



BOARD OF COMMISSIONERS

LAPONTE COUNTY

Circuit Courthouse

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Marlow Harmon, President

William Hager

Barbara Huston

LAPONTE COUNTY BOARD OF COMMISSIONERS

TUESDAY, AUGUST 16, 2005

The LaPorte County Board of Commissioners met in regular session on Tuesday, August 16, 2005 at 10:00 a.m. in the LaPorte County Complex Meeting Room # 3.

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

Commissioner Harmon called the meeting to order at 10:00 a.m...

WELCOME AND PLEDGE OF ALLEGIANCE

Commissioner Hager led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Harmon, we need to add under "New Business" Plan Commission Appointment.

Mr. Hager, made a motion to approve the agenda as amended, second by the Mr. Harmon. Motion carried with a voice vote 2-0.

APPROVAL OF MINUTES

Mr. Hager, made a motion to approve the minutes of August 2, 2005 as submitted, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

WEEKLY REPORTS

The Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Mr. Hager, made a motion to approve Miscellaneous Claims in the amount \$4,971,405.73, second by Mr. Harmon. Motion carried with a voice vote 2-0.

PAYROLL

Mr. Hager, made a motion to approve Payroll ending August 26, 2005, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

CORRESPONDENCE

None

REQUESTS

None

OLD BUSINESS

NICTD Bridge N-101 & N-102, NICTD Railroad over C.R. 200 East and C.R. 300 East/ Agreement

Mr. McVay, NICTD asked for time to review this agreement before they sign it, so at this time I am asking you to table it.

Mr. Hager, made a motion to table, second by Mr. Harmon. Motion carried with a voice vote 2-0.

Waverly Road Bid Openings

Mr. Szilagyi, we have two (2) bids, the bids were due by 10:00 a.m. today.

Mr. Hager, made a motion to close bids, second by Mr. Harmon. Motion carried with a voice vote 2-0.

Mr. Szilagyi, the first is from Reith Riley in the amount of \$175,932.27 and the next is from Walsh & Kelly in the amount of \$210,116.43 and there are no other bids.

Mr. Hager, made motion to turn the bids over to the Rick McVay the County Highway Engineer for his review and recommendation, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Memorandum of Understanding between City of LaPorte and LaPorte County (Road cut and water main installation)

Mr. Szilagyi, as long as they are satisfied with the technical part as far as what they are going to do.

Mr. Hager, the city signed this?

Mr. McVay, yes they have.

Mr. Hager, made the motion to sign the letter of understanding, second by Mr. Harmon. Motion carried with a roll call vote 2-0

Attorney Ryan Beall, Road Vacation

Mr. Szilagyi, Mr. President this has been up here before the board at least 5 or 6 times and no one has shown up.

Mr. Hager, made a motion to deny the request, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

NEW BUSINESS

Robert Young LaPorte County Highway Superintendent request for Riverboat funds \$1,021,000.00 for Road Projects

Mr. Young, this request is for \$1,021,000.00 to resurface approximately 16 miles of roads and various surfaces this is in addition to our list that we have already completed.

Mr. Hager, made a motion to approve the request and send the request on to the County Council, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer/ Royal Metal Building Change Order #1 \$17,054.65

Mr. McVay, this change order is due to inflation in prices and we did not assign this project soon enough and the cost changed.

Mr. Harmon, does this change order include the removal of that tank that was found there?

Mr. McVay, no they are still working on that.

Mr. Hager, made a motion to grant the request of the change order in the amount of \$17,054.65, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Drainage Board Appointment

Mr. Hager, I would like to nominate Mr. Ted Daube, to the Drainage Board, Mr. Harmon there being no other nominations. Motion carried with a voice vote 2-0.

Library Board Appointment

Mr. Harmon, we put the wrong name in at the last meeting of Mr. Lucas, he was to be put on the Wage Committee so we need to remove him from the Library Board and we need to replace him with another person. We have no nominations, so I ask that we hold this off to the next meeting.

Mr. Hager, made a motion to table until the September 6, 2005 meeting, second by Mr. Harmon. Motion carried with a voice vote 2-0.

Brent Soller, E-911 Director/ Additional Appropriations

Mr. Soller, I have two requests this is for employee benefits this has never been figured into our budget it is in the amount of \$78,652.63.

Mr. Hager, this is by change of the State Board of Accounts.

Mr. Soller, yes.

Mr. Harmon, do you have another request?

Mr. Soller, yes the second request is for and additional \$120,000.00 to be added to cell phone surcharge and \$9,000.00 for computer budget.

Mr. Hager, made a motion to grant all of Mr. Soller's request, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Plan Commission Appointment

Mr. Hager, I would like to nominate Ms. Rita Beaty, there are no other nominations the nominations are closed. Motion carried with a voice vote 2-0.

PUBLIC COMMENTS

Keith Hansworth, I live on 69 West McClung Road and I am here to ask for help, from what I understand the Mayor here is the road is going thru and the fire station is going up and he wants to drain it into Fish Trap Lake. I have lived on the lake for 25 years and the lake has peaked out twice and almost got my home. I am concerned that if the city drains all that water that I won't have a home. I don't know if you have any authority to do any thing about this but if you have anyway to put some input in this I would appreciate it.

Mr. Harmon, we went through this with the previous Mayor, dumping water into Fish Trap Lake and the Board of Commissioners at that time voted to not let that happen and I guess Mr. Szilagyi we will need to notify them again.

Mr. Szilagyi, I will do that, if that's what you want done.

Mr. Harmon, yes if you will do that and look into where we stand.

Donna McClery, 135 West McClung Road, in 1997 we came before the commissioners when we heard water was going into Fish Trap Lake. There was an easement paid by the city which we received back about two or three years ago and it was illegally obtained by the city, so they have no way to dump water into Fish Trap Lake. The city tried to come to an agreement with you which did not work out and you decided that no water was to go into Fish Trap Lake but as you know we have a Mayor in LaPorte that does things and then gets permission later. We don't want this to happen to Fish Trap Lake and have to fight with DNR, we want it stopped now. Thank you.

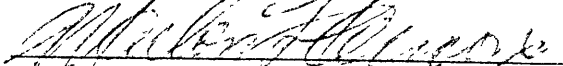
COMMISSIONER'S COMMENTS

Mr. Harmon, I would like to comment that we were very successful with our lawsuit against Nipsco, in the closing of the facilities this has gone on for approximately three years. I do appreciate the people that stood behind us as we tried to take on Nipsco. We don't know what is going to happen at this point but I am sure or hope that Nipsco will take a stands that they will redesign what they had planned on doing as far as closing the facilities and make sure that they are kept open for the betterment of the people of LaPorte County and also Lake County and Plymouth who have been involved in this lawsuit with us.


ADJOURN

Commissioner Harmon adjourned the meeting at 10:30 a.m.


LAPORTE COUNTY BOARD OF COMMISSIONERS



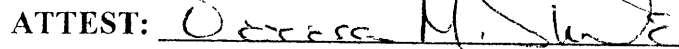
Marlow Harmon, Commission President



William Hager, Commission Vice President



Barbara Huston, Commission Member

ATTEST: 

Teresa Shuter, LaPorte County Auditor

(Approximately 25 people in attendance)