TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
October 19, 2009

The Tippecanoe County Commissioners met on Monday, October 19, 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 October 5, 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 October 7, 8, 15, 16, and 19, 2009 as submitted with no exceptions.

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

HIGHWAY – Mike Spencer
SHL 503 Culvert Replacement Project – Bid Award

Assistant Highway Director Mike Spencer recommended the board accept the low bid for this project from Fairfield Contractors for $127,116.

- Commissioner Murtaugh moved to accept the bid from Fairfield Contractors for $127,116, second by Commissioner Byers; motion carried.

Mr. Spencer submitted a Performance and Payment Bond from Jack Isom Construction in the amount of $124,964.50 for the WAS 101 Culvert Project.

- Commissioner Byers moved to accept the Performance and Payment bond from Jack Isom Construction in the amount stated, second from Commissioner Murtaugh; motion passed.

A Cover Sheet for Tippecanoe County U209 Bridge plans from USI Construction was presented for signatures.

- Commissioner Murtaugh moved to accept the Cover Sheet from USI Construction for signatures, second by Commissioner Byers; motion carried.

BUILDING COMMISSION – Ken Brown

Public Hearing – property owned by Steven & Michele Mitchell
Building Inspector Ken Brown presented pictures and detailed the current condition of the property as having the south and west portions of the roof covered by tarp with minimal plywood underneath. Mr. Mitchell explained he nailed the plywood under the leaky areas in an attempt to prevent further interior water damage. As part of his on-going effort to restore the property he has created a materials list for roof repair and contacted banks for financing. He estimates it will take 60 to 90 days to secure funding and complete the work in a best case scenario. He will also check with his insurance agent for a possible claim payment. Commissioner Byers asked Mr. Mitchell if it was possible for him to repair the roof a section at a time as he procured smaller amounts of funds. Mr. Mitchell replied he would have to refigure his materials lists in order to do so but felt there was nothing that could be for smaller increments of money. Mr. Brown asked if the entire roof was to be replaced and to clarify the purpose of the plywood under the tarps. Mr. Mitchell responded the roof will be completely replaced and the plywood has been installed over the existing leaks. Commissioner Murtaugh commented that from the pictures it appears as if there is water damage to the first floor interior walls. Mr. Mitchell conceded there is damage but the main frame is made of hard native timber and wood replacement will be minimal.

Commissioner Murtaugh acknowledged Mr. Mitchell's efforts towards repair while noting the unsafe condition continues to exist, stating it was time to gets bids on the demolition of the house and if a new roof was not installed within 30 days to proceed. Mr. Mitchell noted if demolition occurred it would force him into bankruptcy. Commissioner Knochel asked Mr. Brown what his recommendation would be in this situation. Mr. Brown feels that giving another 90 days would put installation in the middle of winter causing further delays in the process, which would bring the issue back up for consideration again.

- Commissioner Murtaugh moved to instruct Inspector Brown to move forward with seeking bids for demolition. If the roof is complete in 30 days the situation will be revisited. He asked Attorney Dave Luhman if it would be appropriate at this time to grant Mr. Mitchell an extension if he would submit a structural inspection report.

Mr. Luhman explained that procedurally this matter was set for hearing in August, continued to September and continued again to today. If the Commissioners want to proceed and are unsatisfied that the unsafe condition are corrected, they need to enter an order finding the unsafe conditions still exist and ordering the Building Commission to remedy that by demolishing the structure, which would require the solicitation of bids, thus allowing Mr. Mitchell time to voluntarily correct the unsafe conditions before a contract would be entered. He then read the original description of the violation that was mailed to Mr. Mitchell in July and attached to the notice of the August 3, 2009 hearing.

- Commissioner Murtaugh amended his motion to state the Commissioners find the unsafe conditions still exist on this property and that they move forward with the demolition of the structure by soliciting bids, second by Commissioner Knochel; motion passed. *Commissioner Byers abstained.*

Beverly Adams Property Update
Inspector Brown informed the Commissioners that there has been no communication From Saxon Mortgage regarding the property. Attorney Jim Gothard, representing Ms. Adams, confirmed he has not heard from the company either. At this time Mr. Brown presented the following bids for demolition:

- Lauramie Excavators, Inc
  $5,967 with an alternate of $350 to pump and crush the septic system

- Exterior View, Inc.
  $5,544

- Dimensional Builders, Inc.
  $12,700

Mr. Brown explained it is not required that the septic system be pumped and crushed. Usual procedures are to cap the system below grade at the point of entry into the structure.

- Commissioner Byers moved to accept the bid from Exterior View, Inc. for $5,544, second by Commissioner Murtaugh; motion passed.

WILDCAT CREEK SOLID WASTE DISTRICT (WCSWD) – Dawn Boston and Steven Frey

Director Dawn Boston requested permission to replace an 80 year old well house with a large pole barn designed to store combustible household hazardous waste, mercury lamps, drums, supplies; host a re-use center; and house an OSHA required safety shower and eye wash at the county-owned facility located at 2780 N. 9th Street, Lafayette. The current structure in use is a small wooden storage shed with a dirt floor used for storage of equipment and hazardous wastes. The drop off, processing, and larger storage areas are located outdoors, exposing the general public, workers, equipment, and waste to the elements. Ms. Boston presented the Commissioners with a proposed worst-case scenario budget and construction timeline set to be completed in the spring of 2010.

Commissioner Byers mentioned that Purdue University had approached the Board with the possibility of taking over the program but they have not heard back. Ms. Boston said she spoke with the Purdue attorney's last week and they informed her that the offer had been rescinded quite a while ago. Commissioner Byers said he would feel more comfortable moving forward if the Board would receive official notice for the withdrawal of the offer from Purdue.

Building Commissioner Ron Highland stated the facility would have to obtain a release from the State before the new building could be utilized. This process could mean extra funding would be needed to meet the requirements. Clinton County better prepares her to anticipate and understand the inspection process in moving forward with the Tippecanoe building.

- Commissioner Murtaugh moved to table the proposal to the next meeting, second by Commissioner Byers; motion passed.

Public Comment

Barry Rubin; 333 Elvernan Dr.; West Lafayette, IN – He is an owner of the property next to the former Purdue Salvage yard who supports the appropriate disposal of household hazardous waste and encourages the continued work done in the community to ensure we have this option.

GRANTS – Laurie Wilson

Grant Facilitator Wilson explained all the grants for presentation today are requesting permission to apply.

The Prosecutor is seeking funding for the continuation of the Project Safe Neighborhood grant in the amount of $55,000.

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

Superior Court III is seeking $35,000 from the Indiana Criminal Justice Institute (ICJI) for the continuation of a re-entry contract with Indiana Juvenile Task Force in Indianapolis.

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

Youth Services Director Rebecca Humphrey is applying for a Byrne grant through ICJI for $50,000 to be used for juvenile detention alternative initiatives. This will potentially be a multiyear grant and Ms. Humphrey will make the employee(s) aware this may be a relatively short term position. This program will be designed to coordinate the detention activities.

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

HUMAN RESOURCES – Shirley Mennen

Human Resources Coordinator Mennen presented an amended 2010 county holiday schedule. President's Day had been left off the previously approved calendar. She is requesting it be added on February 15th.

- Commissioner Byers moved to approve the amended calendar adding February 15, 2010 as the official President's Day holiday, second by Commissioner Murtaugh; motion passed.

TRASH TRANSFER AGREEMENT WITH SOUTHSIDE LANDFILL

Attorney Dave Luhman reviewed the terms of the renewal agreement with Southside Landfill, stating the basic fee remains the same for the consecutive 5 years with the possibility of adjusting fuel charges. Commissioner Knochel clarified the current contract expires December 31, 2010 and this renewal would become effective January 1, 2011 and extending for 5 years.

- Commissioner Murtaugh moved to accept the agreement contingent upon the Board receiving a signed copy from Southside Landfill, second by Commissioner Byers; motion passed.

APPLICATIONS TO THE VILLA

- Commissioner Byers moved to approve the applications for Pauline M. Conley, Joel D. Ray, Helen Eileen Healy, and Michael A. Coffman to the Tippecanoe Villa, second by Commissioner Murtaugh; motion carried.

APPOINTMENT TO THE COMMON WAGE BOARD

- Commissioner Murtaugh moved to appoint Roy Meeks to the Tippecanoe School Corporation Projects Common Wage Board for various projects, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

County Assessor Samantha Steele-Coles requested the Commissioners cancel the current contract with iDox Software and approve a contract with AS2 for the data collection and processing of personal property. She said the State denied the 2009 pay 2010 submission due to issues within the iDox software. Mr. Murtaugh thought the reported denial was for 2008 pay 2009. The company has been given ample

time to correct problems that remain unresolved. An example of address corrections taking over 6 months was given. The DLGF has reviewed the contract and tentatively approved its use. Ms. Steele-Coles said she is unaware of the initial cost for Manatron as that portion was handled through the Commissioners office, but the annual maintenance is $9,000. AS2 would cost $8,500 with an annual fee of $4,500, thus saving the county $4,500 per year. She said the iDox system was begun in February of this year, problems began in March and some remain unresolved to this day. It was clarified that the funding for this new contract is in the 2010 Reassessment budget for Contracts. Commissioner Byers asked if it was prudent to cancel a system that reportedly cost the county $30,000 initially without first meeting with the vendor to attempt a solution. Ms. Steele-Coles agreed to delay moving forward until a discussion could be held for resolution. Commissioner Knochel suggested Assessor Steele-Coles draw up a list of unresolved issues for this discussion with Manatron.

- Commissioner Byers moved to table the signing of the contract to the next regular meeting, second by Commissioner Byers; motion passed.

REPORTS ON FILE

Weights and Measures
Crystal Creek Boarding Kennels
Mileage Report from TEMA

PUBLIC COMMENT

Paul Wright; West Point, IN – Mr. Wright expressed his concern in seeing a possible redundancy in code consulting fees in the WCSWD proposed building budget. Ms. Boston explained that if a large contracting company was hired they would have the in-house staff available for code compliance; if a small company was used the work would most likely be outsourced. The proposed budget shows a worst case scenario of all possible costs, some of which may not be necessarily required.

Mr. Wright spoke of a report from Elizabeth Warren, Director of the TARP funds, detailing the upcoming second wave crisis in mortgage foreclosures. Nationally, an estimated 20% of outstanding adjustable rate mortgages are scheduled to reset in the next 18 months, potentially creating a recession even larger than the one in which we are currently.

Meg Fleet; 3732 Capilano Dr., West Lafayette, IN – Ms. Fleet is a county resident and scientist who is aware of the importance of proper disposal of hazardous waste. She is here in support of the WCSWD proposal for the new building. As a homeowner and artist she uses the services provided by the district and is teaching her children the importance of proper disposal.

Commissioner Knochel and Sheriff Tracy Brown attended a Red Ribbon Week kick-off sponsored by the Tippecanoe County Drug Free Coalition at the courthouse, which is decorated in large red ribbons to draw attention to drug prevention.

- Commissioner Byers moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

John L. Knochel

John L. Knochel, President

David S. Byers, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor