

BOARD OF COMMISSIONERS LAPORTE COUNTY Office Annex

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William Hager,
President

Michael Bohacek,
Vice President

Barbara Huston,
Member

LAPORTE COUNTY COMMISSIONERS

TUESDAY, July 1, 2008

The LaPorte County Board of Commissioners met in a regular session on Tuesday, July 1, 2008, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

Commission President William Hager called the meeting to order at 6:00 p.m.

Present at the meeting were Commission President William Hager, Commission Vice President Michael Bohacek, Commission member Barbara Huston. Also present, LaPorte County Auditor Teresa Shuter, LaPorte County Attorney Robert Szilagyi, and Executive Secretary Reathel Noveroske.

PLEDGE OF ALLEGIANCE

Mr. Bart Lombard led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Hager, we will add Darlene Hale, IT Director, #H to New Business. Mr. Bohacek made a motion to amend the agenda, seconded by Mrs. Huston, motion carried by a voice vote 3-0.

APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of June 17, 2008 as presented, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

WEEKLY REPORTS

The Commissioners review and sign the reports during the meeting.

CLAIMS

Mr. Bohacek made a motion to approve Payroll Ending July 11, 2008 if amended by \$5166.00 less, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Mrs. Huston made a motion to approve Miscellaneous Claims in the amount of \$ 12,438,037.30, second by Mr. Bohacek, motion carried with a voice vote 3-0.

CORRESPONDENCE

Barnes & Thornburg/Contract for Legal Services for General Finance Matters

Attorney Szilagyi, this contract is for legal services for general finance matters for the redevelopment commission, it has nothing to do with any other matters.

Mrs. Huston made a motion to approve and have President Hager sign, Mr. Bohacek seconded the motion, motion carried by voice vote 3-0.

Doxpop Contract Conversion/Court Record Internet Publishing Agreement

Attorney Szilagyi, you may want to table this, they are in court regarding some issues with Doxpop regarding records that they are trying to get.

Mrs. Huston made a motion to table, Mr. Bohacek seconded, motion carried by voice vote 3-0.

Government Channel Management Agreement Contract

Mr. Bart Lombard, I would like to share some statistics with you. On the internet side, on May 15, 2008, there was a DLGF meeting and 212 people viewed that meeting. Also, we had 19,000 hits for results of the primary election.

Mr. Hager, we only have one channel with the agreement with Comcast.

Mr. Lombard, that is correct. We are covering everything in the City of LaPorte, Michigan City, and LaPorte County.

Mr. Bohacek made a motion to approve the contract agreement and to allow President Hager to sign for the commission, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Joseph Fragomeni, American Structurepoint, Inc./Proposal for professional assistance in acquiring a regional sewer district and providing sanitary service.

Mr. Fragomeni, we have a proposal before you to provide professional services in assisting the County in Master Planning, obtaining ownership of Springfield Regional Sewer District, creating an interlocal agreement with Michigan City, and design and topography for two project construction phases.

Mr. Hager, we have been in negotiation with this for awhile and this will go to the County Council for their approval.

Mr. Bohacek, the total that you are looking for is \$441,725.00, will this get us through the majority of the process?

Mr. Fragomeni, yes, it includes doing a plan for what we are referring to as the Southwest Lake Michigan Drainage Base, the area between 35 and 400 West, and 400 West to 39.

Mr. Bohacek made a motion to accept the proposal and to allow President Hager to sign for the commission, Mrs. Huston seconded the motion, motion carried by roll call vote 3-0.

ACM Engineering & Environmental Services/Environmental Consulting and Assessment Services

Mrs. Huston, this is for the Sheriff's Department. The Detective Bureau had water coming through the ceiling and this is to insure they have no mold and contaminants in their area. We need permission to have ACM appear before the Council for their approval.

Mr. Hager, the cost will be \$2,045.00

Mr. Bohacek made a motion to approve, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

OLD BUSINESS

Attorney William Hedge/Petition to Vacate Road

Mrs. Huston made a motion to remove from the table, seconded by Mr. Bohacek, motion carried by voice vote, 3-0.

Mr. Hager, are there any protestors against this?

Mrs. Carol Foley, we are protesting the vacation of the road/alley. If the vacation goes through, it will decrease the value of our property and we will not have access to Wozniak Road. If this is already legally closed, I would like written proof.

Mr. Hedge, the records are missing.

Mr. McVay, some parts of this road need to stay open because there is a home there. It shows up vacated, but not properly recorded. Just a portion of this could be closed. No vehicles have used this road; it looks like a back yard. The county has no intention to make this a road; there are utilities going through there.

Mrs. Huston made a motion to approve the Ordinance to Vacate on the first reading, seconded by Mr. Bohacek, motion carried by voice vote 3-0. Mrs. Huston made a motion to wave the rules on a second reading, seconded by Mr. Bohacek, motion carried by roll call vote 3-0. Ordinance number 13.

Richard P. Dolan & Michael Spurling/Vacation of Easement (Tabled)

Attorney Hedge, we have not had sufficient time to get all requirements done.

Mr. Hager, we will leave on the table.

Commissioners Appointment/LaPorte County Plan Commission (Tabled)

Mr. Hager, we will leave on the table.

Robert Young, LaPorte County Highway Superintendent/Recommendation for Class Bid

Mr. McVay, Seneca was the lowest bidder and we would like to accept Seneca as the prime and accept SemMaterials as a back up bid.

Mrs. Huston made a motion to accept the bids, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

NEW BUSINESS

LaPorte Jaycees/Street Closing

The LaPorte Jaycees request the closing of Zigler Road from State Road 2 to 5th Street for the Fourth of July celebration from 5:00 p.m. to midnight.

Mr. Bohacek made a motion to approve with an amendment to exempt county vehicles, seconded by Mrs. Huston, motion carried with a voice vote 3-0.

Attorney Patrick E. Donoghue/Town of Pottawattomie Park Certificate of Authenticity of Incorporation

Attorney Donoghue, Pottawattomie Park was incorporated January 22, 1927. The town needs to show a Certificate of Authenticity of Incorporation. There are two major reasons we would like this to be done. One being for the Bureau of Motor Vehicles and second, the U.S. Post Office. We ask the Board of Commissioners to approve and execute the Certificate of Authenticity of Incorporation.

Mr. Bohacek made a motion to approve, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

Arnold Bass/Willow Springs Subdivision Resolution

Mr. Bass, I represent 98% of the residents in Willow Springs and several of the adjacent property owners. All spring, a close residence has been firing repeated rounds of semi automatic weapons; this is an accident waiting to happen. The Sheriff's Department has been called, but there is no county law being violated. We are petitioning the County Commission to consider and pass a resolution (law) that makes shooting a firearm of any kind or type within a legally defined and designated subdivision within LaPorte County and any property within 1000 feet sharing a common contiguous boundary to said subdivision illegal.

Mr. Hager made a motion to turn this matter over to Attorney Szilagyi to investigate and draft an ordinance for all subdivisions to be reviewed at the next meeting, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Kay Felton, Administrator LaPorte County Home/Private Pay Increase

Mrs. Felton, we need to ask for an increase in our private pay rate. As of July 2008, the state increased our Arch Rate to \$37.00 per day, per client, and we need to keep the private pay rate just a little above the state rate.

Mr. Bohacek made a motion to adjust the daily private pay rate to \$38.00, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

Attorney Robert Szilagyi/Resolution to Dispose of Excess Property

Attorney Szilagyi, we have two separate parcels of land obtained by the Commissioners through a tax sale and they are not economically beneficial to the county except to be sold. I will publish public notices and accept bids until August 4, 2008.

Mr. Bohacek made a motion to pass a resolution to dispose of this excess property, seconded by Mrs. Huston, motion carried by a roll call vote 3-0. Resolution number 2008-08.

Ray Hamilton, Building Commissioner & Troy Swartzendruber/Ikon Building Permit Application Solution Detail Design Assessment

Troy Swartzendruber, I have provided a copy of statement of work which outlines the services to be provided by IKON to LaPorte County for the Solution Detail Design Assessment to automate the Building Permit application process. The primary objective of this project is to design a paperless solution for the Building Department Building Permit Application process across LaPorte County's various systems and processes.

Ray Hamilton, the inspectors will go on sight and do an inspection, they will sit in their truck and write out what they find. This will provide a history of the house and automatically hook us up with the Auditor, Health Department, and Assessor's office. The Council has already approved the funding of \$24,150.00

Mrs. Huston made a motion to approve the contract, seconded by Mr. Bohacek, motion carried by a roll call vote 3-0.

Darlene Hale, IT Director/ID of IT Manager for Property Upload and Verification System

Mr. Bohacek made a motion to use Darlene Hale as the IT Administrator for our primary contact for the DLGF and County to manage the additional accounts and logins that will be needed to access the upcoming enhancements to the existing Data Upload System, seconded by Mrs. Huston, motion carried by a roll call vote 3-0.

PUBLIC COMMENTS

Keith Sandin of Michigan City, my comment is why the Commissioners would not take comments on the Nexus contract last night.

Mr. Hager, this is not a question and answer session, this is only for public comment.

Brad Adamsky, I am following up on Mr. Sandin's comments. I have a series of concerns on the Nexus Addendum. Why rush into the contract? Why would the Commission avoid the DLGF oversight? Who prepared the contract addendum for Nexus? The county is paying Nexus a fee of zero dollars, however this does not include the original fee of \$219,000.00 annually being paid under the November 2004 contract nor does it include the \$750.00 per day for appeals. What is the county getting for this zero bid? Why would the county agree that the only way this contract could be cancelled is if Nexus' certification is revoked? Who reviewed this for the county?

Gene Jonas, on the county wide sewer district, I think it is a good step forward. In regard to the Willow Springs Subdivision situation, please take a look around for the 1000 feet suggestion. Please give this serious consideration.

Duane Bucher, I am here on behalf of Brad Lawrence who has requested a route permit. We hope to get on your agenda in two weeks.

Howell Jones, regarding House Enrolled Act #1145, my contact information is provided, just let me know.

Mike Kowalski, I am here supporting the Arnold Bass petition for Willow Springs Subdivision. Please devise a solution for the problem.

COMMISSIONER'S COMMENTS

Mrs. Huston I wish everyone a safe and happy 4th of July Holiday.

Mr. Bohacek, I would like to reiterate my concern over the addendum to the Nexus contract.


Mr. Hager, I have only one public comment. Since we are talking about the Nexus Group, I was told, as was Mrs. Huston, that if we voted against the Nexus Group, our campaigns would be paid for. My vote is not for sale. I do not like to hear this and I do not want to hear it any more.

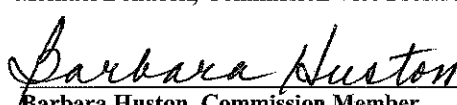
ADJOURN

Mr. Hager adjourned the meeting at 7:15 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


William Hager, Commission President


Michael Bohacek, Commission Vice President


Barbara Huston, Commission Member

ATTEST: 
Teresa Shuter, LaPorte County Auditor