TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
September 2, 2014

The Tippecanoe County Commissioners met on Tuesday, September 2, 2014 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President Thomas P. Murtaugh, and Commissioner David S. Byers. Also present were Attorney Dave Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held August 18, 2014, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS and PAYROLL CLAIMS

- Commissioner Murtaugh moved to approve the accounts payable vouchers for August 20, 21, 22, 27, 28, 29 and September 2 and payroll vouchers for August 29, 2014 as submitted without exception, second by Commissioner Byers; motion carried.

RESOLUTION 2014-14-CM – VOESTALPINE ROTECT, INC, APPLICATION FOR PROPERTY TAX DEDUCTIONS

Attorney Luhman stated the Resolution was inadvertently omitted from the agenda. The Resolution is a request for a proposed tax abatement on behalf of Voestalpine Rotect with respect to new manufacturing equipment/personal property. The new personal property will be located in an expansion of the business. The abatement request is for a period of seven years and will be presented to the County Council for final approval.

Andrew Ball, President of Voestalpine Rotect said the new investment is for production of complex air suspension components and additional air bag components. The ERA needs expanded to include the area where the new equipment will be located. The first equipment will be installed in December in the facility which was rebuilt as a result of the tornado. This submission is only for equipment and the jobs associated with the new machinery. The new equipment will be phased in over the next six months. The new equipment is $4 million of additional capital investment and the expansion will provide 15 new jobs.

- Commissioner Murtaugh moved to approve Resolution 2014-14-CM as presented, second by Commissioner Byers; motion carried.

AREA PLAN *– Sallie Fahey*
UZO Amendment #83 – Planned Developments, ORDINANCE 2014-13-CM
Changes to four sections of the Ordinance / Updates regarding the filing and reviewing of PD rezones

- Commissioner Murtaugh moved to hear Ordinance 2014-13-CM, second by Commissioner Byers.

August 21, 2014
Ref. No.: 14-236

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

CERTIFICATION

RE: UZO AMENDMENT #83--PLANNED DEVELOPMENTS:
This amendment includes changes to four sections of the ordinance; all of which are updates regarding the filing and reviewing of PD rezones.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 20, 2014, the Area Plan Commission of Tippecanoe County voted 11 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

Area Plan Director Fahey said the amendment is a comprehensive overhaul of the Plan Development Section of the Zoning Ordinance which is the result of approximately 16 years of experience in the process, some current concerns expressed by administrative officers, and some addressed by the development community. Over a year has been spent holding meetings of the administrative officers, which includes the two City engineers and the County Building Commissioner, drafting the amendment that then led to three ordinance committee meetings, followed by a recommendation to the Plan Commission. The Plan Commission held its hearing and voted 11-0 to pass this on favorably to all legislative bodies. The plan is to raise standards, increase efficiency in the negotiation process, expand opportunities for unique and desirable projects in the community, provide greater clarity to submission, review and approval processes, and allow greater flexibility in some parts of the process. The local land use Attorneys were involved as well as Attorney Teder. Director Fahey requested approval of the Zoning Ordinance.

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

Auditor Weston recorded the vote.

Knochel	Aye
Murtaugh	Aye
Byers	Aye

Ordinance 2014-13-CM passed 3-0.

Z-2583 – Shane O'Malley (NB to GB), ORDINANCE 2014-14-CM
Petitioner is requesting rezoning of 1.8 acres located on the south side of US 52 West across from the Menard's store, more specifically, 2827 US 52 W in Wabash 2 (SW) 23-5

- Commissioner Murtaugh moved to hear Ordinance 2014-14-CM, second by Commissioner Byers.

August 21, 2014
Ref. No.: 14-247

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

CERTIFICATION

RE: **Z-2583--SHANE O'MALLEY (NB to GB):**
Petitioner is requesting rezoning of 1.8 acres located on the south side of US 52 West across from the Menard's store, more specifically, 2827 US 52 W, in Wabash 2 (SW) 23-5.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 20, 2014 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from NB 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 September 2, 2014 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

Dan Teder, Attorney with Reiling, Teder & Schrier said the petitioner Shane O'Malley is present to answer questions. The request is for a rezone from NB to GB, a 1.8 acre site on the south side on US 52. A favorable staff recommendation was received along with a unanimous yes vote from the Area Plan Commission. Attorney Teder provided a handout with GIS maps, the zoning map, pictures of Menards to the north (zoned GB), pictures of the west (zoned NB), pictures of a rental duplex subdivision (zoned R2) to the south, and a strip center to the east. The site layout shows an approximate 10,000 square foot strip center with all the setback and green space requirements. A 20 foot buffer yard is required on the south side to buffer the R2 duplexes. The request is for GB due to a letter of intent from Subway to lease a portion of the building with a drive-thru. In addition, the owner of the site has a landscaping business with plans to provide landscaping services in the building; requiring GB. Pictures of the existing buildings show the buildings are in poor condition; the strip center will be a substantial improvement to the area. Attorney Teder requested approval of the rezone.

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

Auditor Weston recorded the vote.

Murtaugh	Aye
Byers	Aye
Knochel	Aye

Ordinance 2014-14-CM passed 3-0.

BUILDING COMMISSION – Ken Brown
Continuation of Unsafe Structure Public Hearing for 9028 Yorktown St, Stockwell, IN

Building Commissioner Brown said that a couple of requests were made of Mr. Wilbur who owns the property at 9028 Yorktown Street in Stockwell. The roof was in a state of collapse. The first request was to tear the building down or install a new roof system. Also requested was to secure the building and clean up the debris outside of the building. The building has been secured; the doors are locked. The roof has been under a constant state of construction; pictures were provided that were taken this morning. The gable end is still open and there is some refuse behind the building from his construction efforts. Having the gable ends open is not unsafe; however, the trusses are not treated lumber and are subject to the weather as long as it remains open. Mr. Brown said he has not had any contact with Mr. Wilbur since the last hearing. President Knochel said he thinks Mr. Wilbur has made an effort to comply. Mr. Brown said Mr. Wilbur has made a lot of progress, taking into consideration he works a lot of hours and the weather. Commissioner Byers said if the building is no longer unsafe, the County has no repercussion. Attorney Luhman said it was declared unsafe and ordered the County to demolish it or clear it if not safe in the Building Commissioners opinion. At the hearing on June 2, Mr. Brown said the remedy would be okay if the rotted framing members were removed. Building Commissioner Brown said the ceiling rafters were in fairly bad shape; he has not been inside to inspect. Attorney Luhman said with reasonable notice, Mr. Wilbur should allow the Building Commissioner to inspect the inside.

- Commissioner Murtaugh moved to continue the hearing at the October 6, 2014 Commissioner meeting, second by Commissioner Byers; motion carried.

HIGHWAY – Opal Kuhl
Opening of Quotes for Snow Plowing Services

Highway Director Kuhl said the quotes provide a pool of businesses to call when extra assistance is needed for snow plowing.

Attorney Luhman opened the quotes.

SNOW PLOWING SERVICES

Date Bids were opened:	9/2/2014	A	Jimmy Gross
Notice given on:	N/A - Quote		10848 E 350 N Lafayette
In	Lafayette Leader Lafayette	B	Hi-Tech Trucking
			3691 S 500 E Lafayette
And on	N/A - Quote	C	Louie Vaughn
In	Journal & Courier Lafayette		5811 S 450 E Lafayette
		D	American Paving & Asphalt Inc
			2149 Wabash Ave Lafayette
		E	Fisher's Lawn Care & Snow Removal
			6837 US 52 S Lafayette
		F	

DESCRIPTION	BIDDER A	BIDDER B	BIDDER C	BIDDER D	BIDDER E	BIDDER F
Services of Contractors to provide						
on-call snow plowing and snow removal.						
Motor Grader w/Operator				$125/hr		
Backhoe w/Operator				$100/hr	$125/hr	
Skid Loader w/Operator	$110/hr	$75/hr	$80/hr	$110/hr	$ 85/hr	
Front End Loader w/Operator				$135/hr	$125/hr	
3/4 Ton Truck w/Driver	$100/hr	$70/hr	$65/hr	$100/hr	$ 70/hr	
1 Ton Truck w/Driver		$70/hr	$65/hr	$100/hr	$ 70/hr	
Single Axle Dump Truck w/Driver				$110/hr	$ 85/hr	
Tandem Dump Truck w/Driver		$90/hr			$125/hr	

Attorney Luhman recommended the bids be taken under advisement for review of compliance.

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

Awarding of Bid for CR 550 South Paving Project

Director Kuhl said the low bid for the CR 550 South paving project has been reviewed and is acceptable. She recommends acceptance of the bid from Milestone Contractors in the amount of $585,048.70.

- Commissioner Murtaugh moved to approve the acceptance of the bid from Milestone Contractors as presented, second by Commissioner Byers; motion carried.

Road Transfer Memorandum of Agreement between Indiana Department of Transportation and Tippecanoe County for Bridge over North River Road

Director Kuhl presented a Road Transfer Memorandum of Agreement for the bridge over North River Road from Harrison Bridge to West Lafayette. It is the last item of the 231 relinquishment to be accepted. The Memorandum states the bridge will be accepted as is, the County will complete necessary design, and INDOT will pay $400,000 for necessary repairs.

- Commissioner Murtaugh moved to approve the Road Transfer Memorandum of Agreement between Tippecanoe County and INDOT as presented, second by Commissioner Byers; motion carried.

***GRANTS** – Laurie Wilson*
Permission to Apply for Grant

Grant Facilitator Wilson requested permission to apply for a grant for the Circuit Court in the amount of $25,000 from the Indiana Supreme Court for the Family Court Project.

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

Grant Facilitator Wilson requested permission to apply for a grant for the Commissioners in the amount of $250,000 from the Indiana Department of Homeland Security (IDHS)/FEMA to purchase homes damaged by flooding on Barton Beach Road. A match will be required; the amount will depend on the number of homes approved by FEMA for purchase. There is one grant in the entire state for $250,000; Tippecanoe County will be competing against all other mitigation grant applications. There are six homes; three are rentals instead of primary homes. The match could be as low as $25,000.

- Commissioner Murtaugh moved to approve permission to apply for the grant from IDHS/FEMA in the amount of $250,000 as presented, second by Commissioner Byers; motion carried.

***PROSECUTOR** – Pat Harrington*
New Position in Child Support (IV-D) Office

Prosecutor Harrington said the request is a reclassification as opposed to a new position. Additional duties were added to the position and the job description was submitted to and approved by the Personnel

Committee. There was no action needed from the Commissioners; the Salary Statement will be presented to the Council.

CARY HOME FOR CHILDREN *– Rebecca Humphrey*
Sponsorship Agreement for Drug-Free Coalition's Red Ribbon Week

Cary Home Director Humphrey requested permission to decorate the Courthouse and grounds with red ribbons to support Red Ribbon Week, encouraging the community to live drug free. The dates are October 19 through October 25. The breakfast is on October 20 at 7:30 a.m.

- Commissioner Murtaugh moved to approve the Sponsorship Agreement for the Drug-Free Coalition for Red Ribbon Week as presented, second by Commissioner Byers; motion carried.

SUPERIOR COURT 6
Professional Services Agreement

- Commissioner Murtaugh moved to approve the Professional Services Agreement for Superior Court 6 for Shirine Lavassani, a translator and interpreter, second by Commissioner Byers; motion carried.

APPLICATIONS TO VILLA

- Commissioner Murtaugh moved to approve applications to the Villa for Barbara Garrison and Mike Hatten, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS – none

REPORTS ON FILE

President Knochel stated the following reports will be on file in the Commissioner's office:

- Building Commission
- Clerk
- Central Mail and Duplicating
- Treasurer
- Wabash River Heritage Corridor Commission

PUBLIC COMMENT

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

The meeting adjourned at 10:40 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

John L. Knochel

John L. Knochel, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 09/02/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant