



BOARD OF COMMISSIONERS LAPORTE COUNTY

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Ken Layton
President
Barbara Huston
Vice President
Willie Milsap
Member

LAPORTE COUNTY COMMISSIONERS

TUESDAY, January 18, 2011

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, January 18, 2011, at 10:00 a.m. in the LaPorte County Complex meeting Room #3.

CALL MEETING TO ORDER

Mr. Ken Layton, President, called the meeting to order at 10:00 a.m.

Mr. Layton, we have a guest in the audience, Roger Speakman, from the United States Marine Corps.

PLEDGE OF ALLEGIANCE

Mr. Speakman led the Pledge of Allegiance.

ROLL CALL

All present

APPROVAL OF AGENDA

Mrs. Huston, under New Business, we will move our meeting from February 15, 2011, to Monday, February 14, 2011, at 10:00 a.m. because there is a conference. Our March meeting on the 1st will be moved to March 8, 2011 at 6:00 p.m.

Mrs. Huston made a motion to approve the agenda as amended, seconded by Mr. Milsap, motion carried by voice vote 3-0.

APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of January 4, 2011, seconded by Mr. Milsap, motion carried by voice vote 3-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending January 21, 2011, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Misc. Claims...\$1,388,711.62, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

None

DEPARTMENT HEAD COMMENTS

Mr. Bob Young, LaPorte County Highway Superintendent, we got a proposal from Verizon for switching from Nextel to Verizon. I am wondering if any of the other departments have chosen to do that and if that is a good move to make. I am looking for any input.

Mrs. Pat Pease, LaPorte County EMS Administrator, they were quite a bit higher but because of the equipment I had switched over to so I have to review the proposal again. It is different phones than we were getting from Nextel.

Mr. Jim Sosinski, Sheriff's Chief Deputy, I have not talked to anyone from Verizon.

Mr. Young, we are on the agenda for the shortfalls in the county highway budget, and I am asking that that be pulled for now.

Mr. Layton, the reason that I asked that be withdrawn is we are not prepared to make a presentation to the council this evening.

Mrs. Pat Pease, LaPorte County EMS Director, I would like to take this opportunity to share with the commissioners and the public a plaque and an American flag that was recently presented to LaPorte County EMS from Paramedic Captain Jerry Cummings from his overseas deployment. It was flown on several missions and we are very proud to have received that. If it wasn't for civilian soldiers like Jerry, I don't think we would enjoy the freedoms that we do.

Mr. Jerry Cummings, this was a unique opportunity to do something special for EMS. This flag was flown on several operations during my service in the War of Iraq. Thank you to the commission, to Barb Mossman from HR for your assistance in making my transition between service and work go smoothly. Also, thank you to Marie in the Clerk's office for her work and most of all to Pat for her support.

Mr. Layton, that was a beautiful presentation, Mrs. Pease. I know they make triangular cases for flags such as these, if you can find a place in your office to attach to the wall, get a showcase for that flag so it can stay with EMS.

CORRESPONDENCE

LaPorte County Convention and Visitors Bureau

Mrs. Huston reads a letter from the LaPorte County Convention and Visitors Bureau announcing that they have again approved funding of the Community Events Promotion Fund in the amount of \$6,000.

REQUESTS

Southtown Beach Property Owners Assn./Request \$500 Tourism Funds

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

OLD BUSINESS

Board Appointments/Board of Zoning Appeals, Board of Health & LaPorte County Pioneer Cemetery Assn.

Mr. Layton, we have appointments this morning that were neglected at our last meeting. The first one under Board of Zoning Appeals.

Mr. Milsap, I would like to nominate Dwayne Hogan.

Mrs. Huston, I would like to nominate John Motts.

Mr. Hogan won the nomination by roll call vote 3-0.

Mr. Layton, on the Board of Health, we have two retirements.

Mr. Milsap, on the Republican party I would like to nominate Alexandria Laun.

Mrs. Huston, from the Republican/Independent party, Dr. Aileen Stiller and also from the Republican party, Marcia Morris.

Dr. Aileen Stiller and Alexandria Laun won the nominations.

Mr. Layton, our records indicated that this did not lapse until 2011 but the Pioneer Cemetery Board notified us that Mr. Dale Ellis' term in fact expired at the end of 2010. Through a letter, they are asking that he be reappointed.

Mrs. Huston made a motion to reappoint Mr. Dale Ellis to the LaPorte County Pioneer Cemetery Board, seconded by Mr. Milsap, motion carried by voice vote 3-0.

NEW BUSINESS

Robert Young, Highway Superintendent/Highway Shortfall and Emergency Snow Removal

Mr. Young, this request is in reference to the snow emergency we had five weeks ago. I called a few commissioners and told them the situation we were in and what we needed to do. We needed to rent some loaders with operators to help move the large amounts of snow that our trucks were having problems with. I received the okay. We had seven rental loaders out with operators and they were using their own fuel. We estimated that bill at \$50,000 and it came in at \$41,346.15. That is what I am requesting today.

Mrs. Huston made a motion to approve \$41,346.15, seconded by Mr. Milsap, motion carried by voice vote 3-0.

John Wantuch, Veteran's Service Officer/Certificate of Appreciation

Mr. Wantuch, I would like to ask Greg Lutz or any one from the Guardian Riders to come up and Mr. Oliver. Because of a club in Michigan City called Guardian Riders, we have informed the Commission and Council of a deed which was long time coming to a veteran. The Guardian Riders secured Oliver Well Drilling, Inc. and asked in the helping of a veteran who needed water for his home. Our people of LaPorte County stepped up to the occasion to help a LaPorte County veteran. On behalf of LaPorte County Commissioners, County Council, Veteran's Service Officer, and the Guardian Riders, a thank you to Bill Oliver from all of us in LaPorte County.

Mr. Oliver, I appreciate the recognition, the Guardian Riders really deserve all the credit.

Mr. Layton, I would be remiss if I didn't mention that the VFW third district chairman and county councilman Rich Mrozinski was here for the presentation this morning. And to the Guardian Riders who put everything aside to help veterans and other people less fortunate in need.

Mr. Milsap, could you give us a little history of your organization for the sake of the viewing audience?

Mr. Lutz, the Guardian Riders were formed to help and support veterans. Our mission statement is to support veterans, the troops and those less fortunate. You do not have to be a veteran to belong to our organization. We do fund raisers and 100% of the proceeds go to veterans and those less fortunate. We give out baskets at Thanksgiving and Christmas and send packages overseas to our troops.

Erika Stallworth, Director of Juvenile Services/Vehicle Accident Settlement

Miss Erika Stallworth, Director of Juvenile Services, I am here to get Commissioner approval. On December 7, 2010, my transportation officers were in an accident. They totaled our van. Everyone was ok. I am seeking Commissioner approval for the insurance settlement agreement.

Mr. Braje, the total settlement is \$5816.80. If the Commissioners accept this settlement, you need to

authorize the President to execute the title in return for the check.

Mrs. Huston made a motion to approve and allow the President to sign the title so we can collect on the settlement, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Commissioners Milsap, Attorney Shaw Friedman/Introduction of Proposed Ethics Ordinance

Mr. Milsap, as promised at our last meeting, I will bring forth a proposed ethics ordinance for LaPorte County. Keep in mind this is just a proposal, we can iron it out and bring out the best of it. With your permission, I would like to call Mr. Friedman to the podium to explain the proposed ordinance.

Mrs. Huston, I would like to make a motion to pass the proposed ordinance on to our attorneys for them to look at and also have him look at the proposed ordinance Senator Arnold is bringing forward and the Association of Indiana Counties is also bringing forward an ordinance. I would also like our attorney to take a look at the ordinance that Michigan City actually passed and the ordinance Mr. Milsap voted no on and if they are both different. The chair stepped down and seconded the motion.

Mr. Friedman, before the motion is voted on I think maybe there is some correction in order. Mrs. Huston, I think you erroneously stated that Mr. Milsap had voted against the ethics ordinance in Michigan City; that's not true.

Mrs. Huston, it is in the minutes, Mr. Friedman, that he did vote against. It was passed. I'm not sure which one. Mr. Meer and Mr. Milsap both voted against the ethics ordinance in Michigan City.

Mr. Friedman, the minutes on final approval show an 8-1 vote with only Mr. Meer.....

Mr. Layton, Mr. Friedman, I am sorry but there is a motion and a second on the floor, all in favor signify by saying aye, motion carried by voice vote 2-1.

Mr. Layton, we will forward this on to Mr. Braje, our county attorney, for his review. It will come back February 14, 2011.

Mr. Friedman, that's fine. We will notify the Northwest Indiana Council in support of the ordinance as well, so they know you will take under consideration.

COMMISSIONER'S COMMENTS

Mrs. Huston, I would like to echo the words of President Obama, in a speech he said "Before we were Democrats and Republicans, we were Americans". Because we are Americans, we do have freedom of speech and the freedom to write letters in the paper, however distasteful or self serving. I take exception to Miss Collins' letter of negativity in the Voice of the People regarding our county attorney, Mr. Braje. Any derogatory remarks regarding our attorney in the paper are uncalled for. I know I don't have to, in any way, defend Mr. Braje or Mr. Willoughby, because they are totally capable of defending themselves, but I do take exception to letters in the paper, especially the one by Ms. Collins. There have been a lot of letters written in the papers here recently and, of course, some of them are only half truths.

Mr. Layton, I would like to echo the sentiments that Mrs. Huston has stated this morning. Mrs. Huston and I and Mr. Milsap are all elected officials and, therefore, we are fair game, if you will, to the public. However, whether they are attorneys, or Mr. Friedman when he was representing the county or Mr. Braje and his firm now, are not fair game. They are simply contractors to the county. Anything that is written negatively towards us as elected officials or politicians, I guess we have to take it whether it is true or not. But we feel that type of written derogatory comments to an attorney's firm, just because they are in contract with the county of LaPorte, is totally unfair.


Mr. Layton, I do have a bright note this morning that I would like to share with the public. Back in September of 2001, I authored an ordinance to create the jail bond elimination fund. That was presented to LaPorte County Council and it was passed on September 17, 2001. Since that time, myself and commissioners that proceeded me, current commissioners, council members that proceeded me and other current council members, have worked diligently to make this dream of September of 2001 come true. As of January 13, 2011, the structure that sets behind us and the \$24,000,000.000 bond issue for LaPorte County was satisfied. We paid that off ten years early. There was a lot of scrimping

and savings with the tax situation we have been in for the last 3 ½ to 4 years. This was a remarkable thing to accomplish. LaPorte County and its citizens are no longer indebted on any kind of a bond issue. We are free and clear. I believe our bond rating is once again AAA. I am very proud of the men and women who had a hand in this. Thank you to all of you.


ADJOURN

Mr. Layton, President, adjourned the meeting at 10:42 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS



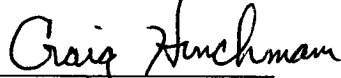
Ken Layton, President



Barbara Huston, Vice President



Willie Milsap, Member

ATTEST: 

Craig Hinchman, LaPorte
County Auditor