TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
April 2, 2012

The Tippecanoe County Commissioners met on Monday, April 2, 2012 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Thomas P. Murtaugh, Vice President John L. Knochel, and Commissioner David S. Byers. Also present were: Attorney Doug Masson, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Tillie Hennigar.

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

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve the minutes of the regular meeting held March 19, 2012, second by Commissioner Byers; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

- Commissioner Knochel moved to approve the accounts payable vouchers for March 22, 23, 28, 29, and 30, and April 2, 2012 as submitted with no exception, second by President Byers; motion carried.

AREA PLAN COMMISSION – Sallie Fahey
REZONES
Ordinance 2012-16-CM – Rezone Z-2487 Hope Heals Hearts, Inc. (PDRS to A)

- Commissioner Knochel moved to hear Ordinance 2012-16-CM, Rezone Z-2487, second by Commissioner Byers.

(quote)

March 22, 2012
Ref. No.: 12-065

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

CERTIFICATION

RE: **Z-2487--HOPE HEALS HEARTS, INC. (PDRS to A):**

Petitioner is requesting rezoning of 69.53 acres from PDRS (Bridge Creek PD) back to its original A zoning for a proposed church on property located on the east side of CR 1000 E, south of the SR 25/CR 900 N intersection in Washington 12 (NW) 24-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 21, 2012 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from PDRS to A. 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 April 2, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Jason Ramsland, Attorney representing the petitioner said the petitioner is requesting rezoning from PDRS to A. The current zoning is a lapsed PDRS which was entered into over ten years ago and cannot be developed in the current state. Hope Heals Hearts is a church community requesting approval to build a church complex on the property. The property was zoned A prior to PDRS. The Area Plan Commission approved recommendation of the rezone request. The church plans a series of buildings which will be dome structures, including dwelling units for hosting and a school of ministry. The 69.53 acres includes a flood plain area and it will remain zoned as a flood plain.

President Murtaugh asked for public input on the rezone request. There were none.

Auditor Weston called the roll.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2012-16-CM passed 3-0.

- Commissioner Knochel moved to hear Ordinance 2012-17-CM, Rezone Z-2488, second by Commissioner Byers.

Ordinance 2012-17-CM – Rezone A-2488 Price Hill Farms, Inc. (R1 & I3 to I3)

(quote)

March 22, 2012
Ref. No.: 12-066

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

CERTIFICATION

RE: **Z-2488--PRICE HILL FARMS, INC. (R1 & I3 to I3):**

Petitioner is requesting rezoning of 60 acres located on the east side of US 52 S, south of the railroad tracks and north of Veterans Memorial Parkway in Wea 12 (NW) 22-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 21, 2012 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from R1 & I3 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.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their April 2, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Dan Teder, Attorney representing the petitioner said a favorable staff recommendation from Area Plan was received. The rezone request from R1 and I3 to I3 is for a 60 acre tract. To incorporate all the property, the current I3 is included because it was never surveyed. All surrounding property is zoned I3 with the exception of the four corners of US52 and Veterans Memorial Parkway. The property is part of the '87 Amendment to the adopted lane use plan which calls for I3 for this area. The petitioner is getting the site ready for future industrial use. There are no objections from surrounding property owners.

President Murtaugh asked for public input on the rezone request. There were none.
Auditor Weston called the roll.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2012-17-CM passed 3-0.

HIGHWAY – Mike Spencer
Resolution 2012-09-CM
Determining to Sell Real Property

Mike Spencer, Highway Assistant Director, said the Resolution is for a small remnant of property from the South River Road Phase 3 project. Written bids were received and approval is requested to accept the bid from Ronald Morehouse in the amount of $1,600.

- Commissioner Knochel moved to approve Resolution 2012-09-CM, acceptance of the bid to sell real estate in the amount of $1,600, second by Commissioner Byers; motion carried.

Assistant Director Spencer presented the addition of streets Alysheba Drive, Cannonade Court, and Secretariat Drive into Huntington Farms Subdivision Phase 4. This is the last phase and completes the loop on the main street.

- Commissioner Knochel moved to approve the street acceptance as presented, second by Commissioner Byers; motion carried.

Assistant Director Spencer said the 3 year Maintenance Bond from Fairfield Contractors is for Earthwork, Erosion Control, Streets, and Storm Sewer in the amount of $22,500 for Huntington Farms, Phase 4.

- Commissioner Knochel moved to approve the 3 year Maintenance Bond as presented, second by Commissioner Byers; motion carried.

Assistant Director Spencer presented a 3 Year Utility Maintenance Bond from Smithville Digital, LLC in the amount of $5,000. The Bond is for work in the right-of-way.

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

GRANTS – Laurie Wilson

Grant Facilitator Wilson requested permission to accept a grant for TEMA from the Indiana Department of Homeland Security in the amount of $176,321. $114,000 is for training and exercise and will apply to the exercise in Muscatatuk the last week of April. $62,321 is for task force equipment and sustainment.

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

Grant Facilitator Wilson requested permission to accept a grant for Superior Court 3 from the Indiana Judicial Center in the amount of $1,650 with a 25% match of $550. The grant is for Judge Rush to attend the National Council of Juvenile and Family Court Judges.

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

Grant Facilitator Wilson requested permission to accept a grant for Cary Home from the Indiana Criminal Justice Institute in the amount of $36,000 with a $4,000 match. The grant is for the Truancy Accountability Project which is a new project.

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

Grant Facilitator Wilson requested permission to accept a grant for Probation from the Indiana Criminal Justice Institute in the amount of $11,039 with a $1,227 match. The grant is for the Substance Abuse Assessment and Screening Project which is a new project.

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

Grant Facilitator Wilson requested permission to accept a grant for the Sheriff Department from the Indiana Criminal Justice Institute in the amount of $49,000 with a $5,444 match. The grant is for Tippecanoe County School Corporation School Resource Office and is the third year for this grant.

Grant Facilitator Wilson explained how the grant match is determined. The match amount varies depending on the grant and the sponsor of the project. Most are 10%; some grants are 20%; Superior Court 3 is a 25% match; and TEMA typically does not have a match.

- Commissioner Knochel moved to accept the grant for the Sheriff Department as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant for TEMA in the amount of $30,500 from the Indiana Department of Homeland Security. The grant will fund registration and lodging for Indiana members of the All Hazards Incident Management Team Association (AHIMTA), the Indiana Department of Homeland Security personnel, and the District Response Task Force members at the annual AHIMTA conference. The conference will be in Indianapolis, December 4-6, 2012.

- Commissioner Knochel moved to approve permission to apply for the grant from the Indiana Department of Homeland Security as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson requested permission to apply for a grant for TEMA/Sheriff in the amount of $10,000 from the Indiana Department of Homeland Security for EOD (Bomb Task Force) equipment.

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

Grant Facilitator Wilson requested permission to apply for a grant for WIC in the amount of $814,818 from the Indiana State Department of Health. The grant will fund the Tippecanoe County WIC program for fiscal years 2012/2013. This is the first year the Health Department must apply for the funds instead of receiving the funds automatically.

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

Grant Facilitator Wilson requested permission to apply for a $50,000 grant for the Drug Free Coalition from the Substance Abuse & Mental Health Services Administration. The grant is the Sober Truth on Preventing Underage Drinking Act Grant (STOP Act grant) to supplement efforts to reduce underage drinking; it covers early prevention and intervention programs.

- Commissioner Knochel moved to approve permission to apply for the Drug Free Coalition grant as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson presented an amendment to grant #09-JB-025 to extend the grant end date from March 31, 2012 to September 30, 2012 for the Tippecanoe School Corporation School Resource Officer.

- Commissioner Knochel moved to approve the MOU/Contract as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson presented an amendment to grant #09-JP-001, Disproportionate Minority Contact Grant, to extend the grant end date from March 31, 2012 to August 31, 2012. The extension will allow unused funds in the travel portion of the grant.

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

Grant Facilitator Wilson presented an amendment to grant #09-JB-024, Pregnancy Prevention Officer Project, extending the grant end date from March 31, 2012 to May 15, 2012. The extension will allow the use of the remaining $800 of the grant.

- Commissioner Knochel moved to approve the grant extension date as presented, second by Commissioner Byers; motion carried.

Grant Facilitator Wilson gave an update to the recent tornados in southern Indiana. The District 4 Task Force deployed about two hours after the tornados and was the first Task Force to arrive. They assisted

the residents, emergency management, and department heads in managing debris removal. Within ten days, areas were identified for students to maintain their schedules except for the high school students, who returned to classes today. Shelters were closed sooner than expected because most of those needing assistance stayed with relatives. At last report, no FEMA trailers are being brought in. On Monday following the tornado, one of the church members who owned a lumber yard volunteered to build 20 homes free of charge. Two weeks later, another national faith-based group offered 100 homes to those without insurance or who were under funded through FEMA reimbursement. FEMA aide has provided over $670,000 for Clark County in the first two weeks. Six to eight weeks was estimated for clean up, but 98% of debris was cleaned up in 12 days due to all the volunteers. The Disaster Declaration process has several local and state procedures before submission to Washington. Once submitted, it goes through six signatures before submission to President Obama. There are two separate programs for reimbursement: one for the homeowners and local property owners and another program for public assistance to reimburse the County for the hours of service from firefighters, local emergency management, and highway. FEMA covers the expenses of District 4 participants such as overtime, retirement, social security, and health insurance so gathering all the information from the other counties will take some time.

BOARD OF ELECTION & REGISTRATION – Christa Coffey, Jared Bond, Amy Wenrick
Approval of Satellite Vote Center Locations

President Murtaugh welcomed Amy Wenrick to her new position.

Clerk Christa Coffey, Republican Co-Chairperson Jared Bond, and Democrat Co-Chairperson Amy Wenrick presented the Satellite Vote Center Locations for the 2012 Primary. The locations are the same as the previous year except for the addition of the Payless by the mall.

- Commissioner Knochel moved to approve the Satellite Vote Centers as presented, second by Commissioner Byers; motion carried.

Approval of Election Day Vote Center Locations

Co-Chairperson Bond said the Primary Election Vote Center locations are the same as last year with the exception of Wabash Township Fire Station #1 on Klondike Road instead of the Klondike Library branch.

- Commissioner Knochel moved to approve the Vote Center locations as presented, second by Commissioner Byers; motion carried.

Approval of Satellite Absentee Contract

Co-Chairperson Bond said the Satellite Absentee Contract is the same as last year with the exception of changing the date and updating the Commissioner's office positions. Attorney Luhman reviewed and approved the contract.

- Commissioner Knochel moved to approve the Satellite Absentee Contract as presented, second by Commissioner Byers; motion carried.

Approval of Election Day Worker Contract

Co-Chairperson Bond said the Election Day Worker Contract is the same as last year, including the amounts, with the exception of the date change and Commissioner's titles. The amount for a supervisor is $200; $190 for the lead Democrat judge; and $175 for a full day judge. Training will be done in-house. Attorney Luhman reviewed and approved the contract.

- Commissioner Knochel moved to approve the Election Day Worker Contract as presented, second by Commissioner Byers; motion carried.

ORDINANCE 2012-15-CM (Second Reading)
Amending County Clerk Fees

- Commissioner Knochel moved to hear Ordinance 2012-15-CM, second by Commissioner Byers.

Clerk Christa Coffey said there were no changes to present regarding the Ordinance.

President Murtaugh asked for public input on the Ordinance. There were none.

Auditor Weston recorded the vote.

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2012-15-CM passed 3-0 on second and final reading.

WILDCAT CREEK SOLID WASTE MANAGEMENT DISTRICT

Attorney Masson presented the 1st Addendum to Interlocal Agreement for the dissolution of the Wildcat Creek Solid Waste Management District (WCSWMD). The agreement authorizes Hayden Consulting to transfer the assets and distribute net cash assets to the newly established Wild Cat Solid Waste Management District of Clinton County and Tippecanoe County Solid Waste Management District (TCSWMD) of Tippecanoe County. The distribution will be $142,320.75 to TCSWMD and $34,695.10 to Clinton County's District. Included is the distribution of accounts payable to date.

- Commissioner Knochel moved to approve the Addendum to Interlocal Agreement, second by Commissioner Byers; motion carried.

President Murtaugh announced the new TCSWMD is open as of today. The hours are 8:00 am to 5:00 pm Monday through Friday, and 8:00 am to noon on Saturday. He encouraged the public to take advantage of the new facility.

TRANSLATOR AGREEMENT

- Commissioner Knochel moved to approve the Translator Agreement for Alejandro Malo's appointment as Translator for Tippecanoe County Courts, second by Commissioner Byers; motion carried.

APPOINTMENT TO HUMAN RELATIONS COMMISSION

- Commissioner Knochel moved to approve the appointment of Debi DeBruyn and Cynthia Longoria to the Human Relations Commission, second by Commissioner Byers; motion carried.

APPOINTMENT TO OTTERBEIN LIBRARY BOARD

- Commissioner Knochel moved to approve the appointment of Treva Sarles to the Otterbein Public Library Board, second by Commissioner Byers; motion carried.

UNFINISHED/NEW BUSINESS – none

REPORTS ON FILE

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

Public Library
Emergency Ambulance Service
Human Relations Commission
Crystal Creek Boarding Kennel
State Board of Accounts County Treasurer
Parks and Recreation

PUBLIC COMMENT – none

- Commissioner Byers moved to adjourn.

BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

Thomas P. Murtaugh, President

John L. Knochel, Vice President

absent
David S. Byers, Member

ATTEST:

Jennifer Weston, Auditor 4-16-12