

**TIPPECANOE COUNTY COUNCIL  
REGULAR MEETING  
MARCH 8, 2005**

The Tippecanoe County Council Meeting began at 1:40 P.M. followed by the Council's Public Hearing at 2:00 P.M., Tuesday, March 8, 2005 in the Tippecanoe Room in the County Office Building. Council members present were: President Kathy Vernon, David S. Byers, Jeffrey A. Kemper, Betty J. Michael, Thomas P. Murtaugh, and Kevin L. Underwood. Others present were: Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Councilmember President Ronald L. Fruitt was absent.)

President Vernon convened the recessed meeting and led the Pledge of Allegiance.

**AUDITOR'S FINANCIAL REPORT: Robert Plantenga**

Auditor Plantenga reported the 2005 uncommitted County General Funds through February 28, 2005 are \$196,514.14.

Revenue

Auditor Plantenga reviewed the Revenue Report and noted two receipts since the February meeting:

32-20      Emergency Management Matching Fund      \$56,576.05  
Reimbursement from SEMA received in 2005 for a portion of 2004 salaries of Director, Deputy Director, and Secretary.

41-10      Auditor      \$18,296.25  
This includes \$17,500 from Plat Book Fund moved to pay a portion of Plat Book Supervisor's salary.

Tax Rates

The Auditor received the 2004 pay 2005 Tax Rates. The General Fund 2005 rate is .2220 compared to .2126 for 2004.

**TREASURER'S INTEREST REPORT: Treasurer Oneta Tolle**

Mrs. Tolle distributed the Interest Report showing the average interest rate for January 2005 was 2.32%. She is hopeful the Lockbox will be in place by Spring Property Tax collections.

Councilmember Murtaugh asked Mrs. Tolle if she can provide the monthly interest rate for each of the funds on the Interest Report. Mrs. Tolle said she can do that.

**UNIFORM CONFLICT OF INTEREST STATEMENT**

President Vernon noted that all Councilmembers received a Uniform Conflict of Interest form that should be completed if there is a specific conflict that needs to be on file.

Attorney Luhman explained that the Council will be asked to approve any Uniform Conflict of Interest Statement submitted by a Councilmember to disclose a conflict with respect to a particular contract or a continuing disclosure. Today, the Council is being asked to approve a Statement submitted by Councilmember Tom Murtaugh who disclosed he is employed by JP Morgan Chase which has a contract with the County for Cash Management services.

- Councilmember Michael moved to approve the Uniform Conflict of Interest Statement submitted by Councilmember Murtaugh, seconded by Councilmember Byers; motion carried.

**FYI: Commissioner KD Benson**

- ♦ The closing was held on the house located on Teal Road west of the Fairgrounds.
- ♦ Mike McMillen has held two meetings regarding the Juvenile Facility.
- ♦ The meeting held by the League of Women Voters regarding juvenile justice was well attended.
- ♦ April 5, 2005 is the last Leadership Lafayette class.
- ♦ The Soil and Water Conservation District's annual meeting is being held today.

**OTHER BUSINESS**

Councilmember Kemper reported he checked into the Compliance with Statement of Benefits form filed by C & Praise, LLC & Robert Tharp for property formerly owned by Mike Madrid. Because the tenant, who operates a transportation related business, was new in 2004, he thinks the numbers for 2005 can now be fairly compared and found in compliance.

President Vernon announced the Public Hearing portion of the County Council Meeting.

**APPROVAL OF MINUTES**

- Councilmember Kemper moved to approve the minutes of the January 11, 2005 Regular Meeting as distributed, seconded by Councilmember Michael; motion carried.
- Councilmember Murtaugh moved to approve the minutes of the February 8, 2005 Special Joint Meeting with the Commissioners and Financial Consultant, seconded by Councilmember Kemper; motion carried.
- Councilmember Underwood moved to approve the minutes of the February 8, 2005 Regular Meeting as distributed, seconded by Councilmember Kemper; motion carried.

**FFR COOPERATIVE: Compliance with Statement of Benefits (CF-1): Richard Carson, Secretary/Treasurer**

Mr. Carson stated he thinks the relationship between the County and FFR is working well. FFR added two (2) employees in 2004 but, since they have met their goals and objectives, they have no plans to add more in the immediate future. Mr. Carson estimated over 1,000 individuals came to Tippecanoe County last year to tour their research facility.

- Councilmember Byers moved to find FFR Cooperative is in substantial compliance with the Statement of Benefits, seconded by Councilmember Michael; motion carried.

***C & PRAISE, LLC & ROBERT THARP: Compliance with Statement of Benefits (CF-1): Ron Clark, Owner, and John Budzynski, Tenant***

Councilmember Kemper reported he feels comfortable after talking to the new owner of the property, Ron Clark, and visiting the site and talking with the tenant John Budzynski regarding the business.

Mr. Clark explained this is a triple net lease in which he has replaced Mike Madrid as the owner.

Mr. Budzynski explained he owns a trucking company whose primary business is delivering new trailers for Wabash National. He supplied numbers since he became the tenant:

	Employees	Salaries
2002	16	\$619,204
2003	20	\$747,328
2004	28	\$912,446

Mr. Budzynski said they are in the process of adding significant numbers in 2005.

Attorney Luhman explained that in November 1997, the Council approved Resolution 97-45-CL, designating the 10 acres as an ERA (Economic Revitalization Area). At that time, the Council declared that the owner of the property within the ERA would be entitled to the deductions for ten (10) years with respect to real property. After Confirmatory Resolution 98-04-CL was approved, owner Mike Madrid filed the application for tax abatement and filed the Compliance with Statement of Benefits as long as he was owner of the property. Ownership of the property has changed since 2004 but the tenant is the same as the last Compliance approved by the Council in 2004.

Auditor Plantenga clarified that the abatement didn't start until the building construction was completed in 1999 for taxes first due in 2000.

Mr. Budzynski pointed out that, because of their structure, they have 8-10 owner-contractors who were paid \$800,342 for doing the same work as the employees but not through the payroll system.

- Councilmember Kemper moved to find C & Praise LLC & Robert Tharp is in substantial compliance with the Statement of Benefits, seconded by Councilmember Underwood; motion carried.
- Councilmember Kemper moved to continue the tax abatement for the new owner C & Praise LLC & Robert Tharp (formerly Mike Madrid), seconded by Councilmember Michael; motion carried.

***AGREEMENT: Joint Purchasing Board: Rick Morrissey, City of Lafayette Purchasing Manager & Ed Chosnek, City of Lafayette Attorney***

Mr. Morrissey reported that Attorney Chosnek and Attorney Luhman developed a Joint Purchasing Agreement for the purpose of jointly purchasing certain services and supplies to save both the City and the County money. If approved by the County Council, the Agreement will be in effect until December 31, 2005 at which time it may be renewed if both parties agree.

Attorney Luhman explained that the Agreement has been approved by the Lafayette Board of Works, the Mayor, the County Commissioners and, after approval by the County Council, will be presented to the Lafayette City Council for approval. The Agreement will allow the Purchasing Board consisting of the Mayor of Lafayette, the President of the County Commissioners, the City Clerk, and the County Auditor to determine the items for which they want to seek volume discount pricing. The City's Purchasing Manager, Rick Morrissey, is designated as the lead to administer the Agreement.

- Councilmember Byers moved to approve the Agreement between the County and the City of Lafayette concerning establishment of a Joint Purchasing Board, seconded by Councilmember Underwood; motion carried.

***PROSECUTOR: Prosecutor Jerry Bean***

**IV-D Incentive Fund 256**

**Appropriation of Budget: \$10,000.00**

10,000.00 Miscellaneous

Mr. Bean requested approval of the appropriation to pay miscellaneous bills.

**Old Hoosiers Fund 250**

**Appropriation of Budget: \$51,000.00**

51,000.00 Miscellaneous

Mr. Bean explained that the Old Hoosiers Fund is a contract with the State for Adult Protective Services.

- Councilmember Kemper moved to approve the appropriation of \$10,000 in IV-D Incentive Fund 256, seconded by Councilmember Michael; motion carried.
- Councilmember Kemper moved to approve the appropriation of \$51,000 in Old Hoosiers Fund 250, seconded by Councilmember Murtaugh.

Councilmember Kemper commented he would like Miscellaneous defined so the Council will know how the funds will be spent. Mr. Bean responded they don't always know but they will try to designate how the money will be spent if possible.

- The motion carried.

***SUPERIOR COURT III & CIRCUIT COURTS: Family Court Project Fund 628: Commissioners' Assistant Jennifer Weston*****Appropriation of Budget: \$41,000.00**

15,000.00 Contracts/Consultant-Circuit Ct  
26,000.00 Contracts/Consultant-Sup Ct III

Mrs. Weston explained these are grant monies awarded to Superior Court III and Circuit Court that need to be appropriated into their budgets for contracts.

- Councilmember Byers moved to approve the appropriation of \$15,000 to Circuit Court and \$26,000 to Superior Court III from Fund 628, seconded by Councilmember Kemper; motion carried.

***HEALTH DEPARTMENT: Emergency Preparedness B Fund 476*****Appropriation: \$884.00**

884.00 Phones/Utilities

Auditor Plantenga explained this appropriation will reimburse Emergency Preparedness A Fund 475 from which a bill was paid in error.

- Councilmember Underwood moved to approve the appropriation of \$884 in Emergency Preparedness B Fund 476, seconded by Councilmember Kemper; motion carried.

***HEALTH DEPARTMENT: Tobacco Local Health Maintenance Fund 460*****Appropriation of Budget: \$22,672.00**

22,672.00 General Operating/Miscellaneous

Auditor Plantenga advised the Council that the line item should be corrected to Part-time – Other. The total amount of appropriation will be the same but \$21,060 is Part-time – Other and \$1,612 is Social Security.

- Councilmember Michael moved to approve the appropriation as amended from Fund 460, seconded by Councilmember Kemper; motion carried.

***AUDITOR: Children's Psychiatric Residential Treatment Fund 569*****Appropriation of Budget: \$147,372.00**

147,372.00 Institutional Care

Auditor Plantenga explained that HEA (House Enrolled Act) 1001, passed in 2004, established a tax rate from which half of the proceeds are paid to counties to house inmates at Plainfield and Indianapolis juvenile facilities. The other half will be used by the DFC for psychiatric treatment expenses.

- Councilmember Kemper moved to appropriate \$147,372 for housing juvenile inmates at Plainfield and Indianapolis juvenile facilities, seconded by Councilmember Byers; motion carried.

***SURVEYOR: EDIT Fund 301: Surveyor Steve Murray*****TRANSFERS: \$57,595.00**

From:	301-0430-413-52-10	Phase II Stormwater	57,595.00
To:	301-0430-411-11-10	Full Time Employee	39,971.00
	301-0430-411-12-20	Part-time – Other	7,388.00
	301-0430-411-15-10	Social Security	3,623.00
	301-0430-411-16-10	Retirement	2,099.00
	301-9410-411-17-10	Health	4,328.00
	301-9410-411-17-30	Life	82.00
	301-9410-411-17-20	LTD	104.00
	301-0410-411-17-60	Flex	80.00
	301-94190411-17-50	Workers Comp	1,658.00

<b>SALARY ORDINANCE</b>	<b>Position</b>	<b>Rate</b>	<b>Salary</b>
Full time	Stormwater Coord/	6@1,695.00	
	Drainage Engineer	3@1,794.67	43,072.00
	(PAT Chart)		
	Stormwater Coord/	6@2,182.29	
	Drainage Engineer	3@2,297.25	55,134.00
	(Exec II Chart)		
Part-time	Employee	10-12.00/hr	

Mr. Murray requested the transfer of funds to pay 2 new employees, 1 full time and 1 part-time - other, to help with the County's responsibilities for Phase II Stormwater. Depending on the qualifications, the full time employee may be on either the PAT Chart or the Exec II Chart.

- Councilmember Kemper moved to approve the transfer of \$57,595, seconded by Councilmember Underwood; motion carried.
- Councilmember Kemper moved to approve the salaries of either \$43,072 or \$55,134 for the full time employee and \$10 to \$12 per hour for a Part-time-Other employee, seconded by Councilmember Underwood; motion carried.

**CARY HOME: Director Rebecca Humphrey**

<u>SALARY ORDINANCE</u>	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Part-time	Cook/Custodian	9-12/hr	
	Adolescent Child	7-11/hr	
	Care Worker		

Mrs. Humphrey explained that they don't need a full time Cook/Custodian position and requested to pay that position on the Part-time scale of \$9-12 per hour. She requested an increase in the part-time rate from \$7-9 per hour to \$7-11 per hour for the Adolescent Child Care Worker to be competitive.

- Councilmember Byers moved to approve the salary ordinance as requested, seconded by Councilmember Michael; motion carried.

**PUBLIC COMMENT**

None.

**ANNOUNCEMENT**

Councilmember Murtaugh invited Councilmembers to a Leadership Lafayette luncheon that will be held at 11:30 A.M., Wednesday, April 20, 2005 in Ivy Hall at Ivy Tech State College. Councilmembers are invited to participate in the Current Reality Session.

**OTHER BUSINESS**

**RESOLUTION 2005-11-CL: Regarding CAGIT COIT Distributions to Wildcat Solid Waste District**

Resolution 2005-11-CL will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Attorney Luhman explained that the Auditor receives a letter each year from the Department of Local Government Finance inquiring if the County Council has adopted a resolution indicating if a CAGIT or COIT distribution should be made to a solid waste district. Since Wildcat Creek Solid Waste District established its own tax rate approximately two years ago, the County no longer funds them. Attorney Luhman read a portion of the resolution:

(quote)

**THEREFORE BE IT RESOLVED** that the Tippecanoe County Council hereby confirms that neither County Adjusted Gross Income Tax nor County Option Income Tax distributions have been approved for Wildcat Solid Waste District.

**BE IT FURTHER RESOLVED** that his resolution shall remain in effect until rescinded or revoked.

(unquote)

Attorney Luhman pointed out that the second paragraph is included so the Council won't have to pass such a resolution every year.

- Councilmember Byers moved to approve Resolution 2005-11-CL, seconded by Councilmember Underwood; motion carried.

**APRIL MEETINGS**

The Council will hold a Special Joint Meeting with the Commissioners and Financial Consultant at Noon, Tuesday, April 12, 2005.

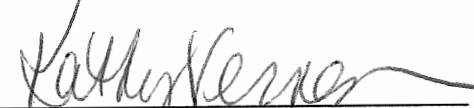
The Council Meeting will begin at 1:30 P.M. followed by the Council Public Hearing at 2:00 P.M. on Tuesday, April 12, 2005.

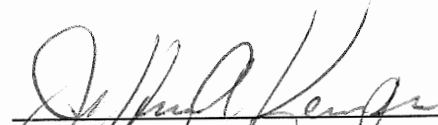
All meetings will be held in the Tippecanoe Room in the County Office Building.

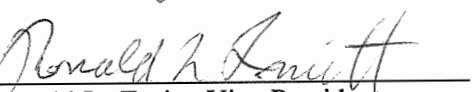
**ADJOURNMENT: 3:50 P.M.**

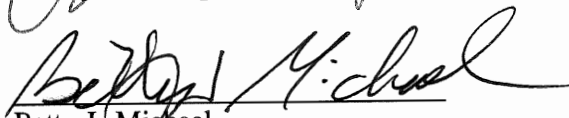
- Councilmember Kemper moved to adjourn, seconded by Councilmember Murtaugh; motion carried.

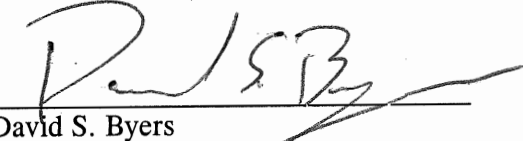
**TIPPECANOE COUNTY COUNCIL**

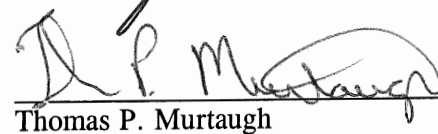
  
Kathy Vernon, President

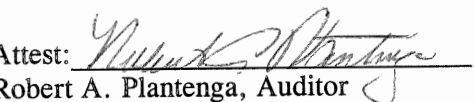
  
Jeffrey A. Kemper

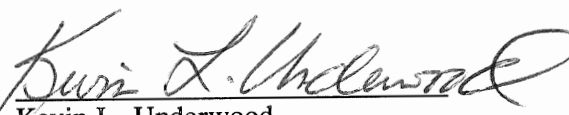
  
Ronald L. Fruitt, Vice President

  
Betty J. Michael

  
David S. Byers

  
Thomas P. Murtaugh

Attest:   
Robert A. Plantenga, Auditor

  
Kevin L. Underwood