TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
February 2, 2009

The Tippecanoe County Commissioners met on Monday, February 2, 2009 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President David S. Byers, and Member Thomas P. Murtaugh. Also present were: Attorney Dave Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Jennifer Prange.

Commissioner Knochel called the meeting to order and led the pledge of allegiance.

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes from the January 20, 2009 meeting, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for January 22, 23, 29, 30, and February 2, 2009 without exception.

- Commissioner Byers moved to approve the accounts payable vouchers as presented with no exceptions, second by Commissioner Murtaugh; motion carried.

HIGHWAY – Opal Kuhl

Director Opal Kuhl recommended approval of Resolution 2009-09-CM; Providing for Deposit of Interest earned up to $500,000 on Cumulative Bridge Fund into the Local Road & Street Fund in the year 2009. She reported interest from the Cumulative Bridge Fund will be used for the Highway Garage Renovations.

- Commissioner Byers moved to approve Resolution 2009-09-CM, second by Commissioner Murtaugh; motion carried.

Contract Addendum #1 for Yeager Road Improvements from Crossroad Engineers, PC was presented for approval. Crossroad Engineers will design an outfall for Hadley Lake/Dempsey Baker Drain to provide additional drainage in the amount of $11,600.

- Commissioner Murtaugh moved to approve Contract Addendum #1 for Yeager Road Improvements, second by Commissioner Byers; motion carried.

Addendum #2 for Bridge #210 from HE-BFS, LL was recommended for approval. The request for right-of-way acquisition work for Bridge #210 in Shadeland is in the amount of $75,450.

- Commissioner Byers moved to approve Addendum #2 for Bridge #210, second by Commissioner Murtaugh; motion carried.

A Temporary Easement Grant and Warranty Deed for Parcel #37 on the South River Road Project were recommended for approval. Director Kuhl confirmed Phases I and II are complete;

Phase III will widen the road, add paved shoulders and complete a trail to be connected to the Wabash River Heritage Trail. The property was purchased from Patrick and Henrietta Bathe for $63,379 and the Temporary Easement Grant is $1,845.

- Commissioner Murtaugh moved to approve the Temporary Easement Grant and Warranty Deed for Parcel #37, second by Commissioner Byers; motion carried.

A Warranty Deed for Parcel #30 South River Road Project was recommended for approval. The property will be purchased from Joann Mills for $97,320.

- Commissioner Byers moved to approve the Warranty Deed for Parcel #30 on the South River Road Project, second by Commissioner Murtaugh; motion carried.

Director Opal Kuhl recommended accepting the low bid from Meyers Construction Management for the Tippecanoe County Highway Maintenance Facility and Site Improvement for $1,959,000.

- Commissioner Murtaugh moved to award the bid to Meyers Construction Management, second by Commissioner Byers; motion carried.

REZONE – Z-2392 FRANCIS COFFEY (NB TO R1); ORDINANCE 2009-01-CM

- Commissioner Murtaugh moved to hear Rezone Z-2392 Francis Coffey (NB to R1), second by Commissioner Byers; motion carried.

(quote)

January 22, 2009
Ref. No.: 09-007

CERTIFICATION

RE: Z-2392—FRANCIS COFFEY (NB to R1):
Petitioner is requesting a rezoning in order to allow the reconstruction of a nonconforming house destroyed by fire on property located at 4418 Soldiers Home Road, Wabash 33 (SW) 24-4. *CONTINUED FROM THE DECEMBER APC DUE TO A FAILURE TO SEND A NOTICE TO INTERESTED PARTIES TO THE AREA PLAN COMMISSION.*

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 21, 2009 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from NB to R1. 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 February 2, 2009 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,
/s/Sallie Dell Fahey
Executive Director

(unquote)

Petitioner Francis Coffey stated a neighbor had concerns regarding the septic system being located on their property. Ron Knowles from the County Health Department confirmed in writing the septic system was not located on the neighbor's property.

- Commissioner Byers moved to approve Ordinance 2009-01-CM, second by Commissioner Murtaugh; motion carried.

Auditor Weston recorded the vote:

Byers	Yes
Murtaugh	Yes
Knochel	Yes

Ordinance 2009-01-CM passes 3-0.

RESOLUTION 2009-08-CM; TRANSFER OF OLD AMBULANCES TO CITY OF WEST LAFAYETTE

Attorney Luhman stated an un-commissioned ambulance no longer useful to the Tippecanoe Emergency Ambulance Service (TEAS) will be transferred to the City of West Lafayette. The ambulance will be transferred to the City of West Lafayette for $1.

- Commissioner Byers moved to approve Resolution 2009-08-CM, second by Commissioner Murtaugh; motion carried.

GRANTS – Laurie Wilson

Grant Coordinator Laurie Wilson recommended approval of a sub-recipient agreement with the Community and Family Resource Center (CFRC) and Tippecanoe County. The grant from the Indiana Criminal Justice Institute (ICJI) for $12,464.96 will be distributed to the CFRC by the county.

- Commissioner Murtaugh moved to approve the sub-recipient agreement with the Community and Family Resource Center; motion carried.

COUNTY ASSESSOR – Samantha Steele

County Assessor Samantha Steele provided an update and timeline for 2008 trending and assessments. Assessor Steele explained mobile homes are expected to be finished by February 15, 2009 with sales disclosures due to the state on March 15, 2009. Commissioner Knochel

confirmed March 6, 2009 is the 2008 Appeals deadline for taxpayers. The flow chart provided to the commissioners will be posted on the County Assessor's website.
Bid Opening

AssessCo LLC

Physical Assess Residential Parcels - $45 per parcel
Physical Assess Agriculture Parcels - $75 per parcel
Other consultant Services - $45 per hour
Spreadsheet - $1,200 per spreadsheet
Digital Photographs - $5.00 per photograph

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

Commissioner Knochel requested Assessor Steele invite the DLGF to attend a future council meeting to discuss the General Reassessment.

TAX/ASSESS SOFTWARE CONVERSION/INSTALLATION UPDATE – David Sturgeon

Interim Director Dave Sturgeon and Debbie Mills, Project Manager discussed the new Tax/Assess Software from Manatron. Test systems have been installed on terminals in the Assessor's, Auditor's and Treasurer's office. Kent Kroft and Dave Sturgeon are working to complete the extraction of current data to the new system. Ms. Mills stated the new product will allow the assessor and auditor to flow data seamlessly to provide quicker data turn-around. The ultimate goal is to provide better efficiencies between Auditor, Treasurer and Assessor.

TREASURER – Bob Plantenga

Treasurer Plantenga provided an estimated timeline on when tax bills will be issued for 2009. If the process is timely, he projects a mid-July due date. A July due date will allow time for distribution of settlement in September and prepare for the second installment due in November. Treasurer Plantenga intends to print tax bills in-house in an effort to expedite the process. He has discussed in-house printing with a vendor which would provide on-site service.

CLERK – Deputy Clerk Christa Coffey

Deputy Clerk Christa Coffey requested approval of a contract with Eagle Accounts Group. The contract will provide collection services for unpaid traffic tickets. The vendor will provide collection services at no cost to the county. A 30% fee will be added by Eagle Account Group and paid by the taxpayer. Ms. Coffey confirmed tickets send to vendor for collections have already been through the collection process in the Clerk's office.

- Commissioner Murtaugh moved to approve the contract with Eagle Accounts Group, second by Commissioner Byers; motion carried.

BUILDING COMMISSION – Ken Brown, Attorney Jay Seeger

Assistant Building Inspector Ken Brown gave details regarding an unsafe structure located in Colburn at 6919 Virginia Street. Robert Wallace, owner, was notified in the spring of 2008 of the unsafe structure. In December 2008, an attempt was made by the homeowner to board up the

exterior walls while the roof remains open. Mr. Brown suggested the owner provide an engineers report before any changes are made to the structure. An improvement permit was issued for the house on May 14, 2008. To date, no improvements have been completed. Attorney Jay Seeger explained a notice of unsafe structure was issued on Janaury 9, 2009 which allowed the owner the option of demolishing the structure or to provide a timetable of expected construction on the property by March 31, 2009. He recommended the decision of the Building Commissioner be affirmed and require a structural report from a structural engineer and postpone until the first commissioner's meeting in April.

Ray Leubcke with Lester and Luebcke Home Improvement said, as Mr. Wallace's contractor, he agrees with the attorney's recommendation. He understands the home is extremely dilapidated but the owner would like to rehabilitate the home for sentimental reasons. He will board up the home as soon as possible and will start working on the roof when the weather permits.

- Commissioner Murtaugh moved to affirm the unsafe building determination with the proposed timetable subject to filing the engineer's report within 30 days and enclosing the building within 7 days and continue the hearing until April 6, 2009 at 10:00 a.m. for a status hearing, second by Commissioner Byers; motion carried.

Inspector Brown reported three additional homes in Colburn have also been deemed unsafe structures. He reported Barbara Marvin, owner of record on all of the properties, did obtain a permit to demolish two of the three structures. The homes are wide-open allowing for anyone to enter the home. Ms. Marvin said she has asked her son to demolish the homes but he is currently unable due to an injury. She explained one of the properties may be in her name but it went into foreclosure and then was sold at the tax sale.

Commissioner Knochel suggested the homeowner contact the Washington Township Fire Department for demolition of the homes. Attorney Jay Seeger recommended the commissioner's affirm the two properties in Ms. Marvin's possession be destroyed by March 30, 2009 and set an additional hearing on April 6, 2009 at 10:00 a.m. Commissioner Knochel advised Ms. Marvin to obtain a report from the Washington Township Fire Department as to when they will, or will not, demolish the homes and provide it to the Building Commissioner.

- Commissioner Byers moved to affirm the unsafe building determination to accept the finding by the Building Commission with a report from the Washington Township Fire Department as to the possible demolition of the two home and continue investigating the third property and postpone the hearing until April 6, 2009 at 10:00 a.m., second by Commissioner Murtaugh; motion carried.

YOUTH SERVICES UPDATE – Rebecca Humphrey

Director Rebecca Humphrey reported Financial Planner Greg Guerrattaz has met with the Auditor to review financial recommendations. She stated a Joint Commissioner/Council meeting will be held on February 11, 2009 at 7:00 p.m. in the Tippecanoe Room.

Pam Biggs-Reed from the Community and Family Resource Center (CFRC) passes out the "White Paper" (booklet) on Child Abuse Neglect spoke regarding the "Our Kids" Board. Ms. Biggs-Reed explained a board was created to address Child Delinquency and Child Abuse/Neglect and develop a community-wide program to intervene these issues.

UNFINISHED/NEW BUSINESS

Executive Order
Auditor Weston requested approval for the Executive Order issued on January 29, 2009 at 5:00 p.m. for a Level II Emergency Travel Advisory.

- Commissioner Murtaugh moved to ratify the Executive Order for January 29, 2009, second by Commissioner Byers; motion carried.

REPORTS ON FILE

Parks Department
Treasurer
Crystal Creek Boarding Kennel
Clerk of Circuit Court

PUBLIC COMMENT

Christa Coffey said as the chair for the Relay for Life she is inviting the public to the kick-off on February 16, 2009 at 6:00 p.m.

Paul Wright, West Point – submitted a letter to the commissioners and asked for it to be put in the minutes.

(quote)

I would like to thank WLFI, Ch 18 for recording the last Commissioner's meeting on 1/02/09. It may very well be the only way Tippecanoe County Taxpayers have to respond to the County Board. There are many entries on the Tippecanoe County Gov. web-sight beginning with January 1st. These consist of Commissioner's appointments and various other notices. No 2009 minutes from prior Commissioner's meetings have been posted. Although some have been approved by this Board!

Local headlines seem quite timely:
"County reviews revenue, tax increase". 01/29/09 J&C
"Economic Slum" "Possible Tax increase" "Budget Shortfall", Auditor Weston
"We need local governments to be more accountable". Ms. Shults 01/29/09 J&C
"We don't want to get blind-sided by **TAX CAPS**". Councilman Gutwein 01/29/09 J&C
"Wheel tax is appropriate". Councilman Gutwein. 01/29/09 J&C

County Wheel Tax=$20.00 per vehicle expires in April 09 if not re-approved. The County has had this **TAX 5 years!**

Will this County Government stop the wheel tax?
COIT = County Option Income Tax
LOIT = Local Option Income Tax at 1.1% now and "could increase"
"InnKeeper's Tax"
State Sales Tax Increase from 6% to 7%

"Gov. Daniels orders spending cuts". 01/29/09 J&C
Tippecanoe Co. Taxpayers want to know "**Where and when**"?

Where have you cut spending?

As I read through the "Local Option Income Tax Study" from Auditor Weston's websight, all of the projections are based on incomes through 2007.
Eli Lilly's employment numbers are way down from '07 and they may have to close. Wabash National is building a plant in Kentucky and may move their production out of town.
All projections were from rising incomes. If you spend the projected amounts and then have to pay for it for years to come on today's actual income, the numbers will be very different.

How will you keep from over-spending?

County Government has proven they can't manage one Park, (Amphitheater).
Commissioner Murtaugh stated at the last commissioner's meeting referring to the Juvenile Justice Center, "We have to do something because what we're doing now isn't working". By building a new building and spending $20 million dollars on it and then put the same people in charge of it makes no sense.

How have Ms. Humphreys and the rest of the people in this system demonstrated that they should have anything to do with a new system?

Will there be spending limits on the Juvenile Justice Center and for how long?

Have prior bonds been paid off and additional revenue kept for other use?
The County web-sight lists various appointments to County Boards by and for the County Commissioners.

Do Commissioners receive compensation for serving on any additional board or committee?
If Tippecanoe County Taxpayers have to pay for the expansion of Co. Rd. 350 South, why is the City of Lafayette worried about "naming it"?

Where does County stop and City begin when it comes to spending projects?
Local taxpayers have no faith in Government today. They see politicians getting lucrative appointments and then find out that they don't pay their taxes or are corrupt in other ways. Taxpayers know that what a politician says on TV means nothing about what they will do after the cameras are turned off.

Do you Board members and the rest of the County Officials realize how upset Tippecanoe County Taxpayers are with you and the jobs you are doing?
Here's a novel idea:
Advertise that you are cutting taxes and that you can manage Tippecanoe County Taxpayer's money. Prove that you have the taxpayer's best interest in what you are doing instead of just raising "your income".

UNDERSTAND; If you do good work it will be GREAT WORK. If not, TOO BAD!

TIPPECANOE COUNTY ABUSED TAXPAYERS.

Because I have no way of knowing if the last document handed to this body was included in the meeting minutes, I would appreciate it if Auditor Weston would admit it into the record.

Paul Wright
02/02/09

(unquote)

Mr. Wright asked if projections for the center are based on past income from local businesses; He said "If the businesses close how will the county control the cost for the Juvenile Center?"

Commissioner Knochel stated the financial consultant is not working with past revenues, he is using present jobs with a 10% decline in the first year and 5% decline in the second year with the potential of worst case scenario. The current economical and financial climate have been considered and addressed.

Mr. Wright recommended the county advertise if they cut any tax so taxpayers are aware. He added restricting public comment to three minutes is hard for a person to get a point across in that small amount of time.

- Commissioner Byers moved to adjourn.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

John L. Knochel, President

David S. Byers, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor