

Tippecanoe County Board of Commissioners

Meeting Minutes

Monday, December 2, 2019

10:00 am

Tippecanoe Room, Tippecanoe County Office Building
20 N 3rd Street, Lafayette, Indiana

Commissioners present President David S. Byers, Vice President Tracy A. Brown and Member Thomas P. Murtaugh.

Also present: Attorney Doug Masson, Auditor Robert Plantenga, Commissioners' Assistant Paula Bennett, and Recording Secretary John Thomas.

- I. **PLEDGE OF ALLEGIANCE** – President Byers called the meeting to order and lead the Pledge of Allegiance
- II. **APPROVAL OF MINUTES** from the regular meeting on Monday, November 18, 2019, and the Executive Session with the County Council on Monday, November 25, 2019.
 - Commissioner Murtaugh moved to approve the minutes as presented, second by Commissioner Brown. Motion carried.
- III. **PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS AND PAYROLL** – Paula Bennett

The claims from November 20, 2019 through December 2, 2019, including payroll from November 27, 2019 were recommended for approval without exception.

 - Commissioner Brown moved to approve the Accounts Payable Vouchers and Payroll as presented, second by Commissioner Murtaugh. Motion carried.
- IV. **AREA PLAN COMMISSION**
 - Commissioner Murtaugh moved to approve **ORDINANCE 2019-31-CM** second by Commissioner Brown.

Ryan Munden, attorney for the petitioners Kenneth L. James & Janet I. James, stated that the rezoning request (AW to I3) was for a 11.078-acre tract and a 1.436-acre tract to legitimize the expansion of an existing nonconforming salvage yard located at 5608 SR 25S, in Wayne 23 (SE) 22-6. The business has existed for over 50 years and complies with all IDEM and EPA rules. They have never had to report a spill and there have never been any complaints about the business.

Sallie Fahey stated that there is a commitment included that restricts some of the uses normally permitted uses in the zoning district.

 - Commissioner Murtaugh amended his motion to include approval of the commitment, second by Commissioner Brown. Motion carried.

President Byers asked if there were any additional questions and then called for the vote.

 - Auditor Plantenga recorded the vote:

Commissioner Byers	Yes
Commissioner Brown	Yes
Commissioner Murtaugh	Yes

Ordinance 2019-31-CM passed 3-0.

V. HIGHWAY – Stewart Kline presented and recommended:

- A. INDOT Supplemental Agreement #1 with the Kankakee, Beaverville & Southern Railway Company for crossing improvements on the Klondike Road Project in the amount of \$60,980.26 for which the local share is \$12,196.05.
 - Commissioner Brown moved to approve the agreement as presented, second by Commissioner Murtaugh. Motion carried.
- B. Continuation Certificate for Milestone Contractors LP for work in all County Right-of-Ways in the amount of \$5,000.
 - Commissioner Murtaugh moved to approve the Certificate as presented, second by Commissioner Brown. Motion carried.
- C. A 1 Year \$65,621.98 Maintenance Bond, a \$65,621.98 Performance Bond and a \$65,621.98 Labor & Material Payment Bond for Robert Garriott DBA Garriott Trades for an INDOT funded project on a new storm drain on East County line Road.
 - Commissioner Brown moved to approve the bonds as recommended, second by Commissioner Murtaugh. Motion carried.
- D. The bridge inventory has been completed and a new federal rule requires that 5 bridges be posted prohibiting emergency vehicles because they are heavy and have a short wheel base, thus high weight loadings. The Department is working with the affected fire departments.

VI. RESOLUTION 2019-32-CM – Mike Parks of the Highway Department presented and recommended:

Designates certain roads in Tippecanoe County as US Bicycle Routes 37 and 137. The routes are approved by INDOT and the Association of State and Transportation Officials as part of a national network of lower volume roads for long distance bicycling.

- Commissioner Brown moved to approve the resolution as presented, second by Commissioner Murtaugh. Motion carried.

VII. VILLA – Deanna Sieber presented and recommended:

Approval of an Agreement with Ivy Tech to allow their nursing students to do practicums at the Villa. This is a continuation of previous agreements and there is a similar agreement with St Elizabeth.

- Commissioner Brown moved to approve the agreement as presented, second by Commissioner Murtaugh. Motion carried.

VIII. HUMAN RESOURCES – Shirley Mennen presented and recommended:

Approval of a Statement of Work with Wellness for Life to expand their office hours by 8 hours at no additional cost to the County. This allows additional access to County employees as well as employees of other local jurisdictions that also have Wellness for Life programs.

- Commissioner Murtaugh moved to approve the agreement as presented, second by Commissioner Brown. Motion carried.

IX. AUDITOR – Bob Plantenga presented and recommended:

Approval of an Agreement with the Nyhart Company for an actuarial study of Tippecanoe County post-employment health insurance benefits for GAAP accounting. The agreement is for \$6,500 the first year, \$3,500 the second year and \$6,500 the third year.

- Commissioner Murtaugh moved to approve the agreement as presented, second by Commissioner Brown. Motion carried.

X. ORDINANCE 2019-30-CM – Attorney Masson presented and recommended:

- Commissioner Brown moved to approve **ORDINANCE 2019-30-CM** second by Commissioner Murtaugh.

Amendment to the Animal Control Ordinance that: changes the terminology of “Vicious Animal” to “Hazardous Animal”; expands the definition of a violation to include unsanitary conditions, adequate exercise and inhumane environmental conditions; includes an appeals process, provides for property damage awards from a neighbor’s commercial farm animals and additional provisions for feral cats.

Commissioner Brown thanked to all those who have helped develop the amendment.

President Byers asked if there were any additional questions and then called for the vote.

- Auditor Plantenga recorded the vote:

Commissioner Brown	Yes
Commissioner Murtaugh	Yes
Commissioner Byers	Yes

Ordinance 2019-30-CM passed 3-0 on first reading.

XI. RESOLUTION 2019-31-CM – Attorney Masson presented and recommended:

Excess property sale of a 2009 Ford Focus that has a fair market value of less than \$1,000. The car was purchased for Juvenile Alternatives with Department of Corrections funds and the county has the DOC approval to sell it.

- Commissioner Brown moved to approve the Resolution as presented, second by Commissioner Murtaugh. Motion carried.

XII. RESOLUTION 2019-33-CM – Appointment to the Wabash River Heritage Corridor Commission:

- Commissioner Brown moved to adopt Resolution 2019-33-CM that reappoints Jim Andrew and alternate Venessa Alstat to the Commission, second by Commissioner Murtaugh. Motion carried.

XIII. APPOINTMENT TO TEMA ADVISORY BOARD

- Commissioner Brown moved to appointment Jim Lewis to the TEMA Board who would represent the northwest part of Tippecanoe County and was the chief of the Wabash Volunteer Fire Department for six year, second by Commissioner Murtaugh. Motion carried.

XIV. LETTER OF ENGAGEMENT – Americus/Buck Creek/Colburn Regional Sewer District

- Commissioner Murtaugh moved to approve the letter of engagement with Eric Burns to be legal counsel for the District, second by Commissioner Brown. Motion carried.

XV. UNFINISHED/NEW BUSINESS

- Commissioner Brown moved to accept the application of Timothy M. Barrett to the Tippecanoe Villa, second by Commissioner Murtaugh. Motion carried.

XVI. REPORTS ON FILE

-Weights & Measures

XVII. PUBLIC COMMENT – None

Commissioner Brown moved to adjourn. President Byers adjourned the meeting.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE



David S. Byers, President



Tracy A. Brown, Vice-President



Thomas P. Murtaugh, Member

ATTEST:



Robert A. Plantenga, Auditor 12/16/2019

Minutes prepared by John Thomas, Recording Secretary