

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
December 3, 2007

The Tippecanoe County Commissioners met on Monday, December 3, 2007 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President John L. Knochel and Member Ruth E. Shedd. Also present were: Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, County Attorney David W. Luhman, and Secretary Jennifer Prange.

President Benson called the meeting to order and recognized Monica Yuill and students from the Tippecanoe School Corporation (TSC). Students from TSC led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve minutes from the November 19, 2007 meeting, second by Commissioner Shedd; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner Assistant Frank Cederquist recommended approval of accounts payable vouchers for November 20, 21, 29, 30, December 1, 3, 2007.

- Commissioner Shedd moved to approve accounts payable vouchers as presented, second by Commissioner Knochel; motion carried.

APPOINTMENT OF HIGHWAY SUPERVISOR

Commissioner Benson recognized Joe Buntin, Tippecanoe County Highway Supervisor, as a recipient of the Indiana Outstanding Highway Supervisor of the Year. She added Mr. Buntin will be retiring at the end of 2007. Mr. Buntin was thanked for his 19 years of service as the Highway Supervisor. Commissioner Benson invited co-workers and friends to his retirement party to be held in the Tippecanoe Room on December 20, 2007 from 2:30-4:30 p.m.

Mr. Buntin thanked the Commissioners and the community for allowing him the opportunity to serve the county.

Surveyor Steve Murray stated that Joe Buntin has been as an asset to the community. He added Mr. Buntin has always put the safety of the citizens in Tippecanoe County first. He enjoyed working with Mr. Buntin and wished him well.

Highway Director Opal Kuhl thanked Mr. Buntin for his service. She expressed gratitude for his work ethic and ability for making Tippecanoe County look great.

- Commissioner Knochel moved to appoint Jack Fisher as the new Highway Supervisor as of January 1, 2008, second by Commissioner Shedd; motion carried.

HIGHWAY – Opal Kuhl

Bid Opening

Attorney Luhman opened bids for the Gasoline/Diesel Fuel.

Ceres Solutions

Transport Price

\$2.8070 premium unleaded - \$3.5200 for #1 clear diesel

Tank Wagon Prices

\$2.8770 premium unleaded - \$3.5900 for #1 diesel

Newton Oil Company

Transport Price

\$2.77919 -\$3.6829 #1 diesel

\$2.68919 for unleaded - \$3.54289 for #1 diesel

Attorney Luhman opened bids for rental equipment. He reported the bids submitted were for numerous items and he acknowledged receipt from the following:

Reith Riley

Milestone

- Commissioner Knochel recommended the fuel and equipment bids be taken under advisement, second by Commissioner Shedd; motion carried.

Director Kuhl recommended approval of the lowest bid from Hill Truck Sales for one Tandem Truck. She reported two additional trucks will be purchased in January.

- Commissioner Knochel moved to accept the bid from Hill Truck Sales, second by Commissioner Shedd; motion carried.

Director Kuhl requested approval of a Warranty Deed for Parcel #2 on Tippecanoe County Bridge #28 Project.

- Commissioner Knochel moved to approve the Warranty Deed for Parcel #2, Bridge #28 project, second by Commissioner Shedd; motion carried.

REZONES

REZONE Z-2356; JERRY CHRISTOPHER (AA TO GB), ORDINANCE 2007-42-CM

- Commissioner Knochel moved to hear and approve Rezone Z-2356 – Jerry Christopher (AA to GB), Ordinance 2007-42-CM, second by Commissioner Shedd; motion carried.

(quote)

November 29, 2007

Ref. No.: 07-588

Tippecanoe County Commissioners

20 North 3rd Street

Lafayette, IN 47901

CERTIFICATION

RE: Z-2356--JERRY CHRISTOPHER (AA to GB):

Petitioner is requesting rezoning of two tracts totaling 1.384 acres, located between the railroad tracks and the south side of US 52 W just outside of the unincorporated town of Montmorenci, 6801 US 52 W, in Shelby 6 (NW) 23-5. CONTINUED FROM THE NOVEMBER 21, 2007 APC MEETING DUE TO THE LACK OF A QUORUM.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on November 28, 2007 the Area Plan Commission of Tippecanoe County voted 9 yes - 2 no on the motion to rezone the subject real estate from AA 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 December 3, 2007 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,
Sallie Dell Fahey
Executive Director
/s/

(unquote)

Attorney Joe Bumbleberg, Ball, Eggleston & Bumbleberg, spoke on behalf of the petitioner. The petitioner is requesting a rezone for a parcel located on the edge of Montmorenci. The parcel is located between railroad tracks and the highway. Without any agricultural land connected to the property, the current zoning of AA is not accurate. With the location, Mr. Bumbleberg contests future possibilities of single family dwelling are small. He believes the parcel will remain GB in the future.

Commissioner Shedd questioned the vote at the Area Plan Commission meeting of 9-2. Attorney Bumbleberg noted that Area Plan Commission is not in favor of a rezone parcel for business if a water/drainage system does not exist or have access to a commercial water/sewer line.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	Yes

Ordinance 2007-42-CM passes 3-0.

REZONE Z-2357; CROWN CASTLE INTERNATIONAL (GB TO II), ORDINANCE 2007-43-CM

- Commissioner Knochel moved to hear and approve Rezone Z-2357 – Crown Castle International (GB to I1), Ordinance 2007-43-CM, second by Commissioner Shedd; motion carried.

November 29, 2007
Ref. No.: 07-589

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

CERTIFICATION

RE: Z-2357-- CROWN CASTLE INTERNATIONAL (GB to I1):
Petitioner is requesting rezoning of 10,000 square feet (0.23 acres) located at 2567 Schuyler Avenue (east of US 52), Fairfield, Longlois Reserve (E ½) 23-4.
CONTINUED FROM THE NOVEMBER 21, 2007 APC MEETING DUE TO THE LACK OF A QUORUM.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on November 28, 2007 the Area Plan Commission of Tippecanoe County voted 11 yes - 0 no on the motion to rezone the subject real estate from GB to I1. 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 December 3, 2007 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,
Sallie Dell Fahey
Executive Director
/s/

Steve Carr, representing petitioner Crown Castle International, requested a rezone for an existing wireless communications facility from GB to I1. The parcel located at 2567 Schuyler Avenue, east of US52, is zoned GB which does not allow for cell towers. The 10,000 square foot area does have an existing tower and rezone is requested in order to comply with zoning laws.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	Yes

Ordinance 2007-43-CM passes 3-0.

HEALTH DEPARTMENT – Ron Cripe**Ordinance 2007-40-CM; Amending Tippecanoe County Code, Adding New Chapter 112: Health Department Fees, 2nd Reading**

Director Ron Cripe recommended approval of proposed ordinance regarding the amendment to Health Department Fees. He reported that lead investigations are on the rise and currently investigations are only performed by the department if dictated by medical illness. Other changes include the death certificate fee increasing from \$8 - \$10 to offset the coroner fee and eliminating the \$5 immunization fee in lieu of donations.

- Commissioner Knochel moved to approve Ordinance 2007-40-CM, second by Commissioner Shedd; motion carried.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	Yes

Ordinance 2007-40-CM passes on second and final reading.

- Commissioner Knochel move to put Ordinance 2007-40-CM into effect on January 1, 2008, second by Commissioner Shedd; motion carried.

SNOW REMOVAL CONTRACTS – Mike Haan

Maintenance Director Mike Haan recommended approval of a Snow Removal Contract for 2008 with Kevin Russell.

- Commissioner Knochel moved to award the Snow Removal Contract to Kevin Russell for 2008, second by Commissioner Shedd; motion carried.

SPONSORSHIP AGREEMENT- Kathy Timberlake

Kathy Timberlake requested on behalf of Judge Rush approval for a Sponsorship Agreement to display art in the courthouse. She is requesting the art produced at the 2007 Child Abuse Summit be displayed in the courthouse.

- Commissioner Knochel moved to approve the sponsorship agreement, second by Commissioner Shedd; motion carried.

GRANTS – Laurie Wilson

Grant Coordinator Laurie Wilson recommended permission to apply for a GREAT (Gang Resistance Education and Training) Grant. This grant will fund a program targeting 4th and 5th graders in local schools to resist gang violence.

- Commissioner Knochel moved to grant approval for the Sheriff to apply for the GREAT grant, second by Commissioner Shedd; motion carried.

She also requested approval of a Title V Grant for the Community and Family Resource Center for January 1, 2008 through June 30, 2008.

- Commissioner Knochel moved to accept the grant as presented, second by Commissioner Shedd; motion carried.

CARY HOME FOR CHILDREN – Jason Kniola

Director Kniola updated the Commissioners on the modular home that will be moved behind Cary Home. He reported half of the modular home has been moved and the other half will be moved as the weather permits. Director Jason Kniola also requested approval for seven new positions that were requested in the 2008 budget. The positions for Cary Home for Girls are: five Adolescent/Child Care Specialist (PAT 1), a House Supervisor (PAT II), and a Clinical Director (PAT V).

Commissioner Benson added the Commissioners are excited about keeping adolescent girls in the community for rehabilitation and believes this will be a win-win for Tippecanoe County.

- Commissioner Knochel moved to approve the seven new positions for the Cary Home for Girls, second by Commissioner Shedd; motion carried.

ORDINANCE 2007-41-CM; REFUNDS OF ADDITIONAL 2007 HOMESTEAD CREDITS

Attorney Luhman spoke regarding the proposed ordinance regarding refunds of additional homestead credits given to taxpayers. He reported that legislature has allowed each county the choice to apply additional homestead credits to delinquent taxes before issuing a refund.

- Commissioner Knochel moved to approve Ordinance 2007-41-CM on first reading, second by Commissioner Shedd; motion carried.

Auditor Weston recorded the vote:

Benson	Yes
Knochel	Yes
Shedd	Yes

Ordinance 2007-41-CM passes 3-0 on first reading.

MEMORANDUM OF UNDERSTANDING

Youth Services Director Rebecca Humphrey requested approval for a Memorandum of Understanding between Community and Family Resource Center (CFRC) and the Juvenile Alternatives/Tippecanoe County Community Corrections. With approval, a day reporting program for at moderate risk youth will be offered after school. Director Humphrey added with the alternative program, JAMS will be open to serve high risk youth. Community Corrections and the CFRC have agreed to work together to meet the needs of the mid risk children in Tippecanoe County.

- Commissioner Knochel moved to approve the Memorandum of Understanding between Community Corrections and the CFRC, second by Commissioner Shedd; motion carried.

APPLICATION TO THE VILLA

- Commissioner Knochel moved to approve the application for Pauline M. Conley, second by Commissioner Shedd; motion carried.

APPOINTMENTS TO THE COMMON WAGE BOARD

- Commissioner Knochel moved to appoint Betty Michael, Dave Lahr and Brian Fahey to the Common Wage Board for the Bridge #28 project, second by Commissioner Shedd; motion carried.

UNFINISHED/NEW BUSINESS

Commissioner Benson recognized Don Emmert, Soil and Water Conservation District, for the recent award of 2007 Conservation District State Employee of the Year. He will be honored at the State Conference to be held on January 15, 2008.

REPORTS ON FILE

Park & Recreation Board
Clerk
Weight and Measures
Treasurer

PUBLIC COMMENT

None

- Commissioner Knochel moved to adjourn.

**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**


KD Benson, President

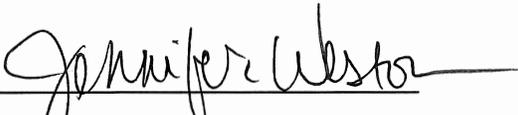


John L. Knochel, Vice President



Ruth E. Shedd, Member

ATTEST:



Jennifer Weston, Auditor