

Tippecanoe County Board of Commissioners

Special Meeting

Meeting Minutes

Wednesday, August 31, 2022

1:00 pm

Tippecanoe Room, Tippecanoe County Office Building
20 N 3rd Street, Lafayette, Indiana

Commissioners present President David S. Byers, Vice President Tracy A. Brown, and Member Thomas P. Murtaugh.

Also present: Attorney Doug Masson, Auditor Robert Plantenga, Commissioners' Assistant Paula Bennett, and Recording Secretary Samantha Perez.

I. **PLEDGE OF ALLEGIANCE** – President Byers called the meeting to order and led the Pledge of Allegiance

II. **RESOLUTION- RES-2022-33-CM – REMOVAL OF TALETHA COLES AS FAIRFIELD TOWNSHIP TRUSTEE-**

Attorney Masson stated the Removal Statute covers how an official can be removed from office for charging and collecting illegal fees, refusing, or neglecting to perform official duties of the office, and personal use of Township funds. The Fairfield Township Board adopted a resolution that set-in motion a new process that the General Assembly put forward this year to initiate the removal statute proceedings, which was adopted July 27th, 2022. On July 29th, 2022, it was filed with Tippecanoe County which led to a Public Hearing on August 15th, 2022. The next step in the process is for the County Commissioners to consider Resolution 2020-33-CM based on the information that was provided during the public hearing.

III. **PUBLIC COMMENT** – President Byers asked if there was any public comment but asked that the public refrain from repeating the information given during the public hearing: Hearing none from the public

Commissioner Murtaugh stated there are a lot of things to consider in this resolution and continued to say that listening to the allegations in the public hearing was striking. Commissioner Murtaugh stated item number eight of the Resolution regarding the attempt to refund a purchase to a credit card that did not belong to the Township and number nine on regards to failing to submit the approved budgets and neglecting duties are reasons he will be supporting the resolution.

Commissioner Brown added he focused on number nine of the resolution that was the failure to file the budget. He stated it is a fundamental part of elected officials who are in charge with establishing budgets for their units of government. Keeping those records available to the public and having transparency is imperative. An official investigation with the State Board of Accounts or the State Police should not have to take place so with that Commissioner Brown is also in support of adopting the Resolution.

President Byers added that elected officials take an oath of office, and that oath is to support the Constitution of the state of Indiana and those rules were not followed so he is also in support of passing the resolution.

- Commissioner Murtaugh moved to pass Resolution 2022-33-CM, second by Commissioner Brown. President Byers stated Resolution 2022-33-CM Removal of Talitha Coles as Fairfield Township Trustee is a voice vote. Motion Carried

IV. PUBLIC COMMENT - Hearing none from the public

Commissioner Brown asked Attorney Masson to outline the steps that happen next. Attorney Masson stated the Commissioners will send a certified copy and sign a form of certification to state this is a passed resolution and it will be sent to County Council, Clerk of the Courts, the Township Board, and the Township Trustee. The next step would be for County Council to hold a public hearing but could not adopt the resolution until ten days after the hearing. If that resolution passes with County Council, then it would get filed with the court where the court would site the official into court within five to ten days. A summary hearing would take place in court within twenty days after the citation or initiation of the action and then the court would decide.

Commissioner Murtaugh moved to adjourn. President Byers adjourned the meeting.

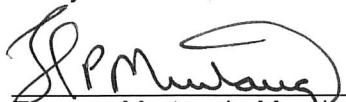
BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE



David S. Byers, President



Tracy A. Brown, Vice-President



Thomas Murtaugh, Member

ATTEST:



Robert A Plantenga, Auditor 09/19/2022

Minutes prepared by Samantha Perez, Recording Secretary