



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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Willie Milsap,
President

Dave Decker,
Vice President

Dr. Vidya Kora,
Member

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MINUTES

LAPORTE COUNTY COMMISSIONERS

Wednesday May 21, 2014

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**
Steve Grott led the Pledge of Allegiance.
3. **ROLL CALL**
Commissioners Milsap and Kora present. Commissioner Decker absent.
4. **APPROVAL OF AGENDA**
Commissioner Kora added a Resolution honoring Drug Courts and a park department equipment purchase. Commissioner Kora moved to accept the agenda with the additional changes. Commissioner Milsap steps down to second. Motion carried by voice vote.
5. **APPROVAL OF MINUTES**
 - A. **May 7, 2014**
Commissioner Kora moves to approve. Commissioner Milsap seconds. Motion carried by voice vote.
6. **CLAIMS**
 - A. **Payroll Ending 05/09/14-\$995,340.05**
 - B. **Miscellaneous Claims-\$615,234.65**
Commissioner Kora moves to accept the claims as presented. Commissioner Milsap seconds. Motion carried by voice vote.
7. **DEPARTMENT HEAD COMMENTS**

Judge Kothe-Superior Court 3-Appeared before the Commission to advise them of a Resolution presented by the LaPorte County Bar Association in honor of Don Transki.

Jeff Hamilton-Hazmat-Appeared before the Commission to inform them of a large spill on Trail Creek that happened over the weekend. He indicated that the EPA was called in because of reimbursement costs and trying to locate the origin of the spill.

Barb Mossman-Human Resources Director-Presented the Employee of the Month award to Amy Bluhm.

Lynne Spevak-Clerk-Appeared before the Commission to inform them that her offices in Michigan City are running at 80-85 degrees and her employees are unable to work in the heat.

Nick Minich-Economic Development-Appeared before the Commission to inform them of the Redevelopment Commission meeting that took place that day and encouraged people to attend those meetings if they would like to learn more about what is going on with the local projects. He indicated that the Kingsbury project is continuing to move forward, they are working with all the parties. Commissioner Milsap asked about the status of the signage at the entrance to KIP.
8. **CORRESPONDENCE**

Department of Water Works, Michigan City.

Robin Surber read a letter from the department of Water Works in Michigan City regarding customers requesting water service. Attorney Friedman indicated that he believed the letter is in response to a request by Mr. Bohachek to have water in his area and he hoped that a copy would be given to him.
9. **REQUESTS**

Amy Bluhm-EMA-Request to go to the County Council and for funds in the amount of \$20,497.00 to install a new siren in Fish Lake.

Amy Bluhm appeared and requested permission to go to the Council and request funds to install a new siren in Fish Lake. Commissioner Kora moves to grant permission to approach the Council. Commissioner Milsap seconds. Motion carried by voice vote.

Resolution in support of National Drug Court Month and LaPorte Counties Drug and DUI Court-Commissioner Kora read the Resolution into the record and moved to adopt the Resolution. Commissioner Milsap stepped down to second. Motion carried by voice vote.

10. OLD BUSINESS

Report of County Buildings Committee recommendation-Ameresco.

Mike Yacullo appeared before the Commission as a member of the Guaranteed Energy Savings Committee to inform the Commission of their findings. He indicated that the focus was on the two Courthouses. He stated the HVAC system and the electrical system in the LaPorte Courthouse is in need of replacement. He said the replacement will present a savings in energy bills and in maintenance costs. He further indicated that the elevator in the LaPorte Courthouse is in need of replacement as it is outdated and difficult to get parts. He also stated the fire alarm panel needs to be replaced to meet National Fire Protection Agency compliance. Finally, he said the second floor should be renovated to house Superior Court No. 3. He stated the HVAC system in the Michigan City Courthouse is also in need of replacement. The building control system would also be replaced in that building to save energy. He stated the elevator in that building also needs to be refurbished to meet ADA compliance. He said the estimate for both buildings is around 8 million dollars. He stated the committee recommends pursuing the 8 million dollar improvements in the format of a tax exempt lease purchase. Commissioner Kora asked if the funding is approved how long would it take to accomplish all the necessary repairs. Mark Heirbrandt from Ameresco estimated the project could take around 9 to 10 months. Commissioner Kora then asked which form of funding would go faster, and Mr. Heirbrandt indicated that the process of funding is usually left up to the County. He stated they will get bids and give them to the County. He said the interest rates are very good right now. Commissioner Milsap asked which Courthouse would be repaired first. Mr. Heirbrandt said the Courthouses would be worked on together. He said their specialty is working on occupied buildings without disturbing the daily operations. Commissioner Kora moves to allow Mr. Yacullo to proceed to the Council to request a tax exempt lease purchase to finance the guaranteed energy savings contract. Commissioner Milsap seconds. Motion carried by voice vote.

Chief Sosinski-Sheriff-Recommendation for Sheriff Vehicles.

Chief Sosinski appeared before the Commission and recommended Sauers Lincoln-Ford was the best and lowest bidder for the Sheriff vehicles. He requested approval for that bid. Commissioner Kora moves to approve. Commissioner Milsap seconds. Motion carried by voice vote.

Robert Young-County Highway-Bid recommendations for Bituminous Materials.

Robert Young appeared before the Commission to recommend that both bidders for liquid asphalt be accepted. BitMat was the lowest, but he recommended both bids be accepted to give the county a 'back up.' Commissioner Kora moved to approve. Commissioner Milsap seconded. Motion carried by voice vote.

11. NEW BUSINESS

A. Robert Young-County Highway-Recommendation for the installation of a 3-way stop at Island Drive and Judith Place.

Mr. Young indicated that he visited this site numerous times along with once with Commissioner Decker, they both agreed that a 3-way stop should be installed at that location. Commissioner Kora moves to approve. Commissioner Milsap seconds. Motion carried by voice vote.

B. Barbara Dean-Recorder-Consideration of agreement with Fidlar-crowdforce back indexing.

Barbara Dean appeared before the Commission to request approval of an agreement with Fidlar-Crowdforce back indexing. Commissioner Kora moves to approve. Commissioner Milsap seconds. Motion carried by voice vote.

C. Mike Yacullo-County Engineer-

- **Permission to seek Council approval to pursue Tax Exempt Lease Purchase to finance the Guaranteed Energy Savings Contract.**
- **Approval of Pressional Services Contract with URS to design intersection improvement (w/traffic signal) at Johnson Rd. & CR. 400 N.**

Mr. Yacullo appeared before the Commission and indicated that there were two prior options for improvement at this intersection, one being a round a bout, the other being to re-align the lanes, he stated that the feedback has been that the round a bout is not desired by the public, so this contract is to have URS design and re-align the lines and put in an improved traffic signal.

Commissioner Kora moves to approve. Commissioner Milsap seconds. Motion carried by voice vote.

D. Commission President Milsap/BZA Attorney Biege-Consideration of 1st reading of Ordinance to Amend Sexually Oriented Business' Conduct Ordinance to ban serving or distribution of alcoholic beverages at such establishments.

Attorney Friedman indicated that the sexually oriented business is still seeking to locate a strip club within LaPorte County. He stated that the company still has option agreements on two potential properties that are near residential areas. He stated that while LaPorte County cannot completely ban the establishments, it can put on the books zoning and licensing requirements. He stated that the Commission President says that if the establishment has to be here it should be near an industrial park and not near a residential neighborhood. He said that both potential locations are not in the correctly zoned area. He indicated that counties are also permitted to enact conduct ordinances and a conduct ordinance was previously adopted in January 2013. He stated that the Commission President wanted a tougher conduct ordinance after seeing a newspaper article that other communities legally and completely banned the sale of alcohol at strip clubs. He stated that he conferred with BZA Attorney Doug Beige, and determined that any amendment to the conduct ordinance could only occur based on research undertaken that showed and demonstrated the secondary negative effects of alcohol at such establishments. Mr. Beige provided my office with a six inch stack of research and documentation that has been provided to all three Commissioners. He stated that all Commissioners have patiently and diligently gone through the stack of research that shows the negative effects of serving alcohol at such establishments. He stated that his office recommends approval of the Amended Conduct Ordinance. Commissioner Kora moves to

adopt the Amended Conduct Ordinance on first reading. Commissioner Milsap seconds. Motion carried by voice vote. Attorney Friedman indicated that the next step would be a second reading and then a public hearing and the adoption of the Amendment.

E. Lynne Spevak-Clerk-Request to notify the State Election Division that precincts in LaPorte and Michigan City will re-align to the 2012 Ward lines.

Lynne Spevak appeared before the Commission to request that the precincts be updated to match the new ward lines of the City of Michigan City and LaPorte. Attorney Friedman indicated that Clay Patton has been asked to assist on this project. Clay Patton appeared and indicated that all the Circuit Court Clerks were given a memo setting an Aug 15 deadline. He stated he would assist with the project. Commissioner Kora moved to authorize Attorney Patton to work with the County Clerk to make the necessary modifications. Commissioner Milsap seconds. Motion carried by voice vote. Ms. Spevak indicated she would be setting public meetings in June.

F. Tim Morgan-Park Department-Request to replace lawn mower-

Tim Morgan appeared and indicated that Riggs submitted the low quote and asked that the Commissioners fund the purchase out of CCD or leave it up to the Council from Riverboat or WIN Tax. Commissioner Kora moved to grant permission for Mr. Morgan to get approval from the Council to purchase a new mower. Commissioner Milsap seconds. Motion carried by voice vote.

12. PUBLIC COMMENTS

13. COMMISSIONERS COMMENTS

Commissioner Milsap applauded Drug and Veteran's Courts, stating that LaPorte County is blessed to have quality people providing services in both Courts.

14. ADJOURN

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