

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
August 1, 2016

The Tippecanoe County Commissioners met on Monday, August 1, 2016 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Tracy A. Brown and Member Thomas P. Murtaugh. Also present were: Attorney Doug Masson, Auditor Chief Deputy Jeremy Diehl, Commissioners' Assistant Paula Bennett and Recording Secretary Tillie Hennigar.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

July 18, 2016

- Commissioner Brown moved to approve the July 18, 2016 meeting minutes as presented, second by President Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS AND PAYROLL - Paula Bennett

Commissioners' Assistant Bennett recommended the claims from July 20, 2016 through August 1, 2016, including payroll for July 29, 2016 be approved without exception.

- Commissioner Brown moved to approve the Accounts Payable Vouchers and Payroll as presented, second by Commissioner Murtaugh; motion carried.

AREA PLAN- Sallie Fahey

Z-2649 ROBERT J. & ALICE M. ADAMS (AW to R1) - ORDINANCE 2016-11-CM:

Petitioners are requesting rezoning of 11.282 acres for a proposed 22 lot single-family subdivision located at the northeast corner of CR 550 E and CR 50 N, Perry 19 (NE) 23-3.

July 21, 2016
 Ref. No.: 16-162

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

CERTIFICATION

RE: Z-2649--ROBERT J. & ALICE M. ADAMS (AW to R1):

Petitioners are requesting rezoning of 11.282 acres for a proposed 22 lot single-family subdivision located at the northeast corner of CR 550 E and CR 50 N, Perry 19 (NE) 23-3. CONTINUED FROM THE JUNE APC MEETING DUE TO A FAILURE TO MAIL THE 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 July 20, 2016 the Area Plan Commission of Tippecanoe County voted 11 yes - 1 no on the motion to rezone the subject real estate from AW 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 Monday, August 1, 2016 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

- Commissioner Murtaugh moved to hear Ordinance 2016-11-CM, Z-2649 Robert J. and Alice M. Adams, AW to R1, second by Commissioner Brown.

Todd Starr with Starr Associates Land Surveyors & Engineers stated he represents Bob and Alice Adams. They are requesting rezoning of an 11.282 acres tract located at the northeast corner of County Road 550 East and County Road 50 North. The property is north of the Hickory Hills subdivision and directly across from Dunbar Highlands and Highland Meadows subdivisions. The proposal is for a 17 lot single-family residential subdivision connecting Razmic Way and Double Tree Drive which are currently dead end roads. Five lots will be developed with access off of CR 50 North. The remaining 12 lots will be accessed from CR 550 East with a new cul-de-sac named Winter Crest Court.

President Byers invited public comment in favor of or opposed to the rezone. There were none.

Chief Deputy Diehl recorded the vote.

Brown	Aye
Murtaugh	Aye
Byers	Aye

Ordinance 2016-11-CM passed 3-0.

Z-2656 MELVIN & MARILYN MILLER (GB to R1), ORDINANCE 2016-12-CM:

Petitioners are requesting rezoning in order to replace a prior house destroyed by fire, at the southeast corner of Church Street and CR 700 N, more specifically, 6931 Church Street, in the unincorporated town of Colburn, Washington 24 (NW) 24-3.

July 21, 2016
Ref. No.: 16-167

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

CERTIFICATION

RE: Z-2656--MELVIN & MARILYN MILLER (GB to R)

Petitioners are requesting rezoning in order to replace a prior house destroyed by fire, at the southeast corner of Church Street and CR 700 N, more specifically, 6931 Church Street, in the unincorporated town of Colburn, Washington 24 (NW) 24-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 20, 2016 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from GB 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 Monday, August 1, 2016 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

- Commissioner Murtaugh moved to hear Ordinance 2016-12-CM, Z-2656 Melvin and Marilyn Miller, GB to R1, second by Commissioner Brown.

Marilyn Miller, 693 Church Street, Lafayette requested a rezone for a lot in Colburn for the addition of a modular home. The lot is located on the corner of Church Street and County Road 700 North.

President Byers invited public comment in favor of or opposed to the rezone. There were none.

Chief Deputy Diehl recorded the vote.

Murtaugh	Aye
Brown	Aye
Byers	Aye

Ordinance 2016-012-CM passed 3-0.

Z-2657 DONNIE G. LAYTON (I3 to A), ORDINANCE 2016-13-CM:

Petitioner is requesting rezoning of 1.07 acres located at the northwest corner of North Ninth Street Road and Burnetts Road, Tippecanoe, Burnett's Reserve 06 (N1/2) 24-4.

July 21, 2016
Ref. No.: 16-168

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

CERTIFICATION

RE: **Z-2657--DONNIE G. LAYTON (I3 to A):**

Petitioner is requesting rezoning of 1.07 acres located at the northwest corner of North Ninth Street Road and Burnetts Road, Tippecanoe, Burnett's Reserve 06 (N1/2) 24-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 20, 2016 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from I3 to A. 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 Monday, August 1, 2016 regular meeting. Petitioner or his representative must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

- Commissioner Murtaugh moved to hear Ordinance 2016-13-CM, Z2657 Donnie G. Layton, I3 to A, second by Commissioner Brown; motion carried.

Kevin Riley, Attorney with Reiling Teder & Schrier stated he represents the petitioner Donnie Layton. He requested a rezone of 1.07 acres on the northwest corner of North Ninth Street and Burnetts Road from I3 to A. A single family home which is a converted school building currently sits on the property.

The petitioner has a binding contract to sell the property; the rezone is a condition for the buyer to obtain financing. The Area Plan Commission voted unanimously to recommend approval and he requested approval from the Commissioners.

President Byers invited public comment in favor of or opposed to the Ordinance. There were none.

Chief Deputy Diehl recorded the vote.

Brown	Aye
Murtaugh	Aye
Byers	Aye

Ordinance 2016-13-CM passed 3-0.

Z-2658 Tippecanoe Development, LLC (GB to R3), ORDINANCE 2016-14-CM:

Petitioner is requesting rezoning of 2.375 acres located at the northwest corner of Lindberg and Klondike Roads, Wabash 10 (SE) 23-5.

- Commissioner Murtaugh moved to hear Ordinance 2016-14-CM, Z-2658 Tippecanoe Development, LLC, GB to R3, second by President Byers.

Dan Teder, Attorney with Reiling Teder & Schrier stated he represents the petitioner who is present. The request is for the rezoning of 2.375 acres at the northwest corner of Lindberg and Klondike Roads from GB to R3. Area Plan Commission voted unanimously for approval. The petitioners have owned the property for over 15 years and the rezone would allow the construction of two apartment buildings with 32 one bedroom, 842 square feet units with a one car garage.

President Byers invited public comment in favor of or opposed to the Ordinance. There were none.

Chief Deputy Diehl recorded the vote.

Murtaugh	Aye
Brown	Aye
Byers	Aye

Ordinance 2016-14-CM passed 3-0.

HIGHWAY- Opal Kuhl

North River Road at River Bend Hospital Project – Supplemental Agreement No. 1 from Beam, Longest, and Neff, L.L.C., Consulting Engineers

Highway Director Kuhl presented Supplemental Agreement No. 1 from Beam, Longest, and Neff, LLC for the project at North River Road and River Bend Hospital. Two exceptions were necessary and right-of-way services were added. The changes include \$6,900 for environmental services, \$7,900 for design, and \$11,800 for soil testing, totaling \$26,600.

- Commissioner Brown moved to approve Supplemental Agreement No. 1 with Beam, Longest, and Neff, LLC for the North River Road/River Bend project in the amount of \$26,600 as presented, second by Commissioner Murtaugh; motion carried.

Klondike Road from Lindberg Road to US 52 – Amendment No. 4 from Strand Associates, Inc.

Highway Director Kuhl presented Amendment No. 4 with Strand Associates for design services. There are two contracts with Strand because the project started as local but as it grew, federal funds were necessary; some of the design services are still local. Amendment No. 4 in the amount of \$77,800 is due to a number missed in Amendment No. 3.

- Commissioner Murtaugh moved to approve Amendment No. 4 for design services from Strand Associates in the amount of \$77,800 for the Klondike Road project, second by Commissioner Brown; motion carried.

Klondike Road at Lindberg Road Roundabout Intersection Project – Supplemental Contract No. 2 from Stand Associates, Inc.

Highway Director Kuhl presented Supplemental Contract No. 2 from Strand Associates for the Klondike and Lindberg Roads roundabout project. After the project started, the design standards changed for pedestrian crossings at roundabouts.

- Commissioner Brown moved to approve Supplemental Contract No. 2 for the Klondike Road Roundabout project in the amount of \$35,000 as presented, second by Commissioner Murtaugh; motion carried.

Warranty Deed – Tippecanoe County Lindberg Road Project – Parcel 49 – Citation Homes, Inc.

Highway Director Kuhl presented a Warranty Deed for the Lindberg Road Project, Parcel 49, Citation Homes in the amount of \$27,525.

- Commissioner Murtaugh moved to approve the Warranty Deed for the Lindberg Road Project, Parcel 49 in the amount of \$27,525, second by Commissioner Brown; motion carried.

Continuation Certificate– Groundwater and Environmental Services, Inc. in the amount of \$5,000

Highway Director Kuhl presented a Continuation Certificate from Groundwater and Environmental Services for work in the right-of-way.

- Commissioner Brown moved to approve the Continuation Certificate for Groundwater and Environmental Services in the amount of \$5,000, second by Commissioner Murtaugh; motion carried.

Continuation Certificate – QC Communications in the amount of \$5,000

Highway Director Kuhl presented a Continuation Certificate from QC Communications for work in the right-of-way for \$5,000.

- Commissioner Brown moved to approve the Continuation Certificate with QC Communications for work in the right-of-way in the amount of \$5,000, second by Commissioner Murtaugh; motion carried.

MITS/GIS- Mark Ehle

2017 Indiana Map 3DEP QL2 Lidar Acquisition Project

MITS GIS Administrator Ehle requested approval of a Letter of Intent with the State grant program. The State GIS group is partnering with the State Geographic Information Office for a Lidar flight in the county in 2017. Federal Grant funding has been identified to cover 2/3 of the cost. The data will help with the digital flood insurance rate map updates. The Lidar flight was completed in 2013 in a lower resolution. Following that flight, the Federal government updated their standards; they no longer accept the lower resolution for the 3D elevation program. The cost to the county if grants are obtained would be \$40,000 - Purdue has committed to \$12,000 of the \$40,000. The total project cost is \$120,000. He contacted the cities, both are interested but have not committed. The grant is a one-time offer available to six or seven counties this year.

- Commissioner Brown moved to approve the non-binding Letter of Intent for the Lidar project in the amount of \$40,255.90 as presented, second by Commissioner Murtaugh; motion carried.

GRANTS- Sharon Hutchison

Permission to Accept

Grant Facilitator Hutchison requested permission to accept the following grants:

HEALTH: \$3,000 from Indiana State Department of Health, Public Health Preparedness and Centers for Disease Control and Prevention. The funds will be used to build vector-borne preparedness and control capacity.

- Commissioner Murtaugh moved to approve acceptance of the \$3,000 for the Health Department from the Indiana State Department of Health as presented, second by Commissioner Byers; motion carried.

TEMA: \$5,111 from Indiana Department of Homeland Security (IDHS) EMPG funding for Emergency Operation Command (EOC) center updated equipment.

- Commissioner Brown moved to approve acceptance of the \$5,111 from IDHS for TEMA as presented, second by Commissioner Murtaugh; motion carried.

CORONER: \$4,800 from Bauer Family Resources to fund safe sleep initiatives through Charlie's Kids books and other educational material.

- Commissioner Murtaugh moved to approve acceptance of \$4,800 for the Coroner from Bauer Family Resource, second by Commissioner Brown; motion carried.

Permission to Apply

Grant Facilitator Hutchison requested permission to apply for the following grants:

TEMA/LEPC: \$14,900 from IDHS for Hazardous Materials Emergency Preparedness (HMEP) funds to pay for delegates to attend four separate conferences dealing with Hazardous Emergency Response Actions. The agencies sending delegates will contribute an in-kind match of \$3,725.

- Commissioner Brown moved to approve permission to apply for the IDHS grant in the amount of \$14,900 as presented, second by Commissioner Murtaugh; motion carried.

HEALTH: \$59,077 from the Indiana Department of Health Immunization Division for 2017 for the promotion of adult and children immunizations. The grant was annual but changed to a continuation.

- Commissioner Brown moved to approve permission to apply for the grant for the Health Department as presented, second by Commissioner Murtaugh; motion carried.

YOUTH SERVICES- Rebecca Humphrey

Superior Court III - Permission to Accept \$3,000 from the Drug Free Coalition for Substance Abuse Assessments

On behalf of Judge Graham, Youth Services Director Humphrey requested permission to accept \$3,000 from the Drug Free Coalition for Substance Abuse Assessments.

- Commissioner Murtaugh moved to approve acceptance of \$3,000 in funding from the Drug Free Coalition as presented, second by Commissioner Byers; motion carried.

Memorandum of Understanding (MOU) with Buck Black

Director Humphrey said the MOU is with the person who will be completing the Substance Abuse Assessments.

- Commissioner Murtaugh moved to approve the MOU with Buck Black as presented, second by Commissioner Brown; motion carried.

Juvenile Alternatives - Contracts with Law Enforcement Officers for Community Engagement

Director Humphrey requested approval of the contracts with Law Enforcement Officers for the Community Engagement Project running through June, 2017 Juvenile Detention Alternatives Initiative. Attorney Masson created and prepared the 13 contracts. Attorney Masson said the contracts are all the same and tied together in that there is a maximum to be expended for the group.

- Commissioner Brown moved to approve the contracts with the law enforcement officers for Community Engagement Project as presented, second by Commissioner Murtaugh; motion carried.

MAINTENANCE

Proposal for Community Corrections Exterior Repair

- Commissioner Brown moved to approve the quote/contract with Building Services Inc. to seal cracks in the Community Corrections building on North 9th Street in the amount of \$4,816. He stated it is a continuation of the project approved at the last meeting, second by Commissioner Murtaugh; motion carried.

CHANGE ORDERS FOR 111 N 4TH STREET PROJECT

Commissioner Murtaugh presented two change orders for 111 North 4th Street. The first one is \$1,458 from Shepler Construction to install receptacles and data boxes on the first floor. The second one is in the amount of \$5,891.75 from DW Anderson Plumbing to wrap PVP pipe with fire proof insulation, reroute some ductwork, and relocate a floor drain.

- Commissioner Murtaugh moved to approve the two change orders as presented, second by Commissioner Brown; motion carried.

***PERFORMANCE & PAYMENT BONDS FOR COURTHOUSE CLOCK TOWER & ROOF REPAIR
- Bulley & Andrews***

- Commissioner Brown moved to approve the Performance and Payment Bonds for repair of the Courthouse Clock tower and Roof in the amount of \$4 million, second by Commissioner Murtaugh; motion carried.

UNFINISHED/NEW BUSINESS - none

REPORTS ON FILE

The following reports will be on file in the Commissioners' office.

- Clerk of the Circuit Court
- Building Commissioner

PUBLIC COMMENT

As there were no public comments, Commissioner Murtaugh moved to adjourn.

Meeting adjourned at 10:30 a.m.

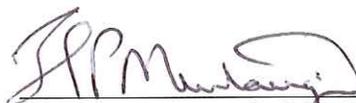
BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE



David S. Byers, President



Tracy A. Brown, Vice-President



Thomas P. Murtaugh, Member

ATTEST:



Robert A. Plantenga, Auditor 08/15/2016