



BOARD OF COMMISSIONERS LAPORTE COUNTY

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Barbara Huston
President
Mike Bohacek
Vice President
Ken Layton
Member

LAPORTE COUNTY COMMISSIONERS

Tuesday, August 4, 2009

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, August 4, 2009, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mr. Hinchman led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Bohacek made a motion to approve the minutes of July 21, 2009, seconded by Mr. Layton, motion carried by voice vote 3-0.

WEEKLY REPORTS

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

CLAIMS

Payroll Ending August 7, 2009, Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims--\$207,419.06, Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

None

DEPARTMENT HEAD COMMENTS

Mr. Tony Hendricks, LaPorte County Surveyor, I have three items. One is the DNR letter regarding Welnetz Road and Roeske Avenue. We have the letter from the DNR, an email from IDEM and they will discuss with the Army Corps of Engineers. They will issue a letter to us and we will send it back to IDEM and the DNR so we will have approval from all three entities. The town of Trail Creek is doing some storm sewer projects between Longwood and Roeske that would affect Mr. Blozis. Our plan has everyone considered so if they want to do part of our plan or any piece of it, it is ok with us. The only thing we need to think about is between Longwood and Roeske there is an 18 foot wide utility

easement. We are under the impression we can use that for storm water drainage. We can drain that ground water south of 20 if we clear that easement of fences and trees. I would like to know if the Commissioners can have the County Attorney send letters to people on the county's side to remove any obstructions on that easement in some kind of time frame. There are NIPSCO utilities so that is another stumbling block.

Mr. Layton, that easement does have NIPSCO lines that run down the middle of it and also telephone lines, and 30 foot trees. It will have to be a cooperative effort between whoever owns those utilities, the county, town and township.

Mrs. Huston, how long do you expect this to take to get everyone's permission?

Mr. Hendricks, I guess it is up to the county's attorney about the utility easement, if we send letters and how long we have to give them to remove any structures and etc. Utilities are typically slow. It may take more effort from the commissioners to send letters to those people. This could drag out 6-8 months. We can get the permits but we have a few more steps to take.

Mr. Bohacek, I have talked to Al Walus and Mr. Doyle about a plan for storm water sewers, would this still be applicable?

Mr. Hendricks, yes, if that happens, great, if not we still have approval.

Mr. Bohacek, I guess there is a plan to repave Welnetz right through that section as well. It makes sense to take care of the sewers before paving the road.

There is a discussion about having a public meeting.

Mr. Braje, first, an easement is granted to an entity and we can't just assume occupation of that easement. Secondly, we can't send letters to residents advising them to remove things out of the easement that we don't own. We are without the ability to instruct anyone on what to do. Once we get the ability to use that easement from the holders of the easement, it would be easier for us to act on and remove those things ourselves as opposed to asking anyone to do it. Step number one is getting the original grant of easements and request the current holder of easements to give us the right to operate on that easement. We contact the utility companies and have them give us a license to operate on that easement.

Mr. Hendricks, Mrs. Janet McNair is here, she is owner of property at 400 South and 421. We have an agreement we have been working through and a basic layout of what we need. We want her attorney, the county attorney and INDOT to talk about this payment pass through of this pond we need. INDOT will pay the county or Janet and someone will pay to dig this pond and the cost of cleaning Crumbpacker. INDOT will want to know that if they give someone money, that this will be constructed. Mrs. McNair will want some guarantee that if she develops this ground in the future, the pond that we size is correct. Mr. Wright and I are calculating the specs. This will be a strange agreement between the county, Janet McNair and INDOT. Mel Fath is not interested in any part of the deal. INDOT will pay all the money.

Mr. Layton, this project is an INDOT project to take 421 and change from two lanes to five lanes, why are we this deeply involved in a state project?

Mr. Hendricks, Jeff and I have the same question. INDOT's rules and regulations are much stricter. They can save money by having the county do it. There are no environmental reports needed, no geological reports needed if LaPorte County does it.

Mr. Bohacek, the county can opt not to participate.

Mr. Hendricks, then the project will be dead.

Mr. Wright, I've done hundreds of retention ponds, we can get it done. From my perspective, it is just coordinating what the agreements should be. The consultant for this project is First Group out of Indianapolis.

Mr. Layton, we have no doubt in our minds that you two can accomplish what you say you can accomplish. I just have some questions in my own mind that this is an INDOT project and funding all of this and then they lay it all out on you two and if you don't come through, they are going to cancel the project.

Mr. Bohacék, maybe it would be a good idea to have a workshop. It seems like the state is pushing off the painful part of this project onto local government.

Mr. Layton, I think it would be more feasible if we could have a public workshop on this. You could get INDOT, the property owners, drainage board, attorneys and we could be more informed on some of these aspects.

Mr. Hendricks, one good note is that they will give us money to clean Crumbacker and it needs help.

Mr. Hendricks, the last thing we are working on is Hupp Road. There is no bridge design or preliminary plan so we took some comparable bridges and put them on this bridge. We need to talk to INDOT about approaches, lane widths, and etc. to get a legal description. The one corner you are looking at and starting proceedings on, we would make it look like the other three corners. Do we get right of ways, do we have to narrow it down or do we make all four corners look the same? Mr. Wright and I have some apprehension about the approach. I am looking for advice.

Mr. Braje, we are going to get for free ¾ of the main portion and what we are going to have to condemn is nickels and dimes so we should get adequate right of way to take care of all eventualities.

CORRESPONDENCE

None

REQUESTS

None

OLD BUSINESS

Tim Dunifon, Pine Lake Conservancy District/Road Cut Permit (Tabled)

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

Mr. Larry Mazur, member of the Board of Directors for the Pine Lake Conservancy District. You have a copy of a diagram for Debbie Pluister who owns property at 292 and 294 Grayson Road. This is a section of pavement that goes back into Island Drive. She is requesting to be hooked up to the conservancy, if fact, she is in the district and is required to be hooked up. I am here to request approval to cut into the pavement to make the connection.

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

Gallagher Bassett Services, Inc./Contract for Services (Tabled)

Mrs. Huston, we will leave this tabled.

NEW BUSINESS

Jeff Wright, County Highway Engineer/Recommended Release of Bond for Woods of Concord Phase IV

Mr. Jeff Wright, I do not have a whole lot of data on this other than this phase is done. It is a Hendricks & Associates design. Phase One was started in 1999, Phase Three was platted in 2004 and Phase Four platted in August, 2007. It looks completed to me.

Mr. Bohacek made a motion to follow the recommendation of the Highway Engineer and release the bond, seconded by Mr. Layton, motion carried by voice vote 3-0.

COMMISSIONER'S COMMENTS

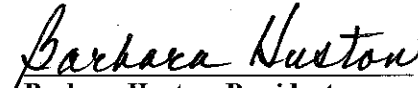
Mr. Layton, I had a brief meeting with Councilman, Rich Mrozinski, last Thursday and a brief discussion with Mr. Bohacek prior to the meeting tonight. It is in reference to the contract the county holds with American Structure Point and what was the Springfield Regional Sewer District engineering on U.S. Highway 20. It was learned that there is \$121,000.00 left unexpended. It is not expected that this project go forward any time soon. I make a motion to have our County Attorney start proceedings to end the contract with American Structure Point and return the \$121,000.00 to the Riverboat Fund, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mrs. Huston, I hope everyone enjoyed the fair. A special thanks to the fair board, Gene Shurte and Councilman, Terry Garner. I think it went well. We appreciate all the effort that was put forth.

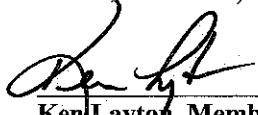
ADJOURN

Mrs. Huston, President, adjourned the meeting at 6:36 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President


Michael Bohacek, Vice President


Ken Layton, Member

ATTEST: 
Craig Hinchman
LaPorte County Auditor