employers. The companies have the understanding of the critical nature of including those who may not have been included in the past. Eight years ago, the first relationship to partnership event was held on the Purdue campus. In 2006, the Coalition partnered with Purdue and became the underwriter of the relationship to partnership franchise. Also in 2006, the Coalition along with the Mayors designated Supplier Diversity Development Day in Tippecanoe County by proclamation. He recognized three members of the Coalition who were in attendance: Roger Bradley from IU Arnett, Marty Cotterman, with Electronic Systems Group, Inc., and Rick Morrissey with the City of Lafayette. He provided the Commissioners a brochure of this year's event scheduled for November 16 at Purdue. The keynote speaker will be Dr. Melvin Gravely who is the founder of the Institute of Entrepreneurial Thinking in Cincinnati, Ohio. All are invited to attend.

President Tom Murtaugh, West Lafayette Mayor John Dennis, and Jessie Moore read the following proclamation.

Supplier Diversity Development Coalition of Greater Lafayette Proclamation

Whereas, *growth and development of women and minority businesses are essential in fostering a strong local economy; and*

Whereas, *the Supplier Diversity Development Coalition of Greater Lafayette is devoted to developing strategic alliances and enhancing opportunities for minority-owned businesses; and*

Whereas, *the Coalition has formed strategic partnerships with private businesses, governmental agencies, and Purdue University to work together to promote the success and longevity of minority business enterprises; and*

Whereas, *it is through the efforts of this Coalition that the businesses in Tippecanoe County have access to diverse programs, services and products; and*

Whereas, *the Cities and County commend the Coalition for its dedication to building a stronger community by promoting and engaging in diverse business development.*

Now, Therefore, we,

John Dennis, Mayor of the City of West Lafayette,
Tony Roswarski, Mayor of the City of Lafayette and
Tom Murtaugh, President of the Tippecanoe County Board of Commissioners

do hereby proclaim November 16, 2012 Supplier Diversity Days in honor of

Supplier Diversity Development Coalition of Greater Lafayette

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of the regular meeting held October 15, 2012, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for October 17, 18, 19, 24, 25, 26, 31, and November 1, 2 and 5, 2012 as submitted without exception, second by Commissioner Byers; motion carried.

REQUEST FOR TAX ABATEMENT – Apex Warehouse - RESOLUTION 2012-29-CM

Attorney Doug Masson said Resolution 2012-29-CM approves the application for property tax deductions for Apex Warehouse Logistics, LLC. It follows a Declaration by the Council designating the real estate as an Economic Revitalization Area (ERA). The next step is a Statement of Benefits to be reviewed by the Commissioners to decide if it is in the best interest of Tippecanoe County to approve the tax abatement. The abatement will continue for ten years and the statute sets forth a declining percent of deduction for each year. A Declaratory Resolution was passed by the Council at the October meeting. At the November meeting, a public hearing and a Confirmatory Resolution will be on the Council agenda.

- Commissioner Knochel moved to approve Resolution 2012-29-CM as presented, second by Commissioner Byers; motion carried.

AREA PLAN COMMISSION – Sallie Fahey

UZO Amendment #74 – Farm Drainage Tile Contractor, Ordinance 2012-33-CM:
A proposed amendment that adds "farm drainage tile contractor" to the primary use table and makes them allowed by special exception in the A zone.

Area Plan Commission Director Fahey stated the ordinance amendment represents a new zoning opportunity for farm drainage tile contractors. Previously, they have been allowed in Industrial I, II, and III by right. The APC staff realized it would be beneficial, under some circumstances, to allow the contractors into agricultural zoning districts to be near their customers. The ordinance will allow farm drainage tile contractors specifically, by special exception, access to agricultural zones, along with Industrial I, II, and III. In addition, materials and equipment would need stored indoors and occur on lots with a minimum of two acres. The Planning Commission unanimously recommended approval. Commissioner Knochel said it is the right thing to do and very beneficial to the farming community of Tippecanoe County. His concern is having the equipment stored inside; a ditching machine is large and would require a large building which would be expensive. President Murtaugh expressed thanks to Director Fahey, APC staff, and the ordinance committee for pursuing the issue.

- Commissioner Knochel moved to approve Ordinance 2012-33-CM as presented, second by Commissioner Byers.

President Murtaugh asked for public comment. There were none.

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2012-33-CM passed 3-0.

Z2497 – KOMARK BUSINESS COMPANY (The Orchard Phase 4 PD) (A to PDRS), Ordinance 2012-34-CM: Petitioner is requesting PDRS zoning on approximately 2.479 acres for eleven single-family home sites and four outlots. The property is located west of the intersection of Scarlett Drive and Fuji Court in Wabash 14 (NW) 23-5.

- Commissioner Knochel moved to hear Z-2497 Komark Business Company, the Orchard Phase 4PD, A to PDRS, Ordinance 2012-34-CM, second by Commissioner Byers.

As no petitioner came forward, Director Fahey recommended notifying the petitioner they need to appear and the ordinance be continued to the next meeting.

- Commissioner Knochel moved to continue the ordinance specifically to the November 19, 2012 meeting, second by Commissioner Byers; motion carried.

HIGHWAY – Opal Kuhl
Opening of Bids – Eisenhower Road Drainage Improvement Project

Highway Director Kuhl said there are bids for the Eisenhower Road Drainage Improvement Project. Attorney Masson opened the following bids:

COMPANY	BID AMOUNT
Jack Isom Construction, Co, Inc.	
622 S State Road 43, Reynolds, IN 47980	$203,395
Atlas Excavating, Inc	
4740 Swisher Rd, West Lafayette, IN 47906	$147,670

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

Change Order #7 – Jack Isom Construction, Inc. – for Bridge #151 on Pretty Prairie Road

Director Kuhl presented Change Order #7 from Jack Isom Construction for Bridge #151 (Hog Point Bridge) on Pretty Prairie Road. It is the last change order to balance the quantities of items such as mulch and rip rap. The amount is $7,571.94; adjusting the contract to $2,688,234.40. Director Kuhl recommended approval.

- Commissioner Knochel moved to approve Change Order #7 for Bridge #151 as presented, second by Commissioner Byers; motion carried.

Parcelization Grant of Right-of-Way – 625 West S of 1000 South

Director Kuhl said the grant of right-of-way is for Brian Wolfe for property located on 625 West, South of 1000 South. It is the normal procedure for granting the 30 foot half width right-of-way.

- Commissioner Knochel moved to approve the parcelization grant of right-of-way as presented, second by Commissioner Byers; motion carried.

Warranty Deed – Tippecanoe County Bridge #1040 Project – Parcel 2

Director Kuhl presented a Warranty Deed for the Bridge #1040 Project. Three parcels are needed; this is Parcel 2 for the Katherine L. Kirkpatrick Trust in the amount of $4,150.00.

- Commissioner Knochel moved to approve the Warranty Deed for the Bridge #1040 project as presented, second by Commissioner Byers; motion carried.

Construction Maintenance Bond – Fairfield Contractors, Inc. to work in all right-of-ways

Director Kuhl said the Construction Maintenance Bond from Fairfield Contractors is the annual procedure to obtain the $5,000 Bond for right-of-way work.

- Commissioner Knochel moved to approve the maintenance bond as presented, second by Commissioner Byers; motion carried.

Performance Bond from Rinehart Excavating, Inc. – 2012 Culvert (Tipp009) Replacement Project

Director Kuhl said the Performance Bond from Rinehart Excavating is for Culvert Tipp009. Rinehart Excavating was awarded the bid and has been notified to proceed. The bond finalizes the paperwork.

- Commissioner Knochel moved to accept the Performance Bond from Rinehart Excavating as presented, second by Commissioner Byers; motion carried.

Continuation Certificate – Tipmont REMC

Director Kuhl said the Continuation Certificate from Tipmont REMC is to perform work in the right-of-way.

- Commissioner Knochel moved to approve the Continuation Certificate from Tipmont REMC as presented; motion carried.

CARY HOME – Rebecca Humphrey
Subcontract with Bauer Family Resources for Behavioral Health Services

Cary Home Executive Director Rebecca Humphrey requested approval to subcontract with Bauer Family Resources. The subcontract will provide behavioral health services for the youth requiring more intensive treatment than offered at Cary Home. When a child comes to Cary Home with the referral for the intensive supervision unit, a referral will be made to Bauer or the Sexual Abuse Family Treatment Intervention Program (SAFTIP). The bill will be submitted to Cary Home; Cary Home will bill DCS; DCS will pay for the services; Cary Home will make payment to the subcontractor. Currently, there are two of the fifteen youths requiring extra treatment. DCS will pay 100% for everything except groups. The subcontractors requested the group be increased from $14.62 per person to $20.00 per person. DCS will only pay $14.00; Cary Home will pay the other $6.00, if not covered by Medicaid, totaling $200.00 or less annually. The contract has been reviewed by Attorney Luhman.

- Commissioner Knochel moved to approve the subcontract with Bauer Family Resources as presented, second by Commissioner Byers; motion carried.

Subcontract with Families United for Behavioral Health Services

Director Humphrey requested approval to also subcontract with Families United Resources. The subcontract will provide behavioral health services for youths the same as Bauer Family Resources. Referrals, bills, and payments are handled the same. Two subcontractors are provided allowing the parents to choose which service they prefer. The contract has been reviewed by Attorney Luhman.

- Commissioner Knochel moved to approve the subcontract with Families United as presented, second by Commissioner Byers; motion carried.

Business Associate Agreement for Mental Health Project

Director Humphrey said HIPPA standards require a Business Associates Agreement be in place to share mental health information. Approval is requested for a Business Associates Agreement with Bauer Family Resources, Families United, and Kinsey Youth Center. The Kinsey Youth Center is the detention center currently being used. Attorney Masson said the agreement is a standard HIPPA form and he would recommend approval.

- Commissioner Knochel moved to approve the Business Associate Agreement as presented, second by Commissioner; motion carried.

***Copier Agreement** – Juvenile Magistrate*

Cary Home Director Humphrey said there is an additional copier at Juvenile Alternatives, owned by Juvenile Community Corrections. When Juvenile Alternative moved to Cary Home, the copier was no longer needed. However, Juvenile Magistrate does have a use for the copier. Director Humphrey requested copier service be moved from Juvenile Alternatives to Juvenile Magistrate and the Juvenile Magistrate service be moved to Juvenile Alternatives. As there was no signature line on the agreement, Director Humphrey will follow up with Judge Graham.

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

RECORDER – Oneta Tolle
Bulk Copy Agreement

Recorder Tolle requested an agreement update from the 2008 original contract. The agreement updates the laws which have changed. The agreement allows the Recorder's office to provide bulk images of daily activities as requested. Currently, there are three companies requesting bulk copies. The funds go into the Perpetuation Fund. Attorney Masson said the changes have been reviewed and approved.

- Commissioner Knochel moved to approve the Bulk Copy Agreement as presented, second by Commissioner Byers; motion carried.

ASSESSOR – Linda Phillips
Appraisal Proposal

Assessor Phillips requested approval for two Letters of Understanding for appraisals. Two parcels are in litigation with the Indiana Board of Tax Review and the attorney recommends professional appraisals. A substantial amount of tax revenue is at stake; one parcel is near $1 million over the period of dispute; the other parcel is approximately $250,000 over the period of dispute. The County attorney has reviewed and approved the letters and attachments. The attachments include: Description of Property and Scope of Assignment; Terms of Engagement; Standard Assumptions, Privacy Notice, and Exhibit A – Tippecanoe County, Indiana Additional Terms and Conditions.

- Commissioner Knochel moved to approve the appraisal proposal with Terzo & Bologna Inc., second by Commissioner Byers; motion carried.

- Commissioner Knochel moved to approve the appraisal proposal with Access Valuation, second by Commissioner Byers; motion carried.

HEALTH DEPARTMENT – Ron Cripe
Indiana Immunization Coalition Agreement

Executive Director Cripe stated there have been a lot of changes in the past year regarding how immunizations are administered at the local Health Department. Prior to a year ago, immunizations were received from the Indiana State Department of Health who received them from the federal government. Locally, immunizations were distributed to anyone who came in. Funds began to dry up at the federal and state level and immunizations were restricted to those with no insurance or on Medicaid. Since then, a program was put in place to bill private insurance companies for administrative fees. A $5.00 donation is suggested but most do not donate. Nurse Supervisor Donella Carter said the Indiana Immunization

Coalition (IIC) in working with Communicable Disease Control (CDC), acquired a grant to provide training to the local health department on billing Medicaid. Along with a company called Medical Billing and Accounting from Indianapolis, IIC will provide the expertise and experience to bill Medicaid and also those with insurance. January through October 31, 2012, $16,552 could have been collected on Medicaid billing if the opportunity was in place. The IIC will do all the training and pay the set-up fees. In addition to collecting for immunizations, it will be possible to collect for Lead screenings which is required on a 12-15 month old child. With the money from Medicaid, it can be used to buy vaccines for those with private insurance. Director Cripe said there are fifteen (15) health departments on the program and there has not been negative feedback from those departments. The administrative start-up cost to be saved is approximately $1,500 and there will be no out-of-pocket expenses to the department. He thought it was a great opportunity, providing time to evaluate the program and decide if it is economically beneficial.

President Murtaugh said it appeared to be a win-win situation for the County and expressed his appreciation to Ron and Donella for their efforts.

- Commissioner Knochel moved to approve permission for the Health Department to proceed with the Indiana Immunization Coalition Agreement, second by Commissioner Byers; motion carried.

Donella will work with Cameron from Medical Billing to proceed.

HUMAN RESOURCES – Shirley Mennen
Contract Renewal for Health Insurance Consultant

Human Resources Coordinator Mennen presented a contract renewal for R.E. Sutton & Associates, the consultant for insurance benefits. There is no increase for 2013, the E-verify clause has been added to the contract and the certification has been signed regarding no business investments in Iran. The County Attorney has reviewed the contract.

Commissioner Knochel stated he thought the contract was some of the best money the County has spent and the consultant has done an extremely good job. Coordinator Mennen said they are very easy to work with and also provided recommendations which have saved the County a lot of money.

- Commissioner Knochel moved to approve the renewal of the R.E.Sutton contract, second by Commissioner Byers; motion carried.

SHREDDING SERVICE AGREEMENT

Commissioner's Assistant Frank Cederquist said the method of shredding was recently changed from on-site to plant based. As a result, Cintas, the company performing shredding, requested a new agreement. There is no increase in fees. The Attorney has reviewed the agreement.

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

ACCEPTANCE OF RFP's FOR INDIANA DEPARTMENT OF HOMELAND SECURITY DISTRICT 4 ADMINISTRATIVE COORDINATOR

Attorney Masson said one proposal was submitted from Janet Buche. Form 96, *Contractors Bid for Public Work* was submitted. Attorney Masson stated the rules on Request for Proposals (RFP) direct the

opening of public proposals be made to not disclose the terms to potential competitors. No competitor bids were received. He recommended the RFP be taken under advisement.

- Commissioner Knochel moved to approve taking the RFP under advisement, second by Commissioner Byers; motion carried.

Attorney Masson will review the RFP with TEMA Director Smokey Anderson.

UNFINISHED/NEW BUSINESS

Jeff Houston, District 4 Task Force and Incident Commander, reported he recently returned from New Jersey where it was "wet and windy". Three people are still there working with the devastation from hurricane Sandy. It was a successful mission and everyone returned home safely. He thanked the Commissioners for the opportunity.

Commissioner Byers stated he has an agreement for $4,900 from Don R. Scheidt Co., Inc. for an appraisal of the YMCA property. The appraisal will provide information to assist with a decision of continuing to pursue the property. Commissioner Byers said other companies were approached to provide an appraisal but it was too large of a property for their consideration.

- Commissioner Byers moved to approve the appraisal with Don R. Scheidt, second by Commissioner Knochel; motion carried.

REPORTS ON FILE

The following reports will be on file in the Commissioner's Office:

Crystal Creek Boarding Kennel
Central Mail and Duplicating
Public Library and Librarian
Building Commission
Wabash River Heritage Corridor Commission
Clerk of Circuit Court
Parks and Recreation

PUBLIC COMMENT

Roberta Crabtree from the Extension Office introduced Steve Yoder. Steve joined the office one week ago and comes from Flagstaff, Arizona. He will spend 60% of his time on 4-H Youth Development and 40% on Economic Development.

As there was no additional public comment, Commissioner Knochel moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

John L. Knochel, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 11-19-2012