



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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Willie Milsap,
President

Dave Decker,
Vice President

Dr. Vidya Kora,
Member

PLEASE TURN OFF ALL CELL PHONES

MINUTES

LAPORTE COUNTY COMMISSIONERS

Wednesday April 3, 2013

To be held at 10:00 a.m. in the LaPorte County Complex Meeting Room #3

1. **CALL MEETING TO ORDER**
Commissioner Milsap called the meeting to Order.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
All Commissioners' were present.
4. **APPROVAL OF AGENDA**
Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
5. **APPROVAL OF MINUTES**
 - A. **March 20, 2013**
Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
6. **WEEKLY REPORTS**
7. **CLAIMS**
 - A. **Payroll Ending 3/29/2013-\$973,132.16**
 - B. **Miscellaneous Claims-\$441,923.40**
Commissioner Kora moves for approval of the claims in its entirety. Commissioner Decker seconds. Motion carried by voice vote.
8. **DEPARTMENT HEAD COMMENTS**
Mike Yacullo County Engineer gives an update on project at 400 N and 950 W. He indicated that there was a brief delay that is almost resolved. He further indicated that the project should be finished in a couple of months.
9. **CORRESPONDENCE**
Discussion of potential closure of Cottage Grove Crossing
Attorney Friedman informs Commission that NICTD has requested consideration of closure of the crossing at Cottage Grove. He reviews the common practice in this situation and recommends that public comment be considered at the next Commission meeting. Commissioner Decker tells the Commission that NICTD's intent is to replace the bridge there to make it higher and agrees that public comment should be heard at the next meeting where NICTD will appear and explain their plan.
Commissioner Kora moves to notify affected parties of the offer for public comment at the next meeting. Commissioner Decker seconds. Motion carried by voice vote.
10. **REQUESTS**
 - A. **People for the Prevention of Child Abuse-Walk starting at the Courthouse lawn/use of electricity.**
Susan Hickman came forward to speak about the work of her Committee against Child Abuse and request use of the Courthouse lawn and electricity. Commissioner Kora reads proclamation against child abuse. Karen Biernacki thanks the Maintenance department for helping set up the silhouettes on the lawn. Commissioner Kora moves to approve request. Commissioner Decker seconds. Motion carried by voice vote.
 - B. **Anthony Hendricks-Request for travel for Carlson User's Conference in Cincinnati.**
Anthony Hendricks appears before the Commission to request permission to travel. He indicated that it is necessary for 3 people to go to this seminar in order to receive all the information and training. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
 - C. **Joy Zigler-LaPorte Jaycees request for equipment to facilitate road closures.**

- Commissioner Decker moves to approve request. Commissioner Kora seconds. Motion carried by voice vote.
- D. Robert L. Devereaux-Requesting 60 days sick pay upon retirement.**
The Commission inquires of Human Resources to be sure this pay is in order, Human Resources indicates that it is in order. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.
- E. LaPorte County Fair Board-Request for use of 3 acres of land for Plow Days.**
Commissioner Decker indicates that he is on the Fair Board and that the request is due to the unavailability of the former location. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

OLD BUSINESS

- A. Appointment to fill vacancy on PTABOA Board.**
Commissioner Kora nominates Hasan Dabagia. Commissioner Decker seconds. Motion carried by voice vote.
- B. Consider appointment to fill Health Board Vacancy.**
Commissioner Kora indicates that Dr. Gupta who served many years has resigned, and moves that a letter be sent to thank him for his service, and he moves to appoint Dr Annabelle Juhasz to serve on the health board. Commissioner Decker seconds. Motion carried by voice vote.
- 12. NEW BUSINESS**
- A. Sheriff Mike Mollenhauer-Proposed Contract for Video Visitation.**
Sheriff Mollenhauer appears before the Commission and informs them that the cost of video visitation is going to be minimal and come out of the commissary money. He said they have chosen a room to execute such visitation. He said the company offers off site visitation as well which would be convenient for those who are unable to travel. Legal counsel confirms that the contract states that the customer pays nothing and recommends approval. Commissioner Kora makes a motion to approve. Commissioner Decker seconds. Motion carried by voice vote.
- B. Consideration of Amended Development Agreement for Kingsbury Industrial Park.**
Commissioner Kora moves to table this item. Commissioner Decker seconds motion carried by voice vote.
Commissioner Kora moves to pay Dale A. Clingerman. Commissioner Decker seconds. Motion carried by voice vote. Mr. Clingerman to be paid \$7003.24.
- C. Mitch Bishop County Planner-Permission to donate property: Lights/Fixtures; Surplus Military Property: Dump Truck/Generators; IDNR Coastal Grant Information; ADA Transition Plan update.**
Mitch Bishop appears before the Commission and indicates that a Department of Energy Grant received in 2010 has requirements that old fixtures be recycled or donated, and that LaPorte County has donated 13,000 of the 14,000 fixtures associated with that grant. And 12,000 lights to local schools. He requests permission to donate the rest of the lights and fixtures that have not been donated to not for profit organizations. Commissioner Kora moves to donate items to worthy non for profit organizations. Commissioner Decker seconds. Motion carried by voice vote. Mr. Bishop further informs the Commission about the Indiana Department of Administration to procure Federal Military Surplus Goods. He indicates that there are 2 generators and a dump truck available for the cost of shipping from Korea. He states that the equipment has barely been used and stored well. He says it will cost \$14,295.00 to ship the dump truck and \$4367.00 to ship the two generators. The dump truck new is worth \$115,000.00. Atty. Friedman indicates that if the money is in the hwy budget it is fine. Motion to approve the request by Commissioner Decker. Commissioner Kora seconds as long as the money is in the highway departments budget. Mr. Bishop then informs the Commission about the joint zoning ordinance and the IDNR Coastal Grant and its incentives. He has talked with several other departments that are willing to add funds to execute the requirements for the grant. Atty. Friedman indicates that he has asked the Michigan City Sanitary District to take on the responsibility of completing the management manual. He is waiting for the response from them. Motion to wait until all information is submitted by Commissioner Decker. Commissioner Kora seconds. Motion carried by voice vote 3-0. Mr. Bishop then gave the Commission an update on the ADA Transition Plan. He indicated that the former engineer did not complete a plan and that he and Mike Yacullo have taken over efforts to create a plan. He indicated that they are looking at the ADA Barriers and if they are in need of a remedy, what remedy and then he must request funds from the Council. He said there is no time frame in which deficiencies must be fixed, but they must be identified. The final step is getting the funding commitment from the Council. He indicates that there are not too many grant opportunities to assist with the cost of remedies as it is an unfunded mandate from the Federal Government, but he is still looking for grant opportunities to assist with the plan. Commissioner Kora requests an update in a month.
- D. Robert Young Highway Department-Request for \$2.5 Million Dollars of CEDIT monies.**
Robert Young appears before the Commission to request the May draw from the CEDIT fund to fund their road program, repairing, resurfacing etc. Commissioner Decker moves to approve request. Commissioner Kora seconds. Motion carried by voice vote. He indicates to the Commission that he would welcome the addition of the dump truck grant but has no funding for it and would need to ask for that money. He says the truck would be very valuable to his department. Commissioner Kora moves to allow Mr. Young to approach the Council for the transportation of the Grant dump truck from Korea. Commissioner Decker seconds. Motion carried by voice vote.
- E. Fran Tibbot EMA- Update on County Hazard Mitigation Plan.**
Fran Tibbot appeared before the Commission to give an update on the County Hazard Mitigation Plan that includes all the small towns in LaPorte County. She indicated that they need to donate work in order to qualify for the grant. She said that if there is no plan in effect, and there is a disaster in our county, we will not receive any help in LaPorte County. She asked the Commissioner's for their opinion on whether or not she should stick with the process of making

the plan pursuant to the standards set forth by the grant, or if they felt she should deviate from that to get the plan done faster within the county. She indicates that the cost to update the plan is \$25,000.00. Commissioner Kora requests that she return in May to give the Commission an update on the grant money. Ms. Tibbot agreed to return with an update.

F. Jeffrey Hamilton LP Hazmat-Seeking permission to purchase a foam trailer.

Jeffrey Hamilton appeared before the Commission to request permission to purchase a foam trailer as they have a need for one and have had to request the use of one from other counties when needed. He indicated that he has done a commodity flow study and that study determined that they have enough ethanol coming through by the rail lines and by semi trucks that would make it necessary to purchase a foam trailer for this county. He indicated that the cost of the trailer is \$80,000.00 and that cost would be covered by LEPC funds and IDEM for the funds. He said the only cost to the county is the maintenance cost of the trailer. He stated that the product that will be used from it will be paid by the spiller. He indicated that all fire departments in our county will be able to utilize the trailer. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

G. Consider formal designation/authorization for Health Insurance Agent-of-Record.

Commissioner Kora indicates that he wants to be sure that the county has an agent of record that is familiar with the laws and can get us the best value. He moves to appoint Mr. Craig Menne of GIS Insurance and requests that he provide Anthem with a letter of intent for the new plan year. Commissioner Decker seconds. Motion carried by voice vote. Commissioner Kora asks Mr. Menne to come to a future meeting to give an update of what the healthcare reform impact will be on the county.

Mr. Menne appears before the Commission and indicates that he will craft a strategy for the new opportunities for the coming year and will have an analysis in a couple of weeks.

H. Mike Schultz County Assessor-Consideration of 3rd addendum to Tyler Consulting Contract-Reassessment.

Mike Schultz appears before the Commission and requests approval of the addendum to do the ratio study for 11 pay 12 because his office does not have the capability right now due to the tax problem. Attorney Friedman states that the addendum is necessary and recommends approval. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote. Mr. Schultz indicates that he has the funding in the reassessment fund.

I. Consideration of membership in Shared Ethics Advisory Commission.

Attorney Friedman indicates to the Board that the Council President Yagelski has expressed a desire on behalf of some of the Council members to have the County join the Shared Ethics Advisory Commission. He requested that the Commissioners give guidance or direction to formally initiate discussions with the Shared Ethics Advisory Commission. It is to provide governmental entities with advice on good ethics, training, best practices. He indicated that both the Council and the Commission have indicated a desire to pursue potential membership. He further indicated that there is a significant cost associated with the membership and that an appropriation should be requested from the Council. There is a onetime enrollment fee of \$5000.00 for participation and then an annual rate of \$1500.00. Commissioner Kora moves to join the Shared Ethics Advisory Commission. Commissioner Decker seconds. Motion carried by voice vote.

13. PUBLIC COMMENTS

John Mills appeared before the Commission and indicated that he is unable to reach a meaningful agreement with the Friends of the Barn Committee. He further indicated that he is going to appear on the radio Saturday to explain how he can raise money to save the County Home Barn. He said he would like to have a public meeting to explain how the funds can be raised and what the time frame is, and he sought permission to conduct such a meeting. Commissioner Milsap asked for an opportunity to speak with the Friends of the Barn and get Mr. Mills involved in their work.

14. COMMISSIONERS COMMENTS

Commissioner Decker indicates that NIRPC has booklets available regarding bike and walking paths in Northern Indiana, and he will have them available for pick up at the Commissioner's office after April 18th. Commissioner Milsap encourages everyone to get involved with the child abuse prevention month activities. He went on to thank all LaPorte County residents for attending the Easter Egg Hunt in Washington Park.

15. ADJOURN

Commissioner Milsap adjourned the meeting.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE _____

ATTEST: _____
Auditor

LA PORTE COUNTY, INDIANA