

LAPORTE COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 5, 2005

The LaPorte County Board of Commissioners met on April 5, 2005 at 6:00 p.m. in the LaPorte County Complex and Security Annex.

Commissioner Harmon called the meeting to order at 6:00 p.m...

Present at the meeting were Commission President Marlow Harmon, Commission Vice President William Hager, Commission Member Barbara Huston. Also present were LaPorte County Auditor Teresa Shuter and Recording Secretary Linda Arnett. County Attorney Robert Szilagyi was absent.

Commissioner Huston Led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Hager made a motion to approve the agenda as presented, second by Mrs. Huston motion carried with a roll call vote 3-0.

APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of March 15, 2005, March 22, 2005 and March 24, 2005 as presented, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

WEEKLY REPORTS

CLAIMS

Mr. Hager made a motion to approve payroll ending April 7, 2005, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Ms. Huston made a motion to approve in the amended amount of \$417,401.72, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

CORRESPONDENCE

None

REQUESTS

Jeana Blake & Georgainna Wolff, Co-Directors—LaPorte County Voter Registration—Request Win Tax \$5,580.60

Ms. Jeana Blake we need the computers and the county will have control of the County wide computers for our office.

Mr. Harmon, will they hook into our network?

Ms. Blake, yes they will hook into our network.

Mr. Harmon, did you go through Mr. Tulacz?

Ms. Blake, yes we did, we got the quote from him, and it is enclosed with your information.

Mr. Hager, made a motion to approve \$5,580.60 to be taken out of win-tax, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Robert Young, LaPorte County Highway Superintendent—Request CEDIT Funds
\$1,750,000.00

Mr. Young we are asking for the main draw in CEDIT Funds to build roads with. The amount \$1,750,000.00 coming in a little early, so we can get it in place and get it in time for the council meeting for approval.

Ms. Huston made a motion to approve the request in the amount stated, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mill Creek Days, Request for funds from LaPorte County Visitors Bureau

Mr. Hager made a motion to give Mill Creek \$500.00, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

OLD BUSINESS

Attorney Ryan Beall, Road Vacation

Mr. Harmon, this will remain on table until April 19th. Mr. Hager made a motion to leave on the table, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Rick McVay, LaPorte County Highway Engineer-- County Home Final Acceptance
Replacement Windows (Meyer Glass and Mirror Co., Inc.)

Mr. McVay, this is a final acceptance for the windows at the County Home. Everything that we asked them to do is completed. This is a form you need to sign so we can pay them the retainage and close the job.

Mrs. Huston, made a motion to accept, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Rick McVay, LaPorte County Highway Engineer—200 East & 300 East NICTD Bridges
Final Acceptance

Mr. McVay, what I submitted to you is a cost annulus of this that was from DLZ. This shows different option that we can go with on this bridge replacement. And we did meet with DLZ and the NICTD officials and me and we agreed that option 1-C is the way to go. What we need to decide, is what structure we want to go with when we meet with NICTD.

Mr. Harmon, 1-C is one million thirteen thousand dollars.

Mr. McVay, that is for county road 200 East and 300 East comes in at two million-seven thousand dollars.

Mr. Harmon, so the total project is three-million twenty thousand dollars.

Mr. McVay, right. What we are thinking is that we can fund this with some federal funds. We are thinking we can get some STP Funds from road work and NICTD would pursue their bridge funds.

Mr. Harmon, then they is going to pursue funding.

Mr. McVay, yah, we are thinking about dual funding.

Mr. Hager, made a motion to move forward on bridge on 200 East and 300 East, second by Mrs. Huston. Motion carried with a roll call vote 3-0.

Rick McVay, LaPorte County Highway Engineer—450 North & Johnson Road Stop Light

Mr. Hager, made a motion to remove from the table, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Mr. McVay, we have revisited that site. I had the chance to discuss this with INDOT; we are averaging four accidents a year there. I mentioned that to INDOT they explained to me that basically based upon state roads, so they have more traffic than our county rural roads. What they told me is that were looking at an intersection that averages 1.3 accidents per year, that it justifies doing something to that intersection. There is no way that we can do anything with the I-94 Bridge, we can't take the curve out south of that intersection the gas station is there that causes a lot of congestion. My recommendation to you is that we put a stop light their.

Mr. Hager, I go along with what you are saying. I will make a motion that we go along with the recommendation of Mr. McVay and put a stop light up there, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

John Sullivan, Chief Deputy Coroner—Vehicle Purchase

Mr. Hager made a motion to leave on the table, second by Huston. Motion carried with a voice vote 3-0.

Robert Young, LaPorte County Highway Superintendent, Bid Recommendation Class 11 Bituminous, Class 12 Hot Asphalt Concrete and Class 13 Seal Coating (Chip & Seal)

Mr. Young, this is part of our annual bids, the liquid bituminous, and the HAC which is paving and chip and seal. In the last couple of years we bid it out early to get a better price. My recommendation is that we accept all of the bids in Class 11 which is Liquid Bituminous, Class 12 which is Paving that we contract out in the county, Class 13 is the Seal Coating we have taken bids out on the last couple years if we contract it out or do it ourselves. The low bidder as the primary contractor accepting the high bidders incase we need them.

Mr. Harmon, in bituminous who was the low bidder.

Mr. Young, Seneca Petroleum.

Mr. Harmon, they will be the primary bidder.

Mr. Young, yes and the other two were Bit Mat out of South Bend and Koch Materials out of Warsaw.

Mr. Harmon and Class 12 were Rieth Riley and Walsh & Kelly.

Mr. Young, Class 12 low bidder was Rieth Riley and the other was Walsh & Kelly. Rieth Riley will be the primary. Then in the Chip & Seal again will be Rieth Riley and Walsh & Kelly, Rieth Riley were low in two and Walsh & Kelly was low in one.

Mrs. Huston, made a motion to accept the recommendation of the County Highway Superintendent, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Robert Young, LaPorte County Highway Superintendent, Bid Recommendation, Tandem Dump Trucks

Mr. Young, if you accept my recommendation we will seek the funding with the County Council. My recommendation is from Pozzo Mack (3) sent to Deed's Equipment for the for the outfitting for a total of \$118,527.87 per unit the total of the three Mack's is \$355,583.64 and two International Mack's from Great Lakes International, South Bend go to Northern Equipment in Plymouth to be outfitted there at the price of \$114,438.69 per unit at \$248,877.38 for the two and the grand total of five unites is \$584,461.82. I think it's a little something different then we have ever done with the county trucks splitting them up like this but that is my recommendation.

Mr. Hager, made a motion to approve Mr. Young's recommendation, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Ordinance Zoning from Agricultural to R-1-- Norm Wagner Subdivision

Mr. Harmon, this Ordinance is for second reading. This is one of those issues that we ended up being taken to court on because we did not move on it quickly enough and the court's moved in favor of Mr. Wagner. Ordinance on second reading by title only, unless there is an objection, hearing no objections, Ordinance on second reading by title only. Ordinance Rezoning Real Property.

Mrs. Huston, made a motion to adopt the Ordinance, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mrs. Shuter, it will be known as Ordinance 2005-05.

Tim Hass, Hass & Associates—Update Rolling Prairie Site Clean up

Tim Hass, project clean up is explains clean-up. We have a brief presentation and a handout to give you. The front is a timeline so you can see what has been going on the second is the site map, third has static's about product movement and thickness and then some pictures at the end. In 2003 we implemented a bio test for further use in the future, 2004 installed skimmer systems and those are operational and 2005 installed a bio Bio-Vent vapor extraction system and we are continuing the operation. Also, some pictures of the equipment out there.

Mr. Harmon, are we getting a lot of product out of there yet.

Mr. Hass, we have been removing more in the past few years then previously and that is because there are more wells with removal systems in them.

Mr. Harmon, how close are we in the agreement with IDEM?

Mr. Hass, recovery funds they are being looked at and the fees that were missed previously they are suppose to be repaid and get things back in order. There is a procedure to do with state laws and we get through that and should be back in order.

Mr. Harmon, when we went to the council we approved the \$80,000.00 for the completion of this year, it was the \$31,000.00 that we were questioning.

Mr. Hass that was the ongoing maintenance was for monitoring, testing, product removal and the bio system was installed it was another.

Mr. McVay, we had a question on the Bio-Vent System we thought it was already in place and that's where we got hung up.

Mr. Hass, we did the pilot test for the venting. We were waiting to here back from IDEM to find a correction action plan that was submitted and we are waiting for a response. But before we can correct the Bio-Vent System we would like to get some input from them, it is not actually collecting product with all the money that has been spent for is been collecting product and before we move into the next phase we would like to make sure they agree that we are doing it in accordance with the way they think it should be done.

Mr. Harmon, you will come and update the council on April 25.

Mr. Hass, yes we will be here.

NEW BUSINESS

Richard Dombrowski LaPorte County Highway Utility Inspector Road Cut Issue

Mr. Dombrowski, Mr. Smith is here to relate what he wants to do.

Larry Smith, I represent the Downing Corporation a land owner in Cass Township, we are installing an irrigation system and would like to cross road 1500 south. The installer for this project is Chester's Inc., I met with them today and they are prepared to cut, install and put back the top patch and everything needed in a day.

Mr. Dombrowski, they would do what I ask them to do and are a reputable group.

Mr. Harmon, is that a chip and seal road?

Mr. Dombrowski, if they do it now they will come back in about two months and surface it and it will be okay.

Mr. Hager, made the motion to approve the road cut, second by Mrs. Huston. Motion carried 3-0.

PUBLIC COMMENTS

None

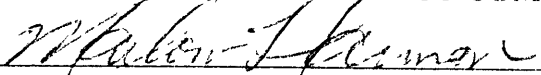
COMMISSIONER'S COMMENTS

None

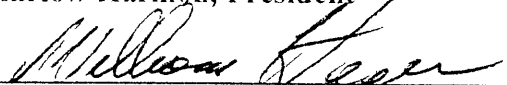
ADJOURN

Commissioner Harmon adjourned the meeting at 6:40p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS



Marlow Harmon, President



William Hager, Vice President

Barbara Huston, Member

Attest: _____
Teresa Shuter, LaPorte County Auditor

(Approximately 20 people in attendance)