TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
April 4, 2011

The Tippecanoe County Commissioners met on Monday, April 4, 2011 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, and Vice President Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse. Absent was: Commissioner John L. Knochel.

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

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the March 21, 2011 regular meeting, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for March 22, 24, 25, 31, and April 1, 4, 2011 as submitted without exception.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Byers; motion carried.

PROCLAMATION FOR "NATIONAL CRIME VICTIMS' RIGHTS WEEK"

Hartford House Director, Jen Bushore – Berry presented a Proclamation endorsing April 10, 2011 through April 16, 2011 as "National Crime Victims' Rights Week". Ms. Bushore- Berry said that Hartford House, MADD, The Drugfree Coalition, Crisis Center, Greater Lafayette Sexual Assault Coalition, Tippecanoe Child Abuse Prevention Counsel, Family Resources and the Tippecanoe County Prosecutor's Office have worked together to organize "National Crime Victims' Rights Week". This will be the first time Tippecanoe County has recognized victims of crime. A luncheon will take place on April 14, 2011 at the YWCA. A guest speaker will speak on the topic "How to Assist Victims' of Crime". A "Family Fun Day" is scheduled for April 16, 2011 at Ivy Tech Community College in celebration of victims who are in recovery.

Commissioner Murtaugh and Commissioner Byers read the Proclamation endorsing "National Crime Victims' Rights Week".

See Appendix A

BOARD OF ELECTION & REGISTRATION *– Heather Maddox & Jared Bond*

Chairperson Heather Maddox presented an agreement with Government Business Systems for approval. It is for the maintenance work on voting machines, optical scan units, and touch screens. Government Business Systems is located in Illinois and the County is responsible for any shipping cost that may occur. However, since the work will be performed in Tippecanoe County there will not be any shipping fees. It is in the amount of $31,820 and Attorney Luhman has reviewed the agreement. Surplus resources from the Election Worker account will pay the cost of the agreement.

- Commissioner Murtaugh moved to approve the agreement with Government Business Systems as presented, second by Commissioner Byers; motion carried.

AREA PLAN COMMISSION–Sallie Fahey
Ordinance 2011-10-CM – Rezone Z-2445

- Commissioner Murtaugh moved to hear Rezone Z-2445, Trinitas Ventures, LLC (R1 & R3 to PDRS), second by Commissioner Byers; motion carried.

(quote)

March 17, 2011
Ref. No.: 11-063

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

CERTIFICATION

RE: **Z-2445— TRINITAS VENTURES, LLC (Cottages on Lindberg PO) (R1 &R3 to PORS):**

Petitioner is requesting PDRS zoning on 18.025 acres for the Cottages on Lindberg Planned Development. The development will consist of 193 residential apartment units containing a maximum of 750 bedrooms. The property is located on Mida Drive north of Lindberg Road, Wabash (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 March 16, 2011 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from R1 & R3 to PDRS. 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 approval, contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PO construction plans per UZO Appendix 82-2;
3. A final plat per UZO Appendix 8-3-2 as applicable;
4. Appropriate surety submitted with final detailed plans;
5. Plant schedule approved by the Area Plan Commission staff;
6. Notification from Duke Energy regarding construction and landscaping in their easement(s).
7. Street names shall be added to the Final Detailed Plans prior to submittal.

Planning for Lafayette, West Lafayette, Dayton, Battle Ground, Clarks Hill and Tippecanoe County

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their April 4, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Project Manager Travis Vencel requested PDRS zoning of 18.025 acres located within the Lindberg Planned Development. The cottages will have 750 bedroom units for the purpose of student housing and will look similar to residential housing.

Commissioner Byers asked for public comment in favor of the rezone. There were no comments.

Commissioner Byers asked for public comment against the rezone. There were no comments.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Absent
Murtaugh	Yes

Ordinance 2011-10-CM passes 2-0.

Carroll County Traffic Count Agreement

Director Sallie Fahey presented an agreement with a contractor to do 60 traffic counts in Carroll County this year. Tippecanoe County Area Plan Commission has an agreement with the Indiana Department of Transportation (INDOT) to provide certain traffic counting activities in Carroll County. The contractor, Al Levy, will be compensated $100 for each usable traffic count up to $6,000. Although the Area Plan Commission receives $150 for each usable traffic count, the remaining $50 is for cost associated with putting traffic counts in proper form to be presented to INDOT. Carroll County has provided the 20 percent match for this project. Those funds are monitored by the Auditor's office.

- Commissioner Murtaugh moved to approve the Carroll County Traffic Count Agreement as presented, second by Commissioner Byers; motion carried.

***HIGHWAY** – Opal Kuhl*
Contract Bond from Newton Oil Co., Inc.

Director Kuhl presented a Contract Bond from Newton Oil Co., Inc. in the amount of $29,250. The Contract Bond replaces a check that was submitted with their bid.

- Commissioner Murtaugh moved to approve the Contract Bond with Newton Oil Co., Inc. as presented, second by Commissioner Byers; motion carried.

Change Order No.6 for Bridge U209 from Milestone Contractors, LP

Director Kuhl presented Change Order No. 6 from Milestone Contractors, LP for approval. It is for excavating work needed on phone lines. It is in the amount of $896.88. The original amount of the contract is $2,072,000; this change brings the total to $2,117,039.79.

- Commissioner Murtaugh moved to approve Change Order No. 6 as presented, second by Commissioner Byers; motion carried.

Change Order No.7 for Bridge U209 from Milestone Contractors, LP

Director Kuhl presented Change Order No. 7 from Milestone Contractors, L: for approval. It is for sub-grade treatment for utilities. It is in the amount of $9,295. The original amount of the contract is $2,072,000; this change brings the total to $2,126,334.79.

- Commissioner Murtaugh moved to approve Change Order No. 7 as presented, second by Commissioner Byers; motion carried.

***WIC** – Colleen Batt*
Approval of Positions

Director Colleen Batt presented two new positions for approval. The positions are for Assistant State Breast Feeding Coordinator and Dietitian / Nutritionist / State Relief for Northern Indiana. Director Batt added that funding is provided for these positions through a federally funded grant. Commissioner Murtaugh asked if the funding for these positions is secure. Director Batt stated that WIC anticipates the continuation of grant funding for these positions. However, employees are aware that the positions are dependent on federal funding. Commissioner Byers asked if Tippecanoe County WIC only provides services to Tippecanoe County. Director Batt stated that Tippecanoe County WIC provides services throughout the state. Funding for these positions in the current grant runs from Oct 1, 2010 through September 30, 2011.

- Commissioner Murtaugh moved to approve the positions of Assistant State Breast Feeding Coordinator and Dietitian / Nutritionist / State Relief for Northern Indiana, second by Commissioner Byers; motion carried.

Training Conference Agreements

Director Colleen Batt presented agreements for three guest speakers and two hotel agreements for an upcoming training conference. WIC received $125,000 in funding to host the training conference in Tippecanoe County. Attendance is expected to be between 300 to 500 people. Due to the high number of expected attendees, an agreement with two hotels is necessary. Director Batt presented two agreements for approval with the Holiday Inn, City Centre and the University Plaza Hotel. The rates are dependent on how many rooms are used. Attorney Luhman said that the hotel agreements are in proper form except for a typographical error that states "accepted by the State of Indiana", which should read "accepted by the County of Tippecanoe". Because of this, if the Commissioners approve the agreements, it needs to be subject to an amendment showing "accepted by the County of Tippecanoe".

Speaker Agreements are as follows:

Amy Spangler	$1,100
aha! Process, Inc.	$3,300
Premier Speakers Bureau	$7,500

- Commissioner Murtaugh moved to approve the contracts as presented subject to recommended amendments, second by Commissioner Byers; motion carried.

CONTRACT COURTHOUSE WINDOWS

Commissioner Murtaugh presented a contract with Innovative Construction Services, Inc. in the amount of $922,500 for the Tippecanoe County Courthouse Window Restoration Project. It includes storm windows, scraping and repainting the existing metal soffit and the removal and reinstallation of existing shutter system. Commissioner Byers noted that the original estimate of the project was $1,500,000. Therefore, this contract will save the County approximately $580,000.

- Commissioner Murtaugh moved to approve the contract as presented, second by Commissioner Byers; motion carried.

ASSESSMENT OF THE COURTHOUSE MASONRY *– Contract with Arsee Engineers Inc.*

Commissioner Murtaugh noted that there are several cracks in the exterior limestone of the Courthouse and upon receiving a professional assessment of those cracks, it was realized that filling the cracks with a sealant could possibly damage the limestone further. A proposal with Arsee Engineers Inc. to perform a condition assessment of the exterior masonry of the Courthouse was presented. They will focus on any deterioration of the masonry as it relates to structural concerns. It includes a forensic study of the exterior of the Courthouse and is in the amount of $19,000.

- Commissioner Murtaugh moved to approve the contract as presented, second by Commissioner Byers; motion carried.

RESOLUTION 2011-09-CM *– Amending the Tippecanoe County Cumulative Capital Tax Improvement Plan*

Attorney Luhman said that this is a resolution to update the County's Cumulative Capital Tax Improvement Plan. New projects include the Annual Building and Maintenance Funds Project YY, which shall provide annual funding from the Cumulative Capital Tax for repairs, maintenance, and improvements of County facilities, including Tippecanoe County Office Building, Courthouse, and 629 North Sixth Street. Funding for Project YY for 2011 is in the amount of $255,015. Project BBB Capital Outlay Expenditures for the Calendar Year 2009 and Project CCC Capital Outlay Expenditures for the Calendar Year 2010 reflect actual cost of items that were approved in 2009 and 2010. Those items are copier leases, grant contingency funds, and MITS software and hardware cost. Project DDD Capital Outlay Expenditures for the Calendar Year 2011 includes items that are anticipated to be paid from the Cumulative Capital Tax in 2011 and totals $656,807. In addition, funding in 2011 also includes the three ongoing projects previously mentioned. Those projects and amounts are Project 00 Copier Leases $125,000, Project HH Grant Contingency $10,000, and Project T Capital Outlay Services Computer Hardware & Software Information $214,668.

- Commissioner Murtaugh moved to approve Resolution 2011-09-CM as presented, second by Commissioner Byers; motion carried.

REPORTS ON FILE

Public Library
Mail & Duplicating
Crystal Creek Boarding Kennel
Parks & Recreation
Treasurer

Clerk
Tippecanoe Emergency Ambulance Services

NEW BUSINESS

None

PUBLIC COMMENT

Julie Peretin,*505 Portledge Commons Drive, Lafayette* – thanked the Commissioners for recognizing "National Crime Victims' Rights Week". Ms. Peretin extended an invitation to the Greater Lafayette Holocaust Remembrance Conference tonight at Purdue's Krannert Auditorium 7:30 p.m. Ms. Peretin also mentioned a panel discussion titled "Fear the Others" scheduled for Thursday at the Krannert Auditorium 7:00 p.m.

Robert Brooks, *7014 W 1300 S Lafayette* – submitted several documents pertaining to the effects of wind turbines for the public record. They are available in the Auditor's office for viewing. Mr. Brooks asked if the Commissioners would reconsider the WECS ordinance. Commissioner Byers and Commissioner Murtaugh declined at this time.

Commissioner Murtaugh moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

David S. Byers, President

Thomas P. Murtaugh, Vice President

John L. Knochel, Member

ATTEST:

Jennifer Weston, Auditor 4-18-2011