



BOARD OF COMMISSIONERS LAPORTE COUNTY

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Marlow Harmon, President

Barbara Huston

William Hager

LAPORTE COUNTY BOARD OF COMMISSIONERS TUESDAY MARCH 21, 2006

The LaPorte County Board of Commissioners met in regular session on Tuesday, March 7, 2006 in the lobby level meeting room #3 of the LaPorte County Annex and Security Complex at 10:00 a.m...

LaPorte County President Marlow Harmon called the meeting to order at 10:00 a.m...

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

Commissioner Huston led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Harmon, I am asking that under correspondence we allow the gentleman from IKON to give a ten minute presentation with their findings.

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

APPROVAL OF MINUTES

Mr. Hager, made a motion to approve the minutes of March 7, 2006 as presented, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

WEEKLY REPORTS

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

CLAIMS

Mrs. Huston made a motion to approve Payroll Ending March 24, 2006, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mr. Hager made a motion to approve Regular Claims in the amount of \$1,075,666.77, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Mrs. Huston made a motion to approve Miscellaneous Claims in the amount of \$3,366,299.11, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

CORRESPONDENCE

IKON

Commissioner Harmon, I ask now that representatives from IKON come forward for the presentation.

Mr. Park presents the commission with the findings and the cost savings to the county.

Commissioner Harmon ask that this be tabled until the boards next meeting and be presented to the County Council at their next meeting.

REQUESTS

Wanatah Chamber of Commerce, Request \$500.00 from LaPorte County Tourism/ Town-wide Garage Sale Days held June 9th thru June 11th

Mr. Hager, made a motion to approve the \$500.00 request for the Wanatah Town-Wide Garage Sale Days, second by Mrs. Huston. Motion carried with a roll-call vote 3-0

20th Annual Mill Pond Festival held August 26 & 27th, Request for Funds from LaPorte County Tourism

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

Kingsford Heights Victory City Festival held August 4th thru August 6th requesting \$400.00

Mr. Hager made a motion to approve the request of the Kingsford Heights Victory City Festival, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

LaPorte County Fair Board

Mr. Hager made a motion to approve \$1,000.00 for the LaPorte County Fair Board, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Darlene Hale, LaPorte County IT Director/ Request Additional Appropriation \$20,000.00 for Hardware Budget

Ms. Hale explains that the council cut her budget and she is requesting the funds back to purchase new hardware.

Mr. Hager made a motion to grant the request of Ms. Hale in the amount of \$20,000.00 for the hardware budget, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Darlene Hale, LaPorte County IT Director/ Security Assessment Additional Appropriation \$3,500.00

Ms. Hale, this request is from the Sterlyn Group in Indianapolis and this is to do an external information system security it is for the cost of that and travel.

Mr. Harmon is this a day to day or a one time issue.

Ms. Hale this is a one time issue and they would give us the recommendations.

Mrs. Huston made a motion to approve the request for \$3,500.00, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mrs. Huston, Ms. Hale the paperwork that we signed yesterday, I understand that you are actually going to be saving us money.

Ms. Hale, yes that was the Gavel support system we used to have Maximus and I wanted you to sign the contract for NASA it would save the county approximately \$3,500.00 per year in software support and they can provide the same service.

Mrs. Huston, thank you, you are doing a very good job.

LaPorte County Leadership

Mr. Harmon, I have had conversation with Mr. Reel who is the youth coordinator on this project and he request that they be allowed to clean-up the County Home on the dates of April 21 and April 23. Mr. Reel was concerned about the liability we checked with the insurance and they would be covered under the county liability as long as they are volunteers.

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

OLD BUSINESS

Rick McVay, LaPorte County Highway Engineer/ Final Approval Joe D. Acers Minor Subdivision

Mr. Harmon, we received a letter from the Plan Commission recommending allowing Mr. Saylor to move forward with this project.

Mr. Saylor explains the subdivision on his drawings.

Mr. Harmon, Mr. McVay do we maintain that road?

Mr. McVay, yes we do right now there is only one home on that road it is a gravel road and I am not sure when it starts getting developed.

Mr. Harmon, you are not selling those lots telling people we are going to pave that road.

Mr. Saylor, no I have a note stating that the county is not obligated to improve the road.

Mr. Hager, made a motion to grant the request as long as we don't do the road, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Robert Szilagyi, LaPorte County Attorney/ Commission Property 324 Willard Avenue, Michigan City, Indiana / Sale of Excess Property

Mr. Szilagyi, you have a property 324 Willard Avenue there is some confusion at this point because the lady that made the request for because that is a house. There is a parcel near by that is owned by the commissioners and this lady is an adjoining land owner. I need to set this over for a little bit to find out who owns what and find out if this is a house or a vacant lot.

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

Bid Opening Walkway

Mr. Hager made a motion that the bids be closed, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Mr. Szilagyi, we have three bids, the first bid is from Larson Danielson \$325,382.00, Ziolkowski \$344,600.00 and the last is from Tonn & Blank \$345,000.00

Mr. Harmon, we need a motion to turn over to DLZ for their recommendation.

Mrs. Huston, made a motion to turn the bids over to DLZ for their recommendation, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

NEW BUSINESS

Kenneth Layton, LaPorte County Treasurer/ Approval of Contract for Tax Sale Representative

Mr. Layton, I request that you sign a contract that I have provided for you and we are very satisfied with this company with Government Utilities Technology Services to handle our tax sale this fall. The tentative date of October 6th, 2006 at 10:00 a. m. has been set.

Mr. Hager, made a motion to approve and allow the president to sign, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Donald Bowman/ Petition to Vacate Portion of Waverly & Holton Road

Mr. Mc Vay, I don't see a problem with it but I would like to keep a 60 foot right a way for utilities.

Mr. Harmon, with that makes it a buildable lot?

Mr. McVay, no it doesn't, he has agreed to mow it and maintain it.

Mr. Szilagyi, we should have an agreement but we should also have an ordinance on it.

Mr. Harmon, we need t to notify Mr. Bowman.

Mr. Harmon, Mr. Szilagyi will you notify him and let him knows he needs to advise the adjoining property owners.

Mr. Harmon, we will ask that this be tabled.

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

Rick McVay, LaPorte County Highway Engineer/ NICTD Bridge N-101 & N-102, NICTD Railroad over C.R. 200 East & C.R. 300 East Approval of Contract Design, County's Obligation not to exceed \$456,250.00

Mr. McVay, NICTD is covering 50% of this.

Mr. Harmon, this would come out of the major bridge fund?

Mr. McVay, it would come out of CUM Bridge fund.

Mr. Hager, how much is in the CUM Bridge fund?

Mr. McVay, I think there is about three and a half million.

Mr. Hager, made a motion to grant request and sign the contract for the design of bridges N-101 & N-102 and the county pick up 50% of the cost design, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/NICTD Bridge N-101 & N-102 Approval of Right of Way Contract County's Obligation not to exceed \$164,575.00

Mr. McVay, this also comes out of CUM Bridge Fund, we should enough money.

Mr. Harmon we can go back and re appropriate that money.

Mr. McVay, yes it is just a formality

Mr. Hager made a motion to approve the contract for right of way and the amount not to exceed \$164,575.00, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ Approval of Supplemental Right of Way Agreement Bridge 12

Mr. Harmon, this agreement is with Herceg & Associates. .

Mr. McVay, this is mainly for the right of way acquisition, we thought we were only dealing with four (4) property owners and we found out we were dealing with six (6) property owners so that is way we are asking for additional funds.

Mrs. Huston made a motion to approve the supplemental agreement #1 in the amount of \$8,000.00 second, by Mr. Hager. Motion carried with a roll call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ Bridge 505 (Franklin Street Bridge) County's Obligation not to exceed \$236,371.00

Mr. McVay, this is an additional amount to proceed with level one repair. They are going to continue to do monitoring and survey as far as the settlement of the bridge and this also includes attempting to obtain some federal funding.

Mr. Harmon, this is close to four million dollar project.

Mr. Hager, made a motion to approve an additional appropriation for Bridge 505 in the amount not to exceed the amount of \$236,371.00, second by Mrs. Huston. Motion carried with a roll call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ Additional Appropriation from Riverboat in the amount of \$50,000.00 –Rolling Prairie District Garage LUST Site

Mr. Harmon, are we ever going to get finished with them.

Mr. McVay, I think we need to go down to Indianapolis and that we meet with IDEM and get there attention, it just seems like were getting on where. They claim that we did not start paying taxes on our tanks until 1986 and there is no record to show that we paid prior to that date.

Mr. Harmon, we can get together and call down there and make an appointment to go to Indianapolis but in the mean time we need some money.

Mrs. Huston made a motion to approve the \$50,000.00 out of Riverboat Funds requested for the Rolling Prairie District Garage LUST Site, second by Mr. Hager. Motion carried with a roll-call vote 3-0. .

PUBLIC COMMENTS

James Donnelly –I moved here 14 years ago with my family and my business. My neighbor installed an outside wood fire boiler, I have contacted this board and asked for help. I was declined to be put on the agenda due to IDEM'S involvement in this working on new rules. Mr. Donnelly explains the system. The EPA has allowed twenty-three manufactures to produce them, there were one-hundred thousand units produced this year. Mr. Donnelly gives the commissioners packets of information for them to review.

Mr. Harmon, it is a problem and it is not addressed by the state or the federal government and IDEM is looking into it. The board will review this information that you brought before us and see if we can address it or not address it.

Mr. Michael Hollcraft

Mr. Hollcraft, I am asking for your support on a petition to pave road 750 east.

Mr. Harmon, as you know I have spoke with you on this issue and I have spoke with Mr. Wagoner and there are no homes on that road to improve that road it would be to your benefit. We did think about vacating that road but it would land lock those people back there. I am a firm believer that we will not touch that road I have a list of roads from 2005 that the county has improved and every one has homes on it and we have to concentrate on the roads where the homes are.

Mr. Hager, I would like to see once you start doing something back there, I could not support it at this time.

Mr. Hollcraft, I need that road to get in to my acreage back there, I can not access that acreage from the other part of the farm.

Mr. Hager, Mr. Young you have looked at that haven't you.

Mr. Young, yes we have taken trees down and widened it out a little.

Mr. Hollcraft, there are pools of water and we don't have plans to develop we just want access. We want you to review this.

Mrs. Huston, Mr. Hollcraft we all pay taxes in this county and our taxes go to repair roads, they go to repair the roads where there are houses where people actually do live. Mr. & Mrs. Wagoner were at the office and said they wanted to sell off lots and sell for homes, at that time we said if you sell the lots we will consider improving the road for the people that have the homes on that road. To improve the road so construction trucks and such would not be right but to improve the road after the lots are sold and the homes are up that would be a different story. You may not say that you want to sell your property or have homes built on your property but I am under the understanding that Mr. & Mrs. Wagoner do feel that.

Mr. Hollcraft, between Tim Collar, Robert Wagoner and Michael Hollcraft we own 100 acres we own 95% of that road, this is an accessibility issue.

Mrs. Huston, how long ago was it that you did work to that road?

Mr. Young, it was two years ago when Clay Turner was commissioner we went in and widened the access and that is what has been done the last two years. Then about a month ago we went in and widened it again because Mr. Wagoner said he could not access it with his trailers.

Mr. Hollcraft, we want the road to be changed once and for all and I don't understand why the roads are not paved.

Mr. Harmon, we can drop this issue right now or we can table it for a later date what ever the board determines right now that is what is going to happen. I am not for that and I am not going to waste road money on that particular road we have gone out of our way to help you gentleman but it is up to this board.

Mr. Hager, we just had a subdivision come in and they have to improve the road before we will do anything.

Mrs. Huston, if you want to sell the lots we don't have a problem with that and we would improve the road after that but why improve it first and have it torn up then have to re-improve the road again.

Mr. Hollcraft, I am not a developer and I do not intend to sell but Mr. Wagoner has indicated to me that he would like to sell off his 27 acres and he has not made any plans on subdivisions. This road just needs to be improved and that is the way I am presenting it and this road has not been paved even once.

Mr. Hager, I would make the motion that once Mr. Wagoner sells his 27 acres it would be on the books that once that is sold and subdivided up we will come in and do the road once it is being developed. But just develop a road going to nowhere all we are going to is creating a problem back there. But I would make that motion that once they sell it off or subdivided and homes go back there that we will come in and do the road, second by Mrs. Huston. Motion carried with a roll call vote 3-0.

Councilmen Jerry Cooley

Mr. Cooley, comment I know the IKON presentation when you are out in the public you don't realize what is happening. We in county government we have been involved in everything that is happening and everything that is happening is paper, by hand by hand and it becomes a problem. I am happy that you have involved us in being part of this program, I think this the best thing that we can do for the county and for the public of the county. This is one of the projects that no one wants to spend money to improve our county and I might not be at our next meeting when you present this but I just wanted to make comment on it. I think if we are going to go with this program, I think we need to keep going and finish what we are doing until we finish everything, go to every department ask whatever needs to be done. I know the Treasurers Office, Recorders and the Assessors Office need to be added on immediately and hopefully the Clerk and this will free up some space and with the storage if something would ever happen, god forbid something would ever happen to the courthouse and we lose it and all of our documentation would be safe so we could continue doing business. I think this is one of the greatest things you guys have done for this county and it will help the county council with the budgets and I think it is great. I have heard some comments that all they are trying to do is to get rid of employees, the intend to the county council is not to get rid of employees, what we look at is in departments is when they free up employees and when they retire, like when the sheriff department needs more employees we can transfer or add employees some where else and that is what we look for. We looked at another presentation on the fax and copy machines, I think that is something we need to look at they talked about how we could save money on it, we have been talking about this in the budgets for years .

The other thing was the RDA, as we know the legislators decided that LaPorte County will be a part of it if we want to be but the ultimate decision comes down to the City Council of Michigan City and the County Council of this County. I think it is important that we start working, Marlow and I have been working with PNC we have committees set up. I think it is something that everybody thinks it's a good idea but I have never been told by anyone exactly what it is going to do. I know in Lake and Porter County the people stop and sit there and come up with twenty-million dollars. I heard today from our congressman and he agreed that we need to get into this; I think there are a lot of questions that need to be asked to help us make a decision because ultimately we will make the decision. At this point I would say I can't support it but I am open, I think there is a lot to be discussed and we need to get it out to the public about what the RDA means to this county and what it is going to cost us and how we are going to pay it. I read in the paper it said that we have all of this money to pay for the RDA, the RDA is going to cost this county seven-million dollars, three and a half for us and three and a half for Michigan City and you have to come up with how you are going to pay for that. At this time this County does not have three and a half million dollars to put aside for the RDA. There are some important questions that need to be asked, I think it needs to be discussed with the public and how anyone knows if it's good or bad until we find out.

I would like to thank you Commissioners for making us part of the decisions of what's going on in the county and I see that I have an office and we are going to move forward and establish an office for the County Council and I think it is moving in the right direction.

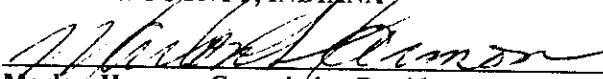
COMMISSIONER'S COMMENTS

Mr. Hager, I would like to go along with Jerry Cooley on this IKON, this is a long range program and with this county growing it will be an asset to this county and will save us a lot of money.

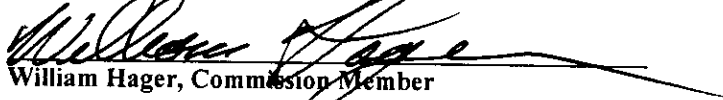
Mr. Harmon, I want to make a statement. I have take an issue with Mayor Morris and Mayor Oberlie and some of the legislators who think major move of selling of the toll road was so great I don't personally feel that . I want to state on record that I am personally leaning strongly against the notion of LaPorte county joining the Northwest Indiana RDA. Commissioner Harmon reads statement.

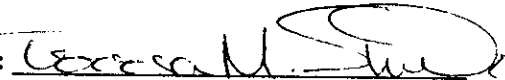
Commission President Marlow Harmon adjourned the meeting at 11:45 a.m...

LAPORTE COUNTY BOARD OF COMMISSIONERS
LAPORTE COUNTY, INDIANA


Marlow Harmon, Commission President

Barbara Huston, Commission Vice President


William Hager, Commission Member

ATTEST: 
Teresa Shuter, LaPorte County Auditor

(Approximately 30 people in attendance)