TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
DECEMBER 8, 2009

The Tippecanoe County Council met at 8:30 a.m. on December 8, 2009 in the Tippecanoe Room in the County Office Building. Council members present were: President Kevin L. Underwood, Vice-President Andrew S. Gutwein, Jeffrey Kemper, Betty J. Michael, John R. Basham II, Roland K. Winger, and Kathy Vernon; Others present were: Auditor Jennifer Weston, Attorney David W. Luhman, and Secretary Kay Muse.

Councilmember Underwood called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Councilmember Kemper moved to approve the minutes of the November 10, 2009 regular meeting as presented, second by Councilmember Michael; motion carried.

AUDITOR'S FINANCIAL REPORT – Jennifer Weston

Beginning Net Balance	$ 1,215,120.15
Total Additional Appropriations	$ 1,220,109.00
Total Budget Reductions	$ 217,597.00
Miscellaneous Expenditures (to date)	$ 3,259.48
Uncommitted Funds	**$ 209,348.67**

Auditor Weston reported the end of year Uncommitted Funds balance as $209,348.67 with no requested appropriations for the month of December. She added the expected year-end cash balance could be significantly down after considering the lower than expected revenue for the year. Auditor Weston reported that $35 million of the first installment of property tax had been distributed, and of that $5.3 million went into the General Fund. There will be two more distributions of property tax before the end of year. Councilmember Kemper asked about Court Services Fund 575 and 576 having negative balances at the end of the year. Auditor Weston stated there are a few transactions that have been approved, to be completed in December, and those funds should turn out positive.

TREASURER'S REPORT – Bob Plantenga

Treasurer Bob Plantenga presented the Interest Summary Report. Treasurer Plantenga reported that the first installment of property taxes was collected and is reflected on the report. Treasurer Plantenga stated the General Fund is up from last month. He added that $120 million of property taxes, which is about three fourths for the year, has been collected. Treasurer Plantenga noted the weighted average did decrease; this was due to distribution of funds to several financial institutions.

RESOLUTION 2009-29-CL
West Lafayette Community School Corporation Referendum to County Election Board

Representing West Lafayette Community School Corporation Attorney Bob Reiling stated on December 2, 2009 a resolution was adopted by the West Lafayette Community School Corporation for a referendum to be submitted to the voters of West Lafayette in May 2010. Mr. Reiling is presenting Resolution 2009-19-CL to the County Council for approval. Upon passage it will be referred to the Clerk, who submits it to the Election Board to be placed on the May 2010 Primary ballot. Attorney Dave Luhman stated there is a scrivener's error on the second page of this document; this error refers to the written rate as thirty seven

cents and will be amended to forty three cents. Attorney Luhman confirmed the role of the council is to certify the question by resolution so it may be placed on the ballot. Attorney Luhman added that the job of the County Council is to determine if the Governing Body of the School Corporation did adopt a resolution and according to the proper procedures. He added that passing this resolution was not a vote in favor of or opposed to the issue in question. Councilmember Underwood added it is the Council's duty to assure that appropriate items are placed on the ballot. Councilmember Kemper stated that he believes there to be an error in reference to the code number 20-40-6-1. Attorney Luhman verified it should be 20-46-1 and will be corrected. Councilmember Basham questioned the verbiage that is being used on the ballot. Attorney Luhman explained that it is the required language. Councilmember Basham questioned the seven year time allotment on the referendum. Attorney Reiling explained the West Lafayette School Corporation budget and revenue will be evaluated annually. He added the rate will not exceed the forty three cents and will be adjusted yearly as needed. Councilmember Kemper asked how the West Lafayette School Corporation arrived at forty three cents. Attorney Reiling stated a financial study was conducted, estimating the current and future needs of the school corporation, and these figures are based on those recommendations. Councilmember Gutwein stated this is a decision for the voters, and wants to make certain the public understands that it is above the tax cap of 1 % (outside the circuit breaker limits). Superintendent Rocky Killion expressed the School Board's desire to insure only what is needed will be asked for. He added a financial advisory committee would be created to determine if revenue can be generated from elsewhere. Councilmember Kemper re-iterated it is the duty of the Council to certify the resolution and does not imply the Council is in agreement with resolution; simply it is a requirement of the Indiana Code. Councilmember Basham expressed his concern for small businesses in West Lafayette. Councilmember Winger stated this is a request to let the voters decide. Councilmember Basham stated the Council is not required to pass this resolution upon presentation; per the Association of Indiana Councils (AIC) it must be voted on within sixty days. Councilmember Vernon asked Attorney Luhman if the paper work is in order. Attorney Luhman stated it is and added a yes vote is not a vote in favor of the referendum; it is certifying the referendum to the election board to be placed on the ballot. Councilmember Vernon asked if there was any legal reason to vote no; Attorney Luhman stated there is not. Councilmember Vernon asked Attorney Luhman if there are any legal ramifications of not passing this resolution. Attorney Luhman explained if a public body has a specific duty to perform and they choose not to, there is the possibility of a lawsuit being filed to mandate they perform the specified action.

- Councilmember Basham moved to table this issue until January. Councilmember Underwood ruled the motion died for lack of a second.

Attorney Luhman stated corrections to Resolution 2009-21-CL as follows: the last paragraph on the first page should read "Indiana Code 20-46-1" and the last paragraph on the second page the rate is "forty three cents per one hundred dollars".

- Councilmember Winger moved to approve Resolution 2009-21-CL as amended, second by Councilmember Gutwein; motion passed.

RESOLUTION 2009-30-CL
Amending Confirmatory Resolution for the Designation of an Economic Revitalization Area

Mark Castell and Katie Culp, representatives for The Warehouse of Lafayette, are requesting a two year extension to complete work on two proposed buildings. Ms. Culp stated one building has been constructed, with exception to the interior which is to be tailored to a specific tenant. Mr. Castell added the building is essentially a shell and will be built out according to tenants needs. Councilmember Gutwein asked why both buildings have not been completed. Ms. Culp explained with the economic downturn it has not been financially achievable. Ms. Culp is confident the second building will be

completed within the two year time frame being requested today. Councilmember Kemper asked Attorney Luhman of any possible downfall if the Council chooses not to approve the Resolution today. Attorney Luhman stated if Council does not approve the two year extension the Economic Revitalization Area (ERA) will expire after the original ten year period. Attorney Luhman added if a developer desires to develop that area they would have to start over in the abatement process.

- Councilmember Kemper moved to approve Resolution 2009-30-CL as presented, second by Councilmember Gutwein; motion passed.

***CONVENTION AND VISTOR BUREAU** - Jo Wade*

Director Jo Wade stated she would like to give the Council an opportunity to ask questions of the role of the Visitors Bureau. She presented a packet to the Council that included 2009/2010 visitor guides, a new downtown guide, a 'Stay and Play' golf promotion, a 'Did You See a Star?' pamphlet, and a 'One Great Photo' contest announcement. Councilmember Basham complimented Ms. Wade on what an excellent job her agency is doing. Councilmember Basham inquired whether or not a sign has been placed on the Purdue campus directing traffic to the Visitor Bureau. Ms. Wade stated there is a sign on State Road 26 close to where the Visitor Bureau is located but not directly on campus. Ms. Wade added they worked very close with Purdue to get the visitors guides ready for "Day on Campus" and there have been a large amount of online inquiries. Councilmember Kemper inquired about a kiosk in the Union Building at Purdue. Ms. Wade stated the Purdue Visitor Information has a kiosk in the Union Building and does have the agency's information and phone number available to the public. Councilmember Kemper asked if there has been a noticeable decline in the amount of visitors in the past year. Ms. Wade stated there has been some decline in business travel in the community but went on to say youth sport related travel has been steady. Ms. Wade stated that innkeeper's tax collection is currently down fourteen percent and added this is partially due to the rate being down. Councilmember Gutwein asked if there is anything we should be doing locally to promote more sporting events. Ms. Wade stated that the Visitor Bureau is looking at the events to promote without building any new venues.

SUPERIOR COURT 3
Saturday School "B" Grant Fund 518

Grant Facilitator Laurie Wilson requested approval for a Grant Appropriation for Saturday School, adding Tippecanoe is currently the only county in the state with a Saturday School program.

Grant Appropriation $26,400

$ 23,900	Contracts / Consultant
$ 1,000	Departmental / Educational Materials
$ 1,500	Training Costs / Travel & Training

- Councilmember Vernon moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

SUPERIOR COURT 4
General Fund 001

Transfer of Appropriation $200

$ 200	Overtime to Court Expense / Judge Pro-tem

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Gutwein; motion passed.

SUPERIOR COURT 6
General Fund 001

Councilmember Gutwein stated he spoke with Bailiff Charla Whitehead of Superior Court 6 and verified additional information regarding requested transfer for pauper counsel. Councilmember Gutwein added Superior Court 6 has a very low pauper budget and this request is related to an appeal.

Transfer of Appropriation $1,100

$ 1,100	Part Time to Court Expense / Pauper Counsel

- Councilmember Gutwein moved to approve the transfer as presented, second by Councilmember Michael; motion passed.

IV-D MAGISTRATE
General Fund 001

Councilmember Gutwein stated transfer is requested for painting and equipment for new court room

Transfer of Appropriation $2,000

$ 2,000	Full Time to Office Expense / Office Supplies

- Councilmember Gutwein moved to approve the transfer as presented, second by Councilmember Kemper; motion passed.

ANCILLARY
General Fund 001

Transfer of Appropriation $2,000

$ 2,000	Part Time to Court Expense / Pauper Transcript

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Gutwein; motion passed.

PROSECUTOR
Project Safe Neighborhood Grant Fund 188

Prosecutor Pat Harrington reported the Prosecutor's office has received a Project Safe Neighborhood (PSN) grant in the amount of $25,000. Mr. Harrington added based on the success of past years excess funds from 2007 was returned to the Department of Justice. Mr. Harrington went on to say it was returned to Project Safe Neighborhood and that is the reason there are two different grants. Mr. Harrington added the first year of this program the county received $53,000 and last year received $50,000; Mr. Harrington stated that he is hopeful this amount will be increased next year. Mr. Harrington added at the federal level the current administration is working on renaming this program.

Grant Appropriation $25,000

$ 25,000	Administrative / Other Professional Svc

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Winger; motion passed.

Project Safe Neighborhood Grant "C" Fund 190

Grant Appropriation $15,000

$ 15,000	Administrative / Other Professional

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

PROBATION
General Fund 001

Transfer of Appropriation $1,500

$ 1,500	Full Time to Administrative / Banking Services

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Basham; motion passed.

BUILDING COMMISSION
Unsafe Building Ordinance Fund 410

Building Commissioner Ron Highland requested an additional appropriation for the demolition of unsafe structures. Auditor Jennifer Weston stated there is $19,000 in this fund at this time, adding after paying current bills it will leave about $6,000. Mr. Highland explained any funds placed in Fund 410 cannot be used for any other purpose and for that reason the balance is kept at a minimum.

Additional Appropriation $13,544

$ 13,544	Departmental / Unsafe Building Structure

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Basham; motion passed.

WEIGHTS & MEASURES
General Fund 001

Transfer of Appropriation $60

$ 60	Maintenance & Repair to Appointed Official

- Councilmember Winger moved to approve the transfer as presented, second by Councilmember Michael; motion passed.

TEMA
ACAMS Grant Fund 412

Grant Facilitator Laurie Wilson requested a transfer, adding this will allow the county to be reimbursed for wages paid to employees who cannot be paid as a contractor out of grant funds because of similarities to their regular duties.

Transfer of Appropriation $1,147

$ 1,000	Administrative / Other Prof Svc to Overtime
$77	Administrative / Other Prof Svc to Social Security
$70	Administrative / Other Prof Svc to PERF

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Gutwein; motion passed.

2009 SHSP Grant Fund 414

Grant Facilitator Laurie Wilson requested an appropriation of the grant in the amount of $680,000. This appropriation will be for the nine counties comprising District Four; all entities have agreed on the distribution of equipment. Ms. Wilson stated this will be used to purchase equipment needed to improve intercommunication between the different counties. Ms. Wilson added the appropriation includes $55,000 to continue the services of the District Four Administrative Coordinator.

Grant Appropriation $680,000

$578,543	Equipment / Emergency Equipment
$ 15,064	Administrative / Other Professional Svc
$ 31,393	Equipment / Data Processing Hardware
$ 55,000	Contracts / Consultant

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

SHERIFF

Sheriff SIA Equipment Grant 187

Sheriff Tracy Brown requested an appropriation of the Subaru of Indiana Grant; this grant will be used to purchase a side scan sonar that will allow for efficiency in performing underwater rescue missions.

Grant Appropriation $2,800

$ 2,800	Equipment / Emergency Equipment

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

Sheriff Brown requested an appropriation of the Byrne Grant, which will provide mental health services to the inmates at the county jail. Sheriff Brown added this will be used to hire a clinical social worker through Advanced Correctional Health Care for a period of two years.

BRYNE Grant Fund 196

Grant Appropriation $60,000

$ 60,000	Administrative / Other Professional Svc

- Councilmember Gutwein moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

Sheriff Brown provided council members with an updated Department of Correction (DOC) billing showing payment received by the county for October and November 2008 and through February 2009; March, April, May, June, July and August have been submitted.

CORONER
General Fund 001

Transfer of Appropriation $3,000

$ 3,000	Part Time Misc to Morgue Supplies

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Michael; motion passed.

HEALTH DEPARTMENT

Director Ron Cripe requested a transfer in three funds. The General Fund transfer will allow for use of all appropriated accounts. Grant Fund 462 will be used to pay bills for supplies such as security, traffic control, tents, and portable toilets for the three clinics held at the fairgrounds. Grant Fund 763 will be used to pay for the emergency coordinator's air (internet) card.

General Fund 001

Transfer of Appropriation $1,453

$ 553	Contracts / Legal Services to Office Supplies
$ 900	Travel & Training to Printed Forms

- Councilmember Michael moved to approve transfer as presented, second by Councilmember Gutwein; motion passes.

H1N1 Grant Fund 462

Transfer of Appropriation $6,000

$ 6,000	Part Time Other to Gen Op Misc

- Councilmember Michael moved to approve transfer as presented, second by Councilmember Gutwein; motion passed.

Medical Reserve Corps Grant Fund 763

Transfer of Appropriation $1,500

$ 1,500	Departmental / Medical to Internet Access

- Councilmember Michael moved to approve the transfer as presented, second by Councilmember Gutwein; motion passed.

WIC
Grant Fund 883

Transfer of Appropriation $1,000

$ 1,000	General Operating/ Misc to Office Supplies

- Councilmember Michael moved to approve the transfer as presented, second by Councilmember Kemper; motion passed.

CARY HOME FOR CHILDREN
General Fund 001

Executive Director Rebecca Humphrey requested a transfer to pay for part time, social security, purchase a computer license, and new computers.

Transfer of Appropriation $15,624

$10,000	Utilities / Misc to Part Time
$ 765	Utilities / Misc to Social Security
$ 1,659	Utilities / Misc to Equip/Data Processing
$ 3,200	Departmental / Food to Equip/Data Processing

- Councilmember Kemper moved to approve the transfer as presented, second by Councilmember Vernon; motion passed.

Salary Statement for Pregnancy Prevention Grant

Director Humphrey stated this will correct the salary statement submitted last month.

Salary Statement

Up to $18.00/hr Part Time Probation Officer (Pregnancy Prevention)

- Councilmember Vernon moved to approve the salary statement as presented, second by Councilmember Michael; motion passes.

COMMITTEE REPORTS

Parks Director Allen Nail announced the Howard Michaud Award was presented to Mary Cutler at the Environmentalist Education Association of Indiana's annual conference. Ms. Cutler has been a naturalist for twenty five years. Councilmember Vernon extended the Council's congratulations.

Councilmember Basham presented an update on the Romney Sewer District. The District is connecting the Romney Municipal Waste Treatment to Linden. Councilmember Basham stated the lift stations will be installed over the next two years.

UNFINISHED BUSINESS

None

NEW BUSINESS
Proposed 2010 County Council Meeting Schedule

Auditor Weston stated the next year's meeting schedule should be advertised before the end of the year; and asked if members have any changes to the schedule. Councilmember Underwood asked for questions or comments. The schedule lists the meetings as the second Tuesday of each month at 8:30 a.m.

- Councilmember Kemper moved to approve the proposed meeting schedule for 2010 as presented, second by Councilmember Winger; motion passed.

PUBLIC COMMENT

Mr. Paul Wright, West Point expressed concern about proposed West Lafayette School Board referendum. He also requested the amount of fees paid to Financial Consultant Greg Guerrettaz. Auditor Weston noted she did not have those figures with her and declined to speculate.

Michelle Blaas, Lafayette expressed her disappointment in the 2010 meeting schedule adding she felt evening dates and times would better serve the public and reminded members of the petition to change the meeting time. Councilmember Winger stated if an issue has significant public input above what is normal a special meeting in the evening would be scheduled.

President Underwood called for a ten minute recess to prepare for the joint meeting with financial advisor Greg Guerrettaz.

TIPPECANOE COUNTY COUNCIL
TIPPECANOE COUNTY COMMISSIONERS
JOINT MEETING
TIPPECANOE ROOM
DECEMBER 8, 2009

The Tippecanoe County Council and Commissioners met at 10:30 a.m. on December 8, 2009 in the Tippecanoe Room in the County Office Building. Council members present were: President Kevin Underwood, Vice-President Andrew S. Gutwein, Jeffrey R. Kemper, John R. Basham II, Roland K. Winger, and Betty J. Michael Commissioners present were: President John L. Knochel, Vice President David S. Byers, and Member Thomas P. Murtaugh. Others present were: Auditor Jennifer Weston, Attorney David W. Luhman, and Secretary Kay Muse.

Commissioner President John Knochel called the Commissioners to order. Council President Kevin Underwood reconvened the Council.

Greg Guerrettaz, President of Financial Solutions Group, stated he has been involved with county government for the past twenty years. Mr. Guerrettaz added that his hourly rate is $175 an hour and feels this is reasonable compared to his competitors. Mr. Guerrettaz addressed the following topics:

Revenue Sources and E-911 Funding
Mr. Guerrettaz mentioned that efficiency and raising new revenue are the number one topics in Indiana. Mr. Guerrettaz offered several ideas on how to raise revenue with minimal or no cost to taxpayers. Mr. Guerrettaz noted the popularity of windmills and most are assessed much lower than their actual cost; assessed values are about thirty-five percent of actual cost to install. Mr. Guerrettaz stated that some counties are having a resurgence of Economic Development Bonds. Being conduit issuers, counties may add a fee to these bonds to cover legal costs and the use of the entity's name. He also pointed out that E-911 budgets of some counties are not meeting the E-911 actual costs. Mr. Guerrettaz recommended looking at three options concerning E-911 funding.

Option one - increase the landline rate; Mr. Guerrettaz stated the problem with this is revenue will continue to be shared with state government.

Option two - is a local option income tax (LOIT). This would essentially be a new local option income tax similar to public safety but will be specifically for E-911. Mr. Guerrettaz went on to say there are three LOIT's - property tax replacement, replacing the levy growth, and public safety. What is being proposed is being able to enact the public safety option without first adopting one of the other options.

Option three - creating an E-911 utility. The utility would charge a fee ranging from $4 to $8 per month to property owners on all parcels in the county. He noted that there is a peaking period between seven in the morning until six in the evening and some counties are looking at charging businesses at a different rate based on the peak time of E-911 calls. Mr. Guerrettaz stated that new technology is the biggest cost to the E-911 centers. Councilmember Basham stated that most students in West Lafayette use wireless phones for their communication needs. Councilmember Gutwein stated that in Tippecanoe County due to the number of transients the best option would be to recover cost from the wireless users. Mr. Guerrettaz stated that wireless fee is capped at fifty cents and the fee for landline is $1.52. He added that when an accident occurs, E-911 centers are overwhelmed with calls from wireless users. Commissioner Knochel added that persons with a land line are being penalized when the bulk of the usage is from wireless phones. Commissioner Knochel asked Major Charlie Williams if wireless E-911 calls are being tracked vs. land lines. Major Williams stated that they do not have the technology available to separate wireless from landlines. Mr. Guerrettaz added that if you have more than one line; you will be charged for each additional line also. Councilmember Gutwein asked where the fees go from students bringing wireless phones from out of state. Commissioner Murtaugh stated it was his belief those fees go to the state where the phone has been purchased. Commissioner Murtaugh stated that he felt it would be beneficial to talk with legislators to receive more of these funds. Councilmember Winger summarized E-911 stating there are three possible solutions and to characterize the county's situation our first interest would be making more equitable the landline vs. wireless fees. Commissioner Murtaugh added the County is under contract with INdigital to upgrade software for E-911. He added that Sheriff Tracy Brown is applying for grant money to fund half of the cost; the county will be responsible for the remainder of the cost.

Sustainability Analysis
Mr. Guerrettaz asked Auditor Weston if the December 31, 2009 cash balance would be higher or lower than last year. Auditor Weston stated that it is expected to be lower than last year. She stated this is due to revenues that the County has not received yet, adding the state has put in a new system and are slightly behind in payments. The cash balance is estimated to be approximately $1,000,000 once the property tax settlements are accounted for. Commissioner Byers stated that about one million of lost revenue is due to interest rates being so low. Auditor Weston stated that $500,000 had been appropriated for the County Option Income Tax (COIT) reserve fund. Auditor Weston added that the total of all uncommitted funds is about $11,000,000. Mr. Guerrettaz suggested that the Council review and approve all encumbrances and noted that encumbrances and additional appropriations in 2010 should be limited.

Five Year Capital Improvement Plan
Mr. Guerrettaz suggested, with not many large projects on the horizon, that the county start saving now for future projects. Commissioner Byers stated that if the Youth Center was not going to go forward the money set aside for it should be used for something else. It was noted that certain items, such as the Expo Center, acquiring the YMCA, and a TEMA facility, are not listed on the most recent capital projects list. Some of these projects may need to be added. Mr. Guerrettaz recommended all of the projects be named and prioritized as the next step in finalizing the 2010 five year improvement plan.

The group agreed to meet again after the council meeting on February 9, 2010.

Council President Underwood adjourned the Council. Commissioner President Knochel adjourned the Board of Commissioners.

TIPPECANOE COUNTY COUNCIL

Kevin L. Underwood, President

Betty J. Michael

Andrew S. Gutwein, Vice President

John R. Basham II

Roland K. Winger

Jeffrey A. Kemper

Attest:
Jennifer Weston, Auditor

Kathy Vernon