



BOARD OF COMMISSIONERS LAPORTE COUNTY

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*Barbara Huston
President*

*Mike Bohacek
Vice President*

*Ken Layton
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, April 7, 2009

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, April 7, 2009, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mr. Dennis Metheny led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Layton, I would like to make a motion to remove "A" under Requests and under New Business, remove "I" and replace with Appointments to LaPorte County Veterans Advisory Board, seconded by Mrs. Huston, motion carried by voice vote 2-0.

APPROVAL OF MINUTES

Mr. Layton made a motion to approve the minutes of March 17, 2009, seconded by Mrs. Huston, motion carried by voice vote 2-0.

WEEKLY REPORTS

The Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending April 3 and April 17, 2009, Mr. Layton made a motion to approve, seconded by Mrs. Huston, motion carried by roll call vote 2-0.

Miscellaneous Claims---\$1,262,764.86, Mr. Layton, I have reviewed the claims and make a motion to Approve as presented, seconded by Mrs. Huston, motion carried by roll call vote 2-0.

PUBLIC COMMENTS

Mr. Michael Kobas, I've been to a couple of council meetings and there has been a lot of controversy over the vehicle for our coroner. Wouldn't it be practical for all dealers to have the option to bid on that vehicle?

Mrs. Huston, it is the amount of the vehicle. Over a certain amount it has to be bid under that amount it does not. He just has to get several quotes.

Mr. Kobas, under number VII "H", what is this 2009 Resolution on the Spending of Federal Economic Renewal Grants?

Mrs. Huston, actually what that is, and Mr. Mrozinski will explain that later, when we spend

money from the grants, we will try to hire local workers and buy American as much as we can.

Mr. Dennis Metheny, I would like to thank the County Commissioners for not joining the RDA, you voted it down. Porter County is pulling out because they don't think it is right. Thank you for doing that.

Mr. Metheny, are you aware that there are LaPorte developers looking to form a new sewer district? I attended the last Springfield Twp. Regional Sewer District meeting. I was very disappointed in Mr. Mrozinski and Mr. Bohacek's manner towards me. There were things brought up at that meeting that I was not too happy about. I submitted a letter to get information. I see on their meeting notes of the previous meeting, that they are still pushing for the LaPorte County Regional Sewer District. They were talking about the sewer from the Renaissance Academy going to tie into the Michigan City sewers. It was also stated that the county had approved getting sewers to the Renaissance Academy. Are you aware of that?

Mr. Bohacek, this is a sanitary district question and I am not going to answer that here. You can bring these questions to the sewer authority meeting.

Mr. Metheny, it does involve this county because you set on the board and you want county money to pay the engineering fees. I think I have the right to ask that question. Mr. Bohacek is your appointment to that committee. Maybe you need to appoint someone else to that committee so I can get some answers. I just want everyone to understand that the numbers I gave and the numbers that I see here from the Springfield Regional Sewer District meeting are quite a bit higher. Springfield Regional Sewer District is trying to change their name to LaPorte County Wide Regional Sewer District. I am against that and will continue to be against that and I will organize as many people as I can to fight that. I think it is critical that you understand the cost that will be on the homeowners in this district.

Mr. Bohacek, you are mixing and matching a lot of things that doesn't make any sense. The Renaissance Academy and a couple of commercial users want to stretch a low pressure system from the school to hook up with Michigan City and they can do that provided they have permission from the Springfield Regional Sewer Authority. There will be no mandatory hook up. They would purchase their own grinder pumps. The Authority would maintain the grinder pumps. Based on the amount of discharge they would have would determine the size of the grinder pump needed. There is no anticipated hook up with homeowners. If a homeowner would like to hook up, they simply could hook up and if they chose not to, that is their discretion. This is an alternative plan so that the school, rather than paying \$70,000 or \$80,000 for a pumping system, can tie into a sewer system. At the meeting, we gave Mr. Ekovich the ability to talk to Speedway, East-side Produce, and Tin City Grill to see if they would like to hook up. You are implying that we are going to force residential users to hook up. That was not the discussion.

Mr. Metheny, if you are going to change the name to LaPorte County wide Regional Sewer District, that will encompass the whole county. The figure I have is \$50.00 a foot to hook in from the home to the sewer. Then you have water, between \$1500 and \$2000.

Mr. Bohacek, this is a sanitary district not a water district. We are talking about hooking up four commercial users.

Mr. Bohacek, for the record, Mr. Metheny made a request for documents to the chairman of the board, Mr. Ekovich. That request will be fulfilled. Mr. Metheny was treated with the utmost care and concern. I could not speak with Mr. Metheny for any length of time because we had a board meeting to conduct. When I left, I went to our office and talked with our Administrative Assistant and then I left. There was no meeting outside the meeting.

Mr. Kobas, there is no way I personally can afford to have my septic tank dug up and a grinder pump. Talking with the lady at IDEM, she said according to I.C. Code, there is no word that says "must" hook up. We want to know if it is Springfield Twp. Sewer District or is it Countywide.

Mr. Bohacek, the goal was to create a county wide regional sewer authority. The reason why, is that it allows the county as a whole, the opportunity to be able to do sewer improvements with alternative sources of funding; grants, bonds and still funding from the county. It allows the county to become a billing entity and recover those monies.

Mr. Kobas, you will be a board away from this board and council. You will handle the purse. It will be a non governmental entity.

Mr. Bohacek, it will be up to the boards discretion when people will hook or not hook up. What we are really talking about is a four user project in Springfield Twp. and a county wide sewer district that is meant to address commercial industrial users and to recapture a fee. We don't want to confuse the two.

Mrs. Huston, I would like to remind the people in the audience that public comment is for public comment. It is not meant to be a time for debate or questions and answers between the public and commissioners. The public is asked to come and tell us their wishes and we are to listen.

Mr. Metheny, I would like to apologize.

DEPARTMENT HEAD COMMENTS

Rich Mrozinski, County Council member, I would like to suggest that the gentlemen read the LaPorte County Comprehensive Land Use Plan that the county tax payers paid for. It states the future road to progress that the county plans to take. It does address sewage, and protecting bodies of water and that includes the drinking water. We will have to move forward into the 21st century. Someday, septic systems will go out like outhouses did. You can't fight progress, we have mandated it to be done, we have paid money for this comprehensive plan, and we will follow the plan.

Mrs. Huston, I was just informed that we have government students here with us this evening.

CORRESPONDENCE

None

REQUESTS

Wanatah Scarecrow Festival Committee/Request \$500.00 Tourism Fund

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 3-0.

Area Wanatah Chamber of Commerce, Townwide Garage Sale Days/Request \$500.00 Tourism Fund

Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Rolling Prairie Community Center, Olde Farmers Fest/Request \$500.00 Tourism Fund

Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Door Village Community Assn., Inc./Request \$500.00 Tourism Fund

Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

OLD BUSINESS

Pat Pease, EMS Administrator/Ambulance Bid Opening

Mr. Bohacek made a motion to close the ambulance bids, seconded by Mr. Layton, motion carried by voice vote 3-0.

Attorney Braje, the first bid is from Life Line Emergency Vehicles, 2, 2009 Chevy for a total of \$278,000.00, with trade in option, net \$253,408.00. Second bid from American Emergency Vehicles, 2, 2009 Chevy for a total of \$268,462.00, with trade in, net total of \$251,462.00. Next bid from SJC Industries Corp., 2, 2009 Chevy, total of \$242,118.00, trade allowance, net bid of \$230,818.00.

Mr. Bohacek made a motion to turn the bids over to the Administrator, seconded by Mr. Layton, motion carried by voice vote 3-0.

Rick McVay, Highway Engineer/Replacement of Bridge No. 14

Mrs. Huston, Mr. McVay is not here tonight.

Mr. Layton, I was the one that asked that this be brought before the board. I would like to make a motion that we approve the recommendation of the Highway Engineer for the awarding of this contract to JCI Bridge Group, Inc. for \$907,955.18, our share would be \$90,795.52, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

NEW BUSINESS

Pat Pease, EMS Administrator/Additional Appropriations

Mrs. Pease, the other business is the additional appropriations for equipment for the ambulances. We normally had that included with the bids, we are going with loose equipment this year. We priced it and we can get the loose equipment for approximately \$11,000 per rig and normally it costs around \$13,500. My total request was for \$25,000 in equipment purchases and I included freight.

Mr. Layton, in your cover letter, you mentioned mobile radios, are we not using the ones in the rigs we are trading in?

Mrs. Pease, one works and one is limping.

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by roll call vote 3-0.

LaPorte County Highway Engineer Appointment

Mrs. Huston, in January we appointed Rick McVay to the position of Highway Engineer. I need a motion to un-appoint Mr. McVay and appoint our new highway engineer.

Mr. Layton made a motion to un-appoint Mr. McVay as highway engineer, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Bohacek made a motion to appoint Jeff Wright as our new highway engineer, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Wright, thanks for the appointment. It is a daunting task. I am trying to weed through the mountain of stuff from drainage problems to highway improvement problems. I look forward to the task and look forward to doing it.

Mr. Layton, we currently have \$100,000,000 worth of stimulus funds requested from the Federal Government. You, being the professional engineer, we expect \$99,000,000 of that brought in.

Mr. Wright, I am going to bring as many as those dollars in as I can.

Al Ott, Stationary Engineer/Request Funds to Furnish & Install Low Ambient Kits

Mr. Ott, when the jail was built, some things were deleted. They deleted the heaters. With these heaters installed on there, they will be able to run below zero.

Mr. Bohacek, I make a motion to pay the \$10,819.00 for the repair of the low ambient kits out of CCD Fund, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Al Ott, Stationary Engineer/Request Funds to Replace Six Roof Top Units

Mr. Ott, this is an additional request I had. I have six units on that building and they are all 20 years old. Something is going wrong with each one of them weekly. We should do them all at one time.

Mr. Bohacek, I would like to see another quote or put this out to bid.

Mrs. Huston, is there some reason you went with this one vendor?

Mr. Ott, he is the one we have a maintenance agreement with. He does all of our spring/fall work.

Mr. Bohacek made a motion to table pending two additional quotes, seconded by Mr. Layton, motion carried by voice vote 3-0.

Al Ott, Stationary Engineer/Request Funds to Furnish & Replace Compressor

Mr. Ott, this was damaged during a storm and there is no coverage on the warranty. Our insurance won't cover it. The cost is \$40,930.00. There is a lot of repair work to be done to get it up and running. With the weather getting warmer, we will need that one. This does the jail and the whole complex. We had to have this replaced. We cannot operate with one unit.

Mr. Layton, since the unit was damaged by lightning, we have county wide liability insurance. I would make a suggestion that the chiller that was damaged be paid for by the county's liability fund. It is reasonable and legal.

Mr. Layton made a motion to pay for this out of the County's liability account, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Used Vehicle Purchase Policy

Mrs. Huston, It is the policy of the LaPorte County Board of Commissioners that all elected officials and department heads shall, when replacing or acquiring additional motor vehicles, purchase used motor vehicles. This policy shall not apply to emergency vehicles. Emergency vehicles shall be defined as motor vehicles that because of use in law enforcement or public safety are anticipated to exceed posted speed limits. On a case-by-case basis, the Commissioners may, at a public hearing and upon majority vote, make exceptions to this policy. The Commissioners, in reviewing requests for exceptions, shall consider the following: 1. The non-availability of used motor vehicles. 2. Special use motor vehicles with accessory equipment that is not readily available on the used market. 3. That the cost and condition of used vehicles is such that there is no significant savings over the purchase of new motor vehicles.

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Bohacek, I wanted to add something to the agenda; something that we are going to be pushing down to the Plan Commission because it is a zoning change. It is an Ordinance to Amend Building Permit Application Requirements. Can we add that as Item J.

Mr. Bohacek made a motion to amend the agenda and add "J", an Ordinance to Amend Building Permit Application Requirements, seconded by Mr. Layton, motion carried by voice vote 3-0.

Corner to Cornerstone Services Contract

Mr. Bohacek, I believe this was already approved by the County Council for \$25,000.00. I make a motion that we approve.

Mrs. Huston this is a Memorandum of Understanding Between the County of LaPorte and Corner to Cornerstone, Inc. Regarding the Award of a Grant to Assist in the Provision of Community Services.

Mr. Layton seconded the motion, motion carried voice vote 3-0.

Mr. Fly, being the founder of Corner to Cornerstone, I just wanted to thank you.

Richard Mrozinski/2009 Resolution on the Spending of Federal Economic Renewal Grants

Mr. Mrozinski, I was sent this from the United Steel Workers of America. I will read this.
2009 Resolution on the Spending of Federal Economic Renewal Grants to LaPorte County Commissioners
Whereas, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment, and
Whereas, those same Americans are the taxpayers that provide the revenue needed to operate essential government services, and
Whereas, Congress and President Obama are planning a taxpayer-sponsored economic recovery package That will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects that will require manufactured components, and
Whereas, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities, and
Whereas, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy, and
Whereas, any economic recovery plan spending should-to every extent possible-include a commitment from LaPorte County Commissioners to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.
Therefore, Be It Resolved That, we the undersigned will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed.
Be It Further Resolved That, we commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to LaPorte County by the American taxpayers, AND
Be It Further Resolved That, as legislators of LaPorte County, we commit to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by voice vote 3-0.

LaPorte County Veterans Advisory Committee Appointment

Mr. Mrozinski, we have had the untimely passing of one member and a critical illness of another. We ask that the LaPorte County Veterans Advisory Committee add the names of Tom Russell, Larry Pinkerton & Dennis Francis.

Mr. Layton made a motion to concur with the president of the Advisory Committee, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Ordinance to Amend Building Permit Application Requirements

Mr. Bohacek, we have had much flooding in the county due to high water levels. We have come to realize in many situations homeowners, either past or present, have built basements below the seasonal high water table. This Ordinance is to make sure that going forward new construction is declared as such. This ordinance should be voted on by the Commissioners and then passed down to the Plan Commission for public hearing and then come back to the Commissioners for final approval. Mr. Bohacek reads the Ordinance To Amend Building Permit Application Requirements.

Mr. Bohacek made a motion to pass this Ordinance to the LaPorte County Plan Commission for public hearing and review, seconded by Mr. Layton, motion carried voice vote 3-0.

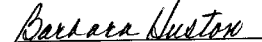
COMMISSIONER'S COMMENTS


Mrs. Huston, I would like to wish everyone a happy Easter.

ADJOURN

President Huston adjourned the meeting at 7:00 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President


Michael Bohatek, Vice President


Ken Layton, Member


Craig Hinckman, LaPorte County Auditor