TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
July 5, 2011

The Tippecanoe County Commissioners met on Tuesday, July 5, 2011 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Thomas P. Murtaugh, and Commissioner John L. Knochel. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse.

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 June 14, 2011 poor relief hearing, second by Commissioner Knochel; motion carried.

- Commissioner Murtaugh moved to approve the minutes of the June 20, 2011 regular meeting, second by Commissioner Knochel; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for June 23, 24, 30, and July 5, 2011 as submitted without exception.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Knochel; motion carried.

OPENING OF BIDS
Air Handler for the Jail

Attorney Luhman opened and read the following bids.

Company Name	Bid General Trades	Bid Mechanical
Tri-Tech Construction Services, Inc.	$34,720	
Quality Plumbing & Heating of Bunker Hill, Inc.		$199,000
D.A. Dodd Inc		$245,800
Shambaugh & Son L.P. Ed Grace Division		$198,500
Ideal Heating A/C & Refrigeration , Inc.		$240,000

Attorney Luhman recommended bids be taken under advisement and review for compliance of the bid specifications.

- Commissioner Murtaugh moved to take the bids under advisement, second by Commissioner Knochel; motion carried.

AREA PLAN COMMISSION
ORDINANCE 2011-15-CM

- Commissioner Murtaugh moved to hear Ordinance 2011-15-CM amendment to the Unified Zoning Ordinance, second by Commissioner Knochel; motion carried.

(quote)

June 16, 2011
Ref. No.: 11-185

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette IN 47901

CERTIFICATION

RE: UZO AMENDMENT #73:
An amendment that would allow *two years* 18 months time (instead of the current one year) following the grant of a special exception for a WECS (wind energy conversion system) to get the system operational

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 15, 2011, the Area Plan Commission of Tippecanoe County voted 8 yes - 2 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance, as amended by the Commission. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Ordinance 2011-15-CM would allow 18 months time (instead of the current 12 months) following the grant of a special exception for a Wind Energy Conversion System (WECS) to get the system operational.

Commissioner Byers asked for public comment.

Greg Lerchmann, – *Invenergy Consultant,* said Invenergy is in support of this ordinance. Invenergy is in the process of developing in the southeast corner of Tippecanoe County. This ordinance would allow time for the construction and permit process since it generally take 14 to 22 months for that process. It would also allow an adjustment period for landowners.

David Stevenson, – *property owner,* said he is in support of the ordinance.

Commissioner Knochel asked why the Area Plan Commission vote was 8-yes 2-no. Commissioner Byers said it was because a few people wanted to keep it at twenty-four months.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-15-CM passes 3-0.

ORDINANCE 2011-16-CM – Rezone Z-2456; Kenneth Baldwin (NB to GB)

- Commissioner Murtaugh moved to hear and approve rezone Z-2456, Ordinance 2011-16-CM, Kenneth Baldwin (NB to GB), second by Commissioner Knochel; motion carried.

(quote)

June 16, 2011
Ref. No.: 11-194

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

CERTIFICATION

RE: **Z-2456--KENNETH BALDWIN (NB to GB):**
Petitioner is requesting rezoning of a tract of land slightly less than 1 acre in area, located on the north side of Sagamore Parkway, just east of CR 250 W, more specifically 2312 US 52 W, Wabash 2 (NE) 23-5.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 15, 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 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 July 5, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Petitioner was not present.

Attorney Luhman said in the absence of the petitioner the Commissioners can act unfavorably on the petition or approve the petition based on the Area Plan Commissions Certification Letter.

Attorney Luhman read aloud the certification letter from the Area Plan Commission for the record.

Commissioner Knochel said the Area Plan Commission voted 10 to 0 in approval of the rezone. If there are no objections from the public he does not object to approval of the rezone.

Commissioner Byers asked for public comment. There was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-16-CM passes 3-0.

***HIGHWAY** –Mike Spencer*
Change Order #9 from Milestone Contractors LP for Bridge U209

Assistant Director Mike Spencer said that Change Order No. 9 for Bridge U209 is for the addition of erosion control blankets that were placed on the slopes after a storm event.

- Commissioner Murtaugh moved to approve Change Order No. 9 in the amount of $840 as presented, second by Commissioner Knochel; motion carried.

Maintenance Bond for 2010 Culvert Replacement Project

Assistant Director Spencer presented a one year Maintenance Bond from F & K Construction in the amount of $41,692. The project is complete and a one year maintenance bond is required.

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

Permit to Close a Road – Buckingham Drive

Assistant Director Spencer presented a Permit to Close a Road for approval. It is located in the Buckingham Subdivision on Buckingham Drive. The date of the proposed road closure is July 23, 2011 between the hours of 7:45 a.m. and 4:45 p.m.; however, U. S. Mail and emergency vehicles will be allowed access. The neighborhood is having a Block / Basketball Party.

- Commissioner Murtaugh moved to approve the Permit to Close a Road as presented, second by Commissioner Knochel; motion carried.

Change Order #4 from the Schneider Corporation for the 50 South East Leg Project

Assistant Director Spencer said that County Road 50 South is the new road in front of the Woodland School. Per limitations created by the location of poles and other underground utilities that are in close proximity of the road, and given the schedule constraints of opening the roadway before school starts, the drainage ditch on the north side will be removed or modified to negate impacts to these utilities thus

allowing the contractor to begin work immediately without delay due to utility relocation. This change order is in the amount of not to exceed $5,000 and brings the total contract amount to $55,280.

- Commissioner Murtaugh moved to approve Change Order No. 4 as presented, second by Commissioner Knochel; motion carried.

PRESENTATION OF 2012 SALARY STATEMENTS *– Jennifer Weston*

Auditor Weston presented the recommended salary statements electronically to the Commissioners prior to the meeting. Commissioner Murtaugh stated for clarity that they are based on the recommendations made at the last Commissioner meeting.

- Commissioner Murtaugh moved to accept the 2012 salary statements as presented, second by Commissioner Knochel; motion carried.

MITS *– Dave Sturgeon*
Structured Cabling Quote for Cary Home with Wyatt Communications

Director Dave Sturgeon said this quote is for the replacement of the network infrastructure at Cary Home. Currently there are seven cable closets at Cary Home and this project would reduce that number to approximately two. It includes the removal of old wiring and placement of mounting and support hardware including racks, cable support, wire mold, wire management, patch panels, jacks, and faceplates. Cables are labeled per Wyatt Communications specifications. It is in the amount of $14,896.77.

- Commissioner Murtaugh moved to accept the quote from Wyatt Communications Inc. in the amount of $14,896.77, second by Commissioner Knochel; motion carried.

Maintenance Contract – sensorytechnologies

Director Sturgeon presented a quote from sensorytechnologies for a one year service agreement on equipment located in the Tippecanoe Room of the County Building and Superior Court 1, Superior Court 2, and the Circuit Court located at the Courthouse. It is in the amount of $4,290.

- Commissioner Murtaugh moved to approve the Maintenance Contract with sensorytechnologies as presented, second by Commissioner Knochel; motion carried.

GRANTS *– Laurie Wilson*
Permission to Accept

Grant Administrator Laurie Wilson requested permission to accept a $15,423.36 grant from the Indiana Supreme Court for the Court Interpreter Grant.

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

Permission to Apply

Grant Administrator Laurie Wilson requested permission to apply for a $20,000 grant from the Indiana Supreme Court for the Court Family Court Project. The grant will fund IV-D speed mediation and other mediation that may not be funded through alternative dispute resolution.

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

Grant Administrator Laurie Wilson requested permission to apply for a $25,000 grant from the Indiana Supreme Court for the Court Improvement Project. The grant will fund Child in Need of Services (CHINS) mediation cases through a contractor.

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

HUMAN RELATIONS COMMISSION

Commissioner Murtaugh said a resignation was received from Edie Pierce-Thomas as a member of the Human Relations Commission.

- Commissioner Murtaugh moved to accept the resignation letter as presented, second by Commissioner Knochel; motion carried.

- Commissioner Murtaugh moved to appoint Sandra Syndor-Bousso to the Human Relations Commission, second by Commissioner Knochel; motion carried.

RESOLUTION 2011-19-CM
Establishing Commissioners Tax Certificate Sale Fund

Attorney Luhman stated that the Commissioners recently conducted a sale of tax certificates that were assigned to the Commissioner's Office after the County tax sale. This resolution will establish a separate fund for the deposit and disbursement of funds from that sale. It is for accounting purposes.

- Commissioner Murtaugh moved to approve Resolution 2011-19-CM as presented, second by Commissioner Knochel; motion carried.

CHANGE ORDER # 2 FOR CATTLE BARN AT FAIRGROUNDS

Commissioner Byers presented Change Order No. 2 from Fairfield Contractors for the Cattle Barn Project at the Fairgrounds. It is for additional excavation cost due to buried asphalt and tree stumps in the detention pond area. It is in the amount of $1,983.

- Commissioner Murtaugh moved to approve Change Order No. 2 as presented, second by Commissioner Knochel; motion carried.

APPOINTMENTS

- Commissioner Murtaugh moved to appoint Jean Hall to the common construction wage board for Ivy Tech projects at the Lafayette Campus, second by Commissioner Knochel; motion carried.

- Commissioner Murtaugh moved to appoint Eleanor Mlynarik to the common construction wage board for Purdue University projects at the West Lafayette campus, second by Commissioner Knochel; motion carried.

REPORTS ON FILE

Clerk
Treasurer
Park & Recreation
Mail & Duplicating
Library
Wabash River Heritage Corridor

Reports are on file in the Commissioner's Office for public viewing.

NEW BUSINESS

Ordinance 2011-17-CM – Possession of Deadly Weapons

Attorney Luhman stated that the Indiana General Assembly recently passed new legislation restricting the authority of local government to regulate firearms. This ordinance would amendment a section of the Tippecanoe County code regulating firearms.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-17-CM passed 3-0 on first reading.

- Commissioner Murtaugh moved to suspend the rules and hear Ordinance 2011-17-CM on second reading, second by Commissioner Knochel; motion carried.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-17-CM passed 3-0 on second and final reading.

Tippecanoe County Governmental Building Corporation

Commissioner Murtaugh said an appointment needs to be made to Tippecanoe County Governmental Building Corporation due to the death of a member. A member needs to be appointed at the next Commissioner's meeting.

PUBLIC COMMENT

None

Commissioner Knochel 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 7-18-2011