TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
March 5, 2012

The Tippecanoe County Commissioners met on Monday, March 5, 2012 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Thomas P. Murtaugh, Vice President John L. Knochel, and Commissioner David Byers. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Dawn Rivera.

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

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of the regular meeting held February 20, 2012, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for February 22, 23, 24, and 29, and March 1 and 5, 2012 as submitted with no exception, second by President Byers; motion carried.

AREA PLAN COMMISSION
Ordinance 2012-14-CM – Rezone Z-2483 Mars Enterprises #452, LLC (I3 to GB)

- Commissioner Knochel moved to hear Ordinance 2012-14-CM Rezone Z-2483, second by Commission Byers, motion carried.

(quote)

February 16, 2012
Ref. No.: 12-035

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

CERTIFICATION

RE: **Z-2483-- MARS ENTERPRISES #452, LLC (I3 to GB):**

Petitioner is requesting rezoning of Lot 2 in 52 South Industrial Subdivision, located at 3617 US 52 South, just south of Veterans Memorial Parkway, Wea 12 (SW) 22-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on February 15, 2012 the Area Plan Commission of Tippecanoe County voted 14 yes - 0 no on the motion to rezone the subject real estate from I3 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 March 5, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Daniel Teder, attorney representing the petitioner, said the owners and the tenant of the property are present. The request is for a rezone from I3 to GB of the property located at 3617 US 52 South, which is on the east side of US52, just south of Veterans Memorial Parkway. Three lots south of the site are zoned GB and the four corners of US52 and Veterans Memorial Parkway are zoned GB. The site is three acres with a 17,000 square foot building. 5,500 square feet is currently rented to Applied Industrial Technologies. The remaining 11,500 square feet is leased to the future home of Action Sports, selling motorcycles, ATVs, and bicycle parts. In order for the tenant to get a dealer license, the property must be zoned GB. All requirements have been met for green space, parking, set back, and drainage. The business will employ 8-15 people. Letters from the adjoining property owners, with no objections, were presented to the Area Plan Commission. The Area Plan Commission approved the request with a vote of 14 - yes and 0 - no.

President Murtaugh asked for public comment on the rezone. There were none.

Auditor Weston recorded the vote:

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2012-14-CM passed 3-0.

HIGHWAY - Opal Kuhl

Cumberland Avenue Project, Parcel 1A – Settlement Agreement and Release, Temporary Easement Grant, and Donation Agreement

Director Kuhl said the Cumberland Avenue Project, Parcel 1 is for the corner of Klondike Road and the Cumberland project in the amount of $6,600. The parcel was previously purchased, however, not all parties were informed and there was a dispute on property value. A donation agreement for the property and issues with a shed, fence, and swimming pool have been resolved to complete this parcel for Jeff and Rhonda Florian.

- Commissioner Knochel moved to approve Parcel 1A Agreement as presented, second by Commissioner Byers; motion carried.

LPA/INDOT Contract – Scenic Byways/River Road Study

Director Kuhl said the LPA/INDOT agreement is a Federal Aid project for a scenic byways study of South River Road. Stan Lambert will be working on the study with the Wabash River Enhancement Corporation, but it goes through the County Highway department because of federal funds with INDOT.

- Commissioner Knochel moved to approve the LPA/INDOT contract as presented, second by Commissioner Byers; motion carried.

Cumberland Road Project – Parcel 2 Warranty Deed

Director Kuhl said Parcel 2 is the last of the right-of-way clearance needed for the Cumberland Avenue project. The amount is $34,960 for Copper Beech Townhome Communities Eight, LLC.

- Commissioner Knochel moved to approve the Cumberland Road Parcel 2 as presented, second by Commissioner Byers; motion carried.

HUMAN RESOURCES – Shirley Mennen
Update Sick Leave Policy

Coordinator Mennen said due to issues with donated sick leave, the policy has been updated to remove the option from the sick leave benefits. Previously, an employee could donate up to 10 days to another employee. The receiving employee could receive up to 40 donated days in a lifetime.

- Commissioner Knochel moved to approve the updated Sick Leave Policy, second by Commissioner Byers; motion carried.

Expansion of Wellness Center Hours

Coordinator Mennen said the Wellness Center use has increased over the past year, ranging between 96% - 98% usage. The hours will be expanded four hours; two on the nurse practitioner days; and two on the doctor days. Monday and Friday, the days the doctor is available, the clinic will open one hour earlier.

The new hours will be 1:00 - 6:00 on Monday and 9:00 – 2:00 on Friday. Thursday, the nurse practitioner days, two additional hours will be added. Thursday, the clinic hours will be 7:00 – 1:00. The additional hours will cost approximately $2,200 per month. The added cost should be offset with a decrease in insurance costs as employees utilize the clinic versus standard doctor appointments and urgent care centers.

- Commissioner Knochel moved to approve the expansion of Wellness Center hours, second by Commissioner Byers; motion carried.

ORDINANCE 2012-13-CM (Second Reading)
Amending Building Code requiring Digital Submission

- Commissioner Knochel moved to hear Ordinance 2012-13-CM on second reading, second by Commissioner Byers; motion carried.

Building Commissioner Ken Brown said the Ordinance stipulates that documents provided to the Building Commissioner's office larger than 11" X 17" also be submitted in PDF format for digital storage. Public feedback has been positive.

President Murtaugh asked for public comment. There were none.

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2012-13-CM passed 3-0 on second and final reading.

INTERLOCAL AGREEMENT FOR DISSOLUTION OF WILDCAT CREEK SOLID WASTE MANAGEMENT DISTRICT

Attorney Luhman said the agreement was signed by President Murtaugh last week to finalize the dissolution agreement with Clinton County. The dissolution was effective February 29, 2012 and the new district became effective on March 1, 2012.

President Murtaugh said the cooperative spirit with Clinton County made the entire process flow very smoothly, including the dividing of assets. The cash and equipment distribution was based on the tax rate that contributed to the district; 80.4% to Tippecanoe County; and 19.6% to Clinton County.

Attorney Luhman said there was cash on hand and the agreement includes an attachment of the January 31, 2012 financial statement. The statement indicates $109,000 in the checking account and $356,000 in a money market account.

Karen Griggs – 100 Thornbush Drive, West Lafayette: Ms. Griggs said the Clinton County Board of Directors didn't have a copy of the attachments and dissolutions because the Clinton County Commissioner was not present at the Wildcat District Board meeting.

Commissioner Byers confirmed he mailed copies of everything to the Board of Directors last week.

- Commissioner Knochel moved to approve the Interlocal Agreement, second by Commissioner Byers; motion carried.

APPOINTMENT TO WABASH RIVER HERITAGE CORRIDOR COMMISSION (State/DNR)

- Commissioner Knochel moved to approve the appointment of Ray Schnepp as an alternate to the Wabash River Heritage Corridor Commission; second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS

MITS Executive Director Dave Sturgeon said the MITS Advisory Board restructured the ordinance and added an option allowing two members to be appointed by the County Commissioners. The members are not elected officials or County employees. The first person the MITS Board requests approval for is Steve Belter, the owner of Indiana Data Line. Mr. Belter has extensive technology knowledge and involvement with local infrastructure. He has signed a Conflict of Interest, which was submitted to the Clerk's office.

- Commissioner Knochel moved to approve the appointment of Steve Belter to the MITS Advisory Board, second by Commissioner Byers; motion carried.

REPORTS ON FILE

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

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

PUBLIC COMMENT

President Murtaugh reported on his recent trip to Washington DC. He met with all legislators, including Congressman Pence. The message from DC was "there is no money and nothing will be done until after the election". The transportation highway bill will be renewed for 18 months or two years. During the "lame duck" session, which is the time from the election through the end of the year, they will deal with Bush tax cuts, which will expire, and also mandatory cuts directed from the failed super committee.

Paul Wright – 4523 S County Line Rd W, Westpoint – Mr. Wright commented on and posed the question of how does one stop the process of government spending? He said, "The request has to stop - we need to keep our own money and spend our own money".

- Commissioner Knochel moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

John L. Knochel, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 3-19-12