TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
November 7, 2011

The Tippecanoe County Commissioners met on Monday, November 7, 2011 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: Vice President Thomas P. Murtaugh, and Commissioner John L. Knochel. Absent was: President David S. Byers. Also present were: Attorney Doug Masson, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Dawn Rivera.

Commissioner Murtaugh called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of regular meetings held on October 17, 2011, second by Commissioner Murtaugh; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for October 20, 21, 26, 27, 28, and November 2, 3, and 7, 2011 with no exceptions, second by Commissioner Murtaugh; motion passed.

PROCLAMATION – SUPPLIER DIVERSITY DAY

Mr. Jesse Moore thanked the Mayors and Commissioners for their 5th year of support in proclaiming a Supplier Diversity Day.

West Lafayette Mayor John Dennis, Lafayette Mayor Tony Roswarski, and Commissioners Murtaugh and Knochel read the proclamation naming Wednesday, November 16, 2011 as Supplier Diversity Day in Tippecanoe County in honor of the Supplier Diversity Development Coalition of Great Lafayette.

See Appendix A

***HIGHWAY** – Opal Kuhl*
Ordinance 2011-25-CM – Petition to Vacate a Street in the Town of Granville; 2nd Reading

Executive Director Opal Kuhl explained the road was never developed, the proper advertisements and notices have been completed, and the first reading took place on October 17, 2011. Attorney David Luhman read the ordinance into the record, identifying the public way (Sycamore Street) as lying between lots five (5), six (6), thirteen (13) and fourteen (14).

- Commissioner Knochel moved to approve Ordinance 2011-25-CM vacating a public street in the Town of Granville on second reading, second by Commissioner Murtaugh.

Auditor Jennifer Weston called the roll:

Knochel	Aye
Murtaugh	Aye

Ordinance 2011-25-CM passed 2-0 on second and final reading.

Driveway Permit Guidelines and Standards

Director Kuhl noted the only modification to the current standards is that the allowable residential width for a driveway from the back of the sidewalk to the street is increasing from 20 to 24 feet. This change will allow residences with a three car garage to have easier access to that 3rd stall. It will also bring the County in line with Indiana Department of Transportation (INDOT) standards, which also allows 24 feet.

- Commissioner Knochel moved to approve the Guidelines and Standards as presented, second by Commissioner Murtaugh; motion passed.

Contract Modification #5 – Jack Isom Construction

Director Kuhl said this modification of the contract with Jack Isom Construction for the Lindberg bridge is $6,264, bringing the total amount to $4,285,931.70. Due to the nature of the bridge and surrounding area, epoxy paint was used instead of the regular type of paint.

- Commissioner Knochel moved to approve the Contract Modification as presented, second by Commissioner Murtaugh; motion passed.

3 Year Maintenance Bond – ATC Associates

Director Kuhl said this bond from ATC Associates, in the amount of $5,000, is for work on the Swisher Road intersection project.

- Commissioner Knochel moved to approve the Maintenance Bond from ATC Associates for $5,000, second by Commissioner Murtaugh; motion passed.

3 Year Maintenance bond – F & K Construction

Director Kuhl said this bond from F & K Construction, also for $5,000, is for work in all county right-of-ways.

- Commissioner Knochel moved to approve the Maintenance Bond from F & K Construction for work in county right-of-ways in the amount of $5,000, second by Commissioner Murtaugh; motion passed.

Director Kuhl gave a brief update of current and recently completed projects on which the Highway Department has been working. The Lindberg bridge officially opened October 31st but there is still minor work to finish before it is completed; the Lilly bridge was completed several weeks ago; Hog Point bridge is open to traffic while minor finishing occurs; South River Road, which was a $2,000,000 project, was completed earlier this summer; Tyler Road is 80-90% finished with completion likely to be the end of this month; and McCarty Lane was recently begun and will carry into next year

AREA PLAN COMMISSION

Rezone Z-2470 / Ordinance 2011-28-CM

- Commissioner Knochel moved to hear Rezone Z-2470 / Ordinance 2011-28-CM, second by Commissioner Murtaugh.

(quote)

October 20, 2011

Ref. No.: 11-323

Tippecanoe County Commissioners

20 North 3rd Street

Lafayette, IN 47901

CERTIFICATION

RE: **Z-2470--JENEEN JONES (NB to R1B):**

Petitioner is requesting rezoning of two lots and a portion of a vacated street located on the east side of US 231, more specifically 11525 US 231 South, in the unincorporated town of Romney, Randolph 20 (SW) 21-4

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 19, 2011 the Area Plan Commission of Tippecanoe County voted 10 yes - 0 no on the motion to rezone the subject real estate from NB to R1B. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their November 7, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey

Executive Director

(unquote)

Matt Bowers – 4020 Chase Lane, Romney: Mr. Bowers represented petitioner Jeneen Jones, who is requesting this change for part of lot 8 and all of lots 9 and 10. An old farmhouse, belonging to Ms. Jones, sits on Lot 9 and she is he is asking for this rezone to make the farmhouse conforming, which will allow her to seek refinancing.

Auditor Jennifer Weston called the roll:

Knochel	Aye
Murtaugh	Aye

Ordinance 2011-28-CM passed 2-0.

Rezone Z-2471 / Ordinance 2011-29-CM

- Commissioner Knochel moved to hear Rezone Z-2471 / Ordinance 2011-29-CM, second by Commissioner Murtaugh.

(quote)

October 20, 2011

Ref. No.: 11-324

Tippecanoe County Commissioners

20 North 3rd Street

Lafayette, IN 47901

CERTIFICATION

RE: **Z-2471--RICHARD KETTERER (R1 to GB):**

Petitioner is requesting rezoning of one lot located on the east side of Creasy Lane, two lots south of St. Francis Way, more specifically 1803 S. Creasy Lane, Fairfield 35 (SE) 23-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 19, 2011 the Area Plan Commission of Tippecanoe County voted 10 yes - 0 no on the motion to rezone the subject real estate from R1 to GB. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their November 7, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey

Executive Director

(unquote)

Richard Ketterer – 1913 Tanglewood Drive, Lafayette: Petitioner Ketterer is requesting this rezone for one of the last two remaining residentially zoned properties along the fast growing Creasy Lane to allow for consistent zoning with area properties.

Auditor Jennifer Weston called the roll:

Knochel	Aye
Murtaugh	Aye

Ordinance 2011-29-CM passed 2-0.

BOARD OF ELECTIONS & REGISTRATION – *Sallie Fahey*

Area Plan Executive Director Sallie Fahey presented an Order Adopting Precincts for approval, explaining after each decennial census the precinct lines must be adjusted so they all have, within a range, the same number of voters, and fall within census block boundaries. Precincts with too many voters were either combined with an adjacent precinct and split, or the original precinct was split to remain within the original borders. Also taken into consideration was the potential of future growth and corporate city limits. Approving the precincts will her staff to move forward with redistricting for various local, county, and school offices, which must be completed and adopted by January 12, 2012.

- Commissioner Knochel moved to approve the Order Adopting Precincts, second by Commissioner Murtaugh; motion passed.

GRANTS – *Laurie Wilson*
Permission to Accept

Grant Administrator Laurie Wilson requested permission to accept the following grants:

- $1,586.60 from the Indiana Criminal Justice institute (ICJI) on behalf of Court Services to pay for a TV, blue ray player, copier, and three tables.

  - Commissioner Knochel moved to accept the grant from ICJI for $1,586.60, second by Commissioner Murtaugh; motion passed.

- $25,959 from ICJI on behalf of CASA as a continuation grant to pay for one part-time salary and social security.

  - Commissioner Knochel moved to accept the $25,959 grant from ICJI on behalf of CASA, second by Commissioner Murtaugh; motion passed.

Memorandum of Understanding (MOU) / Contract

Administrator Wilson presented the following:

- A Professional Services Agreement (PSA) between the Health department and Pauline Shen not to exceed $20,000 to be paid from the Local Health Department Trust Account for an Epidemiologist.

  - Commissioner Knochel moved to approve the Agreement with Pauline Shen, second by Commissioner Murtaugh; motion passed.

- A PSA between TEMA and Ben Rouse not to exceed $50,000 from the Automated Critical Asset Management Systems (ACAMS) grant for a District Vulnerability Assessment Coordinator.

  - Commissioner Knochel moved to approve the Agreement with Ben Rouse, second by Commissioner Murtaugh; motion passed.

- A contract with Industrial Waste Management Consulting Group for $3,000 to be paid from the Energy Efficiency and Conservation Block grant. The company will be conducting a lighting and energy audit for Cary Home.

  - Commissioner Knochel moved to approve the contract with Industrial Waste management Consulting Group, second by Commissioner Murtaugh; motion passed.

CARY HOME FOR CHILDREN / YOUTH SERVICES – *Rebecca Humphrey*
Contract for Electronic Monitoring

Executive Director Rebecca Humphrey stated the contract is still in negotiations and will be presented at a later date.

Approval of New Positions / Elimination of Previous Positions

Director Humphrey presented the Board with three new positions; an Accounts Manager, Clinical Program Coordinator, and Clinical Case Manager. Eliminations to be requested at the next regular meeting are one Home-Based Clinical Therapist, one Youth Development Specialist, and the Home-Based Clinical Team Leader. These moves will ensure children maintain the quality of care they are currently receiving while saving the General Fund approximately $8,000 per year.

- Commissioner Knochel moved to approve the addition of the three new positions as outlined, second by Commissioner Murtaugh; motion passed.

HUMAN RESOURCES – *Shirley Mennen*

Human Resources Coordinator Shirley Mennen a contract renewal with R.E. Sutton & Associates for insurance consulting. The rate stays the same at $1,050 per month.

- Commissioner Knochel moved to approve the contract with R. E. Sutton & Associates, second by Commissioner Murtaugh; motion passed.

ORDINANCE 2011-27-CM
Revised Comprehensive Stormwater Management: 1st Reading

County Surveyor Zach Beasley asked for approval on first reading of the Revised Comprehensive Stormwater Management ordinance, which has been approved by the Drainage Board.

- Commissioner Knochel moved to approve Ordinance 2011-27-CM on 1st reading, second by Commissioner Murtaugh.

Auditor Jennifer Weston called the roll:

Knochel	Aye
Murtaugh	Aye

Ordinance 2011-27-CM passed 2-0 on 1st reading.

RESOLUTION 2011-40-CM
Establishing Policy &Procedure for Agenda Items

Commissioner's Assistant Frank Cederquist presented this resolution at the request of the Commissioners during the meeting held on October 18th. Set forth are the following policies:

- Requests to be on the Commissioner's agenda must be made by noon on Wednesday prior to the meeting.
- A written paragraph summarizing the request must be submitted by noon on Wednesday prior to the meeting.
- Documents (contracts, MOU, quote, etc.) requiring the Commissioners' approval and signature must be submitted by noon on Wednesday prior to the meeting.
- The President of the Board may approve adding a request in cases of emergency or for other good cause shown.

- Commissioner Knochel moved to approve Resolution 2011-40-CM as presented, second by Commissioner Murtaugh; motion passed.

RESOLUTION 2011-41-CM
Refunding Jail Bonds

County Attorney David Luhman stated the bonds are for a lease between the Commissioners, as lessee, and the Tippecanoe County Governmental Building Corporation (TCGBC), as lessor. This resolution gives authority to TCGBC to work with Ice Miller, as bond counsel; Financial Solutions Group, as financial advisor; Hoffman, Luhman & Masson, PC, as counsel to TCGBC; and Bank of New York Mellon Trust Company, N.A., as escrow trustee. A minimum savings of $750,000 must be realized for refinancing to occur.

- Commissioner Knochel moved to approve Resolution 2011-41-CM as presented, second by Commissioner Murtaugh; motion passed.

CONSTRUCTION MANAGEMENT SERVICES – *Courthouse Limestone Repair Project*
Contract with Arsee Engineers, Inc.

Commissioner Murtaugh noted this company completed the initial forensic work that exposed critical issues with the limestone. This contract for $85,000 is for architectural services and construction documents.

- Commissioner Knochel moved to approve the contract with Arsee Engineers, Inc. for $85,000, second by Commissioner Murtaugh; motion passed.

Contract with Kettlehut Construction, Inc.

Commissioner Murtaugh explained this contract is for construction management pertaining to the Courthouse limestone repair project in the amount of $29,200.

- Commissioner Knochel moved to approve the contract with Kettlehut Construction, Inc. for $29,200, second by Commissioner Murtaugh; motion passed.

APPROVAL OF CONTRACT – *Cary Home Projects*

Commissioner Murtaugh said this contract is with Clayton Construction Services for $6,500 for the construction of the canopy over the south entrance door of the After Care program building.

- Commissioner Knochel moved to approve the contract with Clayton Construction as presented, second by Commissioner Murtaugh; motion passed.

CHANGE ORDER – *Tri-Tech Construction Services*

Commissioner Murtaugh explained this change order of $13,789 is for additional labor and materials needed to stabilize the walkway at Cary home.

- Commissioner Knochel moved to approve the contract with Tri-Tech Construction for $13,789, second by Commissioner Murtaugh; motion passed.

1st AMENDMENT TO SRI SERVICES MASTER AGREEMENT

Commissioner Murtaugh explained this amendment is to add the eVerify clause required on all contracts.

- Commissioner Knochel moved to approve the amendment of the master agreement with SRI Services, second by Commissioner Murtaugh; motion passed.

APPOINTMENT TO COMMON WAGE BOARD

- Commissioner Knochel moved to appoint Jean Hall to the Common Wage Board for various projects at Ivy Tech College.

UNFINISHED / NEW BUSINESS

Commissioner Murtaugh announced the discussion of the Wildcat Creek Solid Waste District (WCSWD) originally set for this meeting has been postponed to November 21st.

REPORTS ON FILE

There were none.

PUBLIC COMMENT

Karen Griggs – 100 Thronbush Drive, West Lafayette: Ms. Griggs spoke in overall support of the WCSWD and asked the Commissioners to redesign the building to match the budget and resubmit the new plans for bids. While they are going through this process, she encouraged them to be forward thinkers and innovators in both design and materials used. She believes this building is urgently needed and would like to see ground broken by the end of the month.
Tracy Brown – Tippecanoe County Sheriff: Sheriff Brown informed the Board that the old air handlers at the jail have been removed, the new have been installed, work continues on the plumbing, and control of the air flow should happen this Friday. The project should be complete in two weeks.

Paul Wright – 4523 S. County Line Road, Westpoint: Mr. Wright expressed frustration with County government's involvement in a solid waste district, effectively acting as a clearing house for the storage and public reuse of 'slightly hazardous' material. The proper disposal is the responsibility of individual users, not government supported by taxpayers who may not even use the service.

Commissioner Murtaugh moved to adjourn.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

David S. Byers, President

Thomas P. Murtaugh, Vice President

John L. Knochel, Member

ATTEST:

Jennifer Weston, Auditor 11-21-2011