TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
May 19, 2014

The Tippecanoe County Commissioners met on Monday, May 19 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President Thomas P. Murtaugh, and Commissioner David S. Byers. Also present were Attorney Dave Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

APPROVAL OF MINUTES

- Commissioner Byers moved to approve the minutes of the regular meeting held May 5, 2014 and a special meeting held May 12, 2014, second by President Knochel; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS and PAYROLL CLAIMS

- Commissioner Byers moved to approve the accounts payable vouchers for May 5, 6, 7, 8, 9, 12, 14, 15, 16, and 19, 2014 and payroll vouchers for May 9, 2014 as submitted without exception, second by President Knochel; motion carried.

Commissioner Murtaugh entered the meeting.

HIGHWAY *– Mike Spencer*
Bridge #33 Project – Awarding of Bid

Highway Assistant Director Spencer recommended acceptance of the bid from Jack Isom Construction for the Bridge #33 project in the amount of $544,670.73.

- Commissioner Byers moved to approve the acceptance of the bid from Jack Isom Construction as presented, second by Commissioner Murtaugh; motion carried.

GRANTS *– Laurie Wilson*
Permission to Apply for Grant

Grant Facilitator Wilson requested permission to apply for a grant for Court Services in the amount of $173,311 from the Federal Bureau of Justice Assistance (BJA) for FY14 Smart Pre-Trial Demonstration Initiative Grant. It is a two year direct Federal grant with an option for a third year; each year is up to $100,000. The grant will support a local site coordinator who will staff the local policy team, collect data, and develop a pretrial system vision and policy agreements during the first year and implement the program in the second year. The third year is awarded based upon the success of the first two years. The policy team consists of local elected and appointed officials (Director of Pre-Trial Services, Community Corrections or Chief Probation Officer, Chief Judge, Chief Public Defender and/or Leadership from the Private Defense Bar, Elected Prosecutor, Jail Administrator or County Sheriff, City Police Chief or other lead Law Enforcement entity, and elected County Official or County Executive).

President Knochel asked the significance of direct Federal grant. Ms. Wilson stated it doesn't go through the State; it comes to the County directly from the Federal Government.

- Commissioner Murtaugh moved to approve permission to apply for the Court Services grant from the BJA as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant for the Clerk in the amount of $5,000 from the Indiana State Historic Records Advisory Board for Archival Assessment and Digitization Grant. The grant requires a $5,000 match. The grant will go towards preserving records for the Clerk's office.

- Commissioner Murtaugh moved to approve permission to apply for the grant for the Clerk's office from the Indiana State Historic Records Advisory Board as presented, second by Commissioner Byers; motion carried.

YOUTH SERVICES/CARY HOME FOR CHILDREN – *Rebecca Humphrey*
Memorandum of Agreement for Truancy Mediation with Greater Lafayette Area Special Services (GLASS)
Memorandum of Agreement for Truancy Mediation with Lafayette School Corporation
Memorandum of Agreement for Truancy Mediation with Tippecanoe School Corporation
Memorandum of Agreement for Truancy Mediation with West Lafayette School Corporation

Cary Home Director Humphrey presented a Memorandum of Agreement (MOA) with each of the four local school corporations for their contributions to the Truancy Mediation program. The annual request will apply to the 2014-2015 academic year. Commissioner Byers asked why Central Catholic (CC) doesn't participate in the Truancy Mediation program. Director Humphrey said CC must handle their truancy issues internally; they don't refer students to the program.

- Commissioner Murtaugh moved to approve the MOA with Greater Lafayette Area Special Services, Lafayette School Corporation, Tippecanoe School Corporation, and West Lafayette School Corporation as presented, second by Commissioner Byers; motion carried.

HEALTH DEPARTMENT – Craig Rich/Shirley Mennen
Sponsorship Agreement for American Cancer Society's Paint the Town Purple

Commissioner Byers congratulated Craig Rich as the newly appointed Health Department Director, replacing Ron Cripe. Human Resources Director Mennen said the Health Department sponsored the American Cancer Society's Paint the Town Purple event last year and she asked Director Rich and the Health Department to sponsor the event again this year. Director Mennen will chair the committee. Beginning May 31st, purple ribbons will be added around the Courthouse, the County Office Building, and other areas all over town to raise awareness of cancer and the fight against cancer.

Director Rich said it is a worthy cause, the Health Department has sponsored the event in the past and they are more than willing to step forward to sponsor. Director Mennen said Relay for Life is on June 20, beginning at 7:00 p.m. and ending at 7:00 a.m. on June 21. Tippecanoe County has a team, normally called the County Cruisers. This year, they will be referred to as the Super Cruisers because the theme is Super Heroes. Director Mennen encouraged everyone to sign up on the team or sponsor someone who is on the team. Cancer survivors are asked to sign up as well.

- Commissioner Murtaugh moved to approve the Sponsorship Agreement for the American Cancer Society's Paint the Town Purple as presented, second by Commissioner Byers; motion carried.

BUILDING COMMISSON *– Ken Brown*
Unsafe Structure – 6973 Main Street, West Point, IN

Deputy Building Commissioner Mike Wolf presented a set of pictures of an unsafe structure located at 6973 Main Street in West Point, Indiana. The structure consists of two buildings on one property, owned by Candice Sims. The investigation began on July 6, 2011 at which time it was borderline unsafe. A letter was sent to Ms. Sims to which she replied she could not afford to improve or tear down the structures. Recently, new complaints were received. The property was reinvestigated on April 10, 2014 and had deteriorated substantially since 2011. Deputy Wolf explained the house faces Main Street and the side is on 700W; the main street passing through West Point. The photos indicate the foundation has been undermined by rodents, there are holes in the roof with the ceiling falling in, the walls are decayed with large holes in the interior walls, and the side door is open. A detached garage is open to the public and like the house, the foundation is deteriorating and rodents have access. Due to the location of the structure, it is highly important to move forward to demolish the house for public safety. Deputy Wolf asked Attorney Luhman to prepare a letter inviting Ms. Sims to the next meeting.

Attorney Luhman said it appears the Building Commission has exhausted the informal tools and a public hearing should be set. In order to provide 30 days' notice, the public hearing was set for the first Commissioner's meeting in July.

- Commissioner Murtaugh moved to approve setting a public hearing on July 7, 2014 for the unsafe structure at 6973 Main Street in West Point, Indiana, second by Commissioner Byers; motion carried.

SERVICE ANIMAL POLICY *– Frank Cederquist*

Commissioners' Assistant Cederquist presented a Service Animal Policy saying the Service Animal Policy is an ADA requirement and will apply to all County facilities. Currently, there is not a policy for service animals in Tippecanoe County.

Tippecanoe County's Policy on Service Animals

Tippecanoe County complies with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Under the ADA, businesses and organizations that serve the public must allow people with disabilities to bring their service animals into all areas of their facilities where members of the public are normally allowed to go. Among other things, the ADA and Section 504 require the County to make reasonable modifications to its policies, practices, or procedures to permit the use of a Service Animal by members of the public, faculty, staff or visitor with a disability.

Definition of Service Animal

The ADA defines a Service Animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability." Importantly, other species of animals, whether wild or domestic, trained or untrained, are not Service Animals for the purpose of the ADA. However, the County will make reasonable modifications for a miniature horse that has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

When assessing whether a dog is a Service Animal, the dog must be trained to do work or perform tasks that are directly related to the individual's disability - such as guiding people who are blind; alerting people who are deaf; pulling wheelchairs; alerting and protecting a person experiencing a seizure; reminding a person with mental illness to take prescribed medications; calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack or performing other special tasks. Service animals are working animals, not pets.

The crime deterrent effects of a dog's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of determining if a dog is a Service Animal under this policy.

Verification of Service Animal

The County will not ask about the nature or extent of an individual's disability. However, when it is not readily apparent that the dog identified by the individual with a disability is trained to do work or perform tasks for him or her, the staff of Tippecanoe County may ask the individual with the disability if the dog is required because of a disability and what work or task the dog has been trained to perform. However, the County will not require documentation, such as proof that the dog has been certified, trained, or licensed as a Service Animal.

Care and Supervision of Service Animal

The individual with the disability using a Service Animal is responsible for the care or supervision of a Service Animal. The Service Animal must be under the control of the individual at all times and must have a harness, leash, or other tether. If the use of a harness, leash, or other tether would interfere with the performance of the work or tasks performed by the Service Animal or is impractical because of an individual's disability, a harness, leash, or other tether may not be required. However, in that case, the individual must be able to control the Service Animal by other effective means such as voice controls or signals.

Tippecanoe County's Policy on Service Animals

A Service Animal is generally permitted to accompany the individual with a disability to County facilities where members of the public, staff, and faculty are allowed to go. However, the County may ask the individual with a disability to remove a Service Animal from any of its facilities if: (1) the Service Animal is out of control and the individual with a disability does not take effective action to control it; or (2) the Service Animal is not housebroken. The County may also ask the individual with a disability to remove a Service Animal from any of its facilities if the use or presence of the Service Animal poses a direct threat to the health or safety of others or if the animal's behavior, such as barking, is unreasonably disruptive to the other participants within the facility.

The County may impose legitimate safety requirements on the use or presence of a Service Animal that are necessary for safe operation of its facilities. There are some facilities that are not safe for use or presence of Service Animals and from which the County may exclude Service Animals on a case-by-case basis based on actual risks.

The individual with a disability must abide by current city, county, and state ordinances/laws/regulations pertaining to licensing, vaccination, and other requirements for animals (it is the individual's responsibility to know and understand these ordinances, laws and regulations).

The individual with a disability is responsible to clean up after and properly dispose of the Service Animal's feces in a safe and sanitary manner.

The County will not ask for or require an individual with a disability to pay a surcharge or to comply with other requirements generally not applicable to people without pets. However, an individual with a disability may be charged any damage caused by his or her Service Animal.

Requesting a Reasonable Modification
Anyone wishing to utilize a Service Animal at County facilities and County sponsored activities should contact:

Frank Cederquist
Tippecanoe County ADA Coordinator
Tippecanoe County Office Building
20 North 3rd Street
Lafayette, IN 47901
Ph: (765)-423-9772
Fax: (765) 423-9196
fcederquist@tippecanoe.in.gov

2

- Commissioner Murtaugh moved to approve the Tippecanoe County Service Animal Policy as presented, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

Auditor Weston asked the Commissioners to make a salary recommendation for the 2015 budget at the June 2, 2014 meeting. Salary Statements are due for presentation to the Commissioners by July 7, 2014. A cost estimate per 1% increment raise is around $325,000.

REPORTS ON FILE

The following reports will be on file in the Commissioner's Office:

- Treasurer
- Parks and Recreation Board
- Health Department Board
- Clerk of the Circuit Court

PUBLIC COMMENT

As there were no public comments, Commissioner Byers moved to adjourn.

Meeting adjourned at 10:24 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

John L. Knochel, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 06/02/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant