

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
*May 6, 2013*

The Tippecanoe County Commissioners met on Monday, May 6, 2013 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President John L. Knochel, and Commissioner Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

**SHERIFF** – Tracy Brown

**Proclamation – National Correctional Officers Week**

President Byers, Commissioner Knochel, and Commissioner Murtaugh read the Proclamation declaring the week of May 5-11, 2013 as National Correctional Officers' Week in Tippecanoe County.

**A PROCLAMATION**

**CORRECTIONAL OFFICERS' WEEK IN TIPPECANOE COUNTY**

WHEREAS, May 5<sup>th</sup> through 11<sup>th</sup>, 2013 will be declared across the United States of America as "NATIONAL CORRECTIONAL OFFICERS' WEEK"; and

WHEREAS, this week has been set aside to recognize our correctional officers for their professionalism, hard work, dedication and efforts in protecting those in their custody and the public's safety; and

WHEREAS, the corrections profession is one of the most challenging and noble professions one can pursue; and

WHEREAS, other criminal justice agencies and members of the public are encouraged to acknowledge the important role the Tippecanoe County Jail Correction Officers play in the protection and services to the Greater Lafayette Community;

NOW, THEREFORE, we, the Board of Commissioners, County of Tippecanoe, do hereby proclaim the week of May 5-11, 2013, as

**NATIONAL CORRECTIONAL OFFICERS' WEEK**

And invite the citizens of Tippecanoe County to share in the thanking of the Tippecanoe County Correctional Officers for the outstanding job they perform on a daily basis in their service to the entire community.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Seal of Tippecanoe County be affixed this 6<sup>th</sup> of May 2013.

Sheriff Tracy Brown said on behalf of the men and women of Community Corrections and the County Jail, the Proclamation is appreciated. The work they do is very important and crucial to public safety. Of

the 151 employees, most are assigned to the jail division on North 9<sup>th</sup> Street, handling the 7,000 people who walk through the door annually. Sheriff Brown said he appreciates the work they do and thanked the Commissioners for their support.

### ***APPROVAL OF MINUTES***

April 15, 2013

- Commissioner Knochel moved to approve the minutes of the regular meeting held April 15, 2013, second by Commissioner Murtaugh; motion carried.

### ***PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS***

- Commissioner's Assistant Frank Cederquist presented the accounts payable vouchers for April 18, 19, 25, 26, and May 2, 3, and 6, 2013. Auditor Weston said she does not have particular exceptions to the claims but did make the following three points:
  1. There is a County employee travel policy allowing \$25.00 per day with receipts. The amount paid will be the lesser of the \$25.00 or what was spent. Requests for an amount outside of the policy is up to the Department Head or Official to verify and provide the written exception to the Auditor's office. As an example, grants will often state a reimbursement is allowed at the State or Federal per diem; however, the grant agreement might specify the recipients follow the local or State travel policy and rates, whichever is lower. Documentaion should be provided for anything other than the County travel policy.
  2. In regard to penalties, interest, and charges such as late fees, there is not a statute but according to the Auditor's manual, it states "Officials and employees have the duty to pay claims and remit taxes in a timely fashion. Additionally, Officials and employees have a responsibility to perform duties in a manner which would not result in any unreasonable fees being assessed against the governmental unit. Any penalties, interest, or other charges paid by the governmental unit may be the personal obligation of the responsible Official or employee".
  3. Payment requests continue to be received when there is not a contract for services. Claims will be held if there is not a contract on file.
- Commissioner Knochel moved to approve the accounts payable vouchers as presented and noted the comments by Auditor Weston, second by Commissioner Murtaugh; motion carried.

### ***RESOLUTION 2013-16-CM APPROVING APPLICATION FOR PROPERTY TAX DEDUCTIONS FOR SMT PROPERTIES, LLC dba TKO GRAPHIX***

- Commissioner Knochel moved to approve Resolution 2013-16-CM approving application for property tax deductions for SMT Properties, LLC, dba TKO Graphix, second by Commissioner Murtaugh.

Lauren Davis from Greater Lafayette Commerce stated they are present in support of SMT Properties/TKO Graphix and the request for economic revitalization area and five year tax abatement on real estate. Ms. Davis introduced Tom Taulman, President of TKO Graphix.

Tom Taulman, 2751 Stafford Road, Plainfield, IN said his company is looking to build a 12,000 square foot facility on 48 acres at US 52 and CR 450 South. The company will perform trailer repair and light maintenance on trade-in trailers coming into Wabash National. Attorney Luhman said the initial request was submitted as a ten year abatement but the application indicates five years and requested clarification. Auditor Weston asked what the investment value is to which Mr. Taulman replied, it is a little under \$2 million.

- Commissioner Murtaugh moved to amend the Resolution to reflect five years versus ten, second by Commissioner Knochel; motion carried.
- Commissioner Knochel moved to approve Resolution 2013-16-CM application for property tax deductions for SMT Properties, LLC, dba TKO Graphix, second by Commissioner Murtaugh; motion carried.

President Byers welcomed TKO Graphix to the community.

***RESOLUTION 2013-14-CM MODIFYING THE TIPPECANOE COUNTY ECONOMIC DEVELOPMENT INCOME TAX CAPITAL IMPROVEMENT PLAN***

Attorney Luhman said the amendment reflects the additional funding for 2013 included in the 2013 budget for projects #3, 6, 7, 10, 19, 20, 24, 38, 43, 46, 49, 50, 51, 54, 58, 66, 72, 73, and 75. The projects are listed in the resolution with the amount of funding for each. It also allows for four new projects and amends another. The new projects are: 1) expansion of the Riggs Community Health Clinic - \$100,000 over a three year period; \$34,000 in 2013; 2) paving and repair for the parking areas of the County buildings - \$100,500; 3) project #79 establishing an Americans with Disability Act (ADA) Compliance Fund in the amount of \$250,000; and 4) project #80 is a vehicle purchase fund; up to \$157,500 for fleet vehicles for various County departments.

Also, there is an amendment to the description of project #20 for design, engineering construction, and reconstruction of general drain improvements, including regional drainage facilities and Phase 2 Stormwater plan compliance. The project provides \$900,000 in 2013.

- Commissioner Knochel moved to approve Resolution 2013-14-CM as presented, second by Commissioner Murtaugh; motion carried.

***RESOLUTION 2013-15-CM AMENDING THE TIPPECANOE COUNTY CUMULATIVE CAPITAL TAX IMPROVEMENT PLAN***

Attorney Luhman said the resolution reflects the budget decisions made during budget hearings to the Cumulative Capital Tax Improvement Plan. The resolution adds a new project designated FFF; the capital outlay expenditures for 2013. The total cost of the items is \$543,719 and includes copier leases; a grant contingency fund; an annual building repair and maintenance fund for the county office building, the Courthouse, and the 629 building; and funds for Courthouse security capital expenditures. It will provide additional funding for existing projects T, V, HH, 00, and YY.

Commissioner Murtaugh asked why this process is not completed in January. Attorney Luhman said this year was delayed to have the joint meeting with the County Financial Consultant and Council.

- Commissioner Knochel moved to approve Resolution 2013-15-CM as presented, second by Commissioner Murtaugh; motion carried.

***ADA UPGRADES AT VILLA and CARY HOME***

Mike Perry, Tecton Construction presented a letter of recommendation for bid packages and alternates for the ADA upgrades at the Tippecanoe Villa and Cary Home. Commissioner Murtaugh read the recommendations:

<b>TIPPECANOE VILLA, ADA COMPLIANCE PROJECT</b>				
<b>CONTRACTOR</b>	<b>BASE BID</b>	<b>ALT #1</b> Add S concrete ramp – Cary Hm	<b>ALT #2</b> Add N concrete ramp – Cary Hm	<b>ALT #3</b> Add concrete ramp to girl's bldg. – Cary Hm
<b><u>Bid Package #1 GENERAL TRADES</u></b>				
Tri-Tech Construction Serv., Inc	\$23,200	\$7,175	-----	\$7,885
<b><u>Bid Package #2 DOORS/FRAMES/HARDWARE</u></b>				
Mulhaupt's Inc	\$124,262	N/A	N/A	N/A
<b><u>Bid Package #3 PAINTING</u></b>				
Heritage Classic Construction	\$3,950	N/A	N/A	N/A
<b><u>Bid Package #4 ELECTRICAL</u></b>				
Craig Wagoner Electric	\$1,450	N/A	N/A	N/A

- Commissioner Murtaugh moved to approve the recommendation for the base bids and also Alternate #1 and #3, second by Commissioner Knochel; motion carried.

President Byers congratulated the various companies with the accepted bids.

***AREA PLAN COMMISSION*** – Sallie Fahey

**UZO Amendment #76 Agricultural Rental Halls Ordinance 2013-18-CM:**

An amendment to the Unified Zoning Ordinance that adds the definition of an “agricultural rental hall” to UZO Section 1-10-2 Words and Terms Defined; adds “agricultural rental hall” to UZO Section 3.2 Permitted Use Table, and adds a parking requirement for “agricultural rental hall to section 4-6-3 Required Auto Parking Spaces.

April 18, 2013  
 Ref. No.: 13-100

Tippecanoe County Commissioners  
 20 N. 3<sup>rd</sup> Street  
 Lafayette, IN 47901

CERTIFICATION

**RE: UZO AMENDMENT #76--AGRICULTURAL RENTAL  
 HALLS:**

An amendment to the Unified Zoning Ordinance that adds the definition of an "agricultural rental hall" to UZO Section 1-10-2 Words and Terms Defined; adds "agricultural rental hall" to UZO Section 3.2 Permitted Use Table, and adds a parking requirement for "agricultural rental hall" to Section 4-6-3 Required Auto Parking Spaces.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 17, 2013, the Area Plan Commission of Tippecanoe County voted 12 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

- Commissioner Knochel moved to hear UZO Amendment #76, Ordinance 2013-18-CM, second by Commissioner Murtaugh.

Area Plan Director Fahey said the amendment is to the zoning ordinance to fill an existing gap for agricultural rental halls. Requests have been made for years for rental facilities for weddings, receptions and private parties. Without the facility becoming a restaurant to not litter the agriculture areas with general business zoning requests, an agricultural rental hall has been identified for private parties by invitation. In addition, up to four public events will be allowed per year for events such as a fund drive for a non-profit organization. The amendment was modeled after the winery approval of a few years ago. The parking space was also modeled after the winery, with one space per four patrons, up to the maximum capacity of the facility. The parking spaces do not have to be paved. For public events, grass or gravel overflow parking areas would be required. There cannot be food prepared on-site; it would have to be brought in by a licensed caterer. It requires special exception in the agriculture and agriculture wooded zones. The Planning Commission voted 12-0 for approval.

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

Auditor Weston recorded the vote.

Byers                      Aye  
 Knochel                    Aye  
 Murtaugh                  Aye

Ordinance 2013-18-CM passed 3-0.

Rezone Z-2528 Timberstone Development, LLC (A to R1) Ordinance 2013-19-CM:  
 Petitioner is requesting rezoning of 54.73 acres for a proposed 112 lot subdivision located on the west side of CR 75 E, north of CR 500 N, Tippecanoe 29 (S1/2) 24-4.

April 18, 2013  
 Ref. No.: 13-114

Tippecanoe County Commissioners  
 20 North 3<sup>rd</sup> Street  
 Lafayette, IN 47901

**CERTIFICATION**

RE: Z-2528--TIMBERSTONE DEVELOPMENT, LLC (A to R1):  
 Petitioner is requesting rezoning of 54.73 acres for a proposed  
 112 lot subdivision located on the west side of CR 75 E, north of  
 CR 500 N, Tippecanoe 29 (S1/2) 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 April 17, 2013 the Area Plan Commission of Tippecanoe County voted 11 yes - 0 no on the motion to rezone the subject real estate from A 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 Commissioner at their May 6, 2013 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

  
 Sallie Dell Fahey  
 Executive Director

- Commissioner Knochel moved to hear Rezone Z-2528 Timberstone Development, LLC (A to R1) Ordinance 2013-19-CM, second by Commissioner Murtaugh.

Dan Teder, Attorney with Reiling, Teder, and Schrier said he represents the petitioner. A favorable staff report and an 11-0 approval from the Area Plan Commission was received. The request is for rezoning from A to R1. Attorney Teder provided a handout to the Commissioners with a map showing the location of the site and the conceptual proposed site plan. It is 55 acres adjoining Winding Creek Section 2 and will be called Winding Creek Section 8. Access will be from Zinnia on the west and CR 75 on the east. All utilities are available to the site. It will be an R1 subdivision, with a minimum of 10,000 square feet of area and 75 feet of lot width. The average lot is 85 feet wide and 12,750 square feet; some lots will have a golf course view. Attorney Teder requested approval.

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

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2013-19-CM passed 3-0.

**Subdivision Variance S-4379 CCR Subdivision (Major-Preliminary Plat):**

A variance to wave the half-width local road pavement improvements along the CR 200 N frontage, being 13-ft measured from centerline to the edge of pavement, as required by USO Section 5.3-3-b.

- Commissioner Knochel moved to hear Subdivision Variance S-4379, second by Commissioner Murtaugh.

Director Fahey said this is a request by the petitioner to recommend a variance to the plan commission to wave the half-width requirement. It is a two lot subdivision on CR 200 N and the parent lot has used all the minor subdivision rights so it becomes a major subdivision. A major subdivision classification triggers the requirement to approve the adjacent county road.

- Commissioner Knochel moved to recommend a variance to the plan commission as presented, second by Commissioner Murtaugh; motion carried.

**Private Street Renaming – to rename the private drive Brook Hollow between Jackson Highway and Lindberg Road and Highway 26 – proposed new name is Brook Hollow Lane**

Director Fahey said the request is from one of the four property owners on the private drive. The street has always been named Brook Hollow; it is now confusing for deliveries. The request is to add “Lane” and approval is recommended.

- Commissioner Knochel moved to approve renaming the private drive Brook Hollow between Jackson Highway and Lindberg Road and Highway 26 as presented. The new name is Brook Hollow Lane. Second by Commissioner Murtaugh; motion carried.

**HIGHWAY – Opal Kuhl**

**Ordinance 2013-17-CM Vacation of Right-of-Way, Old County Road 450 North right-of-way (left over from the Hoosier Heartland Project) – 1<sup>st</sup> Reading**

Highway Director Kuhl said the vacation of right-of-way request is located at County Road 450 North and Hoosier Heartland. The alignment of CR 450 North was changed and the two sections of roadway are no longer there.

- Commissioner Knochel moved to approve Ordinance 2013-17-CM as presented, second by Commissioner Murtaugh.

President Byers invited public comment in favor of or opposed Ordinance 2013-17-CM. There were none.



Attorney Luhman recommended the bids be taken under advisement for review and further processing.

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

President Byers thanked the contractors for submitting bids.

### **Evaluation of Requests for Proposals for Tandem Axle Dump Trucks**

Director Kuhl said the proposals and funding options for the purchase of tandem axle dump trucks have been reviewed. The recommendation is to accept the proposal from Hill Truck Sales for the four tandem axle dump trucks in the amount of \$709,700 and the proposal from Regions Bank for financing of a four year contract at 1.489% interest. Director Kuhl said the complete proposals are available for review in the Highway Department office.

- Commissioner Knochel moved to approve the proposal from Hill Truck Sales for the dump trucks and the proposal from Regions Bank as presented, second by Commissioner Murtaugh; motion carried.

### **GIS Specialist Position – Change from regular part time to full time position**

Director Kuhl said the GIS Specialist was originally a full time position and the person in the position was working 80%. If approved, the Salary Statement will be presented to Council next week; the money is available in the budget for 2013 for the difference in salary of approximately \$4,000. The position hours will increase from 30 per week to 37.5.

- Commissioner Knochel moved to approve the GIS Specialist position from regular part time to full time as presented, second by Commissioner Murtaugh; motion carried.

### **3 Year Construction Maintenance Bond - QC Communications**

Director Kuhl said the Construction Maintenance Bond is from QC Communications in the amount of \$5,000 to complete work in the right-of-ways.

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

### **Irrevocable Standby Letter of Credit – Poisel Construction**

Director Kuhl presented a letter of credit from Poisel Construction in the amount of \$5,000 for ditch work at Huntington Farms.

- Commissioner Knochel moved to approve the letter of credit from Poisel Construction as presented, second by Commissioner Murtaugh; motion carried.

Director Kuhl gave an update on the flood damaged culvert on Dayton Road. The road remains closed and is under design. Once the design is complete, quotes will be accepted versus bids to save time. The pipe is being replaced with a concrete box. The construction time is anticipated to be longer than the two month estimate.

Director Kuhl gave an update on the bridge with the log jam on County Road 100 N. The log jam is being removed to better see and assess the bridge damage.

**GRANTS – Laurie Wilson**

**Permission to Accept Grant**

Grant Facilitator Wilson requested permission to accept a grant for TEMA in the amount of \$55,000 from the Indiana Department of Homeland Security (IDHS) for District 4 Task Force equipment and sustainment. The equipment will be divided into 25% for law enforcement and fire to purchase personal protective gear for the Task Force police officers. Also to be purchased will be a generator, two patient transport carts for emergency medical, a portable fire pump, forms and wall charts for the incident management team, a meeting shelter, an iPad for an incident team manager, dry suits and life jackets for the swift water rescue team, and a hydraulic hammer drill and concrete breaker.

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

**Permission to Apply for a Grant**

Grant Facilitator Wilson requested permission to apply for a grant for TEMA in the amount of \$4,000 from the IDHS Foundation Grant for emergency equipment. TEMA Director Anderson would like to apply for funds to obtain the chairs and tables for the Emergency Operation Center (EOC). The grant is funded by the sale of secure Indiana license plates.

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

**MOU/Contract**

Grant Facilitator Wilson presented a contract for Patricia Foerg with Superior Court 3 for mediation services. The contract is on the family court grant.

- Commissioner Knochel moved to accept the contract for Patricia Foerg as presented, second by Commissioner Murtaugh; motion carried.

Grant Facilitator Wilson presented a Memorandum of Understanding (MOU) Partnership for Youth Substance Abuse Assessments and stated it is a grant from Indiana Criminal Justice Institute (ICJI). The MOU is between Court Services and Juvenile Probation.

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

Grant Facilitator Wilson presented Amendment #1 for grant # A2-3-100-007 for the Sheriff Department. The amendment extends the terms of the Sheriff Indiana State Police MOU to April 11, 2014.

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

**WIC – Colleen Batt**

**Eliminate Regular Part Time Position**

Director Batt said a memorandum was submitted to eliminate a regular part time position due to decreased funding by the Indiana WIC program. The Federal governments' lack of funding for federal programs caused a decrease to Indiana WIC programs and WIC has been asked to reduce staff. A regular part time position has been reduced to less than 30 hours per week and Human Resources advised that the position be moved to a part time line item. The position will be eliminated and the person in the position will continue to work as a part time employee; funded through the part time line item.

- Commissioner Murtaugh moved to approve the elimination of the regular part time position as presented, second by Commissioner Knochel; motion carried.

#### ***PUBLIC DEFENDER*** – Amy Hutchison

##### **Changes in Positions**

Public Defender Hutchison requested the elimination of three part time positions and convert them to two full time positions. The request will be presented to Council at the May meeting. Phil Smith retired as a regular part time deputy. Andrew Searle and Leslie Charters are also regular part time deputies. The request is to take the salary and insurance from the retired employee's salary, split it between the two regular part time positions, and make the two positions full time; eliminating the part time positions. The salaries will not increase the cost to the County; however, it will reduce the number of misdemeanor cases by 30.

President Byers asked where the employees will be located. Ms. Hutchison said she will make do and hopes to have more space in the future.

- Commissioner Murtaugh moved to approve the elimination of the three regular part time positions in the Public Defender's office and replace them with two full time positions, second by Commissioner Knochel; motion carried.

#### **YOUTH SERVICES/CARY HOME FOR CHILDREN** – Rebecca Humphrey

##### **DCS Community Based Contract Extension**

Cary Home Director Humphrey requested approval of an extension for DCS Community Based services for Multi Systemic Therapy (MST) in home based services. Approximately \$160,000 in revenue has been brought in through home based services. Due to the revenue, DCS did not require a new application; the contract was automatically extended to June 30, 2015.

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

#### **Truancy Mediation Memorandum of Understanding**

Director Humphrey requested approval of a MOU for four school corporations: Tippecanoe, Lafayette, West Lafayette, and Greater Lafayette Special Services. The schools contribute financially to the County Truancy positions based on their usage.

- Commissioner Knochel moved to approve the Truancy Mediation MOU as presented, second by Commissioner Murtaugh; motion carried.

### **Contract with ESG for Girl's Unit Alarm Monitoring and Annual Fire Inspections**

Director Humphrey presented a contract with Electronic Systems Group for continuous monitoring of the girl's unit. The service will be ongoing in addition to an annual fire inspections of the entire system.

- Commissioner Knochel moved to approve the contract with ESG as presented, second by Commissioner Murtaugh; motion carried.

### ***PROBATION/COURT SERVICES* – Kipp Scott and Cindy Houseman Amendment to Services Agreement with Sentinel Offender Services, LLC**

Court Services Executive Director Houseman presented an amendment to the services agreement with Sentinel Offender Services. The supply storage area has more than doubled creating a lease increase, the cost of the urine and drug screens increased, and Sentinel now contributes to utilities.

Attorney Luhman stated the amendment was reviewed and his office prepared the required addendum for pre verification certification. Approval will be contingent upon Sentinel signing and attaching the amendment to the services agreement.

- Commissioner Knochel moved to approve the amendment as presented, second by Commissioner Murtaugh.

President Byers invited Judge Meade to comment.

Judge Meade said the Probation Oversight Committee recently received the information and have not had a chance to discuss the change in fees with the other judges. He asked for the approval to be postponed for one month, giving the Committee a chance to share the information with the judges and return with input. Changes in fees and typical costs is what the Probation Oversight Committee is set up to do.

- Commissioner Knochel withdrew his motion and moved to table the discussion to the June meeting, second by Commissioner Murtaugh; motion carried.

### ***CORONER* – Bryan Metzger, County Councilman Memorandum of Understanding with American Donor Services**

In Coroner Avolt's absence, County Councilmember Metzger presented a MOU with American Donor Services. The MOU is for the coordination of tissue and organ donation for those who wish to donate.

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

### ***HEALTH DEPARTMENT* – Ron Cripe, Shirley Mennen and Liz Mitchell Sponsorship Agreement for Paint the Town Purple for American Cancer Society**

In the absence of Ron Cripe, HR Coordinator Mennen said the Health Department offered to do a Sponsorship Agreement for Paint the Town Purple. Coordinator Mennen introduced Liz Mitchell from the Relay for Life Committee. Liz is on the Marketing Committee and a cancer survivor. Liz said Relay for Life is looking for ways to create more awareness within the community. Relay for Life helps support and fund research for the American Cancer Society and the Committee is requesting placing purple ribbons and signs in the grass around the Courthouse in coordination with other businesses who will be

painting windows and posting ribbons around the downtown area and throughout Lafayette. The promotion dates are May 18-31.

Commissioner Murtaugh asked Liz to coordinate the placement of ribbons and signs through Frank Cederquist and Mike Haan. Coordinator Mennen added the County has a Relay for Life team and they are actively doing fund raising projects such as the bracelets at \$3.00 each which are available in the Commissioner's office. The team has shirts and County employees can purchase the shirt and make an additional \$5.00 donation to wear the shirt in the office on casual Fridays in May.

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

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

- Commissioner Knochel moved to approve the application to the Tippecanoe Villa for Sandra L. Hinton, second by Commissioner Murtaugh; motion carried.

#### ***TRANSLATOR AGREEMENT***

- Commissioner Knochel moved to approve the Translator Agreement between the Board of Commissioners and Ligia-Varinia Barreto, second by Commissioner Murtaugh; motion carried.

#### ***APPOINTMENT TO COMMON WAGE BOARD***

- Commissioner Knochel moved to approve the appointment of Jean Hall to the West Lafayette Purdue University's Common Construction Wage Committee, second by Commissioner Murtaugh; motion carried.

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

Commissioner Knochel said he had a request from Gary Standiford concerning the reclamation of a pit leased to Vulcan Materials. Vulcan is going out of business and Mr. Standiford is expecting a cash settlement to perform the reclamation himself. Mr. Staniford asked if the County would establish a fund to handle the money as he has been advised by his accountant he would need to pay taxes on the money if he handles the reclamation.

Attorney Luhman suggested a Reclamation Fund be established for this case and others, adding that it brings the situation to the attention of the County and gives the County the opportunity to assure reclamation and restoration. Attorney Luhman said it would be a good opportunity for Area Plan, the Surveyor, Highway, and the Code Enforcement Officer to get together to establish a fund.

Commissioner Knochel said his understanding is that the Surveyor would have to certify everything has been accomplished that was stated in the reclamation plan. APC Director Fahey said under normal conditions with a mining operation, the mining operator is required to file a bond with APC for the reclamation, which Vulcan did. The bond is held until the reclamation is completed. In this particular case, Vulcan would like to get out of the reclamation before completion. Vulcan would like to post the reclamation onto the property owner. Normally, when the mining company finishes the reclamation, it is up to the mining company surveyor or engineer to sign off that the reclamation was completed according to plan. In this case, there is no surveyor or engineer to do that work on behalf of the mining company

and County Surveyor Beasley would have to get involved. In terms of setting up the fund, it won't be needed in most cases, but to have it available for the unusual situations is a good idea.

Attorney Luhman said the obligation would not be discharged until reclamation is done. If the County accepts a donation for the purpose of funding the reclamation and is willing to undertake the duty to contract with whoever is going to do the reclamation, it can be done. The bond and the person obligated to complete the reclamation should not be released until everything is completed. Research should be done to make sure the funds offered to the County are enough for the reclamation and the administrative expenses.

Further discussion of a Reclamation Fund will be held.

APC Director Fahey said in regard to contracts and contractors, it is important the demolition materials are properly disposed of and asked if the County contracts for construction could contain a requirement to identify where the material will be disposed.

### ***REPORTS ON FILE***

The following reports are on file in the Commissioner's office:

Parks and Recreation Board  
 Clerk of the Circuit Court  
 WIC  
 Wabash River Heritage Commission  
 Treasurer  
 Building Commission  
 Central Mail and Duplicating

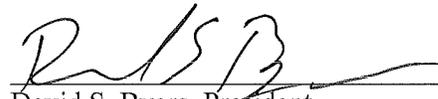
### ***PUBLIC COMMENT***

Paul Wright, 4523 S County Line Rd W, Westpoint said he noticed on the website the current County payroll salaries are not listed and inquired if there was a plan for that information. Auditor Weston said the Journal and Courier has a salary database but she doesn't know how recent it is. Mr. Wright said the information is not current and he wants to see where his tax money goes.

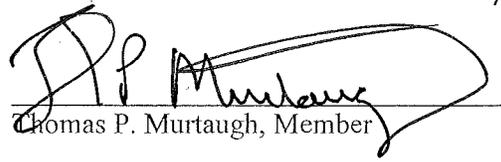
As there were no other public comments, Commissioner Knochel moved to adjourn.

Meeting adjourned at 11:19 a.m.

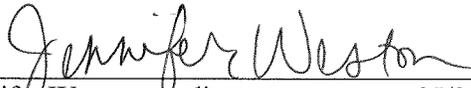
BOARD OF COMMISSIONERS OF  
 THE COUNTY OF TIPPECANOE

  
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 David S. Byers, President

  
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 John L. Knochel, Vice President

  
Thomas P. Murtaugh, Member

ATTEST:

  
Jennifer Weston, Auditor 05/20/2013

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