TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
December 21, 2009

The Tippecanoe County Commissioners met on Monday, December 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 Secretary Kay Muse.

Commissioner Knochel called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Byers moved to approve the minutes from the December 7, 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 December 10, 11, 16, 17, 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.

HIGHWAY-*Opal Kuhl*

Awarding of Bid - Bridge #36 Removal Contract

Executive Director Opal Kuhl presented a bid for bridge #36 from F&K Construction in the amount of $58,524. Ms. Kuhl stated the bids had been reviewed and is recommending accepting F&K Construction bid. Commissioner Murtaugh asked if there are currently barricades on the road. Ms. Kuhl stated there are permanent guard rails.

- Commissioner Byers moved to accept the F&K Construction Bid as presented, second by Commissioner Murtaugh; motion carried.

Awarding of Bid - Gasoline & Diesel

Director Kuhl presented a bid for Gasoline & Diesel from Ceres Solutions for acceptance. Ms. Kuhl stated they were low on all fuel costs, adding this is the same company that has been used for the past three to four years.

- Commissioner Murtaugh moved to accept the bid of Ceres Solution for Gasoline and Diesel as presented, second by Commissioner Byers; motion carried.

Awarding of Bid - Rental of Equipment

Director Kuhl recommended awarding the bid for Rental of Equipment to two companies; Reith-Riley Construction and Milestone. Ms Kuhl went on to say when the need arises to rent equipment, the department compares the fees of the two companies and uses the lowest.

- Commissioner Byers moved to accept the bids of Reith-Riley and Milestone as presented, second by Commissioner Murtaugh; motion carried.

Supplemental Agreement #1 from Floyd E. Burroughs & Associates, Inc. for the Bridge #33 Project

Director Kuhl presented Supplemental Agreement #1 for an additional $15,315 for Floyd E. Burroughs & Associates for approval. Ms. Kuhl stated they are working on the design of Bridge #33 and this is a supplemental agreement to the original contract to include the right of way.

- Commissioner Murtaugh moved to accept the Supplemental Agreement #1 in the amount of $15,315 from Floyd E. Burroughs for Bridge #33 as presented, second by Commissioner Byers; motion carried.

Amendment #1 from American Structurepoint, Inc. for the Lindberg Road Project

Director Kuhl presented Amendment #1 for American Structurepoint Inc. in the amount of an additional $558,900 for a total of $732,975. Ms. Kuhl added this is for the design portion of the Lindberg Road project. The city of West Lafayette will be reimbursing the County for the design expenses and the county will be responsible for the construction cost through the inter-local agreement signed with West Lafayette.

- Commissioner Byers moved to accept Amendment #1 from Structurepoint Inc. as presented, second by Commissioner Murtaugh; motion carried.

Traffic Ordinance 2009-21-CM Second Reading

Director Kuhl presented Ordinance 2009-21-CM as follows for second reading:

- County Road 300 West from South River Road to Division Road, 45 miles per hour
- County Road 250 North from County Road 250 North to Klondike Road, 40 miles per hour
- Newman Road from Division Road to State Road 26, 40 miles per hour
- Sharon Chapel Road from Newman Road to State Road 26, 40 miles per hour
- County Road 450 South from County Road 250 East to 0.920 miles east of County Road 250 East, 45 miles per hour
- County Road 200 North from 0.100 miles west of I-65 to County Road 400 East, 35 miles per hour
- County Road 200 North from 0.100 miles west of I-65 to County Road 400 East, 45 miles per hour
- County Road 450 South from 0.920 miles east of County Road 250 East to County Road 450 East, 50 miles per hour

Commissioner Knochel asked if there was any public comment.

Mr. Russ Siple 3424 East 200 North Lafayette, Indiana
Mr. Siple voiced his concerns about the speed limit being raised from 25 miles per hour to 45 miles per hour on County Road 200 North. Mr. Siple added he had timed the distance between the four way stop and the interstate bridge going 45 miles per hour to be one minute. He went on to say he feels it is too fast and does not feel the change is warranted. Mr. Siple stated there were three accidents this past weekend.

Commissioner Murtaugh stated the speed limits will not change at the curves and guard rails, and asked about the warning signs that would be posted. Ms. Kuhl stated there are currently warnings signs at the curves and those signs will remain in place. Traffic Supervisor Mike Parks stated speed limit advisories

are 15 miles per hour at the curves. Commissioner Knochel asked what speed limit the 90-degree turn is posted now. Mr. Parks stated the speed limit advisory is posted at 15 miles per hour. Commissioner Knochel asked Mr. Siple what he felt the speed limit should be. Mr. Siple stated he had cut three trees down to allow visibility from his driveway, adding that traffic coming over the hill is difficult to see. Mr. Parks stated the curve is posted at 15 miles per hour and traffic is going 40 miles per hour on the straight way. Area Plan Executive Director Sallie Fahey stated there is a new winery on the east side of the interstate and as it becomes more popular she expects tour buses in the area and feels this should be considered. Commissioner Knochel asked how many cars per day were traveling this road; Mr. Parks stated 1305 vehicles per day. Commissioner Murtaugh stated this speed limit change would not change the speed that is already being traveled by vehicles. Ms. Kuhl stated it will be impossible to enforce the speed limit as it is because you would have to ticket every vehicle. Commissioner Knochel stated he would like to see some more information on this issue but does not want to kill the entire ordinance. Attorney Luhman advised the ordinance could be passed as is and amended later based on any new information or it could be amended to omit any mention of 200 North east of Interstate 65.

- Commissioner Knochel move to adopt Ordinance 2009-21-CM with the amendment to omit the section of CR 200 North east of Interstate 65, second by Commissioner Byers; motion passed

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	No

Ordinance 2009-21-CM passed 2-1 on second reading.

Change Order #2 for 2009 Bridge Deck Patching from Jack Isom Construction, Inc

Director Kuhl presented Change Order #2 for approval. Ms. Kuhl added the contract was $281,609.02 and this will increase it $13,953.65.

- Commissioner Murtaugh moved to accept Change Order #2 as presented, second by Commissioner Byers; motion carried.

Change Order #2 for 2009 Bridge Rehabilitation Project from Pioneer Associates, Inc.

Director Kuhl presented Change Order #2 for approval. Ms. Kuhl stated this is a decrease due to less concrete work being needed. Ms. Kuhl added the contract was $270,087.76 and this will decrease it by $31,288.35.

- Commissioner Murtaugh moved to accept Change Order #2 as presented, second by Commissioner Byers; motion carried.

Construction Maintenance Bond from Merritt Contracting

Director Kuhl presented a three year Construction Maintenance Bond from Merritt Contracting in the amount of $50,000. Ms. Kuhl added this is for work being done on the driveway entrance to the new Wyandot Elementary School.

- Commissioner Byers moved to accept the Maintenance Bond as presented, second by Commissioner Murtaugh; motion carried.

Warranty Deed for Parcel 6 Tyler Road Project

Director Kuhl presented a Warranty Deed in the name of Barbara R. Winchell for parcels 6a and 6b totaling $5,030.

- Commissioner Murtaugh moved to accept the Warranty Deed as presented, second by Commissioner Byers; motion carried.

Warranty Deed for Parcel 7 Tyler Road Project

Director Kuhl presented a Warranty Deed in the name of Lloyd Barnett and Wanda Barnett for parcel 7 totaling $6,010.

- Commissioner Murtaugh moved to accept the Warranty Deed as presented, second by Commissioner Byers; motion carried.

Warranty Deed and Temporary Grant for Parcel 15 & 15a Bridge #151 Project

Director Kuhl presented a Warranty Deed and Temporary Grant for approval. Ms. Kuhl stated this is for Bridge #151 parcels 15 and 15a in the names of James A. Ruelander and Linda M. Ruelander in the amount of $9,820 for parcel 15 and $145 for parcel 15a.

- Commissioner Murtaugh moved to accept the Warranty Deed and Temporary Grant as presented, second by Commissioner Byers; motion carried.

Contract Amendment No. 1 - US 52 and US 231 Corridor Study

Director Kuhl presented Amendment #1 to the US231 and US52 Corridor Study for approval. Ms. Kuhl stated this is a federal aid project and is capped at $250,000. Ms. Kuhl stated the county portion is $25,000 and the portion covered by the Indiana Department of Transportation (INDOT) is $25,000; the balance is the federal portion.

- Commissioner Byers moved to accept Amendment #1 as presented, second by Commissioner Murtaugh; motion carried.

Conservation Easement for CR 350 S Mitigation Site

Director Kuhl presented a Conservation Easement for the County Road 350 South Mitigation Site for approval. Ms. Kuhl stated this is a small wetland the County maintains as part of the agreement for the funding of 350 South.

- Commissioner Byers moved to approve Conservation Easement as presented, second by Commissioner Murtaugh; motion carried.

Commissioner Knochel asked Director Kuhl for an update on Tyler Road. Ms. Kuhl stated the construction would start in 2010, adding tree removal would start in the next few weeks. However with the new floodway maps seven of the trees are in the creek. Because of this a mitigation plan will be required, however it has already been determined the trees can not be removed during bat mating season.

RESENTATION BY NATIONAL PORK BOARD

Alan Wilhoite, member of the National Pork Board, presented a slide show promoting the Pork Producers of Indiana. Mr. Wilhoite stated Indiana has over thirty four thousand pork operations and employs over thirteen thousand people. He went on to say pork producers contribute over $465,000,000 to the local and rural economies. Indiana ranks fifth among pork production states. Mr. Wilhoite added that Indiana produces over eight million pigs worth $924,000,000 in cash receipts to Indiana's economy and supports a host of local businesses. Mr. Wilhoite stated that Tippecanoe County rated twenty second in the state with an inventory of fifty five thousand six hundred hogs. He added that small family farms have declined in the past fifty years.

PURDUE COOPERATIVE EXTENSION SERVICE- *Bryan Metzger*
Contractual Services Agreement for County Extension Educator

County Extension Officer Bryan Metzger presented an Agreement for County Extension Educators. This is the same contract as past years; there is no increase in salary. The contract is for the amount budgeted.

- Commissioner Byers moved to approve the Contractual Services Agreement for Purdue Cooperative Educators as presented, second by Commissioner Murtaugh; motion carried.

GIS- *Mark Ehle*
Pictometry International Corporation Agreement

GIS Administrator Mark Ehle presented a Pictometry International Agreement for approval. Mr. Ehle stated this is a six year contract with Pictometry International Corporation. Mr. Ehle added there will be three flights, 2010, 2012, and one in 2014. Mr. Ehle stated the contract also has a non-appropriation clause. After the first flight if funds are not available the contract will end and the county will not have any further obligation. Mr. Ehle went on to say the cost of the flight is $97,669, which will cover both ortho photos (top down standard photos) and oblique photos (angle photos from either two or four directions). He added this will be helpful in performing assessments and also 911 services. Attorney Dave Luhman stated he has reviewed the agreement and made changes, which Pictometry International has agreed to.

- Commissioner Murtaugh moved to approve the Pictometry Agreement as presented, second by Commissioner Byers; motion carried.

YOUTH SERVICES- *Rebecca Humphrey*
Memorandum of Understanding for Mental Health Project

Executive Director Rebecca Humphrey presented a Memorandum of Understanding (MOU) with the Indiana Juvenile Mental Health Screening, Assessment, and Treatment Pilot Project for approval. Ms. Humphrey stated this would allow for screening when the intake assessment is preformed. This will identify youth with mental health needs, who will then be referred to the appropriate treatment process. Ms. Humphrey stated this would also assure suicidal youth would not be put in a situation where they could possibly harm themselves. Ms. Humphrey added that Tippecanoe County would be one of eleven counties participating in this project. Commissioner Murtaugh asked the length of the program funding. Ms. Humphrey stated that at this time it will be funded through the end of 2010.

- Commissioner Byers moved to approve Memorandum of Understanding as presented, second by Commissioner Murtaugh; motion carried.

GRANTS- *Laurie Wilson*

Grant Facilitator Laurie Wilson requested permission to accept an additional grant from Project Safe Neighborhood in the amount of $15,000. This will run through June 30, 2010 to help cover the gap in funding.

- Commissioner Byers moved to accept the grant as presented, second by Commissioner Murtaugh; motion carried.

Ms. Wilson requested permission to accept seven professional services agreements for the Automated Critical Asset Management System (ACAMS) Grant for Lawrence Blazak, Janet Buche, Jason Clark, Corey Cocanower, Jason Huber, Justin Darling and Debra Harlow. These are professional services agreements between individual persons and the county to provide assessments of critical assets in the county. This is a requirement upon accepting the grant and is funded through the grant.

- Commissioner Murtaugh moved to approve the seven agreements as presented, second by Commissioner Byers; motion carried.

CLERK- *Linda Phillips*

Contract Renewal with Government Service Payment, Inc.

Chief Deputy Christa Coffey presented a Contract Renewal with Government Service Payment Inc. This service is primarily for individuals who are arrested and need to provide bail through a second party via a credit card. The county does not incur any fees; the persons paying by credit card pay all associated fees with this service.

- Commissioner Murtaugh moved to approve the Contract Renewal as presented, second by Commissioner Byers; motion carried.

HUMAN RESOURCES- *Shirley Mennen*

R.E. Sutton Contract Renewal

Human Resource Coordinator Shirley Mennen presented a Contract Renewal for R.E. Sutton and Associates. This is a renewal contract for a two year rate instead of an annual rate. Attorney Dave Luhman stated that he had reviewed contract and it is in acceptable form.

- Commissioner Byers moved to approve the Contract Renewal as presented, second by Commissioner Murtaugh; motion carried.

JAIL BUMP-OUT CHANGE ORDERS

Commissioner Murtaugh stated there are two Change Orders. He stated the first Change Order would be an increase of $256 for window frames from Mulhaupts.

- Commissioner Murtaugh moved to approve the Change Order for $256 as presented, second by Commissioner Byers; motion carried.

Commissioner Murtaugh stated the second Change Order would be an increase of $5,240 for the installation of an injector pump and a utility sink in the current maintenance room of the jail.

- Commissioner Murtaugh moved to approve the Change Order for $5,240 as presented, second by Commissioner Byers; motion carried.

***RECORDER**-Oneta Tolle*

Interdepartmental Agreement Regarding Access to Recorded Documents

Recorder Oneta Tolle presented an Interdepartmental Agreement for approval. Ms. Tolle stated this is an agreement through Fidlar who provides software and equipment. Attorney Luhman stated this agreement with Fiddler for a fee of $500 will allow other departments to view recorded documents.

- Commissioner Byers moved to approve the Interdepartmental Agreement as presented, second by Commissioner Murtaugh; motion carried.

APPLICATION TO VILLA

- Commissioner Byers moved to accept the application of Dean Daniels to the Tippecanoe Villa as presented, second by Commissioner Murtaugh; motion carried.

APPOINTMENT TO COMMON WAGE BOARD

- Commissioner Murtaugh moved to appoint Dave Lahr to the Common Wage Board at Purdue University as presented, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

Commissioner Byers stated the Highway Cell Phone Policy passed at the December 7 meeting needs to be retro-active to May 2009. Attorney Luhman stated there would need to be a motion.

- Commissioner Byers moved to make Highway Cell Phone Policy retro-active to May 2009 as presented, by Commissioner Murtaugh; motion carried.

REPORTS ON FILE

Weights and Measures
Crystal Creek Boarding Kennel-2 Reports
Circuit Court Monthly Report

PUBLIC COMMENT

Paul Wright; West Point, IN

Mr. Wright voiced his concern that the interdepartmental agreement with the Recorder would be like paying for a service twice. Attorney Luhman stated this is a charge for a license to have the rights to access information from any office in the county. Ms. Tolle stated this would allow department directors to decide if this would increase productivity; they are not required to buy or use the service.

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