

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
January 5, 2009

The Tippecanoe County Commissioners met on Monday, January 5, 2009 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President David S. Byers and Member Thomas P. Murtaugh. Also present were: Attorney Dave Luhman, Auditor Jennifer Weston, and Commissioner's Assistant Frank Cederquist.

Commissioner Knochel called the meeting to order and led the pledge of allegiance.

ELECTION OF OFFICERS

Attorney Luhman opened the floor for nominations.

President

Commissioner Byers moved to nominate Commissioner John Knochel for President, second by Commissioner Murtaugh; motion carried.

Vice President

Commissioner Murtaugh moved to nominate Commissioner Byers for Vice President, second by Commissioner Knochel; motion carried.

Attorney Luhman turned the meeting over to President John Knochel.

Commissioner Knochel welcomed the new commissioners.

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve minutes from the December 15, 2008 meeting, second by Commissioner Byers; motion carried.
- Commissioner Byers moved to approve minutes from the December 29, 2008, second by Commissioner Murtaugh; motion carried.

RESOLUTION 2009-01-CM; ESTABLISHING REGULAR MEETING DATES

Attorney Luhman stated Resolution 2009-01-CM establishes regular meeting dates for the Board of Commissioners. Meetings will be held on the first and third Monday of each month unless otherwise noted on the scheduled and to include December 29, 2009. Three exceptions to the regular schedule are Tuesday January 20, Tuesday February 17, and Tuesday September 8, 2009.

- Commissioner Byers moved to approve Resolution 2009-01-CM as presented, second by Commissioner Murtaugh; motion carried.

RESOLUTION 2009-02-CM; APPOINTMENTS

Attorney Luhman stated Resolution 2009-02-CM establishes appointments by the Commissioners as follows:

Ron Highland	Building Commissioner
Rebecca Humphrey	Youth Services Director
Frank Cederquist	Commissioner's Assistant
Shirley Mennen	Human Resources Coordinator
Mark Kirby	Emergency Management Director
Ben Anderson	Fairgrounds Property Manager
Opal Kuhl	Highway Executive Director
Mike Spencer	Assistant Highway Executive Director
Jack Fisher	Highway Supervisor
David Sturgeon	Interim MITS Executive Director
DeAnna Sieber	Tippecanoe Villa Director
Randall Fairchild	Veteran's Service Officer
Doug Cripe	Weights & Measures Director
Michael Hahn	Maintenance Executive Director

- Commissioner Murtaugh moved to approve Resolution 2009-02-CM, second by Commissioner Byers; motion carried.

COMMISSIONER ASSIGNMENTS TO VARIOUS BOARDS, COUNCILS, AND COMMISSIONS

David Byers

Area Plan Commission
LEPC
Convention & Visitors Bureau
Drainage Board
MITS Advisory Board
Emergency Management Advisory Council
Wildcat Solid Waste District
Community Corrections Advisory Board

Tom Murtaugh

Area Plan Commission
Drainage Board
Cary Home Advisory Board
Ambulance Advisory Committee
Joint Purchasing Committee
MITS Advisory Board
Wildcat Creek Solid Waste District
Child Protective Team
Wabash River Enhancement Corporation
Personnel Reclassification Committee

John Knochel

Drainage Board
Hoosier Heartland Corridor
MITS Advisory Board
Redevelopment Commission
Lafayette Housing Consortium
Homeland Security
TERF Board
Solid Waste Advisory Board

GIS Policy Committee
Wildcat Creek Solid Waste District

- Commissioner Byers moved to accept the Commissioner Assignments to Various Boards, Councils, and Commissions, second by Commissioner Murtaugh; motion carried.

CONTRACT FOR LEGAL SERVICES

Attorney Luhman presented a 2009 Contract for Legal Services with Hoffman, Luhman, Masson L.P. He reported the rates will remain unchanged from the 2008 contract.

- Commissioner Murtaugh moved to approve the contract for legal services for 2009, second by Commissioner Byers; motion carried.

BUTLER FAIRMAN & SEUFERT – Ryan Smith

Ryan Smith and Steve Weintraut with Butler Fairman & Seufert presented a plaque and shovel from the Hoosier Heartland groundbreaking ceremony. He thanked the county for their support and dedication to the project.

Commissioner Knochel said he supports the Hoosier Heartland Highway project and is thrilled about the difference it will make in our community.

HIGHWAY – Opal Kuhl

Highway Director Opal Kuhl recommended approval of Change Order #1 for Bridge Rehab on Bridge #138 and #139 with Wirtz & Yates for \$20,323.84.

- Commissioner Byers moved to approve Change Order #1 with Wirtz & Yates, second by Commissioner Murtaugh; motion carried.

Change Order #2 for Bridge Rehab on Bridge #138 and #139 with Wirtz & Yates was recommended for approval in the amount of \$8,130.

- Commissioner Murtaugh moved to approve Change Order #2 with Wirtz & Yates, second by Commissioner Byers; motion carried.

Change Order #1 for Bridge #160 with Jack Isom Construction was recommended for approval in the amount of \$2,939.50.

- Commissioner Byers moved to approve Change Order #1 with Jack Isom Construction, second by Commissioner Murtaugh; motion carried.

Director Kuhl recommended approval of a Relinquishment Agreement for State Road 25. After completion of the Hoosier Heartland Corridor, the county will own and maintain the portion of SR 25 from US 52 to the county line. Director Kuhl anticipates accepting ownership in 2012, depending on the progress of the corridor project. The agreement states the county will receive \$1.6 million and the entire length of the road will be re-paved with cost not-to-exceed \$6 million with the addition of 8% per annum.

- Commissioner Murtaugh moved to approve the Relinquishment Agreement for State Road 25, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

None

Commissioner Knochel requested the County Assessor provide a report to the Commissioners at a regular meeting in February to discuss the progress. He also requested the Auditor and Treasurer provide a report regarding the new tax/assess software.

County Assessor Samantha Steele provided a 2009 Assessment Calendar from the Department of Local Government Finance.

REPORTS ON FILE

Park & Recreation Board
Weights & Measures
Clerk of Circuit Court
Treasurer
Mail & Duplicating

PUBLIC COMMENT

Paul Wright, West Point – asked who the taxpayers can hold reliable for mismanagement of funds. Mr. Wright stated the county cannot afford to build the Juvenile Center and operate each year.

Attorney Luhman stated contracts are approved by the commissioners. Similar to Highway projects, in the event of problem a change order would be submitted and approved by the commissioners for the project. The Board of Commissioner is the administrator/manager for the county.

Mr. Wright suggested the amount of money spent on juveniles being sent out-of-county may be less expensive than building the center. He said the amount of money to operate the facility is likely to be a great deal more than the amount currently being spent. He asked the county attorney which type of action it would take to stop the construction of the Juvenile Center.

Commissioner Knochel stated the council will take the next step towards the center with the sale of the bonds. Attorney Luhman confirmed the council will take the next step but the commissioners have the final approval as administrators of the county.

Commissioner Byers stated once a bid is submitted for construction, the bid price can increase 10% to cover inflation over the life of the project. He explained the county will spend tax payer dollars on juvenile regardless of the location and the county has to decide on spending it locally or out-of-county. Commissioner Byers added we need to treat our children early and rehabilitate them before they are adult offenders.

Commissioner Murtaugh stated the current process of treating juveniles is not working, if we don't address the issue we will be paying for it in the future at a higher cost.

Mr. Wright stated the new center will hire 40 new employees to treat juveniles at full capacity. He asked "What if the center is not full, how will the county afford to pay those employees?" He said this project will be a huge white elephant and the county will pay on it forever and it will drain the county.

Michelle Blaas, Lafayette – asked if the \$2.5 million paid yearly for juveniles includes the Department of Corrections funding. She suggested the figures the county is working with are incorrect with regards to the Department of Corrections funding. She asked the commissioners "If the facility is paid with EDIT tax funds do they anticipate a decline in the revenue with the current economy?"

Commissioner Knochel stated working taxpayers contribute to the EDIT fund and when individuals are laid off the amount will surely decrease. He confirmed the need to address the issue. Commissioner Byers stated the county has earmarked 2 years of funding for the Juvenile Center.

Ms. Blaas asked "With the discussion of LOIT taxes in March, is the county considering implementing a new tax because it is worried about general operating funds for the Juvenile Center?"

Attorney Luhman confirmed the council is required by the state to discuss LOIT yearly. Commissioner Byers noted the county considered it last year and decided against it.

Ms. Blaas said EDIT funds will decrease and the county should be concerned about the revenue and the new employees that will be hired for the facility.


Commissioner Murtaugh stated the per diem on out-of-county facilities currently being used will increase by the same rate.


Ms. Blaas suggested the county move away from the \$2.5 million income they are projecting because she does not believe this is an accurate figure.

- Commissioner Byers moved to adjourn.

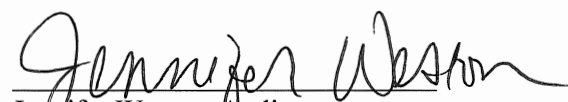
**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**


John L. Knochel, President


David S. Byers, Vice President


Thomas P. Murtaugh, Member

ATTEST:


Jennifer Weston, Auditor