



BOARD OF COMMISSIONERS LAPORTE COUNTY

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Ken Layton
President
Barbara Huston
Vice President
Willie Milsap
Member

LAPORTE COUNTY COMMISSIONERS

Tuesday, August 28, 2012

The LaPorte County Board of Commissioners met in a regular meeting on August 28, 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. Rich Mrozinski led the Pledge of Allegiance.

Mr. Layton, I would like to call for a moment of silence for the passing of former sheriff, Mr. Rodger Nickell. Rodger was the sheriff for LaPorte County from 1971 through 1978 and for a lot of us in this room he was a mentor. It always amazed me that he seemed to know everybody. He was a wonderful man.

ROLL CALL

All present

APPROVAL OF AGENDA

Mrs. Huston, an addition under New Business, Item D., Larson-Danielson/Contract for Community Corrections.

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

APPROVAL OF MINUTES

August 7, 2012, Mrs. Huston made a motion to approve as presented, 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 August 31, 2012, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Miscellaneous Claims—\$1,337,665.40, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

Regular Claims—\$ 937,214.77, 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

Sheriff Mike Mollenhauer, I want to make a comment regarding former sheriff, Rodger Nickell. He came on in 1956 and left in 1978 after his retirement as sheriff. He was a mentor. We didn't have investigators on the department at that time. He was our investigator. He was one of twelve men. He had an uncanny way of knowing who committed a crime before it was reported, because of the informants he had. He was a great guy.

Mrs. Nancy Hawkins, LaPorte County Treasurer, I wanted to give you an update on the credit card program. You were generous enough to sign the contract a few weeks ago. The credit card company has been working diligently to get that going as quickly as they can. The web site is now functioning. There is a link on our web site that will link you to the Elevon web site to pay your taxes on line. The phone program and the program at Horizon Bank, we expect those both to be operational within the next day or two. The scanner machines are being delivered to Horizon today and they will be set up in a few days. The phone bank is also being set up and there will be an 800 number published on our web site if people choose to pay by phone rather than by the internet.

Mr. Milsap, what about the other equipment we had installed in your office. Are they working correctly?

Mrs. Hawkins, yes the cameras are working in both offices.

Mr. Layton, I know that you have the credit cards installed, the electronic checks working, other than the billing of the 10 pay 11 by January of next year, are we now within compliance of Bill 19?

Mrs. Hawkins, I believe we are in compliance with Senate Bill 19, those were the only major issues that I knew were hanging over our head was extending that due date out to February. It is extended six months after the mailing date. February 14th will be the new due date to make those payments by to avoid any penalties.

Mr. Layton, as far as the county is concerned does there seem to be anything that will stand in the way as far as us being compliant with the tax bill of 10/11 by January of 2013?

Mrs. Hawkins, I sure hope not. We need to get those bills out in the mail by January 31, 2013 and as of right now we are on schedule. I believe that it is doable.

Mr. Matt Bernacchi, LaPorte County Council president, last night we took a public vote not a motion on the ethics ordinance in LaPorte County. Due to the state statute overseeing the ethics ordinance and Michigan City dissolving theirs, we took a vote to dissolve the ethics ordinance. Our recommendation for you guys to make a vote to dissolve the ethics ordinance for LaPorte County. It is repetitious to have a state ethics ordinance policy that encompasses all the counties anyway. We wanted to pass that along that the council voted 6-1 to have that dissolved.

Mr. Layton, rather than stepping into something hastily, I would like to have the time to contact the city attorney for the city of Michigan City for their input before I make any decision.

Mr. Milsap, we still need to do a lot of research to make sure we are following the law. Your vote last night was just a consensus of the council, right?

Mr. Bernacchi, yes, just a recommendation of the council to the commission.

Mrs. Huston, after everything Mr. Milsap, Mr. Friedman and the commissioners went through as a whole with this ethics ordinance as far as revising and fine tuning it and we just got our board together. Senator Arnold said there was going to be a state ethics ordinance. Are other counties repealing their ordinances too?

Mr. Bernacchi, they are all looking it over and comparing it to the state. My understanding is that everyone is going to fall under the state ethics ordinance.

Mrs. Huston, there is nothing that says we can't have our own ethics ordinance.

Mr. Bernacchi, this was just a recommendation to the commissioners on how the council felt.

CORRESPONDENCE

None

REQUESTS

None

OLD BUSINESS

None

NEW BUSINESS

Kay Felton, LaPorte County Home Administrator/Private Pay Rate

Mrs. Kay Felton, we just need to set the private pay rate at \$38.00. That is the current rate. If we could keep it at that, it would work for us. This is an annual request.

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

Lease Agreement with U.S. Army

Mr. Layton, this is an 18 month endeavor between the county of LaPorte, Kingsbury Utilities and the United States Army. This has been ongoing and it has now been agreed to by the United States Army to allow an easement across their land for the Kingsbury Utilities to run a sewer line from their facility to the United States Army Reserve Center. This has been researched and reviewed by Mr. Faccenda who is the Redevelopment Commissions attorney and it has also been reviewed by Mr. Baugher who is representing the county in these proceedings and they find it is in accordance with the law and it calls for the signature of the president. I am asking that we approve this easement this morning so we can finally have some movement in this area.

Mrs. Huston made a motion to approve, giving the president the authority to sign, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Braje, Nelson & Janes/Paul Fisher Settlement

Mr. Chris Willoughby, you are aware there has been ongoing litigation between the county and Paul Fisher with regard to allegations of events that occurred at the jail and we have reached a position of settlement and a proposed settlement agreement. We are here today asking for your vote and authority to finalize the settlement.

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

Larson-Danielson/Contract for Community Corrections Building

Mr. Jeff Wright, Highway Engineer, you are aware of the Community Corrections Building designed by DLZ. The council approved the funding for the project last night. DLZ is the designer, Dick Buell, Bill Hackett, and I were hands on for the plans. Mr. Layton was our point person for the commission. The bids came back with Larson-Danielson being the low bidder. We have a good plan, it is a minimal plan. Even the landscaping plays a role in the design of the project with the site and sound separation. We have a high confidence of their capacity to get the job done on time and within budget. Our recommendation is to award the contract to Larson-Danielson for the amount stipulated in their proposal.

Mrs. Huston made a motion to award the contact to Larson-Danielson, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Milsap, what is the logic for the requirement of landscaping between the Juvenile Center and this project?

Mr. Wright, that was an issue that was brought up early in the project with the proximity of the two buildings. There will be a separation between the juveniles and the adults; there should be no interaction, visually or auditable.

Mr. Layton, when we did the county extension office project, you expertly kept the county council abreast of the spending on a monthly basis. I pledged to the council that you would continue that same concept so they would know exactly where we were at on the funding and progress.

Mr. Wright, that is fine and I agree with the philosophy.

COMMISSIONERS COMMENTS

Mr. Milsap, if possible, by the next meeting, could we get an update from you in reference to the KIP project status.

Mr. Layton, not a problem.

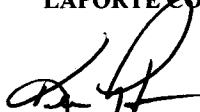
Mr. Milsap, in the LaPorte Herald Argus and News Dispatch, they profiled some high powered people in the community. Diane Dibkey, Tom Alevizos, Kim Sauers, Jason Lewis, Sole Steppers, LaPorte and Michigan City firefighters, Lee Dabgia, Leon Campbell, and Jim Sosinski. This was just a profile of everyone who is an asset to this county and who improves our quality of life.

Mr. Layton, again, I would like to express sincere condolences to the Nickell family.

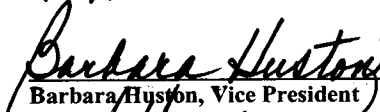
ADJOURN

Mr. Layton, President, adjourned the meeting at 10:28 a.m.

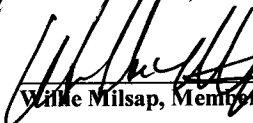
LAPORTE COUNTY BOARD OF COMMISSIONERS




Ken Layton, President



Barbara Huston, Vice President



Mike Milsap, Member

ATTEST: 
Craig Hinchman, LaPorte
County Auditor