***TIPPECANOE COUNTY BOARD OF COMMISSIONERS***
***REGULAR MEETING***
***February 3, 2014***

The Tippecanoe County Commissioners met on Monday, February 3 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.

President Knochel thanked the janitorial staff for coming in the past Saturday and dealing with the water damage in the Courthouse caused by the ice in the eave troughs. There were eight janitors working all day Saturday and two that came back in on Sunday.

***APPROVAL OF MINUTES***

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held January 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 January 22, 23, 24, 29, 30, 31 and February 3, 2014 with two exceptions; one to ABI Food Systems in the amount of $206.70 and one to the Association of Indiana Counties in the amount of $400.00. Also, the approval of payroll vouchers for January 24 and January 31, second by Commissioner Byers; motion carried.

***AREA PLAN COMMISSION*** – *Sallie Fahey*
**ORDINANCE 2014-01-CM - UZO Amendment #80 – Duplex Apartment Complex in R2 Zones**
An Amendment to the Unified Zoning Ordinance that changes the definition of "multi-family dwelling" and "primary use building" in order to allow duplex apartment complexes in R2 zoning districts.

**ORDINANCE 2014-02-CM – USO Amendment #8 – Multi-Family Subdivisions**
An Amendment to the Unified Subdivision Ordinance that expands the required zoning districts for multi-family subdivisions comprised of duplex apartments to include the R2 zone.

- Commissioner Murtaugh moved to hear Ordinance 2014-01-CM and Ordinance 2014-02-CM, second by Commissioner Byers.

**CERTIFICATION**

**RE: UZO AMENDMENT #80--DUPLEX APARTMENT COMPLEXES IN R2 ZONES:**
An amendment to the Unified Zoning Ordinance that changes the definitions of "multi-family dwelling" and "primary use building" in order to allow duplex apartment complexes in R2 zoning districts

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 15, 2014, the Area Plan Commission of Tippecanoe County voted 13 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

January 16, 2014
Ref. No.: 14-008

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette IN 47901

**CERTIFICATION**

**RE: USO AMENDMENT #8--MULTI-FAMILY SUBDIVISIONS:**
An amendment to the Unified Subdivision Ordinance that expands the required zoning districts for multi-family subdivisions comprised of duplex apartments to include the R2 zone

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 15, 2014 the Area Plan Commission of Tippecanoe County voted 13 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

APC Director Fahey said the Amendments are companions; one for the zoning ordinance and the other for the subdivision ordinance. Together the two amendments would allow apartment complexes, if comprised solely of duplex style buildings, in R2 zoning districts versus the standard multi-family R3 zoning.

President Knochel invited public comment in favor of or opposed to either Ordinance.

Kevin Riley, with Reiling, Teder, and Schrier stated their firm represented one of the developers who had an interest in the Ordinances. His firm has been involved since the early stages and request Commissioner's approval.

Auditor Weston recorded the vote for Ordinance 2014-01-CM.

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|---|---|
| Byers | Aye |
| Knochel | Aye |
| Murtaugh | Aye |

Ordinance 2014-01-CM passed 3-0.

Auditor Weston recorded the vote for Ordinance 2014-02-CM.

| | |
|---|---|
| Byers | Aye |
| Knochel | Aye |
| Murtaugh | Aye |

Ordinance 2014-02-CM passed 3-0.

**Subdivision Variance S-4438 Blackthorne Subdivision, Phase 3 (Major Preliminary Plat)**
A variance to waive the required cul-de-sac turnaround at the south end of Selwyn Drive (USO Section 5.3-1-h)

Director Fahey said the request is for Blackthorne Subdivision, Phase 3 to waive the variance to end the street in a cul-de-sac at the south end of Selwyn Drive. At one time, the street would have ended in a cul-de-sac or been a thru street but those options are no longer feasible. Director Fahey said if the Commissioners vote against the variance, the Plan Commission must turn it down. If the Commissioners vote in favor of the variance, the Plan Commission has the choice to approve or deny.

Highway Director Kuhl spoke for the Highway Department, saying they are not opposed to the variance. The plans in APC do show no vehicle access on the road. Instead of a cul-de-sac, the Highway Department would request a guard rail and reflectors be placed at the end of the street.

- Commissioner Murtaugh moved to approve the subdivision variance S-4438 as presented with the added condition that the developer install a guard rail and reflectors, second by Commissioner Byers; motion carried.

***HIGHWAY** – Opal Kuhl*
**Bridge #141 Project - Right of Entry, Temporary Grant of Right-of-Way, Warranty Deed, Quit Claim Deed, Trustees Authority Affidavit for Trustees of H. Leroy Trust and Martha L. Moore Trust, Parcel 1 and Parcel 1A**

Director Kuhl presented several documents pertaining to two parcels for Bridge #141. Bridge #141 is located on 100 N, east of 550 E and was damaged by the flood. Two parcels are involved – Parcel 1 is on the west side of the creek; Parcel 1A is on the east side of the creek. The Right of Entry is for both parcels; a Temporary Grant of Right-of-Way in the amount of $25 for parcel 1 to change the driveway; a Warranty Deed for Parcel 1 in the amount of $10,000; a Warranty Deed for Parcel 1A in the amount of $7,110 – both Warranty Deeds include damages and property; a Quit Claim Deed for Parcel 1 in the amount of $10; and a Trustees Authority Affidavit due to the three owners living in three different cities.

- Commissioner Murtaugh moved to approve the Bridge #141 project Right of Entry, Temporary Grant of Right-of-Way, Warranty Deed, Quit Claim Deed, and the Trustees Authority Affidavit as presented, second by Commissioner Byers; motion carried.

**Grant of Right-of-Way**

Director Kuhl presented a Grant of Right-of-Way for Bobolink Drive at Cumberland Avenue from Citation Homes. The section of road is approximately 100 feet long and was added to Bobolink Drive to connect it to Cumberland. Bobolink Drive is an existing street in Wake Robin subdivision, south of the new, unopened Cumberland Road.

- Commissioner Murtaugh moved to approve the Grant of Right-of-Way for Bobolink Drive as presented, second by Commissioner Byers; motion carried.

**License and Permit Bond – Milestone Contractors, L.P.**

Director Kuhl presented a license and permit bond from Milestone Contractors in the amount of $5,000 for work in the County right-of-way.

- Commissioner Murtaugh moved to approve the license and permit bond for Milestone Contractors as presented, second by Commissioner Byers; motion carried.

***COURT SERVICES*** - *Cindy Houseman*
**Interagency Referral Agreement with Lisa Werth**

Court Services Executive Director Houseman presented an Interagency Referral Agreement with Lisa Werth stating that Ms. Werth teaches an 8 hour, one day alcohol and drug class. The only time her services are utilized is when it's impossible to get the person into other classes.

- Commissioner Murtaugh moved to approve the Interagency Referral Agreement with Lisa Werth as presented, second by Commissioner Byers; motion carried.

***GRANTS*** - *Laurie Wilson*
**Permission to Apply for Grant**

Grant Facilitator Wilson requested permission to apply for a grant for the Romney Sewer District. Ms. Wilson will apply to various foundations on behalf of Romney Sewer District to attempt to obtain alternative funding to begin the construction of the sewer project. Initially, $100,000 is needed to obtain easements, archeological and environmental surveys and approvals, engineering, design plans, and legal guidance.

- Commissioner Murtaugh moved to approve permission to apply for the grant for the Romney Sewer District as presented, second by Commissioner Byers; motion carried.

**MOU/Contract**

Grant Facilitator Wilson presented a contract for the JDAI Grant in the amount of $25,000 for Strategies for Youth, Inc. to train the trainer for "Policing the Teen Brain Training for Law Enforcement Officers".

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

***RESOLUTION 2014-06-CM – UPDATING CUMULATIVE CAPITAL PLAN***

Attorney Luhman said Resolution 2014-06-CM amends the Capital Improvement Plan, adding a new project GGG – Capital Outlay Expenditures for the Calendar Year 2014 in the amount of $821,758. The Resolution also provides additional funding in 2014 for four existing projects – Copier Leases in the amount of $145,000; Grant Contingency in the amount of $7,500; Capital Outlay for Information Services Computer Hardware and Software in the amount of $230,023; and Annual Building Repair and Maintenance for the County Office Building, the Courthouse, and the building at 629 N. 6th Street in the amount of $222,574.

- Commissioner Murtaugh moved to approve Resolution 2014-06-CM updating the Cumulative Capital plan as presented, second by Commissioner Byers; motion carried.

***RESOLUTION 2014-07-CM – UPDATING ECONOMIC DEVELOPMENT INCOME TAX PLAN***

Attorney Luhman said Resolution 2014-07-CM modifies the Economic Development Income Tax (EDIT) Plan by adding one new project. Project number 81 – Intersection Connection in the amount not to exceed $200,000 will provide complementary youth development, higher education, financial literacy, and health and wellness services at the Ivy Tech Community College, Lafayette campus.

Additional funding will be provided for Project Numbers 3, 4, 6, 7, 10, 19, 20, 24, 38, 40, 43, 46, 49, 50, 51, 58, 66, 73, 77, 79, and 81.

- Commissioner Murtaugh moved to approve Resolution 2014-07-CM updating the EDIT plan as presented, 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:

Treasurer – December and January
Building Commission
Central Mail and Duplicating - 2013
Library
Board of Health

***PUBLIC COMMENT***

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

Meeting adjourned at 10:26 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 02/18/2014

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant