TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
December 17, 2012

The Tippecanoe County Commissioners met on Monday, December 17, 2012 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Thomas P. Murtaugh, Vice President John L. Knochel, and Commissioner David S. Byers. Also present were: Attorney Doug Masson, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Tillie Hennigar.

President Murtaugh 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 December 3, 2012, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for December 4, 5, 6, 7, 12, 13, 14, and 17, 2012 as submitted without exception, second by Commissioner Byers; motion carried.

HIGHWAY – Opal Kuhl
Awarding of Bid for 2013 Gasoline and Diesel Fuel

Highway Director Kuhl stated Ceres Solutions submitted the low bid for gasoline and diesel fuel, their paperwork is in order, and she recommends acceptance.

- Commissioner Knochel moved to accept the Ceres Solutions bid as presented, second by Commissioner Byers; motion carried.

Awarding of Bid for 2013 Rental of Equipment

Director Kuhl recommended acceptance of the two bids which were received for equipment rental – one from Milestone Contracting and a second from Rieth-Riley Construction. The bids provide prices to be in place in case there is a need for renting equipment the County does not have.

- Commissioner Knochel moved to accept bids from Rieth-Riley Construction and Milestone Contracting for equipment rental as presented, second by Commissioner Byers; motion carried.

Awarding of Bid for 2012 Bridge Replacement Project – Bridge #1040

Director Kuhl stated all bids for the bridge #1040 replacement project have been reviewed and she recommends awarding the bid to Rieth-Riley. They submitted the low bid in the amount of $335,019, which is below the engineer's estimate. All paperwork is in order.

- Commissioner Knochel moved to accept the bid from Rieth-Riley for bridge #1040 as presented, second by Commissioner Byers; motion carried.

Performance Bond from Atlas Excavating, Inc. in the amount of $147,670 for Tippecanoe County Eisenhower Road Drainage Improvement Project

Director Kuhl presented a Performance Bond from Atlas Excavating in the amount of $147,670 for the Eisenhower Road drainage project. The bid was previously accepted.

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

Change Order #1 from Rinehart Excavating, Inc. for TIP009 Culvert Replacement Project

Director Kuhl said change order #1 is for TIP009 culvert replacement from Rinehart Excavating. The change order will balance the quantities and also cover the extra backfill necessary to construct the berm and the erosion control blankets. The amount for the change order is $16,266.30; the total for the project is $184,026.18.

- Commissioner Knochel moved to accept the change order from Rinehart Excavating as presented, second by Commissioner Byers; motion carried.

Director Kuhl said the TIP009 culvert project is complete and the Eisenhower Road drainage improvement project is planned to begin today.

HUMAN RESOURCES – Shirley Mennen
2013 Anthem Renewal

Human Resources Director Mennen said the Anthem renewal involves an increase to the individual specific stop loss from $250,000 to $275,000. By increasing the stop loss, the rate will be slightly lower. History has shown there has not been a need for the $250,000.

- Commissioner Knochel moved to approve the 2013 Anthem Renewal contract, second by Commissioner Byers; motion carried.

Payroll Schedule Change for 2013

Director Mennen said the change to the 2013 payroll schedule clarifies that pay days after January 7, 2013 will be every other Friday. If payday falls on a holiday, employees will be paid on Thursday before the regularly scheduled payday. Payroll is done electronically via direct deposit to your bank account(s) and the stub can be found at https:www.tippecanoe.in.gov/paystub/. Deposits will be made to your account(s) by 8:00 am on the morning of the payday. The change is to place the policy in-line with the bi-weekly payroll. One payday remains under the prior schedule and will fall on Monday, January 7.

- Commissioner Knochel moved to approve the payroll schedule change for 2013 as presented, second by Commissioner Byers; motion carried.

PUBLIC DEFENDER – Amy Hutchison
Approval of Immigration Positions

Public Defender Hutchison said she has three items; two which are related. First, she requested approval for a Litigation Assistant to assist with the immigration process, public defender reimbursement, and discovery issues. The position has been through the personnel committee. The second position is for an

attorney to work as an Immigration Resource Coordinator to help communicate with the expert and also complete the opinions in the future instead of paying the current contracted individual. The Coordinator position has also been through the personnel committee. President Murtaugh asked if positions would be eliminated. Public Defender Hutchison said both positions would be new and would not eliminate positions. The positions are not approved or budgeted for 2013 and will be presented to Council for approval. Commissioner Byers said he understood one position was being considered for elimination due to reclassification. Amy stated that she might be able to eliminate one down the road after she reviews caseloads by court. Commissioner Byers asked Amy to brief the public on the Supreme Court law that recently passed. Public Defender Hutchison said a case law was passed in the U.S. Supreme Court affecting those in the United States illegally or on status from other countries. The law requires advising them of the potential effect of a criminal conviction on their residency status and potential relief which may be available to them. Most criminal defense attorneys are not knowledgeable of the immigration law because it changes rapidly. Currently, $150 per hour is paid to an attorney in Chicago to write the opinions. The average is $500 - $600, depending on the complexity of the case.

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

Approval of Contract Addendum with Immigration Attorney

Public Defender Hutchison presented an addendum to the usage of the Westlaw account for the Immigration Attorney ("Contractor"). The addendum authorizes the Contractor to use the account; however, the Contractor is not authorized to use databases or other services outside of the County's subscription. Also, the Contractor is authorized to use the account only for research or other purposes directly related to providing services to the County. Attorney Masson reviewed the contract addendum.

- Commissioner Knochel moved to approve the contract addendum as presented, second by Commissioner Byers; motion carried.

PROSECUTOR – Kristen McVey
Professional Services Agreement

Deputy Prosecutor Attorney McVey requested approval of a 2013 Professional Services Agreement between the Prosecutor's office and Kathryn J. Redd. Contractor Redd administers Project Safe Neighborhood and Anti-Gang Initiative grants.

- Commissioner Knochel moved to approve the professional services agreement in the amount of $59,000 annually as presented, second by Commissioner Byers; motion carried.

MITS/GIS – Mark Ehle
Amendment to Agreement with Pictometry International Corp.

GIS Administrator Ehle said the amendment is to the six year Pictometry contract. The original contract was approved by the Commissioners on December 21, 2009 and included four direction views for the city but only north and south views in rural areas. The amendment involves increasing the amount of flight topography to include four direction views to the rural areas. The increased directional views will assist the Assessor's office. Assessor Linda Phillips said the Council has appropriated the money and the

Assessor's office will receive huge benefits for a small cost. In addition, the cost of sending staff to acquire better property views will be reduced.

- Commissioner Knochel moved to approve the Pictometry contract amendment as presented, second by Commissioner Byers; motion carried.

GRANTS – Laurie Wilson
Permission to Accept Grant

Grant Facilitator Wilson requested permission to accept a grant for Probation from the Indiana Criminal Justice Institute (ICJI) in the amount of $2,615. The grant will go toward the *Reducing the Use of Secure Detention* project. It is an amendment to provide additional funds to finish the project through the end of 2012.

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

MOU/Contract

Grant Facilitator Wilson presented a contract from the Indiana Department of Homeland Security (IDHS) for the District 4 Administrative Coordinator Janet Buche. The contract is for 2013 in the amount of $57,500 which is paid from TEMA grant C44P-2-239A. It is an ongoing contract, in the fifth year. Commissioner Byers stated the contract was an RFP and only one was submitted but questioned if the salary remained the same. Ms. Wilson stated it is a pay raise as last year's salary was $55,000.

- Commissioner Knochel moved to approve the TEMA grant contract for Janet Buche as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson presented a contract from ICJI Administration Agreement which is paid from Cary Home JDAI grant #2011-DJ-BX-2622. The contract is for Scott Angstadt in the amount of up to $15,000. Mr. Angstadt provides reports and analysis of the juvenile system via Quest Data Services.

- Commissioner Knochel moved to approve the agreement for Scott Angstadt as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson presented Assessment/Evaluation agreement which is paid from *Title II Reducing the Use of Secure Detention* grant 11-JF-017. The contract is for Dr. Ascough in the amount of up to $8,800. Dr. Ascough provides psychological evaluations and assessments for juveniles as needed.

- Commissioner Knochel moved to approve the agreement for Dr. Ascough as presented, second by Commissioner Byers; motion carried.

ADOPTION OF AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

David Meihls from ADA Consultants of Indiana, L.L.C. said today the ADA Transition Plan for Tippecanoe County would be adopted. The Transition Plan is a comprehensive plan to move forward. After today, the County will be fundamentally changing the way business is done in regard to new construction and alterations to facilities as well as programs and services provided throughout the county. It is a plan involving many elements but provides the resources necessary to obtain information and assistance. The document is a work in progress which will be revisited each year and changed as needed. There will be new laws for compliance of the plan. The information will be available on the website following today's meeting. President Murtaugh thanked Mr. Meihls for his help with the plan.

- Commissioner Knochel moved to adopt the ADA Transition Plan for Tippecanoe County as presented, second by Commissioner Byers; motion carried.

INTERPRETER CONTRACT

- Commissioner Knochel moved to approve the Translator Agreement for Carmen Elena Calderon Garcia, second by Commissioner Byers; motion carried.

AGREEMENT TO PROVIDE PROFESSIONAL CONSULTING SERVICES – Tippecanoe Villa

President Murtaugh said the contract is with Maximus to assign a daily cost for providing services at Tippecanoe Villa and evaluate the resident's cost share. Commissioner Byers said Maximus will evaluate various aspects of the entire facility to determine if the County is breaking even and also look at the rooms for redesign potential to private rooms, among other things. The cost will be $4,000.

- Commissioner Knochel moved to approve the Professional Consulting Services agreement with Maximus as presented, second by Commissioner Byers; motion carried.

CHANGE ORDER FOR FAIRGROUNDS ELECTRIC/AC PROJECT

Commissioner Byers presented a change order to the contract for the electric and air conditioning project at the fairgrounds. The change order amount is $779.00 for replacing ceiling panels, and a mechanical credit amount of $225.00; leaving a change order balance or $554.00. The total contract with Shefler Construction is $63,959.00.

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

CHANGE ORDER FOR COURTHOUSE LIMESTONE PROJECT

President Murtaugh presented a change order for the Courthouse limestone project in the amount of $9,600. The change order is due to additional sealing needed to the cap of the outside wall. The project is now complete at a total cost of $680,120.

- Commissioner Knochel moved to approve the change order for the limestone project as presented, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

Commissioner Byers welcomed President Murtaugh back and stated it was good to see him out of the hospital.

REPORTS ON FILE

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

Building Commission
Central Mail and Duplicating
Public Library

PUBLIC COMMENT

Paul Wright – 4523 S County Line Rd W, Westpoint – Mr. Wright questioned a comment from Commissioner Byers at the December Council meeting regarding the consultant for the YMCA, asking for clarification on the end goal for the building. Commissioner Byers said in the long range forecast for the Fairgrounds, if additional property in the general area became available, the County would research the possibility of purchasing. The YMCA is moving to a new location. Currently, research and brainstorming for different ideas are being discussed such as moving the Extension Office, USDA, Soil and Water, or FSA to the YMCA building to locate them into one area. Most of those organizations are paying rent so they could pay rent to the County instead. The County is taking the first step to do the research which includes hiring a consultant to compile the information on the costs and remodeling needs. Mr. Wright stated he doesn't think the piece of property and the building would benefit anybody except the Fairgrounds, saying the true value should be minimal. Commissioner Byers said some churches have shown interest so there is value to the property.

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

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

John L. Knochel, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 01/07/13