***TIPPECANOE COUNTY BOARD OF COMMISSIONERS***
***REGULAR MEETING***
***November 4, 2013***

The Tippecanoe County Commissioners met on Monday, November 4, 2013 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President John L. Knochel, and Commissioner Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar.

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

***PROCLAMATION* – Supplier Diversity Development Coalition**

Jesse Moore, Director of Purdue University Supplier Diversity Development said he also provides leadership to the Supplier Diversity Coalition of Lafayette. The Coalition is made up of some of the larger employers of Lafayette including Caterpillar, Ivy Tech, IU Health, Alcoa, Fifth Third Bank, Tate & Lyle, Fairfield, and SIA. The group pulls together to find opportunities for diverse businesses – women and minority owned businesses. An event called *Relationship to Partnership* is in its ninth year and will take place on Friday, November 15. The event will bring over 150 businesses to the Purdue campus to meet with buyers and contracting officials from the University and the companies of the Coalition. The theme for this years' event is "Growing Your Business Could Be Dangerous". Mr. Moore thanked the Commissioners and Mayors for recognizing the important event.

President Byers, West Lafayette Mayor John Dennis, and Lafayette Mayor Tony Roswarski read the Proclamation:

*Supplier Diversity Development Coalition*
*of*
*Greater Lafayette Proclamation*

*Whereas,* *growth and development of women and minority businesses are essential in fostering a strong local economy; and*

*Whereas,* *the Supplier Diversity Development Coalition of Greater Lafayette is devoted to developing strategic alliances and enhancing opportunities for minority-owned businesses; and*

*Whereas,* *the Coalition has formed strategic partnerships with private businesses, governmental agencies, and Purdue University to work together to promote the success and longevity of minority business enterprises; and*

*Whereas,* *it is through the efforts of this Coalition that the businesses in Tippecanoe County have access to diverse programs, services and products; and*

*Whereas,* *the Cities and County commend the Coalition for its dedication to building a stronger community by promoting and engaging in diverse business development.*

*Now, Therefore, we,*

**John Dennis, Mayor of the City of West Lafayette,**
**Tony Roswarski, Mayor of the City of Lafayette and**
**David Byers, President of the Tippecanoe County Board of Commissioners**

**do hereby proclaim November 15, 2013, Supplier Diversity Day in honor of**

*Supplier Diversity Development Coalition of Greater Lafayette*

***PROCLAMATION*** **– Public School Foundation of Tippecanoe County Awareness Week**

President Byers, Lafayette Mayor Tony Roswarski, and West Lafayette Mayor John Dennis read the Proclamation.

*Public School Foundation*
*Of*
*Tippecanoe County Awareness Week*

*Whereas,* *education is significant to the social and economic health of the Greater Lafayette Community*

*Whereas,* *each child in Tippecanoe County should be given the opportunity for an excellent education*

*Whereas,* *the three public school corporations in Tippecanoe County, Lafayette and West Lafayette serve 21,000 students*

*Whereas,* *the Public School Foundation of Tippecanoe County, Inc. was formed in 1985 to promote excellence in education and encourage classroom innovation by providing grants in academics for the arts for public schools teachers of Tippecanoe County*

*Whereas,* *seeds for excellence grants and academics in the arts totaling $5,065,000 have been given to teachers, counselors, and principals by the Public School Foundation of Tippecanoe County Incorporated since its formation*

*Therefore,* *be it resolved that the City of Lafayette, City of West Lafayette, and the County of Tippecanoe recognize the contribution of the Public School Foundation of Tippecanoe County Incorporated to the raw gain of the citizens of the greater Lafayette areas and declare* ***November 11 - 15, 2013*** *as* ***Public School Foundation of Tippecanoe County Awareness Week***

Grace Lechtenberg said she has been a volunteer for the Public School Foundation for many years. She stated she has a passion for quality education for everyone and especially the young children in Tippecanoe County. Ms. Lechtenberg introduced Christine Isbell, the Executive Director and thanked the Mayors and Commissioners on behalf of the Board which includes the Superintendents of the Lafayette, Tippecanoe, and West Lafayette communities for recognizing the impact being made in the classrooms of Tippecanoe County.

***APPROVAL OF MINUTES***

- Commissioner Knochel moved to approve the minutes of the regular meeting held October 21, 2013, second by Commissioner Murtaugh; motion carried.

***PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS***

- Commissioner Knochel moved to approve the accounts payable vouchers for October 24, 25, 30, 31 and November 1 and 4, 2013 as submitted without exception, second by Commissioner Murtaugh; motion carried.

***AREA PLAN COMMISSION*** – *Sallie Fahey*
**Z-2556 John B. Scheumann (PDRS to R1B) ORDINANCE 2013-41-CM:** Petitioner is requesting rezoning of 11.25 acres in the Blackthorne Planned Development, located south of US 52, west of Klondike Road, more specifically east of Morallion Drive and east of Selwyn Drive, Wabash 3 (SE) 23-5.

- Commissioner Knochel moved to hear Rezone Z-2556, John B. Scheumann, PDRS to R1B, Ordinance 2013-41-CM, second by Commissioner Murtaugh.

October 17, 2013
Ref. No.: 13-332

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

**CERTIFICATION**

RE: **Z-2556--JOHN B. SCHEUMANN (PDRS to R1B):** Petitioner is requesting rezoning of 11.25 acres in the Blackthorne Planned Development, located south of US 52, west of Klondike Road, more specifically east of Morallion Drive and east of Selwyn Drive, Wabash 3 (SE) 23-5.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 16, 2013 the Area Plan Commission of Tippecanoe County voted 9 yes - 0 no on the motion to rezone the subject real estate from PDRS to R1B. 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.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their November 4, 2013 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

Attorney Dan Teder with Reiling, Teder and Schrier said he represents the petitioner who is requesting a rezone to R1B. The site is 11 acres in the Blackthorne Subdivision, located south of US 52, across from the Elks Country Club. A unanimous favorable staff recommendation was received from the Area Plan Commission. The area to the north is zoned PD with condos in the area. The petitioner planned 128 units with the current PD zoning. The surrounding area is zoned R3 with single family homes; with approved zoning to R1B, the petitioner plans to add 44 single family lots. Attorney Teder requested approval.

President Byers 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 2013-41-CM passed 3-0.

***HIGHWAY*** *– Opal Kuhl*
**ORDINANCE 2013-40-CM –** *Second Reading*
**Amending Tippecanoe County Code, Chapter 72, Schedule 1, Traffic Schedule regarding Speed Limits**

Highway Director Kuhl said Ordinance 2013-40-CM is a second reading amending the traffic code with changes to the following speed limits.

| *Road/Street* | *Location* | *Speed limit (m.p.h.)* | *Temp speed (m.p.h.)* | *Ord.* | *Date* |
|---|---|---|---|---|---|
| CR 450 North | From 800 feet east of CR 625 East to Ruffing Street (Buck Creek Town Limits) | 40 | NA | 2013-40-CM | 12-2-13 |
| CR 475 West | From Jackson Highway to US 52 | 40 | NA | 2013-40-CM | 12-2-13 |
| Jackson Highway | From SR 26 to 3,400 feet west of CR 475 West | 45 | NA | 2013-40-CM | 12-2-13 |
| Soldiers Home Road | Overlook Drive to Prophets Drive (City Limits to City Limits) | 30 | NA | 2013-40-CM | 12-2-13 |
| Soldiers Home Road | Lorene Place (City Limits) to SR 43 | 35 | NA | 2013-40-CM | 12-2-13 |

- Commissioner Knochel moved to approve Ordinance 2013-40-CM on second reading as presented, second by Commissioner Murtaugh.

President Byers 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 2013-40-CM passed 3-0 on second and final reading.

***ORDINANCE 2013-31-CM** – First Reading*
**Vacating Public Ways in the Town of West Point, Wayne Township, Tippecanoe County, Indiana**

Director Kuhl said Ordinance 2013-31-CM is a first reading and hearing for the vacation of Pearl Street and Mulberry Street in the town of West Point. The streets do not exist; it is an open field.

- Commissioner Knochel moved to approve Ordinance 2013-31-CM on first reading as presented, second by Commissioner Murtaugh.

President Byers 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 2013-31-CM passed 3-0 on first reading.

- Commissioner Knochel moved to suspend the rules and hear Ordinance 2013-31-CM on second reading, second by Commissioner Murtaugh; motion carried.

- Commissioner Knochel moved to hear Ordinance 2013-31-CM on second reading, second by Commissioner Murtaugh.

President Byers 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 2013-31-CM passed 3-0 on second and final reading.

**Bridge #141 Project, Right-of-Entry, Parcel 8, Paola R. Torreblanca-Fischer, Trustee**

Director Kuhl said the permanent right-of-way is under negotiation; the right-of-entry allows the work to begin on Bridge #141.

- Commissioner Knochel moved to approve the right-of-entry for Bridge #141, Parcel 8 as presented, second by Commissioner Murtaugh; motion carried.

**Bridge #141 Opening of Bids**

Bids were submitted for Bridge #141. The proposed work will include a three span 320 foot long Bulb Tee Beam Bridge, 13,000 Cyds of Borrow, and 1,880 linear feet of new full depth HMA roadway construction. Attorney Luhman opened the bids for Bridge #141 and reported the following:

**2013 TIPPECANOE COUNTY BRIDGE #141**

| BIDDER | AMOUNT |
|---|---|
| Beaty Construction Inc., 5292 W 100 N, Boggstown, IN 46110 | $ 2,291,332.28 |
| Milestone Contractors, LP, 3301 S 460 E, Lafayette, IN 47905 | $ 2,439.934.67 |
| Rieth-Riley Construction Co., Inc., 3425 O'Farrel Rd, Lafayette, IN 47905 | $ 2,288,403.00 |
| Jack Isom Construction Co., Inc., 622 S SR 43, Reynolds, IN 47980 | $ 1,936,774.62 |
| Crider & Crider, Inc., 4806 W 86th St, Indianapolis, IN 46268 | $ 2,463,864.23 |

- Commissioner Knochel moved to approve taking the bids under advisement for review and compliance, second by Commissioner Murtaugh; motion carried.

**3 Year Construction Maintenance Bond - Love Tree Farms LLC**

Director Kuhl said the 3 year Construction Maintenance Bond is from Love Tree Farms LLC for 6821 E 100 N in the amount of $5,000 for work in the right-of-way.

- Commissioner Knochel moved to approve the Maintenance Bond as presented, second by Commissioner Murtaugh; motion carried.

**Tippecanoe County Bridge Inspection Contract 2014/2016**

Director Kuhl presented the 2014 - 2016 NBIS contract with H. Stewart Kline & Associates for Phase I and Phase II Tippecanoe County Bridge inspections. The contract renews every four years and receives 80% federal funding. The contract amount is $578,450.

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

***GRANTS** – Laurie Wilson*
**Permission to Accept Grant**

Grant Administrator Wilson requested permission to accept a grant for the Health Department in the amount of $72,672 from the Indiana State Department of Health for the Local Health Maintenance Fund grant.

- Commissioner Knochel moved to approve permission to accept the grant as presented, second by Commissioner Murtaugh; motion carried.

Grant Administrator Wilson requested permission to accept a grant for CASA in the amount of $22,768 from the Indiana Criminal Justice Institute for Victims of Crime Act (VOCA) grant.

- Commissioner Knochel moved to approve permission to accept the grant as presented, second by Commissioner Murtaugh; motion carried.

***BUILDING COMMISSION*** *– Ken Brown*
**Unsafe Structures**

Building Commissioner Brown stated there are two structures to address that have been discussed previously.

**10111 Strong Avenue, Colburn** – with the assistance of Attorney Luhman, an Order to Comply and to appear at the demolition hearing was sent to T&H Investment Properties, LLC on October 22, 2013. An official inspection report and pictures were sent with an explanation of why the structure met the definition of unsafe. A notice from the Health Department was also sent stating their opinion regarding the necessary clean-up of the property. As of this date, the owners have not contacted Attorney Luhman or the Building Commission and there were no representatives in attendance.

Attorney Luhman said a public hearing must be held to determine if the structure is unsafe and what is necessary to bring the structure to a safe condition. If the property owner doesn't comply by a certain date, the Building Commissioner can take action to proceed with the demolition process. Costs would be assessed against the property and the property owner and a lien attached if the demolition costs are not repaid to the County.

Attorney Luhman continued to say evidence from the Building Commissioner can be collected today, including the current state of the property and necessary steps to bring the property into compliance with County and State codes to make it a safe structure.

- Commissioner Murtaugh moved to approve November 12, 2013 for the property owners to act on the Order To Comply, and November 18, 2013 for Building Commissioner Brown to present potential bids for demolition, second by Commissioner Knochel; motion carried.

Attorney Luhman read the notice in full which will be sent to T&H Investment Properties, LLC regarding the Order to Comply and the demolition of the property located at 10111 Strong Avenue, Colburn.

**9028 Yorktown Street, Stockwell** – Building Commissioner Brown said the property was previously discussed and the owner attended the Commissioners meeting. A grace period was allowed until October because the owner had issues with another structure within the Lafayette city limits. Per the Commissioners request, the front has been closed up and the vehicle that was in the front has been removed. He presented the Commissioners with pictures of the structure stating while the front doesn't look too bad, interior pictures show the roof rafters are rotten and falling in and ceilings have fallen in on old cars. Building Commissioner Brown said he had not heard from Mr. Wilbur, the property owner and his report today is simply a progress report.

- Commissioner Knochel moved to approve an Order to Comply be issued for the property located at 9028 Yorktown Street, Stockwell and a public hearing date be set for December 2, 2013, second by Commissioner Murtaugh; motion carried.

***HUMAN RESOURCES*** *– Shirley Mennen*
**Anthem Renewal**

Human Resources Coordinator Mennen presented the renewal contract for Anthem. Their fee changes are minimal and there are no changes to the plan for 2014.

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

**WeCare Renewal**

Human Resources Coordinator Mennen presented the renewal contract for the management fee of WeCare TLC. The renewal has no increases or changes and the contract runs through November, 2016.

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

***FAIRGROUNDS*** *– Frank Cederquist*
**HVAC Services Agreement**

Commissioners' Assistant Cederquist presented a service agreement with Eberhardt Heating and Cooling for the HVAC system which was recently installed in the Home Economics building and 4-H Exhibit Hall at the Fairgrounds. It includes two services a year, filters, and belts at a cost of $880 per year.

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

***PURDUE COOPERATIVE EXTENSION***
**Contractual Services Agreement for Educators**

President Byers said the amendment to the Extension Contractual Services Agreement between Purdue University and the County amends the agreement expiration date to December 31, 2014 and the amount to $194,185; the County's 50% portion of the educator cost.

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

***APPOINTMENT TO COMMON WAGE BOARD***

- Commissioner Knochel moved to appoint Jean Hall to the West Lafayette Community School Common Construction Wage Committee, second by Commissioner Murtaugh; motion carried.

***UNFINISHED BUSINESS***

President Byers announced that Sheriff Tracy Brown recently received the Sagamore Of The Wabash award and Clerk Christa Coffey completed the Certified Public Manager course.

Area Plan Commission Director Sallie Fahey announced that Transportation Planning GIS Specialist Anna Burman is the first County employee to achieve the GIS Professional, a National certification Anna completed on her own initiative.

President Byers announced the property on 111 N 4th Street will not be purchased by the County.

***REPORTS ON FILE***

The following reports will be on file in the Commissioner's Office:

Wabash River Heritage Corridor Commission
Public Library
Building Commission
Central Mail and Duplicating

***PUBLIC COMMENT***

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

Meeting adjourned at 10:47 a.m.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

David S. Byers, President

John L. Knochel, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor 11/18/2013

/th