

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
*August 6, 2007*

The Tippecanoe County Commissioners met on Monday, August 6, 2007 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President John L. Knochel and Commissioner Ruth E. Shedd. Also present were: Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist and Attorney David W. Luhman and Secretary Heather Sattler.

President Benson called the meeting to order and led the Pledge of Allegiance.

***APPROVAL OF MINUTES***

- Commissioner Knochel moved to approve minutes from the June 20, 2007 and the July 16, 2007 meeting, second by Commissioner Shedd; motion carried.

***PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS***

Commissioner's Assistant Frank Cederquist recommended approval for accounts payable vouchers for July 19, 20, 26, 27 and August 2, 3, 6.

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

***REZONES***

**UZO AMENDMENT #55 – WIND ENERGY SYTEMS**

- Commissioner Knochel moved to hear and approve UZO Amendment #55 – Wind Energy Systems, Ordinance 2007-30-CM, second by Commissioner Shedd.

(quote)

July 19, 2007  
 Ref. No.: 07-309

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

**CERTIFICATION**

**RE: UZO AMENDMENT # 55—WIND ENERGY SYSTEMS:**

An amendment which includes regulations and development standards for Wind Energy Conservation Systems.

Dear Tippecanoe County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 18, 2007, the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. 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  
/s/

(unquote)

Area Plan Commission Planner John Burns spoke regarding UZO Amendment #55. He explained the three different types of wind systems included in the amendment. The large wind system, a utility scale system mainly used on farms, is permitted only by special exception from the Area Plan Board of Zoning Appeals and primarily located in rural areas with 1000 feet of separation from offsite dwellings. Small wind systems, 100 feet or smaller, are permitted by right and are generally for businesses, homes and small farms. He further added that micro wind systems or roof mounted systems are small and permissible closer to dwellings than other systems. He stated that any large wind system more than 100 feet tall should be set back 1000 feet from an off-site dwelling.

### **Public Comment**

**Brian Vorst** – 4321 N. 800 W. Mr. Vorst is concerned about transmission lines and grids. He is in favor of alternative energy, but believes the county should give this careful consideration regarding towers and their proximity to dwellings.

**Joe Rogers** – 2444 N. 900 E. Mr. Rogers stated his concern regarding a tower on his property. He noted his property does not allow him to meet the guidelines in the amendment for the large wind system located on his property.

John Burns noted pre-existing towers will not be affected by the amendment. He added that other suggestions have been made regarding the height of the large towers and this issue may be re-visited at a later date.

Area Plan Commission Director Fahey noted if a large wind system is a public utility, the county is unable to regulate the transmission lines. She also noted wind energy producers are responsible for obtaining easements. She stressed the importance of energy transmission to public utility grids and suggested the commissioners approve the ordinance with an understanding that the height of the towers and transmission line be further investigated by the ordinance committee.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	No
Shedd	Yes

Ordinance 2007-30-CM passes 2-1.

### **REZONE Z-2343 – ALMA M. EVANS (NB to R1), ORDINANCE 2007-29-CM**

- Commissioner Knochel moved to hear and approve Rezone Z-2343 – Alma M. Evans (NB to R1), second by Commissioner Shedd.

(quote)

July 19, 2007  
Ref. No.: 07-319

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

**CERTIFICATION**

**RE: Z-2343—ALMA M. EVANS (NB to R1):** Petitioner is requesting rezoning of one lot located on the south side of Attica Street, between Forrest and Orchard Streets, in the unincorporated town of Stockwell, Lauramie 8 (NE) 21-3.

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 18, 2007, 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 August 6, 2007 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey  
Executive Director  
/s/

(unquote)

Ms. Evans requested rezoning for lots 2 and 4 from NB to R1. She currently owns lot 3 which is zoned R1 and she would like to build a house on these lots.

**Public Comment**

None

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	Yes

Ordinance 2007-29-CM passes 3-0.

**REZONE Z-2344 – R & A LAHRMAN FARMS, INC. (I3 TO R1), ORDINANCE 2007-28-CM**

- Commissioner Knochel moved to hear and approve Z-2344 – R & A Lahrman Farms, Inc., Ordinance 2007-28-CM.

(quote)

July 19, 2007  
Ref. No.: 07-320

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

**CERTIFICATION**

**RE: Z-2344—R & A LAHRMAN FARMS, INC. (I3 to R1):**

Petitioner is requesting rezoning of one lot located on the north side of CR 450 S, more specifically 3704 E 450S, Wea 14 (NE) 22-4.

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 18, 2007, the Area Plan Commission of Tippecanoe County voted 8 yes - 5 no on the motion to rezone the subject real estate from I3 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 August 6, 2007 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,  
Sallie Dell Fahey  
Executive Director  
/s/

(unquote)

Dan Teder presented a proposed plan for the rezone. Mr. Teder noted the rezone request is for 52 acres located north of CR 450 South. The area north of the development is zoned I3 and the area south of the property is zoned residential. If approved, Lahrman Farms will develop a 110 unit housing addition beginning Fall 2008 or Spring 2009. Mr. Teder stated the plans include two or three phases that will take approximately six to ten years to develop.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes

Shedd            Yes

Ordinance 2007-28-CM passes 3-0.

**REZONE Z-2346 – AGUEDA GAETA (R1 TO GB); ORDINANCE 2007-27-CM**

- Commissioner Knochel moved to hear and approve Rezone Z-2346 – Agueda Gaeta (R1 to GB) Ordinance 2007-27-CM, second by Commissioner Shedd.

(quote)

July 19, 2007  
Ref. No.: 07-322

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

**CERTIFICATION**

**RE: Z-2346—AGUEDA GAETA (R1 to GB):** Petitioner is requesting rezoning of one lot located north of the Village Pantry at the northeast corner of Creasy Lane and SR 38 E, more specifically, 1909 Creasy Lane, Fairfield 35 (SE) 23-4.

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 18, 2007, the Area Plan Commission of Tippecanoe County voted 13 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 August 6, 2007 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,  
Sallie Dell Fahey  
Executive Director  
/s/

(unquote)

No petitioner present. Director Fahey noted that the staff did recommend approval for the plan as well as the Area Plan Commission.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	No

Ordinance 2007-27-CM passes 2-1.

### ***BOARD OF ELECTIONS & REGISTRATION***

Bob Reiling spoke on behalf of the Election Board. Mr. Reiling stated the election process has changed over the years as has the job. With the new Vote Centers, duties of the Election Board staff have shifted. The election board, party chairmen, and Clerk Linda Phillips are proposing the Co-Director positions be changed from part time to full time. He believes this change will attract a larger pool of people and provide a benefit package which he hopes will bring more longevity to the position. Mr. Reiling noted with full-time status the Deputy Director position will be eliminated.

Clerk Linda Phillips noted the positions seasonality of the office offers an opportunity to hire part time staff to assist during busy periods. With the vacancy of the republican Co-Director, Clerk Phillips believes this opportunity to increase the hours and offer benefits may help attract a long term candidate. She added, with approval, the county will save approximately \$37,000 in 2008.

- Commissioner Shedd moved to approve the request to change the co-director position from part time to full time and eliminate the deputy director positions, second by Commissioner Benson; motion carried. Commissioner Knochel voted against the request.

➤ Commissioner Knochel left the meeting.

### ***HIGHWAY – Opal Kuhl***

Director Kuhl presented a drainage facility maintenance easement from Hi-Tech Trucking, Inc. for approval.

- Commissioner Shedd moved to approve the drainage facility maintenance easement as presented, second by Commissioner Benson; motion carried.

Change Order #1 for 2006 Bridge Rehabilitation Project from Jack Isom Construction Co., Inc. was presented for approval in the amount of \$10,769.26.

- Commissioner Shedd moved to approve change order #1 as presented, second by Commissioner Benson; motion carried.

Director Kuhl recommended approval for a payment and performance bond both in the amount of \$1,797,136.90 from Milestone Contractors, Inc. for the 2007 Culvert Replacement Project.

- Commissioner Shedd moved to approve the payment and performance bonds as presented, second by Commissioner Benson; motion carried.

An agreement for engineering services and site improvements from R.W. Armstrong for the Highway Garage Building was presented for approval.

- Commissioner Shedd moved to approve the engineering services agreement from R.W. Armstrong as presented, second by Commissioner Benson; motion carried.

Director Kuhl spoke briefly about the bridges in Tippecanoe County. She noted there are 183 bridges in Tippecanoe County which are inspected regularly and are reported to INDOT every 2 years. H. Stewart Kline and Associates performs all bridge inspections for Tippecanoe County, and Director Kuhl noted the inspection reports are on file in the Highway office and may also be found on the INDOT website.

***WABASH RIVER PHASE 2 HYDROLIC STUDY AGREEMENT – Stan Lambert***

Director Stan Lambert presented the Phase 2 Hydraulic Study Agreement for approval. He noted Phase 2 of the study will encompass sections outside city limits which were not included in Phase 1. The purpose of the project is to reassess and update flood maps as well as designing and planning of river related issues around the flood plain.

- Commissioner Shedd moved to authorize the Board of Commissioner's President to sign the agreement contingent on the County Council's approval and appropriation of funds, second by Commissioner Benson; motion carried.

***GRANTS – Laurie Wilson***

Grants Coordinator Laurie Wilson presented a grant from Homeland Security for District 4 Fire Training.

- Commissioner Shedd moved to approve the grant agreement with Homeland Security for \$50,225, second by Commissioner Benson; motion carried.

***YOUTH SERVICES UPDATE – Rebecca Humphrey***

Director Humphrey presented a six month review of her services as the Youth Services Director. Her review included grant funding obtained by Youth Services, staffing patterns and re-organizations, time allocation with a breakdown for the last six months, and additional plans for the remainder of the contract.

Director Humphrey thanked the commissioners for serving as fiscal agents for the State Incentive Grant (SIG) grant. This grant for the Coalition for a Safe and Drug Free Tippecanoe is a four year grant that will help combat underage drinking in Tippecanoe County.

***CARY HOME – Jason Kniola***

Director Kniola requested permission for a 3% increase in per diem for Cary Home in 2008. The last increase was in 2006 and overall costs of operation have forced Cary Home to increase the rate.

- Commissioner Shedd moved to approve the increase for per diem at Cary Home for 2008, second by Commissioner Benson; motion carried.

Plans for the girl's facility are moving forward; Director Kniola has received site plans and expects this project to be finished in the near future.

***JUVENILE ALTERNATIVES – Tammy Patrick***

Director Tammy Patrick requested approval for a memorandum of understanding between JAG and Department of Child Services for purchase of laptops, portable printers and wireless service. This memorandum will be effective through June 2008 and supports the truancy mediation program in area schools.

- Commissioner Shedd moved to approve the memorandum of understanding between JAG and the Department of Child Services, second by Commissioner Benson; motion carried.

#### ***AUDITOR – Jennifer Weston***

Auditor Weston requested approval for a new position. With recent changes in the auditor's office and additional duties obtained from the Grant Facilitator position, Auditor Weston requested an Accounts Manager position. She also noted other positions in the office have been restructured and now recommends the commissioners eliminate a secretarial position.

- Commissioner Shedd moved to approve the request for the Accounts Manager position and eliminate the Secretary position, second by Commissioner Benson; motion carried.

#### ***THIRD AMENDMENT TO THE DARK FIBER***

MITS Director Diane Hawkins recommended approval for the Second and Third Amendment to the Dark Fiber Lease Agreement. The second amendment is an extension of the fiber between the Jail and Community Corrections. The third amendment will extend from the Sheriff's Department to the West Lafayette Police Department to complete the 911 Public Safety Network ring.

- Commissioner Shedd moved to approve the Second and Third Amendments to the Dark Fiber Lease Agreement as written, second by Commissioner Benson; motion carried.

#### ***APPLICATION TO VILLA***

- Commissioner Shedd moved to approve the application to the Villa for Terrance J. Williams, second by Commissioner Benson; motion carried.

#### ***APPOINTMENTS TO THE COMMON WAGE BOARD***

- Commissioner Shedd moved to approve the appointment of the following candidates to Common Wage Boards, second by Commissioner Benson; motion carried.
  - Betty Michael – City of West Lafayette
  - Dave Lahr – Purdue University

#### ***UNFINISHED/NEW BUSINESS***

Department of Local Government Finance (DLGF) sent a demand letter requesting tax information payable in 2007. Auditor Weston noted the tax data files were sent July 26, 2007 and DLGF has confirmed by email that the information was received. DLGF has also confirmed that Tippecanoe County is in compliance with State guidelines.

Commissioner Benson offered congratulations to the Assessors and the county's trending consultants. She added that the DLGF acknowledged Tippecanoe County for "their model service to their community" and added that "Tippecanoe County was one of five counties selected by DLGF to provide outstanding trending and assessment work in 2006".



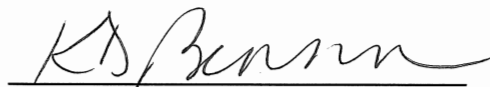
The Sheriff's Department and Target Corporation are hosting Family Fun Night Out at the Fairgrounds on Tuesday, August 7, 2007. The National Association of Town Watch, along with other sponsors, are working to spread the message of a "Safe Community". Sheriff Brown invited the community to participate in this free event with games, food and a bike raffle. Sheriff Brown challenged the community to take part in combating crime by walking their neighborhoods and leaving porch lights on all evening.

**REPORTS ON FILE**

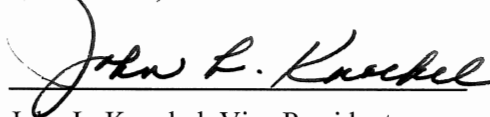
Public Library  
Treasurer  
Mail and Duplicating  
Clerk  
Parks  
Tippecanoe County Emergency Ambulance Service

- Commissioner Shedd moved to adjourn.

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**



KD Benson, President

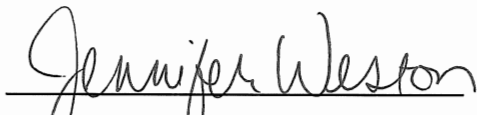


John L. Knochel, Vice President



Ruth E. Shedd, Member

**ATTEST:**

  
Jennifer Weston, Auditor