TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
September 21, 2009

The Tippecanoe County Commissioners met on Monday, September 21, 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 David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Acting Secretary Dawn Rivera.

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

APPROVAL OF MINUTES

- Commissioner Byers moved to approve minutes from the September 8, 2009 regular meeting, second by Commissioner Murtaugh; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for September 9, 10, 11, 16, 18, 21, 2009 as submitted with no exceptions.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Byers; motion carried.

OPENING OF BIDS FOR CULVERT WAS 101 REPLACEMENT PROJECT

George Harvey & Son, Inc.	$ 191,721.75
Fairfield Contractors, Inc.	$ 203,989.00
Milestone	$ 149,759.00
HIS Constructors, LLC	$ 257,300.00
Wirtz &Yates Construction	$ 205,966.00
Jack Isom Construction	$ 124,964.50
Atlas Excavating, Inc.	$ 156,467.69

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

HIGHWAY – Opal Kuhl

Highway Director Opal Kuhl recommended approval of the quote for the purchase of an excavator from Holt Equipment in the amount of $134,700. The piece of equipment is a used 2008 John Deere excavator.

- Commissioner Murtaugh moved to accept the quote from Holt Equipment for $134,700, second by Commissioner Byers; motion passed.

Ms. Kuhl requested a contract with USI Consulting for Bridge U209 be accepted. The amount of the contract is $258,750.

- Commissioner Byers moved to accept the contract with USI Consulting in the amount of $258,750, second by Commissioner Murtaugh; motion passed.

A Warranty Deed and Temporary Easement Grant with Nathan P. Anderson for Parcels 8 and 8A the South River Road Project was presented for approval. The warranty deed for parcel 8 is in the amount of $2,570 and the Temporary Easement Grant for Parcel 8A is in the amount of $335.

- Commissioner Murtaugh moved to approve the Warranty Deed and Temporary Easement Grant for parcels 8 and 8A as presented, second by Commissioner Byers; motion passed.

A Warranty Deed and Temporary Easement Grant with Andrew T. and Julie S. McCormick for Parcels 13 and 13A the South River Road Project was presented for approval. The warranty deed is in the amount of $8,290 and the Temporary Easement Grant is in the amount of $470.

- Commissioner Murtaugh moved to approve the Warranty Deed and Temporary Easement Grant for parcels 13 and 13A as presented, second by Commissioner Byers; motion passed.

Director Kuhl presented a three year construction maintenance bond of $5,000 from Lauramie Excavating for work in all county rights-of-way for approval.

- Commissioner Byers moved to accept the maintenance bond as presented, second by Commissioner Murtaugh; motion passed.

COMMUNITY CORRECTIONS – Dave Heath

Executive Director Dave Heath requested the Forensic Diversion Coordinator position be changed from Full Time to Regular Part Time due to lack of grant funding and participation.

- Commissioner Murtaugh moved to change the Forensic Diversion Coordinator position from Full Time to Regular Part Time, second by Commissioner Byers; motion passed.

REGION 4 WORKFORCE UPDATE – Roger Feldhaus

Mr. Feldhaus began by explaining the structure and objectives of the Indiana Workforce Development. Those objectives are to 1) grow Hoosier jobs and employment by assisting the underemployed in skills development; 2) grow Hoosier personal income; and 3) deliver premier customer service. As part of its vision, the Region IV Workforce Board will now be known as the Alliance '4' Advancement. The 2-year strategic plan will focus on policy development and guidance; substantial transitional support; technical and programmatic support; and monitoring and oversight. As one of the twelve counties comprising the region, Tippecanoe represented 22% of the total new enrollments, 12% of occupational training, and 23% of workshop participants. Unemployment in Tippecanoe for July '09 was 10.3% compared to 10.2% for the previous month and 4.9% for the

previous year. To meet the demands of this increase in customers, the Alliance is adding staff at WorkOne centers; developing new workshops; and adding programs and initiatives for youth and aging workers. Mr. Feldhaus ended the presentation by thanking the commissioners for their time and inviting them to the Alliance '4' Advancement annual dinner on November 4, 2009 in Lafayette.

SPONSORSHIP AGREEMENT – Kristen McVey

A sponsorship agreement between the Tippecanoe County Prosecutor and the Lafayette YMCA was presented for approval. Danielle Gaylord from the YMCA requested the placement of signs on the courthouse lawn at the corners of 3rd & Main and 4th & Columbia for the month of October. The signs read, "This sign can't stop domestic violence, but you can. Domestic Violence Program 888-345-1118".

- A motion was made to approve the sponsorship agreement by Commissioner Byers, second by Commissioner Murtaugh; motion passed.

GRANTS – Laurie Wilson

Grant Facilitator Laurie Wilson requested approval for the Medical Reserve Corps to apply for a grant of $5,000 for H1N1 preparedness.

- Commissioner Byers moved to allow the Medical Reserve Corps to apply for the grant, second by Commissioner Murtaugh; motion passed.

Permission to apply for a $24,000 grant was requested for Circuit Court to be used for mediations and the court information sharing program.

- Commissioner Murtaugh moved to allow the application for the grant as presented, second by Commissioner Byers; motion passed.

Ms. Wilson requested acceptance of a grant from the Department of Energy for $416,700. A portion of this will be used in partnership with the city of Lafayette for the traffic program, $100,000 will be used for enhancement at the Battlefield Museum, and the remainder will be for an energy audit and upgrade for county buildings.

- Commissioner Byers moved to accept the grant of $416,700 as stated, second by Commissioner Murtaugh; motion passed.

4th AMENDMENT TO THE DARK FIBER LEASE AGREEMENT – Dave Sturgeon

The lease is between Indiana Data Pipe, LLC and Tippecanoe County. This amendment will permit the State to pay for the WIC fiber run, allowing the department direct access to the county phone system and data network at no cost to the county.

- Commissioner Byers moved to amend the lease between Indiana Data Pipe, LLC and Tippecanoe County, second by Commissioner Murtaugh; motion passed.

BUILDING COMMISSION – Ken Brown

Steven & Michelle Mitchell Property

4918 Sherman Street, Buck Creek - Zoning Officer Ken Brown reported today is the deadline for clean up and repair orders given by the commissioners in the August 3rd meeting, stating Mr. Mitchell has asked for a little more time. Mr. Brown presented pictures documenting progress the owner has made, showing both the improvements made and the current state of the property. He noted the entrances have been secured with deadbolts.

- Commissioner Murtaugh moved to continue the hearing until the October 19th meeting with the possibility of another 30 extension if repairs are made to the roof, second by Commissioner Knochel; motion carried. *Commissioner Byers abstained.*

Beverly Adams Property

6900 Church Street in Colburn – Mr. Brown introduced attorney Jim Gothard, representing Ms. Adams pro bono, who gave a brief history of her financial situation, the actions taken by mortgage holder Saxon Mortgage, and acknowledged there have been 5 liens placed against the property. He read a letter from Saxon dated May 2008 stating they were willing to dismiss the foreclosure action with prejudice but will not release the lien or forgive the debt in hopes a buyer may be found for the property. Saxon is willing to entertain any short sale offers. Mr. Gothard reiterated that Ms. Adams can not pay the fine imposed by the Commissioners or any costs associated with demolition of the property. He stated Bill and Winnie Fitzmaurice of 6814 Church Street in Colburn contacted him expressing an interest in purchasing the lot. If an agreement with Saxon Mortgage can be reached, the Fitzmaurice's will agree to tear down the house and make the property presentable. On the advice of Mr. Gothard, Mr. & Mrs. Fitzmaurice are seeking independent legal advice on the validity of all liens against the property. Attorney Dave Luhman clarified the $5,000 fee previously assessed by the Commissioners is a civil fine and would only become a lien if it had to be enforced by judgment for non-payment. The Commissioners have the option to reverse the fee if they so choose. Mr. Brown reported the doors to the house are not secured and pose a safety issue.

Mrs. Fitzmaurice offered to replace the locks and place bait for vermin given the appropriate permission to enter the premise; Mr. Gothard granted permission. She addressed the commissioners, maintaining a fine added to the current liens would make the property less affordable to any interested party.

- Commissioner Murtaugh moved to suspend all action on this property until the October 5, 2009 meeting, second by Commissioner Byers; motion passed.

FIRE SPRINKLER QUOTES FOR JAIL ADDITION

- Commissioner Murtaugh moved to accept the quote from Brenneco Fire Protection in the amount of $5,390, second by Commissioner Byers; motion passed.

APPLICATIONS TO THE VILLA

- Commissioner Byers moved to approve the applications for Thomas Mann, Patricia Chamness, Georgia Ashlock and Debra Wheeler-Nokes to the Tippecanoe Villa, second by Commissioner Murtaugh; motion carried.

APPOINTMENT TO THE COMMON WAGE BOARD

- Commissioner Byers moved to appoint Dave Lahr to the West Lafayette and Purdue University Common Wage Board for various projects, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS

None

REPORTS ON FILE

Weights and Measures
County Treasurer

PUBLIC COMMENT

None

- 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