

**LAPORTE COUNTY
COUNTY COUNCIL MEETING
APRIL 23, 2007**

The LaPorte County Council met in regular session the 23rd day of April, 2007, in the assembly room of the LaPorte County Government Complex. The meeting was called to order at 6:30 P.M. by President Jerry Cooley.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Mrozinski led those present in the Pledge of Allegiance. President Cooley asked that all present remain standing after the Pledge of Allegiance for a moment of silence for Jason Beadles, a local serviceman who was killed in Iraq. Mr. Cooley asked that roll call be taken:

Mrs. Shuter:	Councilman Cunningham:	Present
	Councilman Cooley:	Present
	Councilman Garner:	Present
	Councilman Jones:	Present
	Councilman Ludlow:	Present
	Councilman Mrozinski:	Present
	Councilman Yagelski:	Present

Mrs. Shuter: "You have a quorum, sir."

ADOPTION OF AGENDA: Mr. Cooley asked that the matter regarding Barker Center for \$250,000.00 be moved to first on the agenda and that an ordinance to establish an educational fund for the LaPorte County Sheriff's Department be added. Mrs. Shuter asked that the Declaration of County Tax Rates also be added under New Business. Mr. Ludlow made a motion to approve the agenda as amended and Mr. Cunningham seconded. Motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/WIN TAX/BARKER CENTER: With a substantial number of Barker Woods supporters, parents and children in attendance, Commissioner Mike Bohacek spoke on behalf of the Barker Woods Enrichment Center. He stated that the Center was started in 1950 as a grassroots effort by some parents who felt there was a lack of services for handicapped children in the LaPorte County Area. Mr. Bohacek reported that the current facility was built with donated labor on donated land. He also stated that from the time of Barker Woods inception until 1982, the County of LaPorte funded approximately \$40,000.00 per year for building maintenance and ongoing operations through the General Fund.

Mr. Bohacek stated that children from eighteen (18) months to seven (7) years of age are serviced in a pre-school setting and also in a before and after school program along with a summer program. He commented that Barker Woods is unique in that they will not turn away any child and they embrace children with developmental disabilities, as well as physical disabilities, or a combination of both. Additionally, if the child is receiving therapy services, they can receive those services at Barker Woods.

Mr. Bohacek stated that this request is to provide rehabilitation of the current facility to accommodate another program that will allow them to accept children from age seven (7) to age twelve (12). He reported that now two-thirds (2/3) of the children come from the Michigan City area and LaPorte City with the balance coming from other areas of the County such as Wanatah, Westville, Rolling Prairie, etc. Mr. Bohacek commented that the facility opens at 5:00 a.m., which works well for working parents, and the child can be picked up as late as 6:00 p.m. Mr. Bohacek stated that as a parent with a child at the facility he knows first-hand that this service is valuable to our community.

Mr. Bohacek stated that I.C. 12-29-1-1, Section B, is the statute that allows Barker Woods to be funded through County funds, which he then read. He then read excerpts from some newspaper articles. Mr. Bohacek commented that this is not a personal issue but an issue that would assist all of us; a child who is better-trained, better-educated is less of a drain on society. Mr. Bohacek also stated that a parent whose child is at a place they feel comfortable with while they are at work is able to work and able to participate in taxes.

Mr. Bohacek provided a copy of the proposed changes to the facility, which is revamping of the existing structure. He reported that the potential cost is \$495,000.00 to perform the work; the funding request of \$250,000.00 is not all that will be needed in order to realize the dream. Mr. Bohacek stated that it will take substantial work from the Board Members of Barker Woods and additional community outreach to other County entities and friends in the commercial sector.

Mr. Bohacek commented that he was asked why a building is being funded as opposed to a program. He stated that they can't grow a program without growing the building. Mr. Bohacek stated that the programs are not free; tuition costs now are approximately \$110.00 per week per child. Barker Woods will accept vouchers from low-income families and the price is the same.

Regarding the level of participation with the Michigan City Area Public Schools, Mr. Bohacek has talked to Jo McCormick at length and she has stated that there is no duplication of services between the Michigan City Area Public Schools and Barker Woods. He stated that it is her opinion that Barker Woods augments the Michigan City Area Public Schools by having the children in a learning environment that extends before and after the school day and also during the summer.

Mr. Jones stated that Barker Woods is a fine facility and he realizes the work that has been done there. Mr. Jones asked for clarification of the Indiana Code referred to by Mr. Bohacek. Mr. Jones does think that the route the Council is taking by giving an amount of money from Riverboat money is more in line than a tax levy for the facility under the Indiana Code. Mr. Jones commented that the facility would have to meet several financial assistance obligations before it qualifies; one being accreditation.

Mr. Bohacek introduced Deb Rodecap, Executive Director of Barker Woods Enrichment Center. Ms. Rodecap commented that when the law was written the Department of Mental Health was a segment of the Indiana Government but it has been dissolved and is now the Department of Aging and Disability. She stated that when that happened, the term Developmental Disability Agencies also went by the wayside and they are in the process of

becoming nationally accredited through the National Association for Young Children. As part of the construction and remodeling, it will allow Barker Woods to attain this level.

Mr. Yagelski asked how the request of \$250,000.00 was determined? Mr. Bohacek responded that it was his feeling that the Board of Directors of Barker Woods also needed to participate in this process, and the County needs to help, but the County doesn't need to completely fund this project. The amount requested would give a "jump start" to continue with their work and would be a stepping stone to completing what needs to be done, which would be to gain additional funding from other sources to grow their facility and their programs. \$250,000.00 would also allow Barker Woods, not to complete the entire project as presented by Tonn & Blank, but enough of it to be able to facilitate the program for children up to twelve (12) years of age.

Mr. Yagelski asked if there is a master plan or five-year plan for Barker Woods? Ms. Rodecap commented that tonight is the first time she has heard what the amount requested is. She commented that they have been successful in running some capital campaigns and the community was very generous. Ms. Rodecap, in reference to the five-year plan, commented that they have had strategic plans to address some of the issues in the past and they do know where they want to be in five (5) years. Mr. Yagelski asked of the \$250,000.00, what would go for programs and what would go for the building? Ms. Rodecap responded that none of the funds will go for programming and all will go toward the remodeling costs.

Mr. Garner had discussed with Mr. Bohacek, over the phone, his concerns regarding this project. Mr. Garner commented that he doesn't really have a problem if this project is done correctly through the proper channels but Mr. Bohacek, as a Commissioner, just jumped by three (3) County offices that are in need of a place that the County has been dealing with for four (4) or five (5) years. Mr. Garner stated that there still is not a place for those offices and this project has jumped to the forefront of where money will be spent. Mr. Garner feels this concern, regarding the three (3) offices, needs to be taken care of first and then Mr. Bohacek can come back to the Council regarding the request for Barker Woods.

Mr. Bohacek responded that a home was proposed for one of the County offices, Soil & Water, for \$4,000.00 and some change and it was voted down. Mr. Bohacek commented that Purdue Extension has a lease and the Commissioners are working to secure a permanent home for them and Solid Waste is also under a lease. Mr. Garner reiterated that five (5) years has been spent working on this matter. Mr. Bohacek responded that he has been here ninety-seven (97) days. Mr. Garner again stated that the program is a beneficial one but Mr. Bohacek, as a Commissioner, should come back to the Council with a Master Plan, which the Council keeps asking for, and this project could be put on the list. Mr. Bohacek stated that he appreciates Mr. Garner's comments but we don't have to do one thing at a time and this is a program that needs action now. Mr. Bohacek commented that there have been discussions at the workshops held between the Council and Commissioners and it is part of the Master Plan to find permanent homes for those offices whether it be building a new building, purchasing an existing structure and rehabilitating it or incorporating them into the other building that is later on the agenda.

Mr. Cunningham commented that he had toured Barker Woods today and what has been accomplished is amazing to him in a facility that hasn't been wired for computers, etc. Mr. Cunningham asked to go on record as saying that the headline this morning in the News-Dispatch scared him to death because it looks like the County has all of this money that any

not-for-profit can just come in and say they need a quarter of a million (\$250,000.00), a half million (\$500,000.00) or \$100,000.00. Mr. Cunningham stated that there are not unlimited funds but he does like the fact that Mr. Bohacek brought in the legislation and he would much prefer, as a taxpayer and as District 2 representative, that \$250,000.00 be spent one time to get this project going. He commented that there are a lot of people to volunteer and do a lot of extra work and he would much rather do a one-time shot of \$250,000.00, and get the project going, than to have a tax levy. Mr. Cunningham wanted to be very clear regarding this matter.

Mr. Ludlow asked Mrs. Shuter if there is a tax levy currently for mental health facilities? Mrs. Shuter responded that currently the Swanson Center is paid nearly one-half million (\$500,000.00) which is built into the Commissioners' Budget and is actually part of the General Fund. Mr. Ludlow stated that, therefore, there is not a tax levy for any mental health throughout the County. Mrs. Shuter replied, "No, sir." Council Attorney, Don Baugher, commented that this doesn't mean that there couldn't be.

Mr. Ludlow asked about the number of students. Ms. Rodecap responded that there are fifty-three (53) students under the age of seven (7). Mr. Ludlow asked what the projected number is if the Center is able to serve those children up to age twelve (12)? Ms. Rodecap replied that there is a maximum number of seventy-four (74) although one of the licensed rooms is being used as a therapy room since they have succeeded in obtaining the services of pediatric therapists to come into the building to serve children from birth to eighteen (18) years with therapy that may not be covered under First Steps or during the summer when the schools are not in session. Ms. Rodecap reported that Michigan City has one of the largest special education rates in the State at 22% so there are a lot of needy kids. Mr. Bohacek commented that the number for LaPorte City Schools is 17% to 18%.

Mr. Ludlow asked about the percentage of administrative costs over the total budget. Ms. Rodecap replied that the more children they get in, the lower the cost because they aren't hiring new administrative staff. She reported that there is herself and one manager; she would ballpark 18%. Mr. Bohacek asked how long it has been since Ms. Rodecap, or her staff, have had a raise? Ms. Rodecap responded that it has been three (3) years. Mr. Ludlow asked they are run by a Board of Directors? Ms. Rodecap responded, "Yes, we are." Mr. Ludlow asked who is on the Board of Directors. Ms. Rodecap provided the names of the Board, of which Barry McDonnell is President. It was noted that one-third (1/3) of the Board Members must be related to a child at Barker Woods.

Mr. Cunningham asked if the footprint of the building would be physically changed? Ms. Rodecap replied, "No." She stated that an 8 x 10 storage shed for the lawn mowers is the only addition.

Joe Coar, Vice President of Operations of Tonn & Blank Construction, reported that they were asked by Barker Woods to inspect their facility, which was done at no charge. He stated that what is presented is realistic. Mr. Coar commented that a lot of the Council remembers exactly how Dunebrook Child Abuse Center was handled. \$1.5 million wasn't available; there was closer to \$300,000.00 to \$400,000.00 but as they went through the process they were able to get enough donated help, over 8,000 man hours, and as a end result Dunebrook was built for a little less than \$500,000.00. Mr. Coar reported that the Dunebrook project was done in three (3) phases which is exactly what should be done with Barker Woods. He can't guarantee the donated help but he can say that he personally will put some attention on this project and the

Sisters of St. Francis, Tonn and Blank, will step up to the plate. Mr. Coar stated that \$250,000.00 will be the mechanism needed to get the project going. Mr. Coar provided further information regarding the proposed budget and remodeling.

Mr. Jones, because of a lot of factors, both personal knowledge about the facility and the work they do, and because it is important enough to be mentioned in the Indiana Code, whether or not they have crossed off all of the requirements or not, along with mental health and disabilities being a real service need and a human need in the community, **made a motion to approve \$250,000.00. Mr. Cunningham and Mr. Mrozinski seconded the motion.**

Mr. Garner asked if the Michigan City Council has been approached regarding this project? Mr. Bohacek stated that he has had some informal conversations with Mayor Oberlie. He stated that the County funding would show that this project has some credence.

Mr. Yagelski commented that the reasons given for this project to go forward are justified but the hardest part of this whole thing is that Commissioner Bohacek had some prior knowledge of this project and the Council needs to be kept informed. Mr. Yagelski stated that there was a meeting where this could have been brought up and put on a scale of 1 to 10. He stated that these projects can't keep coming to the Council at the last minute and then the Council tries to make decisions very quickly. Mr. Yagelski stated that this project could have been expressed at many, many meetings or many, many times. Mr. Bohacek responded that the information was provided at the last workshop, which lasted one hour, and those present became embroiled in discussions about other projects. Mr. Bohacek commented that it was going to be on the agenda for the last meeting but he missed the cut-off to have it advertised. Mr. Bohacek also stated that he called each member individually to see if there were any questions because he didn't receive any phone calls. Mr. Bohacek commented, "Do I see this as a major project as in a \$3.5 million sewer project. No." There was further discussion about the timeliness of the information. Mr. Yagleski responded that a quarter of a million dollars does make a difference because on a scale of 1 to 10, it will knock #9 or #10 off of the list. Mr. Yagelski did call around but these types of things need to be handled in a better way. Mr. Bohacek commented that this is a learning experience for him, also, and as we move forward, he will heed this advice.

Mr. Cooley asked Attorney Baugher if he felt comfortable? Attorney Baugher explained that he does feel that these things are very important and he doubts that anyone can argue that they are over-funded or that government has provided more than enough money but this, he believes, is at the State level. Attorney Baugher has two concerns about this project; one is that the Council is about to make a \$250,000.00 contribution to a social agency and there have been no funds appropriated for social grants nor have there been any standards set to do that. Attorney Baugher feels that the Council needs to be concerned about the flood gate. He would like to have an opportunity to look at I.C. 12-29-1-1, along with Mr. Bohacek and with the County Attorney, recognizing that we are funding mental health facilities, and those are legitimate statutory provisions, but there are hoops to jump through.

Attorney Baugher commented that the first thing he read is that there has to be a request from the executive; this means there should be a resolution before the Board of Commissioners directing it to this body asking it to act if we are going to use that section of the law for our authority. Mr. Bohacek stated that this matter was on the agenda of the last Commissioners' Meeting and was voted upon by all three (3) Commissioners. Attorney Baugher asked if there

is a resolution? Mr. Bohacek responded that he doesn't know what Attorney Szilagyi did but it was voted upon. Mr. Jones mentioned that he thought it was for a tax levy and we aren't doing that. Attorney Baugher commented that if that section isn't used for the authority, then we are back to saying that we will take Riverboat money and make social grants with it; he would suggest that before this is done, there should be some standards set by which the next request will be addressed. Attorney Baugher's recommendation is that the Council take thirty (30) days to review the information provided.

Mr. Jones stated that there is worry about opening the flood gates. He commented that Commissioner Hager had a good idea which was to set aside a certain amount of money that could be applied for by service agencies annually. Mr. Bohacek stated that Linda Arnett, Commissioners' Secretary, had called the State Board of Accounts to see if this line item could be put in the Commissioners' Budget and it cannot be. The question was asked if there is the possibility this request would be looked upon in the same way by the State Board of Accounts. Attorney Baugher wasn't part of the conversation, but he is concerned, because he doesn't know by what authority tax dollars are given to social agencies, or if we have appropriated the money for that purpose, or set standards to address the requests, or made the public aware that we are going to start funding social programs. He commented, "Who gets in line and how do we do that?" Attorney Baugher stated that these aren't necessarily legal questions but, having been around one Board in particular that basically did the same thing and is now broke, he has concerns.

Mr. Bohacek commented that the statute says we can fund it but imposing a tax levy is a lengthier question and one that needs to be investigated. Mr. Bohacek feels that the facts are pretty clear that a one-time funding can be done plus the County has a history of funding Barker Woods.

Mr. Yagelski asked how much of the \$40,000.00 went to programs and how much went to the facility? Mr. Bohacek responded that the money went right to the General Fund. Mr. Yagelski commented that the intention was that the money go for the programs, also, so it wasn't just like this request where \$250,000.00 is being asked for the facility. Mr. Bohacek doesn't believe there were any caveats put upon the funding but two years after the facility was built, the funding would have been used for programming because the building was new. Mr. Bohacek stated that \$250,000.00 is requested in order to rehabilitate the building and expand their services because the need is there and the need is unmet.

Mrs. Shuter stated that she doesn't understand why Barker Woods can't be in the Commissioners' Budget the same as the Swanson Center as it seems to fall under the same category. Mr. Bohacek commented that we can continue to investigate this to see how situations like this can be handled in the future. Mrs. Shuter stated that if this was done at budget time, we could get the money back in our maximum levy. Mr. Bohacek commented that the request on the table is one that we need to go forward with for a number of reasons. He stated that summertime is coming and with summer there is a gap in services.

Mr. Cooley asked that Shaw Friedman come forward. Mr. Friedman commented that the distinction regarding the Swanson Center is that there is a four-cent (\$.04) statutory levy which the Center does get under State law, so that is a regular levy and is a different designation group than the developmentally disabled population. He stated that there is ample authority, previously, for the Council having authorized allocation to Michiana Industries and Barker

Woods. Mr. Friedman commented that he understands the concern and the Council does need a process, going forward, as this type of request is evaluated. He stated that the case has been made and there certainly is a precedent for allocating funds for not-for-profit agencies.

Mr. Jones asked Mr. Friedman if he sees any distinction, because it is mentioned in the Indiana Code, between this and other service not-for-profit agencies as we are all worried about the screening process that the very article in the newspaper will bring to the Council. Mr. Friedman responded that, fortunately, there is no overlap. He stated that the services provided by Barker Woods are very separate and distinct from some other agencies but this is among the worthy projects that the County has supported in the past.

Mr. Yagleski asked if the Swanson Center is an accredited program? Mr. Friedman responded that the Center is accredited through the Joint Commission on Accreditation for Health Care Organizations and serves a variety of out-patient addictions, adults and children, but it is a different population and a different subset that is served through the Swanson Center.

Mike Hampel, 220 Meadowlark Drive, Trail Creek, IN, a member of the Board of Directors of Barker Woods, and the single parent of an 8-year old special needs child, spoke of the gap between the ages of eight (8) and eighteen (18) where few services are being provided. In closing, he read a poem, "I Am the Child."

Jennifer Heath, 101 Rainbow Trail, Trail Creek, IN, spoke on her mother's behalf (Joie Winski) as well as her own. Ms. Heath stated that they have a vested interest in this project as her daughter was born with Downs Syndrome. She commented that until you have a child with special needs in your family, it is hard to understand what they go through every day. Ms. Heath reported that she did call Safe Harbor to make sure there wasn't a duplication of services. She was told if your child requires "one on one" care in any way, shape or form, this isn't really the appropriate placement since they have a staff ratio of 15 to 1. Ms. Heath is appealing to the Council to help get the funding needed in order to accommodate the necessary programs.

Scott McLeish, 1203 Jay Street, LaPorte, IN, commented that his son has been going to Barker Woods for the past two years and they are in the process of determining if he is autistic. He commented that Barker Woods is the only facility they could find in LaPorte County that could accommodate their son with his needs plus helping him and his wife in raising their son. Mr. McLeish commented that he is here to show support for not only his son but for future generations.

Mr. Cooley stated that every one of us is touched by someone in our family regarding handicaps. He stated that the organization he belonged to for many years helped build Barker Woods. Mr. Cooley commented that we need to make sure of is that all of the questions are answered, our attorney is comfortable, and then the Council will vote. Mr. Yagleski asked Attorney Baugher if he is comfortable with everything? Attorney Baugher responded that if he were sitting where the Council is sitting, and he is not, he would like to look more at budgets and the overall money spent by the County on mental health and whether there was money that could come out of there and whether it is distributed fairly. If the decision is that the Council wants to look at Riverboat money and make a contribution, then his concern is what are the standards by which you do that? Attorney Baugher commented that this isn't a legal issue but a

matter that the Council should think about since it has come up for a quick decision. He stated that whether thirty (30) days is or is not going to kill the project is something to think about.

Mr. Cooley asked that roll call be taken.

Mrs. Shuter:	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Yagelski:	Aye
	Councilman Mrozinski:	Aye
	Councilman Ludlow:	Aye
	Councilman Jones:	Aye
	Councilman Garner:	Nay

Mr. Garner commented that he voted “Nay” because he agrees with Attorney Baugher regarding allowing (30) days for review. Motion carried 6 – 1 to approve \$250,000.00 from the Win Tax Fund.

Mr. Yagelski referred to the money given to 4-H and that the Council is strict about seeing where the money is being spent. Mr. Yagelski commented that the Council would expect full reports on this project as they have stuck their necks out on this. Mr. Bohacek responded that they look forward to bringing in project reports as they move forward. Mr. Bohacek stated that he realizes this is uncharted ground for LaPorte County which shows the progressiveness of our County and shows the economic development folks and people that want to do business in our County that we are moving forward and that we care about all of our citizens.

Mr. Cooley recommended to Mr. Bohacek that their attorney meet with our attorney to establish some rules, as Michigan City has done, regarding handing money out to different organizations. Mr. Cooley has received calls from Boy Scouts, the girls T-ball team, the YMCA and there will be several organizations that are going to be looking for money.

PALATEK, INC/TAX ABATEMENT: Matt Reardon addressed the Council regarding a petition for economic revitalization and tax abatement for Palatek, Inc. in Coolspring Township. He stated that he is pleased to be here for the second month regarding an investment in LaPorte County as well as job creation and retention.

Mr. Reardon reported that the company has the property under contract and it is going through the stages of zoning, infrastructure, incentives and financing packages. This project is estimated to be 160,000 square feet of manufacturing space. The estimated cost is \$8 Million along with \$6 Million in equipment. There are currently forty-seven (47) employees at this location currently located just outside of LaPorte County. Of those forty-seven (47) individuals, approximately forty (40) of these employees reside in LaPorte County. The total wages amount to \$1.8 Million with an average hourly wage of \$23.50 with benefits. It is anticipated that within two (2) years of the investment, fifty-two (52) new jobs will be created at this location doubling the wages paid to \$3.6 million. The total proposed investment is slightly over \$14 Million which includes land, the new structure and equipment.

Mr. Reardon stated that the current site is thirty-three (33) acres. He also commented that currently there are no utilities at this site as it is not in the City of Michigan City. Mr. Reardon reported that they have received estimates of the cost to run public utilities to the site in the

amount of approximately \$190,000.00. He stated that the City of Michigan City, in cooperation with the County, will share in these costs along with the State of Indiana. Mr. Reardon commented that unlike the situation with VanAir, this is a location close enough to one of the municipalities that is able to provide utilities.

Mr. Reardon is recommending ten-year abatements on real and personal property for Palatek, Inc. as well as assistance with financing. He commented that the County would see tax benefits, theoretically, of \$640,000.00. Mr. Reardon stated that Palatek, Inc. shall remain in compliance with their Statement of Benefits to be filed on an annual basis with the County regarding investment and employment information. He commented that if Palatek, Inc. is not in substantial compliance with their Statement of Benefits, the County may rescind tax abatement and/or other grants. Mr. Reardon also recommended that the County consider utilization of the forgivable loan fund of \$60,000.00 to take the utilities on Hwy. 20 back to the necessary portion of the property since they do have to have a setback. This has been discussed with Palatek and they are in agreement with that and the repayment provisions set forth should they not meet the requirements.

Mr. Reardon stated that the company has also requested assistance with industrial revenue bonds. He reported that Palatek, Inc. has gone forward and made application to the Indiana Finance Authority and received conditional approval of financing up to \$10 million. The County, essentially, would need to affirm that they would approve State participation in the financing. Mr. Reardon commented that this is about the company's ability to go out on their own and access a federal program to qualify for tax exempt financing. He stated that Palatek has petitioned to do that through partnership with Michigan City.

Mr. Reardon stated that John Regetz, Michigan City Economic Development Corporation, and Richard Deahl, Barnes & Thornburg, are here to answer any questions regarding approval by the Michigan City Council or any other questions there may be. Palatek has agreed to use common construction wages for this project and they also agree to make every attempt to hire LaPorte County residents for the balance of the positions according to Mr. Reardon.

Mr. Ludlow asked about the \$60,000.00 in the forgivable loan from the Economic Development Fund. Mr. Ludlow stated that \$60,000.00 was mentioned and then in the next sentence one-third (1/3) of the cost was mentioned; is the \$60,000.00 the one-third (1/3)? Mr. Reardon responded that \$60,000.00 would be in addition to the one-third (1/3) but, including the prior commitment to VanAir and to this company and covering the match, there is enough money currently in that fund to handle what has been proposed including the budget request from the Redevelopment Commission. Mr. Ludlow asked Mr. Reardon if he has a sense of what the one-third (1/3) cost will be? Mr. Reardon replied that it would be approximately \$65,000.00.

Mr. Reardon commented that there is good cooperation across the board from Michigan City. Mr. Regetz delivered and read a letter to the Council from Mayor Chuck Oberlie regarding this project and asking for the Council's favorable consideration of the abatement request by Palatek, Inc.

Mr. Yagelski stated that he knows some of the employees who work at Palatek and everyone speaks highly of the company. He commented that he has noticed when he passes by Palatek on the way to the Mills that they have expanded throughout the years.

Mr. Cooley commented that because he meets with Mr. Reardon, Mr. Regetz and several of the developers in the City of LaPorte, they do work as a team. He stated that to see success stories come out of these meetings is absolutely great and, not only is it nice to see new companies coming into LaPorte County, they are good paying jobs also. Mr. Cooley commented that this company builds commercialized air compressors and they do all of the work and will build everything in Michigan City to ship all over the world.

Mr. Reardon asked that a public hearing be set for May 21st. He stated that he will be working with Attorney Baugher regarding the language for the loan to be tied into specific performance standards for the building construction and job creation. Attorney Baugher commented that legal counsel from South Bend has provided him with the paperwork for the bond issue.

Mrs. Shuter read the resolution by title only: “RESOLUTION 2007-02, DECLARATORY RESOLUTION, A RESOLUTION OF THE LAPORTE COUNTY COUNCIL DECLARING A PORTION OF LAPORTE COUNTY, INDIANA, AN ECONOMIC REVITALIZATION AREA PURSUANT TO IND. CODE 6-1.1-12.1-1, ET SEQ., FOR: PALATEK, INC AND/OR ITS AFFILITATED REAL ESTATE HOLDING COMPANY (REAL PROPERTY).”

Mr. Jones made a motion to declare Palatek, by way of Resolution 2007-02 before the Council on real property, an Economic Revitalization Area (Real Property) in Coolspring Township, 33.69 acres, and grant the Council President permission to sign the resolution. Mr. Yagelski seconded. Motion carried 7 – 0 by voice vote.

Richard Deahl, Barnes & Thornburg, commented that there is one additional resolution related to the personal property aspect that he asked the Council to consider as well so that the property is designated as an ERA for personal property as well as real property. Mr. Jones made a motion to approve Resolution No. 2007-03 confirming an Economic Revitalization Area (Personal Property) in Coolspring Township and to grant the Council President permission to sign the resolution. Mr. Cunningham seconded. Motion carried by voice vote 7 – 0.

Steve Van Loan, President of Palatek, thanked the Council for their consideration. Mr. Cooley welcomed the company to LaPorte County and thanked Mr. Reardon and Mr. Regetz for their assistance.

MINUTES: Mr. Ludlow made a motion to approve the minutes of the Regular Meeting of March 26, 2007, the Solid Waste Workshop, Council and Commissioners Workshop and VanAir Public Hearing also held on March 26, 2007, as presented. Mr. Yagelski seconded. Mr. Jones asked about one set of minutes referring to Budget Public Hearing. Mrs. Layton replied that she caught the error when she proofed the minutes. The motion carried by voice vote 7 – 0.

LIAISON COMMITTEE REPORTS: Mr. Jones mentioned that Joe Ramion passed away on Friday and, if anyone read the obituary, Mr. Ramion had the longest list of public service he has ever seen on non-paid Boards. Mr. Jones stated that Mr. Ramion performed a great service in the more than sixteen (16) years he served as the Council appointment to the Michigan City Library Board and he will be greatly missed. On behalf of the Council, Mr. Jones extended condolences to Mr. Ramion’s family, Nancy, Jeff and Michelle.

Mr. Mrozinski has talked with security and they have gotten the I.D. printer back and it is working. Some fine-tuning needs to be done on the Sheriff's Department cards but they should be underway tomorrow.

Regarding the Veteran's Committee, Mr. Mrozinski reported that on Saturday, April 14th, in the Complex there were approximately eighty (80) LaPorte County Veterans Medals. He also reminded everyone that next Saturday is the monument dedication at 4:00 p.m. in Soldiers Memorial Park on Pine Lake Avenue. Mr. Mrozinski stated that the monument will be dedicated to LaPorte County soldiers who have been killed in Iraq and Afghanistan.

Mr. Mrozinski reminded the Council that the motion regarding the purchase of a tractor for the County Home was tabled at the last meeting so that matter will come up later on the agenda. He stated that the County Home Administrator, Kay Felton, is still in need of a pickup truck but Mr. Young, Highway Superintendent, has been very cooperative with helping out by bring a pickup from the County Highway to use. Ms. Felton plans to continue in that mode.

Mr. Garner, regarding Purdue Extension, stated that the LaPorte County office and Leadership LaPorte County are co-sponsoring an informal session Wednesday, May 23rd, from 4:00 p.m. until 6:00 p.m. at PNC to discuss the Rural Indiana Strategy for Excellence. Mr. Garner stated that this state-wide initiative is to help rural Indiana grow and prosper. Representatives from the Indiana Office of Community and Rural Affairs (OCRA), the agency responsible for developing this strategy, will present the information and answer any questions.

Mr. Garner reported that the Purdue Extension will also have a garden hotline Monday, Wednesday and Friday from 9:00 a.m. until noon.

Mr. Yagleski stated that there will be a meeting with the Health Department regarding the wood-burning issue which has been tabled by the Commissioners. A presentation will be given tomorrow at 6:30 p.m. at the Michigan City Complex. The public is invited.

Mr. Yagelski reported that the County Highway had applied for some FEMA money in February. \$45,000.00 is to be turned back to the County for overtime, etc. to help cover expenses from the winter storms.

Mr. Cooley commented that he has a very busy month as Commissioner Hager has been "dragging" him all over the place. Mr. Cooley, Walt Sell, Purdue Extension Director, and Mr. Hager were invited to Lake County to look at their new County Extension Office. Mr. Cooley stated that it has given Mr. Sell a lot of ideas as to what he wants. Mr. Cooley reported that the first thing out of their mouths was that they thought they were building the office big enough but it should have been built bigger. The building is a "spec" building that Lake County has leased for ten (10) years so they really don't have a permanent place either according to Mr. Cooley.

Mr. Cooley reported on a meeting at PNC regarding economic development people and the Mayors and the Commissioners to talk about what is happening and what needs to be looked at for the future. Changes to the PNC campus were also discussed.

Mr. Cooley commented that the Mayor of LaPorte always wants the County to work together, not only on economic development, but also in other areas such as taking over the City of

LaPorte's animal control. Jane Bernard, Animal Shelter Director, reported to the Commissioners and her liaison that there isn't much money to be offered. Mr. Cooley stated that the only way the County would probably be interested is if the City of LaPorte covered the whole budget with a yearly contract with a raise in how much is paid each year to pick up the cost of the benefits, plus a truck, etc. Mr. Cooley commented that it costs quite a bit of money to pick up animals and that Mrs. Bernard has worked hard. Mr. Cooley believes that a new person would have to be hired.

Mr. Cooley reported that he had an opportunity to meet with Circuit Court Judge, Tom Alevizos, several times on different issues. Judge Alevizos had put Mr. Cooley and Earl Cunningham on the Juvenile Center Board. Mr. Cooley commented that it is a pleasure to work with Tom Alevizos because he was a City Councilman at first, on the State legislation and now he is a Judge and understands how the budget system works. Mr. Cooley stated that he and Judge Alevizos usually talk once a week. Mr. Cooley reported that the justice system is about seventy-three (73) percent of the County budget.

Mr. Cooley had a meeting with the girls' softball team here in the County and they are being asked to find a new spot to play ball from T-ball and on up. They currently play on softball fields at the schools but because of how busy the teams are, the schools are asking for space. Mr. Cooley reported that this group is going to come before the Commissioners and ask to borrow some land so the flood gates are opening up.

Mr. Cooley stated that is a pleasure to be working with the Council and the Commissioners to come up with some plans on how to utilize the Major Moves dollars. The direction NIRPC is going has been discussed. Mr. Cooley reported that on NIRPC's final plan regarding the bypasses, such as the connected bypass that goes all the way from the Michigan state-line all the way into Wisconsin, it would be nice if we could, in working with the Parks and the County, improve some roads with some bypass connecting LaPorte and Michigan City.

REPORTS BY DEPARTMENT HEADS:

EMS: Pat Pease, EMS Administrator, requested that a twenty (20) per cent local match be set aside so that she can proceed with an application for the 2007 Assistance to Firefighters Grant which was not open to EMS organization until last year. She would like to apply for two projects that are modifications to facilities. All three (3) bases are currently in need of vehicle exhaust removal systems in the garages to remove the diesel fumes and the diesel particles in the air. The second project would be back-up natural gas power for the Michigan City base and the Wanatah base. Mrs. Pease is asking that the request not exceed \$25,000.00. She did attend the FDIC Convention on Friday in Indianapolis, a fire-fighters convention, and met with a lot of the vendors. Therefore, she believes \$25,000.00 is a high amount and the amount needed would be more like \$18,000.00 based upon \$90,000.00 total if we get the award. Mrs. Pease stated that the grants probably won't be awarded until November or all the way up to March of 2008 but the application period is now.

Mr. Jones made a motion to approve application for this grant with a twenty (20) percent match from the County. Mr. Ludlow seconded. Mr. Cunningham asked if the motion should include a maximum amount not to exceed? Based upon the information provided, it was decided that the motion stands.

Roll call was taken.

Mrs. Shuter:	Councilman Yagelski:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye
	Councilman Jones:	Aye
	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Garner:	Aye

Motion carried 7 – 0.

COOLSPRING TOWNSHIP: Since Pam Kieft, Coolspring Township Assessor, was at a meeting and could not be in attendance, Donna Melson, Deputy Assessor, referred to the handout distributed regarding new computer equipment and a printer to be purchased from the Reassessment Fund. Ms. Melson referred to a letter from Carol McDaniel, County Assessor, agreeing to appropriate the money from the Reassessment Fund. The quotes have been provided by the IT Department. Mrs. Shuter explained that there is a balance of \$162,500.00 from the \$200,000.00 approved for the tax system in the Reassessment Fund, Purchase of Equipment, and when Mrs. Kieft called it sounded like an urgent situation. Mrs. Shuter stated that if the Council is in agreement with this request the claim can be processed and then next month the money will be advertised to replenish the account.

Mr. Ludlow made the motion to approve \$6,978.00 and Mr. Jones seconded. Roll call was taken.

Mrs. Shuter:	Councilman Ludlow:	Aye
	Councilman Jones:	Aye
	Councilman Garner:	Aye
	Councilman Yagelski:	Aye
	Councilman Cooley:	Aye
	Councilman Mrozinski:	Aye

Councilman Cunningham left the room for a few minutes and was not present for the vote. Motion carried 6 – 0.

PUBLIC COMMENTS: There were no comments.

TRANSFERS:

CENTER TOWNSHIP: Mike Schultz, Center Township Assessor, explained that his predecessor paid the Field Deputies every two (2) weeks whether they did anything or not. He reported that his office has not had to pay anything for the first four (4) months which represents a savings of \$6,000.00. Mr. Schultz commented that he has a staff of three (3) employees that are all capable of doing the job of inputting data collection and he goes out and does most of the field work himself because he feels that he is responsible and if it isn't correct, it's his fault that he didn't figure correctly or missed something.

Mr. Schultz stated that the desks in his office, his is wood and the others metal, are not computer accessible or user friendly for the employee or taxpayer, are small and the drawers fall out when opened. He stated that his predecessor was frugal when it came to furniture and most the furniture in the office is hand-me-downs.

Mr. Yagelski made a motion to approve the transfer of \$4,581.34 from 100-10116-000-128, Field Deputies, to 100-41004-000-128 Office Equipment/Furniture. Mr. Garner seconded. Mr. Ludlow asked if the amount covers all four (4) desks and is this request the same thing advertised under Win Tax? Mr. Schultz replied that it is for four (4) desks and he wanted to give the Council the option to take the money out of the General Fund or the Win Tax Fund. Roll call was taken.

Mrs. Shuter:	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Yagelski:	Aye
	Councilman Garner:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye

Motion carried 7 – 0.

SOIL & WATER: Mr. Cooley asked if there was clarification as to why the money in the Soil & Water Budget, Professional Services, isn't being used. Mrs. Shuter replied that the Lawson-Fisher contract is being paid through the Commissioners' Budget and not paid through the Plan Commission as previously suggested. Mr. Cooley asked if the amount should be taken out of the Soil & Water Budget for next year?

Rick Brown, MS4 Coordinator, commented that he had talked to Ray Hamilton, Plan Commission, about the money and he said that there was money put in the budget in case something ever arose so there would be money for professional services. Mr. Brown stated that the five (5) entities that make up the MS4 in our community each pay, based upon population, a percentage of the bill to Lawson-Fisher which he thought is paid through Mr. Hamilton's budget from the County portion. Mr. Brown stated that basically the money has been "sitting" there and he would like to use some of it to transfer in order to update his laptop.

Mr. Cooley commented that the contract should be reviewed because, according to the Mayor, when the MS4 Office was setup, the equipment was to be split up between all five (5) entities; if this is the way the contract is setup, then the others need to be billed for their portion so that the County doesn't pick up the whole tab. Mr. Brown stated that he isn't sure who wrote up the Inter-local Agreement but he believes it was between Soil & Water and the MS4 Advisory Board. Mr. Cooley commented that, if approved, the County could pay the invoice and bill the other entities.

Mr. Ludlow made a motion to approve the transfer of \$2,500.00 from 100-30135-000-158, Professional Services, to 100-41001-000-158, Computer which was seconded by Mr. Mrozinski. Motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/SUP. COURT NO. 1/GENERAL FUND: Judge Kathleen Lang, Superior Court No. 1, reported that they have had an unusual situation in the first four (4) months of the year where there have been three (3) competency evaluations with are statutorily mandated. According to Judge Lang, Each defendant whose competency to stand trial is at issue must have an evaluation completed by one psychiatrist and one psychologist. She commented that historically \$2,000.00 would cover the expenses for the year but since this isn't the case this year, she is requesting an additional appropriation of \$4,000.00.

Mr. Yagelski made a motion to approve this request and Mr. Mrozinski seconded. Roll call was taken.

Mrs. Shuter:	Councilman Jones:	Aye
	Councilman Garner:	Aye
	Councilman Yagelski:	Aye
	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye

Motion carried 7 – 0. Judge Lang guaranteed that she will keep looking at those pennies regarding her budget.

ADDITIONAL APPROPRIATIONS/HIGHWAY/CEDIT: Mr. Jones made a motion to approve \$1,750,000.00 as advertised in the CEDIT Fund for the County Highway Department. Mr. Yagelski seconded. Roll call was taken.

Mrs. Shuter:	Councilman Cooley:	Aye
	Councilman Yagelski:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Cunningham:	Aye
	Councilman Garner:	Aye
	Councilman Mrozinski:	Aye

Motion carried 7 – 0.

ADDITIONAL APPROPRIATION/HIGHWAY/CUM. BRIDGE: Mr. Jones made a motion to approve \$116,000.00 as advertised in the Cumulative Bridge Fund for Bridge 06-30. Mr. Ludlow seconded. Roll call was taken.

Mrs. Shuter:	Councilman Cunningham:	Aye
	Councilman Cooley:	Aye
	Councilman Yagelski:	Aye
	Councilman Garner:	Aye
	Councilman Mrozinski:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye

Motion carried 7 – 0.

ADDITIONAL APPROPRIATION/COUNTY HOME/CCD: Mr. Yagelski made a motion to take this request off of the table and Mr. Ludlow seconded. Motion carried 7 – 0 by voice vote. Kay Felton, County Home Administrator, commented that there has been much discussion regarding this request for a tractor and it isn't that they don't want the tractor. She reported that at the County Home, they do everything themselves and they don't outsource anything. In order to get the projects done, she needs equipment. Ms. Felton stated that she was approved for a Kubota and the only question she had about it is that it will not come with a mower deck, which is needed, but it is too late to ask for it as it hasn't been advertised. She is sure that the Kubota is a commercial grade so that is what she is here tonight to ask for.

Mr. Mrozinski stated that to get the record straight on how the discussion regarding the different tractors went, the Commissioners came up with the idea of the tractor. Mr. Mrozinski got three (3) bids on American-made John Deere tractors with a mower deck because Ms. Felton had discussed the seven (7) acres of grass to cut. He stated that the morning of the Commissioners' Meeting was the first he saw the Kubota, which was not part of the three (3) bids, and it was \$3,000.00 more than the John Deere tractors. Mr. Mrozinski commented that the John Deere tractors he looked at were of commercial grade and, for the record, it was said they weren't big enough. He stated that John Deere makes way bigger tractors than Kubota does if you want a bigger tractor.

Mr. Mrozinski commented that when the mower deck was discussed, it was stated that a mower deck could be added later. A Commissioner also brought up the fact that he was considering contracting out the grass cutting. Mr. Mrozinski asked if there were any bids on that? Mr. Hager responded that there was one back today. Mr. Mrozinski wanted to make sure that everyone understands, as far as the comments about the difference between the John Deere and Kubota as to what is American-made and what isn't, with John Deere the profits stay in the United States and with the Kubota they do go back to the "Land of the Rising Sun."

Mr. Yagleski made a motion to table this request for thirty (30) days in order to get the contract matter worked out. Mr. Garner seconded. Roll call was taken.

Mrs. Shuter:	Councilman Yagelski:	Aye
	Councilman Mrozinski:	Aye
	Councilman Ludlow:	Nay
	Councilman Jones:	Nay
	Councilman Garner:	Aye
	Councilman Cunningham:	Nay
	Councilman Cooley:	Nay

Motion to table failed 4 – 3.

Mr. Jones commented the he believes that the idea of contracting out the lawn services was with Michiana Industries which had some merit. Mr. Jones further stated that if we are just getting bids on local landscapers, Mrs. Felton has a staff that doesn't mind mowing the grass. Ms. Felton stated that there is more than just mowing in maintaining the grounds. Mr. Jones asked if this is a relief for overburdened staff or do the employees still want to mow the grass? Ms. Felton responded that they don't mind, they just need the equipment to do it. She reminded that they do have a nice Chopper but she has two (2) employees on the maintenance crew and while one is on the Chopper, the other one is push mowing; if he had another tractor,

then they could get a lot done as they would like to use it all year around. Mr. Cooley commented that when he talked to maintenance they were using the Dixie Chopper to try pulling things and to lift limbs, etc. so they would like the tractor to use for these jobs and also to use it in the winter-time for plowing. Ms. Felton stated that Mr. Young has helped her out on several different occasions but he will get tired of seeing her as there is a long list of things that need to be done.

Mr. Yagelski is pleased that Mr. Mrozinski clarified the American-made companies and he believes that the tractor should be bid out properly including the deck and that is the reason he thought thirty (30) days would be a good grace period to come back to the Council and give a presentation of what is exactly needed. He agrees that something is needed but he wants to see it done the right way. Ms. Felton asked if she should get more bids? Mr. Yagelski responded that maybe not more, but specifically what is needed and not just on a whim by somebody at a meeting to say “what about this?”

Mr. Cunningham agrees with his esteemed colleague to the left, Mr. Jones, regarding micromanagement. He asked what Ms. Felton wants? It’s not what Mr. Mrozinski wants or the Commissioners want as she is running the Home. Mr. Cunningham asked which she would prefer or does she feel like she is caught in the middle? Ms. Felton responded that she is caught in the middle. Mr. Cunningham asked if Ms. Felton has an active Board. She responded that she does have an Advisory Board. Mr. Cooley asked what is the pleasure of the Council?

Mr. Jones made a motion to approve \$15,548.00 for a tractor and Mr. Cunningham seconded. Roll call was taken.

Mrs. Shuter:	Councilman Cunningham:	Aye
	Councilman Garner:	Nay
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Nay
	Councilman Yagelski:	Nay (Because there is no proper bid.)
	Councilman Cooley:	Aye

Motion carried 4 – 3. Mr. Jones commented for the record that there doesn’t need to be a bid; just three (3) quotes are needed. Mr. Yagelski stated for the record that there is an Advisory Committee and they did not all collectively come to the same decision.

ADDITIONAL APPROPRIATION/PARKS & REC/CCD: Tim Morgan, Parks Department Superintendent, reported that the Park Board, as well as the County Commissioners, have reviewed the needed repair work. Mr. Morgan reported that the request has been lowered from \$200,157.00 to \$148,957.00. This request is advertised in the Cumulative Capital Development (CCD) Fund and the River Boat Admissions Tax Fund. There are three (3) separate projects proposed.

The first project is to repair the existing chip and seal road with asphalt at Creek Ridge County Park. He explained that with the hard winter we had and the long, extended freeze there are blown up roads. The current chip and seal was done in 1992 and nothing has been done to the road since. This road is in the five-year Master Plan.

The second project is regarding drainage work at Creek Ridge. Mr. Morgan has been working with Bob Young, County Highway Superintendent, to look at the situation. It seems that it would be best to address the drainage problem while the road is torn up.

The third project, also in the Plan, is to pave the existing gravel entrance road and parking lot at Red Mill. Mr. Morgan commented that a paved surface with lines lends itself to better parking along with taking care of accessibility issues.

Mr. Morgan reported that there are approximately three hundred (300) people who come to Creek Ridge on any given Saturday or Sunday, May through September and all three (3) shelters are rented out almost entirely which is the same circumstance for Red Mill.

Mr. Yagelski asked how much is the CCD Fund? Mrs. Shuter responded that there is approximately \$1.9 Million in uncommitted cash. Therefore, Mr. Yagelski made a motion to approve \$148,957.00 from the CCD Fund. Mr. Cunningham seconded. Roll call was taken.

Mrs. Shuter:	Councilman Cunningham:	Aye
	Councilman Cooley:	Aye
	Councilman Yagelski:	Aye
	Councilman Mrozinski:	Aye
	Councilman Ludlow:	Aye
	Councilman Jones:	Aye
	Councilman Garner:	Aye

Motion carried 7 – 0.

ADDITIONAL APPROPRIATION/ECONOMIC DEVELOPMENT: Shaw Friedman commented that the Council has worked closely with the County Commission in attempting to generate economic development and job creation activity. He referred to tonight's activity regarding Palatek. He also noted that there is the highest degree of cooperation between the cities, County and Purdue North Central than has been seen in a long time. Mr. Friedman stated that with the Council's support and backing, the County Commission has developed an economic development team and Matt Reardon is the quarterback as he chairs the economic development activity. He also commented that Mr. Reardon is working very closely with an outstanding Redevelopment Commission along with Karl Cender, the financial advisor, and Phil Faccenda of Barnes and Thornburg.

Mr. Friedman stated that the Redevelopment Commission has brought forth a request for a budget for start-up funds to allow for some of the promotion and marketing that needs to occur to do some of the GIS overlapping that will help with economic development activity for prospective developers. He commented that there is also a small administrative fee for one of the assistants to the County Commissioners, who is doing time outside of regular work for the County Commissioners, to help serve the Redevelopment Commission. The total request is for \$56,000.00.

Mr. Reardon commented that Melissa Mischke, GIS Coordinator, is present to answer any questions regarding the Web/GIS capability. The \$10,000.00 for marketing materials would be used in cooperation with John Regetz's group. Mr. Regetz has some materials with him about LaPorteCounty.Biz regarding the marketing standpoint of the County which is being done with

the cooperation of Michigan City and LaPorte along with Purdue as well. Mr. Reardon stated that \$18,000.00 is requested for consultant fees regarding the creation of an allocation area for upcoming projects on 421/94 and the \$2,000.00 is requested for the administrative assistance after 4:30 p.m.

Mr. Reardon reported that the statute, 6-1.1-12.1-14, allows the County Council to pass an ordinance that will allow the Council to negotiate with companies up to 15% of the annual savings or up to \$100,000.00 per year. Mr. Garner asked who actually pays 15% or \$100,000.00? Mr. Reardon responded that the way the statute is written, it is the company. He stated that it would work similar to the way the Enterprise Zone worked back in the day when there were inventory savings. Mr. Reardon commented that there are other communities that have imposed a fee and they haven't really been tested statutorily. He stated that Munster collects 1% of the total project that would go into the fund for economic development.

Mr. Yagelski asked about the involvement of GIS. Ms. Mischke reported that the plan is to have the mapping component so that when a parcel number is typed in, an aerial shot of the property at that location can be viewed and, in addition, the local assessment information and tax data can be tied in along with giving information regarding city sewer and water or other amenities. Mr. Yagelski asked if this information is being put on the web? Ms. Mischke replied that it is on the web. She talked to NIPSCO this morning and they are in agreement that we want to share each other's data. Ms. Mischke commented that the effort now is to get access to the data at the County level and promote it up to the Internet. Mr. Yagelski stated that it has taken four (4) years to get to this point.

Mr. Yagelski asked what the standing is of getting services under I-94? Regarding the utility extension, Mr. Reardon reported that Beam, Longest & Neff is progressing with that project and are on their timeline with regards to the development. They plan to break ground in 2008. Mr. Yagelski feels that we have lost sight of the public input. There were committees formed but no one was ever contacted. He stated that there was a report to be finalized and paid for through Ball State University, but there has never been anything received. Mr. Yagelski is not criticizing the steps taken, but he is considering the base that started the whole thing and is upset that the public wasn't involved in this because there was a lot of good input. Mr. Reardon commented that he can't speak to the issues of retaining Ball State to do the planning project but he is as anxious to receive that information from an economic development planning standpoint as it makes things easier when he has information about what specific areas are targeted for what specific type industries, housing, etc. Mr. Reardon stated that both Mayors are also waiting for the information but it is his understanding it is still pending.

Mr. Friedman reiterated that there has never been more communication or cooperation between the Economic Development Corporations of Michigan City and LaPorte. They are sharing tips on prospects and G.I.S. will help with prospective developers if we can give them real-time information, sites, assessment, values, etc. Mr. Friedman stated that this is the vision from four (4) years ago.

Mr. Cooley commented that the last meeting they had as a group, both Mayors sent a letter to Ball State because they are dragging their feet and everyone is waiting for the information.

Mr. Ludlow questioned since this is a County budget, would claims be provided to the Auditor and it would be paid that way for any of the work done? Mr. Friedman replied that there would be normal claim processing with the assistance of the Auditor's Office. Mr. Ludlow asked if this will be a new budget to address at the hearings? Mr. Friedman responded that this is the intention. He also stated that it is their hope that this budget will become self-supporting if the Council will consider an ordinance that will allow the County to recoup a portion of the abatements. This budget would be a start-up budget. Mr. Ludlow asked what the secretary would be paid, just so it is in line with all others. Mr. Reardon stated that he assumed it would be whatever the hourly rate of pay she is compensated from the County. Mr. Ludlow responded that there are other secretaries for other Boards that are paid a flat fee and he would like to make sure that this one stays in line with the other Boards.

Mr. Ludlow made a motion to approve the budget as presented. Mr. Jones seconded. Roll call was taken.

Mrs. Shuter:	Councilman Yagelski:	Aye
	Councilman Mrozinski:	Aye
	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Garner:	Aye
	Councilman Ludlow:	Aye
	Councilman Jones:	Aye

Motion carried 7 – 0. Attorney Baugher will be working on the ordinance regarding standards.

ADDITIONAL APPROPRIATION/SOIL & WATER/WIN TAX: Sheila Batchelor, Office Manager of Soil & Water Conservation District, was in attendance. Mr. Jones made a motion to approve \$4,857.00 as requested and Mr. Ludlow seconded. Mr. Yagelski asked Mr. Bohacek where we stand on the three (3) offices put into one building? Mr. Bohacek responded that there are a couple of options; to purchase an existing structure, remodel the barn or build a new structure by the Fairgrounds. Mr. Bohacek commented that they are still looking at relocation with the Hiler Building purchase if it goes through. Mr. Ludlow stated that at the workshop, the comment was made that those offices wouldn't be moved to the Hiler Building. Mr. Bohacek responded that he doesn't think they will move to the Hiler Building and they are looking into other structures; Mr. Mrozinski has given him a building to look at out by the airport. Mr. Ludlow asked if anything had been put out for bid yet? Mr. Bohacek responded, "No, it has not." Mr. Bohacek stated that he understands the frustration with the Commissioners but in respect to Soil & Water and the dollars they are requesting for a one-year lease on a building that is needed, with phone service, computer access, a meeting room and internet access, it is a bargain and ridiculous if it is not approved.

Mr. Mrozinski commented that it would be unfair to hold Soil & Water hostage in an issue that boils down to cooperation between the Council and the Commissioners. He asked that the Commissioners be more open and show more cooperation because there are people on the Council that are willing and able to help settle this, and they have been trying, but are "spinning their wheels" if they don't get some cooperation from the Commissioners.

Mr. Cooley asked if this lease is for one year? Ms. Batchelor responded that this is an annual lease for 2007 and in 2008 the amount of the lease will increase. Mr. Bohacek commented that the Commissioners have been grappling with office space particularly for the Extension Office and Soil & Water for awhile so they will get some results. Roll call was taken.

Mrs. Shuter: Councilman Yagelski: Aye
Councilman Mrozinski: Aye
Councilman Ludlow: Aye
Councilman Jones: Aye
Councilman Garner: Aye
Councilman Cunningham: Aye
Councilman Cooley: Aye

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/COMMISSIONERS/WIN TAX : Advertised in the Win Tax Fund was \$54,250.00 for IKON. Mr. Bohacek explained that this request is to allow IKON to continue with the project and embrace the Health Department, the Building Department and EMS. He stated that the EMS units would be equipped with computers and will be able to download GPS data along with previous call activity.

Mr. Yagelski commented that IKON is doing a great job but the original request was for them to solve the County's problem with fax machines, copiers, etc. so that we will get on a centralized system. Mr. Bohacek stated that he sees the number of fax machines county-wide and there are other services available whereby a fax server can be utilized, each employee would be issued a fax number, and the fax would come right to their e-mail. Mr. Yagelski commented that it has been four (4) years and this matter needs to be completed this year because that, along with the other projects, is where the money savings comes from. Mr. Bohacek stated that perhaps this needs to be put on the priority list.

Mr. Yagelski made a motion to approve \$54,250.00 as requested and Mr. Ludlow seconded. Roll call was taken.

Mrs. Shuter: Councilman Jones: Aye
Councilman Garner: Aye
Councilman Cunningham: Aye
Councilman Cooley: Aye
Councilman Mrozinski: Aye
Councilman Ludlow: Aye
Councilman Yagelski: Aye

Motion to approve carried 7 – 0.

Mrs. Shuter asked permission to have the Scope of Work signed by the President. Mr. Ludlow seconded and Mr. Cunningham seconded. Motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/COMMISSIONERS/RIVER BOAT ADMISSIONS:

Mr. Hager and Mr. Bohacek addressed the Council regarding the request of \$789,500.00 to purchase the Hiler Building located at 555 Michigan Avenue, LaPorte. Mr. Hager stated that five (5) years ago the Commissioners came to the Council but, at that time, the cost was too high. It has been the intention all along to take everything out of the Courthouse and remodel it. Mr. Hager commented that this needs to be done before there is a catastrophe. He stated that a mechanical room could be put in the Hiler Building so that everyone could use the same machine instead of everyone having their own. Mr. Hager commented that there will be some inconveniences during remodeling but the Commissioners want to get the Courts into the Courthouse and have a separate office complex. Mr. Bohacek stated that this matter is on the priority list.

Mr. Hager commented that when the outside of the Courthouse was renovated the vents were opened. This causes it to be cold when the wind is blowing but the quality of air is 100% better in the offices.

Mr. Bohacek stated that this would create a unique opportunity where the County services can be in one place. He commented that Mr. Jones had a good suggestion to work with the City and have them vacate a portion of the road to create usable space for parking, etc. Mr. Bohacek commented that Maintenance personnel have walked through the building and inspected it. There is some question about ADA accessibility that is being check out. Mr. Bohacek stated that the small elevator needs to be brought up to ADA compliance.

Mr. Jones commented that he had one call at his home from a disabled individual who asked if the existing buildings will be made ADA accessible. Mr. Jones stated that he believes that the Commissioners have been working on this matter but he wanted to publicly affirm that this is so. Mr. Jones commented that there is a nice ramp to the walkway but he asked if the doors where the walkway meets the complex will be electric in the future? Mr. Hager responded that they were supposed to be a long time ago. Mr. Bohacek reported that there was an Executive Session with DLZ and Larson-Danielson to discuss this issue, along with a couple of other issues, and the retainage on the walkway will be withheld until completion.

Mr. Yagelski asked if we have gotten anywhere regarding why the Commissioners' attorney paid the Larson-Danielson bill without any authorization? Mr. Hager responded that he doesn't know but when it came up, he and Mrs. Huston were both opposed to it and then all of a sudden, the bill was paid. Mr. Mrozinski has been wondering about this himself and he stated we need to find out how the bill was paid since, if all three (3) Commissioners said not to; then we need to know why. Mrs. Shuter responded that Mr. Szilagyi called the Auditor's Office two or three times and the Auditor's Office was instructed to pay all but approximately \$41,000.00 being held in retainage. Mr. Szilagyi stopped in to verify that the claim was being paid. Ms. Gillard had sent down a purchase order that was corrected and the bill was paid based upon the assumption that Mr. Szilagyi is the Commissioners' attorney, the instruction came from him and all three (3) of the Commissioners' signatures were stamped on the purchase order. Mrs. Shuter asked for clarification if this practice is not acceptable; then the Auditor's Office needs to be made aware immediately. Mr. Hager responded that ever since then, he has told their secretary that she does not stamp their signatures. Mrs. Shuter reiterated that this is something that the Auditor's Office needs to know.

Mr. Mrozinski reported that he went to the Hiler Building and he noticed that some things need to be brought up to code. He commented that the elevator is 4'6" square and he is assuming that a bigger elevator and shaft will need to be put in. Mr. Mrozinski stated that the request for approximately \$800,000.00 is only for the building and will only give an opportunity to spend a whole lot more. He reported that the hallway leading to the elevator is 4' wide. Mr. Bohacek responded that, according to Building Inspector, Ray Hamilton, the interior walls can be moved easily as steel studs and drywall have been used. Mr. Bohacek asked Al Ott, Stationary Engineer, if the elevator is ADA compliant? Mr. Ott responded that it depends upon the door; 3' is required. Mr. Ott commented that the door going out to the sidewalk is a 4' door. Mr. Bohacek asked again if the elevator is ADA compliant? Mr. Ott commented that 3' is required for a wheelchair and if someone is with that wheelchair, it will be close. Mr. Mrozinski stated that it could cost a couple of hundred thousand dollars just to address the elevator. He also commented that there was some question regarding the air conditioner. Mr. Ott stated that he believes the air conditioner has been upgraded.

Mr. Hager commented that when the Hiler Building was looked at the first time, the air conditioner, the heat and the roof was a big problem. Mr. Hager also reported that since then they have come down on the price and they have put a new roof on it along with upgrading all of the heating, etc. Mr. Mrozinski referred to the quote of \$21,000.00 provided by Darlene Hale, IT Director, to hook the County Complex to the Hiler Building, plus the building would need to be wired for the office to have access to the computer line. Mr. Bohacek responded that to hard wire the building would be a waste of money since wireless technology is so inexpensive even though having the fiber there is certainly a benefit.

Mr. Bohacek commented that part of the reason to purchase the building is to facilitate a move while rehabilitating part of the Courthouse so there will be a cost savings in doing so. He stated that whenever a building is purchased, certain things need to be done to bring it up to fit the needs. Mr. Bohacek is more concerned with the ADA requirements than he is about the cost of running a fiber line to it because those are certainly more significant dollars even though these are all real costs. Mr. Mrozinski questioned if this is a long-term commitment. Mr. Hager commented that we have to have some office space and, with bartering with the Mayor to vacate the street in between, we will gain twenty-six (26) more parking spaces.

Mr. Mrozinski asked about the offices currently occupying the Hiler Building. Mr. Bohacek responded that their leases will be allowed to run until they totally expire and they will not be renewed. Mr. Hager commented that he hadn't heard about this.

Mr. Ludlow commented that we keep talking about additional office space. He stated that we don't need this building because we are going to be bringing offices back into the Complex but we are getting it strictly to remodel. Mr. Ludlow stated that the question becomes, you remodel the second floor, you consolidate the Clerk's Office, then you move Superior Court No. 3 over to the Courthouse; what do you do with that space? Mr. Ludlow commented that he is looking for the answer to if this is a three-year, five-year or seven-year plan and that we get these desks off of wheels and stop moving them around. Mr. Hager responded that this is his hope and his plan, if it could be done, to put all of the offices over there (Hiler Building) including the Health Department and EMS and he would bring Work Release to the third floor of the Complex. Mr. Hager commented that the Complex would be secured with E-911, the Jail, etc.

Mr. Cooley referred to the number of break rooms in the plans for E-911 and those offices that will occupy the old museum space. He cannot justify break rooms but maybe an exercise room could be considered to help reduce health costs. Mr. Cooley referred to the prior office study and stated that a building three times bigger would need to be built for everyone's wishes. He asked that it not be handed to the offices; give them the square footage they need to run business. Mr. Cooley thinks if we are going to buy the Hiler Building, we should utilize what we have if that takes not building a building for the County Extension Office, Soil & Water and Solid Waste since we would have enough space. He stated that we don't need a lot of buildings. Mr. Cooley commented that, as Mr. Ludlow said, if the Judge is going to move to the Courthouse there will be extra space and maybe we need to look at moving some of the other offices.

Mr. Bohacek commented that he was confused since, when Councilman Ludlow asked about the plan for the other three (3) offices, and he said the Commissioners may utilize the Hiler Building... Mr. Ludlow responded that at the workshop last week it was specifically said by Commissioner Huston that those three (3) office would not be moved in there. Mr. Ludlow stated that Mr. Bohacek may already have left the workshop when that comment was made. Mr. Hager commented that the Auditor's Office needs more room; one person sneezes in there and everyone gets a cold plus an employee opens a drawer and everyone stops because they can't move until they close the drawer to get by.

Mr. Cooley stated that he believes it will be more acceptable to the taxpayers when we start looking at concentrating everything. If the County is buying a whole new building and is moving the Judge from the basement and moving E-911, and Emergency Management doesn't need that much room there, then we could use that space. Mr. Bohacek commented that Bill Poag is being moved to the basement also. Mr. Hager stated that Emergency Management does need a room that can be locked down.

Mr. Yagelski made a motion to approve \$789,500.00 for the purchase of the Hiler Building. Mr. Ludlow seconded.

Mr. Mrozinski asked about the comment made by Mr. Hager regarding moving the Health Department to the Hiler Building. He commented that he specifically asked Commissioner Huston about that at the workshop last week and she said absolutely not since they are to be expanded where they are and it would cost too much to move them. Mr. Mrozinski stated that the Commissioners need to get together on these issues. Mr. Bohacek commented that a portion of the Health Department will stay where it is because of the lab and moving it across the street would be cost prohibitive; the shot clinic could be moved over in order to be on ground level. Roll call was taken.

Mrs. Shuter:	Councilman Yagelski:	Aye
	Councilman Cooley:	Aye
	Councilman Cunningham:	Aye
	Councilman Garner:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Nay

Motion to approve the purchase carried 6 – 1.

Mr. Cooley asked that the Commissioners bring a plan for the Hiler Building. Mr. Hager responded that Mr. Ott has the plans and the Council should feel free to stop in to see them.

ADDITIONAL APPROPRIATION/BEACH ACT GRANT: Mr. Jones made a motion to approve \$19,321.00 as advertised and Mr. Ludlow seconded. Roll call was taken.

Mrs. Shuter:	Councilman Garner:	Aye
	Councilman Cunningham:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye
	Councilman Cooley:	Aye
	Councilman Yagelski:	Aye

Motion to approve carried 7 – 0.

OLD BUSINESS:

HUMAN RESOURCES ORDINANCE:

Mr. Cooley reported that there was a joint meeting with the Commissioners and attorneys. Mr. Garner made a motion to take this matter off of the table and Mr. Ludlow seconded. Motion carried 7 – 0 by voice vote.

Attorney Baugher commented that the meeting went well and that an agreement was reached regarding this ordinance even though he hasn't seen the draft yet. Attorney Baugher feels that we are back to where whoever is hired is hired with some standards along with being hired, disciplined and terminated jointly by the Council and the Commissioners. Mr. Mrozinski also attended the meeting and expressed that he is glad that we are moving forward. Attorney Baugher stated that he will call Attorney Szilagyi regarding drafting the ordinance.

Mr. Yagelski made a motion to vote down Ordinance No. 2007-01 and Mr. Ludlow seconded. The motion carried to DENY by voice vote 7 – 0.

NEW BUSINESS:

ORDINANCE FOR SHERIFF:

Mrs. Shuter affirmed that the State Board of Accounts requested that an ordinance be adopted for the Sheriff's Department regarding deposit of monies into an educational fund. Mrs. Shuter read by title only on first reading, "An Ordinance to Allow Notice to Quit and Eviction Notice Fees to be Receipted into the Continuing Education Fund for the LaPorte County Sheriff's Department." Mrs. Shuter explained that there is some language that needs to be adjusted since we already have a fund established and only permission to receipt the funds into it is needed. Attorney Szilagyi will make the necessary changes and the ordinance will be addressed next month on second reading.

RESOLUTION TO COLLECT DOG TAXES:

Attorney Baugher explained that the State law changed and shifted the collection of dog tax to the County Commissioners without any clear statement of methodology. The thought is that the Animal Shelter would be the best agency to be designated and they have offered to do so. Mr. Jones made a motion to adopt Resolution 2007-04 and Mr. Yagelski seconded.

Mr. Ludlow asked how the dog tax would be collected? Jane Bernard, Animal Shelter Director, responded that they started selling the tags February 2, 2007. They did a press release since the Animal Shelter doesn't have any additional money in the budget for mailings and so far, they have sold one hundred ninety-nine (199) tags and collected \$1,145.00 which averages sixty-six (66) tags per month. Mrs. Bernard commented that they are getting telephone calls from the press releases and they are excepting mailings with a self-addressed, stamped envelope. The Animal Shelter then receipts the money in and sends the tag to the owner.

Mr. Cooley asked if the Trustees are involved? Mrs. Bernard responded that they are no longer involved.

Motion to adopt Resolution 2007-04 carried by voice vote 7 – 0.

IKON COST EVALUATION ANALYSIS:

Dan Zabrecky, IKON, commented that the information he is presenting is what Mr. Yagelski was referring to earlier regarding centralization of faxes, copiers, etc. A "Cost Evaluation Analysis" was distributed to the Council and reviewed. Mr. Zabrecky reported that currently the County is spending \$25,389.02 annually on service. He also stated that IKON does represent Canon products on what is called the State Quantity Purchasing Agreement and IKON is the sole vendor on the contract. Mr. Zabrecky commented that the State bidding process has been done for all governmental entities but local universities and County government do not have to buy from the agreement but can take advantage of the aggressive pricing and utilize the contract.

Mr. Zabrecky commented that \$11,290.05 per year would be saved by replacing the units currently in use with Canon products. Based upon the spreadsheets, Mr. Zabrecky reported that nineteen (19) department provided information; there are twenty-nine (29) copiers listed with six (6) different vendors. Mr. Zabrecky has advertised the State contract several times to the various departments because it is an easy way to acquire equipment at a very aggressive fair price, but typically he is told that this is great but the department isn't allowed to take a bid from IKON.

Mr. Cooley asked if this information has been presented to the Commissioners? Mr. Zabrecky responded that they have seen the information but the program hasn't been embraced as of this time.

Mr. Yagelski made a motion that a letter be sent out when the budgets are sent out, that every department that doesn't cooperate or want to share copiers and that type of thing, that all copiers, faxes and electronic equipment be written down along with what type of contracts, and the period of time left on the contract, so that the Council has a better understanding. Mr. Yagelski commented that some units say that they are in charge of the department and don't have to provide the information so if any of this information isn't provided, then the Council doesn't have to approve anything for the following year (2008). Mr. Ludlow seconded.

Mr. Zabrecky, regarding the fax system and coming through e-mail as mentioned by Mr. Bohacek and Mr. Cooley, that this can be done. He commented that the opportunity is there and this process just requires some change in the way things are done but there is a great “backbone” in place to tie in e-faxing.

Mr. Yagelski’s motion to send out a letter to the departments to provide information regarding electronic equipment carried by voice vote 7 – 0.

COMMENTS FROM THE COUNCIL:

Mr. Mrozinski commented that at the workshop two (2) months ago, Commissioner Huston stated that she really enjoyed the workshop and that a lot was accomplished. He was confused as there wasn’t a workshop before the meeting this month. Mr. Cooley responded that the workshop was held last week on the April 16th since Commissioner Huston isn’t in town. Mr. Cooley stated that it is still planned to have a workshop before the Council Meeting every month. Mrs. Shuter commented that the next workshop regarding Canon 4 will be held on before the next meeting at 4:30 p.m., which will be on May 21st.

Mr. Garner asked that his notices come from the Auditor’s Office regarding the workshops since he wasn’t advised of the last meeting. Mrs. Shuter responded that the Commissioners’ Office gets labels from the Auditor’s Office for that purpose so she doesn’t understand the confusion.

COUNTY TAX RATE:

Mr. Ludlow made a motion that the Council President sign the Declaration of County Tax Rate for CAGIT and CEDIT. Mr. Yagelski seconded. Motion carried by voice vote 7 – 0.

AIC DISTRICT MEETING & STATE-CALLED COUNCIL MEETING:

Mrs. Shuter asked if anyone other than Mr. Cooley would like to attend the Spring District Meeting of the A.I.C. in Plymouth. Mr. Cunningham stated that he is already confirmed.

Mrs. Shuter asked if all Council members had received notice of the State-called meeting for the County Council and if anyone needs to be registered? Mr. Cooley commented that anyone that can go should go as it is very important. He stated that there is very poor attendance of Council members. The meeting will be held in Columbus, IN, on Saturday, June 9th, from 9:00 a.m. to 3:00 p.m.

Mrs. Shuter asked when the Public Hearing on Palatek should be scheduled. It was decided on May 21st at 6:00 p.m.

ADJOURNMENT: Mr. Ludlow made a motion to adjourn at 9:55 p.m. and Mr. Yagelski seconded. Motion carried unanimously.

