TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
July 1, 2013

The Tippecanoe County Commissioners met on Monday, July 1, 2013 at 10:00 a.m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, and Commissioner Thomas P. Murtaugh. Also present were: Attorney Doug Masson, Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, and Recording Secretary Tillie Hennigar. Vice President John L. Knochel was absent.

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

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the regular meeting held June 17, 2013, second by President Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Murtaugh moved to approve the accounts payable vouchers for June 20, 21, 27, 28, and July 1, 2013 as submitted without exception, second by President Byers; motion carried.

AREA PLAN COMMISSION – Sallie Fahey
Z-2534 – Aretz, LLC (A & R1 to GB), Ordinance 2013-23-CM
Petitioner is requesting rezoning of 10.89 acres of the old Aretz Airport property located northeast of the intersection of Old SR 25 and the Hoosier Heartland, Fairfield 11 (NW) 23-4.

- Commissioner Murtaugh moved to hear Z-2534 Aretz, LLC (A & R1 to GB, Ordinance 2013-23-CM, second by President Byers.

June 20, 2013
Ref. No.: 13-170

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

CERTIFICATION

RE: **Z-2534--ARETZ, LLC (A & R1 to GB):**
Petitioner is requesting rezoning of 10.89 acres of the old Aretz Airport property located northeast of the intersection of Old SR 25 and the Hoosier Heartland, Fairfield 11 (NW) 23-4

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 19, 2013 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from A & R1 to GB. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioner 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 July 1, 2013 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

Mike Wilson, representing the petitioner, stated the Area Plan Commission approved the rezone from A and R1 to GB. He requested approval from the Commissioners.

President Byers invited public comment in favor of or opposed to the Ordinance.

Adam Lawson – 2528 Mar Ruth Drive, Lafayette 47905, said he supports the petition to rezone to General Business with the special exception. He believes it is the right balance of what is needed in the community to grow the Lafayette area but still insure it remains a safe area for our children, families, and business entities. He has spoken to Mr. Withers and believes the General Business rezone will allow Mr. Withers' firm to grow and prosper. It also sends a message that non-industrialized entrepreneurs are welcome to establish their businesses off the Heartland corridor.

Commissioner Byers thanked Mr. Wilson and Mr. Withers for listening to the neighborhood, delaying their plans, withdrawing the first request, and resubmitting. Their cooperation is appreciated.

Auditor Weston recorded the vote.

Byers	Aye
Murtaugh	Aye

Ordinance 2013-23-CM passed 2-0.

UZO AMENDMENT #77 – EXTENDING THE DATE FOR ELEVATING EXISTING RESIDENCES IN THE FLOOD PLAIN – ORDINANCE 2013-24-CM

An amendment to the Unified Zoning Ordinance that changes the deadline date for elevating existing residences in the FP zone from July 1, 2013 to December 31, 2013.

- Commissioner Murtaugh moved to hear UZO Amendment #77, Ordinance 2013-24-CM, second by President Byers.

June 20, 2013
Ref. No.: 13-161

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

CERTIFICATION

RE: UZO AMENDMENT #77--EXTENDING THE DATE FOR ELEVATING EXISTING RESIDENCES IN THE FLOOD PLAIN:
An amendment to the Unified Zoning Ordinance that changes the deadline date for elevating existing residences in the FP zone from July 1, 2013 to December 31, 2013

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 19, 2013, the Area Plan Commission of Tippecanoe County voted 12 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

APC Director Fahey said the purpose of the amendment is to extend the sunset date for elevating existing structures in the flood plain. Today is the day it sunsets and the Ordinance will extend it to December 31, 2013, allowing time for staff and the Ordinance Committee to revisit the efficacy and need for the ability to elevate. Four or five residents have elevated their homes. President Byers said the main reason for the extension is there are residents who would like to raise their homes but do not have proof of flood damage. The plan is to change and be proactive versus reactive. Director Fahey said the Ordinance Committee will be discussing changing the plan and the extension will allow time to do so.

President Byers invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Weston recorded the vote.

Byers Aye
Murtaugh Aye

Ordinance 2013-24-CM passed 2-0.

HIGHWAY – Opal Kuhl
Ordinance 2013-20-CM – *Second Reading*
Vacating Streets and Alleys in the Unincorporated Town of Americus

- Commissioner Murtaugh moved to hear Ordinance 2013-20-CM on second reading, second by President Byers.

Highway Director Kuhl said the Ordinance vacates streets and alleys in the town of Americus. It passed on the first reading on June 17, 2013. The Ordinance cleans up the plats which were platted over one hundred years ago where no streets or alleys were established. Several of them have sheds or other structures built on them and the Ordinance will make it cleaner for property owners when trying to sell.

President Byers invited public comment in favor of or opposed to the Ordinance. There were none.

Auditor Weston recorded the vote.

Byers Aye
Murtaugh Aye

Ordinance 2013-20-CM passed 2-0 on second and final reading.

Permit to Close a Road – Buckingham Drive

Director Kuhl presented a permit to close Buckingham Drive for a block party on July 20 from 7:45 a.m. to 4:45 p.m. Buckingham Estates have requested the permit for several years, without problems.

- Commissioner Murtaugh moved to approve the permit to close Buckingham Drive as presented, second by President Byers; motion carried.

GRANTS – Laurie Wilson
Permission to Accept Grant

Grant Facilitator Wilson requested permission to accept a grant for TEMA in the amount of $7,506.72 from the Indiana Department of Homeland Security. The grant will be used to pay for the satellite phone

contract for an additional two years. The grant is new but it is not new funds; it is a decrease of the 2014 District Administrative Coordinator contract that ends 08/31/14.

- Commissioner Murtaugh moved to approve permission to accept the grant for TEMA in the amount of $7,506.72 as presented, second by President Byers; motion carried.

Permission to Apply for Grant

Grant Facilitator Wilson requested permission to apply for a grant for Superior Court 6 in the amount of $19,380 from the Indiana Supreme Court for the Court Reform Grant to install a projector and viewing screen for jurors and other participants in the courtroom to review evidence and videos.

- Commissioner Murtaugh moved to approve permission to apply for the Superior Court 6 grant in the amount of $19,380 as presented, second by President Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant for CASA in the amount of $22,768 from the Indiana Criminal Justice Institute for continuation of the Victims of Crime Act (VOCA). The grant will have a $5,692 match.

- Commissioner Murtaugh moved to approve permission to apply for the CASA grant in the amount of $22,768 as presented, second by President Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant for Superior Court 3 in the amount of $9,500 from the Indiana Supreme Court for the Court Reform Grant to purchase additional QUEST licenses for information sharing. The information is shared with the school districts and courts.

- Commissioner Murtaugh moved to approve permission to apply for the Superior Court 3 grant in the amount of $9,500 as presented, second by President Byers; motion carried.

CASA – Coleen Hamrick
Sponsorship Agreement for Press Conference at Courthouse for Unveiling the Winning Art Project

CASA Director Hamrick said the agreement is a follow-up and continuation from the event April 26 in the Courthouse. The event was very successful with 135 tickets sold and 36 artists entered 51 pieces of art. There are many gifted artists in our community and only one artist was from another area of Indiana. The artwork chosen to represent the Tippecanoe County Courthouse at the State Bar Association building in Indianapolis was by artist Kathryn Clark. The artwork remains in the CASA office until formal presentation. The sponsorship agreement is for a press conference on July 15 at 2:15 p.m. to formally present Ms. Clark as the winning artist. The press conference will be held outside on the lawn. In the case of inclement weather, the event will move to the second floor of the Courthouse. The local Bar Association will make the presentation.

- Commissioner Murtaugh moved to approve the sponsorship agreement for a press conference at the Courthouse for the unveiling of the winning art project, second by President Byers; motion carried.

HEALTH/WIC – Ron Cripe/Colleen Batt
Agreement for Lactation Education Consultant(s)

Attorney Doug Masson said the term of the agreement extends from October 1, 2012 through September 30, 2013. The former agreement inadvertently expired. The service agreement presented today reinstitutes the agreement, allowing payments for scheduled services through the State Department of Health grant. Auditor Weston said payment has been withheld until a contract was agreed upon and asked if a provision was provided for late fees. Attorney Masson said the late fees were not appropriate; however, if not paid within 15 days of approval by the Commissioners, the balance will accrue interest of 8% per year.

- Commissioner Murtaugh moved to approve the services agreement for the Lactation Education Consultant as presented, second by President Byers; motion carried.

RECORDER – Oneta Tolle
Lease Agreement with Fidlar Technologies for Records Imaging Software and Hardware

Assessor Tolle said the lease agreement with Fidlar Technologies is a five year renewal. It has been reviewed by legal counsel. Assessor Tolle said the price has not changed from the previous five years agreement.

- Commissioner Murtaugh moved to approve the lease agreement with Fidlar Technologies for records imaging software and hardware as presented, second by President Byers; motion carried.

HUMAN RESOURCES/AUDITOR – Shirley Mennen/Jennifer Weston
iSolved Software Contract

Human Resources Coordinator Mennen said the agreement is for iSolved Software, a product from Infinisource, the third party administrator for COBRA and HIPA. They recently took over Time Force, the time keeping software. This contract will take care of payroll, time keeping, and HR applicant tracking; integrating everything. Next year, iSolved software will be used instead of Conexus because it is part of the agreement for the flexible spending administration. The price has been locked in for a lifetime. Coordinator Mennen will print the original with changes requested by Attorney Luhman.

- Commissioner Murtaugh moved to approve the iSolved Software contract as presented, second by President Byers; motion carried.

MOU - COUNTY PARK AND RECREATION BOARD – DAVIS FERRY BRIDGE SITE

Attorney Masson said the Memorandum of Understanding is between the Park Board and the Board of Commissioners. The Davis Ferry bridge site has a parking lot in need of upgrading. The land is owned by the Commissioners and maintained by the Park Board. With the Commissioner's approval to move forward, there is a plan in place to pay for improvements.

- Commissioner Murtaugh moved to approve the MOU with the Park and Recreation Board for the Davis Ferry Bridge site as presented, second by President Byers; motion carried.

APPLICATION TO VILLA

- Commissioner Murtaugh moved to approve the applications to Tippecanoe Villa for Dallas Hasten Greet and Ronald Lynn Hines, second by President Byers; motion carried.

UNFINISHED/NEW BUSINESS

Auditor Weston said according to statute, salary statements should be received for the new budget year by the first meeting in July. She sent them to the Commissioners electronically. Auditor Weston noted three items that are different from what was originally sent based on the Commissioner's recommendation: a Court Administrator, two new positions for Deputies, and a salary increase for the Public Defender and the Chief Deputy Public Defender (based on new standards by the State Public Defender Commission). New positions need to be formally authorized; the Commissioners should review before the end of July or the first meeting in August. There are also 7 – 10 positions called "unauthorized and unfilled" for several years; they have been dropped. Auditor Weston requested the Commissioners "de-authorize" those positions.

REPORTS ON FILE

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

Clerk of Circuit Court
Treasurer
Public Library

PUBLIC COMMENT

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

Meeting adjourned at 10:23 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 07/15/2013

/th