



# BOARD OF COMMISSIONERS

LAPORTE COUNTY

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**Ken Layton**  
President

**Barbara Huston**  
Vice President

**Willie Milsap**  
Member

## LAPORTE COUNTY COMMISSIONERS

Tuesday, May 15, 2012

The LaPorte County Board of Commissioners met in a regular meeting on May 15, 2012, at 10:00 a.m. in the LaPorte County Complex Meeting Room #3.

### CALL MEETING TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mr. Hackett led the Pledge of Allegiance.

### ROLL CALL

Present: Mr. Layton, Mr. Milsap

Absent: Mrs. Huston

### APPROVAL OF AGENDA

Mr. Milsap made a motion to approve as printed, seconded by Mr. Layton, motion carried by voice vote 2-0.

### APPROVAL OF MINUTES

May 1, 2012, Mr. Milsap made a motion to approve as published, seconded by Mr. Layton, motion carried by voice vote 2-0.

### WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

### CLAIMS

Payroll Ending May 25, 2012, Mr. Milsap made a motion to approve as presented, seconded by Mr. Layton, motion carried by voice vote 2-0.

Miscellaneous Claims—\$ 232,710.23, Mr. Milsap made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 2-0.

Regular Claims----- \$1,156,481.07, Mr. Milsap made a motion to approve as presented, seconded by Mr. Layton, motion carried by roll call vote 2-0.

### PUBLIC COMMENTS

None

### DEPARTMENT HEAD COMMENTS

Sheriff Mike Mollenhauer, as you know the issue for cars for my office has been bid twice. Even though you have accepted and approved the bid process that we used both times the council continues to reject the bids you approved. I understand that the commissioners have the power to approve bids

and by approving those bids the commissioners are saying that this equipment is needed. The council has no authority to reject those bids. The power of the council is whether or not they will fund the bid not to dissect it or fund just pieces of it. My office has followed the same replacement policy that has existed for many administrations. It utilizes a replacement policy that considers age, mileage, and how the vehicle was used and its history. It is important for public safety that this matter be resolved. I am asking you, the commissioners, to assist me in moving this forward and by what procedure to use. First, do I open bids and if the lowest bidder is accepted by you, the commissioners, will the commissioners assert your authority that the council has no authority to challenge the bid awarded. The bidding is open to any dealer. The element of acceptance of the best and lowest is with the commissioners not the council. Second, in lieu of bidding, do we piggyback on the state bid and use that process. The bidding has been done both ways and the council each time changes the perimeters of the process which clearly belongs to the commissioners. Another issue is trade in vehicles. What practice do the commissioners want us to follow? Do we continue to do what we have in the past by trading in our vehicles or do we keep them out? The commissioners can then decide what, if any, vehicles they want for other departments to have. Then, do you auction off the remaining or all of them or trade in the remaining? These are questions that my chief and I have. I need to know ahead of time when it comes to preparing a bid process. I am just looking for some kind of direction since the council has brought this up and this is clearly the commissioner's authority in this process. I would hope that as an elected official my judgment and decision making ability would be respected as other elected officials. We all want to use the most cost effective policies for our respective offices and tax payers. I believe that some of the members of the council try to assert their judgment thus undermining the job I was elected to do. I believe those same council members are doing the same to the commissioners by micro managing instead of being the fiscal body that they are suppose to be by statute only. Again, their power is to fund or not to fund ideas, projects, infrastructure and economic development that are brought in front of them. Again, I am not trying to be critical or confrontational I am just looking for direction. I would hope you would start to reassert your authority as commissioners to help resolve this matter for the benefit and safety of the citizens of this county. The council had a problem with two vehicles for the process servers and the vehicle for myself. I am removing those three vehicles and my question is, since Kelly Chevrolet was still the lowest bidder for the patrol vehicles consisting of six Impalas and one patrol Tahoe can I still contact them to see if those vehicles are still available and that pricing that I believe was state bid and for the suburban that I requested for my evidence tech fire arson investigator. The suburban is the vehicle that best meets our needs for its size, capacity and the 4-wheel drivability. It is used to haul and transport evidence, processing crime scenes in which are in sometimes limited access locations. Previously a van was tried and used for this purpose but it continually go stuck in the winter months and it was not as stable as far as a tipping issue when it was fully loaded and driven at higher speeds and on uneven terrain. I am asking for your direction to proceed with this request.

Mr. Milsap, I would like to get a legal opinion reference to the procedure.

Mr. Braje, there is no question that it is a separation of powers. In our government we can grant contracts but we can't appropriate money. The issue isn't whether or not we have agreed to the contract it is a question of whether you have money to pay for it. It is an appropriation issue. The council has no authority to change a contract that has been suggested to be entered into by the commissioners but they have the sole and exclusive authority to appropriate the money. You can't buy something with unappropriated money. There is nothing the commissioners can do other than a political solution.

Mr. Layton, you asked about fifteen questions, I would have appreciated to have that beforehand so I could have answered them. As far as the micro management concern, you are right; I would have dealt with the council some way. It has been done this way year after year that is true. As our counsel says the funding is coming out of the cum fund which by statute says it has to be appropriated by the county council not the commissioners. We can approve a contract or a bid but it is always pending the appropriate funding. We can't tell you to go ahead because we can't appropriate those funds. I would look for a compromise between members of the council and members of the sheriff's department. I think you withdrawing those three vehicles is an act of compromise on your behalf to get those other vehicles necessary for the operation of your department. I can't speak on behalf of the council. If you would give me a copy of that letter, I would be glad to make responses to all of your questions.

Sheriff Mollenhauer, would you both be receptive it I contacted the President of the council so we could sit down and talk about this before the next council meeting? Time is of the essence, if we don't get vehicles this year it will cost twice as much next year. That will be a burden on the taxpayers.

**Mr. Layton, I have some reservations on that because this board accepted a bid from a specific company for a specific amount of vehicles for a specific price. I wonder if we start eliminating vehicles if that does not mandate that we go back for rebidding.**

**Mr. Braje, the bid was accepted based upon pricing of a number of vehicles, but it was also unit priced. To the extent that those units are decreased, if the successful bidder accepts the sale at that unit price you can go forward on the original contract. If they would have given you one number for all the vehicles, then you would have been in a different position. Since they gave you a unit price if you buy those vehicles for that unit price and they agree to do it, and if you have the money appropriated for that, you can go forward on those lesser numbers.**

**Mr. Bert Cook, Executive Director of the Greater LaPorte Economic Development Alliance. I wanted to make you aware of a project going on in the Kingsbury Industrial Park. Enbridge is servicing a natural gas line throughout Northwest Indiana and they have chosen LaPorte County as their home for their pipe yard. We were in competition with a number of other communities and they signed a contract with Bill Dankert. I would like to thank him for the work he did on the project. They started construction last week and they are near done with the pipe yard itself. They have some office space that will go in as well. I also wanted to mention that LaPorte County is in the final stages of two other site selections; major projects going on in Northwest Indiana and neighboring states. We think we stand a pretty good chance on both of those. Thank you Mr. Layton on the work you have done to help us on those projects and also Rich Mrozinski as the liaison for the council.**

**Mr. Milsap, Ken and I met with the company reference the pipe line, this is not a permanent office.**

**Mr. Cook, correct, it is a three year land lease.**

**Mr. Milsap, the information I requested in regard to revenue, is that forthcoming?**

**Mr. Cook, yes, I will have it for you.**

**Mr. Milsap, status report on the railroad spur?**

**Mr. Cook, I don't have much of an update since the last time we talked. I would say that there is a strong work group that is meeting weekly on the project. We are at a point right now where we need a couple of agreements to come through on the private side. I think we have done everything we can do to put those individuals in a position to make the decision. We feel we are very, very close but it is not a done deal yet.**

**Mr. Layton, thank you for your efforts in everything the alliance has done for this county. For the public's edification, there is a company by the name of Enbridge that will completely replace 60 miles of pipeline in Southern Michigan and Northern Indiana.**

**Ms. Darlene Hale, IT Director, at the last commissioners meeting I was asked to make sure I had something posted on the web site pertaining to the ethics committee. I have not posted that as of yet. I have yet to receive information from HR to post. As soon as I get it, I will get that posted.**

**Mr. Ken Purze, I have an update on the MS4 program. At your last meeting you officially appointed me as a liaison and I am pleased to report that I met with each of the entity representatives independently and our MS4 coordinator did call for an advisory board meeting. At that meeting, the city of Michigan City officially appointed with the Mayor's approval, Mr. Michael Kus, the new general manager from the sanitary district to the advisory board. This was something that was holding up progress of our program because there was not a full board in place. After that was made official, the advisory board took it upon themselves to elect officers. Mr. Kus was nominated and elected the chairman of the advisory board. Mike Polan from LaPorte County was elected as the vice chair and Kate Doyle who represents Trail Creek was nominated and voted as the secretary and Jerry Jackson from the city of LaPorte is the named operator. They conducted their regular business of their meeting and decided they needed to schedule a special meeting which they have scheduled for the 22<sup>nd</sup> of May. The primary purpose of this meeting is for them to get to work on their budget. The entire program has taken a complete turn around and they are on track and functioning as a board. They asked if I would remain as a liaison for them to work with elected officials and I said that I would. The MS4 program is not dead, it is moving forward. The sanitary district of Michigan City decided to also**

have a special committee formed just to look at the MS4 program from their prospective, representing 50% of the interest. I have been invited to serve on that special committee as well.

Mr. Layton, thank you for your efforts. For public edification, the reason that we asked you to become involved is that there were some underlying currents that Michigan City was going to withdraw from the consortium. I will speak for myself, there has been a mission for the last 8 years, previous commissioners and this commission to try to draw the city of LaPorte, the city of Michigan City and the county together and to act as a single entity in certain areas and the MS4 was one of them. It seemed like it was beginning to unravel. It is a federal and state mandated program upon us; however, if we are going to do it, we should do it to the best of our abilities. I think this program will be more productive in the future.

Mr. Purze, on another note, as you are aware, I am also the vice chair of the county drainage board. The drainage board has been extremely busy, not only with things that we do locally, but regionally through the KRBC and the three county board. I am pleased to announce that we have up and running three new sediment gauges located on the Yellow River. One at the Starke/Marshall county line, one at the city of Knox and one at the confluence of the Kankakee and Yellow River. The reason those gauges are important is we don't have good historical data on the sediment load from the Yellow River that plugs up the Kankakee River. There is evidence that the sediment load that comes from the Yellow River ends up in the state of Illinois. Needless to say, we hired an engineering firm through the three county board with funds that were received down state through the KRBC and one of the first steps that the engineering firm recommended that we do was get these gauges on line. That recommendation was made to us 90 days ago and as of 5-11-12 those gauges were up and running. I am happy to say that we got the US government through the USGS to pay for almost 50% of it. An \$85,000 expense and we only had to come up with 47% which was paid by the USGS. That is hiring the engineering firm, having the study done, and implementing what the study suggest that we do and have the funding mechanisms to do it without coming to you or the county council. Those gauges will also be used for our emergency responders for planning for unfortunate flooding and high water events. On another note the drainage board was asked to look into a drainage problem at the Sullivan Paletek site in Michigan City. The drainage board was approached to address a regulated drain that had no funding available to solve a problem where there has been new business development. Mr. Hendricks worked with the Greater LaPorte Economic Development Corp. and was successful in securing funds to solve this problem. The other item I want to share with you is what the drainage board is working on. We have formed a special committee with the Soil and Water Conservation District to look at having a water shed master plan for the Kankakee water shed. You are probably aware that there is a water shed master plan for Trail Creek which was done some time ago and recently for the Galen River and now the last water shed that needs to be done in LaPorte County is the Kankakee. We are starting with a steering committee to look how we will fund it and what is involved with it and moving that forward.

Mr. Layton, I would like to go back and address the Sullivan-Paletek issue. This has been an ongoing thing for about three years.

Mr. Hendricks, I would like to thank Commissioner Milsap for getting involved. This is a regulated ditch for the drainage board but it is not accessed so there are no funds available. We had some issues with Tandem Corp. and their parking lot and with Sullivan-Paletek as they would like to expand. They took it upon themselves to replace a pipe in their driveway at their cost and we worked together to find some way to fund, which was approximately \$10,000, we can't thank Bert Cook enough and the Michigan City Economic Development, Sullivan-Paletek got some bidders, they got the cost down to \$3,200. It is a very good deal and will help both out. It will help our economic development in Michigan City's north end.

Mr. Layton, we want to thank you and Sullivan-Paletek and Tandem. It is a major project that will help the economy and help employment in our area.

Mr. Purze, I also serve as the liaison for the Soil and Water Conservation District. I have an email and I don't know if you want me to read it or if this is something you would like to take under consideration for your next meeting.

Mr. Layton, we have decided, prior to coming in in an executive session, that we were going to table this until we find out if this is exactly the way these funds were intended to be used. We would like to table this.

**Mr. Purze, I know I have shared information with you about a potential overnight camp ground in Dewey Township on some property that is leased to the LaPorte County Parks Board. It is leased from the DNR and the Northwest Indiana Paddlers Assn. has approached us with their interest in making an overnight river only access camp ground. This would be consistent with the recreational uses on the Kankakee River Basin. We are asking for the Commissioners help with legal review of that lease to see if we can do that and how we can accomplish that. The drainage board voted to support that project. I am on the agenda for the next park board meeting along with the Paddlers Assn. and we plan to review it at the KRBC meeting on the 24<sup>th</sup>. That would be all the entities that would be involved with this.**

**Mr. Layton, I asked Mr. Braje this morning and briefly explained it to him and asked for his assistance in this. I have some concerns as far as liability is concerned. I have asked Mr. Braje to review it.**

**Mr. Jeff Wight, we have been working on the economic development project bounded by 421, 94, county road 950 and 400 N. There is a council meeting on the 21<sup>st</sup> where we are going to approach the council and ask them for funds to fund the engineering and the purchase of the right of way for that project. It was suggested whether or not we should present this contract and have it approved contingent upon funding for the project on the 21<sup>st</sup> that would advance us about three weeks on getting the consultant up and running for the project. As part of that, I would like to thank the county surveyors office for putting some control points out there and they stepped up to the plate and spent a couple hours out there setting those control points. It saved the county some time and money engineering wise. I am asking for a motion to approve or deny the contract for Beam, Longest, and Neff for approximately \$150,000 contingent upon funding by the council.**

**Mr. Layton, is this an addendum to the contract that was let to Beam, Longest, & Neff six years ago?**

**Mr. Wright, this is not an addendum. This is a fresh contract solely for the purposes of preparing and coordinating with the state the TCSP grant for the reconstruction of county road 950.**

**Mr. Milsap, I would like legal opinion on that.**

**Mr. Braje, I haven't seen the contract.**

**Mr. Layton, we can't approve or deny this since no one has seen the contract.**

**Mr. Hendricks, I would like to thank Jeff for all he has done especially on the 400 North project. We did help out with the control points for 400 N. Jeff is doing some of the work himself with the equipment he has and obviously his ability he has the bulk of the work and will save the county somewhere around \$200,000 on that job alone. It is amazing what Jeff can do for us in this county and we try to help out. On the Kankakee River, the surveyor's office went to the Kankakee roundtable in Illinois and we wanted to tell them what we have been doing on the river since we are the start of the river. We had very good reception there. The KRBC is in a time frame now where we can start to partner on a federal level between the two states. This is not a project that will ever end. The water shed plan – there is no money being talked about, no assessment, this is just a plan on how we can help ourselves and the river.**

**Mr. Layton, I think it is important, Mr. Hendricks, that you come forward on days like today. I don't think a lot of people realize just how important the Kankakee River is to LaPorte County. It is the main drain source for 2/3 of this county. What has been accomplished in the last 2 ½ years, as far as the Kankakee River is concerned, has been a major boom to LaPorte County, its farming industry, other industries and residential areas. Thank you all for your endeavors in this.**

**CORRESPONDENCE**

**None**

**REQUESTS**

**Greater LaPorte Chamber of Commerce/Usage of County Lot and Courthouse Lawn**

**Ms. Tiffany Bley, I have a request for us to utilize the courthouse lawn. We would like to envision is to create some more culture in downtown LaPorte. I thought I had was to allow for artists to paint and sculpt and use that courthouse lawn as an art center.**

**Mr. Layton, we talked about this via the telephone and the only concern I had that they didn't come and drive tent stakes and sever the irrigation line that runs through there. I think it would be a way to show off the courthouse square. Will this be working in conjunction with the Farmer's Market?**

**Ms. Bley, I imagine on Saturdays since that will have a lot of downtown traffic. We will probably use a lot of "Arts in the Park" artists so it would be a cross promotion for them and that event.**

**Mr. Milsap made a motion to approve the request, seconded by Mr. Layton, motion carried by voice vote 2-0.**

**Mr. Layton, all that we would ask is that there be some type of a schedule made available to us.**

**Ms. Bley, the second request I have is we plan to have A Taste Of LaPorte, August 11, 2012, from 3:00 p.m. to 9:00 p.m. It will be in the area of the depots. We have permission from Ludwigs and the city to utilize that property. I just wanted to request additional use of the county lot next door in the event that we do need that.**

**Mr. Milsap made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 2-0.**

**LaPorte County Historical Society, Inc. & Museum/Appoint Assistant Curator**

**Mr. Layton, we have received a letter from the Board of Directors of the LaPorte County Historical Society and they have selected Janet Sikorski to be the Assistant Museum Courator and this is a part of our budget.**

**Mr. Milsap made a motion to approve their appointment, seconded by Mr. Layton, motion carried by voice vote 2-0.**

**Pat Pease, EMS Administrator/Proclamation for EMS Week**

**Mrs. Pease, this is my request for your annual proclamation for EMS week which is designated this year for May 20-26, 2012. It is a national designation to recognize anybody in Emergency Medical Services. Mrs. Pease reads the proclamation. (See attached)**

**Mr. Milsap made a motion to approve the request, seconded by Mr. Layton, motion carried by voice vote 2-0.**

**Resolution #2012-02**

**Mrs. Pease, I would like to invite everyone to our annual awards program which will be next Wednesday at 1:30 p.m. in Meeting Room #3.**

**OLD BUSINESS**

**Gallagher Benefit Services/Employee Benefit Consortiums for Indiana Counties (tabled)**

**Mr. Layton, this will be left on the table.**

**Attorney Brad Adamsky/Petition to Vacate (tabled)**

**Mr. Milsap made a motion to remove from the table, seconded by Mr. Layton, motion carried by voice vote 2-0.**

**Mr. Adamsky, we were here on May 1<sup>st</sup> on a petition to vacate a portion of Lake Side Drive. It was tabled at that time because in conjunction with the petition to vacate we had a proposed rededication of Lake Park Avenue. Since that time we have submitted a proposed deed of dedication of that Lake Park Avenue. We also now have an ordinance prepared. Significant in the ordinance prepared there**

is an easement for all adjacent lots to make sure there was access along Lake Side Drive. We did do that in the ordinance and also significant to point out we have also agreed to grant an easement to Mr. McCain's client, Mr. Smith, who is the eastern property owner. The ordinance would have that as a permanent easement along existing Lake Shore Drive giving him access the property. I have talked with Chris Willoughby from Mr. Braje's office regarding the commissioners accepting a deed of rededication on Lake Park Avenue. I am here on behalf of the petitioners asking that this all be considered jointly but if the issue of accepting the deed of rededication we would still like you to consider the vacation of Lake Side Drive particularly in light of the fact that we are now granting a permanent easement to Mr. Smith's property to the east. I understand from talking with Mr. Willoughby that the recommendation from the county attorney is going to be that the rededication be referred to the Plan Commission. We have concerns with that. First, this is a rededication of a previously platted right of way. It was abandoned by court order in 1968. But it was part of that original plat and original subdivision. What we are asking is not a new plat or a new road to be platted but simply a rededication of that previously platted road which is fully paved and treated as a driveway to the rear of the properties. All those property owners have signed a deed to present to the board for acceptance of that dedication of that right of way back to the county. The concern with the proposal that we go back to the Plan Commission is that the next available Plan Commission meeting is not going to be until June 26. After that, we would be back in front of the commissioners to tie this all together so now we are looking into July. This will be two months of summer usage on the property. Lake Side Drive right now is undeveloped. It is a grass lot and the back yard of my petitioners. Right now they have no legal authority to exclude people from crossing that public right of way. That is our concern; the timeliness of all this. We would ask that you consider this request this morning rather than pushing us out further. The reason we brought this as a rededication to the commissioners is in response to communication to the building commissioner's office. This is in relation to the new zoning ordinance; it is a gray area, admittedly, as far as what we are asking the commissioners to accept. At the advice of the building commissioner we were told though the procedure was not in the book what you would want to do is a rededication of a public way and it would go through the commissioners. Lake Park Avenue is narrow. All the roads out in the Hudson Park subdivision are narrow. The Lake Park Avenue is consistent with the other roads out there. In many ways, Lake Park would be superior to Lake Side as an access to Mr. Smith's property or for use as a public right of way. It is already paved whereas Lake Side is simply a grass lot. It is further away from the lake on higher ground. We are asking the board to consider our vacation request of Lake Side Drive and to also accept simultaneously the deed of rededication of Lake Park Avenue. If you are not going to accept that rededication of Lake Park Avenue and if you are going to refer us back to the Plan Commission, we would still ask that you accept the vacation of Lake Side Drive with the permanent easement to Mr. Smith's property.

Mr. McCain, our position is the same as it was before. We don't object to the vacation of Lake Side Drive so long as Lake Park is rededicated. The process is how you get to it is Mr. Adamsky's concern. We are agreeable to it as long as it is rededicated by whatever process the Plan Commission and County Attorney approve.

Mr. Braje, it is the opinion of our office and the opinion of the counsel of the Plan Commission that they must go back before the Plan Commission for a replat. I didn't want to vacate a portion of the roadway until we actually were in possession of the deed that gave us the new plat.

Mr. Adamsky, understanding that is the counsel's position, I know there is another commissioners meeting prior to the Plan Commissions meeting. I would ask that legal counsel consult with the building commissioner and Mitch Bishop, those are the parties who advised us that the commission did have the authority to accept this deed of rededication. I would still contend that this is a previously platted right of way that we are simply rededicating it back. It has already been through plat committee. I will characterize this as an unfair delay to my clients.

Mr. Layton, I understand and appreciate your position, however, I don't believe waiting an additional two months, if it winds up in favor of your clients, is going to cause any undue hardship. If we wait and do this formally and officially, it is only to your benefit for the future.

Mr. Layton made a motion to put back on the table, seconded by Mr. Milsap, motion carried by voice vote 2-0.

**NEW BUSINESS**

**Mike Schultz, Assessor/Addendum II To The Contract For 2012 General Reassessment**

Mr. Schultz, before you is an addendum from Tyler Technologies, all they are asking is to take the work they were to do for 12 pay 13 and move it to the 10 pay 11 tax year.

Mr. Layton, this is in conjunction with the approval that the county of LaPorte has received from the DLGF to use that for the new evaluation?

Mr. Schultz, yes, to use the data they have been out collecting. We are going to use that for 10 pay 11 data that we have to submit a ratio study.

Mr. Braje, I have reviewed the contract and have no legal objections to it.

Mr. Milsap made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 2-0.

**Robert Young, Highway Superintendent/Class 11 Bituminous Material Bid Recommendation**

Mr. Young, I would like to give my bid recommendations for Class 11 liquid asphalt, which we use for chip and seal road maintenance. We had two bidders, Asphalt Materials came in at \$2.13 a gallon and Bit-Mat Materials came in at \$2.18 a gallon. It would be my recommendation to accept Asphalt Materials as our primary source and Bit-Mat Materials as our secondary source.

Mr. Milsap made a motion to approve the recommendation, seconded by Mr. Layton, motion carried by voice vote 2-0.

**Robert Young, Highway Superintendent/Lease Payment on Road Patcher and Sweeper**

Mr. Young, I am requesting the final lease payment on the two pieces of equipment we purchased four or five years ago, the road patcher and the street sweeper. The final payment is \$68,988.71.

Mr. Milsap made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 2-0.

**Tony Mancuso/Health Department Administrator/Changes in Fees**

Mr. Mancuso, the first increase is a serv-safe exam. We offer restaurants once a month to come and take this exam. The Scan-tron form price increased so we have to increase ours. This exam is required to be taken by restaurants every five years. The second is the septic ordinance was passed and I need a fee of \$50.00 for the registered contractor and another \$50.00 for an exam for that installer.

Mr. Milsap made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 2-0.

**LaPorte County Highway/2011 Annual Operational Report**

Mr. Layton, we were presented some days ago with the LaPorte County Highway's Annual Operational Report. I don't know if you have had time to review it. As far as I know, this is the first time it has been brought to the commission in a public meeting for our acceptance.

Mr. Milsap, I have not reviewed it.

Mr. Milsap made a motion to table until the first meeting in June, seconded by Mr. Layton, motion carried by voice vote 2-0.

**COMMISSIONERS COMMENTS**

Mr. Milsap read a statement (see attached)

**ADJOURN**

Mr. Layton, President, adjourned the meeting at 11:17 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Ken Layton, President

  
\_\_\_\_\_  
Barbara Huston, Vice President

  
\_\_\_\_\_  
Willie Milsap, Member

ATTEST:   
\_\_\_\_\_  
Craig Hinchman, LaPorte  
County Auditor

Resolution 2012.02

PROCLAMATION  
TO DESIGNATE THE WEEK OF MAY 20 – 26, 2012 AS  
EMERGENCY MEDICAL SERVICES WEEK

Whereas, emergency medical service is a vital public service; and

Whereas, members of the LaPorte County Emergency Medical Services team are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, emergency medical care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, emergency medical services providers have traditionally served as the safety net of America's health care system; and

Whereas, the LaPorte County Emergency Medical Services team consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

Whereas, the members of the LaPorte County Emergency Medical Services team, whether a career or volunteer engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

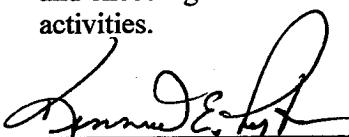
Whereas, LaPorte County residents benefit daily from the knowledge and skills of these highly trained individuals; and

Whereas, it is appropriate to recognize the value and the accomplishments of our LaPorte County Emergency Medical Service provider by designating Emergency Medical Services Week; and

Now, therefore, the Board of Commissioners of the County of LaPorte, State of Indiana, in recognition of this event do hereby proclaim the week of May 20 – 26, 2012 as

**EMERGENCY MEDICAL SERVICES WEEK**

and encourage the community to observe this week with appropriate programs, ceremonies and activities.

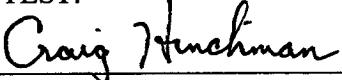


Kenneth Layton, President

Barbara Huston, Vice President

Willie Milsap, Member

ATTEST:



Craig Hinchman

Craig Hinchman, Auditor

**Statement of Willie Milsap - Commissioner Comments 5/15/12**

**This past week, the Commission received correspondence from South Bend attorneys representing our former Highway engineer Rick McVay threatening the county with suit over irresponsible comments made by Commissioner Huston against Mr. McVay at the commission meeting on April 3<sup>rd</sup>.**

**Specifically, Ms. Huston had the audacity to claim that all that Mr. McVay left in his desk were three cans of skoal, an empty beer can and a document from 1964. This letter from his attorneys makes clear just how wrong and how outrageous those statements were.**

**At our last commission meeting, we heard from former Highway Supt Rick Kentaft who also was understandably furious about comments made by Ms. Huston that were dead wrong, namely that Mr. Kentaft was fired, when in fact he resigned from our Highway department.**

**I say publicly to both Mr. McVay and to Mr. Kentaft that Ms. Huston's comments in no way reflect the views of LaPorte County. I can assure both Mr. McVay and Mr. Kentaft that Commissioner Huston was in no way authorized or given approval by this board to make such remarks. Ms. Huston is apparently out of state on vacation and I'm calling on her upon her return to make a full, public apology to both Mr. Kentaft and Mr. McVay.**

**Barb unfortunately has a terrible habit of shooting from the hip, making accusations and not having the facts to back those statements up. Another good example was when she took our highly respected county coroner, Mr. Sullivan, to task at a public meeting in April 2010 claiming he was violating safety rules and misusing his vehicle for personal reasons.**

**I will raise this issue at every meeting until Ms. Huston has the decency and the courtesy to apologize to both men.**

**My information and my understanding is that both Rick McVay and Rick Kentaft served our county well and both left under good terms.**

**Ms. Huston needs to make this right and there is no need for litigation when a simple apology and retraction will fix this and save the taxpayers time and money defending a defamation suit.**