

# Tippecanoe County Board of Commissioners

## Meeting Minutes

Monday, April 3, 2023  
10:00 am

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

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

Also present: Attorney Doug Masson, Auditor Jennifer Weston, Commissioners' Assistant Paula Bennett, and Recording Secretary Samantha Perez.

I. **PLEDGE OF ALLEGIANCE** – President Brown called the meeting to order and led the Pledge of Allegiance.

II. **PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH AND CHILD ABUSE PREVENTION MONTH** - President Brown presented:

The Sexual Assault Awareness Month and the Child Abuse Prevention Month Proclamation was read aloud by Commissioner Byers, Vice President Thomas Murtaugh, and President Tracy Brown. The proclamation stated Sexual Assault Awareness Month and Child Abuse Prevention Month provides an opportunity to show support for the numerous sexual violence advocates, victim service organizations, departments of child services, family case managers, crisis hotline staff, law enforcement officers, forensic nurses, and prosecutors that work every day to offer safety, advocacy, resources, hope, and the opportunity for healing to victims in our community.

Megan Shupe, *Forensic Nurse/ Center of Hope Program Director*, thanked the Commissioners for their time and stated the best way to help support child abuse victims is through educating the community and providing resources. Everyone is a mandated reporter in the state of Indiana and is legally required to report any amount of suspicion of child abuse to DCS or the police. Also, sexual assault survivors have many obstacles to overcome when they come forward and by having conversations and bringing awareness, our community will benefit.

President Brown stated there will be another reading of a proclamation for Child Abuse Prevention Month at the fountain on the courthouse square at noon.

**PROCLAMATION  
COUNTY OF TIPPECANOE, INDIANA**

**WHEREAS**, sexual violence is a serious issue that affects people of all ages, races, sexual orientations, gender identities, socio-economic levels, abilities, religions, backgrounds, citizenship status, and beliefs; and

**WHEREAS**, sexual violence includes physical, verbal, visual, emotional, psychological, social, spiritual, financial, and technological abuse; and can occur between intimate partners, family members, friends, acquaintances, and strangers; and

**WHEREAS**, 21% of women and 43% of men reported experiencing some type of sexual violence in their lifetime; and

**WHEREAS**, only 13.25% of sexual violence is committed by a stranger and 86.8% is committed by an acquaintance, family member, or intimate partner; and

**WHEREAS**, sexual violence profoundly impacts lifelong health, opportunity, and wellbeing, and inhibits individuals from reaching their fullest potential and all people have the right to be safe and free from sexual violence in their communities, workplaces, homes, social and personal lives; and

**WHEREAS**, only 12% of sexual violence was reported to police in 2021 and only 1% are prosecuted; and

**WHEREAS**, child abuse and neglect cross all socioeconomic and educational levels, religions, and ethnic and cultural groups; and

**WHEREAS**, 45.6% of children who die as a result of abuse or neglect are less than one year of age; and

**WHEREAS**, 80.3% of child fatalities involve at least one parent; and

**WHEREAS**, Indiana child abuse rates are more than double the national average and Indiana ranks third for child fatalities as a result of abuse or neglect; and

**WHEREAS**, we must all continue to support survivors, educate ourselves and others, work towards prevention of sexual violence and child maltreatment at its root causes, engage in meaningful dialogue, continue coordinated community efforts, and hold offenders of sexual violence and child maltreatment accountable; and

**PROCLAMATION  
COUNTY OF TIPPECANOE, INDIANA**

**WHEREAS**, Sexual Assault Awareness Month and Child Abuse Prevention Month provides an opportunity to show support for the numerous sexual violence advocates, victim service organizations, departments of child services, family case managers, crisis hotlines, law enforcement officers, forensic nurses, and prosecutors that work every day to offer safety, advocacy, resources, hope, and the opportunity for healing to victims in our community;

**NOW, THEREFORE**, the Tippecanoe County Board of County Commissioners, do hereby proclaim April 2023 as:

**SEXUAL ASSAULT AWARENESS MONTH and CHILD ABUSE PREVENTION MONTH**

- III. APPROVAL OF MINUTES** from Monday, March 20, 2023, and special meeting March 27, 2023.
- Commissioner Murtaugh moved to approve both sets of minutes as presented, second by Commissioner Byers. Motion carried.
- IV. PRESENTATION OF ACCOUNTS PAYABLE** – Commissioner’s Assistant Paula Bennett presented and recommended:
- The claims from March 22, 2023, through April 3, 2023, were recommended for approval without exception.
- Commissioner Byers moved to approve the Accounts Payable as presented, second by Commissioner Murtaugh. Motion carried.
- V. PRESENTATION OF PAYROLL** – Commissioner’s Assistant Paula Bennett presented and recommended:
- The payroll from March 17, 2023, was recommended for approval without exception.
- Commissioner Byers moved to approve the Payroll as presented, second by Commissioner Murtaugh. Motion carried.
- VI. RECOMMENDATION OF ACCEPTANCE OF BIDS** – President Brown presented:
- President Brown read aloud the bids recommended by Tecton for the Animal Shelter Project.
- Recommended Bids Phase 1:
- Bid Package 1A Concrete Contract: Winco Construction - \$428,218.00
  - Bid Package 1B Masonry Contract: Muller Masonry Services, LLC - \$108,000.00
  - Bid Package 1C General Trades Contract: Big Ben Builders, Inc. - \$1,512,400.00
  - Bid Package 1D Roof Contract: Wabash Valley Exteriors, LLC - \$97,925.00
  - Bid Package 1E Millwork/Casework Contract: Lee Company, Inc. - \$88,450.00
  - Bid Package 1F Hollow Metal Frames, Doors, & Hardware Contract: Mulhaupt’s Inc. - \$232,392.00
  - Bid Package 1H Floor Covering Contract: New Concept, Inc. - \$224,625.00
  - Bid Package 1I Painting & Wall Covering Contract: Bill Lawrence Company Inc. - \$47,900.00
  - Bid Package 1J Fire Suppression Contract: Brenneco Fire Protection, Inc. - \$286,452.08
  - Bid Package 1K Plumbing Contract: Brenneco, Inc. - \$413,500.00  
**Alternate #6:** Change Backflow Preventer to one (1) 3 inch.
  - Bid Package 1L Heating, Ventilating, & Air Conditioning (HVAC) Contract: Rejected and will be re-bid in Phase II.
  - Bid Package 1M Electrical Contract: Huston Electric, Inc. - \$557,431.00  
**Alternate #5:** Reduce the Quantity of Water Heaters and Relocate
  - Bid Package 1N Sitework Contract: TDH Contractors, LLC - \$599,978.00
  - Bid Package 1O Paving Contract: American Paving & Asphalt, Inc. Contractors, - \$105,000

- Bid Package 1Q Landscaping Contract: Best Lafayette Lawn Care - \$50,000.00

**Alternate #1:** Seed in Lieu of Sod

President Brown stated the Phase 1 Bid Total is \$4,752,271.08.

- Commissioner Murtaugh moved to accept the bids as presented for the Animal Shelter project, second by Commissioner Byers. Motion carried.

**VII. HIGHWAY** - Executive Director Stewart Kline presented and recommended:

Morehouse Road Project

A. Warranty Deed – ROW Purchase Parcel 35 - \$88,000.00

- Commissioner Byers moved to approve the Warranty Deed ROW purchase as presented, second by Commissioner Murtaugh. Motion carried.

Bid Award

A. Award 2023 Calcium Chloride Dust Control Bid to Central Paving, Inc. in the amount of \$1.35 per gallon.

- Commissioner Murtaugh moved to approve the bid award as presented, second by Commissioner Byers. Motion carried.

**VIII. AUDITOR** - Auditor Weston presented and recommended:

A. **RESOLUTION 2023-05-CM**, Transferring Dormant Funds and Closing Accounts

Auditor Weston stated this is to close out funds that have been dormant primarily since 2013. Most of these funds were grants and thanked Grant Facilitator Sharon Hutchinson for her help in identifying these accounts and communication with the departments involved. If the dollar amount was considered immaterial to the financial statements, the recommendation is to transfer the money to a donation fund per each department for their use. For larger amounts, the recommendation is to transfer the money to the General Fund. Commissioner Murtaugh asked if the groups who awarded the grants are ok with the transfers. Auditor Weston stated the grants have been audited with no further communication, and the grant purpose has been fulfilled. Commissioner Murtaugh asked if the Speed Limit project was through the Sherriff's Department or Highway and Auditor Weston confirmed it was through Highway and added that she feels comfortable transferring the money due to the grant stating some funds were supposed to go to the General Fund to reimburse admin expenses and she does not believe that has happened.

- Commissioner Murtaugh moved to approve RES 2023-05-CM, second by Commissioner Byers. Motion carried.

B. SRI Inc, Tax Sale Services Support Addendum

Auditor Weston stated this is the agreement with SRI to perform Tax Sales Services. The fee has increased from \$100 per parcel to \$125 per parcel for tax sale services.

- Commissioner Byers moved to approve the addendum as presented, second by Commissioner Murtaugh. Motion carried.

**IX. HEALTH DEPARTMENT** – Administrator Amy Erwin presented and recommended:

A. **ORDINANCE 2023-05-CM - Second Reading**, Amending Health Department Fees

- Commissioner Byers moved to hear ORDINANCE 2023-05-CM on the second reading, second by Commissioner Murtaugh.

Attorney Masson advised this is primarily to adjust fees identified by the Health Department that are needing to be increased or eliminated. It has been about five years since the fees have been updated. Section 34.06 is a duplication of section 112 and are somewhat inconsistent, so 34.06 is being eliminated. The Tuberculosis skin testing fee needs to be adjusted to reflect the new amount.

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

- Auditor Weston recorded the vote:

Commissioner Byers	Y
Commissioner Murtaugh	Y
Commissioner Brown	Y

Ordinance 2023-05-CM passed with a vote of 3-0 on second reading.

**X. PUBLIC DEFENDER** - Tippecanoe County Attorney Doug Masson presented and recommended:

**A. ORDINANCE 2023-07-CM**, Public Defender Commission Membership

- Commissioner Murtaugh moved to hear ORDINANCE 2023-07-CM, second by Commissioner Byers.

Attorney Masson advised this ordinance was drafted to have consistency with the General Assembly. When the Public Defender Board was created it had one appointment by the Commissioners and two appointments by the Judges. The two judicial appointments had to be held by two different parties. The General Assembly amended the composition to one appointment for Commissioners, one for Judges, and the political party aspect has been eliminated. The State Public Defender board gets to appoint one. This practice is already in effect, so the County ordinance needs to be updated to reflect the actual practices. The original ordinance had staggered term provisions, so the board members do not rotate off the board at the same time. This was resolved in 2007 so this section can be eliminated.

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

- Auditor Weston recorded the vote:

Commissioner Byers	Y
Commissioner Murtaugh	Y
Commissioner Brown	Y

Ordinance 2023-07-CM passed with a vote of 3-0.

- Commissioner Byers moved to suspend the rules for a potential second reading for ORDINANCE 2023-07-CM, second by Commissioner Murtaugh. Motion carried.

- Commissioner Murtaugh moved to hear ORDINANCE 2023-05-CM on the second reading, second by Commissioner Byers. Motion carried.

- Auditor Weston recorded the vote:

Commissioner Byers	Y
Commissioner Murtaugh	Y
Commissioner Brown	Y

Ordinance 2023-07-CM passed with a vote of 3-0 on second reading.

**XI. YOUTH SERVICES** - Executive Director Rebecca Humphrey presented:

**A. Grant Administration Agreement with David Wesner**

Executive Director Humphrey requested approval for six contracts that are provided by grant funding. Davis Wesner is contracted as a Youth Advocate through JDAI. The other five are

facilitators for the Parent Project. She stated the contract for her to be a facilitator for the Parent project is only to fill in for an absent staff member so the project can continue. President Brown asked if her contract is just a backup and Rebecca confirmed it is just to have continuity of care. Commissioner Byers asked if Rebecca's contract was a conflict. Attorney Masson stated the agreements for County employees specifies this is not within their regular scope of duties. Rebecca added she has eighteen parents signed up for the Parent Project and thanked the Commissioners for making it possible as the program starts tomorrow.

- Commissioner Murtaugh moved to approve the grant administration agreement with David Wesner as presented, second by Commissioner Byers. Motion carried.

B. Professional Service Agreements with the following:

- Rebecca Humphrey
- L. Wright LLC (Attn: Lindsey Wright)
- Nichole Miller
- Madeleine Riordan
- Misty Robinson

- Commissioner Murtaugh moved to approve the professional service agreements with Rebecca Humphrey, L. Wright LLC, Nichole Miller, Madeline Riordan, and Misty Robinson as presented, second by Commissioner Byers. Motion carried.

**XII. GRANTS – Grant Facilitator Sharon Hutchison presented and recommended:**

**Permission to Accept Grants:**

A. For the Health Department, from the Indiana Department of Health (IDOH), \$33,575 for the continuation of the FIMR program to be used for the coordinator through September 30<sup>th</sup>, 2023.

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

B. For the health Department, from IU Arnett, in the amount of \$3,500 to cover expenses for the “Out of Sight, Out of Mind” vaping program.

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

**XIII. UNFINISHED / NEW BUSINESS**

- None

**XIV. REPORTS ON FILE**

- Accounts Payable, Mail, Duplications February 2023 Report
- Weights and Measures February 16<sup>th</sup> – March 15<sup>th</sup>, 2023 Report

**XV. PUBLIC COMMENT**

- Dr. Dan Sakel, 38 N 23<sup>rd</sup> St. Lafayette, advocated for the Ferry Street neighborhood on the new location of the Syringe Safety Program. He expressed his concern for the lack of dialog between the community, the Commissioners, and the County Health Officer. He added Dr. Loomis stated “He would shut down the program if there was an unfavorable incident” but Dan asked what constitutes as an occurrence, there is a spectrum of incidents and who will be responsible if something happens? There are 2,400 people in the community who signed a petition to not have the location near the three schools. Commissioner Byers asked where the petition is, and Dan stated its online and Commissioner Byers asked for a copy since the Commissioners have never seen it. President Brown stated he questions the fairness of shutting the operation down just for finding a syringe since that happens all over the community but believes its fair to set parameters and have an operational plan in place. Commissioner Murtaugh asked what the timeline is for moving into the facility, and Dr. Loomis added there is not a timeline but would let everyone know two to three weeks in advance. President Brown asked if the hours have also been updated and Dr. Loomis stated the hours are 4:00 p.m. – 6:00 p.m. and every other Saturday morning. President Brown asked why 4:00 p.m. – 6:00 p.m. and Dr. Loomis stated so there are not operations during school hours.
- Sherry Towers, 512 S. 7<sup>th</sup> St. Lafayette, expressed her concern for the way children’s safety in the community is being handled regarding the SSP location. She has written to Commissioners twice, viewed alternate commercial properties online that are available, and feels due diligence was not done when prospecting for a new location. At the new location, the cost of the placement of an addition police officer to protect the children is estimated at \$100,000 per year and feels that has not been accounted for as a secondary cost to the community. Sherry also stated the Commissioner meetings in the daytime are extremely inconvenient and most other counties hold evening meetings instead of community members taking time off work to attend. Commissioner Byers said no matter the location there will always be a group of people who do not agree. Sherry stated when she volunteered at LARA she had to be careful due to open active crime. She added the community has not seen an uptick in crime at the current location of the SSP due to it being in a high crime are. She then stated the SSP needs to be in a location where it meets the needs of the community; the Ferry Street location does not serve that purpose and the SSP should stay at its current location.

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

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

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Tracy A. Brown, President

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Thomas P. Murtaugh, Vice-President

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David S. Byers, Member

ATTEST:

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Jennifer Weston, Auditor      04/17/2023

Minutes prepared by Samantha Perez, Recording Secretary