

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**May 5, 2014**

The Tippecanoe County Commissioners met on Monday, May 5 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President Thomas P. Murtaugh, and Commissioner David S. Byers. Also present were Attorney Dave Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

**APPROVAL OF MINUTES**

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held April 21, 2014, second by Commissioner Byers; motion carried.

**PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS and PAYROLL CLAIMS**

- Commissioner Murtaugh moved to approve the accounts payable vouchers for April 22, 23, 24, 25, 28, and 29, May 1, 2, and 5, 2014 and payroll vouchers for April 25, 2014 as submitted without exception, second by Commissioner Byers; motion carried.

**AREA PLAN COMMISSION – Sallie Fahey**

**UZO Amendment #81, Ordinance 2014-04-CM: An amendment to the Unified Zoning Ordinance to make the digital online zoning maps the official zoning maps**

- Commissioner Murtaugh moved to hear UZO Amendment #81, Ordinance 2014-04-CM, second by Commissioner Byers.

April 17, 2014  
 Ref. No.: 14-094

Tippecanoe County Commissioners  
 20 North 3<sup>rd</sup> Street  
 Lafayette, IN 47901

**CERTIFICATION**

**UZO AMENDMENT #81:**

An amendment to the Unified Zoning Ordinance that would make the digital online zoning maps the official zoning maps

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 16, 2014, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,

Sallie Dell Fahey  
 Executive Director

APC Director Fahey stated they are very happy to be in the last stage of making the digital zoning maps the official zoning maps. The Ordinance amendment adds changes to the text in the zoning ordinance, provides the URL for the location of the maps, and provides zone boundaries in any format. Currently, there are three formats to provide for visual disabilities. Also, it provides an update to the digital maps at the end of each month based on which map change ordinances or rezones have been approved by any of the six jurisdictions. The planning commission voted 12-yes, 0-no to recommend approval of the amendment.

Commissioner Murtaugh asked how often the update will occur. Director Fahey said all jurisdictions meet the first or second Monday of the month; the update will occur as soon as possible but no later than the 30<sup>th</sup> of the month. One change will be made each month; there is a working layer in APC, APC GIS staff notifies MITS GIS Administrator Mark Ehle that it is ready to be added online which transfers the new maps to the online version.

President Knochel invited public comment in favor of or opposed to the amendment. There were none.

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2014-04-CM passed 3-0.

**USO Amendment #9, ORDINANCE 2014-05-CM: An amendment to the Unified Subdivision Ordinance to allow up to two parcelizations per parent tract in the Agricultural (A) and Agricultural Wooded (AW) zones in addition to the AA zone currently allowed.**

- Commissioner Murtaugh moved to hear USO Amendment #9, Ordinance 2014-05-CM, second by Commissioner Byers.

April 17, 2014  
Ref. No.: 14-088

Tippecanoe County Commissioners  
20 N. 3<sup>rd</sup> Street  
Lafayette IN 47901

CERTIFICATION

**USO AMENDMENT #9:**

An amendment to the Unified Subdivision Ordinance that would allow up to two parcelizations per parent tract in the Agricultural (A) and Agricultural Wooded (AW) zones in addition to the AA zone where it is currently allowed.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 16, 2014, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to approve the enclosed amendment to the Unified Subdivision Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed subdivision ordinance amendment be approved.

Sincerely,

Sallie Dell Fahey  
Executive Director

Director Fahey said this amendment to the subdivision ordinance would expand the use of the parcelization land division technique. In rural areas, parcelization is the simplest method of dividing land. Staff is allowed to approve the request without the property owner having to go to the plan commission. Currently, parcelization is only permitted in select Agriculture (AA) zones. The request is to expand to include Agriculture (A) and Agricultural Wooded (AW) zones.

President Knochel invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Weston recorded the vote.

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2014-05-CM passed 3-0.

**Subdivision Variance S-4452 Kline South Subdivision (Major Preliminary Plat): A variance to waive the required half-width pavement improvement for the CR 375 S frontage (USO Section 5.3-3b)**

- Commissioner Murtaugh moved to hear Subdivision Variance S-4452 Kline South Subdivision, second by Commissioner Byers.

Director Fahey said the Commissioner's vote and recommendation will go to the Plan Commission when the Plan Commission hears the subdivision. The variance will waive the required half-width pavement improvement for the CR 375 S frontage. The Highway staff determined widening the small stretch of road would not be of benefit to the Highway Department. The Highway Department staff and the Area Plan staff recommend the variance to the Plan Commission.

President Knochel invited public comments in favor of or opposed to Variance S-4452. There were none.

Motion carried.

**Carroll County Traffic Count Contract and Conflict of Interest**

Director Fahey presented a contract with an Independent Contractor to provide traffic counting in Carroll County and also a Conflict of Interest Disclosure Statement. The traffic counting is completed under a small urban renewal planning grant from INDOT. The match is paid by Carroll County. Every year, 60 traffic counts are taken to add to the database for purposes of determining the type of traffic on various roads.

Director Fahey asked the Commissioners to first vote on the Conflict of Interest because the Independent Contractor hired to do the traffic count is her husband, Brian Fahey. This would be the fourth year Mr. Fahey has completed this project. Year one was a contract; years two and three were as a seasonal employee. The Commissioner's preference is to return to the contract. Following a conversation with Attorney Luhman, an exception to nepotism will apply due to the contract payment by the Carroll County Highway Engineer. Attorney Luhman stated the Conflict of Interest Disclosure is complete and meets the

essential requirement that the individual providing the service is not directly or indirectly being supervised by Director Fahey.

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

#### ***HIGHWAY – Opal Kuhl***

#### **Letter of Understanding, Unofficial Local Detour US231 – Indiana Department of Transportation – Bridge Replacement Project**

Highway Director Kuhl presented a Letter of Understanding for an Unofficial Detour, stating that INDOT provides the Letter when the project might affect County roads. They are replacing a bridge on US231, north of US52; the official detour is State Road 18. INDOT will take a video of the County roads. If any damage occurs, INDOT will make the repairs.

- Commissioner Murtaugh moved to approve the Letter of Understanding for the unofficial local detour on US231 as presented, second by Commissioner Byers; motion carried,

#### **Application to Close or Block a Road – Washington Street and Jefferson Street in the Town of West Point, closure for the Lions Club Car Show Event on May 17, 2014, and road closure from 6:00 am to 2:00 pm.**

Director Kuhl presented an application to close a road in West Point. The Lions Club holds a car show every year and requests closure of Washington and Jefferson Streets on May 17, 2014 from 6:00 a.m. to 2:00 p.m.

- Commissioner Murtaugh moved to approve the Application to Close or Block a Road in West Point for the Lions Club Car Show as presented, second by Commissioner Byers; motion carried.

#### **Application to Close or Block a Road – Temporally Impede Traffic Flow, Eagle 5K walk/run Event on May 9, 2014 and Eagle Bike Ride Event on May 10, 2014**

Director Kuhl presented an application to close a road for the Eagle 5K walk/run on May 9, 2014 and Eagle bike ride on May 10, 2014. The event is sponsored by Faith Church. All the paperwork and insurance has been turned in.

- Commissioner Murtaugh moved to approve the Application to Close or Block a Road for the Eagle 5K walk/run on May 9 and the Eagle bike ride on May 10, second by Commissioner Byers; motion carried.

#### **GRANTS – Laurie Wilson**

#### **Permission to Accept Grant**

Grant Facilitator Wilson requested permission to accept a grant in the amount of \$16,979 from the Indiana Department of Correction (DOC) for Juvenile Detention Alternatives Initiative (JDAI) to purchase a juvenile Justice Jeopardy game. They will have a contract with Dr. Aalsma for Adolescent Brain Development Training and sports equipment for the *alternative* basketball teams.

- Commissioner Murtaugh moved to approve the permission to accept the grant for JDAI in the amount of \$16,979 from the Indiana DOC as presented, second by Commissioner Byers; motion carried.

### **Permission to Apply for Grant**

Grant Facilitator Wilson requested permission to apply for a grant in the amount of \$13,620 from the Indiana DOC for JDAI. The grant is for coordination and/or data support to pay for lunches for collaborative meetings, mileage reimbursement for travel for in-state meetings and training, \$8,000 for the DMC Assistant contract, and office supplies. The grant will begin July 1, 2014.

- Commissioner Murtaugh moved to approve permission to apply for the grant from the Indiana DOC for JDAI as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant in the amount of \$27,104 from the Indiana DOC for JDAI Alternative Programming. The grant will pay for audio/video equipment additions for the Intake center, a Train the Trainer training for Runaway Prevention Curriculum, and meals for Policing the Teen Brain training.

- Commissioner Murtaugh moved to approve permission to apply for the grant from the Indiana DOC for JDAI Alternative Programming, second by Commissioner Byers; motion carried.

### **MOU/Contract**

Grant Facilitator Wilson presented a contract for the JDAI grant just approved for Dr. Matt Aalsma for Adolescent Brain Development Training in the amount of \$1,500.

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

Grant Facilitator Wilson presented a contract for the Strategies for Youth Juvenile Justice Jeopardy game in the amount of \$12,500.

- Commissioner Murtaugh moved to approve the contract for juvenile Justice Jeopardy game as presented, second by Commissioner Byers; motion carried.

### ***TREASURER/AUDITOR – Bob Plantenga/Jennifer Weston*** **2014 Tax Sale and Work Plan**

Auditor Weston presented the annual contract outlining the work plan for the 2014 tax sale. Last year, SRI increased the fee to \$75; for 2014, the fee has been reduced back to \$70. The total tax sale fee is \$100 per parcel. The date and time for the sale is September 19<sup>th</sup> at 10:00 a.m.

- Commissioner Murtaugh moved to approve the 2014 tax sale contract with SRI as presented, second by Commissioner Byers; motion carried.

### ***SURVEYOR – Zach Beasley***

Surveyor Beasley requested approval of an agreement between INDOT and Tippecanoe County concerning the Alonzo Taylor regulated drain. The drain is located in the southwest part of Tippecanoe County, at approximately 800 S and SR 25. The existing system crosses under SR 25 in three locations. The Surveyor's office received a petition to reconstruct, approved by the drainage board. The preliminary design proposal will cross under SR 25 in three locations. The agreement is to reimburse the cost of the pipe within the INDOT road right-of-way in the three locations in an amount not to exceed \$36,000. Per Indiana Drainage Code, INDOT has to pay 100% of the cost within the road right-of-way.

- Commissioner Murtaugh moved to approve the agreement with INDOT concerning reconstruction of the Alonzo Taylor Legal Drain as presented, second by Commissioner Byers; motion carried.

***PUBLIC DEFENDER – Amy Hutchison***

**Professional Services Agreement – Jill Salem, Neuropsychologist**

Public Defender Hutchison requested approval of a Professional Services Agreement for Jill Salem, a Neuropsychologist. The County will compensate Contractor at the rate of \$325 per hour, measured in 1/10<sup>th</sup> hour increments.

- Commissioner Murtaugh moved to approve the Professional Services Agreement with Jill Salem as presented, second by Commissioner Byers; motion carried.

**Professional Services Agreement – Home with Hope, Inc.**

Public Defender Hutchison requested approval of a Professional Services Agreement with Home with Hope, a substance abuse halfway house. The County will compensate contractor at the rate of \$250 per hour, measured in 1/10<sup>th</sup> hour increments.

- Commissioner Murtaugh moved to approve the Professional Services Agreement with Home with Hope as presented, second by Commissioner Byers; motion carried.

***SHERIFF – Tracy Brown***

**Sponsorship Agreement for Law Enforcement Memorial Service**

Sheriff Brown presented a Sponsorship Agreement for a Law Enforcement Memorial Service on the Courthouse steps and lawn on Friday, May 16, 2014 at noon as part of Annual Police Week beginning May 11.

- Commissioner Murtaugh moved to approve the Sponsorship Agreement for the Law Enforcement Memorial Service on May 16 as presented, second by Commissioner Byers; motion carried.

**Proclamation – National Correction Officers Week**

Sheriff Brown said this week is National Correction Officers week, beginning May 4. President Knochel, Commissioner Murtaugh and Commissioner Byers read the follow proclamation in recognition of the more than 80 staff members from the Sheriff's Department and Community Corrections Work Release program.

## PROCLAMATION

### CORRECTIONAL OFFICERS' WEEK IN TIPPECANOE COUNTY

**WHEREAS:** May 4 through May 10, 2014 will be declared across the United States of America as "NATIONAL CORRECTIONAL OFFICERS' WEEK"; and

**WHEREAS:** this week has been set aside to recognize our correctional officers for their professionalism, hard work, dedication and efforts in protecting those in their custody and the public's safety;

**WHEREAS:** the corrections profession is one of the most challenging and noble professions one can pursue,

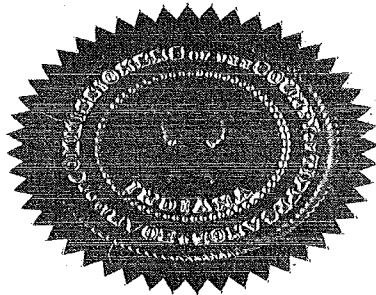
**WHEREAS:** other criminal justice agencies and members of the public are encouraged to acknowledge the important role that corrections officers, both at the Tippecanoe County Jail and Community Corrections facilities, play in the protection and services to the Greater Lafayette Community.

**NOW, THEREFORE,** We, the Board of Commissioners, County of Tippecanoe, do hereby proclaim the week of May 4 - 10, 2014, as

### NATIONAL CORRECTIONAL OFFICERS' WEEK

**And** invite the citizens of Tippecanoe County to share in the thanking of the Tippecanoe County Correctional Officers for the outstanding job they perform on a daily basis in their service to the entire community.

**IN WITNESS WHEREOF,** we have hereunto set our hand and caused the Seal of Tippecanoe County be affixed this 5TH day of MAY, 2014.



  
John Knochel, President

  
Tom Murtaugh, Vice President

  
David Byers, Member

### *SUPERIOR COURT 4 – Judge Gregg Donat*

#### **Sponsorship Agreement for Purdue Aukerman Center/Project Citizen Showcase**

Commissioners' Assistant Cederquist said the request is from Superior Court 4 to host the Purdue Aukerman Center Project Citizen Showcase to be held May 23, 2014 from 5:00 to 8:00 p.m. Courthouse security has been arranged through the Sheriff's Department.

- Commissioner Murtaugh moved to approve the Sponsorship Agreement for Purdue Aukerman Center Project Citizen Showcase as presented, second by Commissioner Byers; motion carried.

***SUPERIOR COURT 6 – Judge Michael Morrissey***  
**Professional Services Agreement for Translator/Interpreter**

The Professional Services Agreement is for Translator/Interpreter Song Seung-Yun. Contractor has specifically requested to volunteer his services to the County and has agreed that he will provide those services at no charge.

- Commissioner Murtaugh moved to approve the Professional Services Agreement between Superior Court 6 and Song Seung-Yun for translation and interpretation services, second by Commissioner Byers; motion carried.

***VILLA – DeAnna Sieber***  
**Professional Services Contract for Residential Care Assistance Programs**

- Commissioner Murtaugh moved to approve the Professional Services Contract for the Archer Program Residential Care Assistance Programs for the Villa, second by Commissioner Byers; motion carried.

***APPOINTMENTS TO COMMON WAGE BOARD***

- Commissioner Murtaugh moved to appoint Frank Cederquist to the Purdue University – West Lafayette Common Wage Board Committee, second by Commissioner Byers; motion carried.
- Commissioner Murtaugh moved to appoint Frank Cederquist to the City of Lafayette Common Wage Board Committee, second by Commissioner Byers; motion carried.

***UNFINISHED/NEW BUSINESS – none***

***REPORTS ON FILE***

The following reports will be on file in the Commissioner's office.

- Crystal Creek Boarding Kennel
- Building Commission
- Central Mail and Duplicating
- Public Library
- Wabash River Heritage Corridor Commission

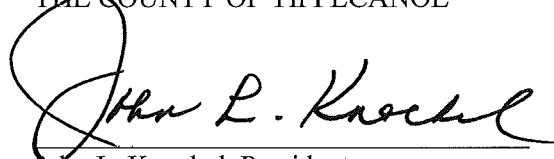
***PUBLIC COMMENT***

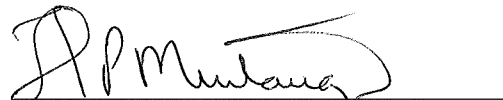
As there were no public comments, Commissioner Murtaugh moved to adjourn.

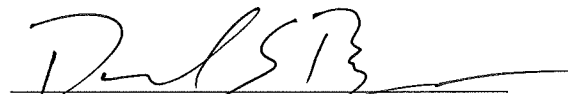
Meeting adjourned at 10:37 a.m.



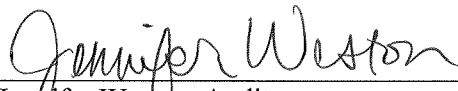
BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

  
John L. Knochel, President

  
Thomas P. Murtaugh, Vice President

  
David S. Byers, Member

ATTEST:

  
Jennifer Weston, Auditor 05/19/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant

