

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
*January 5, 2015*

The Tippecanoe County Commissioners met on Monday, January 5, 2015 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: Vice President Thomas P. Murtaugh, and Commissioner David S. Byers. Also present were Attorney Doug Masson, Auditor Bob Plantenga, Commissioners' Assistant Paula Bennett, and Recording Secretary Tillie Hennigar. Commissioner Tracy Brown was absent.

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

***ELECTION OF OFFICERS***

Attorney Masson stated the Offices of President and Vice President for 2015 need to be filled by election and opened the floor for the nomination of the Office of President of the Board of Commissioners.

- Commissioner Byers moved to nominate Tom Murtaugh for the office of President, second by Commissioner Murtaugh; motion carried.

President Murtaugh opened the floor for the nomination of the Office of Vice President of the Board of Commissioners.

- President Murtaugh moved to nominate Dave Byers for the office of Vice President, second by Commissioner Byers; motion carried.

***RESOLUTION 2015-01-CM – ESTABLISHING REGULAR MEETING DATES***

President Murtaugh stated the Board of Commissioners meeting will continue as the first and third Monday of each month with the exception of the second meeting in January and the first meeting in September, due to holidays. The January meeting will be held on Tuesday, January 20; the September meeting will be held on Tuesday, September 8. Also, a year-end meeting for final claims and payroll will be held on Tuesday, December 29.

<b>Board of Commissioners' Meetings 2015</b>			
Day of Week	Month	Date	Time
Monday	January	5	10:00 AM
Tuesday	January	20	10:00 AM
Monday	February	2	10:00 AM
Monday	February	16	10:00 AM
Monday	March	2	10:00 AM
Monday	March	16	10:00 AM
Monday	April	6	10:00 AM
Monday	April	20	10:00 AM
Monday	May	4	10:00 AM
Monday	May	18	10:00 AM
Monday	June	1	10:00 AM
Monday	June	15	10:00 AM
Monday	July	6	10:00 AM
Monday	July	20	10:00 AM
Monday	August	3	10:00 AM
Monday	August	17	10:00 AM
Tuesday	September	8	10:00 AM
Monday	September	21	10:00 AM
Monday	October	5	10:00 AM
Monday	October	19	10:00 AM
Monday	November	2	10:00 AM
Monday	November	16	10:00 AM
Monday	December	7	10:00 AM
Monday	December	21	10:00 AM
Tuesday	December	29	10:00 AM

Other meetings scheduled as needed.

- Commissioner Byers moved to approve Resolution 2015-01-CM Establishing Meeting Dates as presented, second by President Murtaugh; motion carried.

**RESOLUTION 2015-02-CM – DEPARTMENT HEAD APPOINTMENTS**

President Murtaugh read the list of Department Head Appointments.

Appointments to Positions	
Name	Position/Title
Michael Wolf	Building Commissioner
Rebecca Humphrey	Youth Services Director
Paula Bennett	Commissioners' Assistant
Shirley Mennen	Human Resources Director
Jeff Johnson	Fairgrounds Property Manager
Opal Kuhl	Highway Executive Director
Michael Spencer	Assistant Highway Executive Director
Ed Ward	Highway Supervisor
David Sturgeon	Chief Information Officer
DeAnna Sieber	Tippecanoe Villa Director
Randall Fairchild	Veteran Services Officer
Patrick Scowden	Weights & Measures Director
Tony Dildine	Maintenance Executive Director
David Heath	Community Corrections Executive Director
William "Smokey" Anderson	Emergency Management Executive Director

- Commissioner Byers moved to approve Resolution 2015-02-CM Department Head Appointments as presented, second by President Murtaugh; motion carried.

**RESOLUTION 2015-03-CM – APPOINTMENTS TO VARIOUS BOARDS, COUNCILS, COMMISSIONS, AND OTHER BODIES**

President Murtaugh read the list of Appointments to Boards, Councils, Commissions, and Other Bodies noting there would be a third appointment to Property Tax Assessment Board of Appeals.

Board of Zoning Appeals	Steve Schreckengast
Alcohol & Tobacco Commission	William Bogan
Convention Visitor Bureau	Becky Barnes Christy Kuntz
Local Environmental Response Funding	Zachary Beasley
Tippe Co Animal Disease Control Coord	Marianne Ash
Board of Health	Thomas Padgett, MD
Human Relations Commission	Rene Cleste Carolyn Johnson
Property Tax Assessment Board of Appeals	Cheryl Butcher <sup>d</sup> Eleanor Mlynarik <sup>i</sup>
Board of Operating Company for Battle Ground Golf Course	Rick Oliver
Tippecanoe County Governmental Building Corp	Jerome Withered Michael Wilson Jay Reynolds Diane Windler Nate Barrett Steve Schreckengast
Phase II Stormwater	Zachary Beasley-Team Member Dale Snipes-Alternate
Tippecanoe County Redevelopment Commission	Jim Andrew Bill Price Bart Burrell
Public Defender Commission	Jeff Kemper
District Planning Council for Indiana Homeland Security District 4	Jeff Houston

- Commissioner Byers moved to approve Resolution 2015-03-CM Appointments to Boards, Councils, Commissioners, and Other Bodies as presented, second by President Murtaugh; motion carried.

**RESOLUTION 2015-04-CM – MODIFYING THE ECONOMIC DEVELOPMENT INCOME TAX (EDIT) CAPITAL IMPROVEMENT PLAN**

Attorney Masson said the Resolution is the annual amendment to the EDIT Capital Improvement Plan which sets forth the various projects funded by EDIT. The Resolution adds several new projects and specifies funding for existing projects. The new projects are: Number 82, Memorial Island Project at Columbia Park; Number 83, Bicentennial of Indiana in 2016; Number 84, Jail Cell Project for repair and replacement; Number 85, Parking Garage Equipment; Number 86, P25 Project for the purchasing/upgrading of emergency radios to P25 digital radios; and Number 87, Bridge Infrastructure and Improvements. Funding will be provided in 2015 for the following existing and new projects:

Name	Project Number	Amount
Corner Markers	#3	248,301
Ambulances	#4	100,000
Graphical Information System (GIS)	#6	226,634
Warning Sirens (Emergency Management)	#7	20,000
Information Technology Hardware and Software	#10	1,062,556
L-WL EDC (formerly Greater Lafayette Progress, Inc.	#19	100,000
General Drain Improvements/Stormwater Assessment	#20	1,000,000
Parking Garage	#24	511,200
Grant Coordinator	#38	68,544
Grant Contingency Fund	#40	10,000
Economic Development Professional Services	#46	321,500
Wabash River Corridor Enhancement Enabling Funds	#49	30,000
Economic Development Travel & Training	#50	7,500
County Employee Training Certification	#51	5,000
Cary Home Improvements	#58	500,000
Emergency Management Storage Facilities	#66	1,250,000
Highway Infrastructure Improvements	#69	1,000,000
Riggs Community Healthcare Clinic	#77	33,000
Vehicle Purchasing	#80	210,000
Intersection Connection	#81	200,000
Memorial Island	#82	200,000
Bicentennial	#83	10,000
Jail Cell	#84	1,000,000
Parking Garage Equipment	#85	100,000
P25	#86	92,500
Bridge Infrastructure Improvements	#87	1,000,000

- Commissioner Byers moved to approve Resolution 2015-04-CM Modifying the Economic Development Income Tax Capital Improvement Plan as presented, second by President Murtaugh; motion carried.

***RESOLUTION 2015-05-CM – AMENDING THE CUMULATIVE CAPITAL TAX IMPROVEMENT PLAN***

Attorney Masson said Resolution 2015-05-CM is a similar provision to the previous one, adding new project HHH Capital Outlay Expenditures for the Calendar Year 2015. Additional funding is provided for existing projects OO, HH, T, and YY.

<u>Name</u>	<u>Project Number</u>	<u>Amount</u>
Copier Leases	OO	\$150,000
Grant Contingency	HH	7,500
Capital Outlay - Information Services Computer Hardware & Software	T	295,496
Annual Building Repair & Maintenance Funds: TCOB, Courthouse & 629 N. 6 <sup>th</sup> Street	YY	222,574

- Commissioner Byers moved to approve Resolution 2015-05-CM Amending the Cumulative Capital Tax Improvement Plan as presented, second by President Murtaugh; motion carried.

***COMMISSIONERS' ASSIGNMENTS TO VARIOUS BOARDS, COUNCILS, AND COMMISSIONS***

President Murtaugh read the list of Commissioners' Assignments for 2015.

Commissioners Assignments to Various Boards, Councils and Commissions For Calendar Year 2015		
David Byers	Tom Murtaugh	Tracy Brown
Court Services Advisory Board	Area Plan Commission	Drainage Board
TERF Board	Drainage Board	Area Plan Commission
Convention & Visitors Bureau	Cary Home Advisory Board	T C Solid Waste District
Drainage Board	Redevelopment Commission	MITS Advisory Board
Human Resource Committee	Joint Purchasing Committee	TEMA
Lafayette Housing Consortium	Wabash River Enhancement Corp	Solid Waste Advisory Board
T C Solid Waste District	T C Solid Waste District	LEPC
Community Corrections Advisory Board	Child Protective Team	

***CONTRACT FOR ATTORNEY***

President Murtaugh said the Attorney contract with Hoffman, Luhman & Masson is the same rate as the previous year.

- Commissioner Byers moved to approve the Attorney contract with Hoffman, Luhman & Masson as presented, second by President Murtaugh; motion carried.

***APPROVAL OF MINUTES – DECEMBER 30, 2014***

- Commissioner Byers moved to approve the minutes of the regular meeting held December 30, 2014, second by President Murtaugh; motion carried.


### **PRESENTATION OF PAYROLL**

- Commissioner Byers moved to approve payroll for January 2, 2015 as submitted, second by President Murtaugh; motion carried.

### **AREA PLAN – Sallie Fahey**

**ORDINANCE 2015-01-CM - Z-2593 E & A Hospitality LLC (The Whittaker Planned Development) (R1 to PDMX):** Petitioner is requesting rezoning of approximately 25 acres for a multi-use, multi-phase project that includes an inn with a maximum of 18 guestrooms with an event space for up to 40 persons, an additional event space for up to 50 persons and a single-family detached caretaker's residence. The property is located to the northwest of the intersection of CR 500 N and CR 50 W, Tippecanoe 30 (NW) 24-4.

- Commissioner Byers moved to hear Ordinance 2015-01-CM, E & A Hospitality LLC from R1 to PDMX, second by President Murtaugh.

<p>December 18, 2014 Ref. No.: 14-333</p> <p>Tippecanoe County Commissioners 20 North 3<sup>rd</sup> Street Lafayette, IN 47901</p> <p style="text-align: center;"><b>CERTIFICATION</b></p> <p>RE: <b>Z-2593--E &amp; A HOSPITALITY, LLC (The Whittaker Planned Development) (R1 to PDMX):</b> Petitioner is requesting rezoning of approximately 25 acres for a multi-use, multi-phase project that includes an 18-guestroom Inn with an event space for up to 40 persons, an additional event space for up to 50 persons and a single-family detached caretaker's residence. The property is located to the northwest of the intersection of CR 500 N and CR 50 W, Tippecanoe 30 (NW) 24-4.</p> <p>Dear Commissioners:</p> <p>As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 17, 2014 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from R1 to PDMX. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment, contingent on meeting all requirements of UZO 2-28-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:</p> <ol style="list-style-type: none"> <li>1. All sheets that make up the approved Preliminary Plan;</li> <li>2. PD construction plans per UZO Appendix B-2;</li> <li>3. Drainage Board approval shall be required prior to the submission of the Final Detailed Plans.</li> <li>4. County Highway approval for the new driveway shall be required prior to the submission of the Final Detailed Plans</li> <li>5. Appropriate surety submitted with Final Detailed Plans;</li> <li>6. With the submission of the Final Detailed Plans the requirements of Section 2-27-17 of the UZO concerning establishing and changing FP boundaries shall be fulfilled.</li> </ol> <p>Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their January 5, 2015 regular meeting. Petitioners or their representatives must appear to present their case.</p> <p>Sincerely,  Sallie Dell Fahey Executive Director</p>
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Mary Ann Owen, Attorney with Stuart and Branigin law firm stated she represents her client E & A Hospitality LLC and requests approval of the rezoning of property on County Road 500 North, near the intersection of County Road 50 West, from R1 to PDMX. The petitioners, the Whittakers are present. The rezone will allow for the development of a country inn, similar to a bed and breakfast, and a gathering spot. The property will be developed in a way it will have minimal impact on adjacent

properties due to the heavy foresting on the edges and the structures sitting back off of 500 where they will not be visible driving by. The rezone to PD will protect the nearby area and have less impact on the adjacent properties than the previously 29 lot development approved in the 1970's. A positive recommendation was received from the Area Plan Commission and the adjacent landowners have spoken in favor of the proposal.

President Murtaugh invited public comment in favor of or opposed to the rezone. There were none.

President Murtaugh said the vote was unanimous at the Area Plan Commission meeting, the plan is very nice, the site is beautiful, and wished the Whittakers the best of luck.

Auditor Plantenga recorded the vote.

Murtaugh                   Aye  
Byers                        Aye

Ordinance 2015-01-CM passed 2-0.

**ORDINANCE 2015-02-CM – Z-2594 Ichiya, LLC (A to I3):** Petitioner is requesting rezoning of 1.34 acres located on the east side of CR 500 E, just north of its intersection with US 52 South, more specifically 4237 S 500 E, Sheffield 18 (NW) 22-3

- Commissioner Byers moved to hear Ordinance 2015-02-CM, Z-2594 Ichiya, LLC from A to I3, second by President Murtaugh.

<p>December 18, 2014 Ref. No.: 14-334</p> <p>Tippecanoe County Commissioners 20 North 3<sup>rd</sup> Street Lafayette, IN 47901</p> <p style="text-align: center;"><b><u>CERTIFICATION</u></b></p> <p>RE:     <b>Z-2594--ICHIYA, LLC (A to I3):</b> Petitioner is requesting rezoning of 1.34 acres located on the east side of CR 500 E, just north of its intersection with US 52 South, more specifically 4237 S 500 E, Sheffield 18 (NW) 22-3.</p> <p>Dear Commissioners:</p> <p>As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 17, 2014 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from A to I3. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.</p> <p>Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their January 5, 2015 regular meeting. Petitioners or their representatives must appear to present their case.</p> <p>Sincerely,</p> <p>Sallie Dell Fahey Executive Director</p>
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Dan Teder, Attorney with Reiling Teder & Schrier stated he represents the petitioner, the Rick Johnson family who owns the property and also property to the north and south. The request is for I3 rezoning; all surrounding property is zoned I3. A favorable staff recommendation was received and also a unanimous yes vote from the Area Plan Commission. The request meets the comprehensive plan and there were no objections at the Area Plan Commission meeting. Attorney Teder requested Commissioner's approval.

President Murtaugh invited public comment in favor of or opposed to the rezone. There were none.

Auditor Plantenga recorded the vote.

Murtaugh	Aye
Byers	Aye

Ordinance 2015-02-CM passed 2-0.

**ORDINANCE 2015-03-CM – Z-2597 TIPPECANOE DEVELOPMENT II, LLC (A to R1B):**

Petitioner is requesting rezoning of 48.35 acres for a proposed 164 lot development located on the south side of CR 600 N, a quarter mile west of CR 50 W (County Farm Road), Wabash 30 (NW) 24-4 and Wabash 25 (NE) 24-5

- Commissioner Byers moved to hear Ordinance 2015-03-CM, Tippecanoe Development II, LLC from A to R1B, second by President Murtaugh.

Attorney Dan Teder stated he represents the petitioner. His clients are requesting a continuance of the rezone, without date. They are contemplating filing an R1 with the Area Plan Commission at a future date. A favorable staff report was received; however a negative APC recommendation was received. There is no R1B available in the quadrant – all lots are gone in Hadley Moore and also Prophets Ridge which was not correctly stated at the APC meeting. Attorney Teder said our children (young adults) are having difficulty finding jobs. If they find one, they want the *American dream* which includes owning a house. A house in R1 costs in the range of \$250,000; a house in R1B falls in the range of \$160,000 to \$180,000 – the area normally affordable for first-time home buyers. They are currently looking for other sites and possibly have one they will bring back for an R1B request. At this time, Attorney Teder requested a continuance of rezone Z-2597, adding that a favorable APC recommendation is required to be heard within 90 days or the rezone fails.

- Commissioner Byers moved to table Ordinance 2015-03-CM, second by President Murtaugh; motion carried.

**HEALTH – Craig Rich**

**Acceptance of Grants**

Health Director Rich requested approval of acceptance of grants for the Local Health Maintenance Fund and the Local Health Department Trust Account. They are annual grants from the State of Indiana in the amount of \$72,672 for the Maintenance Fund and \$65,427.73 for the Trust Account. The Trust Account is used for the Epidemiologist and several part time employees, including the past summer Interns.

- Commissioner Byers moved to approve acceptance of the two annual revolving grants for the Health Department as presented, second by President Murtaugh; motion carried.

**SHERIFF – Barry Richard**

**Request for Proposals for Jail Medical Services**

Sheriff Richard requested approval to proceed with a Request for Proposals (RFP) for inmate health services for the Tippecanoe County Jail. The purpose is to obtain bids to make sure all the health services are met while keeping the costs the same but more effective and efficient. Sheriff Richard said Attorney Masson and former Sheriff Brown laid the groundwork for the RFP. Attorney Masson said the current contract has not been reviewed for a long time.

- Commissioner Byers moved to approve the RFP request for inmate health services as presented, second by President Murtaugh; motion carried.

***UNFINISHED/NEW BUSINESS***

Commissioner Byers said a Grant Facilitator should be hired by the end of the week.

***REPORTS ON FILE***

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

- Building Commission
- Public Library
- State Board of Accounts

***PUBLIC COMMENT***

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

Meeting adjourned at 10:23 a.m.

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

*absent*  
Thomas P. Murtaugh, President

*D. S. Byers*  
David S. Byers, Vice President

*Tracy A. Brown*  
Tracy A. Brown, Member

ATTEST:

*Robert A. Plantenga*  
Robert A. Plantenga, Auditor 01/20/2015