TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
April 1, 2013

The Tippecanoe County Commissioners met on Monday, April 1, 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, Commissioner's Assistant Frank Cederquist, and Recording Secretary Dawn Fay.

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

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held March 18, 2013, second by Commissioner Knochel; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for March 20, 21, 22, 25, 27, 28, 29 and April 1, 2013 as submitted without exception, second by Commissioner Murtaugh; motion carried.

AREA PLAN COMMISSION – Sallie Fahey
Rezone Z-2520 Wea Development, LLC (R1 to R1B), Ordinance 2013-12-CM
Petitioner is requesting rezoning of 5,533 square feet (1.127 acres) of land, being a portion of Lot 298, Stones Crossing Subdivision, Section 4 Revised, located on platted but unimproved Scoria Street, west of Concord Road and south of Veterans Memorial Parkway, Wea 15 (NW) 22-4.

- Commissioner Knochel moved to hear Rezone Z-2520, Wea Development, LLC, R1 to R1B, Ordinance 2013-12-CM, second by Commissioner Murtaugh.

Kyle Betz, with Fisher and Associates, 625 S. Earl Avenue, Lafayette stated he represents the petitioner, Wea Development, LLC. The request is for a rezone from R1 to R1B. An approved preliminary plat shows one lot with an existing zoning line which straddles the lot. The lot is compliant with the R1B standards and the rezone will bring the lot into full compliance with the standards.

Commissioner Murtaugh noted the APC staff recommended approval with a 12-yes and 0-no vote.

President Byers invited public comment in favor of or opposed to the rezone request. There were none.

Auditor Weston recorded the vote.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2013-12-CM passed 3-0.

Rezone Z-2522 Aretz, LLC/Steve Withers (R1 to GB), Ordinance 2013-13-CM
Petitioner is requesting rezoning of 1.054 acres located at the southeast corner of CR 300 N and Old SR 25, more specifically 180 Aretz Lane, Fairfield 11 (NW) 23-4.

Commissioner Knochel moved to hear Rezone Z-2522 Aretz, LLC/Steve Withers, R1 to GB, Ordinance 2013-13-CM, second by Commissioner Murtaugh.

Steve Withers, representing Aertz, LLC, 40 Aretz Lane, Lafayette, requested approval for Rezone Z-2522, R1 to GB. The rezone was approved by APC with a 9-yes, 3-no vote.

President Byers invited public comment in favor of or opposed to the rezone request. There were none.

Auditor Weston recorded the vote.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2013-13-CM passed 3-0.

President Byers stated that Rezone Z-2523 Aretz, LLC/Steve Withers (A & R1 to I3), Ordinance 2013-14-CM has been withdrawn.

Rezone Z-2524 Aretz, LLC/Steve Withers (R1 to GB), Ordinance 2013-16-CM
Petitioner is requesting rezoning of 1.423 acres located at the southwest corner of CR 350 E and CR 300 N (north of the old Aretz Airport Hangers, Fairfield 11 (NW) 23-4.

- Commissioner Knochel moved to hear Z-2524 Aretz, LLC/Steve Withers, R1 to GB, Ordinance 2013-15-CM, second by Commissioner Murtaugh.

President Byers said the rezone was approved by APC with a 10-yes, 1-no vote.

President Byers invited public comment in favor of or opposed to the rezone request. There were none.

Auditor Weston recorded the vote.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2013-15-CM passed 3-0.

UZO Amendment #75 Zoning Commitments, Ordinance 2013-16-CM
An amendment to the Unified Zoning Ordinance that adds sections regarding zoning commitments to UZO Chapter 5: Supplementary Regulations and UZO Section 6-2-4: Additional Provisions.

- Commissioner Knochel moved to hear UZO Amendment #75 Zoning Commitments, Ordinance 2013-16-CM, second by Commissioner Murtaugh.

APC Director Fahey said as of a year ago, due to a change in the planning statute, commitments are allowed to be attached to rezoning requests. The bulk of the change occurred in the By-Laws Committee

as the statute recommends creating rules which are in the by-laws. Certain commitments are allowed to be proposed by petitioners which then must be accepted by the Plan Commission. Following Plan Commission acceptance, the legislative body must approve or not approve the rezone with the commitment attached. There are two parts to the subdivision ordinance: First, any commitment which is allowed by the Plan Commission and adopted by the legislative body in connection with the rezone has to be recorded within 30 days of the adoption. A process has been developed which Director Fahey will review with Auditor Weston, the Auditor staff, City and Town clerks. The second part is an Administrative Officer (the County Building Commissioner), cannot issue an improvement location permit or building permit for the property until the commitment is recorded in the Recorder's office.

President Byers invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Weston recorded the vote.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2013-16-CM passed 3-0.

HIGHWAY – Opal Kuhl
PE Agreement from Butler, Fairman and Seufert, Inc. for Replacement of Culvert No. TIP 010

Highway Director Kuhl said the agreement is with Butler, Fairman, and Seufert to replace Tippecanoe County Culvert TIP 010 which is located in the Northeast corner of the county. The amount is $45,400 which covers survey, design, bidding, and geotechnical, if needed.

- Commissioner Knochel moved to approve the agreement with Butler, Fairman and Seufert as presented, second by Commissioner Murtaugh; motion carried.

Supplemental Agreement No. 3 from American Structurepoint, Inc. for the Cumberland Avenue Project

Director Kuhl presented Supplemental Agreement No. 3 from American Structurepoint for the Cumberland project. The Highway Department is completing their own inspections on the project; however, there are additional services such as reviewing shop drawings, and minor redesign on some driveways where American Structurepoint services will be needed. A line item has been added, not to exceed $30,000, to cover those services.

- Commissioner Knochel moved to approve the agreement with American Structurepoint as presented, second by Commissioner Murtaugh; motion carried.

Permit to Close, or Block a County Highway or Road for the Lions Club Car Show in West Point on May 18, 2013

Director Kuhl presented a permit to close a portion of the roads in West Point for the annual Lions Club Car Show. The roads include parts of Washington, Columbia, Monroe, Mulberry, and Main. The event will take place on May 18, 2013 and the roads will be closed from 6:00 a.m. to 2:00 p.m.

- Commissioner Knochel moved to approve the permit to close the streets in West Point as presented, second by Commissioner Murtaugh; motion carried.

GRANTS – Laurie Wilson
Permission To Accept Grant

Grant Administrator Wilson requested permission to accept a grant for TEMA from the Indiana Department of Homeland Security (IDHS) in the amount of $60,406.25. The grant reimburses the County for a portion of the 2012 salaries paid to the EMA Director, Deputy EMA Director, and EMA Administrative Assistant.

- Commissioner Knochel moved to approve acceptance of the grant for TEMA as presented, second by Commissioner Murtaugh; motion carried.

Grant Administrator Wilson requested permission to accept a grant for Superior Court 3 from the Indiana Supreme Court, Court Improvement Program in the amount of $2,680. The grant is for a Professional Development Scholarship to allow Judge Graham to attend the National Council of Judicial and Family Court Judge's (NCJFCJ) Conference.

- Commissioner Knochel moved to approve acceptance of the grant for Superior Court 3 as presented, second by Commissioner Murtaugh; motion carried.

CLERK – Christa Coffey
Agreement with Smart Business Solutions for Software Services

Clerk Coffey said the agreement with Smart Business Solutions will upgrade and expand the record requests capabilities. Currently, an Access database is used which isn't great. The upgrade is the next generation of tracking the bills sent to customers. The cost is $500 per month and will be paid out of the Records Perpetuation Fund.

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

CARY HOME FOR CHILDREN – Rebecca Humphrey
New Position

Cary Home Director Humphrey said she gave up a full-time position when preparing the budget for 2013. Based on the Affordable Health Care Act requirements of staff-to-child ratio and restrictions on part-time staff duties, she realized Cary Home will be short staffed. Director Humphrey presented a current schedule showing the part-time staff hours cut to 24 hours per week and also the open shifts. In working with Human Resources, Commissioner Murtaugh, and the Advisory Board, and discussing the turnover rate and how it affects our youth, Director Humphrey requested approval to hire a regular part-time person for 32 hours per week.

Commissioner Murtaugh asked if the new regular part-time person, working 32 hours would fill all of the shift openings appearing on the schedule. Director Humphrey said no and added that Cary Home has a job fair scheduled at Ivy Tech tomorrow to obtain applicants for part-time positions. Obtaining qualified people is difficult and now it is almost impossible when restricting hours to 24. With a 32 hour week, the person could fill shifts on Saturday, Sunday, and three evening shifts.

The salary is $14,563 plus benefits for the remainder of 2013 if the starting date is May 5. The annual salary is $23,666, plus benefits.

President Byers asked if part time funds will be given up and shifted to the regular part time 32 hour position. Director Humphrey said she is currently using part time and a lot of overtime to fill shifts until additional part time personnel can be hired. She does not believe there will be a swap of funds.

Nine youths are currently in placement, which is typical for March. The numbers will increase in April and continue upward through the summer before dropping in the fall. The State requirement is one staff per four boys; one staff per three girls; and one staff per two children in the ISU unit. The 2013 contract does not allow one staff to float between two units.

Commissioner Knochel asked what would happen if the new position is not approved and what happens if the State comes in to audit the number of staff. Director Humphrey said without approval, they will continue as before with full time employees having a lot of overtime. As requested, the part time employees would not be asked to work more than 30 hours per week. If the State comes in for a review, a certain period of time would be allowed to correct the situation. If not corrected, the State would recommend that Probation and DCS not place children in Cary Home. Director Humphrey said the first audit should be in June.

President Byers suggested 10 hour days as a solution but referred to Commissioner Murtaugh since he is on the Cary Home Board. Director Humphrey said she has spoke with Councilmember Williams but has yet to speak with Councilmember Metzger. She plans to do so before next week. Commissioner Murtaugh said the Health Care Reform will require revamping at Cary Home and other departments and Cary Home staffing is mandated.

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

PROPOSAL FOR SERVICES
Tecton Construction Management for ADA Upgrades

Commissioner Murtaugh presented a Proposal for Services from Tecton Construction Management for ADA upgrades at Tippecanoe County Villa and Cary Home. Tecton previewed both facilities and prepared a proposal for ADA. Due to financial reasons and the 2013 budget, the project was scaled back. The proposal includes $2,620 for the cost of bidding phase services and $21,833 for the cost of construction phase services.

- Commissioner Murtaugh moved to approve the Tecton proposal as presented, second by President Byers.

Commissioner Knochel questioned if the project is on the list for priority rating given to the Commissioners, Councilmembers, and Department Heads. Commissioner Murtaugh said it will be on the list for several years; obtaining 100% ADA compliance cannot be obtained in one year. Commissioner Knochel suggested it was premature to vote until all figures are returned and reviewed. Commissioner Murtaugh said the Council budgeted $250,000 for 2013 for this project and it was ranked as a "high" priority due to being included in the budget.

- Commissioner Knochel opposed; motion carried 2-1.

MEMORANDUM OF UNDERSTANDING (MOU) **– Ambulance Service**

Commissioner Murtaugh presented a MOU and announced the continuation of ambulance service in Tippecanoe County, saying the County has been fortunate with excellent prior service. With the addition

of a hospital, there has been discussions and concern about the continuation of the service. Both hospitals are working together on an agreement to form a Board to fund the ambulance service operation. The hospitals, the County, and the City will have board representation. The Board of Directors will handle personnel and policy issues and there will be no changes to personnel, ambulance placement, or medical directors. Commissioner Murtaugh commended both hospitals for participating and working together for the continuation of a very important community asset.

- Commissioner Murtaugh moved to approve the MOU as presented, second by President Byers.

Commissioner Knochel said that a few years ago the idea was presented that the ambulance board would look into taking over completely with the purchase of ambulances and staffing. He inquired about the progress of the past idea. Commissioner Murtaugh stated the agreement covers all operational costs; the financial responsibility of Tippecanoe County is for the ambulances, up to $100,000 per year to fund depreciation for future ambulances. Commissioner Knochel asked if there was discussion of the hospitals purchasing the ambulances and the County government not having any of the responsibility or cost. Commissioner Murtaugh said he thinks County government would want to have a stake to allow input for ambulance placement and the hours served; giving up that option would be risky. President Byers said the prior discussions resulted in delayed ambulance service of 5 – 10 minutes for the outlying areas of the county. Commissioner Murtaugh said the cost of staffing and running one ambulance is in excess of $700,000 per year.

- Commissioner Knochel opposed; motion carried 2-1.

APPLICATION TO VILLA

- Commissioner Knochel moved to accept John A. Small to the Villa, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS – none

REPORTS ON FILE

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

Treasurer
Parks and Recreation Board

PUBLIC COMMENT

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

Meeting adjourned at 10:36 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 04/15/2013