

# Tippecanoe County Board of Commissioners

## Meeting Minutes

Monday, May 3, 2021

10:00 am

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

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

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

- I. **PLEDGE OF ALLEGIANCE** – President Murtaugh called the meeting to order and led the Pledge of Allegiance
- II. **APPROVAL OF MINUTES** from Monday, April 19, 2021.
  - Commissioner Byers moved to approve the minutes as presented, second by Commissioner Brown. Motion carried.
- III. **PRESENTATION OF ACCOUNTS PAYABLE** – Paula Bennett presented and recommended:

The claims from April 21, 2021 through May 3, 2021 were recommended for approval without exception.

  - Commissioner Brown moved to approve the Accounts Payable as presented, second by Commissioner Byers. Motion carried.
- IV. **PRESENTATION OF PAYROLL** – Paula Bennett presented and recommended:

The payroll from April 30, 2021 was recommended for approval without exception.

  - Commissioner Brown moved to approve the Payroll as presented, second by Commissioner Byers. Motion carried.
- V. **AREA PLAN:**

**ORDINANCE 2021-11-CM**, to rezone 32.4 acres of land owned by Tippecanoe Development II, LLC from R1B to R2. The property is located on the east side of Concord Road (CR 250 E), south of Veterans Memorial Parkway in Wea 10 (SE) 22-4.

  - Commissioner Byers moved to consider ORDINANCE 2021-11-CM, second by Commissioner Brown.

Attorney Dan Teder, representing the petitioner, advised that the rezone received a favorable recommendation from the Area Plan Commission. The site is bordered on the north and the east by the Kirkpatrick Ditch, and R3 to the west is Concord Road. This will be one lot, one owner duplex subdivision. The petitioner has had previous success with this type of subdivision in the past. Attorney Teder states that with the cost of materials skyrocketing, he believes this type of housing will be an affordable alternative to single-family homes. The next step for this property would be going through the Subdivision process.

President Murtaugh asked if there was any public comment, and then called for the vote:

  - Auditor Plantenga recorded the vote:

Commissioner Murtaugh	Y
Commissioner Byers	Y
Commissioner Brown	Y

Ordinance 2021-11-CM passed with a vote of 3-0.

**ORDINANCE 2021-09-CM**, to rezone property located on both sides of the Kirkpatrick Legal Drain in two separate areas: the first being south of Veterans Memorial Parkway at the Poland Hill Road Intersection, and the second being from 1000' west of Concord Road, stretching east to CR 450 E, all outside of the corporate limits of the City of Lafayette, in Wea (22-4)

- Commissioner Byers moved to consider ORDINANCE 2021-09-CM, second by Commissioner Brown.

Area Plan Director David Hittle stated the Area Plan Commission is acting as the petitioner for this rezone. This is a rezoning of areas surrounding the Kirkpatrick Legal Drain, south of Veterans Memorial Parkway. This rezone is something that happens every several years. The last time that it took place was in 2016 when the Department of Natural Resources executed a study of the flood plain and then forwarded the results of that study to Area Plan. The Area Plan Commission is working to adjust the flood plain zoning to correspond with the results of that study. There is a companion rezoning that will be addressed by the Lafayette City Council. About ½ of this property is an unincorporated area, and the other half is within the City limits.

President Murtaugh asked if there was any public comment, and then called for the vote:

- Auditor Plantenga recorded the vote:
 

Commissioner Byers	Y
Commissioner Brown	Y
Commissioner Murtaugh	Y

Ordinance 2021-09-CM passed with a vote of 3-0.

**ORDINANCE 2021-10-CM**, to rezone 25.079 acres, owned by Hardebeck Development LLC, from A to RE. This property is located on the north side of CR 900 N, west of SR 43 N in Tippecanoe 4 (SE) 24-4.

- Commissioner Byers moved to consider ORDINANCE 2021-10-CM, second by Commissioner Brown.

Attorney Tyler Ochs, representing the petitioner, stated that this is Phase 2 of a phase that has already been approved, which is Grace Woods Estate. The previous phase was approved in June of 2017. This rezone is for an additional 12-lot proposed expansion from Agricultural to Rural Estate. This rezone received a 16-0 vote in favor from the Area Plan Commission. All the requirements, as the UZO states, have been met. When the petitioner put in Phase One, he did all the infrastructure at one time. There is a private road called Herring Lane that will serve all 24 lots. Each lot has its own perimeter drain that will help with draining.

President Murtaugh asked if there was any public comment, and then called for the vote:

- Auditor Plantenga recorded the vote:
 

Commissioner Brown	Y
Commissioner Murtaugh	Y
Commissioner Byers	Y

Ordinance 2021-10-CM passed with a vote of 3-0.

**VI. HIGHWAY-** Stewart Kline presented and recommended:

- A. The approval of a Performance Bond, with Milestone Contractors LP, in the amount of \$3,954,528, for the Bridge #32 Replacement Contract.
  - Commissioner Brown moved to approve the performance bond as presented, second by Commissioner Byers. Motion carried.
- B. The approval of an Intergovernmental Agreement with the City of West Lafayette, regarding the reconstruction of Lindberg Road, in the amount of \$918,120. This will be made payable in 4 annual payments.

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

C. **Resolution 2021-14-CM**, Authorizing Equipment Lease-Purchase Agreement with Key Government Finance Inc.

Highway Director, Stewart Kline, advised that this resolution is for the 4 Dump Trucks that were bid on previously. The financing for this is 1.21% and a total of \$897,900. There will be five payments made on this agreement, in the amount of \$186,151.02.

- Commissioner Byers moved to approve **RES-2021-14-CM** as presented, second by Commissioner Brown. Motion carried.

D. A Petition for Improvement and Acceptance of Public Highway to accept Byer's Drive, Rose Street, and High Street, in the Town of Romney. This includes resident contributions to improvement of said roads.

- Commissioner Brown moved to approve the petition as presented, second by Commissioner Byers. Motion carried.

E. An application for a Temporary Road Closure permit, from The Sidewalk Café, to close a portion of Monroe Street, in Stockwell, Indiana. This closure will be for a musical event on May 7, 2021.

- Commissioner Byers moved to approve the closure permit as presented, second by Commissioner Brown. Motion carried.

F. An application for a Temporary Road Closure permit, from Vision of Hope, for the Race for Hope 5K /10K run on June 5, 2021.

- Commissioner Brown moved to approve the closure permit as presented, second by Commissioner Byers. Motion carried.

**VII. APS – Pat Harrington presented and recommended:**

**Permission to Accept Grant:**

The Annual APS grant from the State of Indiana, in the amount of \$391,014.46, to fully fund the APS program for 2022.

Commissioner Murtaugh asked what the \$13,000 in emergency funds meant? Prosecutor Harrington advised that there are situations where the APS unit is called out for emergency situations that require the endangered adult be provided funding for hotel expenses, clothing expenses, or emergency medical treatment.

- Commissioner Brown moved to give permission to accept as presented, second by Commissioner Byers. Motion carried.

**VIII. COMMUNITY CORRECTIONS – Jason Huber presented and recommended:**

A. An approval of the amended 2021 award letter for the Community Corrections and Justice Reinvestment Grant. This is a continuation of the current Community Corrections Grant.

- Commissioner Byers moved to approve the continuation of grant as presented, second by Commissioner Brown. Motion carried.

B. The creation of a new Full-Time Correctional Officer Position. This position would be paid through the Prison Rape Elimination Act (PREA) Grant, which lasts through December 2022. After December 2022, the position would be reevaluated for either another funding source or brought before the Commissioners and Council for approval.

- Commissioner Byers moved to approve the creation of the new position as presented, second by Commissioner Brown. Motion carried.

Director Huber noted that this is National Corrections Officer week, and he wanted to say thank you to the Community Corrections staff and the staff at the Jail. He acknowledges the first responders and the extremely difficult job they do behind the scenes.

**IX. ORDINANCE 2021-08-CM, Establishing the ARP Grant Fund (2<sup>nd</sup> Reading) – Doug Masson presented and recommended:**

- Commissioner Byers moved to consider ORDINANCE 2021-08-CM, second by Commissioner Brown.

Attorney Masson advised that this ordinance creates a fund to receive the Federal American Rescue Plan Distributions. This ordinance puts restrictions on the use of that fund that tracks the Federal requirements. The funds can be used to assist businesses or industries that have been affected by COVID-19. These businesses or industries can use these funds to supplement the payment to workers performing essential work during COVID-19. Additional uses for the funds are; replacing revenues lost to the County due to COVID, or to make necessary investments in water, sewer, or broadband infrastructure. The ordinance also directs the County to establish a plan for using the money, which is required by Federal Law.

President Murtaugh asked if there was any public comment, and then called for the vote:

- Auditor Plantenga recorded the vote:

Commissioner Murtaugh	Y
Commissioner Byers	Y
Commissioner Brown	Y

Ordinance 2021-08-CM passed with a vote of 3-0, on second reading.

**X. RESOLUTION 2021-13-CM, Public Safety Lease Payment Fund- Doug Masson presented:**

Attorney Masson advised that this Resolution creates a fund to receive the tax payments that will pay the lease payment for the Public Safety improvements at the Jail and Community Corrections.

- Commissioner Byers moved to RES-2021-13-CM as presented, second by Commissioner Brown. Motion carried.

**XI. 2022 SALARY CONSIDERATIONS – David Byers presented:**

Auditor Plantenga submitted 2022 Salary considerations at the April 19<sup>th</sup>, 2021 Commissioner meeting, which the Commissioners took under advisement. Auditor Plantenga submitted several different scenarios, for a 3% up to a 6% raise for 2022. In 2021 the Commissioner's did not recommend a pay raise due to the COVID-19 Pandemic. After seeing the financial impact spreadsheet provided by the Auditor, it is Commissioner Byers understanding that the County will be in a stable financial situation for 2022 and be able to handle a pay raise. He recommends that the Commissioner's make a 6% raise to all county employees for 2022, to the County Council.

- Commissioner Byers moved to recommend the 2022 salary consideration as presented, second by Commissioner Brown. Motion carried.

Commissioner Byers stated that there was a committee that met and discussed Elected Officials Pay. The previous standard was that the Assessor, Auditor, Clerk, Recorder, and Treasurer, were all paid the same amount. The recommendation coming back from the committee is that the Assessor, Recorder, Treasurer, and Clerk pay would stay as a unit of the base salary. It is recommended that the Auditor get a \$4,000 increase to their base salary. It is recommended that all Chief Deputies be moved to an 80% base salary from their respective Elected Official and keeping the Commissioner's at 90% compared to the other

Elected Officials. It is recommended that the Council be moved to 25% from the base salary. At the current recommended time, the Coroner, Surveyor, and the Sheriff would stay at their current salary. The understanding is that the Sheriff's pay could change depending on population growth.

Commissioner Murtaugh asked what the current percentage was for the Chief Deputies? Commissioner Byers advised that the current percentage rate is 75%. Commissioner Byers also advised that there is a discussion about freezing the Recorder's Salary for three to four years until their base salary equals what the Commissioner's are paid, and then it would be 90% of what the other Elected Officials are paid.

The Elected Official's salary recommendations are based on information provided in the AIC Fact Book, which includes salaries of Elected Officials in other Indiana Counties, for comparison purposes.

**XII. RESOLUTION 2021-15-CM**, Authorizing Agreements for Print Services Purchases and Financing - Max Walling presented and recommended:

Attorney Masson advised that this Resolution authorizes signature of the finance agreement with U.S. Bank, and sales purchase agreement through Sharp Business Services. The total lease payment is \$278,701.21. Payments will be \$5,298.11 a month for 5 years, totaling 60 payments.

Commissioner Murtaugh asked how the new payment compares to the current payment we are making now? Max Walling advised that the current annual payment is \$150,000 for a total of \$750,000. The specific hardware portion was \$7,500 per month for a duration of 5 years; the new contract amount will be \$5,163.00, which will be a monthly decrease of about \$2,400. After some additional adjustments to equipment and contract expenses, there may be some additional decreases to the overall amount of the contract.

- Commissioner Brown moved to approve RES-2021-15-CM as presented, second by Commissioner Byers. Motion carried.

**XIII. CREATION OF NEW POSITIONS / DOIT** – Kent Kroft presented:

A. The creation of a Service Desk technician to help process help desk tickets. In 2003 there were 350 seat licenses for desktop computers currently, there are about 827 licenses. Since 2003, there have only been 3 Service Desk Technicians to assist with IT-related service calls. The Help desk is averaging 7,000 help desk tickets a year. Due to changes in and variety of software serviced by MITS, there is now a need for additional support. This request is to add the position for the 2021 budget.

- Commissioner Byers moved to approve the new Service Desk Technician position as presented, second by Commissioner Brown. Motion carried.

B. The creation of a Unified Communications Engineer position for 2021. This position will be responsible for the new phone system, audio/visual systems in the county buildings and Courthouse and serving as a backup to the Network Administrator.

- Commissioner Byers moved to approve the new Unified Communications Engineer position as presented, second by Commissioner Brown. Motion carried.

**XIV. YOUTH SERVICES** – Rebecca Humphrey presented:

An addendum to the contract with Dr. Ascough to increase his pay for the psychological evaluations he performs. The average rate per evaluation is \$3,700. The agreement between Dr. Ascough and Youth Services is to increase his rate to \$2,000 per evaluation, which works with the Youth Services budget.

- Commissioner Brown moved to approve the contract addendum as presented, second by Commissioner Byers. Motion carried.

**XV. FAIRGROUNDS-** Andy Cline presented:

Attorney Masson recommends that the Commissioners approve Forms of Agreement that the Fairgrounds Marketing Director can use to contract with interested parties. Also, there is a Fee Schedule that would authorize the Director to rent out the facility at the preset rates.

The forms needing approval are:

- a) An Application agreement, if a person is interested in renting the facility, that includes rates and policies and procedures,
- b) A Rental agreement for when an individual is ready to rent the facility,
- c) An Equipment Rental Vendor application, for individuals who want to supply equipment to the Fairgrounds for other people's events,
- d) A Catering Food Service agreement for individuals who want to provide catering and supply food for Fairgrounds events.
- e) And a Venue Rental Grid, which lays out the various pieces of the Fairgrounds facilities that can be rented.

The concept on the equipment and catering agreements would be to have a list of multiple vendors, who would be pre-cleared by the County, for interested parties to pick from for event services.

Andy Cline, Fairgrounds Director, advised that they have had a great response to the new facility and interest in renting the facilities. If the forms are approved, they will start sending them out to interested parties today.

- Commissioner Byers moved to approve the agreements and fee schedules as presented, second by Commissioner Brown. Motion carried.

**XVI. GRANTS –** Sharon Hutchison presented and recommended:**Permission to Apply for Grants:**

- A. Resolution 2021-12-CM, Authorizing Application of Section 5311/5339 Federal Transit Act Grant.  
This is for Rural Transportation to obtain INDOT funding 5311 Transportation Grant with Area IV Agency for the upcoming 2022 fiscal year.
  - Commissioner Brown moved to approve RES 2021-12-CM as presented, second by Commissioner Byers. Motion carried.
- B. For the Health Department from NACCHO 2021 Medical Reserve Corps Operational Readiness Tier 1, in the amount of \$5,000. This is to build MRC Response capabilities.
  - Commissioner Byers moved to approve applying for the grant as presented, second by Commissioner Brown. Motion carried.

**Permission to Accept Grant Funds:**

- A. For Area Plan Commission, from the Indiana Department of Homeland Security, in the amount of \$19,457 and a 25% Match from the County of \$6,486, to assist with the Pre-Disaster Mitigation Program. These funds will cover the contract with the Polis Center to assist in creating the GIS maps and documentation for the County Multi-Hazardous Mitigation Plan.
  - Commissioner Brown moved to accept the grant as presented, second by Commissioner Byers. Motion carried.
- B. For the Health Department, from North Central Health Services, in the amount of \$7,000, to assist with the Fetal Infant Mortality Review project thru September 2021.
  - Commissioner Byers moved to accept the grant as presented, second by Commissioner Brown. Motion carried.

**XVII. CHANGE ORDERS**

**Tippecanoe County Courtroom**

Change order #1 with New Concept, for a deduct of \$2,668, for an unused flooring allowance.

- Commissioner Brown moved to approve the change order as presented, second by Commissioner Byers. Motion carried.

**Tippecanoe County Central Offices**

Change order #2 with Huston Electric, Inc., in the amount of \$1,467, to add one exterior light fixture on the north west corner of the racquetball court for coverage over the cul-de-sac.

- Commissioner Brown moved to approve the change order as presented, second by Commissioner Byers. Motion carried.

**Fairgrounds**

Change order #2 with Bill Lawrence Company, in the amount of \$3,865.50, to provide additional paint on structural steel in Area D.

- Commissioner Byers moved to approve the change order as presented, second by Commissioner Brown. Motion carried.

**XVIII. REPORTS ON FILE**

- Area IV Rural Transportation Transit Report
- Tippecanoe County Building Commission

**XIX. UNFINISHED/NEW BUSINESS – None**

**XX. PUBLIC COMMENT**

Commissioner Murtaugh advised that there would be a rededication ceremony of the Courthouse Bison today in front of the Courthouse at 11:00 am. He advised everyone was welcome to attend the ceremony.

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

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

\_\_\_\_\_  
Thomas P. Murtaugh, President

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David S. Byers, Vice-President

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Tracy Brown, Member

ATTEST:

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Robert A Plantenga, Auditor      05/17/2021

Minutes prepared by Jennifer Wafford, Recording Secretary