TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
January 3, 2012

The Tippecanoe County Commissioners met on Tuesday, January 3, 2012 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Thomas P. Murtaugh, and Commissioner John L. Knochel. Also present were: Attorney David Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Tillie Hennigar.

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

ELECTION OF OFFICERS

Attorney David Luhman stated that the Offices of President and Vice President need to be filled by election. Attorney Luhman asked for nominations for the Office of President of the Board of Commissioners.

- Commissioner Byers moved to nominate Commissioner Thomas P. Murtaugh to the Office of President, second by Commissioner Knochel; motion carried.

Attorney Luhman asked for nominations for the Office of Vice President.

- Commissioner Byers moved to nominate Commissioner John L. Knochel to the Office of Vice President, second by Commissioner Murtaugh; motion carried.

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of the regular meeting held on December 19, 2011, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for December 29 and 30, 2011 with no exceptions, second by Commissioner Byers; motion passed.

AREA PLAN COMMISSION
Ordinance 2012-02-CM: Z-2477 Tippecanoe Development Rezoning

- Commissioner Knochel moved to hear and approve Ordinance 2012-02-CM, second by Commissioner Byers.

(quote)

December 22, 2011
Ref. No.: 11-381

Tippecanoe County Commissioner
20 North 3rd Street

Lafayette, IN 47901

CERTIFICATION

RE: **Z-2477-- TIPPECANOE DEVELOPMENT, LLC (A to R1B):**
Petitioner is requesting rezoning of a 1.21 acre piece of land located 1500' east of County Farm Road (CR 50 W), ½ mile north of CR 500 N, to allow the land to be included in Section 6, Winding Creek Subdivision, Tippecanoe 30 (SE) 24-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 21, 2011 the Area Plan Commission of Tippecanoe County voted 14 yes - 0 no on the motion to rezone the subject real estate from A 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 January 3, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey

Executive Director

(unquote)

Attorney Daniel Teder, representing the petitioner, indicated a favorable staff report and a unanimous Area Plan Commission (APC) recommendation has been received. The request is for rezoning from A to R1B of a 1.21 acre tract located 1500' east of County Farm Road (CR 50 W) and ½ mile north of CR 500 N. The parcel will be included in the Winding Creek Subdivision.

President Murtaugh asked for any comments in favor or opposing the rezone. There were none.

Auditor Jennifer Weston called the roll:

Byers	Aye
Knochel	Aye
Murtaugh	Aye

Ordinance 2012-02-CM passed 3-0 on first reading.

Ordinance 2012-01-CM: Z-2476 Islamic Society of Greater Lafayette

- Councilmember Knochel moved to hear and approve Ordinance 2012-01-CM, second by Councilmember Byers.

(quote)

December 22, 2011
Ref. No.: 11-380

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

CERTIFICATION

RE: **Z-2476--ABDUL-KADER SANKARI, ISLAMIC SOCIETY OF GREATER LAFAYETTE (A to R1):**

Petitioner is requesting rezoning of a 10 acre tract located at the southwest corner of County Farm Road (CR 50 W) and CR 500 N, Wabash 31 (NW) 24-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 21, 2011 the Area Plan Commission of Tippecanoe County voted 13 yes - 1 no on the motion to rezone the subject real estate from A to R1. 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 Commissioner at their Tuesday, January 3, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey

Executive Director

(unquote)

Petitioner Abdul-Kadar Sankari requested rezoning from A to R1 of a 10 acre tract located at the southwest corner of County Farm Road (CR 50 W) and CR 500 N. The purpose of the rezoning request is for the development of a community center for the Islamic Society.

Tippecanoe County resident Mary P. Hall spoke against the rezoning request, indicating she was frightened by the December 23, 2011 Journal and Courier newspaper article regarding the Area Plan Commission vote of 13-1 to approve rezoning property for the Islamic Society . Ms.Hall felt the approval put citizens in harm's way.

Tippecanoe County resident Tom Fackelman, representing Hawthorne Ridge subdivision as the neighborhood association president, spoke in opposition to the rezoning request. Hawthorne Ridge includes 27 homes and is located west and south of the 10 acre tract. Mr. Fackelman voiced concerns of the residents of the subdivision as noise and light pollution, loss of property values, and loss of the country feel. Drainage run-off was a concern and changing from green space to a parking lot and building will increase the problem. The long range plans of the Islamic Society to include a community center, elementary school, gymnasium, a soccer field, and a mosque would overpower the surroundings and his neighborhood.

Tippecanoe County resident Joyce N. Davis expressed her concern that the gentlemen from the Islamic Society did not participate in the Pledge of Allegiance.

Ibrahim Aly, a PHD Purdue student from Egypt and a member of the Islamic Society, stated many professionals from Purdue, including doctors and professors play a very important role in West Lafayette. He addressed the issue presented by Ms. Davis. Members are visiting area schools, teaching about Islam to eliminate the negative misconception. They have a good relation with members of the Christian Society.

Dr. Imad Kadra, a West Lafayette resident and physician stated he has been a practicing physician for 28 years. His children were born in Tippecanoe County, went to Harrison High School and Purdue University. He has been an American Citizen for 30 years, respects the community, and considers himself and family as citizens of this country.

Petitioner Abdul-Kadar Sankara clarified a mosque is not needed at this time as the current one satisfies needs for daily prayers. The current mosque does not suit their needs for dinners, parking, and school classrooms. A soccer field or a location for outdoor activities will leave open land on the site. He estimates building ¼ of what has been built for the St. Andrew church indicating the scale should not be an issue. They plan to be sensitive to light pollution, drainage, and sound to not change the character of the neighborhood. Preliminary ideas are available, but no site plan. The money will be raised locally and the Islamic Society will not be borrowing funds. Proceeding with the process will depend on timing and requirements of the County and engineers.

Area Plan Executive Director Sallie Fahey stated the issue of light or sound pollution was not addressed at the Area Plan Commission because there were no site plans available. The issue before the Plan

Commission is if the 10 acres is more appropriate for Agriculture or R1 zoning. Once zoning is approved, a special exception would be required, applying with the same site plan used for a building permit. The need for the special exception is due to the use as a community center and the potential concern to neighboring properties.

President Murtaugh asked for any additional comments in favor of or opposing the rezone. There were none.

Auditor Weston called the roll:

Byers	Aye
Knochel	Aye
Murtaugh	Aye

RESOLUTION 2012-01-CM
Establishing Regular Meeting Dates

President Murtaugh clarified meeting dates as the first and third Monday of each month with the exception of the second meeting in January which will fall on Tuesday, the 17th and the first meeting in September falling on Tuesday, September 4.

- Councilmember Knochel moved to approve Resolution 2012-01-CM, second by Councilmember Byers; motion passed.

RESOLUTION 2012-02-CM
Appointments (Department Heads)

President Murtaugh read the list of Department Head Appointment Positions as presented on Exhibit A.

- Councilmember Knochel moved to approve Resolution 2012-02-CM, second by Councilmember Byers; motion passed.

RESOLUTION 2012-03-CM
Appointments (to Various Boards, Councils, Commissions, and Other Bodies)

President Murtaugh read the list of Appointments as presented on Exhibit A.

- Councilmember Knochel moved to approve Resolution 2012-03-CM, second by Councilmember Byers; motion passed.

RESOLUTION 2012-04-CM
Confirming the Participation of Tippecanoe County in the Wabash River Heritage Corridor Commission

President Murtaugh presented the appointment of Norman A. Neiburger and James A. Andrew as an alternate to the Wabash River Heritage Corridor Commission.

- Councilmember Knochel moved to approve Resolution 2012-04-CM, second by Councilmember Byers; motion passed.

COMMISSIONERS' ASSIGNMENTS TO VARIOUS BOARDS, COUNCILS, AND COMMISSIONS

President Murtaugh read the list of Commissioners assignments.

- Councilmember Knochel moved to approve the Commissioner's Assignments as presented, second by Councilmember Byers; motion passed.

CONTRACT FOR COUNTY ATTORNEY

President Murtaugh stated the contract with Hoffman, Luhman & Masson is the same rate of $165.00 per hour as the 2011 contract.

- Councilmember Knochel moved to approve the contract as presented; second by Councilmember Byers; motion passed.

CONTRACT FOR COUNTY SHERIFF TRACY BROWN

President Murtaugh said the 2012 contract for Sheriff Tracy Brown is the same as 2011 in the amount of $107,676.

- Councilmember Knochel moved to approve the 2012 Sheriff contract; second by Councilmember Byers; motion passed.

CLERK – Christa Coffey
Storage Rental Agreement

Clerk Christa Coffey presented a third addendum to the Storage Rental Agreement. The storage facility is a space to store court records. Boxes need removed from every court with last year's records. The microfilming of juvenile records currently in process will free up space. Digital imaging and electronic records fall under the Supreme Court, State Court Administration Division rules. The acceptance of electronic records as permanent records is not being discussed. Record storage is a problem for every county in the state of Indiana. The Federal Courts have been electronic filing for a while.

Commissioner Knochel agreed that record storage is a horrendous problem and suggested it is time to begin thinking about building a storage facility to house records. The facility could possibly have the maintenance department located there also. Property is available if funds are located to put up a building.

Clerk Coffey said records need to be retained at a certain standard with controlled temperature and humidity. Little leaves the Clerk's office or courthouse without being scanned, providing a backup copy, if records are destroyed. Records must be in paper form or microfilm to meet current standards.

- Commissioner Knochel moved to approve the Storage Rental Agreement, second by Commissioner Byers; motion passed.

GRANTS – Laurie Wilson
Permission to Accept

Grant Coordinator Laurie Wilson requested permission to accept a grant for Cary Home in the amount of $36,400 from the Indiana Criminal Justice Institute. The grant is for the Juvenile Detention Alternative Initiative project.

- Commissioner Knochel moved to approve the grant acceptance, second by Commissioner Byers; motion passed.

Coordinator Wilson requested permission to accept a grant for the Health Department in the amount of $5,000 from the National Association of County & City Heal Officials (NACCHO). The grant will be used for the Medical Reserve Corps (MRC) travel and training.

- Commissioner Knochel moved to approve the grant acceptance, second by Commissioner Byers; motion passed.

Coordinator Wilson requested permission to accept a grant for Superior Court 3 in the amount of $3,901 from the Indiana Judicial Center. The amount is additional funding for the 2010-2011 Court Improvement Program. The program is for mediation which reduces court time.

- Commissioner Knochel moved to approve the grant acceptance, second by Commissioner Byers; motion passed.

WILDCAT CREEK SOLID WASTE

Attorney Dave Luhman stated the Commissioners adopted Resolution 2011-50-CM on November 21, 2011 to dissolve the Wildcat Creek Solid Waste Management District (WCSWMD). In order for the dissolution to be effective, identical resolutions are required to be adopted on two different dates. The dissolution would be effective according to the statute when both resolutions are delivered to the Clinton County Commissioners. The resolution was assigned 2012-05-CM for adoption.

West Lafayette resident Karen Griggs spoke in opposition of dissolving the WCSWMD. She indicated the district should be kept intact as it will cost more money to have two separate districts to handle solid waste.

Tippecanoe County resident Paul Wright commented he disagreed with Ms. Griggs. As presented, it appears to be cheaper, more efficient and available to the public a greater number of hours. Mr. Wright urged the Commissioners to divest Clinton County and "manage ourselves".

President Murtaugh stated Tippecanoe County Commissioners have had several discussions with Clinton County officials throughout this process. They understand why there is a need to move forward and appreciate the past relationship. Mr. Murtaugh disagreed with Ms. Griggs stating the process may not be cheaper, but will not cost more, and will provide additional services of six days a week versus the current one day a week.

- Commissioner Knochel moved to approve Resolution 2012-05-CM, second by Commissioner Byers; motion passed.

Attorney Luhman indicated a time frame needs established to deliver the Resolutions to Clinton County to become effective. Both County attorneys need time to establish a plan of dissolution for respective responsibilities. Mr. Luhman stated delivery prior to March 1, the assessment date and suggested a time frame between February 14 and March 1.

- Commissioner Knochel moved to approve delivery of the Resolutions to Clinton County by President Murtaugh between February 14 and March 1, second by Commissioner Byers; motion passed.

APPOINTMENTS TO COMMON WAGE BOARD

- Commissioner Knochel moved to approve the appointments of Jean Hall and Frank Cederquist as representatives for Purdue University at the January 12, 2012 meeting, second by Commissioner Byers; motion passed.

UNFINISHED/NEW BUSINESS

None

REPORTS ON FILE

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

- Wabash River Corridor Commission

PUBLIC COMMENT

None

Commissioner Knochel moved to adjourn.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

John L. Knochel, Vice President

David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 2-6-12