



BOARD OF COMMISSIONERS LAPORTE COUNTY

Circuit Courthouse
813 Lincolnway, Suite 301
LaPorte, IN 46350-3400
Phone: (219) 326-6808 ext. 229 – FAX: (219) 326-9103

Marlow Harmon, President
Barbara Huston
William Hager

LAPORTE COUNTY COMMISSIONERS MEETING TUESDAY JANUARY 17, 2006

The LaPorte County Board of Commissioners met on Tuesday, January 17, 2006 in the lobby level meeting room #3 of the LaPorte County Annex and Security Complex at 10:15 a.m...

LaPorte County Commission President Marlow Harmon called the meeting to order at 10:15 a.m...

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

Commissioner Hager led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Harmon, I would like to amend the agenda to include under "Old Business" section "G" Appointment of Department Heads.

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

APPROVAL OF MINUTES

Mr. Hager, made a motion to approve the minutes of January 3, 2006 as submitted, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

WEEKLY REPORTS

Commissioner review and sign weekly reports during the meeting.

CLAIMS

Mr. Hager, made a motion to approve Payroll Ending January 27, 2006, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Hager, made a motion to approve Miscellaneous Claims in the amount of \$1,396,142.97 as submitted, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

CORRESPONDENCE

(None)

REQUESTS

Judge Robert Gilmore/ Emergency Fund Request \$5,000.00 Equipment/ Win Tax

Mr. Hager, made a motion to approve the emergency request for a stenotype machine, at Judge Gilmore's request in the amount of \$5,000.00, second by Mr. Harmon. Mr. Harmon, this should be taken out of Win Tax. Motion carried with a roll-call vote 2-0.

Fish Lake Festival & Bike Ride/ Request for Funds LP County Convention & Visitors Bureau \$500.00

Mr. Hager, made a motion to approve the amount of \$500.00 for the Fish Lake Festival from the LaPorte County Convention and Visitors Bureau, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

OLD BUSINESS

Steven Eyrick, Chief Probation Officer LaPorte Superior Court #4/ Recommendation of Vendors for Video Conferencing

Mr. Steven Eyrick, as you recall this was tabled.

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

Mr. Eyrick, since this was tabled Judge Chapala has retired and Kathleen Lange has become Judge of Superior Court #1 and she is 100% in favor of this project. We did have all the vendors submit and addendum to their initial proposals, all but one did so SBC failed to submit a follow-up proposal the other three did and the one that we are recommending is Esco Communications from Fort Wayne with a total bid of \$231,127.00. We are recommending them based on the presentation they made after or before Judge Chapala retired, we had all of the vendors come and due a presentation. They and SBC were about on even footage then and we thought favorably of both presentations after the addendum was submitted the SBC did not submit an addendum so the only one that stood out was Esco and that was due to their presentation and knowledge of the equipment. And with their ability to reach to reaching out to the Department of Corrections to have DOC facilities have video conferencing rather than bring ten (10) guys with forty (40) guards around them on a Friday morning to the court. There are limitations on what can and cannot be used video conferencing for trial court rule #14 covering video telecommunications criminal court, pretty much but a felony plea can be taken via video conferencing. There will be savings on gas and the Sheriffs Department savings on manpower.

Mr. Hager, this will be a much safer for all.

Mr. Harmon, Mr. Eyrick you have been working on this for a very long time.

Mr. Hager, made a motion to concur with the recommendation and accept the bid of Esco from Fort Wayne, Indiana and that this should be taken out of Riverboat Funds and to move this forward to the council for an appropriation, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Harmon, Please get on Council Agenda for this.

Mr. Eyrick, I will be on the February agenda.

Al Ott, Stationary Engineer/ Request CCD Funds \$125,900.00 (Tabled 1/3/06)

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

Mr. Hager, Al will you have money in your budget to get a lawn mower for the County Home?

Mr. Ott, yes.

Mr. Hager, made a motion to grant the request of Mr. Al Ott, Stationary Engineer for the request of CCD Funds in the amount of \$125,900.00, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer/ John Doyle & Associates, Requesting Approval of Crestview Subdivision Unit 7

Mr. McVay, I think I will turn this over to John, we have reviewed the site of the subdivision and we are recommending that the developer submit a bond in the amount of \$32,505.89.

Mr. Harmon, are any of the roads in now?

Mr. McVay, all of the roads are in and complete and the surface has been installed. We will hold that bond until they are 70% complete.

Mr. Doyle, this represents the last unit in the Crestview Subdivision.

Mr. Hager, made a motion to grant Rick McVay's request and approve Crestwood Subdivision Unit 7, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer/ Charles Hendricks & Associates, Requesting Approval Park Place Phase 4

Mr. McVay, we are also recommending that we take this right of way in. the surface has not been installed yet, so we are recommending a bond in the amount of \$11,870.15.

Mr. Harmon, this isn't the road that they had problems with drainage is it?

Mr. McVay, that was in phase 2.

Mr. Hager, is the Drainage Board involved in this?

Mr. McVay, yes.

Mr. Harmon, has the Surveyors office signed off on this?

Mr. McVay, yes.

Mr. Hager, made a motion to grant the request of Charles Hendricks & Associates for the approval of Park Place Phase #4, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Robert Szilagyi, LaPorte County Attorney/ Ordinance Regarding Storm Water Runoff Control (tabled 12-20-05)

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

Attorney Szilagyi, we have a form of ordinance and Mr. Hamilton can explain more about it.

Mr. Hamilton, this is another of the ordinances of that MS-4 mandated program by the State of Indiana. The director that we have hired is requiring that this is one of quite a few ordinances we will be having. This one is in regards to storm water run off control for LaPorte County.

Mr. Harmon, we have an Ordinance before us by title only, unless there is an objection. Hearing none.

Mr. Harmon, Ordinance Regarding Storm Water Runoff Control.

Mr. Hager, made a motion to adopt the Ordinance on first reading by title only, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Harmon, we will hold this over to our next meeting for second and final reading.

Rick McVay, LaPorte County Highway Engineer/ Hunter's Run Section 2 / Release of Bond

Mr. McVay, these developers are asking for the bond to be released but they are not quite 70% complete. I did speak to them about that and they explained that they fell under the previous subdivision ordinance and I am not quite sure how you want to proceed.

Mr. Harmon, when they are two-thirds of the way done we will release the bond.

Mr. McVay, he needs to put in 2 or 3 more homes.

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

Commissioners Appointments

Mr. Harmon, we failed to appoint three department heads in the positions they are holding at this time those being the position of County Planner, GIS Coordinator and our Human Resources Director. Those positions are held by Melissa Mischke, Mitch Bishop and Monique Gillard.

Mr. Hager, made a motion to reappoint them in their positions.

Mr. Harmon, we have a motion by Mr. Hager to reappoint Mrs. Mischke, Ms. Gillard and Mr. Bishop back into those positions, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

NEW BUSINESS

Ken Layton, LaPorte County Treasurer/County Board of Finance

Mr. Layton, I have prepared and forwarded to you an agenda for the reappointment of the officers of the LaPorte County Board of Finance.

Mr. Harmon, we need to have an election of officers for the Board of Finance. We need to elect a President.

Mr. Hager, who is the President?

Mr. Layton, Commissioner Harmon was the President and I was the Secretary.

Mr. Hager, I will make the motion that we reappointment them back to their positions. Mr. Harmon, the chair will concur with that recommendation.

Mr. Harmon, the Board of Finance is now officially approved.

Mr. Layton, I would like to ask the commissioners to do is to approve the financial institutions that the county does business with and I would like to ask the commissioners to approve the list that was prepared for you and it is the same as we used last year along with any other financial institutions within the State of Indiana that is approved by the State Board of Accounts. This has to be done by a motion of the board.

Mr. Hager, made a motion to go along with Mr. Layton's recommendations, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Harmon, then we go to the written report for 2005, we need a motion to accept the Financial Report.

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

Mr. Harmon that concludes the agenda of the Board of Finance.

Mr. Layton, I would also like to mention if I could, you notice in the financial report that we increased our interest earnings for LaPorte County this past year from seven-hundred thousand dollars to 2.5 million dollars and I would like to give all of the credit to Mrs. Mauer in the Treasurers office, she is the one that handles the investment portion of it all thou the interest rates have gone up it was due in quite a bit of part to Mrs. Mauer and her master mind and I would like to credit her in the minutes if I may.

Mr. Harmon, I think that Mrs. Mauer needs to be recognized for her diligence in finding more money for the county. Please tell her thank you from this board.

Attorney David H. McCain, Vacate portion of Old U.S. Highway 30

Mr. Harmon is the roadway still there.

Mr. McCain, no. I have proof of service and publication and notices were sent to the property owners, one of them did not pick up the certified mail and sent to Mr. McVay and he sent a copy of the letter that he wrote to you.

Mr. McCain explains what property his client owns.

Mr. Harmon, have you talked to the property owners.

Mr. McCain, I sent notice to them and over the years some contact and it has not been totally congenial, on two occasions with the attorney of the adjoining property owner and the attorney we used to deal with is no longer their attorney. I can show you some photographs of the area this would be a picture taken from County Road 700 West. Mr. McCain continues to explain the photos.

Mr. Hager that is a safety factor.

Mr. McVay, we do not maintain that any more.

Mr. Harmon, do you recommend we vacate this

Mr. McVay that would be my recommendation.

Mr. Hager made a motion to concur with Rick McVay the Engineer to vacate this property, second by Mr. Harmon. Motion carried with a roll-call vote 2-0

Mr. Harmon, Ordinance to vacate by "Title Only, hearing no objection an Ordinance by Title Only, An Ordinance to Vacate a Portion of Old U.S. Highway 30 in the Northeast Corner of the Northeast Corner of section #2 Township 34 North Range 4 West in Cass Township, LaPorte, Indiana.

Mr. Hager, made adopt the Ordinance on first reading by title only, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Harmon, this will be carried over to next meeting for final reading at our next meeting which is February 7, 2006 at 6:00 p.m...

Pioneer Cemetery Commission Appointment (5 year term)

Mr. Harmon, we have a passing of long time Pioneer Cemetery Commission and we have been asked that George Leslie Earle be appointed in that position.

Mr. Hager, made a motion to appoint George Leslie Earle to that position, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Hager, we also need to reappoint Dale Ellis and I will make that part of my previous motion.

Mr. Harmon, Mr. Dale Ellis will be reappointed to that position as a board member also.

PUBLIC COMMENTS

No comments

COMMISSIONER'S COMMENTS

No comments

ADJOURN

Commission President Marlow Harmon adjourned the meeting at 10:50 am...
(Approximately (40) people in attendance)

LAPORTE COUNTY BOARD OF COMMISSIONERS


Marlow Harmon, Commission President


Barbara Huston, Commission Vice President


William Hager, Commission Member

ATTEST: 
Teresa Shuter, LaPorte County Auditor