



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 May 15, 2013

To be held at 6:00 p.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 Commissioner's present
4. **APPROVAL OF AGENDA**
Commissioner Kora added KIP update to Old Business item 'E'. Amended Agenda approved.
5. **APPROVAL OF MINUTES**
 - A. **May 1, 2013**
Commissioner Kora moved to approve the minutes. Commissioner Decker seconds. Motion carried by voice vote.
6. **WEEKLY REPORTS**
None
7. **CLAIMS**
 - A. **Payroll Ending 5/10/2013-\$962,582.32**
 - B. **Miscellaneous Claims-\$1,296,185.06**Commissioner Decker moves to approve payroll and claims. Commissioner Kora seconds. Motion carried by voice vote.
8. **DEPARTMENT HEAD COMMENTS**

Robert Young- Highway Department- Appeared before the Commission and indicated that signage on Severs Road had been rearranged to better inform drivers of where they can go. He also informed the Commission that the ditching project in conjunction with the Drainage Board will start May 16, 2013. He concluded by letting the Commission know that there might be a grant available starting in July of 2013, he indicated he is still looking into it. Commissioner Milsap asked if he had contacted the LaPorte Chambers regarding the signs he indicated that Mike Yacullo had spoken with someone regarding the signs.

Fran Tibbot- Laporte County EMA- Appeared before the Commission and indicated that they had EOC, Emergency Operations Center, training last week in Michigan City. She thanked ALCO TV for agreeing to video their drill on June 5, 2013. She said they met with FEMA regarding resilience and getting a mitigation plan put together.

Jerry Cooley- Building Maintenance Supervisor- Appeared before the Commission and thanked Concord Cleaners for donating their services to clean the County flags. He said the elevators are going through the state inspections and they passed inspection. He said 3 elevators do need to be upgraded in the future.

Jack Arnett- Laporte County Convention and Visitors Bureau- Appeared before the Commission and requested permission to place a banner advertising the upcoming boat race on the courthouse lawn.
9. **CORRESPONDENCE**
None
10. **REQUESTS**
 - A. **Tony's Tavern/Pam Wiegel-Request for Road Closure for Zoe's Wish Event.**
Pam Wiegel appeared before the Commission and requested road closures for her event. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
 - B. **Barbara Dean-Recorder's Office-Request for travel to Iowa for information re: Recorder's Software**

Barbara Dean appeared before the Commission and requested permission to travel to Iowa to learn about new software and e-recording. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

- C. **Commissioner Milsap-Request to Travel to Michigan for Management and Leadership training.**
Removed from agenda.
- D. **Commissioner Decker-Request to Travel to NACO National Conference in Texas and Consider requesting Council transfer remaining GIS director salary to permit engaging private GIS service.**
Commissioner Decker requests permission to travel to the NACO Conference to learn the newest ideas from around the U.S. Commissioner Kora moves to approve and requests an update when Commissioner Decker returns.
Commissioner Decker seconds. Motion carried by voice vote.
Commissioner Decker further stated that the county is in need of GIS services and that there are funds that were designated for the GIS department that could be transferred to hire an outside firm and that he feels the money that is currently set aside for GIS should be transferred so that it can be used for a private firm. Commissioner Kora moves to go before the Council to request transfer of those funds. Commissioner Decker seconds. Motion carried by voice vote.

11. OLD BUSINESS

- A. **Robert Young-Highway Department-Recommendation for liquid asphalt bids.**
Robert Young appears before the Commission and indicates that there were two bids submitted for liquid asphalt and recommends that the Commission accept both bids with Asphalt Materials as the primary bidder. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.
- B. **Fran Tibbot-EMA-Second Reading of the Emergency Management Ordinance required by Indiana Title 10.**
Fran Tibbot appears before the Commission and requests that the Emergency Management Ordinance be approved. She stated that her advisory board said it was fine. Attorney Friedman indicates that he has reviewed the draft and it is in line with the model ordinances provided by the State Emergency Management Agency and recommends approval. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
- C. **Joyce Leon-Human Resources-Ordinance to Amend Sick Leave Policy.**
Attorney Friedman indicates he has been working with Human Resources to draft the Ordinance to amend the sick leave policy and conducts first reading of the ordinance and recommends approval. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote. Commissioner Kora moves to waive rules and adopt the ordinance on first reading. Commissioner Decker seconds. Motion carried by voice vote.
- D. **Second Reading of the Responsible Bidder Ordinance.**
Melissa Benetti-Indiana/Illinois/Iowa foundation for fair contracting appears to inform the Commission of the changes made to the ordinance and request approval. Attorney Friedman recommends approval. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
- E. **KIP update.**
Phil Faccenda-Barnes and Thornberg-Appears before the Commission and updates the KIP project indicating it is 73% complete. He went on to overview funding and current and future costs. He indicated that by the next meeting they would have a proposed amendment to current contracts regarding the Counties expense account items.

12. NEW BUSINESS

- A. **Pat Pease-EMS-Consider EMS/IU Health LaPorte Narcotics restocking Agreement/AED Discussion and Recommendation/EMS/LP Convention & Visitors Bureau Agreement for Ambulance service.**
Pat Pease appeared before the Commission to request approval for the Narcotics restocking agreement. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote. She gave the cost estimate for different options for the AED units, based on the amount of units and the cost to maintain them, she emphasized the importance of the maintenance. Commissioner Kora moves to approve taking the options to the Council to request funds. Commissioner Decker seconds. Motion carried by voice vote. Ms. Pease then requested approval for the LP Convention & Visitors Bureau Agreement. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.
- B. **Laurie D. Johnson-DLZ-Consider activation of the construction inspection phase of the DLZ Community Corrections project.**
Elliot with DLZ-Community Corrections project manager-Appeared before the Commission and requested additional on-site representation to review construction progress and to oversee that construction is going according to plan. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.
- C. **Consider recommendation for Third Party claims adjuster with excess carrier designation-John Jones, Liability Agent of Record for LaPorte County.**
John Jones-Michiana Insurance-Appeared before the Commission to inform them about the quotes received and to recommend the quote from Travelers Insurance. He presented options for the vehicles valued above \$50,000.00. He introduced Alan Butler to present the Commission with his fee and service structure. Mr. Butler entertained questions from the Commissioners. Commissioner Kora moves to proceed with option 2 with quarterly billing. Commissioner Decker seconds. Motion carried by voice vote.
- D. **Consider appointment of citizen member to the Shared Ethics Advisory Commission/Consider appointment of public official to serve on the fiscal body for the Shared Ethics Advisory Commission Joint Board of Delegates.**
Commissioner Kora moves to appoint Chuck Oberlie as the citizen member of the Shared Ethics Advisory Commission. Commissioner Decker seconds. Motion carried by voice vote. Commissioner Kora then nominated Joie Winski to

serve on the Shared Ethics Advisory Commission Joint Board of Delegates. Commissioner Decker seconds. Motion carried by voice vote.

E. **Michael Aylesworth-IDEM-Discussion about the State of Indiana's Environmental Health.**

Michael Aylesworth-IDEM- Appears before the Commission and discussed the state of Indiana's Environmental Health. He commended them on their regional sewer project. He indicated good progress has been made in cleaning out underground storage tanks. He concluded by saying that LaPorte is making good progress on their Environmental Health. Commissioner Kora questioned Mr. Aylesworth about an article that appeared in a newspaper regarding an official who negatively discussed the air quality in LaPorte County he indicated that he would appreciate if those issues were brought to the attention of the Commission in the future so they are able to address the issue before they read about it in the newspaper. Mr. Aylesworth indicated that NIPSCO is doing an upgrade and that upgrade will greatly improve the air quality in Northwest Indiana.

13. **PUBLIC COMMENTS**

None

14. **COMMISSIONERS COMMENTS**

Commissioner Decker stated that he was happy to see the progress at KIP and that things seem to be on schedule. Commissioner Milsap indicated that he is adamant about not allowing a strip club to be located near residential areas in our county and he asked Attorney Friedman for an update on the status of the litigation between the strip club owners and LaPorte County. Attorney Friedman indicated that the developers of the proposed strip club in LaPorte County were unable to purchase the property they desired on Keiffer road in Michigan City. He indicated that the County, per statute, has to provide locations that would not be objectionable for such an establishment to reside. He said there is an ordinance in place that sets forth the criteria that needs to be met for such an establishment to be located in LaPorte County. He said there was a telephone conference with the Federal Judge in the case and that the Plaintiffs have indicated that they would like to proceed with a location near the intersection of HWY 35 and HWY 20 in LaPorte. He stated that there is a preschool down the road from that location as well as residential traffic in that area, and as such, he made it clear during that conference call that LaPorte County will not accept that location. He stated that they have filed a pleading with the Court stating that it is up to the Plaintiff to file alternative locations and recommended that the County's industrial parks would be preferred as they are well removed from children and residential traffic. The case is being moved from Fort Wayne to the South Bend division of Federal Court, and Attorney Friedman indicated that he will keep the Commission and members of the Public informed of the status.

Commissioner Milsap also expressed his opinion that the new 300 million dollar tax cut from the Governor is useless. He stated that he felt the money should instead be coming back to this county for road repairs or schools and preschools and free textbooks. He said that instead the average family would make a dollar per week. He said that the tax cut goes up in 2017 but he said the average family then will receive two dollars per week and he placed a burger, fries and a drink from McDonalds on the podium in front of him and stated that the tax cut would not allow the average family to purchase any of those items. He said the tax cut is silly. He further stated that because the Governor took away the inheritance tax the County will receive 1/4 of a million dollars less each year.

15. **ADJOURN**

Commissioner Decker moves to adjourn. Commissioner Kora seconds. Motion carried by voice vote.

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

ATTEST _____
LA PORTE COUNTY, INDIANA
Auditor