

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**December 15, 2014**

The Tippecanoe County Commissioners met on Monday, December 15, 2014 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 Murtaugh moved to approve the minutes of the regular meeting held December 1, 2014, second by Commissioner Byers; motion carried.

**PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS and PAYROLL CLAIMS**

- Commissioner Murtaugh moved to approve the accounts payable vouchers for December 4, 5, 10, 11, 12, and 15 and payroll vouchers for December 5 and 9 as submitted without exception, second by Commissioner Byers; motion carried. Auditor Weston said the December 9 payroll was a special one for a missed voucher.

**ORDINANCE 2014-24-CM – 2<sup>nd</sup> Reading**

**Amending Tippecanoe County Code Chapter 90 Animal Control**

- Commissioner Murtaugh moved to hear Ordinance 2014-24-CM Animal Control on 2<sup>nd</sup> reading, second by Commissioner Byers.

Attorney Luhman said the Ordinance was previously adopted on 1<sup>st</sup> reading and includes a number of changes from the existing Ordinance. The Ordinance defines “abandoned”; removes the requirement of obtaining dog tags; explains the “humane” treatment of animals; “impoundment”; and mandatory “microchipping and sterilization”. The Ordinance sets penalties and fines from \$200 for various offenses up to \$2,500 for offenses such as animal cruelty.

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

Sheriff Tracy Brown thanked the committee and Attorney Masson for their hard work on the Ordinance revisions.

Auditor Weston recorded the vote.

Murtaugh	Aye
Knochel	Aye
Byers	Aye

Ordinance 2014-24-CM passed 3-0 on second and final reading.

**HIGHWAY – Opal Kuhl**

**Addendum to Professional Services Agreement - Tippecanoe County and City of Lafayette – Maintenance of Road Segments**

Highway Director Kuhl presented an addendum to a previously signed agreement with the City of Lafayette. Thanks to Commissioner Murtaugh for finding an error in the description of the third Road Segment.

- Commissioner Murtaugh moved to approve the Addendum to Professional Services Agreement between Tippecanoe County and the City of Lafayette for maintenance of road segments as presented, second by Commissioner Byers; motion carried.

**Petition for Vacation of Right-of-Way, a portion of Railroad Street in Colburn, Indiana – Petitioner Danny Pattengale**

Director Kuhl presented a Petition for Vacation of Right-of-Way to set a hearing date saying the property is a piece of Railroad Street between the railroad tracks and Danny Pattengale's property; the rest of the street has been vacated over the years. Attorney Luhman said to comply with the 30 day notice; the hearing could be set for the second meeting in January.

- Commissioner Murtaugh moved to set a hearing date of January 20, 2015 for the Petition for Vacation in Colburn, Indiana, second by Commissioner Byers; motion carried.

**Awarding of Bids for 2015 Gasoline and Diesel Fuel Bid and Rental of Equipment Bid**

Director Kuhl requested approval for the Highway Department to accept the bids from Rieth-Riley and Milestone for equipment rental and also the bid from Ceres Solutions for gasoline and diesel fuel.

- Commissioner Murtaugh moved to approve the bid for gasoline and diesel fuel from Ceres Solutions and also the bids from Rieth-Riley and Milestone for equipment rental as presented, second by Commissioner Byers; motion carried.

***BUILDING COMMISSION – Ken Brown***

**Demolition of Unsafe Structure – 1918 N 500 W, West Lafayette (Onias Taruwinga property)**

Building Commissioner Brown discussed the condition of the property located at 1918 North 500 West in Lafayette saying he became aware of the structure in June, 2014. Jeff Blakemore was listed as the owner of record. Once Mr. Blakemore was located, Commissioner Brown asked for a resolution by August 1. After placing the item on today's agenda, he discovered the property recently changed ownership. Mr. Onias Taruwinga has purchased the property and he has been asked to take immediate action due to the condition of the house and other outbuildings falling in. Mr. Taruwinga advised Building Commissioner Brown he does not have the funds to tear down the structures.

Mr. Taruwinga said he purchased the property about 45-60 days ago and was not aware of the ongoing issues or timeframes that had transpired between the previous owner and the County. He has plans to tear down the buildings and is currently working with local contractors on drawings and also incorporating the demolition. He anticipates having the work done by mid-April.

- Commissioner Murtaugh moved to continue the hearing for the unsafe structure to Monday, April 20, 2015, second by Commissioner Byers; motion carried.

*CASA – Coleen Connor*  
**VOCA Grant**

In the absence of Ms. Connor, Commissioner's Assistant Cederquist said it is a nine month extension of the VOCA Grant to pay for a part time position to supervise the CASA volunteers. CASA Executive Director Connor arrived and said it is an ongoing CJI grant that CASA has had for years. Laurie Wilson applied for it previously. The last grant was delayed in issuance so it was extended for three months; this request is to accept the grant for an additional nine months.

- Commissioner Byers moved to approve acceptance of the VOCA Grant as presented, second by Commissioner Murtaugh; motion carried.

*TEMA – Jeff Houston*  
**Permission to Apply and Accept Grant**

District 4 Administrative Coordinator for the Indiana Department of Homeland Security Jeff Houston requested approval to apply and accept a grant in the amount of \$2,777.77 for the 2014 Hazardous Materials Team Qualification Program.

- Commissioner Murtaugh moved to approve permission to apply and accept the grant for TEMA in the amount of \$2,777.77 for the 2014 Hazardous Materials Team Qualification Program as presented, second by Commissioner Byers; motion carried.

**Permission to Accept Grant**

Administrative Coordinator Houston requested approval to accept the following grants:

- \$ 5,000 – 2014 SHSP District Exercise
  - \$13,750 – 2014 SHSP District Equipment
  - \$13,794 – 2014 SHSP Competitive County Based - Local
  - \$24,133 – 2014 SHSP District Training
  - \$50,000 – 2014 District Administrator
- Commissioner Murtaugh moved to approve permission to accept a \$5,000 grant for the district exercise; a \$13,750 grant for the district equipment; \$13,794 for a local competitive county based grant; a \$24,133 grant for district training; and a \$50,000 grant for district Administrator, second by Commissioner Byers; motion carried.

*SUPERIOR COURT 3 - YOUTH SERVICES – Rebecca Humphrey*  
**Contract for Juvenile Psychological Evaluations**

Cary Home Director Humphrey presented a contract on behalf of Judge Graham for Juvenile Psychological Evaluations. The contract is in the amount of \$8,000 for Dr. Ascough to assist the community kids in receiving the psychological evaluations and recommendations to move forward.

- Commissioner Murtaugh moved to approve the contract for Juvenile Psychological Evaluations for Dr. Ascough in the amount of \$8,000 as presented, second by Commissioner Byers; motion carried.

*CARY HOME - Rebecca Humphrey*

### **Contract for Pediatric Services**

Director Humphrey said the Cary Home residential contracts are ongoing and required by the State. All have been reviewed and approved by the Attorney's office. The first one for Pediatric Services with IU Health and Dr. Robert Hannemann is an update of the contract which hasn't been updated since 2008. It is \$340 per month.

- Commissioner Murtaugh moved to approve the contract for Pediatric Services with Dr. Hannemann in the amount of \$340 per month as presented, second by Commissioner Byers; motion carried.

### **Contract for Annual Inspection**

Director Humphrey said the contract for an annual inspection is with Electronic Systems Group, Inc. (ESG). It is the annual fire inspection of Cary Home in the amount of \$400 for the main building and \$130 for the girls unit.

- Commissioner Murtaugh moved to approve the annual contract for inspection with ESG as presented, second by Commissioner Byers; motion carried.

### **Contract with Wabash Valley Alliance for Leased Space**

Director Humphrey said the contract with Wabash Valley Alliance is for leased space to bill Medicaid for eligible residential clients. Wabash Valley Alliance pays Cary Home approximately \$1,600 per year for space the Cary Home contracted therapists use to provide Medicaid services.

- Commissioner Murtaugh moved to approve the contract with Wabash Valley Alliance for leased space at Cary Home as presented, second by Commissioner Byers; motion carried.

### **Contract for Quality Assurance Coordinator**

Director Humphrey said the contract for Quality Assurance Coordinator is ongoing for state regulations shared through the General Fund and the Community Corrections Grant.

- Commissioner Murtaugh moved to approve the contract for the Quality Assurance Coordinator as presented, second by Commissioner Byers; motion carried.

### **Contract with DCS for Residential Services**

Director Humphrey said the contract with DCS is to provide residential services from 2015 – 2016. It sets the per diem rates which are \$220 in the girls unit and \$250 in the boys unit for long term and emergency shelter care. Both are increases in the most used programs and above the projected 10%.

- Commissioner Murtaugh moved to approve the contract with DCS for residential services as presented, second by Commissioner Byers; motion carried.

### **Grants – Permission to Apply**

Director Humphrey requested permission to apply for a grant for the Department of Corrections in the amount of \$246,637. The grant is pending the Community Corrections Advisory Board approval later today. The grant pays for surveillance officers, a portion of the day reporting program, supplies, and gas for the different programs.

- Commissioner Murtaugh moved to approve permission to apply for a grant for the Department of Corrections, subject to Community Corrections Advisory Board approval, in the amount of \$246,637, second by Commissioner Byers; motion carried.

Director Humphrey requested permission to apply for a Juvenile Detention Alternatives Initiative (JDAI) grant. In 2015, they are eligible for \$55,000 and only for “alternatives to secure detention”. The funding covers material, support, and the two instructor contracts for *Policing the Teen Brain*. It also covers a middle school program with Lafayette and Tippecanoe School Corporations for Dr. Oliver of Butler University for restorative justice training, implementation, and coaching and also the development of *Teaching the Teen Brain* program.

- Commissioner Murtaugh moved to approve permission to apply for the JDAI grant in the amount of \$55,000 as presented, second by Commissioner Byers; motion carried.

#### *WIC – Colleen Batt*

##### **MOU with Franciscan St. Elizabeth Health**

WIC Director Batt asked for approval of a Memorandum of Understanding (MOU) between WIC and Franciscan St. Elizabeth Health regarding WIC’s Breastfeeding Peer Counselors (BPC) visiting WIC participants who are breast feeding to provide continuity of care. Attorney Luhman said all issues regarding insurance coverage have been resolved.

- Commissioner Murtaugh moved to approve the MOU with Franciscan St. Elizabeth Health for Peer Counselors to visit clients, second by Commissioner Byers; motion carried.

#### *HEALTH – Craig Rich*

##### **Grant**

Health Director Rich requested approval for acceptance of a Medical Reserve Corporation (MRC) grant in the amount of \$5,000 from the Department of Health and Human Services. The grant will be used for a volunteer or part time to get the MRC running again. The MRC is a list of volunteer nurses and medical professionals who come together in an emergency.

- Commissioner Murtaugh moved to approve acceptance of the \$5,000 grant from the Department of Health and Human Services as presented, second by Commissioner Byers; motion carried.

#### *SHERIFF – Tracy Brown*

##### **Creation of Chief Deputy Position**

Sheriff Brown requested the creation of a Chief Deputy position for the Sheriff’s Office. A Chief Deputy has been selected to replace Major Williams at the beginning of 2015, under Indiana code 36-8-10-5.5. Last week, the Council approved amendments to the Salary Statement; Sheriff Elect Richard will appear before Council in January, 2015 to explain how he intends to fund the position. Sheriff Elect Richard said he is aware of the increased costs to the department by the creation of the position. With the 2015 budget and overages in employee salaries, there will be ample unused funds in the current budget at the

end of the year to cover the new position. Auditor Weston said throughout the year there is turnover within the department, leaving funds in the budget. There is a vacant position to look at also. Sheriff Brown said next year, the personal services accounts are tied to COIT and can't be transferred to other line items. The statute states a Merit Chief Deputy is allowed to go back to his or her last merit rank; in this case, that would be the position of Captain. The creation of a Chief Deputy does provide one extra administrative position.

- Commissioner Murtaugh moved to approve the creation of the Chief Deputy Position for the Sheriff's Department as presented, second by Commissioner Byers; motion carried.

#### ***POLICY REGARDING JOINT FUNDING OF JUDICIAL PORTRAITS***

Attorney Luhman said the policy arose out of recognition that there are a number of judges who have served the County for a long time who will be leaving office at the end of the year. In the past, portraits have been provided for the judges as they retired or departed and the portraits have been hung in their respective courtrooms. There has never been a written document or policy establishing how the portraits are funded. The Tippecanoe County Bar Association wanted to assure the tradition continued and offered to pay for the framing and matting of the photographs if the Commissioners would pay for the photograph itself. The Bar Association have adopted a policy stating "the Board of Commissioners will fund the acquisition of a suitable photograph of each such judge, and the Bar Association will fund the framing thereof". Commissioner Murtaugh thanked Judge Elect Persin for bringing the issue forward and Attorney Luhman for working on it.

- Commissioner Murtaugh moved to approve the policy regarding joint funding of judicial portraits as presented, second by Commissioner Byers; motion carried.

#### ***111 N 4<sup>th</sup> STREET – Dave Byers***

Commissioner Byers said the County has been looking for extra office space throughout the community; researching five or six different buildings. The building at 111 N 4<sup>th</sup> Street has been under negotiation with two of the high ranking officers of the Kentland Bank. The median of the two appraisals value the building at \$1,232,500; Kentland Bank has agreed to sell the property to the County for \$765,000. President Knochel complimented Commissioner Byers on pursuing the building and obtaining the reduced price, stating it will be a nice addition to County government.

- Commissioner Byers moved to approve acceptance of the offer to purchase the 111 N 4<sup>th</sup> Street property from Kentland Bank in the amount of \$765,000 as presented, 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:

- Central Mail and Duplicating
- Clerk of the Circuit Court
- Library Board

#### ***PUBLIC COMMENT***

Sheriff Brown said he understood that this is the last official meeting with the Tippecanoe County Board of Commissioners for Attorney Luhman and he wanted to thank him for all the work he has done for the law enforcement agency over the many years. Sheriff Brown continued to say their department faces more litigation than most and Attorney Luhman has always been on the front line and available when needed. He presented him with a plaque on behalf of the law enforcement agency and all of Tippecanoe County Government which read *“Presented to Tippecanoe County Attorney David W. Luhman in Recognition of Your Outstanding Service, Dedication and Commitment to the Citizens of Tippecanoe County with Appreciation from the Men and Women of the Tippecanoe County Sheriff’s Office and Tippecanoe County Government”*.

Attorney Luhman said “it has been a pleasure to work with the people who have been in Tippecanoe County Government for quite a few years; we’re very fortunate as a community to have people that are as dedicated as they are. It has always been a source of pride to be able to talk with other County Attorneys and people who ask what your job is like to say we are really fortunate to have good people who really want to do their job well and try their best to do that. When you get to work with people like that, it’s easy”.

Commissioner Byers said Attorney Luhman has ties with the Purdue Music Organization (PMO). He presented Attorney Luhman with a copy of the Commemorative Album when PMO was established, including a copy of the minutes when the by-laws were put together. There is a picture in the album of a David Luhman who played drums. Commissioner Byers thanked Attorney Luhman for his years of service with the County.

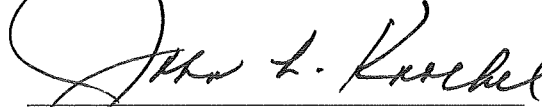
Commissioner Byers presented Commissioner Knochel with a gift from the Commissioners and the office staff thanking him for his years of service. The gift was an autographed picture of Drew Brees.

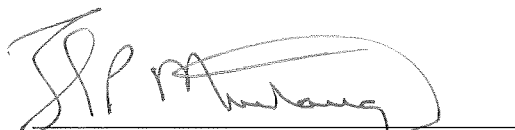
Commissioner Murtaugh said it is a sad day since it is Mr. Luhman’s last regular meeting, Jennifer Weston’s last regular meeting as Auditor and John Knochel’s last meeting. “On a lighter note, working with John has been quite interesting; every day is an adventure, especially when he comes in in the morning”. Commissioner Murtaugh presented Commissioner Knochel with some gifts to help him in his retirement – apple fritters, creme horns from O’Rears, chocolate bars, and peanuts.

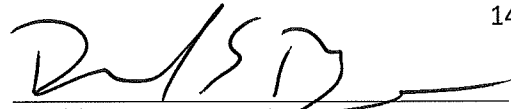
As there were no other public comments, Commissioner Byers moved to adjourn.

Meeting adjourned at 10:47 a.m.

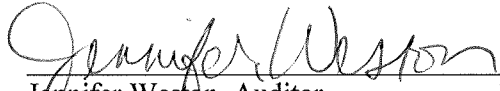
BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

  
\_\_\_\_\_  
John L. Knochel, President

  
\_\_\_\_\_  
Thomas P. Murtaugh, Vice President

  
\_\_\_\_\_  
David S. Byers, Member

ATTEST:

  
\_\_\_\_\_  
Jennifer Weston, Auditor 12/30/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant