TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
December 13, 2011

The Tippecanoe County Council met Tuesday, December 13, 2011 at 8:30 a.m. in the Tippecanoe Room of the County Office Building. Councilmembers present were: President Andrew S. Gutwein, Vice-President Roland K. Winger, John R. Basham II, Jeffrey A. Kemper, Kevin L. Underwood, Kathy Vernon, and David R. Williams. Others present were: Auditor Jennifer Weston, Attorney Dave Luhman, Secretary Dawn Rivera, and Tillie Hennigar.

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

AUDITORS FINANCIAL REPORT *– Jennifer Weston*

Auditor Jennifer Weston reported a beginning net balance of $1,100,815.88. There are no additional appropriations of the General Fund for this month. Council has granted additional appropriations of $512,808, reductions of $235,119, and miscellaneous expenses of $9,769.37, leaving an uncommitted balance of $813,357.51. This will greatly help toward a solid cash balance in the beginning of the year. As a review of revenue, end of November was 82% collected, making year end estimates around 92%. Property taxes will come in during December. The last collection for the Department of Corrections was July so catch up is needed there. Area Plan has about $350,000 of unrealized revenue from transportation studies. The General Fund is on track for a $2,000,000 balance at year end. Nothing to report on fund balances.

Beginning Net Balance	$1,100,815.88
Total Additional Appropriations	$ 512,808.00
Total Budget Reductions	$ 235,119.00
Miscellaneous Expenditures (to date)	$ 9,769.37
Uncommitted Funds	**$ 813,357.51**

TREASURER'S REPORT *– Bob Plantenga*

The report prepared by Treasurer Plantenga was distributed to members and reflects the October bank statement but does not include some of the tax revenue collected after the end of October. The General Fund interest for October was $35,000 compared to $30,000 in September. Overall, interest was about the same, $70,000 compared to $69,000 last month. Currently on track to exceed the General Fund revenue estimate of interest for the year. The weighted interest average is down slightly due to total deposits at Lafayette Bank & Trust having a lower interest rate.

Included is a breakdown by bank. Some monies - uncashed checks and claim payments are being held in Chase. Once those are eliminated, the accounts can be eliminated as well. Lafayette Bank & Trust has $51 million in total compared to $42.6 last month. As of yesterday, there was $105 million in Bank & Trust holding the Property Tax monies before settlements. Next month and the following months should reflect higher interest for the General Fund. First Financial Bank has $10 million and Lafayette Savings Bank with $13 million, both which are constant.

Councilmember Kemper inquired about balances. Looking at a $63 Million, wondered where we could pick up 25 bases points and questioned why money isn't moved to First Financial with 1.75. Treasurer Plantenga responded we do have an agreement with First Financial for a $10

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Mill investment we are funding and getting a part of so we have a $10 Mill maximum amount. If we go above that amount, then the interest for the additional amount is 3%. Lafayette Savings Bank is also maxed out for what is allowed. The banks have a lot of cash available and there is not as much approved demand for them to use the money.

PUBLIC COMMENT – Agenda Items

Jim Stacey spoke regarding an email he sent to Council regarding reservations of a tax abatement to American Fibertech in Clarks Hill. There were no questions for Mr. Stacey.

There were no additional comments.

RESOLUTION 2011-43-CL DESIGNATION OF AN ECONOMIC REVITALIZATION AREA, APPLICATION OF AMERICAN FIBERTECH CORPORATION – Dave Luhman

Attorney Luhman explained this Resolution was considered last month. During the first reading, the declatory resolution was adopted designating the American Fibertech property as an economic revitalization area for a period of ten years through and including December 31, 2021. The designation would allow the owner of real estate and personal property within that area to apply for tax abate by filing an SB1. The resolution also granted approval on first reading for the application SB1 filed requesting abatement for new manufacturing equipment for a period of seven years and real property improvements for a period of ten years for the estimated investments set out on the SB1 attached to the application. Today's hearing is on the confirmatory resolution. If adopted, the resolution would make the designation an ERA. It is set for Public Hearing today making it appropriate to conduct a hearing allowing the public to address the Council.

Jay Weigand, American Fibertech commented on some updates regarding the building. It will be green sustainable construction and E-pack certified. A bio-mass boiler will be used and consume the wood waste already being produced to heat with radiant in floor heat. Mr. Weigand added information on the wages at the plant. The proposal was submitted with an average wage of $13.41, which does not include benefits. The benefit package provided for employees range from $2.05 to $4.26 per hour depending on tenure and benefit package selected.

Councilmember John Basham said the comments made earlier by Mr. Stacey regarding the residency of the employees should be addressed. The concern referred to employees being residents of Tippecanoe County. Mr. Weigand responded that employees hired will be the most qualified candidates as positions become available. Over the past ten years, the company has evolved from 32 employees, mostly unskilled labor building pallets with one manager. The company now has 120 employees at the facility of which 15-20 are salaried supervisory professional employees. The 80/20 rule applies and most of those employees live in Tippecanoe County. As the company evolves, partial investment will include additional machinery technology requiring higher skill levels to perform the manufacturing task.

Councilmember Vernon inquired about the SB1 total dollars the salaries will generate. Lisa Leaventhall representing the tax and accounting firm for American Fibertech replied total wages are expected to be $496,050.

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Councilmember Williams stated looking at expanding the business interest in the county, the region itself is looked at, attracting people from Tippecanoe County and other counties. Those people tend to do a lot of shopping in Tippecanoe County.

Councilmember Winger voiced some concerns that it is tough to evaluate the merit of the tax abatement versus other operational concerns any given business may have. A more careful annual review is necessary. With the downturns in the economy the past years and a lot of these not producing jobs, the difficult part of this issue is the added jobs at or below the $13.50 wage. It is not ideal but we know the company has been a part of helping Clarks Hill and some infrastructure improvements and they have put a large chunk of money into the addition. The Council might want to work on enhancing criteria to evaluate and continue to look at balance. He stated he believes the company has done a decent job to answer the concerns.

Councilmember Kemper added the potential of adding 10-15% to the job force speaks to something in this economy.

- Councilmember Kemper moved to approve Resolution 2011-43-CL Designation of an Economic Revitalization Area, Application of American Fibertech Corporation, second by Councilmember Underwood; motion passed.

CONSENT AGENDA

Auditor Jennifer Weston requested the minutes from November 9, 2011 be removed from the Consent Agenda. The remainder of the Consent Agenda is a follows:

Superior Court 2 – General Fund 001		
Transfer	$ 600	Office Expense/Office Supplies to Equipt/Data Processing – Hardware
Magistrate – General Fund 001		
Transfer	$ 100	Training Costs/Travel & Training to Office Expense/Office Supplies
Parks Department – General Fund 001		
Transfer	$ 2,500	Utilities/Misc to Garage/Gas & Oil

- Councilmember Williams moved to approve amending the consent agenda as stated, second Councilmember Underwood; motion passed.

PROSECUTOR
Pre-trial Diversion Fund 260

Prosecutor Patrick Harrington requests financial support for public safety network software, mostly for 911 funds. Some databases and management systems are outside of 911 funding such as maintenance of the applicant process and gang intelligence modules.

Additional Appropriation $50,000

$50,000 General Oper/General Law Enforcement

- Councilmember Underwood moved to approve the additional appropriation of $50,000 as presented, second by Councilmember Kemper; motion passed.

CASA
ICJI VOCA FY2012 Grant Fund 507

Grant Facilitator Laurie Wilson stated the request is from the Indiana Criminal Justice Institute for a part time person and is a continuation grant.

Grant Appropriation $25,959

$24,115 Salaries & Wages/Part Time
$ 1,844 Social Security

- Councilmember Williams moved to approve the ICJI VOCA FY2012 Grant Fund as presented, second by Councilmember Vernon; motion passed.

Court Services
Equipment IJC Grant Fund 579

Ms. Wilson stated the Indiana Criminal Justice Institute received a grant for equipment to upgrade delivery of programs. They will purchase a 46" TV, a DVD player wall mount, a copier, and a table.

Grant Appropriation $1,982

$1,982 Equipment/Office Equipment

- Councilmember Kemper moved to approve the Court Services equipment IJC Grant Fund 579 as presented, second by Councilmember Underwood; motion passed.

Surveyor
Elected Officials Training Fund 168

Surveyor Zach Beasley requests $1,300.00 of non General Fund monies for a January conference. The money is from a fund set up by statute in July for the continuing education requirement now mandatory by the State. The revenue comes from document recordings.

Annual Appropriation $1.300

$1,300 Annual Appropriation

- Councilmember Winger moved to approve the request for travel and training from Fund 168 for the Surveyor office, second by Councilmember Basham; motion passed.

TEMA
LEPC HMEP FY2012 Grant Fund 431

Grant Facilitator Laurie Wilson explained the LEPC is the Local Emergency Planning Council, which is the group meeting every other month from various local businesses and agencies dealing with hazardous material. The group includes approximately 24 people from Chemtura, Lafayette Fire, Purdue, the Sheriff's department, and various public agencies. HMEP is Hazardous Material Emergency Planning. The grant request is for LEPC training. The amount needs to be changed from $48,440 to $33,259. The $33,000 for the Contracts and Consultant is for a study to look at reported data from all the companies and people in the county. In the case of a spill from any one company, they will plot out the outcome. They will be working with Area Plan. There is a 20% match which comes from Lafayette Fire and Purdue Police personnel costs.

Grant Appropriation $66,259

$33,259	Training Costs/Travel & Training
$33,000	Contracts/Consultant

- Councilmember Vernon moved to approve the LEPC HMEP FY2012 Grant Fund 431as revised, second by Councilmember Williams; motion passed.

TEMA Competitive Grant Fund 432

Laurie Wilson said the grant would be used to purchase desks and chairs for the Emergency Operations Center.

Grant Appropriation $3,623

$3,623	Equipment/Emergency Equipment

- Councilmember Williams moved to approve the TEMA Competitive Grant Fund 432 as presented, second Councilmember Underwood; motion passed.

WIC
2012 Salary Statements

Director Colleen Batt explained the Salary Statement was developed based on approved salary structure for 2012. It was approved by the Council and put together by the Auditor's office for WIC program staffing. The money has already been appropriated for the grant.

- Councilmember Williams moved to approve the WIC 2012 Salary Statement as presented, second by Councilmember Vernon; motion passed.

RESOLUTION 2011-46-CL ENDORSING THE ADOPTION OF AN AMENDMENT TO THE TIPPECANOE COUNTY ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN

Attorney Dave Luhman said the Commissioners have worked hard to adopt an alternate solution for the receipt, storage, and disposal of hazardous materials in Tippecanoe County. At the last meeting of the Wildcat Creek Solid Waste Management District, subject to Council's appropriation, they approved an amendment to the existing operating agreement with Southside Landfill which operates the Trash Transfer station. Southside has offered to provide two portable units suitable for receipt and storage of hazardous materials at the trash transfer site. They would also provide infrastructure improvements to expand the facility to receive recycling materials. The cost without interest would be paid back over a period of 10 years and would be $400,000 or $40,000 per year for the hazardous material storage facilities and the recycling infrastructure improvements. The Commissioners adopted resolution 2011-44-CM which amends the county economic development income tax plan to include a new project number 71 providing funding for construction, installation, and operation of household hazardous waste facilities. It would also include expanded facilities for collection and handling of recycling material at the Trash Transfer station. There would be an additional cost of $88,000 for operations to cover Southside Landfill annual cost of providing personnel to receive hazardous material at $4,000 per month ($48,000 annually) and provide funding for educational services for solid waste and hazardous material currently provided by Wildcat Creek Solid Waste Management district. The funds for the project for 2012 would be a maximum of $110,000 to fund the County obligations on the amended agreement and fund the part time educator. In 2012, it is anticipated this would be used in the event the County does withdraw from the joint Wildcat Creek Solid Waste District and form its own district. There is currently a tax rate in place for Wildcat Creek for 2011, pay 2012 and taxes would continue to go to Wildcat Creek. An agreement is required between Clinton and Tippecanoe County as to how assets will be divided if Wildcat Creek is dissolved. In 2012, for pay 2013, Tippecanoe County could have a separate rate.

Commissioner David Byers stated that $90,000 has already been budgeted for 2012. If dissolved, there is $200,000-$250,000 in Wildcat Creek Solid Waste which will come back to Tippecanoe County and be used to run Wildcat Creek and also reimburse Economic Development Income Tax (EDIT). Clinton County should decide by the end of the week if they want to dissolve or continue. Commissioner John Knochel said it is a complicated process Commissioners are trying to cover all bases. Clinton County may decide to continue and use the district funds to pay for the operation proposed for Southside. Commissioner Byers added that there are currently 3-4 staff at Wildcat Creek Solid Waste. With the agreement with Southside, the staff is not needed. Clinton County pays in $37,000 per year and needs to decide if they can pick up the cost of the staff. Tippecanoe County pays in $210,000 per year.

Attorney Luhman explained that combined rates from Tippecanoe County and Clinton County taxpayers go to the Wildcat Creek district and one of the obligations is to provide receipt of hazardous materials. The district to date has not been able to do that and Tippecanoe County receipts are down to less than one day operation. This proposal would allow six day a week pickup at a cost of less per year.

Commissioner Byers commented that Southside Landfill is open six days a week, 8-5 Monday through Friday and 8-12 on Saturday. The County will continue to pay to have product removed

which was $40,000 last year plus the cost of an educational person. Everything added together could total around $150,000 compared to the $210,000 currently paid.

Attorney Luhman said Southside would be responsible for installing the collection facilities and providing the personnel to receive materials in compliance with state and federal regulations. They have a $10 million environmental bond which would continue. A separate contract would be needed for removal of material.

Commissioner Knochel said Southside will work with Clinton County just as they work with Tippecanoe County if the district stays in place.

Attorney Luhman responded to a question from Councilmember Kathy Vernon regarding the educational requirement and statute. There are not a specific number of hours, but there is a requirement for an approved plan to receive hazardous materials and to educate the public on the dangers and the appropriate way to dispose such materials. The educational component will be part of a plan if the district is separated.

- Councilmember Williams moved to approve Resolution 2011-46-CL, second by councilmember Basham; motion passed.

2012 PROPOSED COUCIL MEETING DATES, ASSIGNMENTS

President Gutwein discussed the 2012 meeting dates as the 2nd Tuesday of each month with the exception of election day in May, making the meeting on Wednesday, May 9.

- Councilmember Kemper moved to adopt the 2012 meeting dates and the 2012 deadlines as presented, second by councilmember Underwood; motion passed.

President Gutwein said an appointment will be needed to the Library board at the January meeting.

COMMITTEE REPORTS

There were none.

UNFINISHED/NEW BUSINESS

Auditor Jennifer Weston said Resolution 2011-22-CL was a duplicate number and should be adopted as Resolution 2011-28-CL.

- Councilmember Kemper moved to change Resolution 2011-22-CL to Resolution 2011-28-CL, second by councilmember Underwood; motion passed.

COMMISSIONER FYI

There were none.

PUBLIC COMMENT

Kevin McCammon, President of Friends of Downtown, informed the Council of an initiative to design and improve the holiday lighting scheme throughout the downtown Lafayette and West Lafayette area. A committee was recently formed consisting of members from Friends of Downtown and local sound and light design engineers among others. The plan is to replace the present lighting system on the courthouse with energy efficient LED lights. The second step would involve the courthouse square building owners and shops followed by street lighting and businesses. The project will be a major fundraising drive through private endowments and contributions with no cost to the taxpayer.

Councilmember Winger moved to adjourn.

Tippecanoe County Council

Andrew S. Gutwein, President

Roland K. Winger, Vice President

John R. Basham II

Jeffrey A. Kemper

Kevin L. Underwood

Kathy Vernon

David R. Williams

ATTEST:

Jennifer Weston

Jennifer Weston, Auditor 1-6-12