



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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Ken Layton,
President

Barb Houston,
Vice President

Willie Milsap,
Member

LAPORTE COUNTY COMMISSIONERS

Tuesday, December 18, 2012

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, December 18, 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. Dick Buell led the Pledge of Allegiance. A moment of silence was observed for the tragedy in Newtown, Conn.

ROLL CALL

Present: Mr. Layton
Mrs. Huston

Absent: Mr. Milsap

APPROVAL OF AGENDA

Mr. Layton, please add under New Business, Item #K, Erika Stallworth, Director of Juvenile Services/Residential Treatment Services Provider Contract.

Mrs. Huston made a motion to approve as amended, chair seconded the motion, motion carried by voice vote 2-0.

APPROVAL OF MINUTES

December 4, 2012, Mrs. Huston made a motion to approve as presented, seconded by the chair, motion carried by voice vote 2-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending December 21, 2012, Mrs. Huston made a motion to approve, chair seconded the motion, motion carried by voice vote 2-0.

Miscellaneous Claims-----\$2,420,535.11, Mrs. Huston made a motion to approve in the amount stipulated, chair seconded the motion, motion carried by roll call vote 2-0.

Regular Claims-----\$1,401,275.51, Mrs. Huston made a motion to approve in the amount stipulated, chair seconded the motion, motion carried by roll call vote 2-0.

PUBLIC COMMENTS

Mr. Earl Cunningham, 6311 W. Shiva Drive, LaPorte, IN. I want to express my gratitude for the service you both have put in. In light of recent events, I would like to get some clarification as to the difference between of exempt and non exempt employment status with the county; appointed vs hired.

Mr. Layton, I am not an expertise at it. We have a member of the HR Dept. but I hate to put the burden on her, she is not the HR Director.

Mr. Cunningham, let me ask this question. I understand Indiana is an "at will" employment state. Do we treat our county employees who are non exempt, my interpretation of non exempt is not the elected or chief deputies, etc., pretty much the non exempt is everybody but the appointed and chief deputies, is that in line with the two of you?

Mr. Layton and Mrs. Huston, we agree.

Mr. Cunningham, can someone just come in and fire them without cause? Why do we even keep a file on somebody and give them warnings and three day suspensions to build a case if you can just let someone go that doesn't have anything in their file?

Mr. Layton, there is an employee policy handbook that is distributed amongst our employees that they receive upon their employment and they acknowledge they have received it in writing. That is given to exempt and non exempt employees.

Mr. Cunningham, you have a commissioner's secretary that has been notified that her employment will cease on January 2, 2013 but her job description does not use the word confidential secretary and it is labeled as non exempt. So, if she was hired, it doesn't become an appointed position just because someone decides it is an appointed position. How does the county change somebody from non exempt to exempt status without ever having a public meeting.

Mr. Layton, my interpretation of that is that our secretary, that we are talking about currently, is an employee that was hired by the county not appointed by any specific board or elected official; went through the entire process. That employee, by my interpretation has all the rights vested as any other non exempt employee of this county. We went through this process six or eight months ago. The commission was advised at that time by legal counsel that job statuses may change and may be changed by the commission along with concurrence of the council, but we can't do that to an incumbent employee. We would have to wait until that incumbent employee was not in that position to change it.

Mr. Cunningham, Mrs. Huston are you in agreement with that position?

Mrs. Huston, I am.

DEPARTMENT HEAD COMMENTS

Mr. Mike Schultz, LaPorte County Assessor, I am here to let the public know that after talking to the Michigan Township Assessor, Scott Bell, we have decided to extend the deadline for appeals because of our holidays to January 4, 2013 at 4:00. We will give them three more days via, email, mail or hand delivered.

Mr. Layton, thanks for the effort you and your staff are making.

Mr. Earl Cunningham, Mr. Schultz appeared before you a couple of weeks ago and explained some things that were going on in his office. I wanted to take this opportunity on behalf of the vast

majority of my neighbors that all communication with Mr. Schultz's office was positive in nature. They were enthused about the staff and how well they were treated. It is refreshing to hear very positive things about county employees. I want to thank Mr. Schultz and his entire staff.

Mr. Dick Buell, Director of Community Corrections. Wanted to give you an update on where Community Corrections stands right now. Mr. Buell reports on construction progress of new facility, total collections, annual collections, intakes per year, DOC new admissions % of D felons and cost per day analysis. (Please see attached report) We are headed in the right direction financially.

Mr. Layton, on behalf of the board, you are doing an admiral job as well as your staff.

Ms. Lynne Spevak, thank you for all of your time and talent you have given the county. Since we use the schools in Michigan City and South Central for the election process, and with this past week's events, we may not be able to use the schools as a polling place. I want to say thank you for all of your help with the redistricting and etc.

Mr. Tony Hendricks, LaPorte County Surveyor. This is a contract to potentially go to a mobile GIS system. Presently, we contract with Schneider Company and Beacon. This system is a mobile system and is called 39 North. We saw them at the Indiana State GIS Day. In our field, the title companies, real estate, surveyors and engineers we really enjoy our mobile phones and tablets that we take with us out in the field. We haven't received the greatest help through Schneider in regard to the mobile phones. This company is proposing to sign a contract with them through the Auditor, Recorder and Surveyor and use this in tandem with the system we have now. We just want to run this for six months and see how it fairs to see if we like it and the professional people like it. They are competitive in their rates. Mr. Willoughby reviewed it and didn't see anything wrong with it. They can get this in place very quickly and we can test it out as administrators and users. If you approve it today that would be helpful. There will be no funding through the council. We have a budget to do this sort of thing.

Mrs. Huston, I have talked to Mr. Hendricks about this and he seems to think it would be a good asset.

Mr. Layton, I am familiar with the company itself and some of the representatives. Our business community has become very reliant on the system that is concurrently in place.

Mrs. Huston made a motion to approve, chair seconded the motion, motion carried by voice vote 2-0.

Mr. Hendricks, thank you very much for your service.

Sheriff Mike Mollenhauer, we purchased new portable radios for our jail staff making it safer for them and the public. The cost was \$31,000 for 25 radios and charges. It was paid for out of the commissary fund. We are going to donate the old ones to the posse. At the first of the year we are going to be able to implement video visitation in our jail. This will help with our staffing.

Mr. Rich Mrozinski, LaPorte County Council and liaison to the Veteran's Service Officer. When our VSO retired last June I was asked to field a committee to find a new VSO which we did and hired George Watkins. I have had conversations with members of my committee and veterans organizations in the county and we want the record to show it is the wishes of the veterans of LaPorte County that Mr. Watkins be reappointed next year as our Veterans Service Officer. He is doing an above average job. It has been a great six years working with you two.

Mr. David Bottoroff, Executive Director of the Association of Indiana Counties, Indianapolis, I wanted to make a special effort to attend this last meeting to recognize all of your decades of service to taxpayers. Through your efforts, we hosted our annual conference here a few years ago in Michigan City. You had a great turn out and a great time. You both have been very supportive o the association. Ken has served on our board of directors for a number of years and the county commissioners association as well. We not only appreciate your dedication to the taxpayers here but your participation in these state wide organizations certainly helps us become a better association and serve the taxpayers state wide. Thank you; you have made many trips to Indianapolis to help us out and I wanted to take a moment and return the favor.

CORRESPONDENCE

None

REQUESTS

Richard Stalbrink, Jr. Judge/Janet Gilpin Request For Unused Sick Days

Mr. Layton reads a letter from Judge Richard Stalbrink requesting payment for 53 unused sick days for his court administrator, Janet Gilpin who is retiring as of February 1, 2013 after 27 years of service to the county.

The chair steps down to make a motion to approve, seconded by Mrs. Huston, motion carried by voice vote 2-0.

OLD BUSINESS

Attorney Brad Adamsky/For Vacation Of A Public Way In Smith's First Subdivision, Hudson Lake, LaPorte County, Indiana (Tabled)

Mrs. Huston made a motion to remove from the table, chair seconded the motion, motion carried by voice vote 2-0.

Attorney Brad Adamsky Petition that no property owners be denied access to their property as a result of vacation of the described portion. Listed property owners as Ray McCormick, Lisa Ann Laken, and Louis Small who live to the north of the public way they are seeking to have vacated. He indicates that the vacation is sought due to the fact that the public way has never been in use, it's neither feasible nor desirable to open the same for public traffic, it will not materially damage the adjoining properties, will relieve the county of the responsibility of maintaining the public, and further indicates that the county has never maintained this as a public way. He further states that by vacating said property it will add property to the tax rolls of the county. Also, the vacation will not hinder the growth or order to lead development of the unit or neighborhood in which it's located, and will not make access to the lands of a budding landowner difficult and will not hinder public access to a church, school, or public building. He submits the title work from Indiana Abstract from 1961 that indicates no record that the streets and or roads or beach area have ever been dedicated to the public or anyone. He states that in 2012 when land owners sought to discover who owned what rights to these properties the county was unable to make a determination, so they defaulted to the position that it was county property. He states that the county may hear from remonstrators who have deeds that they have from the 60's that refer to lakefront access bordering these particular lots, however his position is that any deed pulled more recently does not refer to that beach access to that section of beach. He further states that public beach and easement rights can be distinguished separately of the county vacating any county rights to that property.

Mrs. Houston asked for clarification of the beach access that was given in the 60's. She asked Mr. Adamsky if the fact that the land is now referred to as lot numbers makes it not legal. Mr. Adamsky referred to Mr. Hedge to answer the question.

Mr. Hedge submits file with google map of the property. He states that no road is identified as the main access to the subdivision to the beach area called canal st. now. His client Mr. Smith has indicated that around 1960 or 1961 someone placed a mailbox there and at that point someone decided they needed to name the street so they could know where to deliver the mail. Shortly thereafter, the county paved that street. That would indicate that this belongs in the county highway system. Mrs. Houston asks for clarification as to what was paved, as the public way appeared to be grass. Mr. Hedge indicates that the county paved the street in front of the public way. He indicates that Indiana Abstract said they wouldn't know what to call that land. By usage, the county has agreed that this area belongs to the county. He submits a copy of two deeds from land owners that shows they have private access to the land. Based on his experience with title companies he says it's his opinion that this subdivision is pursuant to a common scheme and that if you go back to the original deed from the first owner of the property you will find similar easements in each one of their deeds as that was not uncommon in those days. Now the dedication is part of the recording, part of the plat, but in those days they did not. It is unusual not to see what we would normally expect to see a dedication in the plat map. It is his contention that this land is part of the county system. He

submits Petitions of opposition that contain approximately 116 signatures. The signatures are from people that live in the immediate area, and there could be duplicates. The file submitted also contains the statement that residents purchased the property in the subdivision with the understanding that this was deeded access for all residents in said subdivision. Residents should be able to use the deeded access without fear of reprisal or intimidation as has been the case in the recent summer months. Original plats around the lake provided for access to Hudson lake at many points of the lake as a public body of water to be enjoyed by the use of all this plan was and still is a good planning option. Giving many residents access will have a general chilling effect on home values in the neighborhood surrounding the lake and eventually will lower the properties in the area. Fewer lake access points I (the trustee) can foresee additional costs as overcrowding on the beach becomes a problem. Mr. Hedge then indicated he has met with emergency personnel in that area and they have indicated they would not use that as a drive to the lake, but they would definitely like to have that open for emergency ice rescue in the winter accessing that point via Canal St. He further stated that tax revenue as a result of this vacation would be minimal, however the loss to the individuals in the subdivision will be substantial. Also included in the submitted file is a copy of a lithograph for the sale of one of these properties recently. One of the attractions for the purchase of that property was the access to the lake if that access no longer exists, there will be a substantial reduction in value. The trustee further states in his letter that if it is the desire of the County Commissioner to relinquish the ownership of the many parcels of land that are considered unimproved that I would submit to you that you consider deeding them to Hudson Lake Township so the residents can continue to enjoy and use these areas for the originally intended purpose of access to Hudson Lake. The Township Trustee concluded by stating that the vacation of the property is not in the best interest of the area residents and will result in a bad public policy. Also submitted in the file is the opinion of Bob Palm a registered surveyor who concluded that they are, in fact, part of the right of way when the plat was recorded. Through usage and the way they were drawn on the map, even though they were not actually officially dedicated to the county. He further indicates that it is important for residents to have access to the beach. Mr. Hedge further indicated that his client would have impaired access to his property as a result of the loss of this land. Finally, Mr. Hedge submits pictures of the area depicting the access before and after improvements.

Other remonstrators appeared and commented opposing this Petition their names are listed below:
Earl Risner
Robert Smith Jr.
Kelly Smith
Lisa Laken
Ray Medge

Brad Adamsky rebuts remonstrators. Atty Hedge submits pictures of property, attached. Barb Houston, Mr. Adamsky Mr. Smith has said he takes his equipment down this access and across these properties, there is no plotted road back there is that correct? Mr. Adamsky, that's correct. Mrs. Houston, and there never has been? Mr. Adamsky, and there never has been that is correct in fact any arguable public beach wouldn't extend that far. Mrs. Houston, so the homeowners 28, 29, and 30, 31, I believe, 32,33,34 belong to Mr. Smith is that correct? Mr. Smith, uh no, 32 and 33 belong to us and 1 and 2 also in the back. Mrs. Houston, on the other side? Mr. Smith, yes. Mr. Adamsky, there is an easement that Franklin, Franklin has been vacated but there is an easement that allows access to that alleyway there. Mrs. Houston, so Mr. Smith you drive equipment behind all of these residences private property owned by these other people to get to your property is that correct? Mr. Smith, uh we follow the water's edge all the way down so... Mrs. Houston, but it's still their property correct? Mr. Smith, uh no, it's their property to the water's edge. Mrs. Houston, it's public beach there? Mr. Smith, they have repairment rights to the water but at the water's edge those rights disappear so I don't know. Mrs. Houston, and you cannot access your property through lots 31 and 32 or 32 and 33 you can't access the back of your property there? Mr. Smith, It's very difficult the seawall there makes it difficult to be able to take equipment down to the beach. Mrs. Houston, and the bushes that were put up those were put up obviously a long long time ago by the lady who passed away. And she maintained those all those years? (unknown) yes. Mrs. Houston, thank you. I also do agree that, well I asked you the question and Mr. Hedge didn't answer it either the deeds from 60 years ago that said that these people and on this piece of property it says private beach access for this piece for Chicago trail it says they have rights to the beach is that correct? Mr. Adamsky, Here is the deed in question the deed behind it is that same property that was transferred in 1997. Mrs. Houston, does that mean that now that it says just lot numbers that this is no longer legal Brad? Mr. Adamsky, I would suggest and I think Mr. Hedge did answer the question to that extent that its as reflected in the recorded subdivision plat. Mrs. Houston, so that makes this legal?

Mr. Adamsky, yes. Mr. Braje, Mr. President, can we inquire to find out whether anybody thinks we own this property and we can vacate it? It seems to me that either counsel indicate they are confident that we own this property, it seems to me what has to be done first is there has to be a quiet title or figure out who owns it, and if we don't own it, then we don't have any jurisdiction over this piece of property and that's what I'm confused about. Mrs. Houston, also I have a question, since the lady that passed away put in the bushes, and maintained the bushes and the trees for all those years, isn't there some kind of right to the property? Mr. Braje, there may be an argument that, first off, if it's county property it can't be acquired by adverse possession, it doesn't matter. If it's not county property, it may be acquired by adverse possession should there be potentially an argument for that. It would seem to me that somebody's got to, if this Commission grants the vacation, I haven't seen anything that indicates that we own it, so if we don't own it I don't see how we could vacate it, or I don't know how we can even regulate it, And tell who can use it and who can't use it either way, the whole thing makes me feel uncomfortable. Mr. Adamsky, and a quiet title may be the appropriate place for this to end up, we were just trying to resolve the county's position on this without dragging the county into a quiet title action. Even with a vacation we may well still end up in a quiet title adverse possession kind of action. Mr. Braje, I am familiar with this opinion that was given by Mr. Nelson, this is a difficult question and that's the way things were done back then when they would approve a plat, but then they would never dedicate the roadways. So everybody just made the assumption that it was a dedicated roadway and it may turn out to be that. It someday may turn out and say that the actions have done that but I am not sure what you are being asked to do today is going to solve the problem either way. Mrs. Houston, so we need to find out if the property does indeed belong to the county before we can actually vacate it if we were inclined to do so and if not, then it would have to be dealt with differently. Mr. Adamsky, I don't think the county can vacate something that it doesn't own. Mrs. Houston, correct. Mr. Layton, I agree and then with that understanding the chair will entertain a motion to put this back on the table until some counsel can prove that the county in fact does own it and then it will be taken off the table again. Mrs. Houston, or don't own it, whatever you find out I'll second the motion. All in favor aye. Motion Carried by voice vote 2-0

Michael Bohacek/Golf Cart Ordinance

Mr. Layton, Michael Bohacheck golf cart ordinance. Mr. Layton, you were in front of us two weeks ago and we forwarded it on to counsel for review, Mr. Braje do you have any thoughts on this, oh I apologize, motion to remove from the table, Mrs. Houston, second. All in favor, aye. Mr. Braje, I would advise that this is a permissible ordinance can be passed today on unanimous consent if that's what the commissions would like to do that it's in proper form. Mr. Layton, thank you very much sir. Mr. Layton, my question Mr. Bohacheck is first off I think it's well prepared I think it addresses things, when we talked about it last time we talked about the community of Hanna that's also unincorporated and they approached this a year ago or better that they didn't and you've addressed issues for that, the major problem that I have on this and I explained that to you even when we talked via the telephone is the enforcement of this, who is going to enforce it, what and I talked to Captain Boyd, from the sheriff's department this morning I believe if you remember back during your tenure as a Commissioner snowmobiles were allowed to run on county roads, uh they had to have registration numbers from the department of natural resources they had to receive a tag from the county that said that they were registered with the county to run on county roads at specific times all of that was put in place by ordinance. I don't know if you are the authorship of that ordinance or not, this has none of that, it doesn't say which golf cart is going to be recognized, which ones aren't, you in your own testimony two weeks ago said that you rarely ever see a sheriff's department car in your area, and that's indicative of where you live. You don't have calls for service in that area. There's just questions that I have about this. Mr. Bohacheck, Michiana Shores actually has a registration process where I think you pay a fee and there's a sticker or something that they are going to apply to the golf cart to show that it's registered. Mr. Layton, but that's for the incorporated area. Mr. Bohacheck, That's for the incorporated area, if the county wanted to piggy back on that and add that the golf cart would need to be registered in the town of Michiana Shores that would be fine too. As far as the enforcement of this, the enforcement would follow the enforcement of any other ordinance. Mr. Braje, there's no penalty provisions. Mr. Bohacheck, so, would what would the penalty be? Mr. Braje, I understand but if a Sheriff would indicate and would act on this for a violation there is no penalty provisions in the ordinance that provide for violation. Mr. Bohacheck, Well then would the Commissioners want to amend it and add a penalty provision? Mr. Braje, They certainly could do that. Mr. Bohacheck, sure, absolutely, what I was trying to do was kind of a framework to say okay this is where these things are going to be operating, and how is that going to look and what are the requirements of the vehicle going to be. If there's a penalty

provision that the Commission wants to put in then by all means if there is a registration process they want to put in by all means as well. It's fine, my main goal is certainly twofold. First of all I want to make sure that if they are driving on the street, they have lights, they can be seen they're not being driven by 12 year olds, and they have insurance. That's really what this is meant to address and then also since now Michiana Shores has something in place, you're going to be getting people that are going to be kind of intermixing throughout that community just because of how convoluted the boundaries are, so it was to address that as well. But if there's a need to put in a \$100.00 penalty for violating the ordinance, fine, do it, I'm okay with it. I think Michiana Shores did fifty bucks.

Mr. Layton, I'm uncomfortable with asking for the presentation of an ordinance that isn't complete and this one isn't complete. If all of that that we discussed here this morning and two weeks ago had been incorporated in this I'd have been probably more willing to listen and quite frankly more willing to vote on it. Michael I'm not prepared to vote on it as it is today and I know that time is of an essence for you I'm just not prepared to hear that the way that it is. Mr. Bohacheck, So you would not be acceptable to saying let's add a \$50.00 violation fee, as an amendment to the Ordinance. Mr. Layton, I'm not, no if Mrs. Houston wants to go further with it I very much support her thoughts on many many issues, I'm just not comfortable with it without being complete. Mr. Bohacheck, so you would like a penalty provision on it. Mr. Layton, well a penalty provision like I said early on, who is going to register these things like the ordinance says for the snowmobile issue that we currently have uh how is a sheriff officer going to know a citizen of Michiana Shores incorporated and a citizen of Michiana Shores unincorporated that they need to be either ticketed or a citation of some type. Mr. Bohacheck, well if a sheriff's deputy encounters a golf cart running around in the county enforcement area then he would know that that would be something that's going to be under his jurisdiction he wouldn't be making a stop in Michiana Shores incorporated limits that would be long beach's jurisdiction and so I don't think you're going to run into an issue there the concern is going to be is without an ordinance and he sees this running around in an unincorporated area, then what does he do? Mr. Layton, I think he follows the Indiana code and there are code sites for motorized vehicles and when it says motorized vehicle it does not say that it is a gas motorized vehicle, it just says motorized vehicle, and secondly and even more importantly, to me and I don't mean to belabor this but if we are going to pass this and we are going to pass this specific Michiana Shores incorporated, it should be an ordinance, in my opinion, that would be good for Hanna, it would be good for Otis, it would be good for any other of our , Fish Lake, Hudson Lake, Saugany Lake, any other of our incorporated areas. It could just mirror, quite frankly the whole county for all unincorporated areas. Mr. Bohacheck, yeah but I think the concern would be, at least my concern with that is that now you have a slow moving golf cart on a county road that may have a posted speed limit of 50 or 55 mph. where in this area these are all posted at 20 so it's a little bit different situation that's why also I wanted it confined to a very narrow area, just like with Hanna or Fish Lake or any of these other locations there is certainly going to tighten those areas up to only encompass certain areas and that was the spirit of this as well was just to encompass certain areas to alleviate some confusion for folks that are going to have these things. Mr. Layton, Do the roads that you've indicated in section 6, well it says old grand beach road, I've been on Old Grand Beach road many many times and I know that it's posted at a 30 mile an hour limit quite frankly it's a 55 mph limit road you know that as well as I do, you use it more than I do, so I don't wanna belabor it, I don't want argue it with you um I just don't think that it's complete quite frankly. I can't support it as it is currently. Mr. Bohacheck, without penalties and a registration process. Mr. Layton, yes. Mr. Bohacheck, now would commissioners be willing to accept an ordinance amended to include a registration process with a registration fee of \$25 per cart and a \$50 violation penalty? And then that ordinance can be amended? Mrs. Houston I too am not opposed to this however, I do think it needs to have some other sections to this Mike before it can be passed as far as and I'm only one Commissioner, if I did make the motion Mr. Layton wouldn't second the motion and then it would die on the table, I think it would be best if this would come back before the new Commission after the first of the year with the amendment on it the only motion I would make would be to table until you can come back with the additional that Mr. Layton has just Mr. Layton, and as I said, I think it has merit, I really and truly do, but we have vehicles out there we all know that there are vehicles running around out there today in all the areas that we just discussed here this morning, and there probably should be some type of regulation so I think it has merit I really do. Mrs. Houston, don't all vehicles that operate on the roads aren't they all subject to the laws of the State? Regardless if it's a golf cart as long as it's motorized and... Mr. Bohacheck, I think there's a slow moving vehicle provision which I think is what was referenced in the ordinance. Mr. Layton, there's also one that says that, and I think yours eluded to twenty mile an hour that it says if it has so many cc's referring to a gasoline power if it has certain speed capabilities then it had to have a license plate from the State of Indiana. Mr. Bohacheck, right. Mrs. Houston, I do like the idea of having the insurance while traveling on the road, I think that it has some excellent points and I think it's a good

ordinance I just think it needs a couple of amendments as Mr. Layton had stated. Mr. Layton, Merry Christmas. Mrs. Houston, I make a motion to put it back on the table. Mr. Layton, second. All in favor say aye. Mrs. Houston, Aye. Motion carried by voice vote 2-0

New Business

Joyce Leon, Human Resource Director/Policy Revisions.

Barb Mossman Human Resources assistant there are currently 9 revision to the current county handbook policy and if it's alright I'll start off on revision 29.0 Social Networking Policy. We are just adding the language to that that employees are restricted from posting photos of other employees unless they had the permission from that employee who has been photographed. Mr. Layton, can I ask a silly question? Ms. Mossman, sure. Mr. Layton, why are we posting employees pictures to begin with? Ms. Mossman, um for instance at the Juvenile Services center when they hold their Christmas party there might be photos posted to facebook from that and in order to comply with the other provisions in this policy on blogging and networking it would encompass those areas. Mr. Layton, okay, go ahead please.

Ms. Mossman, the second policy then for revision would be 9.0 total remuneration on page 48 we are adjusting the language on the payment from two agencies currently the revised language would read employees are generally not permitted to work for more than one county department due to overtime restrictions and guidelines outlined in the January 1, 2014 affordable care act exceptions to this policy require prior approval from the department head from both departments as well as the president from the County Council and the Board of Commissioners. Once approval has been given the director of Human Resources should be advised. Mrs. Houston, so Barb you're going from page 48 where it says payment from two agencies permissible for an employee to work for more than one county department and such employee will be considered full time provided the total hours worked meet the criteria to this new provision that says there has to be approval, Ms. Mossman, that is correct, Mrs. Houston, okay.

Ms. Mossman, the next policy revision would refer to 19.0 snow days the current language states that in departments that are 24 hours staff forced to remain over will receive overtime or comp time staff able to make it in to work in these facilities will also be eligible for comp time that current language is allowing those individuals who currently are on duty and forced to remain over not only receive overtime, but also comp time, the updated language would read all essential emergency personnel generally falling within the department that ran 24 hours are exempt from this policy so then that way they would only receive either one or the other but not both. Mrs. Houston, well it says will receive overtime or comp time back here you're saying they are exempt from this? Ms. Mossman, correct from my understanding on that they came through there were some issues within the Sheriff's department that individuals that were forced to stay on for overtime or for emergency purposes were also receiving comp time along with the overtime for staying over. Mrs. Houston, I see so now they'll get one or the other, Ms. Mossman, correct, Mrs. Houston, they'll either get paid for the overtime or they will get the hours. Mr. Layton, pg 62.

Ms. Mossman, yes 2.0 sick leave. We are adjusting the language under number C to read the accrual will begin the following month with sick days the completion of the probationary period with the accrual actually picking up on the end of that month. For example, if an employee's probationary period ends on June 15th they would begin accrual at the end of July 31st, consequently effective 8/1 the employee would have approved one sick day to use. Mrs. Houston, so they are accruing them after the 6 month probation or one year whatever the probationary period is. Ms. Mossman, correct, whatever that probationary period is for that department. Mrs. Houston, and it would be the following month after the probationary period is up. Ms. Mossman, yes. Mrs. Houston so there would be no sick days during the probationary period. Ms. Mossman, yes. Mr. Layton, pg 73 now.

Ms. Mossman under substitution of paid leave regarding the FMLA the paid time leave will be noted in the order to be used as vacation time would be used first, then holidays, and then sick days.

Mr. Layton, 74. Ms. Mossman, under intermittent or reduced scheduled leave, language referring to an intermittent leave if it is medically necessary advanced notification must be given to supervisor intermittent leave may require recertification at some point and the County does reserve the right to investigate the leave, which could result in termination if it is deemed that the employee has abused the leave requirements and/or work absence policies ie: the employee calls off using intermittent leave days around scheduled days off to extend the total days off from work

Mr. Layton, next please

Ms. Mossman, pg 76 under restrictions employees are restricted from participating in any outside employment while on paid or unpaid FMLA leave. We are adding that language as we currently do not have that.

Mr. Layton, next please

Ms. Mossman, pg. 81 travel limits and allowances, under B. Meals there is a change on the per day dollar amount not to exceed thirty five dollars per day including room service if used.

Mr. Layton, Ok

Ms. Mossman, Ok pg. 101 suspension and disciplinary lay off, removal from the job may come in the form of a suspension or disciplinary lay off, suspension is generally without pay in a state of suspension seniority will continue to accrue and B. when a decision is reached the employee will either be reinstated or terminated. If the employee is reinstated to their position back pay and holidays will not be restored. And that is just adding of that language we do not have that currently. Mr. Layton, Counsel if I might ask a question, if an employee is separated from employment by suspension for let's say 10 days because of some act they have done I understand the loss of pay in that issue, if they are suspended because of an investigation that is going on and their pay has been withheld from them and then later they are reinstated, because the facts that were against them were untrue, this says that they can't be paid. Unless I'm misunderstanding it, this says that they can't be paid and it's not the suspension of their doing it's the suspension from the county. Mr. Braje, I've not researched the issue, but it would appear to me if the investigation results in a finding that the employee didn't do what he was alleged to have done to cause the suspension, he should get full rights, like I said I've not looked into it, that's my initial opinion. Mr. Layton, I have a real concern with that one Mrs. Mossman, I really do. I don't disagree that if their suspended for cause because they violated a work rule, or whatever and they lose pay and when they come back they don't get it back but if their suspended, if I was suspended because I was under investigation for doing something and they withheld my pay while I was off on that suspension and when I came back it wasn't reinstated, I think that's wrong. Ms. Mossman, Okay so just more modification on the language of that then? Mr. Layton, is the HR Department asking us to either accept or deny these this morning? Because quite frankly this morning is the first time I read them. Ms. Mossman, Okay if they'd like to be tabled. Mr. Layton, I would prefer. Mrs. Houston, Until you've changed the last one then bring them back. Ms. Mossman, okay. Mrs. Houston, Motion to table, Mr. Layton second. Thank you very much ma'am. Motion carried by voice vote 2-0

Attorney Barry McDonnell/Amended Petition For Terry Busse

Mr. Layton, Barry McDonnell, amended Petition, I apologize, you can thank Mrs. Houston or I'd have gone right on by you. Mr. McDonnell no problem. Mr. Braje, do you have the notices? If you can provide those? Mr. McDonnell, I am here this morning representing the Petitioners Terry and Diane Bussey we are requesting the vacation of a very small unimproved portion of what is sometimes called Morgan road on some plats and sometimes is unnamed. But we'll call it Morgan Road for the sake of convenience. With me this morning is my client's son, also named Terry Bussey we have submitted to counsel our affidavit of publication with the Herald Argus, I believe they made publication on December 1st so well beyond the 10 days required to give notice on this hearing this morning. And by way of reminder this is an amended Petition in that we had originally filed a Petition to vacate a portion of a road back in January/February of 2012 we took that off the table and have now brought back an amended version which is a much smaller section of Morgan road than was originally asked to be vacated. In fact, now the only property owner on either side of the portion we're asking to be vacated is in fact Dr. and Mrs. Bussey. They own on both sides of the road. As you can see I had dropped off and faxed my Petition it has exhibits A and B but because the fax doesn't fax in color I ran off kind of a revised overhead drawing that indicates what the Bussey's own which is highlighted in blue and yellow, their home is I think on the blue parcel, and that red portion is the small portion of Morgan road that we would ask to be vacated and which is described on the Petition. So it's a very very small portion on the northernmost section of that old subdivision and on the northernmost portion of my client's property. The Bussey's began to acquire this property about thirty five years ago, they didn't acquire it all in mass they kind of bought lots, different lots in the Brookdale Farms subdivision as they got older and acquired more property and eventually built their home and eventually Dr. Bussey developed a veterinary practice to the east of their home as well which he subsequently sold off after he retired after a few years ago. So for the entire length of my client's ownership, which is about thirty five years, as well as I believe the entire length that the subdivision has existed which is over sixty years, that particular portion of the road has never been used as a road, never been improved, in fact, if you look closely on the aerial it's essentially used primarily for farming. You wouldn't know it was a road, except when you go into the beacon system or perhaps look at an original plat of Brookdale Farms. The very southern tip of

the portion we're asking to be vacated is used as the end of my client's driveway and it's really only used to access and out building behind his home. So we would argue that the vacation that we're asking for is so limited in scope that it really wouldn't affect any of the orderly development of the area, it won't affect any further development such as there will be I suppose in Brookdale Farms again there hasn't been any development in that section of Brookdale farms quite frankly Dr. Bussey has owned all of it up that northern section. It will not affect the ability of the owner of the veterinarian clinic, which I believe is Dr. Dora to access his property, there is still the portion of Morgan Road, Morgan Road is a sea if you will, it starts on the south heads back to 35 and kind of has outlets on 35. Both of those outlets will still exist in other words owners who are on the Southern Portion and there are a few homeowners here, I suspect Mr. Howes may be representing one, certainly will have the ability to access their property, not only to the South but also to the North, and certainly you'll be able to access the veterinary clinic from that northern link to hwy 35 and even a portion of the driveway that kind of Dr. Bussey and Dr. Dora share that we're not asking to be vacated, so even the veterinary clinic can access the rear of their property because, again, a portion of what they are now using as their driveway will still exist. So we would argue again the only effected property owner is Dr. Bussey, quite frankly at some point he will probably be selling his property, this certainly makes it I think a more attractive sale to not have the presence of an undeveloped county road floating around in what most would perceive as just his land. His farm land quite frankly, and again we would argue that what we're asking for would certainly not hinder any development by any of the existing owners or any of the future owners in the bulk of Brookdale Farms which is obviously far south of the portion of the road we're asking. So, I appreciate the Commission's time and certainly would ask for that portion to be vacated and happy to answer any questions as is Mr. Bussey. Mr. Layton, I think the very first question we would ask before we go into remonstrant's, you are assured that this piece of roadway here actually does belong to the county? Mr. McDonnell, By all accounts title policies and the actual original subdivision plat it is certainly a county road, that's correct. Mr. Layton, thank you very much. Then I will open it up for remonstrant's and I see Mr. Howes is here.

Mr. Howes, I do have a plat of the original Brookdale Farms, I believe it was platted in 1950 and I'm sure all of you would agree that a subdivision would never be permitted to be approved by the LaPorte County Commissioners without the development of its infrastructure as this one was done. I have some pictures off of Beacon that might be helpful along with the original plat, may I approach? That is what is sought to be vacated, this is again what is sought to be vacated and this is the part of Morgan Road that has never been finished. This is the original plat, this is what is being sought to be vacated, and again this is what has not been finished. I represent among others Tryon Development LLC, they purchased the bulk of the lots that were in this subdivision, I believe that was done in about 2005 thereabouts, and in order to ready these lots so they could be made saleable, at considerable expense my clients put in about 2000 or 2500 feet of county approved roadway, you can see on the one picture at the end of where my client's ownership ends there is a temporary cul-de-sac, frankly what we'd like to see is this road finished. Right now there is only one means for emergency access and that's the South end of the subdivision, there's been problems with several residents in there already having school busses come in to pick up their kids, I do have a letter from one homeowner, if I can present that, that homeowners children have to walk down to range rd. to meet a school bus, the school bus won't come in. Frankly we would not have any particular opposition to the Commissioners granting the request of the petitioners if, either the county or the petitioners would finish out the road bringing it out there by the veterinary clinic. Doing it to county specifications, little concerned about the access onto the state hwy there, there is a deacceleration or turn lane on I believe it's 400 south for southbound traffic, there is no deaccel or turn lane for entry onto that part of Morgan Road where the veterinary clinic is. Certainly it would be from a safety stand point, more advantageous that the north access out of Brookdale Farms be on County Road 400 South but again we could live with Morgan Road if that road was completed through there, it would solve a lot of problems perspectivevely the buildable lots in the subdivision I think once the economy turns around they are going to be developed. This problem's only going to get worse as more homes come in there right now I think there is only one new home that's been built in that part of the subdivision that my client's acquired so with that in mind, if somebody can finish out this road so it's finished as it was intended and back when the subdivision was platted in 1950 I don't think we have a particular problem. It's going to cost some money to do that. Thank You.

Mr. Layton, I have one question Mr. Howes you said that your client improved Morgan Road? Mr. Howes, yes I did, right. Mr. Layton, out of his own proceeds? I was always under the impression that the county had done that. Mr. Howes, negative Mr. Layton, and quite frankly I couldn't figure out why we were doing it and I know it's been done a number of years ago, but I couldn't figure out why we were doing it and then just stopping. The second thing and I'm glad to find out the county didn't do it, has any of this Morgan road been taken into the county inventory? Mr. Howes, I don't

know if it has or hasn't, do they plow? There is a bond on it, they do plow it. Mr. Layton, which tells me that it hasn't been accepted into the county inventory the county wouldn't and couldn't make improvements upon it I mean I understand that we plow it cuz people live there and it's advantageous that we get our citizens in and out, but it's my understanding that it's still in the subdivision stage and the county has no inventory on it, therefore we couldn't do the actual work on it. Unless it was taken in to the inventory. I'm not a legal counsel. Mr. Howes, What's required for that to happen? Mr. Layton, um first it would have to be Petitioned to the county to turn it over to them, but having said that, there are certain specifications that the county has that it has to be in a certain condition before they will do it, and it has to meet the requirements that the county have to put it into service...Mr. Howes, This road was all built with the, as I understand it, the oversight of the Laporte county Highway superintendent. Mr. Layton, Well the part that's been fixed, I understand that, Mr. Howes, right. Mr. Layton, I'm talking about the new part that you're including in, we're way off base of what we're here for this morning. I was just trying to answer in a round about way your question about having the rest of the road put in and who was going to do it. Mr. Howes, well I think that would be critical to the future of this subdivision and as it's platted there's two exits going out northbound that can't be used by everybody to the south so I guess that's our position on this so...Mr. Layton, all right sir, thank you very much, is there anyone here that wishes to remonstrate against this petition? Any one else? Mr. McDonnell, closing please. Mr. McDonnell, I guess I certainly respect Mr. Howes opinion I am somewhat bewildered I guess as to what our request really has to do with the particular issue his client may have, Certainly my clients just like any other private individual are under no obligation to finish off a platted road, they weren't the subdividers of this subdivision it was subdivided several decades before they came into the picture and there's nothing that would preclude either a private developer, a group of homeowners, citizens that live in the area, or the county finishing off the road that seems to be of greatest concern to Mr. Howes and his client. In other words on the drawing I provided, the Morgan Roads top part of the sea if you will is just to the south of the blue portion, it's to the south of my client's home, so as the road comes off of what's marked as Morgan Road heads north and then heads back east that we're not asking to be touched and that can be left the way it is, or the county can develop it, a private owner can develop it, that really, I can't see that there is a good faith argument that the small portion that we're asking to be vacated that has never been used in sixty years except as a farm field would somehow stifle the development of a subdivision that's had sixty two years to develop if the subdivision takes off and land values there explode and people want to buy and build, that's wonderful, wonderful for my clients, wonderful for Mr. Howes and the county but what we're asking for really would have no impingement on the ability of that subdivision to function as such, to the extent that it's going to resuscitate itself after 60 years Thank you. Mr. Layton, thank you very much sir. Mrs Houston, Mr. McDonnell, this section that you want vacated, is that used by anybody as far as a road? It looks like it's grass, is it farm? Mr. McDonnell, it's farmed except for the very southern tip is used as my clients access, but I mean it isn't, that's right he's got an outbuilding there the bulk of his access comes not on this public access, if you're asking does anybody use it as a road? Nobody does, not even Dr. Dora uses it or the Busseys use it to go up to the north to 400 S. it's farmed. Mrs. Houston, it is farmed okay thank you. Mr. Layton, thoughts Mrs. Houston? Mrs. Houston, well since Mr. Bussey owns on both sides of the property and it has never been approved as a road, I see no reason not to grant the Petition. Mr. Layton, then I will entertain the motion to...Mrs. Houston, Motion to vacate that portion between the Bussey's property the adjoining property Motion to Vacate, Mr. Layton, k, I'll second the motion to vacate now I need a motion to present an ordinance. Mrs. Houston, I make a motion to present an ordinance by title only, Mr. Layton, yes ma'am I second that. Mrs. Houston, an ordinance vacating unimproved portion of Morgan Road LaPorte County Indiana. Mr. Layton, I'll second that motion, all in favor signify by saying aye, Mr. Layton, what number would this be Mrs. Noveroske? Mrs. Noveroske, 11. Mr. Layton, do you see that there is an emergency that needs to have this read on second reading here or do you want it to layover until the..Mrs. Houston, I see no reason not to have it go through on second reading by title only. Mr. Layton, okay make a motion to waive the rules, Mrs. Houston, and present this by title only on second motion. Mr. Layton, I'll second that motion all in favor signify by saying aye. Presentation of the ordinance on second reading. Mrs. Houston, an Ordinance vacating unimproved portion of Morgan Road LaPorte County Indiana. Mr. Layton, chair will second, all in favor signify by saying aye, Thank you. Petition has been passed Mr. McDonnell, thanks for your presentation Mr. Howes. Motion carried by voice vote 2-0

Al Ott, Stationary Engineer/Open 2013 Proposals For Trash Removal, Pest Control, Telephones, Vending Machines, Elevators

Now Mr. Ott, Stationery Engineer 2013 proposals, Mr. Ott, the reason that we didn't do that the last time, is you were ill that night and quite frankly we could have I let it get away from me. Mr. Ott, first bid's from Waste Management, for sanitation services monthly pricing for different locations totals \$1685.93. Next bids from Waste Management, for container at different locations total amount is \$1304.00. Next bid is for vending machines, from Neal Vending Service, states the unit prices per item shows commission of 25%, Next bid is from frontrunner network systems maintenance, appears to be more maintenance and some equipment charges for Nortel systems, \$17,509.00. The next bid is the telephone bid, from Frontier, \$23,977.52. Pest control proposal from Hatfield, annual agreement \$6,060.00. The next pest control bid total annual cost \$8,037.00 from Franklin Pest Solutions. Next bid on pest control from Arrow Pest Control, a unit bid but it's not totaled. Next on pest control is Anderson Pest Solutions, it's also a unit bill indicating monthly describes basic service \$505.00 monthly investment, and some other special services quotes. Proposal from Republic services for sanitation services, monthly rate \$991.39. Next bid from Otis Elevator for elevator services, Contract term \$1750.00 per month. And the last bill for elevator service is from Kone I frankly can't tell, they've got numbers and they've got them crossed out, numbered different sections, you're going to have to tabulate off of different sections, I can't tell. That's all the bids. Mr. Layton, entertain a motion to accept the bids and give them to Mr. Ott to review. Mrs. Houston, I'd make a motion that we'd accept the bids and give them to Mr. Ott to review and bring back his recommendation. Mr. Layton, I'll second. All in favor signify by saying aye. If there's any vendors that's in the audience this morning, these bids all of these bids for the various things that we opened this morning will be available in Mr. Ott's office for review, you are welcome to look at any of these bids. Motion carried by voice vote 2-0

Robert Young, LaPorte County Highway Superintendent/Bid Recommendations

Mr. Young, LaPorte County Highway Superintendent bid recommendations, I think this is the first time I've said this in a morning meeting, Good afternoon, I'm here for the material bid recommendation for 2013. First is class one, which is crushed limestone, 2 bidders, Hanson Material and Heritage aggregates, We'll accept both of those bids, and use Heritage as our primary, because they were the lower bid. Second is Cold Patch to fill potholes, Reith and Riley, only bidder, accept them of course. Third class is slag, crushed slag, which is used in road building and maintenance, Phoenix services, the only bidder, accept them as the primary bidder. Class four is ice control sand, we use in the winter time and mix with salt. Only bidder is Area Excavating, accept them as the primary bidder. Class five is diesel fuel and unleaded. Coal Alliance, Triple J Mar Petroleum, Rackham services, petroleum traders. We'll accept all four bidders and what we do is on the day we're going to order fuel we call and get everybody's daily price and go with the lowest price. This year there is an E85 bid, county hwy doesn't use E85 but some like the Sheriff's department and some of the other departments do, two bidders there, Rackham and Triple J Mar, accept Rackham and use them as a primary supplier, rejecting Triple J Mar for the reason that they don't have a place to store, something to do with they weren't in compliance with the specs of the grant that he got, they wish to bid, but pretty much declined themselves to be able to supply it. Next is Class six which is signs and sign posts, sign materials, Custom Products, All Signs, and Stello Products, we'll accept all three of those with Stello being the primary supplier because of their low bid. Two other bidders Michael Todd and RoCal reject both bids because they were both received late as you recall Mr. Layton one came in after the designated time that morning I think this Michael Todd bid actually came in a day or two later so. The final class is metal culverts guard rail and bridge parts. James H. Drew Corp, accept them, they bid guardrail only. Metal culverts, St. Regis Culverts, Depco Culverts accept all three of those and we will refer to all of the bids at the time of order, they're kind of up and down throughout the bids, one is lower in certain size than another, so whatever size pipe we are ordering we will refer to the bids to see who we choose to go with. And that's all I have. Mr. Layton, Motion to concur with the Superintendent, Mrs. Houston, so moved. Mr. Layton, chair will second, all in favor signify by saying aye. Thank you very much sir. Motion carried by voice vote 2-0

Bid Recommendation for Leasing Of LaPorte County Agricultural Real Estate

Mr. Layton, next was the bid recommendation on the leasing of Laporte County Agricultural land and Mr. Willoghby took that with him the last time. Mr. Braje, yes we have the bids which the Commissioners can elect to accept or reject. The high bid for the 106.1 acres is \$330.00 per acre for a total of \$35, 331.30 The other bid was \$26,850.00 that's \$253.06 an acre, and the last bid was \$24,

486.00 which is \$231.00 per acre. Mr. Layton, we need a motion to accept, I assume, the high bid of \$330.00 an acre I believe it was. Mrs. Houston \$330.00 per acre for \$35,331.30 make a motion to accept the high bid. Mr. Layton, chair will second. All in favor signify by saying aye. Is anyone here a representative of Triple J Farms? No one? Okay. Did I call for the vote? I believe I did. Motion carried by voice vote 2-0

Melissa Mischke, GIS Coordinator/Ortho Photos

Mrs. Mischke GIS Coordinator, Mrs. Mischke, I think I've given you guys a copy of the contract for the statewide ortho photo program, in Indiana it started in 2011 for the eastern third of the state 2012 they flew the center portion of the state and in 2013 they are projected to fly the western third of the state and as we've done the last year we've participated in this program, we've elected to buy up to the 6" color parcels which is the same photography we show on the Beacon site currently. And in addition to that also buy up to one meter of lidar. So I do have funds committed from current office holders but I do need to get the contract signed because they're going to use the winter to finalize all the flight lines and the flight planning. Mr. Layton, and if I remember there was no additional funding needed from the Council? Mrs. Mischke, that's correct. Mrs. Houston, I'll make a motion to approve. Mr. Layton, the chair will second, all in favor signify by saying aye, Thank you. Motion carried by voice vote 2-0

Interlocal Government Agreement Between The County Of LaPorte And The LaPorte County Regional Sewer District.

Interlocal agreement between the County of LaPorte and the LaPorte County Regional Sewer District. Mr. Eckovich, The only thing I would like to say is that our board met last Friday and we reviewed the agreement with our attorney found everything to be acceptable, our board signed and so now we are just waiting for your signature so the project can move forward. Mr. Layton, has this Council President Bernacchi, been approved by the County Council? Mr. Bernacchi, funding, yes. Mr. Layton, I have an agreement here that has your name on it as, but I don't have it as signature, Has it been approved at a full meeting? Okay, so you'll make the signature on this this morning as well? Okay, it has a place for one signature on this Mrs. Houston, Make a motion that we approve with giving the President of the board permission to sign. Chair will second that motion, all in favor signify by saying aye. Thank you. Motion carried by voice vote 2-0

Zoning Ordinance for Sexually Oriented Businesses

Zoning Ordinance for the Sexually Orientated businesses, the article 14 of the LaPorte County Zoning Ordinance. Is Mr. Biege still here? Mr. Biege, what you have before you is the amendment to Section 14.09 of the current on the ordinance that was passed by the Plan Commission at their last regular session. After the Plan Commission passed this we discovered that the language change that we proposed was not going to work and as it relates to the circumference around residential use. I would suggest to the Commissioners that we change the language back that is section 5 (a) to its original language that is LaPorte County zoned residential district and send it back to the Planning Commission pursuant to statute. Mr. Layton, need motion to approve the.. Mrs. Houston, motion to approve. Mr. Layton, chair will second. All in favor signify by saying aye, Thank you. Motion carried by voice vote 2-0

Gary Lawson vs. LaPorte County Settlement and Approval Of Check Wendt Settlement Documents

Mr. Braje, in Executive Session we provided the facts based on the settlement agreement for traffic accident, I am presenting the form of that agreement now already signed by the Plaintiff in this case. Mrs. Houston, Motion to approve, Mr. Layton, chair will second the motion to approve, all in favor signify by saying aye, Thank you. Mr. Braje, we also have a settlement agreement I have two execution copies of the lawsuit that existed between Wendt's, McDaniels and LaPorte County. Mr. Friedman was able to resolve that case short of trial. Presenting to you a copy of the settlement agreement to be executed. Mrs. Houston, one signature yes, Make a motion to approve giving the President of the Board of Commission to sign. Mr. Layton, chair will second, all in favor signify by saying aye, Thank you. Motion carried by voice vote 2-0

Next under new business we have Erika Stallworth, Director of Juvenile Services at Residential treatment service contract needs to be implemented. Mrs. Houston, I make a motion to approve, do we have, does it need more than one signature? Mr. Layton, no ma'am just one signature. Mrs. Houston, motion to approve and give the President permission to sign them. Mr. Layton, chair will second, all in favor signify by saying aye. Motion carried by voice vote 2-0

Commissioners Comments Mrs. Houston thanked people for their kindness and said goodbye.

Mr. Layton, I have uh two orders of business I think that we need to address before we leave that wasn't on the agenda. At the annual county Christmas party last week, we notified the employees that we were going to award them December the 24th off, Christmas Eve and I think we need to make that formal here today and I'd also like to suggest that uh as a gesture of kindness and Christmas Spirit December 31st off. Mrs. Houston, I move that we give the employees December the 24th, and December the 31st off make sure that you have a very happy holiday with your families. Mr. Layton, Chair will second, all in favor signify by saying aye. Mr. Layton then thanked members of the County staff and said goodbye.

Adjourn