



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 October 15, 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**
Mr. Smith led the Pledge of Allegiance.
3. **ROLL CALL**
All Commissioner's Present.
4. **APPROVAL OF AGENDA**
Commissioner Kora adds Agreement regarding the School Police Resource Officer. Commissioner Decker moves the AIC award to Department Head Comments. Commissioner Kora moves to approve amended agenda. Commissioner Decker seconds. Motion carried by voice vote.
5. **APPROVAL OF MINUTES**
 - A. **October 1, 2014**
Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
6. **CLAIMS**
 - A. **Payroll Ending 10/10/14-\$992,173.82**
 - B. **Miscellaneous Claims-\$1,385,295.00**
Commissioner Decker moves to approve claims as presented. Commissioner Kora seconds. Motion carried by voice vote.
7. **DEPARTMENT HEAD COMMENTS**

David Botorroff-Appeared before the Commission to present the AIC Scholarship Award to Laura Sosinski. Laura was one of six awarded out of several applications.

Mike Mollenhauer-Sheriff-Congratulated Laura and her family on the Scholarship award. He then indicated that at their Merit Board meeting he reported on the funds they have been placing into the Sheriff's Continuing Education Fund from the Notice to Quit Fees. He said it supplements their budget very well. He gave the balances of the deposits placed into the account over the years since he started saving those funds from the Notice to Quit Fees. He said he was able to purchase new computers for the staff with money from the Commissary fund, another fund that helps to alleviate his billing the General Fund.

Robert Young-County Highway-Presented the Commissioners with an extended bid price for sand into the year 2015 from Area Excavating and Aggregate. Attorney Friedman recommended that the Commission take the matter under advisement and agenda it for the next meeting for consideration. Commissioner Kora moves to show this bid received and agenda it for the next meeting. Commissioner Decker seconds. Motion carried by voice vote.

Andrew McGuire-EMS-Appeared before the Commission to inform them that they, along with Dr. Kora, are in the process of developing a Ebola policy that will be county-wide and available to all emergency responders. He said they are meeting tomorrow with representative from both hospitals to review the CDC recommendations and to complete the policy which should be ready the first of next week. He stated that he has also been in contact with Tony Mancuso from the Health Department, John Dudek from 911, and Larry Butcher from EMA regarding this policy.

Earl Cunningham-Council-Appeared before the Commission to inquire about an item he thought was going to be placed on the agenda. He went on to discuss Mr. Purze and his homestead exemptions. Commissioner Kora clarified a motion made by Commissioner Decker at a former meeting. Commissioner Decker asked if Beacon is wrong, why people are getting notices that they are in arrears with taxes. He questioned why others got notices and Mr. Purze did not. Councilman Cunningham indicated that numerous errors exist in Beacon as it has not been updated. Commissioner Decker indicated that a man came to him and said he had to pay double taxes because he was accused of having a double homestead exemption, Commissioner Decker asked if he would get his money back if Beacon is

wrong. Auditor Winski indicated that Beacon is wrong. She stated that Beacon has not been combined with the tax side. She said the two programs are not compatible. She indicated that Manatron was afraid the data would be corrupted if it was linked with Beacon. She said they will link that with the new system. She stated that Mr. Purze bought a property that had a homestead on it that the former auditor did not 'catch' until the 2011 bills were sent out, she said the homestead was immediately taken off and they charged him the back deduction. She indicated the investigation is still on going. Auditor Winski stated that Beacon is not correct, but that the Manatron system is correct. Commissioner Kora asked the Auditor if it is reasonable to have the Auditor look into information from a constituent that may show a person receiving more than one homestead exemption, she said yes it is. Commissioner Milsap asked to be kept in the loop regarding the investigation. Mr. Cunningham went on to discuss a political forum at PNC. He further stated that he has kept track of the votes at Commissioner Meetings.

8. **CORRESPONDENCE**
None

9. **REQUESTS**

A. **Mike Yacullo-County Engineer-Request permission to approach the Council for an appropriation of \$43,000.00 to perform repairs to the Highway Garage Building at the Hanna District.**

Mike Yacullo-County Engineer-Appeared before the Commission to request permission to go to the Council to seek funding for repairs needed at the Hwy Garage Building in Hanna. Commissioner Decker moved to approve. Commissioner Kora seconds. Motion carried by voice vote.

B. **Authorization for a letter for the Homeland Security Grant.** Attorney Friedman stated that his office has reviewed the document and recommends approval. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

10. **OLD BUSINESS**

A. **Robert Young-County Hwy Superintendent-Truck Bid recommendation.**

Robert Young-Appeared before the Commission to change his recommendation to 10 trucks at Western Stars. 5 single axles, 5 tandem axles. He said to go with all 10 Western Stars will raise the bid one thousand dollars. Attorney Friedman indicated that he requested that Mr. Young submit a written statement regarding his basis for taking the next to lowest bid and that he is satisfied with his submission. Commissioner Kora moves to approve Mr. Young to approach the Council with the bids. Commissioner Decker seconds. Motion carried by voice vote.

B. **Consider re-issuing bids regarding EMS facility.**

Mike Yacullo- Appeared before the Commission and indicated that there was a technicality that arose during the bid award for the EMS building. He stated that the best course of action seems to be rejecting the previous bids and advertising a re-bid on the job. Commissioner Decker moves to re-post the bids. Commissioner Kora modifies the motion to be that we reject all the existing bids and immediately re-advertise to make it clear that the RBO is part of the bid notice and seconds. Motion carried by voice vote. Mr. Yacullo said they should be ready to receive bids Nov. 3 and he can have a recommendation to the Commission on the 5th.

C. **Follow up on the Toll Road Resolution Letter from U.S. Senator Joe Donnelly to Indiana Finance Authority.**

Attorney Friedman distributed a copy of an article from The Times newspaper regarding a letter written by Senator Donnelly to the Indiana Finance Authority. He stated that the letter specifically mentions some of the things from the Resolution made by the Commissioners. He cited the long wait lines, unrepaired bridges, and rest stops that are not maintained and kept up. He stated that Sen. Donnelly has calculated that if the Toll Road reverts back to the State of Indiana it is a revenue generating asset that could be of great value for both Toll Road corridor counties and the rest of the State of Indiana. He stated that an analysis has been done that says even with reasonable debt service, the State bonding for 2.4 Billion to take back the road, the road still throws off significant cash flow every year starting with 70 Million annually and then rising. That is money that can be used to fund infrastructure along the Toll Road Counties and the rest of the state. He stated that he has not heard back from the Attorney General. He stated that the Commission has discussed the prospect of retaining counsel that could formally intervene with the bankruptcy proceeding at no cost to tax payers, as we have been able to negotiate a tentative arrangement with a Chicago firm that specializes in bankruptcies and restructuring to potentially take on representation of the Commission, and probably other Governmental entities that my join as time goes on, but at no cost to tax payers, it would be on a contingency fee basis to assert and attempt to determine if the reversion language in the Indiana Toll Road lease can be exercised, and if not, attempt to negotiate some kind of revenue sharing or other benefit for Toll Road counties like ours. He requested authority to engage the Chicago legal firm on the sole condition that it be on a contingency basis at no cost to tax payers. Commissioner Kora moves to give authority to engage the Chicago legal firm of Goldstein and McClintoc on a contingency basis only with no tax dollars at risk all rights and remedies, including possible intervention in the bankruptcy court (A) to seek to regain control of the Indiana Toll Road for the benefit of the residents of the State of Indiana under the reversion clause and (B) if that does not succeed, to push for assistance in any new lease arrangements for the Toll Road corridor counties, including service and improvements and revenue sharing of the estimated 80 Million Dollars annual profit that the Toll Roads own documents show. Commissioner Decker seconds. Motion carried by voice vote.

11. **NEW BUSINESS**

A. **David Bottorff-AIC Scholarship Award.**

B. **Consider approval of 2015 Holiday Schedule.**

Commissioner Decker moves to approve the 2015 Holiday Schedule. Commissioner Kora seconds. Motion carried by voice vote.

C. **Consider Amendment to Approved Interlocal Agreement regarding Triangle Bus Project.**

Attorney Friedman indicates that all four parties have agreed to the amendment that if insurance doesn't cover a loss, all four entities have agreed to split the cost. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

- D. Consider Joint Resolution approving Interlocal Agreement and Amendment regarding Triangle Bus Project.** Attorney Friedman indicated that this is a good example of cooperation between the Council and the Commission and a tremendous collaborative effort between the City of LaPorte, the City of Michigan City, and the County. He stated that the Council unanimously approved the Resolution. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
- E. Consider 2015 New Avenues contract-** Attorney Friedman indicates that the contract was submitted to his office and his associate reviewed it, noted the modest increase in fees and was comfortable with the change in the terms. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
- F. Consider Contract for School Resource Officer-** Attorney Friedman indicates that the terms of the contract were approved by the County Council. He indicated that his office recommends the approval of the contract. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

12. PUBLIC COMMENTS

Julie Rossler- Appeared before the Commission to implore voters to not vote for Bohatchek for Commissioner. She listed several things that she felt he did incorrectly when he was commissioner. She indicated that the current Commission has not offended her and she feels they are working in her interest.

Adone Smith- Appeared before the Commission to voice his concern over not hearing a campaign platform from Mr. Bohatchek, he said his prior leadership led us into a horrible tax mess.

13. COMMISSIONERS COMMENTS

Commissioner Decker congratulated Laura Sosinski on a job well done. He stated the Mr. Cunningham does not agree with too many people, he said the Commissioners like each other and he's sorry that he doesn't get a no vote more often. He said he would give a no vote on adjournment if that would make Mr. Cunningham happy.

Commissioner Kora thanked the other Commissioner's and the County Attorney for putting together a plan for the toll road. He said it is a great asset for our county and hopes that we can improve it and keep it.

Commissioner Milsap echoed the sentiments of Commissioner Kora regarding the Toll Road. He then thanked the Mayor of Michigan City, the Mayor of LaPorte, and the Chancellor at PNC for working with the Commissioners and making the bus route happened. He said it's been talked about for many years and he is glad it's finally going.

14. ADJOURN

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