TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
September 16, 2013

The Tippecanoe County Commissioners met on Tuesday, September 16, 2013 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President John L. Knochel, and Commissioner Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of the regular meeting held September 3, 2013, second by Commissioner Murtaugh; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for August 30, September 4, 5, 6, 10, 12, 13, and 16, 2013 as submitted without exception, second by Commissioner Murtaugh; motion carried.

***ORDINANCE 2013-25-CM* – Amending Regulating Use of Consumer Fireworks -** *2ND Reading*

- Commissioner Murtaugh moved to hear Ordinance 2013-25-CM on 2nd reading, Amending Regulating the Use of Consumer Fireworks, second by President Byers.

Attorney Luhman said the Ordinance will add a new Chapter 97 to the County Code and regulates the use of consumer fireworks. The current consumer fireworks are the same as defined in Indiana Code. The Ordinance applies to Tippecanoe County areas within the Adjusted Urban Area Boundary, an area determined by the Area Plan Commission as designated by the US Bureau of Census. It defines urbanized areas within the county. The urbanized areas are adjacent to the corporate limits of Lafayette and West Lafayette. A published map was approved by the Area Plan Commission which defines the Lafayette and West Lafayette Urban Area Boundary. The Ordinance aligns the County with Lafayette in providing that consumer fireworks may only be used or discharged between the hours of 5:00 p.m. and two hours after sunset on June 29 and 30, July 1, 2, 3, 5, 6, 7, 8, and 9; between the hours of 10:00 a.m. and 12:00 midnight on July 4; and between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

President Byers invited public comment in favor of the Ordinance.

Barbara Willis – Fiddlesticks Subdivision – Ms. Willis thanked the Commissioners for all the work on the Ordinance; for listening to both sides of the story; and coming up with a suitable compromise. She believes it will be good for everyone. She stated she is still not in favor of the dangerous fireworks that can cause fires, especially in subdivisions, but realizes there are eleven days that the State of Indiana allows the use. She said she appreciates what the Commissioners accomplished.

There were no other public comments in favor of the Ordinance.

President Byers invited public comment opposed to the Ordinance.

Carl V. Covely Jr. – 5740 S. 800 E., Lafayette – Mr. Covely said the Ordinance does not affect him as he lives outside the adjusted urban area boundary. It is a solution looking for a problem and he doesn't think the problem is so significant that it needs restriction. He believes the rules will continue to be violated; a new law doesn't change a behavior unless it is strictly enforced. The County does not have the resources to enforce the existing standard.

Sheriff Brown said it is important to do something. The complaints have grown as the market has grown and fireworks become more plentiful. This gives the Sheriff's Department a starting point, especially in the subdivision neighborhoods.

There were no other public comments opposed to the Ordinance.

Commissioner Murtaugh said it is a fair compromise. A lot of feedback was received after the original Ordinance, both positive and negative. Once the Ordinance was revised, he has received no feedback. He is in favor of the Ordinance.

Commissioner Knochel said he is opposed to the Ordinance. He thinks it is a waste of time and agrees with the comments of Mr. Covely in that it will be almost impossible to enforce. An officer will first of all have to check the map and by the time he gets to the location, the fireworks will probably be over. It is another level of bureaucracy that does not need to be on the County books.

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Nay
Murtaugh	Aye

Ordinance 2013-25-CM passed 2-1 on second and final reading.

GRANTS – Laurie Wilson
Permission to Accept Grant

Grant Facilitator Wilson requested permission to accept a grant for the Drug Free Coalition in the amount of $115,864 from the Substance Abuse and Mental Health Services Administration (SAMHSA). The grant will be used to address alcohol, synthetic marijuana, and prescription and over-the-counter drug use among youth.

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

Permission to Apply for Grant

Grant Facilitator Wilson requested permission to apply for a grant for the Parks Department in the amount of $15,000 from the DNR Department of Historic Preservation and Archeology to restore the eagle at the entry arch to the Battlefield. The Parks Foundation will provide the matching funds.

- Commissioner Knochel moved to approve permission to apply for the grant as presented, second by Commissioner Murtaugh; motion carried.

TREASURER – Bob Plantenga
Vendor Service Agreement for Collections

Treasurer Plantenga said the County has had a contract for a number of years for the collection of delinquent personal property which has gone to judgment. The current contract is with Premier Credit. He requested approval of a new vendor service agreement with American Financial Credit Services (AFCS). With approval, the 2013 judgments will be sent to the new vendor once certified with the Clerk in October. AFCS collects from 63 counties in the state and the overall collection percentage is 43%. Premier Credit only collects for Tippecanoe County. Treasurer Plantenga said he would like to keep the contract with Premier Credit so they can continue to work on the older judgments. Having the two vendors will allow a comparison of collections. Premier Credit has collected $153,000 over the past four years. If the judgments were certified today, there would be $365,000; AFCS would collect $157,000 if they collected at the 43% rate. AFCS stated in the contract that they could collect a 27% fee from the taxpayer and send the demand notices. Treasurer Plantenga preferred the demand notices be sent from the County, lowering the fee to 25%; saving the taxpayer money.

- Commissioner Knochel moved to approve the vendor service agreement for collections as presented, second by Commissioner Murtaugh; motion carried.

VILLA – DeAnna Sieber
New Position

Villa Director Sieber requested approval to add an additional position. Currently the Villa is staffed with one person on the night shift. Recently there was smoke in one of the wings around 2:30 a.m. and only one person on staff to evacuate 87 people. Most of the residents can walk but there are 24 or 25 residents with walkers and 3 or 4 in wheelchairs. Director Sieber said she would like to hire a laundry/resident assistant for the midnight shift. The main duties would be laundry but they would also help with bed checks and getting residents to the bathroom at night. They would assist in getting residents up for breakfast and with morning medical needs. Laundry is currently completed on days; returning clothing to the residents will remain on the day shift. The person doing laundry on days will have additional time to help the resident assistant and also transport patients to appointments, freeing up time for the Director of Nursing. The position would be an LTC1.

Commissioner Knochel said Director Sieber presented some good arguments for the new position and asked if she had money in the budget. Director Sieber stated she would need to approach Council for an appropriation.

- Commissioner Knochel moved to approve the new position as presented, second by Commissioner Murtaugh; motion carried.

COMMISSIONERS – Frank Cederquist
Change Orders for ADA Project at Villa

Commissioners' Assistant Cederquist said there is a change order for the Villa ADA project. Two of the doors were installed with full glass, providing a safety concern. The recommendation is to change the doors to half glass. The change order is for $1,490.

- Commissioner Knochel moved to approve the change order for the Villa as presented, second by Commissioner Murtaugh; motion carried.

Commissioners' Assistant Cederquist said there is a change order for the ADA project at Cary Home. During installation of a ramp, it was discovered that the steel lentils at the two back entryways were beginning to sag. The lentils are what the brick and mortar rest on; the solution is to install a steel column on both entryways. The cost of the change order is $2,600.

- Commissioner Murtaugh moved to approve the change order as presented, second by Commissioner Knochel; motion carried.

VETERAN SERVICES – Frank Cederquist
Professional Transportation Services Agreement for New Driver

Commissioners' Assistant Cederquist presented a Professional Transportation Services Agreement for Alan L. Hefner. Mr. Hefner is a new driver for Veteran Services.

- Commissioner Knochel moved to approve the agreement for Veteran Services as presented, second by Commissioner Murtaugh; motion carried.

HUMAN RESOURCES – Tom Murtaugh
Business Associate Agreement with RE Sutton for Purpose of HIPAA

Commissioner Murtaugh presented an agreement required by HIPAA between the County and RE Sutton; the County employee benefits consultant. The agreement has been reviewed by Attorney Luhman. The agreement provides for indemnification for violations by either party.

- Commissioner Knochel moved to approve the Business Associate Agreement with RE Sutton as presented, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS

President Byers said there is a 1:30 meeting today with Tecton to do a walk-through of the building under purchase consideration. Tecton will review what is necessary for renovation and managing the project and provide a report at a later date.

REPORTS ON FILE

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

Building Commission
Board of Health

PUBLIC COMMENT

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

Meeting adjourned at 10:26 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

David S. Byers, President

John L. Knochel, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor 10/07/2013

/th