

**TIPPECANOE COUNTY COUNCIL  
REGULAR MEETING  
FEBRUARY 8, 2000**

The Tippecanoe County Council held its regular meeting on Tuesday, February 8, 2000 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President Jeffrey Kessler, Vice President David S. Byers, Connie Basham, Margaret K. Bell, Ronald L. Fruitt, Jeffrey A. Kemper, and David S. Koltick; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Kessler called the meeting to order and led the Pledge of Allegiance. He then called upon Mustafa Acar, a graduate student from Turkey and President of Greater Lafayette Islamic Center, to offer a prayer.

**NOTE:** Due to an error in publication of the Additional Appropriations, they will not be considered until the Special Council Meeting on Tuesday, February 15, 2000 at approximately 2:00 P.M.

***APPROVAL OF MINUTES***

- Councilmember Byers moved to approve the January 11, 2000 minutes as distributed, seconded by Councilmember Fruitt; motion carried.

***FINANCIAL STATEMENT***

Auditor Bob Plantenga reported the estimated 2000 uncommitted County General funds through January 31, 2000 are \$756,533.56.

***INTEREST STATEMENT***

Treasurer Ruth Davidson reported interest earned in December, 1999 was \$634,742.15 with an average interest rate of 5.43%. Total interest earned for 1999 was \$6,658,503.47. Mrs. Davidson announced that courtesy letters for taxpayers with Spring 1999 delinquent taxes, have been mailed.

***HUMANE SOCIETY AGREEMENT 2000: Animal Sheltering and Disposal***

This agreement, in the amount of \$52,000.00, is for the Humane Society to shelter and dispose of animals in the County for 2000.

(quote)

**AGREEMENT FOR ANIMAL SHELTERING AND DISPOSAL  
between  
the Tippecanoe County Humane Society, Inc.  
and  
the Tippecanoe County, Indiana  
for the calendar year 2000**

THIS AGREEMENT, entered into between Tippecanoe County, Indiana ("**County**") and the Tippecanoe County Humane Society, Inc. ("**Society**") is made on this 17th day of December, 1999 and the parties hereto agree to the following.

This agreement is subject to ratification by the Tippecanoe County Council. The execution hereof by the Society has been previously approved by its Board of Directors.

The parties hereto acknowledge the need to organize animal shelter and disposal services within the unincorporated areas of the County and to that end, agree that this arrangement between the two of them is to be conducted in the spirit of providing service to the citizens of the County through the joint efforts of both parties hereto.

**PART ONE: ANIMAL SHELTERING AGREEMENT**

The **Society** will accept animals from the County pursuant to the Society's rules, regulations, procedures and all applicable Local, State and Federal laws.

The **Society** will accept animals from the County as "Impounded", "Owner Surrendered", or "Bite Cases".

**"Impounded"** animals are those taken-up by the County's sheriff department or authorized agents in connection with a violation of County, State or Federal law. "Impounded" animals will be held for a maximum of five (5) days, counted from the first day of possession as recorded by the County, unless otherwise ordered, in writing, by a Prosecuting Attorney, County Attorney or Court.

**"Owner Surrendered"** animals are those whose owners have formally transferred legal ownership of the animal to the Society, the County or its authorized agent. A written statement verifying the transfer must be given to the Society when the animal is delivered to the animal shelter. "Owner Surrendered" animals become the property of the Society immediately upon completion of the in-take paperwork, and will be disposed of in a humane manner at the discretion of the Society.

**"Bite Case"** animals are those which have been implicated in a bite or scratch incident involving a human being, and whose owner is unknown or is judged incapable of quarantining the animal by the County's agent. Normal Society procedures and applicable State laws will govern the impoundment of all "bite cases". When an owner can not be identified within five (5) days of impoundment the "bite case" animal will be euthanized and a rabies test will be performed.

The **County** agrees to reimburse the Society for the costs of providing a shelter for animals taken into custody within the unincorporated areas of the County and brought to the Society by an authorized agent or the sheriff department of the County or by any resident thereof, for impoundment and care as described above, and the humane disposal of same.

**PART TWO: EMPLOYEES**

It is the policy of the **Society** to seek and employ qualified personnel in all positions, to provide equal opportunities for the advancement of employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against any person because of race, color, creed or religion, national origin, sex, age or physical or mental handicap.

The **Society** agrees to submit to the County a copy of their annual budget upon request, and gives permission to the State Board of Accounts to examine the Society's account if deemed necessary.

In recompense for the costs of the agreement above the **County** agrees to reimburse the Society for a total of Fifty-Two Thousand (\$52,000.00) Dollars to be divided into twelve equal payments of Four Thousand Three Hundred Thirty Three and Thirty-three cent (\$4,333.33) Dollars each, due by the last calendar day of each month during 2000.

Executed this 17<sup>th</sup> day of December, 1999.

**TIPPECANOE COUNTY HUMANE SOCIETY, INC. LAFAYETTE, INDIANA**

/s/Robert Dearing, President  
/s/Max Champion, Executive Director

ATTEST:  
/s/Cindy Bass, Secretary

**BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE, INDIANA**

/s/Ruth Shedd, President  
/s/John L. Knochel, Vice President  
/s/Kathleen Hudson, Member

/s/Robert Plantenga, Auditor of Tippecanoe County, Indiana

**ACKNOWLEDGED**, this 8<sup>th</sup> day of February, 2000 by the Tippecanoe County Council and Tippecanoe County Sheriff, Tippecanoe County, Indiana.

**TIPPECANOE COUNTY SHERIFF**

\_\_\_\_\_  
David Murtaugh

**TIPPECANOE COUNTY COUNCIL**

\_\_\_\_\_  
Margaret Bell

\_\_\_\_\_  
Connie Basham

\_\_\_\_\_  
Jeff Kemper

\_\_\_\_\_  
 Jeff Kessler, President

\_\_\_\_\_  
 David Byers

\_\_\_\_\_  
 David Koltick

\_\_\_\_\_  
 Ronald Fruitt

**ATTEST:**

\_\_\_\_\_  
 Robert Plantenga, Auditor

(unquote)

- Councilmember Koltick moved to approve the agreement between the County and the Humane Society in the amount of \$52,000.00, seconded by Councilmember Basham; motion carried.

***DECLARATORY RESOLUTION 2000-10-CL: Designation of ERA: Elmsteel, LTD***

(quote)

**RESOLUTION NO. 2000-10-CL**

**TIPPECANOE COUNTY COUNCIL  
 FOR THE DESIGNATION  
 OF AN ECONOMIC REVITALIZATION AREA  
 APPLICATION  
 OF ELMSTEEL, LTD  
 DECLARATORY RESOLUTION**

**WHEREAS**, the Tippecanoe County Council has been advised by ELMSTEEL, LTD (Applicant) of a proposed revitalization program, including certain real property redevelopment and rehabilitation and the installation of new manufacturing equipment, on land currently owned by the Lafayette Union Railway Company commonly known as Lot 3, 52 South, Industrial Subdivision, Lafayette, Indiana within Wea Township, Tippecanoe County, Indiana, identified as Key Number 146050000140 with respect to which it has been requested by Applicant, on behalf of Lafayette Union Railway Company to designate the area consisting of 5.673 acres more fully described on Exhibit A, attached hereto and incorporated herein by reference as an economic revitalization area under and pursuant to Indiana Code 6-1.1-12. 1; and

**WHEREAS**, the Tippecanoe County Council hereby finds based on the information provided by the applicant that the area described in Exhibit A is an area that has become undesirable for or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement or character of occupancy, age, obsolescence, substandard buildings and other factors which have impaired values or prevented a normal development of property or use of property and that the designation of the area as an economic revitalization area would enhance the opportunity for the creation of new jobs and the protection of the current employment; and

**WHEREAS**, Applicant anticipates increases in the assessed value of such real property from the proposed redevelopment or rehabilitation of real property as such term is defined in Indiana Code §6-1.1-12.1-1(3), and anticipates the installation of "new manufacturing equipment" and has submitted an application and other documents, including a statement of benefits, to the Tippecanoe County Council as incorporated herein by reference; and

**WHEREAS**, the Tippecanoe County Council has reviewed the statement of benefits and other information brought to its attention, and hereby determines that it is in the best interest of Tippecanoe County, Indiana, to designate the area described in Exhibit A as an economic revitalization area and that the deductions under Indiana Code §6-1.1-12.1-3 should be allowed based on the following findings:

- (1) The estimate of the value of the redevelopment or rehabilitation and the cost of the new manufacturing equipment is reasonable for projects of that nature and equipment of that type.

- (2) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment and rehabilitation and installation of new manufacturing equipment.
- (3) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation and installation of new manufacturing equipment.
- (4) The other benefits with respect to which applicant has provided information, including the number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the acquisition and construction of improvements, are benefits of the type and quality anticipated by the County Council within the economic revitalization area and can reasonably be expected to result from the proposed described redevelopment or rehabilitation and installation of new manufacturing equipment.
- (5) The totality of benefits is sufficient to justify the deductions.

**WHEREAS**, the Tippecanoe Council hereby finds that the purposes of Indiana Code chapter 6-1.1-12. 1 are served by allowing the owner of said real estate the deductions provided by Indiana Code §6-1.1-12.1-3 for a period of ten (10) years and the deductions provided by Indiana Code §6-1.1-12.1-4.5 for a period of ten (10) years;

**NOW, THEREFORE, BE IT RESOLVED** by the Tippecanoe County Council, Tippecanoe County, Indiana, that:

1. The area described on Exhibit A attached hereto and made a part hereof is designated as an economic revitalization area within the meaning of Indiana Code chapter 6-1.1-12.1 from the date that an application is filed by the owner of real estate or new manufacturing equipment located within such area requesting a deduction for assessed value pursuant to either Indiana Code §6-1.1-12.1-5 or 6-1.1-12.1-5.5, through and including December 31, 2009, Provided, however, that the application must be filed within three (3) years from the date of this resolution's passage. These limitations are established pursuant to Indiana Code §6-1.1-12.1-2(i).

2. The owner of property within the above-designated economic revitalization area shall be entitled to the deductions provided by Indiana Code §6-1.1-12.1-3 for a period of ten (10) years with respect to real property which is redeveloped or rehabilitated as contemplated by and reflected in the Statement of Benefits as filed with Tippecanoe County.

3. The owner of new manufacturing equipment located within the above-designated economic revitalization area shall be entitled to the deduction as provided by Indiana Code §6-1.1-12.1-4.5 for a period of ten (10) years for new manufacturing equipment which is installed as contemplated by and reflected in the Statement of Benefits filed with Tippecanoe County.

4. Notice of the adoption and substance of this resolution and all other disclosure required by Indiana Code §6-1.1-12.1-2.5 shall be duly published in accordance with Indiana Code chapter 5-3-1, which notice shall state a date for a public hearing on this resolution and that on that date, after hearing objections and remonstrances and considering evidence thereon, this Council will take final action determining whether the qualifications for an economic revitalization area have been met and confirming, modifying and confirming, or rescinding this resolution.

5. If any part, clause, or portion of this resolution shall be adjudged invalid, such invalidity shall not affect the validity of this resolution as a whole or any part, clause, or portion of the resolution.

ADOPTED on February 8<sup>th</sup>, 2000, by the Tippecanoe County Council, Tippecanoe County, Indiana.

Jeffrey Kessler

**VOTE**

**TIPPECANOE COUNTY COUNCIL**

\_\_\_\_\_  
Jeffrey Kessler, President

David S. Byers

\_\_\_\_\_  
David S. Byers, Vice President

Connie Basham

\_\_\_\_\_  
Connie Basham

Margaret K. Bell

\_\_\_\_\_  
Margaret K. Bell

Jeffrey A. Kemper

\_\_\_\_\_  
Jeffrey A. Kemper

David S. Koltick

\_\_\_\_\_  
David S. Koltick

Ronald L. Fruitt

\_\_\_\_\_  
Ronald L. Fruitt

ATTEST:

\_\_\_\_\_  
Robert Plantenga, Auditor

EXHIBIT A

Part of the Southwest Quarter of Section 12, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, described as follows:

Commencing at the northeastern corner of the said Southwest Quarter: thence South 0" (sic) 40'47" East along the eastern line of the said Southwest Quarter for 290.86 feet to the POINT OF BEGINNING; thence continuing south 0" (sic) 40'47" East along the eastern line of the said Southwest Quarter for 1,085.80 feet to the northeastern right-of-way line of U. S. Highway 52; thence North 40 (sic) 29' 21 " West along the said right-of-way line for 630.80 feet; thence North 49 (sic) 30' 39" East for 230.91 feet; thence North 0 (sic) 40' 47" West for 453.40 feet; thence North 89" (sic) 19' 13" East for 226.48 feet to the point of beginning, containing 5.673 acres, more or less.

(unquote)

Mike Brooks, President of Greater Lafayette Progress, appeared on behalf of Elmsteel LTD, a company from the United Kingdom that manufactures the metal part of an engine mount. Mr. Brooks said the tax abatement is a contingency of the purchase of the land, but he is 85 to 90% sure the company is coming to Lafayette. Requesting a ten (10) year abatement on Manufacturing and Real Estate, Elmsteel plans to spend approximately \$800,000 for the building and \$1.3 million for equipment. They estimate they will initially hire twenty three (23) employees who will earn an average hourly wage of \$13.38. Mr. Brooks said the Department of Commerce has agreed to assist in the cost of the infrastructure for the project.

Mr. Brooks said Temporary Services may help Elmsteel hire certain key individuals but he doesn't believe they intend to employ temporary help. Since the benefit is different here than in the United Kingdom, Mr. Brooks hopes to have the benefits package clarified by the time the Confirmatory Resolution is presented for approval.

- Councilmember Byers moved to approve Declaratory Resolution 2000-10-CL for the designation of an ERA for Elmsteel LTD, seconded by Councilmember Koltick.

Auditor Plantenga recorded the following roll call vote:

|                 |     |
|-----------------|-----|
| Jeffrey Kessler | Yes |
| David Byers     | Yes |
| Connie Basham   | Yes |
| Margaret Bell   | Yes |
| Jeffrey Kemper  | Yes |
| David Koltick   | Yes |
| Ronald Fruitt   | Yes |

- The motion to approve Declaratory Resolution 2000-10-CL passed 7 - 0.

***SUPERIOR COURT III***

| <u>SALARY ORDINANCE:</u> | <u>Position</u>                  | <u>Rate</u> | <u>Salary</u> |
|--------------------------|----------------------------------|-------------|---------------|
| Full Time                | Dep. Court Reporter/<br>Adm Asst | 1,329.25    | 31,902.00     |

This Salary Ordinance will correct an error that occurred at Budget time.

- Councilmember Fruitt moved to approve the Salary Ordinance, seconded by Councilmember Bell; motion carried.

**HEALTH DEPARTMENT**

**TRANSFER: \$530.00**

From: 01-46-211000 Office Supplies  
To: 01-46-404600 Capital Outlay

The funds are needed to purchase a new printer for the Vital Records section of the Department.

- Councilmember Koltick moved to approve the transfer, seconded by Councilmember Basham; motion carried.

**RESOLUTION 2000-09-CL: Endorses Amendment to EDIT Plan**

This amendment endorses the inclusion of:

|            |  |
|------------|--|
| Project 23 | Tippecanoe Superior Court No. 6                  |
| Project 24 | Construction of Tippecanoe County Parking Garage |
| Project 25 | Coroner's Morgue Facilities                      |
| Project 26 | Tippecanoe County Court Filing System            |

(quote)

**TIPPECANOE COUNTY COUNCIL**

**RESOLUTION 2000-09-CL**

**RESOLUTION ENDORSING THE ADOPTION OF AN AMENDMENT TO THE  
TIPPECANOE COUNTY ECONOMIC DEVELOPMENT INCOME TAX CAPITAL  
IMPROVEMENT PLAN**

**WHEREAS**, authority has been granted by I.C. 6-3.5-7-15 to the Board of Commissioners of the County of Tippecanoe, to adopt a Capital Improvement Plan for the County of Tippecanoe setting forth the uses of the revenues which Tippecanoe County shall receive from the Economic Development Income Tax duly adopted in the year 1989.

**WHEREAS**, the Tippecanoe County Council shall be involved in the consideration of appropriations and financing mechanisms; including but not limited to, bonds, as to the various projects set forth in the Capital Improvement Plan.

**WHEREAS**, the Tippecanoe County Council has previously ratified and endorsed prior Economic Development Income Tax Capital Improvement Plans as submitted by the Board of Commissioners in Resolution 90-4-CL dated May 7, 1990; Resolution 90-8-CL dated June 12, 1990, 1990; (sic) Resolution 91-14-CL dated August 13, 1991, Resolution 94-16-CL dated November 9, 1994, Resolution 96-06-CL adopted on April 9, 1996, Resolution 96-10-CL dated August 13, 1996, Resolution 97-17-CL adopted May 13, 1997 and Resolution 98-5-CL adopted January 13, 1998, Resolution 98-27-CL dated June 12, 1998, Resolution 98-35-CL dated July 29, 1998; and Resolution 98-43-CL dated October 13, 1998; Resolution 98-47-CL dated November 10, 1998; and Resolution 99-16-CL dated March 9, 1999; and Resolution 99-21-CL adopted on April 13, 1999; Resolution 99-20 CL adopted on May 11, 1999; Resolution 99-31-CL adopted on October 12, 1999;

**WHEREAS**, the Tippecanoe County Council has had the opportunity to review the projects described in Amendment Number Twenty-Three (23) to the Capital Improvement Plan adopted by the Board of Commissioners of the County of Tippecanoe pursuant to Resolution No. 2000-08-CM dated February 8, 2000, and is of the opinion that the additional projects set forth on Exhibit A attached thereto are Projects as defined by IC 6-3.5-7-13.1(b) (1) (A) for which the County may expend the revenues which Tippecanoe County shall receive from the Economic Development Income Tax and are beneficial and cost effective for Tippecanoe County.

**NOW, THEREFORE, BE IT RESOLVED**, that after due consideration the Tippecanoe County Council hereby finds that the proposed Projects Numbered 23, 24, 25 and 26, identified on Exhibit A attached hereto and made a part hereof are projects for which economic development income tax revenues may be used pursuant to IC 6-3.5-7-13.1; and that the

Tippecanoe County Economic Development Income Tax Capital Improvement Plan should be amended to include said projects;

**BE IT FURTHER RESOLVED**, that the Tippecanoe County Council endorses the Amendment Number Twenty-three (23) adding projects 23, 24, 25 and 26 to the Capital Improvement Plan adopted by the Board of Commissioners of the County of Tippecanoe pursuant to Resolution No. 2000-08-CM.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 8<sup>th</sup> day of February, 2000, by the following vote:

| VOTE              | TIPPECANOE COUNTY COUNCIL               |
|-------------------|---|
| Jeffrey Kessler   | _____<br>Jeffrey Kessler, President     |
| David S. Byers    | _____<br>David S. Byers, Vice President |
| Connie Basham     | _____<br>Connie Basham                  |
| Margaret K. Bell  | _____<br>Margaret K. Bell               |
| Jeffrey A. Kemper | _____<br>Jeffrey A. Kemper              |
| David S. Koltick  | _____<br>David S. Koltick               |
| Ronald L. Fruitt  | _____<br>Ronald L. Fruitt               |

ATTEST:

\_\_\_\_\_  
Robert Plantenga, Auditor

(unquote)

The estimated amount of \$300,000 for the Morgue was arrived at following a discussion with the preparers of the specifications.

The amount of \$20,000 for the filing system is an estimate. Only the amount needed will be used.

- Councilmember Fruitt moved to approve Resolution 2000-09-CL, seconded by Councilmember Basham.

Auditor Plantenga recorded the following roll call vote:

|                 |     |
|-----------------|-----|
| Ronald Fruitt   | Yes |
| David Koltick   | Yes |
| Jeffrey Kemper  | Yes |
| Margaret Bell   | Yes |
| Connie Basham   | Yes |
| David Byers     | Yes |
| Jeffrey Kessler | Yes |

- The motion to approve Resolution 2000-09-CL carried 7 - 0.

**OTHER BUSINESS**

**SOIL & WATER CONSERVATION DISTRICT: Chairman Arvil Duley**

Mr. Duley is asking the Council to increase funding from part-time to full time for the Soil Erosion Control Specialist's position in the Commissioners' Budget. (This request will not be heard until the Council's Special Meeting on February 15, 2000.) Mr. Duley said funding the position full time will satisfy Rule 5 of the EPA mandate. Part of the salary will be paid from a grant.

When Councilmember Koltick said this position should be put in a County department such as Area Plan, Mr. Duley responded that this part-time position is in the Commissioners' Budget.

Councilmember Kemper pointed out that the Commissioners' recommended making this position full time.

Attorney Dave Luhman explained that the Soil & Water Conservation District is a political subdivision of the State created by the Legislature and includes counties other than Tippecanoe. The employee in question is an employee of the District. The District has the duty to be the agent for the State to manage erosion control (Rule 5). The County Council is authorized to appropriate money for the District's use if it desires.

Councilmember Kemper suggested adding a Councilmember to the District Board.

#### APPOINTMENT TO EDC

C. Wesley Shook's term as Council's appointment to the Tippecanoe County Economic Development has expired. Mr. Shook suggested appointing Charlie Shook.

#### MILLENNIUM COMMITTEE

President Kessler announced that the Millennium Committee requested a \$4,000 donation from the County. The County donated \$5,000 in 1999. Councilmember Koltick suggested the Convention & Visitors Bureau would be an appropriate agency to ask for such a donation.

#### COMMISSIONERS' MEETING: Financial Consultant Greg Guerrettaz

The Commissioners will meet with Mr. Guerrettaz at 9:00 A.M., Wednesday, February 16, 2000.

#### ADJOURNMENT

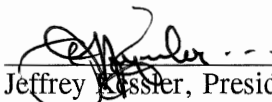
- Councilmember Kemper moved to adjourn, seconded by Councilmember Fruitt; motion carried.

The Council will meet hold a Special Joint Meeting with the Commissioners and Sheriff at 1:00 P.M., Tuesday, February 15, 2000. Following that meeting, the Council will meet in Special Session to address requests for Appropriations. Both meetings will be held in the Tippecanoe Room in the County Office Building.

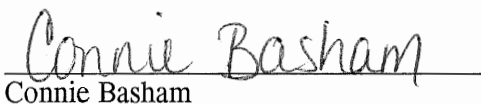
The next County Council Working Session will be held at 3:30, Thursday, March 9, 2000. The Regular Council Meeting will be held at 2:00 P.M., Tuesday, March 14, 2000. Both meetings will be held in the Tippecanoe Room in the County Office Building.

Robert A. Plantenga, Auditor

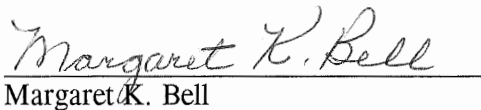
#### TIPPECANOE COUNTY COUNCIL

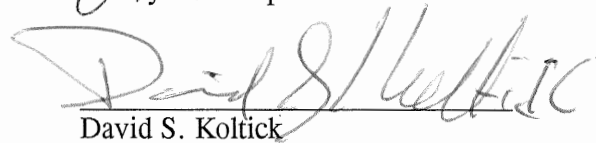
  
Jeffrey Kessler, President

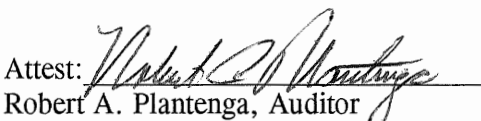
  
David S. Byers

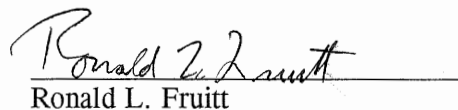
  
Connie Basham

  
Jeffrey A. Kemper

  
Margaret K. Bell

  
David S. Koltick

Attest:   
Robert A. Plantenga, Auditor

  
Ronald L. Fruitt