



BOARD OF COMMISSIONERS LAPORTE COUNTY

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LaPorte, IN 46350

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*Barbara Huston
President*

*Mike Bohacek
Vice President*

*Ken Layton
Member*

LAPORTE COUNTY COMMISSIONERS

SPECIAL MEETING

Monday, May 10, 2010

The LaPorte County Board of Commissioners met in a Special Meeting on Monday, May 10, 2010, at 5:00 p. m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Mr. Bohacek led the Pledge of Allegiance.

ROLL CALL

All Present

APPROVAL OF AGENDA

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

OLD BUSINESS

Property Tax Mediated Agreed Order

Mr. Layton, I make a motion to present for consideration approval of a claim filed by the LaPorte County Assessor upon the following conditions:

1. That the execution of the mediated agreed order by all parties to the agreement.
2. Approval of the agreement by the Judge of the Indiana Tax Court under case number 49T10-0909-TA-55.
3. Entry of a judgment of the mediated order by the tax court.
4. Approval of proper claim form in the name of the assessor.
5. Appropriation of the amount of funds necessary to satisfy the claim by the LaPorte County Council.

The chair will second the motion.

Mr. Bohacek, I have a question on the motion. This is basically to cover Mrs. McDaniel's legal fees in the amount of \$35,000, right? I have a real problem paying somebody \$35,000 of essentially blood money to sign an agreement for a problem that was caused by her office four years ago. We have already paid her at the end of her term \$200,000 in salary for a product that is still flawed and has to be agreed to by a mediated situation. That is why I am not voting for the fees. I did agree to the mediated agreement, but I had hoped that she would not move forward with her threat to secure fees, but, in fact she has.

Motion carried by roll call vote 2-1.

COMMISSIONER'S COMMENTS

Mr. Layton, I can't say that I disagree with anything that Mr. Bohacek said. I feel that the LaPorte County Council, the LaPorte County Commissioners, and the Treasurer of LaPorte County has basically been held hostage on this. The Council has done nothing to have been joined in this law suit, the Commissioners have done nothing, nor has the Treasurer, Mrs. Hawkins. I find it irritating and appalling that we would have to pay funds for something that we should not have been joined in to begin with. However, if we don't pay these funds, the city of LaPorte will suffer beyond any type of reconciliation. We were told last week that there were 26-36 teachers in the Michigan City School Corp., that if this goes much farther, will be unemployed. It is imperative, whether we like it or not, that we continue on with this project to get it resolved. That is why I voted for it.

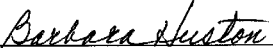
Mr. Bohacek, I have to agree with Mr. Layton. The luxury of being called last on a vote, I got to vote my conscience. I felt the bargain we negotiated, settled, and agreed to, and then at the eleventh hour a change was made; I have a real problem with that. It was something that should have been in the mediation issue. It should not have been reserved for after the fact. The toll that we have to pay, if brought up in the mediation, would clearly have been rejected. It was snuck in at the end and the county and our tax payers, who have the most to lose on this, but at the same time, we cannot allow elected officials to hold our county hostage for their personal gain. That is what I feel this is.

Mrs. Huston, I have to echo what my fellow commissioners have said. I, too, am dismayed by this. I do feel that the county has been held hostage and this is a ransom demand, but we have to pay. We know the reason we have to pay. It was not part of the mediated order. It was a decision that came down after the fact. None of us are happy about it but we do know the consequences are great if we do not move forward. None of us want to pay this, we think it is wrong. We will go forward with it for the betterment of LaPorte County because we have to. It has to end somewhere.

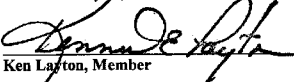
ADJOURN

Mrs. Huston, President, adjourned the meeting at 5:09.p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President


Michael Bohacek, Vice President


Ken Layton, Member

ATTEST: 
Craig Hinchman, LaPorte
County Auditor