

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
JANUARY 15, 2002**

The Tippecanoe County Council held its regular meeting on Tuesday, January 15, 2002 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President David S. Byers, Vice President Connie Basham, Jeffrey Kessler, Margaret K. Bell, Jeffrey A. Kemper, Kathy Vernon, and Ronald L. Fruitt; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Byers called the meeting to order and led the Pledge of Allegiance. He then called upon Delmar Bruersma, Pastor of Upper Room Christian Fellowship, to offer a prayer.

ELECTION OF OFFICERS

Attorney Luhman conducted the election of officers for 2002.

- Upon Councilmember Kessler's motion and Councilmember Kemper's second, Councilmember David Byers was elected President of the County Council for 2002.
- Upon Councilmember Kessler's motion and Councilmember Bell's second, Councilmember Connie Basham was elected Vice-President of the County Council for 2002.

Attorney Luhman turned the meeting over to President Byers.

APPROVAL OF MINUTES

- Councilmember Fruitt moved to approve the minutes of the December 11, 2001 Special Joint Meeting with the Commissioners and Financial Consultant Greg Guerrettaz, seconded by Councilmember Basham; motion carried.
- Councilmember Kemper moved to approve the minutes of the December 11, 2001 Regular Meeting, seconded by Councilmember Bell; motion carried.

APPOINTMENTS: Councilmembers and Citizens to Boards and Commissions

Alcoholic Beverage Commission

- Councilmember Kessler moved to approve the appointment of Vicki Pearl as the County Council's representative to the Alcoholic Beverage Commission, seconded by Councilmember Vernon; motion carried.

Park Board

President Byers submitted the name of Walter Dalsimer to serve as the Council's representative to the Tippecanoe County Park Board. Councilmember Basham mentioned that the Council's current appointee, Paul Finkenbinder, holds an office on the Park Board and thought he should be asked if he wishes to continue as the Council's representative.

- Councilmember Fruitt moved to table this appointment until the February meeting, seconded by Councilmember Kessler; motion carried.

Economic Development Commission

- Since the current representative, Charlie Shook, had not been asked if he wishes to continue to serve, Councilmember Kemper moved to table this appointment until the February meeting, seconded by Councilmember Fruitt; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2001 uncommitted County General Funds through December 31, 2001 are \$291,260.96. The 2002 uncommitted County General Funds for January 1, 2002 are \$790,760.40.

INTEREST STATEMENT

Interest for November 2001 was \$223,911.85. MBIA interest for November 2001 was \$9,972.68.

COMMISSIONERS: EDIT Fund 15**ADDITIONAL APPROPRIATION: \$500,000.00**

500,000.00 Capital Outlay

This request from the EDIT Fund is to pay for the purchase of the Financial, Human Resource, and Payroll Software. Tippecanoe County's Financial Consultant Greg Guerrettaz told the Council that the committee conducted an extensive search and HTE was chosen as the vendor of choice. Implementation of THE software is estimated at \$450,230.85, but Mr. Guerrettaz said additional funding will be needed to include software for the Treasurer's Office and to ensure an adequate training budget. He stressed the need for new software because of the numerous problems the County is experiencing with the current system.

- Councilmember Kessler moved to approve the appropriation of \$500,000 from the EDIT Fund, seconded by Councilmember Fruitt; motion carried.

SHERIFF: Sheriff Dave Murtaugh**ADDITIONAL APPROPRIATION: \$202,527.00**

154,645.00 Courthouse Security Officers
11,831.00 Social Security
7,346.00 Retirement
28,705.00 Health Insurance

- Councilmember Kessler moved to appropriate \$202,527.00 for additional Courthouse Security Officers, seconded by Councilmember Bell; motion carried.

SALARY ORDINANCE	Position	Rate	Salary
Full Time	Supervisor	1,563.91	37,534.00
	Asst. Supervisor	1,395.54	33,493.00
	Security Officers (11)	1,163.37	
		1,467.12	330,156.00

- Councilmember Kessler moved to approve the Salary Ordinance, seconded by Councilmember Vernon; motion carried.

EMERGENCY MANAGEMENT: Director Steve Wettschurack**ADDITIONAL APPROPRIATION: \$43,140.00**

13,160.00 Capital Outlay - Pagers
29,980.00 Capital Outlay - Radios

Director Wettschurack requested funds to purchase forty (40) pagers because the ones they currently use are outdated and cannot be repaired due to lack of parts. Emergency Management averages sixty (60) volunteers on the roster. The pagers he wants to purchase will work off their current system and can be remotely controlled from the Office.

- Councilmember Fruitt moved to approve \$13,160.00 to purchase pagers, seconded by Councilmember Kessler.

Councilmember Fruitt commented that Emergency Management is a vital part of our community and the volunteers need the ability to communicate.

Auditor Plantenga suggested funding the purchase of the pagers from the Cum Cap Fund if the Commissioners are agreeable to this option. Commissioners Shedd and Benson, who were present, did not openly object to this suggestion.

- Councilmember Fruitt withdrew his motion and Councilmember Kessler withdrew his second.

- Councilmember Fruitt moved to table this request until the February meeting, seconded by Councilmember Kessler; motion carried.

Mr. Wettschurack requested funding for ten (10) portable radios with chargers to enable better communication among the volunteers at the scene of an incident or event. He said he worked with the local dealer for the best price. Following a discussion of options on the radios, Sheriff Murtaugh suggested the formation of a committee to standardize radios used throughout various departments in the County.

The Council asked the Commissioners to consider approving Cum Cap Funds for the purchase of radios.

- Councilmember Kessler moved to table this request until the February meeting, seconded by Councilmember Kemper; motion carried.

COURT SERVICES: Director Cindy Houseman

Fund 07

ADDITIONAL APPROPRIATION: \$78,089.00

57,468.00	Certified Instructor (2)
4,397.00	Social Security
2,730.00	Retirement
11,482.00	Insurance
2,012.00	Workers Comp

Fund 11

ADDITIONAL APPROPRIATION: \$2,000.00

2,000.00	Intake Specialist/Secretary
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- Councilmember Basham moved to approve the appropriation from Fund 07 for the Certified Instructor positions, seconded by Councilmember Vernon; motion carried with Councilmember Kessler abstaining.
- Councilmember Basham moved to approve the appropriation from Fund 11 for the Intake Specialist/Secretary position, seconded by Councilmember Vernon; motion carried with Councilmember Kessler abstaining.

Note: The 2002 Salary Ordinances for these positions were approved in December 2001.

ORDINANCE 2002-01-CL: Establishes Courthouse Security Fund

Attorney Luhman read the Ordinance.

(quote)

**ORDINANCE NO. 2002-01-CL
ESTABLISHING TIPPECANOE COUNTY COURTHOUSE SECURITY FUND
FOR PAYMENT OF COURTHOUSE SECURITY EXPENSES**

WHEREAS the Tippecanoe County Council (Council) has been and will be required to appropriate additional funds for the provision and maintenance of security at the Tippecanoe County Courthouse, including expenditures ordered to be made by Order of the Court in the Matter of Courthouse Security of Tippecanoe County, Indiana, pending in the Tippecanoe Circuit Court as Cause No. 79C01-0012-MI-00043; and

WHEREAS the Council desires to establish a fund from which moneys may be expended at the request of the Board of Commissioners of Tippecanoe County, subject to appropriation by the Council, for the provision and maintenance of security at the Tippecanoe County Courthouse; and

WHEREAS the Tippecanoe County Court No. 2 did, on the 18th day of December, 1998 promulgate a General Order for Assessment of Fines and Late fees for Traffic Infraction Tickets (Late Fee Order); and

WHEREAS the Council deems it appropriate and in the public interest to use the late fees collected from defendants pursuant to the Late Fee Order to fund the provision and maintenance of such security measures;

WHEREAS the Council desires to adopt an ordinance concerning the distribution of said late payment fees collected pursuant to the Late Fee Order and;

NOW THEREFORE, BE IT ORDAINED that there be and there is hereby established a Tippecanoe County Courthouse Security Fund into which moneys shall be deposited from time to time from the county general fund, from gifts, grants or any other source, and from which moneys may be expended at the request of the Board of Commissioners of Tippecanoe County, subject to appropriation, for the provision and maintenance of security at the Tippecanoe County Courthouse, including the expenditure of funds ordered by the Court in the Matter of Courthouse Security of Tippecanoe County, Indiana, pending in the Tippecanoe Circuit Court as Cause No. 79C01-0012-MI-00043.

BE IT FURTHER ORDAINED that all late payment fees collected pursuant to the General Order for Assessment of Fines and Late fees for Traffic Infraction Tickets promulgated by Tippecanoe County Court No. 2 on December 18, 1998 shall be deposited by the County Auditor in the Courthouse Security Fund.

This Ordinance shall be effective upon passage.

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the first time, and approved this 15th day of January, 2002, by the following vote:

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	<u>David S. Byers, President</u>
Connie Basham	<u>Connie Basham, Vice President</u>
Jeffrey Kessler	<u>Jeffrey Kessler</u>
Jeffrey A. Kemper	<u>Jeffrey A. Kemper</u>
Kathy Vernon	<u>Kathy Vernon</u>
Margaret K. Bell	<u>Margaret K. Bell</u>
Ronald L. Fruitt	<u>Ronald L. Fruitt</u>

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the second time, and adopted this 15th day of January, 2002, by the following vote:

VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers	<u>David S. Byers, President</u>
Connie Basham	<u>Connie Basham, Vice President</u>
Jeffrey Kessler	<u>Jeffrey Kessler</u>
Jeffrey A. Kemper	<u>Jeffrey A. Kemper</u>
Kathy Vernon	<u>Kathy Vernon</u>
Margaret K. Bell	<u>Margaret K. Bell</u>
Ronald L. Fruitt	<u>Ronald L. Fruitt</u>

ATTEST:

Robert Plantenga, Tippecanoe County Auditor

(unquote)

- Councilmember Basham moved to approve Ordinance 2002-01-CL on first reading, seconded by Councilmember Fruitt.

Auditor Plantenga recorded the vote:

David Byers	Yes
Connie Basham	Yes
Jeffrey Kessler	Yes
Jeffrey Kemper	Yes
Kathy Vernon	Yes
Margaret Bell	Yes
Ronald Fruitt	Yes

- The motion to approve Ordinance 2002-01-CL passed 7 – 0 on first reading.
- Councilmember Basham moved to suspend the rules and allow a vote on second reading the same day as presented, seconded by Councilmember Kemper; motion carried.
- Councilmember Basham moved to approve Ordinance 2002-01-CL on second reading, seconded by Councilmember Kemper.

Auditor Plantenga recorded the vote:

Ronald Fruitt	Yes
Margaret Bell	Yes
Kathy Vernon	Yes
Jeffrey Kemper	Yes
Jeffrey Kessler	Yes
Connie Basham	Yes
David Byers	Yes

- The motion to approve Ordinance 2002-01-CL passed 7 – 0 on second and final reading.

RESOLUTION 2002-04-CL: Establishes Drainage Board Engineering Fee Fund

Attorney Luhman explained that this Resolution allows the Drainage Board to pay the engineers to review plans that are submitted and requires the developers to repay those fees to the County.

(quote)

RESOLUTION NO. 2002-04-CL

**RESOLUTION ESTABLISHING
DRAINAGE BOARD ENGINEERING FEE FUND**

WHEREAS the Board of Commissioners of Tippecanoe County did on the 7th day of November, 1988 adopt Ordinance No. 88-40-CM which established "Tippecanoe County, Indiana, A General Ordinance Establishing Storm Drainage and Sediment Control", commonly known as the "Tippecanoe County Drainage Code"; and

WHEREAS the Tippecanoe County Drainage Code, as amended, requires that developers submitting plans for approval of the Drainage Board pursuant to the Drainage Code shall pay in full all professional engineering costs incurred in the review thereof by the Surveyor and Drainage Board, and;

WHEREAS the Tippecanoe Council has appropriated moneys for the use of the Tippecanoe County Drainage Board and Tippecanoe County Surveyor for the purpose of contracting for review of all preliminary plans, final plans and/or construction plans by a licensed professional engineer; and

WHEREAS the Tippecanoe County Council has determined that a need now exists for the establishment of a Drainage Board Engineering Fee Fund into which engineering fees paid by developers pursuant to the Drainage Code shall be paid and from which the Drainage Board and Surveyor shall pay for professional engineering services incurred in respect to review of plans submitted for approval under the Drainage Code.

NOW THEREFOR BE IT RESOLVED that there is hereby created in the office of Auditor of Tippecanoe County the Tippecanoe County Drainage Board Engineering Fee Fund to be funded with engineering review fees paid by developers in accordance with the Tippecanoe County Drainage Code and such other monies as the County Council may from time to time appropriate. Monies in the fund may be expended at the direction of the Tippecanoe County Drainage Board and/or the Tippecanoe County Surveyor for professional engineering review of plans submitted to the Drainage Board for approval pursuant to the Tippecanoe County Drainage Code.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 15th day of January, 2002, by the following vote:

	VOTE	TIPPECANOE COUNTY COUNCIL
David S. Byers		_____
		David S. Byers, President
Connie Basham		_____
		Connie Basham, Vice President
Jeffrey Kessler		_____
		Jeffrey Kessler
Margaret K. Bell		_____
		Margaret K. Bell
Jeffrey A. Kemper		_____
		Jeffrey A. Kemper
Kathy Vernon		_____
		Kathy Vernon
Ronald L. Fruitt		_____
		Ronald L. Fruitt

ATTEST:

Robert Plantenga, Auditor

(unquote)

- Councilmember Kemper moved to approve Resolution 2002-04-CL, seconded by Councilmember Vernon; motion carried.

OTHER BUSINESS

Commissioner Benson updated the Council on Commissioners' activities:

The Commissioners decided to appeal Judge Johnson's decision regarding the lawsuit against the County Assessor for entering into a contract with Tax Management Associates to audit Personal Property returns. Attorney Luhman said they have no estimate of the cost of the appeal but, in his opinion, the amount found owed to the County will be well worth the cost of the appeal. If the decision is overturned, it will assure that the small taxpayers don't have to pay more than their fair share because the largest taxpayers don't pay their fair share.

AIC (Association of Indiana Counties), IACT (Indiana Association of Cities & Towns), and IACC (Indiana Association of County Commissioners) submitted friendly briefs supporting the County's decision to appeal the Courthouse Security Mandate. They are available in the Commissioners' Office for review.
Personnel Policy changes may be addressed later this year.

Only the City of Lafayette is willing to share the cost of the flying the County for GIS.

A neighbor has expressed interest in purchasing a property located on Smith Street that the County acquired through the Property Tax Sale.

Following interviews, the Grant Coordinator position has been offered to an individual. A resolution in support of the Gas Tax Bill will be presented to the Area Plan Commission for approval. The Commissioners also plan to consider a resolution in support at their January 23rd meeting.

Burke Engineering has agreed to conduct a study for Phase II Stormwater for a \$150,000 fee. The County will share the cost with Lafayette, West Lafayette, and Purdue University.

The County plans to make an offer for a real estate purchase.

The new GIS Administrator is on board.

Councilmember Kessler recommended supporting the Gas Tax Bill for road funding but realized the Council could not pass a resolution until the February meeting. Attorney Luhman said wording could be included in the Commissioners' resolution that the Council expressed no opposition to the Bill. Councilmember Byers said he is hesitant to give his support.

- Councilmember Kessler moved to express the Council's support of the Gas Tax Bill in the Commissioners' resolution, seconded by Councilmember Kemper; motion carried with Councilmember Byers abstaining.

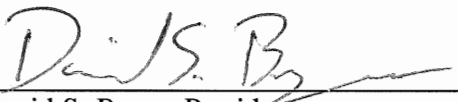
The Council's next Working Session will be held at 2:00 P.M., Thursday, February 7, 2002. A Special Joint Meeting with the Commissioners and Financial Consultant Greg Guerrettaz will be held at noon, Tuesday, February 12, 2002. The Regular Council meeting will follow at 2:00 P.M. All meetings will be held in the Tippecanoe Room in the County Office Building.

ADJOURNMENT

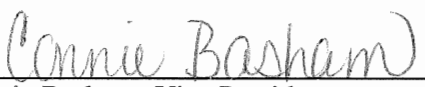
- Councilmember Fruitt moved to adjourn, seconded by Councilmember Vernon; motion carried.

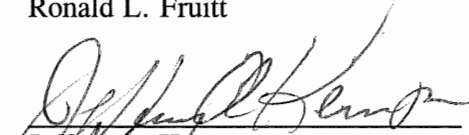
Robert A. Plantenga, Auditor

TIPPECANOE COUNTY COUNCIL

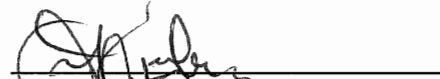

David S. Byers, President



Ronald L. Fruitt

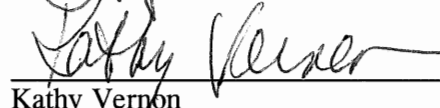

Connie Basham, Vice President


Jeffrey A. Kemper


Margaret K. Bell


Jeffrey Kessler

Attest: 
Robert A. Plantenga, Auditor


Kathy Vernon