

# Tippecanoe County Board of Commissioners

## Meeting Minutes

Tuesday, September 7, 2021

10:00 am

Tippecanoe Room, Tippecanoe County Office Building  
20 N 3rd Street, Lafayette, Indiana

Commissioners present President Thomas P. Murtaugh, Vice President David S. Byers and Member Tracy A. Brown.

Also present: Attorney Doug Masson, Auditor Robert Plantenga, Commissioners' Assistant Paula Bennett, and Recording Secretary Jennifer Wafford.

- I. **PLEDGE OF ALLEGIANCE** – President Murtaugh called the meeting to order and led the Pledge of Allegiance
- II. **APPROVAL OF MINUTES** from Monday, August 2, 2021, and Monday August 16, 2021.
  - Commissioner Byers moved to approve the minutes as presented, second by Commissioner Brown. Motion carried.
- III. **PRESENTATION OF ACCOUNTS PAYABLE** – Paula Bennett presented and recommended:

The claims from August 18, 2021, through September 7, 2021, were recommended for approval without exception.

  - Commissioner Brown moved to approve the Accounts Payable as presented, second by Commissioner Byers. Motion carried.
- IV. **PRESENTATION OF PAYROLL** – Paula Bennett presented and recommended:

The payroll from August 20, 2021, and September 3, 2021, was recommended for approval without exception.

  - Commissioner Brown moved to approve the Payroll as presented, second by Commissioner Byers. Motion carried.
- V. **HIGHWAY** – Stewart Kline presented and recommended:
  - A. Harrison Development Area Traffic Study, with Butler Fairman and Seufert, Inc., in the amount of \$110,600. This includes County roads 600N, 500N, 150W, 75E, and 50W. This is a follow-up to the previous study.
    - Commissioner Brown moved to approve the traffic study as presented, second by Commissioner Byers. Motion carried.
  - B. Design and ROW Services Contract, with American Structurepoint Inc., in the amount of \$444,390, for Phase 1 of a multi-road project set in the industrial area below the Subaru TIF Industrial zone. This includes design, right-of-way acquisition services for the reconstruction of 500 and 450 South.
    - Commissioner Byers moved to approve the contract as presented, second by Commissioner Brown. Motion carried.
- VI. **AREA PLAN** – David Hittle presented and recommended:
  - A. **ORDINANCE 2021-26-CM, UZO Amendment #102**
    - Commissioner Byers moved to consider ORDINANCE 2021-26-CM, second by Commissioner Brown.

Director Hittle advised that this amendment was heard by the Area Plan Commission at their August 18<sup>th</sup> meeting and unanimously recommended for approval. This amendment involves the changing of the word "lot" in the subdivision control

ordinance. The reason for this change is to make it easier for individuals that live in older platted areas, where the size of the platted lots doesn't meet contemporary standards or where development occurred over a lot line, can have the property replatted without requiring the owner to pay for a new survey to be completed.

President Murtaugh asked if there was any public comment, and then called for the vote:

- Auditor Plantenga recorded the vote:

Commissioner Murtaugh	Y
Commissioner Byers	Y
Commissioner Brown	Y

Ordinance 2021-26-CM passed with a vote of 3-0.

- B. Subdivision Variance for Woodrow Subdivision, Phase 2 (S-5023, Major Preliminary Plat) to waive the half-width pavement upgrade from 10-ft to 13-ft for the CR 675 E frontage, as required by USO Section 5.3(3)(b).

Director Hittle advised that this request to vary from the requirements of the subdivision ordinance to widen the roadway a few feet less than is required is because of a lack of traffic. This road runs parallel to McCarty, and McCarty sees more of the traffic that's traveling North to South in this area. Area Plan has no objection to this request, and they have heard no objections from the Highway Department.

Commissioner Byers clarified that the adjustment is going from the required 13' down to 10' for the half-width request? Director Hittle advised that was correct.

- Commissioner Byers moved to approve the subdivision variance as presented, second by Commissioner Brown. Motion carried.

**VII. AMENDMENT TO OVERTIME/COMPENSATORY TIME POLICY** – Doug Masson presented and recommended:

Attorney Masson advised that late last year, there was an overtime/compensatory time policy put in place. The policy eliminated people's ability to earn compensatory time and use vacation time in the same work period, and the number of compensatory hours that could be accrued was limited. The policy has caused some issues in a few departments. As a result, this amendment includes a procedure for those departments to opt out of this policy. In order to do this, they are directed to consult with the Board of Commissioners and HR first. When they notify Human Resources and the Commissioners that they are opting out, they are directed to have a modified policy that will apply. The modified policy will include a description of the members of the department to whom it applies, whether and under what circumstances vacation time will count toward the accrual of compensatory time and sick time, and the accrual limits for compensatory time. The policy would then need to be given to the employees that are governed by its terms.

Commissioner Brown recommended that this policy be revisited in six-to-twelve months from now and see if it is still required at that point.

- Commissioner Byers moved to approve the amendment as presented, second by Commissioner Brown. Motion carried.

**VIII. RESOLUTION 2021-32-CM, COVID-19 Leave Benefit and Stipend for Vaccinated Employees** – Doug Masson presented:

Attorney Masson advised that this Resolution is made up of 3 parts; a COVID-19 benefit leave, a stipend, and a work from home authorization. The work from home authorization gives the department heads the ability to have people work from home instead of report to their normal workstations if it is necessary to ensure the functionality of the department and the employee can be supervised and productive while they are at home.

The COVID-19 benefit leave is effective from today, September 7, 2021, through December 31, 2021. It gives an eligible employee COVID-19 leave, equivalent to two weeks of the employee's regularly scheduled employment. It is leave that can be used if the employee's childcare or school is closed or their minor dependent child is not permitted to attend for COVID reasons, or if the employee has tested positive for COVID-19. For an employee to be eligible for this leave, the person has to be full-time or regular part-time and fully vaccinated or have a medical exemption because the vaccine is medically contraindicated.

The stipend benefit does not apply to seasonal or temporary employees, but full-time, regular part-time, or part-time hourly employees who are fully vaccinated who provide proof of vaccination prior to December 31, 2021, are entitled to a \$100 stipend. Individuals who provide a physician statement that states the vaccination is medically contraindicated will also qualify for this stipend.

Commissioner Byers asked if an end date needs to be listed for the Work-from-Home authorization since the other two benefits have an end date? Attorney Masson advised that if Commissioner Byers felt the need to put in the Resolution, it could be amended to include that date. Commissioner Murtaugh asked if Commissioner Byers wanted an end date on the work from home authorization? Commissioner Byers stated that he would like to see an end date listed, and then it can be reviewed at the beginning of the new year.

Commissioner Brown stated that it's rare that he finds himself in a position to be the dissenting position. He stated that he is not anti-vaccination, but he feels strongly that this is ultimately a personal choice. He notes that the price tag for this Resolution is around \$76,000, which could be cast as a health and wellness initiative. He mentioned that the County has already offered a COVID leave benefit, and then the Federal Government mandated a COVID leave benefit. Now that there is a third COVID-19 benefit leave being provided, but it will only be provided to a portion of the employees. He feels strongly that this leave and stipend are unlikely to move the needle in terms of overall vaccination rates. His major objection to this Resolution has to do with the leave. In its current state, with the leave being part of the discussion and Resolution, Commissioner Brown's vote would be against the policy.

Commissioner Murtaugh advised that he was sent an article regarding the effectiveness of providing a \$100 incentive to get the vaccine. He feels that if 100 County employees get the vaccine, then he feels that the \$76,000 is money well spent.

Julie Roush, Tippecanoe County Clerk, stated that she had already sent the Commissioner's an email regarding her thoughts. She wanted to state for public record that her biggest issue with the Resolution is the COVID-19 Leave Benefit. She feels that all County employees should have this leave provided to them because the County received money from the Federal Government for COVID expenses. She does ask that the Commissioners consider hosting a vaccine drive at the County building. She also recommends considering an added floating holiday as an incentive for getting the vaccine.

Commissioner Murtaugh stated for clarification that unvaccinated employees could still use their sick time or PTO for leave needed relating to COVID-19 illnesses.

- Commissioner Byers moved to approve RES 2021-32-CM amended to include a December 31, 2021 end date for the work from home authorization, second by Commissioner Murtaugh. Motion carried. Commissioner Brown voted no.

**IX. RESOLUTION 2021-33-CM, Authorizing Special Purchase Method - Doug Masson presented:**

Attorney Masson advised that this resolution authorizes a special purchasing method where the compatibility of the equipment, accessories, or replacement parts is a substantial consideration in the purchase, and only one source meets the using agency's reasonable requirements. This allows the purchase of an item without the need for the bidding process.

Stanley Convergent Security Systems has submitted a quote to the Tippecanoe County Jail, proposing the upgrade of control systems and the intercom system. The upgraded equipment will be compatible with the existing Stanley Security video system.

Sheriff Goldsmith stated that the new system would record voice interaction as well as video, which will allow for the protection of the inmates and the staff. The upgrade is budgeted for and will be billed in the 2022 calendar year, but the contract requires signing before 2022.

Commissioner Byers stated that the combined system is \$328,000, and by combining, the County saved \$12,450.

- Commissioner Byers moved to approve RES 2021-33-CM, second by Commissioner Brown. Motion carried.

**X. GM DEVELOPMENT COMPANIES LCC** – Thomas Murtaugh presented and recommended:

An approval for the July distribution for the BOT project in the amount of \$142,990.60, and the August distribution, in the amount of \$132,585.

- Commissioner Byers moved to approve the distributions as presented, second by Commissioner Brown. Motion carried.

**XI. DONATION OF RIGHT OF WAY BY WABASH ENHANCEMENT CORPORATION** – Doug Masson presented and recommended:

Attorney Masson advised that the Wabash River Enhancement Corporation is in the process of selling part of its ownership of 2160 North River Road. This piece of property straddles North River Road. Wabash River Enhancement Corporation will retain the parcel that's next to the river and sell the parcel that's on the West side of River Road. As a part of this process, they are donating a 40-foot strip centered on River Road to the County. Attorney Masson advised that the County has right-of-way up to at least the road's edge.

- Commissioner Byers moved to approve the grant of right-of-way as presented, second by Commissioner Brown. Motion carried.

**XII. SIGNAGE CONTRACT FOR TCCO AND FAIRGROUNDS**– Thomas Murtaugh presented and recommended:

A signage contract with Huston Electric, in the amount of \$65,667, to install a digital sign on Teal Road and 18<sup>th</sup> Street for the Tippecanoe County Central Offices and the Fairgrounds. Commissioner Murtaugh advised that there has been a sponsorship received that will cover the cost of the signs.

- Commissioner Brown moved to approve the contract as presented, second by Commissioner Byers. Motion carried.

**XIII. HUMAN RESOURCES** – Shirley Mennen presented and recommended:

A clarification of the Tippecanoe County Community Corrections title changes that were requested in August. Shirley stated that there are 17 positions that are currently titled Case Manager/Surveillance Officer. Previously, this position was 2 separate positions, but they had been combined under a previous director. However, with changes being made in Community Corrections, it has been determined that the positions need to be separated. The request is to eliminate 17 Case Manager/Surveillance Officer positions and create 12 Case Manager positions and 5 Surveillance Officer positions. Director Huber had wanted to add an additional Case Manager, and a Surveillance Officer for

2022, but it's past the deadline to submit those requests. Shirley stated that he will need to come back to the Commissioner's in January if he wants to request them.

- Commissioner Byers moved to approve the title change as presented, second by Commissioner Brown. Motion carried.

**XIV. CIVILIAN CHIEF DEPUTY POSITION FOR SHERIFF DEPARTMENT** – Robert Goldsmith presented and recommended:

The creation of a Civilian Chief Deputy Position for the Sheriff's Department. Sheriff Goldsmith's current Chief Deputy, Terry Ruley, was set to leave in a few weeks due to the end of his Deferred Retirement Option Plan. He currently has 32 years in with the Sheriff's Department. Sheriff Goldsmith stated that he approached Chief Deputy Ruley about staying on with the Department as a Civilian Chief Deputy, which he was agreeable to doing.

Sheriff Goldsmith mentioned that with the way things have been going related to COVID and the BOT project upcoming, he didn't think it would be wise to have the 2<sup>nd</sup> in command at the Jail be someone brand new. This position would be a non-PERF and non-pension position, so it would not cost the County any additional funding. This position will need to be revisited after the next Sheriff Election in 2023.

- Commissioner Brown moved to approve the new position as presented, second by Commissioner Byers. Motion carried.

**XV. WIC PROGRAM** – Alicia Keen presented and recommended:

1. The approval of the WIC Grant for Federal Fiscal year 2022. This grant would begin October 1<sup>st</sup>, and would allow for WIC services to continue in Tippecanoe County

- Commissioner Brown moved to approve accepting the grant as presented, second by Commissioner Byers. Motion carried.

2. The approval of a new position for a "Full-Time Nutritionist". This position has been approved by the State WIC Office and is included in the grant budget for Fiscal Year 2022. This will be an ongoing position that's switching from part-time to full-time. Funding is not likely to be cut for this position, unless there is a drastic drop in caseload.

- Commissioner Brown moved to approve the new grant-funded position as presented, second by Commissioner Byers. Motion carried.

**XVI. PUBLIC DEFENDER** – Amy Hutchison presented and recommended:

A service agreement with Comprehensive Behavioral Assessment LLC, and Dr. Samuels, to provide psychological evaluation services in the amount of \$300 an hour.

- Commissioner Brown moved to approve the agreement as presented, second by Commissioner Byers. Motion carried.

**XVII. GRANTS** – Sharon Hutchison presented and recommended:

**Permission to Accept Grant Funds:**

- A. For Health Department from the Indiana Department of Health, for the Indiana Communities Advancing Recovery Efforts (IN CAREs) ECHO grant for 2022, in the amount of \$75,000. Our application was one of fifteen in the State that received funding.

- Commissioner Byers moved to accept the grant as presented, second by Commissioner Brown. Motion carried.

**Minutes Approval:**

The approval of Minutes from the second Public Hearing for Phase 1 CDBG fund that was held on Monday, August 16, 2021.

- Commissioner Brown moved to approve the minutes as presented, second by Commissioner Byers. Motion carried.

**XVIII. MAINTENANCE** – Thomas Murtaugh presented and recommended:

1. A contract with TK Elevator Corporation, in the amount of \$78,000, to do an upgrade and modernization package on the Courthouse Elevator.
  - Commissioner Brown moved to approve the agreement as presented, second by Commissioner Byers. Motion carried.
2. A contract with TK Elevator Corporation, in the amount of \$61,848.95, to install new rails on the old cage Elevator at the Courthouse.
  - Commissioner Byers moved to approve the agreement as presented, second by Commissioner Brown. Motion carried.

**XIX. CHANGE ORDERS**

**Tippecanoe County Central Offices**

1. Change order #2 with Wright Hardware Co., Inc., in the amount of \$2,533.13, to complete the following:
  - a. Per the Lafayette Fire Department request, change the return air system for furnace F-3 from plenum space to ducted.
  - b. Add a thru-the-roof clothes dryer vent from Janitor Room 154.
  - c. Per the Lafayette Fire Department request, add insulation and PVC wrap to piping in F-1, 2 PVC flues, and condensate drains to fire rate exposed PVC in the Mech. Room 204, which is a return air plenum.
  - Commissioner Brown moved to approve the change order as presented, second by Commissioner Byers. Motion carried.
2. Change order #1 with Jack Laurie Group, for a deduction of \$1,560, to omit installation of carpet and wall base in multi-use 132 and Mezzanine 203. The carpet was provided and delivered but not installed until room usage is determined.
  - Commissioner Byers moved to approve the change order as presented, second by Commissioner Brown. Motion carried.

**XX. REPORTS ON FILE**

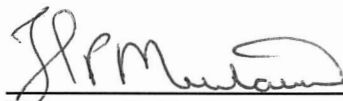
- Tippecanoe County Building Commission
- Tippecanoe County Coroner's Office
- Tippecanoe County Weights and Measures
- Wabash Heritage Corridor Commission

**XXI. UNFINISHED/NEW BUSINESS – None**

**XXII. PUBLIC COMMENT – None**

Commissioner Byers moved to adjourn. President Murtaugh adjourned the meeting.

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE



Thomas P. Murtaugh, President



David S. Byers, Vice-President



Tracy Brown, Member

ATTEST:

  
Robert A Plantenga, Auditor 09/20/2021

Minutes prepared by Jennifer Wafford, Recording Secretary