



BOARD OF COMMISSIONERS LAPORTE COUNTY

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*Ken Layton
President
Barbara Huston
Vice President
Willie Milsap
Member*

LAPORTE COUNTY COMMISSIONERS

Monday, November 5, 2012

The LaPorte County Board of Commissioners met in a regular meeting on Monday, November 5, 2012, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mr. Layton, President, called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Taylor, a guest from a local high school government class led the Pledge of Allegiance.

ROLL CALL

All present

APPROVAL OF AGENDA

Mrs. Huston, we have an addition under Correspondence, New Hire For Highway.

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

APPROVAL OF MINUTES

October 16, 2012, Mrs. Huston made a motion to approve as presented, seconded by Mr. Milsap, motion carried by voice vote 3-0.

October 30, 2012 Joint meeting with Plan Commission, 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 November 9, 2012, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Miscellaneous Claims-----\$ 2,848,176.58, 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

Mr. James Mandeville 605 Tornado Dr., LaPorte, IN. I am pastor for Bethel Chapel in LaPorte County. This is in concern with the Sexually Oriented Business ordinances. We were not able to make a presentation the other night at the joint meeting and we wanted to make sure you knew how the

pastors in the area felt. I have two letters I would like to read from the President, Rev. Mike Sutton and Vice President, Dennis Meyer, of the Greater LaPorte Ministerial Assn. (See attached) As churches we are very aware of First Amendment rights. We can go out and preach the gospel openly and freely in the country. The secondary effects of what we do appeal to the higher calling that people have. Our concern is that the secondary effects of this type of business in our community go against what the churches and the people in our county want for us. We want the most restrictions possible. A lot of time the pastors are the ones dealing with the secondary effects as we go into our congregations and deal with the people.

Earl Cunningham, 6311 W. Shiva Drive, LaPorte, IN. I read in the papers where the Democratic chairman expressed his righteous indignation about the voter registration situation. I remember that the clerk came before the council and commissioners asking to take responsibility for Voter's Registration. I thought the majority of this body voted in favor of it but I guess there is a quirk in the law that it required a unanimous vote. The vote of this body was 2-1 with only Mr. Milsap opposed to that. I think it is imperative to understand that those two officials in the Voter's Registration Office do not answer to HR, do not answer to the Commissioners. They answer only to the party chairman. Because they weren't assigned under the clerk that is the same practice that will continue on going into next year, correct?

Mr. Layton, that is correct.

DEPARTMENT HEAD COMMENTS

Mike Schultz, LaPorte County Assessor

Mr. Mike Schultz, I would like to read an email into the record so you can understand why I am here and what I will be explaining. I received this email from Mr. Layton on 11-1-12. "Ken, I would ask that you invite Mike Schultz to the November 5th Commission meeting and ask him to write us an explanation at a public meeting as how he decided to drastically lower assessments for both NIPSCO's property and Blue Chip. A couple days after our last meeting where we approved a contract with a Florida company at his recommendation to do the new assessment ration study, I learned that Mike had quietly without any notice to either the commission or the council settled long running assessment disputes with both NIPSCO and Blue Chip. Rather than to come to us and get top flight legal counsel to go in front the board of tax review and hire expert witnesses to fight for the county's position, I understand he essentially rolled over on both of these major assessments. I'm told the previous county vendor put all of NIPSCO's property in the county including the generating station at an assessed value of \$220,000,000 and Mike has reduced it to 1/10 of that. I've learned Blue Chip was at about \$180,000,000 assessment and he allowed their attorney to talk him into 1/2 of that. If our assessor has given up hundreds of millions of dollars in assessed value without a fight that means ordinary taxpayers that I represent have to make up the difference. I want Mike coming to the public meeting, laying out exactly what the assessments were and what he settled for. I am tired of this kind of thing happening in secret behind closed doors. The public deserves to know what our assessor is doing when it comes to these major corporations and any special deals he is cutting for them. I may reconsider my support for his recommended company, Team Consulting, unless we receive satisfactory answers to my request. I didn't want anyone surprised by raising this and asking you as President to put this on the agenda for November 5th. Respectfully, Willie." I am here to explain what we did and to question some of these accusations about my integrity as the assessor for LaPorte County. Number 1, we can start with NIPSCO. NIPSCO's assessment in 2003 was \$14,263,300. You have got to understand assessing. I only assess the buildings that you see there. I don't assess the coal shutes, the power lines or the land, that is all state assessed. That is where the bulk of the assessment for the utilities comes into play.

Mr. Layton, please explain what you mean by state assessed.

Mr. Schultz, they basically do the same thing I do but they set the values for all utilities & railroads. They send us a number to use to put into your total tax assessment to develop a tax rate. Their assessment is higher than my local assessment. My local assessment on the gen station basically only includes the concrete shell that you see. In 2004 it was the exact same figure, 2005 \$14,272,700, in 2006 the initial assessment I was told the auditor used a value \$107,334,800, it was appealed. I settled for \$15,282,700 which is still a 7.08% increase over 2005. Saying I drastically reduced anything, no I didn't.

Mr. Milsap, what county vendor estimated that?

Mr. Schultz, this is the amount that was given to us by NIPSCO. The county vendor that used \$220,000,000 was the former NEXUS Group. They were having the same issue in Wheatfield, Jasper County. Our gen station has one generator, Wheatfield has four turbines. There assessment from the former vendor that we had was \$425,332,600 as an assessment on that building. Jasper tried to defend it and it was settled for \$58,964,800. My \$15,000,000 is basically ¼ of what their 4 generators and newer building is. I think I am well within the bounds of a local assessment for that building. Nothing was drastically reduced. The people that settled this, I was told was Marilyn Meghn with the NEXUS group.

Mr. Milsap, did you make contact with Marilyn Meghn?

Mr. Schultz, I did not contact her. I contacted the Jasper County assessor.

Mr. Milsap, why didn't you contact Mrs. Marilyn Meghn?

Mr. Schultz, she is not my attorney.

Mr. Milsap, she is a tax expert. Am I correct?

Mr. Schultz, I wouldn't go that far, no.

Mr. Milsap, she is a tax expert, for the record.

Mr. Schultz, okay, that builds into my evidence then. Why at \$425,332,600, what they originally wanted, did they settle at \$58,964,800?

Mr. Milsap, my point is that as an assessor you should tap into all your resources. The bottom line is you are trying to prevent, in my opinion, the little guy whose assessment is going higher and higher, they are paying what they should pay and therefore, your commercial complexes should pay what they should pay. As an assessor you should tap into every available resource, Mrs. Marilyn Meghn, to ensure that those assessments are the best.

Mr. Schultz, I disagree. The people of LaPorte County elected me as their assessor not Marilyn Meghn. I was comfortable using this \$15,000,000 number after I had seen what it was in 2004 and 2005.

Mr. Milsap, you give me those figures and I can contact Marilyn Meghn and see if we can get a better assessment.

Mr. Schultz, no. I am the assessor and you are a commissioner. These numbers are good. The assessment field is not a scientific field. It is not an exact number.

Mr. Milsap, can I see those numbers?

Mr. Schultz, yes, I will get them to you. On the Blue Chip casino, in 2006 the assessment the previous vendor wanted on there was \$259,105,600. We settled at \$66,327,000 a 23.33% increase over the previous years. In 2006 the state said you will use the best method of assessing using our tables that we put in the manual for gambling boats. You don't use the income or sales approach, you use the cost approach and it is based on capacity. By using that chart we came up with the \$66,327,000. We are not giving the store away. Also, this is in a TIF area. I can stand by my assessments. When I settled with these two, I saved the county thousands of dollars in legal fees. None of these numbers are set in stone and you can appeal them. I am willing to listen. I am charged with making sure we fair and equitable assessments in LaPorte County. We will be on time next fall, we have met the challenge. We are not here to take your property; we are not here to put it up for tax sale; we don't want to be in the Real Estate business; we will work with you. Just as with a company and a resident there are normal values that we have to deal with. I have to treat all fair. You refer to "back room meetings", in my profession we call those informal hearings which we are entitled to by the state.

Mr. Schultz, on October 3, 2012, Mr. Milsap wanted to talk to me in the hallway. He stated that he had received a phone call at home that I was seen going into Republican Headquarters with a stack of

papers. I told Mr. Milsap that if they think a stack of papers consists of two pieces of paper then they need to have their eyes checked. The reason I went into Republican Headquarters was that the woman that works there who is about 76 years old was in my office that week concerned about her assessment and having to make payments on this tax bill. I looked at the assessment and it looked like it was in line so I wanted to check her exemptions. I didn't see an age exemption but she told me she had filed it. The Auditor's office had forgotten to put her age exemption on her bill. They printed me a new bill that day and I thought instead of having the woman have to wait for two or three days having to worry about what her payments are going to be, I walked it over to her. I did not sit down & I did not have a meeting with anybody. The other form in my hand was an absentee ballot request form that Voter's Registration had printed for me for the bartender at Dick's Bar. I walked over there handed it to her and said if she signed it I would take it back to the courthouse. Two weeks later I received a Public Record Request. I don't control the tax bills, they are not in my office and I don't control the absentee ballot request forms, they are not in my office. The way I understand the law is that I only have to turn over documents that I am in control of in my office. She asked for a list of county owned properties, here it is. She asked if anyone had asked for it within the last 30 days, no. This list is maintained by the Real Estate office. I will contact this woman; she can have all of this. She questioned the legality of me going to Republican Headquarters and holding meetings on county time; the last time I checked, as an elected official, I can pretty much come and go as I please. I thought I was doing a service as a public servant.

Mr. Layton, thanks for your honesty and openness and your answer to Mr. Milsap's email.

Mr. Schultz, the Worrell Corp. from Indianapolis, we deal with their Elkhart office. We are suppose to send Form 11's every year but because of our situation we haven't sent them out for a number of years. It sends a notice to every taxpayer about their 2010 assessment compared to their 2009 assessment. We want them to use the Form 11 as their appeal form. December 31st is the final date they have to appeal. This is the only method of appealing your taxes for 2010. I have the funds in my budget to cover this.

Mrs. Huston made a motion to approve giving the president permission to sign, chair stepped down and seconded the motion, motion carried by voice vote 2-1.

Mrs. Lois Sosinski, can I address you during the APEX presentation?

Mr. Layton, absolutely.

Mr. Rich Mrozinski, as liaison to the Veteran's Service office for the county council I would like to announce a few events in the county. Friday at the LaPorte Civic Auditorium at 9:30 will be the 25th annual Veteran's Day program, free and open to the public. On the 10th at 10:00 in this room we will be doing the LaPorte County Veteran's recognition medal program. Sunday, there are several Veterans' Day programs. Also, as liaison to the Economic Development Alliance from the county council, we had our quarterly meeting today. It is sad to see that go, we have been the envy of many counties by combining the major cities and the county. We have been told by Mr. Milsap that at the end of this year the county is going to discontinue that with the local people that live here. Their new program, I believe, is with someone from Munster, South Bend and Merrillville. We have opened up the Thomas Rose Industrial Park and ground breaking at the Kingsbury Industrial Park for the rail spur project that Ken and myself have been working on for quite some time. A project of this magnitude is extremely complicated and the key player in all of this has been Mr. Layton, his experience in this field has been invaluable.

Mr. Layton, you are giving me way too much credit, there has been too many people involved for anyone person to take accolades.

CORRESPONDENCE

Robert Young, LaPorte County Highway Superintendent/New Hires

Mrs. Huston, I will read his letter,

“Honorable Board of Commissioners, The intent of this correspondence is to inform you that the three equipment operator positions that were approved have, as of today, been filled. The positions are as follows, two new hires in Hanna District and one in our LaPorte District. We are currently in the process of getting the new hires orientated and sent over for pre-employment testing. Thank you, Robert Young”

Mr. Layton, on behalf of the county highway, the accolades need to go to the county council because they were the ones that saw fit to put the funding back in place and allow these hires to happen.

REQUESTS

Leo Spence/Permission To Hunt On County Property

Mr. Leo Spence, 6252 E., State Road 104, Walkerton, I am requesting permission to hunt on LaPorte County property, out by Door Village off of 2 and by the County Home.

Mrs. Huston, I have asked our attorney to look into this, do you have anything to say?

Mr. Willoughby, first, I don't know that there is anything that doesn't allow such a thing, whether it be prudent is a different question. My main concern is liability and what doors you are opening. I have not had an opportunity to check with the insurers.

Mr. Milsap, have we allowed hunting on county property?

Mr. Layton, no. In the years that I have had the privilege of serving this county, I can't remember any time where we have allowed hunting on any county owned property, the liability is enormous. We have been asked before and we did not allow any hunting on county owned property. If it came to a vote, I would vote against it.

Mr. Spence, okay, that is it then.

OLD BUSINESS

Attorney Brad Adamsky/Petition To Vacate A Public Way In LaPorte, Indiana (Tabled)

Mrs. Huston made a motion to remove from the table, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Adamsky, attorney with Newby, Lewis, Kaminski, and Jones. I am here on behalf of Brett and Katlyn Slater. We were here last month on a refilling of a petition to vacate which was filed in June of 2010. There is an issue with a statutory requirement of waiting for two years for the petition to be brought before the board. Last month we made an argument that you had the authority to do that based on the change in circumstances. At this time, we are not conceding that argument but we are asking for permission to withdraw our petition to vacate. We are near the point where we may just file the petition next summer or we may work something out where we don't have to come back before the board. We do what to make the point that that strip of land is county property; we cannot exclude anyone or be excluded from it. If someone uses that property we expect it to be repaired properly, that is our concern here. If we do come back with a petition to vacate we will do that timely per the statute.

Mr. Layton, thank you. I believe it was June of 2011 not 2010. We agree with you that it needs to be maintained properly.

NEW BUSINESS

Jeff Wright, LaPorte County Highway Engineer/Award Contract to Woodruff & Sons

Mrs. Huston reads a letter from Mr. Wright. (Please see attached)

Mr. Willoughby, my office has reviewed this and has no issues with the contract as submitted.

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

Jeff Wright, LaPorte County Highway Engineer/Reclassification Of County Road 950 W

Mrs. Huston reads letter from Mr. Wright. (Please see attached)

Mrs. Huston made a motion to approve on the first reading Resolution Concurrence With A Proposal To Revise The LaPorte County Federal-Aid System (Please see attached), seconded by Mr. Milsap, motion carried by voice vote 3-0.

Resolution #2012-07

Darlene Hale, IT Director/Custom Software Maintenance And Support Agreement

Ms. Hale, this is just a contract renewal and it will be lowering the price. I have cleared it through the county attorneys. It is for the clerks and court system. It will save about \$4,000 - \$5,000 a year in software support.

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

Ms. Hale, I would like to give you an update. Tomorrow is election day and we will be providing up to date results through a link on our web site, LaPorteCounty.org. Also, over the weekend we were able to calculate the tax bills for 10 pay 11. I would like to say thank you to the assessor's office, auditor's office, treasurer's office and Manatron along with my department. We have all worked very hard to get where we are at. We are going to meet the deadlines set by the state bill.

Robert Szilagyi, Prosecuting Attorney/Request Purchase Of Vehicle For Adult Protective Services

Mr. Robert Szilagyi, we are asking to purchase a new vehicle for Adult Protective Services. We have three ladies in that department. We are a hub county; we cover six counties for Adult Protective Services. The sheriff has been very good about servicing the vehicles for us. They recommended that the one vehicle we have which has the highest mileage be traded in because it is starting to have more problems. We have a \$6,000 discount so we would be paying \$11,919.66. I have talked to the council about this and because it is all from grant money, not county funds, it is what the state gave us, that is what we would be using to pay for it. The council indicated I come here because the vehicle is in your name and you would have to sign for it. The other two vehicles have around 60,000 miles on them. We have worked with the other counties that we service and asked them to reimburse our deferral fund so we don't carry the entire burden of the program and they have been doing that.

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

KIP Overlay District Ordinance

Mr. Layton, Mr. Biege who represents the Plan Commission and BZA sends his regrets, he is ill this evening. This is a change in the zoning maps that is necessary for inside the Kingsbury Industrial Park to allow a further ordinance change for the overweight trucks for inside the plant and only inside the plant.

Mr. Willoughby, since my office had a conflict it has been understood that we have deferred to Mr. Biege's input on this matter. I want to caution that to consider the ordinances that are here and to do it on first reading if you are inclined would be to have a unanimous vote of all the commissioners to do so.

Mrs. Huston made a motion to approve on first reading by title only, AN ORDINANCE FOR THE ADDITION/ADOPTION TO THE JOINT ZONING MAPS TO INCLUDE THE KINGSBURY INDUSTRIAL PARK OVERLAY DISTRICT, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Layton, we will lay this over to our November 20th meeting.

Mr. Layton, secondly, we have a proposed ordinance waiving the weight limitations for the Kingsbury Industrial Park overlay district. Because of the work that is going on out there and the corporations that are intending to come in the future, the normal weight limitations that are on the state roads will not handle the size of trucks that will be moving inside the plant. We need by zoning ordinance waive those weight limitations just inside the plant. There is only one road in there that we would have any jurisdiction over and that would be Hupp Road that we are in the process of undertaking as being county property. The other roads are all privately owned.

Mrs. Huston, the weight limitations on state highways is higher than our county road limitations?

Mr. Layton, some of them that is true, yes. The bridge that the state of Indiana built will handle the weight limitations that we are expecting.

Mrs. Huston made a motion to approve by title only on first reading, AN ORDINANCE WAIVING THE WEIGHT LIMITATIONS FOR THE KINGSBURY INDUSTRIAL PARK OVERLAY DISTRICT, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Apex Benefits Group, Inc./Insurance Renewal

Mr. Gordon Snyder, I am with Apex Benefits and have been working with the county since 2007 for the county employee's health benefits. Apex Benefits is endorsed by the Association of Indiana Counties. I would like to present the renewal option for 2013. (Please see attached) For 2013 we would recommend staying with Anthem for the medical, moving to Humana for the dental and staying with Eyemed for the vision plan.

Mrs. Lois Sosinski, I am the liaison from the county council for the insurance committee. On Oct. 23, 2012, there was an insurance committee meeting held which I was informed by Mrs. Leon was at 10:30 when it actually started at 9:00. I am still not getting information from the commissioners or Apex when these meetings are happening. The meeting that was held on that day was to basically receive RFPs. I have a question as to the appropriateness of having a quorum of your body at that particular meeting making a decision on a financial matter or what you want to do for 2013 and not being advertised as a public meeting.

Mr. Layton, we did have a quorum, Mr. Milsap left the room before I got there. I was under the impression that we could meet to gather information. There was no decision made, that is why Mr. Snyder is here this evening.

Mrs. Sosinski, I thought you had made a decision because you told me the increase of cost was going to be passed on to the employees.

Mr. Layton, we made a decision that if we went with this tonight at our meeting we couldn't afford to pick up the cost of the employee like we had done in the past. That is what we had decided and that is what I told you on the phone. I didn't tell you that we had accepted the proposal. All we discussed was if there was going to be an increase in the cost of insurance, the county could no longer assume it all like we had done in the past.

Mrs. Sosinski, what I am concerned about is that the decision was made before we got here for this presentation.

Mr. Layton, we have not made a public vote on whether we are going to accept this or not.

Mrs. Huston, there was someone from the council there, Mr. Mrozinski. I left the meeting because I had another engagement.

Mr. Milsap, if we make a decision tonight for 2013 and new commissioners are seated can they legally revisit that and change it?

Mr. Willoughby, it depends on the terms of the contract. If there is no basis in the contract to terminate or rescind it, the future board may be locked in to that contract.

Mr. Milsap, that is one of my concerns.

Mr. Layton, I believe the open enrollment starts on Wednesday.

Mrs. Leon, I am recommending that we go with this plan. It is a good plan. Nobody can beat Anthem. I have dealt with Anthem for 37 years. I am recommending that we stay with Apex and that we don't make any changes. This has to be effective in January 2013. If we communicate this to the employees and we start the deductions and we start the plan it is not good to change plans midyear

Mrs. Sosinski, I am not recommending scrapping the plan or Apex. I was up here for another purpose. By having everybody in those meetings there could be some questions.

Mr. Layton, I apologized to you on the phone that day that you were excluded from that meeting.

Mrs. Leon, even the local companies can't meet the discounts with Anthem, they will decline, they can't match it.

Mrs. Huston made a motion to approve the acceptance of Anthem as our insurance carrier with Apex Benefits, the chair stepped down and seconded the motion, motion carried by voice vote 2-1.

Tony Mancuso/Health Department Administrator/Physician Services Agreement

Mr. Willoughby, this agreement is formalizing what has already been done and approved by the Health Department appointing Dr. Sandra Deausy as the Health Officer. The Board of Health has approved this and this board has previously certified that appointment. What Mr. Mancuso is implementing in the department is the ability to save some money and recoup Medicaid costs. One thing that has developed is the need to show proof that the health officer has malpractice insurance. Dr. Deusy is a practicing physician with Franciscan Physician Network. The hospital determined that their malpractice insurance would not be triggered unless we had a formal agreement. What this agreement does is acknowledges between LaPorte County, Franciscan Physician Network and Dr. Deusy that she is going to serve as the health officer for the county. Any compensation that she receives is determined by the board of health and will get paid directly to the hospital corporation and they will take care of compensating her from there.

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

Disposition Of Excess Real Estate

Mr. Willoughby, I have received some inquiries regarding property owned by the county located at 439 E. 7th Street, Michigan City. It is an unbuildable lot between a couple of parcels and also have determined the county took title of this property in 1979 as a result of a tax sale. There are a few avenues to determine if you would like to put this back on the rolls. There are interested parties. One, you could authorize me to send notices to the abutting owners only and the statute would then provide that they would have the ability to make an offer. We can also put notice in the paper that the county wants to sell this property and allow other bidders in the area. I know there are more than just the two abutting owners that are interested in that property.

Mr. Milsap, would there be a big cost difference if we let everyone in on this versus the two abutting property owners?

Mr. Willoughby, if we open it up to everyone there could be an appraisal required. That would be determined by the value.

Mrs. Huston made a motion to open it up for everybody, seconded by Mr. Milsap, motion carried by voice vote 3-0.

COMMISSIONERS COMMENTS

Mr. Milsap, tomorrow is election day so everyone get out and vote.

Mrs. Huston, last week we had an executive session here with several council members being present. Afterwards, I was out talking to Mr. Cunningham, Mr. Mrozinski, Mr. Garner, and Mr. Yagleski. It seems the Soil and Water Department needs a new van. Since we are so low on money and I am going out of office, I was asked if I would be willing to assign my van to Soil and Water. I have no problem transferring the van to them.

Mr. Milsap, what would the new commissioner have?

Mrs. Huston, there are two vehicles for them to use.

Mr. Milsap, why can't they have that one?

Mrs. Huston, if you will remember, after Mr. Bohacek went out of office and you came into office, you didn't want his vehicle and had no problem transferring that to the surveyors office.

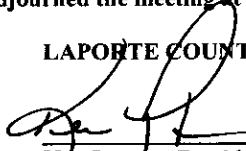
Mr. Cunningham, I don't think the council is expending any money and you guys already own the car. I don't think it needs any council approval. I think it was just a consensus that we thought that was a great idea. Rather than them to come before the council and ask to buy a vehicle, they could have Mrs. Huston's.

Mr. Layton, there is an election tomorrow and all of you involved, I wish you all well and good luck.

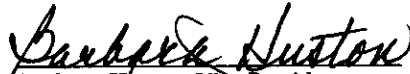
ADJOURN

Mr. Layton, President, adjourned the meeting at 7:46 p.m.

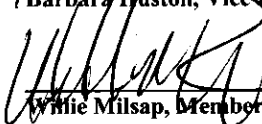
LAPORTE COUNTY BOARD OF COMMISSIONERS



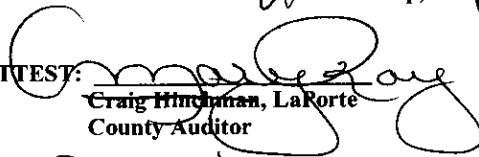

Ken Layton, President



Barbara Huston, Vice President



Willie Milsap, Member

ATTEST: 
Craig Hinchman, LaPorte
County Auditor

Chief Deputy

LIBERTY BIBLE CHURCH

Chesterton & LaPorte

To Whom It May Concern:

My name is Rev. Mike Sutton and I currently serve as the Pastor of Liberty Bible Church in LaPorte and also as the President of the Greater LaPorte Ministerial Association. I'm writing to show the support of the churches in LaPorte for a restrictive as possible Sexually Oriented Business Licensing Ordinance.

Businesses like this do not support the health and good of the people of LaPorte County and beyond. The churches of our community do not support this effort. These kinds of businesses only bring in other things that bring crime, drugs and more.

Please vote against this effort and support the good of people of our county and cities.

Sincerely,

Michael G Sutton

Rev. Mike Sutton

608 Colfax Ave.
LaPorte, IN
219-510-3193



Friends of LaPorte County,

When I arrived in LaPorte in 1987 there was a concerted movement of citizens to eliminate the "Shake Shack" from the community. This strip club gave LaPorte a sleazy image on the main entry into the city. Do we want to recreate the past? Do we actually want to go backwards? Free speech is not license to do or say anything we want. Do you want to approve a less restrictive Sexually Oriented Business Ordinance? We all know that is a guise for an X-rated business. There is no way that improves the image of LaPorte County. It will not attract business or families. I think we all know what it will attract.

We want to move LaPorte County forward as a place to do business, a place of healthy recreation, a place where families have good schools, and where there are opportunities for good jobs. We don't want to cater to the baser instincts of human nature. The Internet is filled with sites that offer pleasure as an escape from reality. Do we want to offer a business that ultimately will lead to protests, dissention, and potentially to crime? We are already battling drug problems on a scale that we have never seen before. Law enforcement will tell you that adding to sex trafficking could add another level of abuse and violence to our county. Please vote for as restrictive an ordinance as possible to keep these types of businesses out of our community. Choose progress not problems.

Sincerely,

Dennis Meyer

Dennis Meyer

Vice President LaPorte Ministerial Association

Pastor Bethany Church

102 G Street

LaPorte, IN 46350

219-369-3530

**A Harbor
of Hope**

Bethany Lutheran Church elca
102 G Street LaPorte, IN 46350
T: (219) 362-3312 F: (219)324-5673
W: bethanylaporte.org



LaPorte County
Highway Department



Monday, November 05, 2012

RE: Award of Contract to Woodruff & Sons
CR400N and CR950W Economic Development Grant

Honorable Board of Commissioners of LaPorte County

Please excuse my absence from the meeting this evening. I have prior obligations this evening that I must be present and in attendance for.

Phase I, the Sanitary and Water Main Construction, was bid in accordance with the prescribed bidding regulations. Bids were received on August 30, 2012 at 11:00am and read aloud in meeting room 'A' of the LaPorte County Complex.

Woodruff and Sons, Inc was the low bidder with a bid of \$988,812.50

The contract has been forwarded to the County Attorney for review. In the absence of any additional comments from the County Attorney, we recommend that the contract be awarded to Woodruff and Sons, a local contractor with a reputable and solid name in our county.

Sincerely,

Jeffery D. Wright
LaPorte County Engineer

LaPorte County Highway Department

PH (219) 362-2051 ... 1805 W. 5th Street ... LaPorte ... Indiana ... 46350 ... FX (219) 362-4221



LaPorte County
Highway Department



Monday, November 05, 2012

RE: Reclassification of CR950W to Major Collector
CR400N and CR950W Economic Development Grant

Honorable Board of Commissioners of LaPorte County

Please excuse my absence from the meeting this evening. I have prior obligations this evening that I must be present and in attendance for.

As you know, LaPorte County has secured a grant from the Federal Highway to be used for the purpose of reconstructing County Road 950W. The rules for use of federal highway funds require that the proposed construction be on a road that is classified as a RURAL MAJOR COLLECTOR. Currently, CR950W is classified as a RURAL LOCAL ROAD.

The process of reclassifying a road requires the local municipal unit of government to adopt a resolution that supports the new classification. As the immediate area near and around CR950W continues to build out and develop; the new classification will be consistent with the roads future intended use.

If it is the desire of the Commission to continue with federally funded portion of the project then it is necessary that the reclassification resolution be adopted.

Sincerely,

Jeffery D. Wright
LaPorte County Engineer

LaPorte County Highway Department

PH (219) 362-2051 ... 1805 W. 5th Street ... LaPorte ... Indiana ... 46350 ... FX (219) 362-4221

RESOLUTION 2012 - _____

**RESOLUTION CONCURRENCE WITH A
PROPOSAL TO REVISE THE LAPORTE COUNTY
FEDERAL-AID SYSTEM**

WHEREAS, to be eligible for certain types of federal-aid funds a roadway must be on the federal-aid system; and

WHEREAS, after careful analysis by the LaPorte County Highway Engineer based on current and future traffic volumes, current and future development trends and other relevant factors, it have been determined that his revision to the Federal-Aid System should be made.

WHEREAS, LaPorte County is desirous of formally adopting ADAAG and PROWAG as part of the County's continuing effort to implement its ADA Transition Plan and to ensure that LaPorte County is in full and continued compliance with the ADA,

NOW, THEREFORE, be it resolved by the Board of Commissioners of the County of LaPorte that,

SECTION 1. The following revision is requested to update the functional class system in LaPorte County to reflect accurate system layout and usage:

County Road 950 West

This road, the extension of Cleveland Avenue, IR-439 to function as a major collector.

Existing Functional Classification – Rural Local Road

SECTION 2. This resolution shall be in full force and effect from and after the 16th day October, 2012

All of which is adopted by the Board of Commissioners of LaPorte County this 7th day of August, 2012.

Ken Layton, President

Barbara Huston, Vice President

Willie Milsap, Member

ATTEST: _____
CRAIG HINCHMAN, Auditor

**LAPORTE COUNTY, INDIANA
LAPORTE COUNTY COMMISSIONERS**

**ORDINANCE NO. 2012-_____
AN ORDINANCE WAIVING THE WEIGHT LIMITATIONS FOR THE
KINGSBURY INDUSTRIAL PARK OVERLAY DISTRICT**

WHEREAS, the Plan Commission of the County of LaPorte has initiated a proposal to adopt an addition/adoption to the Joint Zoning Ordinance of LaPorte County and Zoning Maps to include the Kingsbury Industrial Park Overlay District as provided by Indiana Code § 36-7-4-602(a)(1); and,

WHEREAS, Internal roadways within the Kingsbury Industrial Park Overlay District, dedicated or private, shall not be subject to the normal weight restrictions within LaPorte County; and,

WHEREAS, LaPorte County should waive such restrictions pursuant to a separate Ordinance that should be maintained with the LaPorte County Ordinances in the Office of the LaPorte County Commissioners.

WHEREAS, the Board of Commissioners of the County of LaPorte have determined it is in the best interest of the County of LaPorte to waive weight, size, height and vehicle dimension restrictions on the streets and roads within the Kingsbury Industrial Park Overlay District, to encourage further economic growth within the County.

NOW, IT IS THEREFORE ACCEPTED AND RESOLVED:

Section 1. BE IT, AND IT IS, HEREBY ORDAINED that all restrictions concerning weight, size, height and dimension of vehicles on the streets or roads which may have been previously entered by ordinance in the County of LaPorte, are hereby waived and shall not apply to the Kingsbury Industrial Park Overlay District, whether said road be public, dedicated, or private.

PASSED AND ADOPTED BY the LaPorte County Commissioners of LaPorte County, Indiana, this _____ day of _____, 2012.

THE LAPORTE COUNTY COMMISSIONERS

Ken Layton, President

Willie Milsap

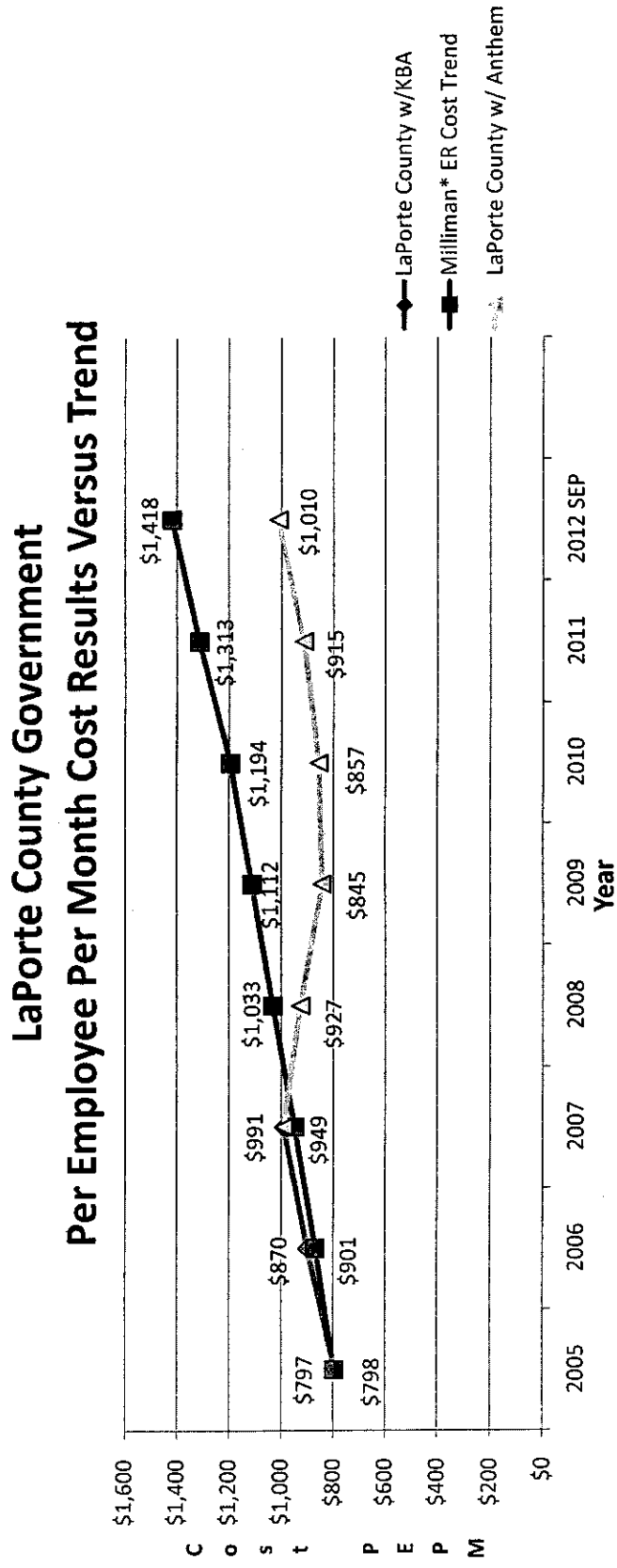
Barbara Huston

Apex benefits



Medical Plan Renewal
November 5, 2012

PEPM Monthly Cost Results Vs. Trends



Milliman is an actuarial firm that publishes nationwide employee benefit statistics.
 Anthem PPO discount achieved for the period of August 2011 through July 2012 is **53.3%**

Carrier Markets Approached

MARKET	STATUS
Aetna	Declined to Quote
CIGNA	Declined to Quote
Unitedhealthcare	Declined to Quote

TPA and Stop Loss Markets Approached

MARKET	STATUS
Benefit Administrative Systems	Not Competitive-DiscOUNTS
▪ Standard Life	
▪ American Fidelity	
▪ HCC Benefits	
United Medical Resources	Not Competitive-DiscOUNTS
▪ Symetra	
▪ Zurich	
▪ ISU	

Apex benefits

2013 Proposed Dual Plan Design Options

Current Benefits Effective: 1/1/2012	Current Dual Plan Option
Proposed Benefits Effective 1/1/2013	Proposed Dual Plan Option
Single Deductible (In / Out)	\$1,000/\$1,000
Family Deductible (In / Out)	\$2,000/\$2,000
Coinsurance % (In / Out)	90% / 70%
Single Out of Pocket Max (In / Out)	\$3,000 / \$3,500
Family Out of Pocket Max (In / Out)	\$6,000 / \$7,000
Deductible Included in Out of Pocket	Yes
Preventative Care	100% / 70%
Office Visit Co-Pay (In-Network Only)	\$20
Specialist Office Visit Co-Pay (In-Network Only)	\$20
Emergency Room Co-Pay	\$75
Urgent Care Co-Pay	\$40
Prescription Drugs	\$4/\$20/\$30 \$12/\$20/\$38
Network	Retail Mail Order Blue Access

The above description highlights key features of your plan design and is for illustrative purposes only. For a complete description of current benefits, please refer to the Summary Plan Description or Certificate of Insurance. FOR PROPOSED PLANS, AVAILABLE DETAILS ARE CONTAINED IN THE CARRIER QUOTE(S).

2013 Proposed Monthly Employee Contributions

	2012 Core \$1,000 Plan Employee Contribution	2013 Core \$1,000 Plan Employee Contribution	% Core \$1,000 Plan Change	2012 Buy-Up \$600 Plan Employee Contribution	2013 Buy-Up \$600 Plan Employee Contribution	% Buy-Up \$600 Plan Change
Employee	\$97.33	\$106.87	9.80%	\$136.39	\$148.68	9.01%
Spouse	\$194.65	\$213.73	9.80%	\$335.62	\$364.26	8.53%
Children	\$174.24	\$191.32	9.80%	\$313.15	\$339.80	8.51%
Family	\$277.20	\$304.37	9.80%	\$358.56	\$393.70	9.80%

Core Plan Contribution is 15.3% of Core Plan Premium Equivalent.

Buy-Up Plan Contribution is the same dollar amount as the Core Plan, plus the difference in Premium Equivalents between the Buy-Up Plan and the Core Plan.

Dental Markets Approached

MARKET	STATUS
AIG	Quoted
Anthem	Quoted, Not Competitive
Always Care	Decline to Quote
Delta Dental	Quoted, Not Competitive
Guardian	Quoted, Not Competitive
Healthy Choices	Quoted, Not Competitive
Humana	Quoted
Kansas City Life	Quoted, Not Competitive
MetLife	Quoted
Nationwide	Quoted, Not Competitive
Reliance Standard	Quoted, Not Competitive

Apex benefits

2013 Voluntary Dental

*Please call or email
Lorella with any questions*

Proposal Effective Date: #REF!	Current	Renewal	Option 1	Option 2	Option 3
Proposed Benefits	Current Benefits	Current Benefits	Current Benefits	Current Benefits	Current Benefits
Annual Deductible Amount (In/Out)					
Individual	\$50	\$50	\$50	\$50	\$50
Family	\$150	\$150	\$150	\$150	\$150
Co-Insurance (In/Out)					
Type I - Preventive	100% / 100%	100% / 100%	100% / 100%	100% / 100%	100% / 100%
Type II - Basic	80% / 80%	80% / 80%	80% / 80%	80% / 80%	80% / 80%
Type III - Major	50% / 50%	50% / 50%	50% / 50%	50% / 50%	50% / 50%
Type IV - Orthodontia	50% / 50%	50% / 50%	50% / 50%	50% / 50%	50% / 50%
Benefit Maximums (In/Out)					
Type I, II and III Services (Annual)	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Type IV Orthodontia (Lifetime)	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
Waiting Periods (lately enrollees)					
Type II - Basic	None	None	None	None	None
Type III - Major	12 Months	12 Months	12 Months	12 Months	12 Months
Type IV - Orthodontia	12 Months	12 Months	12 Months	12 Months	12 Months
Rate Guarantee					
Monthly Dental Rates					
Employee	\$34.13	\$43.21	\$34.13	\$34.13	\$34.81
Employee / Spouse	\$70.54	\$89.30	\$70.54	\$70.54	\$71.95
Employee / Child(ren)	\$73.68	\$93.27	\$73.68	\$73.68	\$75.15
Employee / Family	\$120.78	\$152.89	\$120.78	\$120.78	\$123.20
% Difference from Current		24.39%	0.00%	0.00%	2.00%

MetLife's waiting period for late enrollees are 6 & 12 Months for Basic Services and 24 Months for Major & Orthodontia Services

The above description highlights key features of your plan design and is for illustrative purposes only. For a complete description of current benefits, please refer to the Summary Plan Description or Certificate of Insurance. FOR PROPOSED PLANS, AVAILABLE DETAILS ARE CONTAINED IN THE CARRIER QUOTE(S).

Apex benefits

Vision Markets Approached

MARKET	STATUS
AIG	Quoted
Anthem	Quoted, Not Competitive
Always Care	Declined to Quote
Davis Vision	Quoted
Guardian	Declined to Quote
Healthy Choices	Quoted, Not Competitive
Humana	Quoted, Not Competitive
Kansas City Life	Quoted, Not Competitive
Reliance Standard	Declined to Quote
Vision Service Plan	Quoted

2013 Voluntary Vision

Proposal Effective Date: #REF!		Option 1	Option 2	Option 3
Proposed Benefits	Current Benefits	Current Benefits	Current Benefits	Current Benefits
Co-Pays				
Exam	\$10	\$10	\$10	\$10
Materials	\$25	\$25	\$25	\$25
Benefits (In/Out)				
Examination	CIF / Up to \$35	CIF / Up to \$45	CIF / Up to \$40	CIF / Up to \$40
Single Vision Lenses	CIF / Up to \$25	CIF / Up to \$30	CIF / Up to \$40	CIF / Up to \$40
Bi-Focal Vision Lenses	CIF / Up to \$40	CIF / Up to \$50	CIF / Up to \$60	CIF / Up to \$60
Tri-Focal Lenses	CIF / Up to \$60	CIF / Up to \$80	CIF / Up to \$80	CIF / Up to \$80
Frames	\$120 / Up to \$48	\$130 / Up to \$70	\$130 / Up to \$50	\$130 / Up to \$50
Elective Contacts	\$135 / Up to \$56	\$130 / Up to \$105	\$110 / Up to \$105	\$110 / Up to \$105
Medically Necessary Contacts	CIF / \$200	CIF / \$210	CIF / \$210	CIF / Up to \$225
Frequency				
Examination	12 Months	12 Months	12 Months	12 Months
Lenses	12 Months	12 Months	12 Months	12 Months
Frames	24 Months	24 Months	24 Months	24 Months
Lask Discount	Yes	Yes	Yes	Yes
Rate Guarantee	2 Years	2 Years	4 Years	4 Years
Monthly Vision Rates				
Employee	\$5.68	\$5.68	\$6.20	\$6.07
Employee / Spouse	\$10.76	\$10.76	\$10.45	\$10.92
Employee / Child(ren)	\$11.32	\$11.32	\$10.67	\$11.53
Employee / Family	\$16.64	\$16.64	\$17.20	\$16.20
	% Difference from Current	0.00%	2.00%	5.45%

The above description highlights key features of your plan design and is for illustrative purposes only. For a complete description of current benefits, please refer to the Summary Plan Description or Certificate of Insurance. FOR PROPOSED PLANS, AVAILABLE DETAILS ARE CONTAINED IN THE CARRIER QUOTE(S).

Apex benefits