

BOARD OF COMMISSIONERS LAPORTE COUNTY

555 Michigan Avenue, Suite 202

LaPorte, IN 46350

Phone: (219) 326-6808 ext. 2229 - FAX: (219) 326-9103

*Barbara Huston
President*

*Mike Bohacek
Vice President*

*Ken Layton
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, February 17, 2009

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, February 17, 2009 at 10:00 a.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

Mr. Bohacek led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Layton, under Requests, I would like to add item B., Rolling Prairie Business Association request for their Winter Fest. Also, at the recommendation of our Attorney, the removal under Old Business of item C., Speed Limit Change Ordinance and under New Business, item A., Ordinance to Establish Wind Tower Permit Fees, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

APPROVAL OF MINUTES

Mr. Bohacek made a motion to approve the minutes of February 3, 2009, seconded by Mr. Layton, motion carried by voice vote 3-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending February 20, 2009, Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims--\$57,267.44, Mr. Bohacek made a motion to approve as presented, seconded by Mr. Layton, motion carried by roll call vote 3-0. Mike motion ken 2nd

PUBLIC COMMENTS

Mr. Dennis Metheny, Coolspring Twp. Trustee, I have a newspaper article here from the Herald Argus dated February 12, 2009. I'm a little upset about the way the county is going to purchase the salt from LaPorte and give them a ¼ of the salt. LaPorte says they don't have any money but then in the paper, under the proposal, it says the city would pay for the salt and then pass 100% of the cost on to the county. So if they have the money to buy the salt, then why don't they buy the salt? I don't think it is right that you want to bail out the city of LaPorte. How much salt is the city of Michigan City going to get, how much is Wanatah and Westville. If you don't want to treat every city equal, then I think it is wrong to treat one city the way you are treating them. If their contract is for \$106 and they don't have the money, then let the contract expire. It says here you are going to save the taxpayer \$4.00 a ton, but you are going to give a ¼ of the salt away. I don't think that is fair to the county

people. I saw an accident on Johnson Road, I was there shortly after it happened. I would appreciate if the County Commissioners could please expedite the salt trucks out on the roads when we get the snow and sleet like we had the other day. The road was nothing but a sheet of ice. Then the trucks come out and puts the salt and sand down. It was Sunday at about 5:00 p.m. I think we need to get out a little bit sooner. If you can't get the other roads, at lease get the main roads.

Earl Cunningham, County Councilman, I would like to request consideration from the Commissioners. As you know, most of you were at our last council meeting and there was some discussion related to non emergency vehicles. It would seem to me that if the Commissioners would adopt a policy or agree in principal it would be much easier at the council level rather than us fighting each individual department. I think the majority of the councilmen agree that unless you are talking about police cars or ambulances, fire vehicles, actual emergency vehicles, that any vehicles the county is purchasing could easily be used cars and save the county money. I'm just asking you to consider as a county policy rather than having us hammer it out with each department head.

Mr. Bohacek, the state has negotiated a contract for Chevy Malibu's, the dealership in Chesterton I think won the state bid. We'll get a price on those and I think they will be appropriate for the process server kind of vehicle, whatever we need that is not specialty used.

DEPARTMENT HEAD COMMENTS

Nancy Hawkins, LaPorte County Treasurer, we moved our offices to the 555 Michigan Avenue building. I would just like to say that due to the great job that our maintenance staff and IT staff and some of the trustees from the sheriff's department under the direction of Bobby Blair, that we did not have any glitches in our move. Everything has fallen into place where it should and as we continue to settle in and find needs, whether it be a lock on a door or a an additional electric strip on a counter, our maintenance department has done a great job for us. I wanted to give them Kudos here. Now that we are settled in, I wanted you to be aware that even you read in the paper that we are ready to send out the correctional bills for 2006 pay 2007, that is not true. We are getting ready to send a second provisional bill. Those bills were printed this weekend and they are being folded and stuffed. We hope to get them out in the mail next week. There are about 70,000 bills going out.

CORRESPONDENCE

Jane Bernard, Director of Animal Shelter/Animal Control Services for the Town of Westville.

Mrs. Bernard, I received a copy of the letter that you received. We provide animal control to LaPorte county residents. The eight municipalities provide their own animal control. The town of Westville is included in those eight. The letter that was received is requesting that the county provide animal control to the residents of the town of Westville. In the spirit of cooperation, I think this is something that we should do, whether or not now is the right time, I can guarantee you that if we provide it for Westville, we are going to have seven municipalities that are going to request us to do that. With our limited man power, vehicles and the state of our budget, I think we should do some research. This is something that we could charge the town of Westville to do. I think with our Advisory Board we should investigate it further and come up with a fee. I don't think we should say no, but at this point in time, we are not ready to say yes.

Mr. Layton, I would like to have Mrs. Bernard continue on with the research she spoke about. I know that Mr. Mrozinski was at a summit meeting with the mayor of Michigan City last week and the topic of it was the spirit of cooperation between all of the entities of LaPorte County. This may well be a place to start as far as that cooperation is concerned. I would like Mrs. Bernard to do the research and figure out a proposed budget to encompass those other entities and report back to us in sixty days.

Mr. Bohacek, if nothing else, we could look at and set a population guide line where municipalities with x amount of population, we could assist them.

Mrs. Huston, Mrs. Bernard, before you leave, we did get a letter. I would like to read it to the public. We get all kinds of mail in the commissioner's office; this particular piece of mail was a "good job done" by the animal control center. Kudos to the staff from Gerry Makinnis.

Carl Kush/Street Light Assistance

Mr. Layton, what that pertains to is that I received a phone call from Mr. Kush from Indian Springs. They have two street lights at the Pawnee Trail and I cannot recall the other one. It is in a subdivision off of U.S. 35. They were having difficulty negotiating a contract with NIPSCO with keeping those lit. They were asking the commission to intercede. I asked Mr. Kush to prepare a letter and appear hear this morning. I would like to make a motion to table, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

REQUESTS

Walt Sell, County Purdue Extension Director/4-H Youth Program Funding Request

Mr. Sell, I'm here today with Hugh Tonagel we are asking for approval of our request for \$50,000 to cover 4-H projects and program expenses and then we would move on to the County Council's agenda. The funds have been allocated in the past and would be this year for things such as judges, ribbons, work shops, equipment, premiums, club insurance, and so on. There was a letter that explained it in more detail and I am here to answer any questions you may have.

Mrs. Huston, you have raised this for an additional \$5,000, why? Let me be a little more clearer. No one in the county got raises this year. Two years ago this was raised from \$35,000 to \$40,000, last year you raised it an addition \$5,000 and this year an additional \$5,000. We have tried cutting the budget extensively, and I guess I need to know why an additional \$5,000 is needed this year.

Mr. Sell, thank you for that question. As we went to the county budget hearing last August, the funding for our part time, extra hire averaged out to \$6,042. The large majority of that money is used to fund work study students that assist with our summer activities. Their salary would be paid out of this account and it also supplements funds from the state. It provides us with man power that we need. It allows a couple of college students to earn money. Since that money is no longer in our budget, we were hoping to put it in at this point to hire two work study people.

Mrs. Huston, also Mr. Sell, I was under the impression that the \$25,000 several years ago was for ribbons and stickers and even premiums. However, I didn't realize it goes for work shops, trips, printing fees and equipment. What equipment?

Mr. Sell, that varies from year to year. In the past, we have used it to help buy displays, and equipment to do workshops, activities and programs at the fair.

Mr. Bohacek, what is the budget for 4-H?

Mr. Sell, there is no budget per say for 4-H except for our county budget which includes our staff and this money that would be used to run our projects and activities. In addition to this money, we do have assistance from the 4-H volunteers, committees, and sponsorships. We get money from a variety of different sources.

Mr. Bohacek, what other expenses do you have or is this \$50,000 going to fund the entire 4-H program for LaPorte County?

Mr. Sell, the actual \$50,000 that we are requesting go for the items in the letter, judging fees, ribbons & stickers, workshops, trips, printing fees, equipment, premiums, work study and insurance.

Mr. Tonagel, a big part of it is awards. Livestock committees and 4-H groups do their own funding.

Mr. Bohacek, is the entire funding they receive from various sources what part of their budget? What percent of their budget would we be assisting with? If you had that number, I think it would be very helpful.

Mr. Tonagel, we have about 30 clubs doing their own fundraising. That's why it is hard for us to get a handle on it. A lot is done on their own.

Mr. Sell, last year we had 1342 4-H members and 288 adult volunteers, if you took the \$50,000 and divided by the members, it came out to about \$37.00 a member. I would like to recognize our adult volunteers because they spend a lot of time and sometimes out of their own pocket.

Mr. Layton, Mr. Sell, last year at the budget hearings you said that the extra hire was eliminated from your budget by the county council. Was it the intent of the council at that time to come back through auxiliary funding like you are asking for here out of the WIN TAX to put that back in?

Mr. Sell, I do not recall.

Mr. Bohacek, made a motion to table pending additional information, seconded by Mr. Layton.

Rolling Prairie Business Association Request/ Tourism Funds for Country Christmas Show

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 3-0.

OLD BUSINESS

Howell Jones/Purchase of Excess Property

Mr. Bohacek made a motion to take off the table, seconded by Mr. Layton, carried by voice vote 3-0.

Mr. Jones, I look at House Enrolled Act 1145 as a way for the County to get rid of so called dead lots and let the counties sell them for what they think they are worth. Mr. Bohacek suggested they be put up for bids at tax sale. That would take that out of 1145 because the people that would be bidding would not be abutting property owners. I think what really needs to be done is an up or down vote on this. Either you need to accept my bid or you need to reject my bid.

Mr. Layton, I understand and know that Mr. Jones wants this property. However, I disagree that we can put it up for tax sale. There are no taxes owed on it so by state statute it cannot go up for tax sale. There are remedies under law how the county can dispose of the property. I would like to refer this to our attorney to prepare the proper avenues that the county can take on this piece of property and any other property that the county has so we follow the same procedure. As far as Mr. Jones' request is concerned, I make a motion to deny the \$100 for the seven parcels of land, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Robert Young, LaPorte County Highway Superintendent/2009 Material Bid Recommendations.

Mr. Young, this is the Highway Departments recommendations for 2009 material bids.
Class 1, Limestone materials, Hanson Heldeberg secondary and Vulcan Material, primary, are the two bidders. We accept both of those bids.
Class 2, Cold Patch, Rieth-Riley Const. Co. primary, is the only bidder.
Class 3, Slag Material, Levy Company, primary, the only bidder and we accept them.
Class 4, no bidders for gravel.
Class 5, Diesel fuel & Gas, Triple J-mar, Rackham Service Corp., Petroleum Traders, and Co-Alliance. We accept all these bidders.
Class 6, Signs, Hall Signs, LA Traffic Signs and Penn Products, we accept all three with Hall Signs being primary and the other two secondary.
Class 7, Culverts and Guard Rail, Debco Metal Culverts, was the only complete bidder, we accept them.

Mr. Bohacek made a motion to accept the recommendations presented by Superintendent Young, seconded by Mr. Layton, motion carried by voice vote 3-0.

Pat Pease, EMS Administrator/EMS Support Vehicle Quotes

Mrs. Pease, I have provided you with a letter with attached quotes. I would like direction on how to continue.

Mr. Bohacek, I visited with your Michigan City EMS base to look at his support vehicle. I am confused as why we are replacing vehicles based on age and not miles. This one is in the 50,000 mile range which works out to about 5,000 miles a year. These are take home vehicles. My concern is that these are used more as commuter vehicles rather than used on the road.

Mrs. Pease, Mr. Bohacek, I disagree with your numbers. I would say that 2/3 of the vehicle miles are emergency response miles. Over ten years time, it comes out that 30,000 miles are emergency and 20,000 miles are commuter.

Mr. Bohacek, back to my original question, why are we trading these in when they have 50,000 or 60,000 miles on them?

Mrs. Pease, they are not as reliable because of age.

Rob Quinn, LaPorte County Supervisor with EMS, last weeks break down was electric in nature.

Andrew McQuire, EMS Supervisor, the vehicles are not kept inside.

Mr. Bohacek, a vehicle should last longer than 40,000 miles. I think you can stretch vehicles out to 80,000 or 90,000 miles going forward.

Mrs. Pease, I would like to make one more statement about the low mileage. I had requested in the last couple of years to tone down the usage because of the fuel increase prices. They do respond off duty to calls when they are home. They have really cut back on their driving with these vehicles. When these vehicles are run, they are run hot.

Mr. Bohacek, we have a home for this vehicle, but going forward, I would like to see these vehicles replaced based on mileage.

Mrs. Pease, everything on the quotes are new except the program vehicle that is a 2008. We are trying to solicit more program vehicles but some of the local vendors are having trouble finding them. This one has 10,000 miles on it from Chrysler. It is a 2008 Durango.

Mr. Bohacek, are these 2009 Durangos still available?

Mrs. Pease, I do not know.

Mr. Bohacek, I guess I would approve this special program one for \$23,797 if still available. If so, I would suggest that one. If not, take your next lowest bidder at Harbor Superstores, 2009 Chevy Tahoe, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Pat Pease, EMS Administrator/EMS Ambulance Bid Openings

Mr. Bohacek, made a motion to close the bids, seconded by Mr. Layton, motion carried by voice vote 3-0.

Attorney Braje opens bids.

Life Line Emergency Vehicle: Chevy \$268,246, Ford \$263,186
Rolland Specialty Vehicles & Products, Inc.: Chevy \$133,757, Ford \$131,895.00
Med Tech Cross Roads: Chevy \$272,762, Ford \$265,922
SJC Industries Corp.: Chevy \$242,118, Ford \$246,588

Mr. Bohacek made a motion to turn the bids over to Mrs. Pease for her recommendation, seconded by Mr. Layton, motion carried by voice vote 3-0.

Ken Herceg & Associates, Inc./LaPorte County Courthouse Exterior Restoration, Resubmitting Invoice

Mr. Wall, we appreciate this opportunity to come back before you regarding this matter. It is unfortunate that the litigation happened last year. We feel confident, as we have expressed, that the claims were unreasonable and we felt that if it would have gone to court the county would have been successful. Through those efforts, we did incur some expenses in support of the county and we are asking for your consideration for payment of the work we did for the county.

Mr. Wall, the reduction was approximately 30% of what was asked for.

Mr. Bohacek, what was discussed before was that since we had a reduction, we should owe them that percentage of their bill. I don't know what we settled for. My opinion is that we would owe you 70% of the invoice.

Mr. Layton, I have not brought myself up to speed on this. I did talk to Mr. Hecceg in the office one day. I have not had the opportunity to go back to the minutes and see what was discussed at that time. At this time, I cannot make a motion one way or the other.

Mr. Bohacek made a motion to table this so Mr. Layton can get up to speed on the numbers and take a look at it at our March meeting, seconded by Mr. Layton, motion carried by voice vote 3-0.

NEW BUSINESS

Robert Young, LaPorte County Highway Superintendent/Receive and Open Material Bids for Class 11 and Class 12 for the year 2009.

Mr. Bohacek made a motion to close all bids, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Young, these are bids on hot asphalt, paving, and oil.

Mr. Braje, the first bid is from

Walsh & Kelly, unit price bids for Class 12, #5 base mix \$55.50, #8 binder mix \$57.60, #9 surface mix \$63.80, and #11 surface mix \$75.65.

Sem Materials, unit priced, \$1.665 delivered.

Rowe & Sons Asphalt Paving, Inc., Asphalt installation for Class 12, 1000 tons, base + binder mixes at \$275.00, all surface mixes for \$280.00 per ton.

Seneca Petroleum, Class 11, 700,000 gallons, AE-90, \$1.82, AE-PL, RS2, \$1.82, AE150, \$2.02, AE-90S, \$2.07, Dustop, \$.95, AE-P, \$2.57. These are on pick up prices: AE-90, AET, \$1.75, AE-PL, RS-2, \$1.75, AE-150, \$1.95, AE-90S, \$2.00, Dustop, \$.88, and AE-P, \$2.50.

Reith Riley, Class 12, #5 base mix \$38.25, #8 binder mix \$38.25, #9 surface mix \$42.25, #11 surface mix \$44.00.

Mr. Bohacek, made a motion to turn the bids over to Mr. Young, seconded by Mr. Layton, motion carried by voice vote 3-0.

Robert Young, LaPorte County Highway Superintendent/Purchase of Salt

Mr. Young, LaPorte County Highway Department has the unique opportunity to help relieve some of LaPorte City's current financial burden and help ourselves by purchasing the remainder of salt on LaPorte City's contract with Morton Salt. Besides some financial relief this would also benefit the city because they would receive one load for every five loads to the county, for their use, which equals out to the county's portion being 67 loads and the city's portion being 13 loads. There are 1900 tons available for purchase. The Highway Department acquired no bid contract with any salt company this year and the purchase of salt we made at the end of the year cost us roughly \$145.00 per ton. The purchase price per ton with this contract would cost \$106.59 per ton. The total amount we need to purchase the salt is \$202,521.00. We are asking that the board appropriate the monies out of one or more of the following funds, Riverboat, Win Tax, Major Moves or CCD funds.

Mrs. Huston, I talked with Mr. Yagelski and he said he also talked with you as did Mr. Layton. There is a possibility that we can get on the State bid now for \$62.00 a ton, is that right?

Mr. Young, what I am finding out about that is it is currently in legislation right now and has not been passed yet. The state did pay \$53.50 a ton for salt this year. I made several calls to local LaPorte District INDOT and to the state to pick their brain a little. No one has any suggestions or knows what salt is going to be for 2009.

Mrs. Huston, why is it we didn't turn in our request for bidding for the salt until August and the city turned theirs in April of last year. Why is it that no one bid on us and they actually had access at \$106 and we paid \$145.

Mr. Young, I don't know. We have always done it in August and never had a problem. We may have to do that and get in early. We have quite a bit of salt left. We will have enough to get us through the winter. We will have no reserve to start next year.

Mrs. Huston, we can gamble and try to get the salt at \$60 a ton.

Mr. Layton, when does LaPorte's contract lulls?

Mr. Young, I do not know that.

Mr. Layton, I did speak with Mr. Young in reference to this and the possibility of going on the state bid. I think it is imperative that we tell everyone we weren't aloud to be a part of the state bid this year. We were in years past and then they closed the state bids on particular items, salt being one of them. Now, they are going to try to open it up again. As far as this request goes, I would like to make a motion to table this request and we wait 45 days or whatever is left in legislature to see what happens to the house bill that is going through on incorporating local governments along with the state.

Mr. Young, I know there are forms that have to be filled out and apply to be included in that bid.

Mr. Layton, in that motion I would include that the superintendent fill out whatever paperwork is necessary to get us included in the state bid for salt.

Motion seconded by Mr. Bohacek.

Robert Young, LaPorte County Highway Superintendent/Permission for Road Cut
Pahs Road and Prairie Street, Sewer Pipe

Mr. Young, this is not my request, I am here in support of Mr. Lewis who is asking to cut Prairie Blvd. in Prairie View subdivision off of Pahs Road. In the past, it has been the procedure for a contractor to come before the board for the road cut.

Mr. Bohacek made a motion to approve the request, seconded by Mr. Layton, motion carried by voice vote 3-0.

Robert Young, LaPorte County Highway Superintendent/Enact the Frost Law.

Mr. Bohacek made a motion to accept Mr. Young's request to enact the frost law, seconded by Mr. Layton, motion carried by voice vote 3-0.

Rav Hamilton, Building Commissioner/Proposed Contract with Blue Prince

Mrs. Hale, this contract is for the new application for the Building and Planning Department. The money has already been secured and appropriated through the council to cover this cost. We are asking that you sign this contract. This has been approved by the attorney.

Mr. Braje, we have reviewed it.

Mr. Bohacek made a motion to approve the contract and follow the advice of Attorney Braje and enact the quoted statute, seconded by Mr. Layton, motion carried by voice vote 3-0.

COMMISSIONER'S COMMENTS

Mr. Layton, I neglected to bring up an item earlier and have it placed on the agenda. I would like to take the appointment of the LaPorte County Tourism Bureau off the table at this time, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Layton, I know that we received a couple of communications from Mr. Arnett, Director of the LaPorte County Tourism Bureau stating that they were wanting someone to represent the Blue Chip Casino on the Board of Directors and they have not been able to come up with someone. We have a person, Dionne S. Wisniewski, she is the past president of LaPorte County Leadership and she has expressed an interest. She is a LaPorte County resident and at this time I would like to nominate her to this board of directors.

Motion seconded by Mr. Bohacek, motion carried by voice vote 3-0.

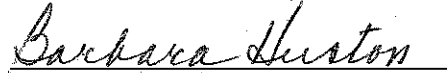
Mr. Layton, I applaud Mr. Cunningham on his wanting to use the state bid for the purchase of vehicles and Commissioner Bohacek knowing about the state bid on the Malibu's. The only thing I would like to add on that is if we have a local vendor that can meet the state bid or below. I would rather do business with that local vendor.

Mrs. Huston, I truly do appreciate the comments from Mrs. Hawkins as far as our maintenance crew is concerned and Bob Blair' workers, that have done all the moving for us. It is a very big job. Also, Data, Darlene is invaluable and her staff for getting everything up and running. Thank you to them.

ADJOURN

Mrs. Huston adjourned the meeting at 11:17 a.m.

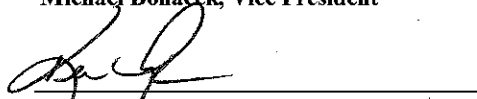
LAPORTE COUNTY BOARD OF COMMISSIONERS



Barbara Huston, President



Michael Bohacek, Vice President



Ken Layton, Member

ATTEST: 

Craig Hinchman, LaPorte County Auditor