

# Tippecanoe County Board of Commissioners

## Meeting Minutes

Monday, February 6, 2023

10:00 am

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

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

Also present: Attorney Doug Masson, Auditor Jennifer Weston, Commissioners' Assistant Paula Bennett, and Recording Secretary Samantha Perez.

- I. **PLEDGE OF ALLEGIANCE** – President Brown called the meeting to order and led the Pledge of Allegiance
  
- II. **APPROVAL OF MINUTES** from January 13, 2023, and regular meeting January 17, 2023
  - Commissioner Murtaugh moved to approve both sets of minutes as presented, second by Commissioner Byers. Motion carried.
  
- III. **PRESENTATION OF ACCOUNTS PAYABLE** – Paula Bennett presented and recommended:

The claims from January 18, 2023, through February 6, 2023, were recommended for approval without exception.

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

The payroll from January 20, 2023, and February 3, 2023, was recommended for approval without exception.

  - Commissioner Byers moved to approve both sets of payroll as presented, second by Commissioner Murtaugh. Motion carried.
  
- V. **HIGHWAY** – Stewart Kline presented and recommended:
  - A. Opening of Bids for the 450 S Project - Reconstruction of 450 S / 500 E at US 52  
Tippecanoe County Attorney Doug Masson opened the following bids:
    1. White Construction

Base Bid	\$ 9,655,000.00
Alternate 1	\$ 56,975.00
Alternate 2	\$ 840,800.00
Alternate 3	\$ 236,400.00
  
    2. Milestone Contractors

Base Bid	\$ 9,273,679.00
Alternate 1	\$ 56,975.00

Alternate 2	\$ 1,492,420.00
Alternate 3	\$ 1,576,000.00

3. Atlas Excavating	
Base Bid	\$ 9,931,444.00
Alternate 1	\$ 56,975.00
Alternate 2	\$ 1,418,850.00
Alternate 3	\$ 1,497,200.00

- Commissioner Murtaugh moved to take the bids under advisement, second by Commissioner Byers. Motion carried.

B. Tippecanoe County Comm-Federated Publications Escrow Letter  
 Relinquish of interest in escrowed funds for 500 E improvements.  
 Stewart Kline stated First Merchants Private Wealth Advisors holds an escrow account of a little over \$5,000 for improvements on 500 E.  
 Attorney Doug Masson stated the escrow agreement has contingencies the county can never satisfy due to no longer owning the land.

- Commissioner Byers moved to approve the escrow letter as presented, second by Commissioner Murtaugh. Motion carried.

**VI. AREA PLAN** – David Hittle presented and recommended:

**ORDINANCE 2023-03-CM**, UZO Amendment #109 - would create new standards and requirements for Agricultural Rental Halls that require a special exception.

- Commissioner Byers moved to consider ORDINANCE 2023-03-CM, second by Commissioner Murtaugh.

David Hittle, APC Executive Director, advised this is to add additional standards and minimum requirements for Agricultural Rental Halls also known as Party Barns. The minimum requirements include at least 1,000 feet of space between the facility and the next residence, no outdoor amplified music except for ceremonial or processional music, limited hours of operation and limited number of guests, and in certain cases a buffer yard.

Commissioner Byers asked if all the current party barns without the 1,000-foot separation are in violation and Mr. Hittle responded that they would be legal non-conforming, but they are not of out of compliance with the ordinance. Moving forward if they wanted to expand, they would need a special exception and a variance from the minimum separation requirement. Commissioner Byers asked what happens if the owner sells a party barn and Mr. Hittle stated the special exception runs with the land and can change ownership.

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

- Auditor Weston recorded the vote:
 

Commissioner Byers	Y
Commissioner Murtaugh	Y
Commissioner Brown	Y

Ordinance 2023-03-CM passed with a vote of 3-0.

**ORDINANCE 2023-04-CM**, Z-2870 APC Rezone of Stockwell  
 Area Plan Commission is requesting a rezone of 17 properties within the unincorporated town of Stockwell based on recommendations made by the adopted Stockwell Land Use Plan.

- Commissioner Byers moved to consider ORDINANCE 2023-04-CM, second by Commissioner Murtaugh.

David Hittle, APC Executive Director, advised this is a set of corrective rezonings supported by the Stockwell residents. Residential areas and downtown areas would be rezoned. This does not include any rezoning around the perimeter of the town which is in accord with the town's wishes to keep some areas agricultural.

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

- Auditor Weston recorded the vote:
 

Commissioner Murtaugh	Y
Commissioner Brown	Y
Commissioner Byers	Y
- Ordinance 2023-04-CM passed with a vote of 3-0.

**VII. AUDITOR** - Jennifer Weston presented:

A Continuing Disclosure Agreement with Financial Solutions Group Inc. for 2023. This is regarding the Fairground's bonds that were issued, and Financial Solutions Group continues to maintain the disclosure requirements. This is not to exceed \$3,000.

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

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

Request of Three (3) DOC Grant Funded Positions:

- Case Manager Assistant Coordinator – 100% DOC Grant Funded
- Work Release Assistant Coordinator – 100% DOC Grant Funded
- Corrections Officer – 60% Grant Funded 40% funded through User Fees

Commissioner Murtaugh asked if these positions are in line with the grant funding period and Jason Huber stated the grant timeline changed to calendar year.

- Commissioner Murtaugh moved to approve creating three new positions as presented, second by Commissioner Byers. Motion carried.

**IX. DOIT** – Cinde Shockey presented and recommended:

A contract with SHARP to purchase two new copiers for the extension added at Community Corrections. The monthly maintenance will be paid out of DOIT funds through the end of the year.

Commissioner Murtaugh stated we have a SHARP contract for the Sheriff's Department and Cinde clarified that the Sheriff will purchase and maintain their own contract and equipment and DOIT will purchase and maintain Community Correction's copiers and the two contracts will separate maintenance costs.

- Commissioner Murtaugh moved to approve the Community Corrections portion of the contract as presented, second by Commissioner Byers. Motion carried.
- Commissioner Murtaugh moved to approve the Sheriff department portion of the contract as presented, second by Commissioner Byers. Motion carried.

**X. HUMAN RESOURCES** – Sadie McKinley presented and recommended:

## A. Position Modifications for County Highway Department:

## 1. Eliminate “District Drag Man” (LTC III)

- Only utilize current “Truck Driver” description (LTC III)

## 2. Eliminate “Sign and Paint Foreman” (LTC V)

- Only utilize current “Foreman” description (LTC V)

- Commissioner Byers moved to eliminate and utilize the job titles as presented, second by Commissioner Murtaugh. Motion carried.

## 3. Create Program Engineer Position. Classification completed by WIS as (Exec I)

Commissioner Byers stated this position would allow for more in house engineering work and reduce costs for outside vendors.

- Commissioner Murtaugh moved to approve creating a new position as presented, second by Commissioner Byers. Motion carried.

## B. Position Reclassification of Community Health Case Manager

## 1. Currently COMOT III, recommended COMOT IV

Sadie stated this was a new position added last year and the reclassification comes from added certifications needed for the position.

- Commissioner Byers moved to approve reclassifying the position as presented, second by Commissioner Murtaugh. Motion carried.

**XI. PROSECUTOR** – Patrick Harrington presented and recommended:

A new position within the Prosecutor’s office for a fulltime PAT III to serve as an Application/System Support Specialist to assist with 75 plus computer laptops and 21 plus different software platforms.

President Brown thanked Pat Harrington for working with the IT department to bring this forward. Commissioner Murtaugh asked if this position was in the 2023 budget and Pat stated yes, it is to be formally approved this year.

- Commissioner Byers moved to approve the position as presented, second by Commissioner Murtaugh. Motion carried.

**XII. PUBLIC DEFENDER** – Amy Hutchinson presented:

Title IV-E Cost Recovery Contract for reimbursement for CHINS and TPRSCAN.

Amy Hutchinson stated last year (2 quarters) the office received around \$13,600 for CHINS and TPR cases and the County’s requirement is to keep track of how the funds are spent.

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

**XIII. SHERIFF** – Bob Goldsmith presented and recommended:

An Agreement with Flock Safety and Additional Terms and Conditions.

Bob Goldsmith stated this is the agreement to start the camera project.

Attorney Doug Masson stated the signature line is for the Sheriff but wanted the contract presented at the meeting for record keeping purposes.

- Commissioner Murtaugh moved to approve the Sheriff’s signature for the contract as presented, second by Commissioner Byers. Motion carried.

**XIV. ORDINANCE 2023-02-CM: AMENDING THE TIPPECANOE COUNTY STORMWATER MANAGEMENT ORDINANCE - SECOND READING –**

- Commissioner Byers moved to consider ORDINANCE 2023-02-CM, second by Commissioner Murtaugh.

County Surveyor Zach Beasley stated this went to the Drainage Board and Commissioner’s last meeting for first reading.

Commissioner Murtaugh asked if there was additional feedback after the last meeting and Zach stated there was not.

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

Auditor Weston recorded the vote:

Commissioner Murtaugh	Y
Commissioner Byers	Y
Commissioner Brown	Y

Ordinance 2023-02-CM passed with a vote of 3-0 on second reading.

**XV. TIPPECANOE VILLA – Commissioner Byers presented:**

Commissioner Byers presented contracts for projects at the Villa:

1. Big Ben Builder, Inc
2. Brand Electric, Inc

Commissioner Byers stated the projects are currently underway. The new nurse’s station is almost finished, and the kitchen portion is being started today.

- Commissioner Byers moved to award the bids as presented, second by Commissioner Murtaugh. Motion carried.

**XVI. INTERLOCAL AGREEMENT CONCERNING SPAY AND NEUTER SERVICES –**

Commissioner Murtaugh presented and recommended:

An Interlocal Agreement with the City of Lafayette, City of West Lafayette, and Tippecanoe County Concerning Spay and Neuter Services with Four Precious Paws Low Cost Spay and Neuter Clinic Inc.

Commissioner Murtaugh stated the three entities have agreed to help with the Clinic’s rental costs. For the first year an amount not to exceed \$48,000, for the second year an amount not to exceed \$36,000, for the third year an amount not to exceed \$24,000. The subsidy payments shall be shared as follows:

Lafayette	50% of Subsidy Payment
West Lafayette	10% of Subsidy Payment
County	40% of Subsidy Payment

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

**XVII. MEIJER OPIOD SETTLEMENT PARTICIPATION AGREEMENT**

Attorney Doug Masson stated this is a participation agreement that has been recommended to the County by the National Opioid Council on class actions. Tippecanoe County's share is a gross of \$750,000, attorney fees to the Opioid Council \$131,250, and \$56,750 is held for a common benefit fund so the net to the County would be \$562,500.00.

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

**XVIII. GREATER LAFAYETTE CLIMATE ACTION PLAN – PRESENTATION –** Maithilee Das Lappin presented:

The Greater Lafayette Climate Action Plan and discussed the following main points:

Maithilee stated this is a project two years in the making and is a very community driven plan. Some technical studies that were conducted: a Greenhouse Gas Inventory, Equity and Vulnerability studies, the Hoosier Resilience Index Assessment, and a Tree Canopy Assessment. All the data collected helped create four focus areas for the plan which include energy use, transportation, agriculture and forestry and the County is in the green in this area, lastly is water and solid waste. Due to this action plan being heavily driven by the community, multiple surveys were administered and from those surveys the following topics are the biggest concerns increase in wet weather events, air quality impacts, availability of clean drinking water, and equity vulnerability. At the end of 2022 Google came out with a yearend summary report and climate change was a term that was most googled in the Greater Lafayette area than any other region in the county.

President Brown thanked Maithilee and all entities involved for their efforts.

**XIX. APPOINTMENTS TO THE BOARD OF HEALTH**

President Brown stated there are two recent resignations with the Board of Health Dr. Thomas Padgett and Thometra Foster. They were both recognized for their service at the Board of Health meeting. Dr. Natalia Rodriguez a Doctor of Public Health from Purdue University and Monica Keys a local nurse practitioner was appointed to the board positions.

Commissioner Murtaugh asked if they would be staggered in terms and President Brown asked Dr. Loomis to clarify.

Dr. Loomis stated Dr. Natalia Rodriguez will serve the four-year position and Monica Keys will serve the remaining one-year term which is the three-year position.

- Commissioner Murtaugh moved to approve the replacement of Dr. Padgett with Dr Rodriguez as presented, second by Commissioner Byers. Motion carried.
- Commissioner Murtaugh moved to approve the replacement of Thometra Foster with Monica Keys as presented, second by Commissioner Byers. Motion carried.

**XX. GRANTS –** Sharon Hutchison presented and recommended:**Permission to Accept Grant Funds:**

A. For the Parks Department, from the Department of Interior – Partners for Fish and Wildlife, in the amount of \$15,000, to restore nesting and foraging habitats and for the benefit of habitat improvement project to control non-native invasive brush at Ross Camp.

- Commissioner Byers moved to accept the grant as presented, second by Commissioner Murtaugh. Motion carried.

B. For the Sheriff's Department, in the amount of \$124,800, to assist with the purchase of new Body Cameras for the deputies in 2023. The match will cover additional storage and necessary licenses.

- Commissioner Byers moved to accept the grant as presented, second by Commissioner Murtaugh. Motion carried.

**XXI. REPORTS ON FILE**

- Central Mail, Accounts Payable, and Duplications December 2022 Report & Annual Report
- Clerk's Office December 2022 Report
- Building Commission January 2023 Report

**XXII. UNFINISHED/NEW BUSINESS**

- None

**XXIII. PUBLIC COMMENT**

- None

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

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

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Tracy A. Brown, President

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Thomas P. Murtaugh, Vice-President

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David S. Byers, Member

ATTEST:

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Jennifer Weston, Auditor      02/20/2023

Minutes prepared by Samantha Perez, Recording Secretary