



LAPORTE COUNTY PLAN COMMISSION

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ANNEMARIE POLAN
Building Commissioner

LA PORTE COUNTY PLAN COMMISSION MINUTES April 24, 2012

MEMBERS PRESENT: TONY HENDRICKS BARBARA HUSTON
 GENE JONAS GLEN MINICH
 JIM PRESSEL RITA BEATY KELLY
 GENE MATZAT HAROLD PARKER
 MATT BERNACCHI

OTHERS PRESENT: Annemarie Polan, Recording Secretary, Doug Biege, attorney, Darlene Pavay, Secretary.

PLEDGE OF ALLEGIANCE

Barbara Huston asked if there were any additions or corrections to the agenda.

Matt Bernacchi said that Holladay Properties is still in communication with Tonn & Blank and they promised that they will be here next month. Matt asked that we remove the Petition for Holladay Properties and under new business Matt asked if we could add the SOB Committee, a/k/a Sexually Orientated Businesses to line item new business and also permit fees.

PETITIONS:

1. **The Owner/Developer Holladay Properties** is requesting a primary approval for a Planned Unit Development to be known as Life Works Business Park and also to show the Plan commission the proposed exit road off this property. The proposed development will be located on approximately a forty (40) acre parcel of land at the northeast corner of the intersection of Interstate 94 and US Highway 421 and Frontage Road, Michigan City, Indiana, Coolspring Twp. The development would consist of approximately twelve (12) development uses; professional office, medical office, fitness and wellness establishments, restaurants and hotel. **(Matter tabled to May 22, 2012 meeting at 6:00 p.m.)**

Barbara Huston asked if there were any other additions or deletions to the agenda.

Barbara Huston asked for a Motion to approve.

Jim Pressel made a Motion to approve. Rita Beaty Kelly seconded. All approved. Motion carried 9-0.

Barbara Huston asked for a Motion on the minutes.

Rita Beaty Kelly made a Motion to approve the minutes from the March 27, 2012 meeting. Gene Jonas seconded. All approved. Motion carried 9-0.

Barbara Huston asked Annemarie Polan if there was any old business.

Annemarie Polan stated no.

Barbara asked for new business for the SOB Committee, a/k/a Sexually Orientated Businesses. Barbara said that we are going to be putting a study committee together and she does have two people in the audience that are interested. Barbara said that she would like a board of approximately five (5) to seven (7) people.

Barbara Huston asked if there were any thoughts from the board.

Attorney Doug Biege said that for some initial thoughts we may have a member of the Plan Commission, a member of the Board of Zoning and members of the public so we have participation across the board. Attorney Biege said that the purpose of the committee is that there has been discussion about drafting an ordinance that has to do with conduct and licensing on sexually orientated business. Attorney Biege said that this ordinance would have standards by which these businesses should operate. Attorney Biege said that his thought was to get participation from each entity and perhaps members of the public.

Barbara Huston asked if there were any questions from the board on this.

Barbara Huston asked if there was any member of the board that would like to serve on this committee.

Glen Minich said that he thinks that there are already two members on the committee from the Board of Zoning.

Barbara Huston said that is correct.

Rita Beaty Kelly said that she would be happy to help if you need an extra person.

Barbara Huston said that Melissa Mischke and Dwayne Hogan have requested to be on the committee as BZA members to serve on the board.

Barbara Huston said that there are two members in the audience, Mr. Donald Briggs and Sue Thompson.

Attorney Biege said that he received a telephone call from attorney David Ambers who is representing the petitioner in the case before the BZA. Attorney Biege said that a Richard Loniewski would like to participate. Attorney Biege said that he is not the petitioner, but he does own the property involved.

Matt Bernacchi said that he's not trying to sign himself up for this, but don't you think we should have one elected official on the committee so they can kind of track what's going on with the process.

Barbara Huston said that she would like to serve on the board, but she's not sure if the Commissioners would have to pass the ordinance.

Attorney Biege said that he believes ultimately they will. Attorney Biege said that how he sees this, it is a committee formed by the Plan Commission so perhaps the recommendation would go from the Plan Commission to the Commissioners, with the Commissioners ultimately voting on the ordinance.

Barbara Huston asked if there would be a conflict with her serving on the committee.

Attorney Biege said that he doesn't think there would be a conflict with serving on the committee, but you would ultimately vote.

Barbara Huston asked Rita Beaty Kelly if she wanted to be on the committee.

Rita Beaty Kelly stated yes.

Matt Bernacchi said that he thinks we should probably make a decision on how big the board is going to be, along with who we want on the board and pass that onto the Commissioners. Matt said that once the Commissioners make a decision, we probably should advertise this in the news paper.

Attorney Biege said that he doesn't think that the Plan Commission has an obligation to advertise an appointment of an exploratory committee. Attorney Biege said that we would be opening a can of worms, because there are a lot of remonstrators and a lot of people who have opinions on both sides on this one particular issue before the BZA. Attorney Biege said that he thinks if we have some people pro and people against, elected officials and plan commission members and bza members, that is a good smattering of the knowledge base. Attorney Biege said that his thought is that after we get this draft together, that's when the public meeting would occur for the full Plan Commission for public comment and review.

Jim Pressel said that he would recommend no more than seven (7) on this committee for the amount of work that's going to need to be done on this.

Barbara Huston asked attorney Biege if Richard Loniewski wants to be on this committee.

Attorney Biege stated yes.

Barbara Huston said that's seven (7).

Matt Bernacchi said that if that is in a form of a Motion he would second that.

Barbara Huston said that we have a Motion on the floor to accept the seven (7) member committee.

Jim Pressel seconded.

Tony Hendricks asked the names of the members.

Barbara Huston said that the members are herself, Dwayne Hogan, Melissa Mischke, Sue Thompson, Rita Beaty, Don Briggs and Richard Loniewski.

Sue Thompson said that if Richard Loniewski is the one going for the ordinance and it's his property, but you won't let Carol Loniewski on the board and she's an adjacent property owner, isn't that a conflict.

Attorney Biege said again, this ordinance has nothing to do with the Petition before the Board of Zoning Appeals.

Sue Thompson said that she understands that, but you are letting Richard Loniewski be on the board, but you said Carol Loniewski couldn't be on the board.

Attorney Biege said as the attorney he didn't say either way.

Sue Thompson said that she doesn't think that is fair.

Attorney Biege asked Ms. Thompson if she has remonstrated against the Petition in front of the BZA.

Sue Thompson said that she has because she lives around the corner from them.

Attorney Biege asked Mr. Briggs if he has remonstrated against the Petition.

Mr. Briggs stated yes.

Attorney Biege said that if you want to be fair, shouldn't we have somebody who is in favor of the petition on the committee so both sides are represented on the committee.

Sue Thompson said that she can understand that, but he is the property owner.

Attorney Biege told Ms. Thompson that he is not the petitioner before the BZA.

Attorney Biege said that this committee has nothing to do with the petition before the Board of Zoning. Attorney Biege told Ms. Thompson that this is going to be a conduct and licensing ordinance. Attorney Biege said they are two different things. Attorney Biege said that this has nothing to do with the decision BZA will make ultimately.

Sue Thompson asked if the board could choose someone else if you wanted to be represented on both sides other than Mr. Loniewski.

Barbara Huston said that she doesn't think we really care who it is. Barbara Huston said that since Mr. Loniewski is the property owner that doesn't actually seem fair to her also.

Rita Beaty Kelly said that she agrees and she was going to mention that before.

Attorney Biege said that he was passing along a request that Mr. Ambers requested.

Rita Beaty Kelly said that she thinks it might look kind of biased on his side being the property owner.

Barbara Huston asked if we know anybody else that is for this. Barb said that she does think that Sue has a good point and the property owner actually even though he is for it and that property is sold, this probably would be a conflict.

Mr. Briggs said that he wants this study committee to address issues not presently before the board but looking explicitly at the ordinance, it might be best to leave the property owner involved in this present petition off the study committee.

Barbara Huston asked if there were any other thoughts from the board members.

Glen Minich said that he really doesn't see why it would be a problem to have Mr. Loniewski on this committee if we really truly want to get a good study committee reading back.

Barbara Huston said that she doesn't think that's the thing. Barb said that she thinks that somebody for it would be a good idea.

Barbara Huston asked Ken if he had any thoughts.

Ken Purrs said that he is neutral on the issue.

Annemarie Polan, Building Commissioner said that Cindy in our office has spoken with a few people and there have been a couple that has expressed interest on being on the committee.

Barbara Huston asked if these persons were for it.

Annemarie Polan stated yes.

Ken Purrs said that you know that you want to have a seven (7) member board. Ken said that you have six (6) for sure so go ahead and make your motion to have the seven member board and as Matt had pointed out, he wanted to see if there were other members of the public that might be interested and perhaps some of these members of the public have spoken to the Building Commission Office and from that group you can select your seventh member. Ken said that you can go ahead and proceed and take the six (6) tonight and allow the public to step up and you will find somebody who is for the issue.

Attorney Biege said that he has hundreds of e-mails forwarded by the BZA members that he has been reviewing for them, and he does have several e-mails that are in favor. Attorney Biege said that he has several names of persons who support the issue. Attorney Biege said that this ordinance is well beyond one proposed property.

Rita Beaty Kelly asked if we could have Cindy return calls. Rita asked if Cindy had the contact numbers.

Annemarie Polan said that she believes that she knows one person.

Attorney Biege said that the commission could vote to give the President the authority to appoint the seventh person.

Rita Beaty Kelly made a motion for the President.

Barbara Huston said that we already have a motion on the floor.

Jim Pressel amended that motion to accept the six individuals that we have for the study committee at this time and give the President of the Plan Commission the authority to appoint the seventh. Gene Jonas seconded.

Barbara Huston asked if there was any discussion on the motion.

All approved. Motion carried. 9-0.

Attorney Biege said that one thing that he expects that we're going to do with the committee will be to retain an expert to tie in negative secondary effects on crime and diminution of value of real-estate etcetera with the proposed restrictions. Attorney Biege said that is a constitutional requirement none of us in this room is qualified to do that. Attorney Biege said that he is asking permission from the Plan Commission to present some costs to the County Commissioners for approval for payment of an expert to be a part of this process with the committee. Attorney Biege said that he thinks that this will be a time saver. .

Barbara Huston asked attorney Biege if he had an expert in mind.

Attorney Biege said that at this point the gentlemen's name is Eric Kelly. Attorney Biege said that he has worked with the county before and he was recommended by the defense attorneys that are handling the defense on the first petition from the BZA on the challenge. Attorney Biege

said that Mr. Kelly is from Ball State and he has experience in the area. Attorney Biege said that he has a partial proposal, but he wants to make some amendments before he would approach the commissioners. Attorney Biege said that since this is going to be a Plan Commission recommendation, he thought it would be appropriate to ask permission from the Plan Commission before approaching the Commissioners on the issue.

Attorney Biege said that he thinks that this is going to be necessary and he will ultimately testify before the Plan Commission on negative secondary effects. Attorney Biege said that when you talk about negative secondary effects, those are the reasons why they are connected to the restrictions which may be imposed on these businesses. Attorney Biege said you have to have a reason why you limit hours, and a reason why you monitor employees and those types of things.

Barbara Huston said that you've heard the recommendation of our attorney. Barbara said that we need that in form of a motion. Barbara said that the motion would be to allow Doug contact with Mr. Kelly on fees and then approach the commissioners for these fees.

Gene Matzat said that he will make that a Motion. Rita Beaty Kelly seconded.

Barbara Huston asked if there were questions on this motion.

Rita Beaty Kelly said that she just wanted to make a statement that Eric Kelly is not related to her by any means whatsoever.

Gene Matzat said that Mr. Kelly has been on the Planning Staff at Ball State as a professor and he knows that he has done several books and has done numerous trainings. Gene said that he is sure he has done work here in La Porte County in the past.

Mitch Bishop, County Planner said that Mr. Kelly was hired for the Comprehensive Plan with Dunk & Associates.

Barbara Huston asked if there was any other discussion.

Barbara Huston said that we have a motion on the floor and a second.

All approved. Motion carried. 9-0.

Attorney Biege said that if it is okay, when the president appoints the seventh member, we will arrange for an initial meeting.

Barbara Huston said that now we have permit fees.

Annemarie Polan, Building Commissioner said that typically we address this in January, but that didn't happen this year and she would like to get our fees up to par with the other counties. Annemarie said that she has a little draft and outline on what we are charging now and what Porter County and Stake County are charging. Annemarie asked the board if this is something that you'd like to look over and maybe make motions next month.

Barbara Huston said that we can do that, or we can actually go through and discuss it now. Barbara asked the board its pleasure.

Tony Hendricks said discuss it now.

Barbara Huston said that on the first one it says "New Construction" \$300.00 plus .15 cents a square foot, where Starke county is only charging .29 cents a square foot and no additional fee.

Barbara Huston said that she thinks we're up to par on that one.

Annemarie Polan said to go down to in-ground and above ground pools. Annemarie said that we don't have any fee for an above-ground pool and those are getting inspected. Annemarie said that if you look at Starke County they have \$50.00 proposed and Porter County has \$100.00 for in-ground and \$75.00 for above ground.

Tony Hendricks asked the definition of an above-ground.

Annemarie Polan said that they are saying that the soil that goes up against the pool.

Tony Hendricks asked if we are talking about kiddie pools.

Annemarie Polan said that the above ground pool has to be forty eight inches high.

Barbara Huston said so it's not one of these blown up pools that you see, and not subject to this.

Annemarie Polan stated no.

Jim Pressel asked Annemarie what they inspect on an above ground pool.

Annemarie Polan said that they inspect the electrical.

Dar Pavey said that they inspect the electrical to the pump.

Annemarie Polan asked Dar if they check around the base of the pool.

Dar Pavey said that she didn't know.

Gene Jonas asked on the above-ground pools if they were charged a permit fee for the deck around the pool.

Annemarie Polan stated yes.

Dar Pavey said that the deck was a separate permit from the pool.

Jim Pressel asked if this was regulated by the IRC.

Annemarie Polan stated yes.

Jim Pressel said that the in-ground inspections are the back flow preventer and the gas.

Annemarie Polan said that they have the above-ground too.

Annemarie Polan said that we can go in-ground and above, or do it separately like Porter County.

Gene Jonas said that he thinks to have it like Porter County would be fine.

Annemarie Polan said that she likes that idea too.

Barbara Huston asked Gene if he was suggesting an in-ground be \$100.00 and an above-ground \$75.00.

Gene Jonas said that is correct.

Rita Beaty Kelly said it cost more than \$25.00 to take the time to drive out there with the prices of gas and fuel.

Barbara Huston asked if they would like to make that into a form of a motion.

Gene Jonas asked if we are just assessing tonight, or are we going to vote on these tonight.

Barbara Huston said that she thought that if we discuss it and come to an amount, we should actually vote on this.

Gene Jonas asked if we should vote on all of them at the same time, or do you want to do them individually.

Barbara Huston that she thinks we should vote individually and that way we can clarify. Barbara Huston said that we don't have to vote on them, we just have to make sure that we are all on the same page on each one.

Gene Jonas made a Motion that an above-ground pool is \$75.00 permit fee and an in-ground pool permit fee is \$100.00.

Glen Minich said that he thinks that the \$75.00 on the above-ground pool is a lot. Glen said that it's going to be hard to enforce this. Glen said that so many people just buy a pool and put it up.

Gene Jonas said that this is a fixed all year around pool and it takes government employees to go out there and do the inspections.

Glen Minich said that he agrees with user fees, but he thinks that we should discuss this before doing this to make sure that we're all on board. Glen said that he doesn't know what the budget

is for the whole building commission. Glen asked what percentage of the budget is actually derived from the permit process.

Annemarie Polan said that before 2001 we didn't have an inspection program, or inspectors. Annemarie said that our office was not self-sufficient. Annemarie said that this office got a budget along with all the other departments. Annemarie said that we still get the salaries and 134 Plan, but now 246 contractor's registration fund she thinks is three hundred thirty seven thousand dollars (\$337,000.00). Annemarie said that our office budget out of the 246 office supplies and so forth comes to around thirty two thousand (\$32,000.00). Annemarie said that we have become self-sufficient, which is very good. Annemarie said that when the guys go out on a pool, she doesn't think it consists of just electrical, she believes Ernie and Charlie also go out on those.

Rita Beaty Kelly said that you have to remember that the new above-ground pools run around two to three thousand dollars on some of those nicer ones.

Barbara Huston said that we can do a compromise if you think \$75.00 is too much. Barbara asked Glen what he was thinking.

Glen Minich said that he thinks \$50.00 is enough for that. Glen said that he's just looking the public coming forward and going through with the process. Glen said that some of them are second hand pools.

Barbara Huston said that we do have a motion on the floor for in-ground pools for \$100.00 and above-ground pools for \$75.00. Barbara asked if she had a second on that motion.

Rita Beaty Kelly seconded.

Barbara Huston asked if there was any further discussion on this.

Voting Aye: Barbara Huston, Gene Jonas, Tony Hendricks, Rita Beaty Kelly and Gene Matzat.

Voting Nye: Harold Parker, Glen Minich, Jim Pressel and Matt Bernacchi.

Motion carried 5-4.

Barbara Huston said lets go onto temporary electric service.

Annemarie Polan said that right now we have temporary electric service at \$15.00, up to 200 amps. \$30.00 and 201 amps to 400 amps is \$45.00. Annemarie said that in Starke County all electric is \$50.00 and Porter County all electric is \$75.00. Annemarie said that we would actually be better doing something like that.

Barbara Huston asked Annemarie if she wanted to eliminate the separate fees and go with one flat fee.

Annemarie Polan stated yes.

Tony Hendricks asked if there's any difference inspecting 200 amps up to 400 amps.

Annemarie Polan said that she doesn't think so.

Matt Bernacchi asked if they only have to visit the site once for an electrical inspection.

Annemarie Polan said typically it is just once.

Barbara Huston asked Annemarie what she feels would be ---

Annemarie said that she would say at least \$60.00. Annemarie said that she doesn't know if you want to differentiate between Starke and Porter County, but it would be in between the two.

Jim Pressel made a Motion to make all the electric included to be the same as Starke County, that is, \$50.00. Tony Hendricks seconded.

Barbara Huston asked if there were any additional comments from the board.

Jim Pressel said that he just wants to make sure that this is temporary electric so that if you're doing a new house that this isn't a separate new charge that we're adding to it.

Ken Purrs asked Barbara Huston if she would take public comment.

Ken Purrs said that his only comment is because he is very familiar with Starke County because he served as a board liaison for Starke County. Mr. Purrs said that when you're looking at Starke versus Porter County, Mr. Purrs said that Starke County has no formal building program at all; it's even more antiquated than what we used to prior to our building program. Mr. Purrs said that Porter County is on the other end of the spectrum having a very organized well-funded building program. Mr. Purrs said that when you are comparing Starke County pricing and Porter County pricing this is what you're saying we should do in La Porte County, please be aware of that.

Tony Hendricks asked if temporary electric is going to be \$50.00.

Annemarie Polan said that is correct.

Jim Pressel said that we are kind of playing poker here tonight with what will fit and what won't fit. Jim said that he thinks that for temporary service that \$40.00 would be sufficient.

Rita Beaty Kelly asked if we are breaking this down again, or are we going to keep it all one service.

Tony Hendricks asked if we send out an inspector to check out the temporary service.

Annemarie Polan said yes.

Barbara Huston asked if that should read all electric.

Annemarie Polan said all electric.

Tony Hendricks asked if they were going to get charged \$50.00 for temporary service and \$50.00 for the final inspection.

Jim Pressel said that we're talking about temporary electric service. Jim said that you're not talking about the electric that goes to the house, or if you are attaching to an addition. Jim said that this would be two visits to the site.

Glen Minich said that we need to assign a cost to the visit, because it's going to take a separate visit.

Barbara Huston said so you're saying that the temporary service at \$15.00 and the additional second visit if it is 400 amp would be \$60.00, so \$75.00 total.

Jim Pressel said that the 400 amp service would typically be included in the cost of the building permit for the new construction. Jim said that this is a temporary box so you can work off while you're building the project.

Glen Minich said that it needs to be inspected for safety reasons.

Rita Beaty Kelly asked how much for temporary service.

Tony Hendricks said that the Motion is for \$50.00 just for temporary service.

Barbara Huston said we have a Motion on the floor and she believes we have a second.

Barbara Huston asked if there was any further discussion.

Harold Parker asked if we could re-read this now that we've shot this up.

Barbara Huston told Harold that temporary service will be \$50.00.

Matt Bernacchi said one flat fee for all electric for two inspections.

Jim Pressel said the other fee is covered on the permit for new construction.

Barbara Huston asked Harold if he is clear on that now.

Harold Parker stated yes.

All approved. Motion carried 9-0.

Barbara Huston asked about decks.

Annemarie Polan said that decks are \$30.00, Starke County is \$50.00 and Porter County is \$75.00.

Gene Matzat asked if this is attached to the house. Gene also asked if this is a minimum size,

Annemarie Polan said that it could be attached because of a pool, or a deck on the back of your house.

Barbara Huston asked what the difference is between enclosed decks and porches.

Annemarie Polan said that enclosed decks and porches are without footing or electric. Annemarie said that it looks like Starke County and Porter County don't differentiate between that. Annemarie said that decks and porches are \$50.00 and Porter County has it at \$200.00

Barbara Huston said to answer Gene's question, is it attached to the house and around the pool. Barbara asked Annemarie how you differentiate on decks.

Dar Pavey said that all decks are \$30.00

Glen Minich said if he were to give this a definition, he would say that the decks would be anything outside, whether it be attached or detached.

Glen Minich said that his only comment is that's pretty general. Glen said he thinks this is all about a user fees. Glen asked if the inspector is going to go out and check one post, or is he going to check sixteen posts. Glen asked if we could put a size break down on two different sizes.

Annemarie Polan said right now we don't have that.

Gene Jonas said that he thinks decks are just fine. Gene said that he thinks that they do two inspections on the deck, which is the footings and then they inspect the railings and so forth. Gene said that it is thirty seven dollars and fifty cents a trip. Gene said back to government vehicles and driving clear down to LaCrosse, or that direction, it's a long drive.

Annemarie Polan said that the inspectors go all over the place.

Tony Hendricks asked if there is any size we don't inspect. Tony asked if it is a 12x12 deck do you still make them pay the thirty dollars.

Annemarie Polan said that anything 12x12 or less you don't need a permit for that.

Tony Hendricks asked if you have a 12x12 deck would you have to get a permit.

Annemarie Polan stated no.

Gene Jonas said that the thing to remember it is still the same trips no matter what the size of the deck is. Gene said that if you have a 10x10 deck and it is four feet off the ground and you get twenty people out there and it collapses. Gene said that opens things up for litigation. Gene said that a deck is a deck and it should be inspected no matter what size.

Glen Minich made a Motion that we increase the cost of decks to \$75.00 for the two inspections that are necessary. Gene Jonas and Rita Beaty Kelly seconded.

Barbara Huston asked if there was any further discussion.

Jim Pressel asked what would be the chances including enclosed decks and porches along with decks to simplify things.

Gene Jonas said that he thinks the things with the enclosed decks and porches, we are talking about a roof along with possibly placing windows and it could be made into a three seasons room, Gene said that it is more time and you would have to be more thorough than just the regular deck. Gene said that he thinks he would leave that maybe somewhat separate.

Barbara Huston said that they probably separated them for a reason.

Barbara Huston asked if there was any further discussion on the decks.

Barbara Huston asked all in favor of the Motion. All approved. Motion carried 9-0

Barbara Huston said now enclosed decks and porches.

Annemarie Polan said that she would like to hear Gene's thoughts on that.

Gene Jonas said that with an enclosed deck and porch you are going to have a roof, shingles and in some cases there may be some minor electrical and other things you wouldn't normally experience on a regular deck. Gene said that you're going to have a minimum of at least two to three trips out there.

Matt Bernacchi said that it says without footings or electric so you wouldn't be inspecting a footing or electric.

Rita Beaty Kelly said that she doesn't understand without a footing.

Matt Bernacchi said that these sound like gazebos. Matt said you're going to put some concrete block down and set it there as a temporary structure.

Matt Bernacchi made a Motion for \$75.00 on enclosed porches and decks Tony Hendricks seconded.

Barbara Huston asked if there was any further discussion on this Motion.

All approved. Motion carried 9-0.

Annemarie Polan said that we have the re-roofing and the siding. Annemarie said that our permit fee is \$20.00, \$50.00 for Starke County and \$65.00 for Porter County.

Matt Bernacchi made a Motion for \$50.00 dollars. Glen Minich seconded.

Barbara Huston said that we have a Motion on the floor for \$50.00 for re-roof and re-side, raising it from \$20.00

Barbara Huston asked if there was any question on the Motion.

Tony Hendricks said that he has a little concern when you do re-roofing, siding, storm windows and painting.

Annemarie Polan told Tony that we don't charge for painting and windows unless they change the size of the window.

Dar Pavey told Tony that they check the ice and water shield on the roof and they are checking for rotten wood under the siding.

Ken Purrs said that he has another public comment for the record. Ken said that he is the former Building Commissioner from the town of Michiana Shores. Ken said that to answer the question on siding, you want to inspect to avoid mold. Ken said that is very important.

Gene Matzat asked if this was a separate fee for the roofing and siding.

Annemarie Polan said it would be a separate fee for roofing and siding.

Annemarie said that if you look at the size of the county and the roads traveled, these inspectors go to LaCrosse, all the way up north; they are all over the place and you know that gas isn't cheap. Annemarie said she is just trying to get up to par with the other counties.

Harold Parker said that you don't have nearly the people down there.

Annemarie Polan said that they still go down to La Crosse and they are in Hanna quite a bit.

Rita Beaty Kelly said that if you have to send someone to go along and check the electric along with the building, you have two inspectors.

Jim Pressel said that you hate to move so much money so quickly. Jim said that some of these were advancing pretty well with really no justifications. Jim said that if we knew what our costs were involved for the inspections, but maybe they are picking up one in Union Mills, one in La Crosse, and another one in Hanna he typically can go inspect one thing and inspect two things at the same time ---

Annemarie Polan said that sometimes they can do that. Annemarie said that sometimes they could be down south and the next day they're down there again. Annemarie said you just don't know.

Glen Minich said sometime the contractor calls and says he wants it now.

Ken Purrs said that one thing you need to remember is the way our program is structured in La Porte County. Mr. Purrs said that you are going to have different inspectors for different disciplines. Mr. Purrs said that while you may say that two or three things would be inspected at the same time, it's not necessarily that one inspector is going to do that. Mr. Purrs said that he thinks that Glen's suggestion about really having what you might consider a trip charge which you know is going to cover some of the overhead to have the inspector out. Mr. Purrs said that trying to get into the details of what's involved with a particular inspection even when we have some folks here involved in building trades, until you're trained as an inspector, you have no clue what you're holding someone to when you're using that residential code, or the electrical code, which we're required to do are inspections based on that.

Ken Purrs said he thinks stick to the thinking on the trip charge and be consistent. Mr. Purrs said if you know that a pool is going to be two trips or three trips, or the electrical is going to end up with two trips or three trips, you can be consistent with that rate. Mr. Purrs said he thinks that our rates are a little bit across the board and certainly based on today's cost to fund the department. Mr. Purrs said that you are really talking about public safety when you're talking about a building program and a good building program is for the benefit of everybody, not only the person who will live in that house, but the neighbor to that house. Mr. Purrs said especially in a subdivision you certainly don't want some problems with electrical next door to a place that doesn't have a proper chimney.

Gene Jonas said that he would suggest that you break them down and you have a re-roof at \$65.00 as a separate and you also separate re-side at \$65.00. Gene said that a lot of times if the person is doing it themselves, it is back to the trip issue.

Barbara Huston told Gene that we already have a motion on the floor and that has been seconded.

Barbara Huston asked if there was any further discussion on this.

Barbara Huston said that the motion is to do re-roof and re-side at \$50.00, raising it from \$20.00.

Barbara Huston asked all in favor of this motion.

All approved. Motion carried 9-0.

Barbara Huston said mobile home placement. Barbara Huston said that she doesn't think that is out of line.

Jim Pressel asked if that replacement of the mobile home is that you are removing the existing mobile home and replacing that mobile home.

Annemarie Polan said looking at these prices they're pretty much in order.

Dar Pavey said that since she has been here the past four years she has never had anyone come in the office to place a mobile home out in the county. Dar told the Plan Commission that the Board of Zoning Appeals is trying to get these mobile homes out of the county.

Dar Pavey said that she thinks the mobile homes are for contractors for placement at a job site. This would be a temporary placement until such time that the job is completed.

Annemarie Polan told Dar that we charge \$75.00 for those types of trailers.

Glen Minich asked if that charge would be associated with a mobile home park.

Annemarie Polan stated no.

Rita Beaty Kelly said that the Board of Zoning Appeals has ten to twenty every month for continuation of mobile homes. Rita asked that once you pay that \$150.00 to put that mobile home in the county and then come every two years for a variance, do they have to re-pay anything.

Annemarie Polan said that is a onetime fee.

Rita Beaty Kelly asked if they have to pay anything to reapply for the next two years.

Annemarie said that they have to pay the variance fee.

Barbara Huston asked the board's pleasure on this mobile home placement.

Glen Minich made a motion to leave it alone.

Glen Minich asked Annemarie how many inspections this would take. Glen said that there would be an electrical inspection. Glen asked if that was included in the fee.

Annemarie Polan said that would be included. Annemarie said that whenever we issue some kind of a permit placement, the inspection would come with it.

Glen Minich said just to be consistent, how many times would you go out to inspect that.

Annemarie said that we haven't had very many.

Glen Minich said that somebody would go out to inspect the electric and somebody would go out to inspect the footing. Glen asked if they need to be placed on concrete.

Annemarie Polan said that they have to be skirted.

Glen Minich asked if they had to be anchored down.

Annemarie Polan said that they would have to be anchored down and skirted.

Glen said that we're looking at least two inspections.

Attorney Biege said that sitting on the BZA and observing, attorney Biege said that the BZA has been crystal clear no new mobile homes in the county and each renewal that has come up they have been very clear with the people requesting the variance that at some point they're going to stop allowing continued placement of mobile homes in the county.

Gene Jonas asked that when they come in to reapply for the variance to keep their permission to keep their mobile home on the lot, can they be charged a fee with the continuation.

Attorney Biege said that he doesn't think so. Attorney Biege said that he doesn't think the county has any ownership interest in the real estate so all you could do is to create another category for the renewal application and a request for a continuance to the Board of Zoning Appeals.

Tony Hendricks asked if there is a second on the floor. Tony said he would second the motion if there wasn't a motion.

Barbara Huston said that we do have motion on the floor by Glen Minich.

Glen Minich said that he will make the motion to leave the placement alone at \$150.00. Tony Hendricks seconded.

Barbara Huston said we have a motion and a second. Barbara asked if there was any further discussion.

Barbara Huston asked all in favor of the motion.

All approved. Motion carried 9-0.

Barbara Huston said signs or billboards \$15.00 to \$75.00.

Harold Parker asked when it becomes a sign.

Annemarie Polan said that she believes that it is the size in the ordinance.

Mitch Bishop, County Planner said that signs are all different sizes, but billboards are advertising billboards on highways. Mitch said that these are off premise signs. Mitch said typically they are six hundred seventy two square foot.

Tony Hendricks said on page 19-3 temporary sign regulations have a garage sale sign. Tony said he doesn't think we need to charge for garage sale signs.

Barbara Huston asked the board's pleasure on the amount.

Annemarie said she would like to see it at \$200.00.

Tony Hendricks asked the difference in the \$15.00. Tony asked what kind of a sign you charge for \$15.00.

Annemarie Polan said that it is a really small sign. Annemarie said that it is by size and she doesn't know that off the top of her head.

Harold Parker told Annemarie that they are having a hard time trying to figure out what she wants to charge.

Rita Beaty Kelly told Harold that the signs in the ordinance are on page 19-3.

Attorney Biege said that the definitions are also on 31-29, which doesn't help.

Gene Jonas said that he thinks that these are permanent signs.

Harold Parker said that he has a 4x8 sign into his farm entrance and wanted to know if that is chargeable. Harold also asked if the sign had to be lit.

Board members speaking amongst themselves.

Annemarie asked the board members if they would feel more comfortable having the signs and billboards separated.

Rita Beaty Kelly said that she thinks that makes much more sense.

Matt Bernacchi said that he kind of likes the clarification on how small. Matt said he would hate to charge someone if they are putting up a 4x4 sign for their business and they get charged \$200.00.

Annemarie Polan said that she agrees with that.

Tony Hendricks said why don't we just do the billboard signs and table the small signs to research that.

Annemarie Polan said that she was thinking billboards, not signs.

Barbara Huston asked Tony if he wanted to table signs and just do a price on billboards.

Tony stated yes.

Matt Bernacchi asked if that would be on billboards that go along the highway.

Annemarie Polan stated yes.

Glen Minich said that billboards don't come up very often. Glen asked isn't it hard to get placement for a billboard.

Rita Beaty Kelly said that they just put one up recently on Highway 35 and Pine Lake Avenue.

Board members speaking amongst themselves.

Gene Jonas said that he thinks that we should table this to give everyone a chance to read over Article 19. Gene said that there are a lot of different signs.

Barbara Huston asked Gene if he wanted to table signs too.

Gene Jonas said that he would like to give everybody a chance to read over article 19 on signs.

Barbara Huston said that we have a motion to table signs and billboards until next month in order to read article 19 in the book. Barbara Huston asked if she had a second.

Jim Pressel seconded.

Barbara Huston asked if there was any further discussion. Hearing none.

All approved. Motion carried 9-0.

Barbara Huston said second re-inspection fee.

Annemarie Polan said that it looks like it's in keeping with the others.

Barbara Huston asked the board members if they wanted to table that.

Board members speaking amongst themselves.

Glen Minich made a motion to keep the fee at \$50.00. Matt Bernacchi seconded.

Barbara Huston said we have a motion and a second to leave the second re-inspection fee at \$50.00.

Barbara Huston asked if there was any further discussion on this. Hearing none.

All approved. Motion carried 9-0.

Gene Jonas asked Mitch if we have fees for violations of the ordinances.

Mitch Bishop said that we have yet to adopt the formal fees for violations. Mitch said that Annemarie and Ray always had something. Mitch said that he did have discussions with the two cities and since this is a joint ordinance, they would like to get together with us in a couple of months and discuss those.

Gene Jonas said that it is something worth taking a look at because there are some people out there roofing and not getting permits and so forth. Gene said that he thinks you should suffer the consequences if you're not going to play by the rules.

Annemarie Polan said that right now they have to pay double the amount of the permit.

Gene Jonas said that he thinks that's way too low. Gene said that he thinks it should be double the cost of the job. Gene said you want to get their ears perked up and that would work.

Matt Bernacchi asked if we discussed the commercial and industrial for construction and additions.

Annemarie Polan said that she looked at Starke County and it looks like they don't have a base fee. Annemarie says that it's twenty cents a square foot. .

Matt Bernacchi said that we're probably not that far out of line.

Matt Bernacchi asked if we want to leave that alone.

Annemarie Polan stated yes.

Matt Benacchi made a motion to leave that alone. Jim Pressel seconded.

Barbara Huston said that we have a motion and a second on the floor to leave new construction and additions and remodel.

Barbara Huston asked if there was any further discussion on this. Hearing none.

All approved. Motion carried 9-0.

Barbara Huston asked if there was anything else under new business that you would like to discuss.

Annemarie Polan stated no.

Barbara Huston said no further business coming before this board she will entertain a motion to adjourn.

Matt Bernacchi said so moved. Jim Pressel seconded.

Public Comment.

Ken Purrs said to those of you who don't know, he is the Vice Chairman of the County Drainage Board, and John Coulter is our chairman and we've had some informal discussions, but we wanted to make the Building Commission and Annemarie aware of resources available through the Drainage Board, primarily that being him as a certified flood plain administrator. Mr. Purrs said that he knows that Annemarie has her hands full with a lot of the things in the Building Department and we will offer services through the Drainage Board that she might need as she is getting into that aspect of her new position.

Barbara Huston thanked Mr. Purrs.

Tony Hendricks asked Ken if he could come up and give us and the public a little bit of information why the flood plain resources are so important to our county and the grants received because of that ordinance. Tony said this flood plain ordinance really helps our county out when disasters happen.


Ken Purrs said that your flood plain administrative program is important for many reasons and that is just one of them. Mr. Purrs said that many times one of the questions for you is pursuing grant money, if you have a program and keeping records according to the standards that are set. Mr. Purrs said that flood plain administration for them as a county is really more important in terms of not building in harm's way. Mr. Purrs said that looking at flood plain maps and making sure we're smart about the development. Mr. Purrs said that everyone is talking about and encouraging new development in La Porte County, whether it is residential, industrial or commercial, and it is important that we pay attention to the tools available to us. Mr. Purrs said that right now we have to depend on fema maps; these are the flood plain maps that are made. Mr. Purrs said that the State is involved in getting new flood plain maps for La Porte County. Mr. Purrs said that they're in the process already and we should have those by the end of the year. Mr. Purrs said that this is through the Division of Water.

Mr. Purrs said that it is important for us to pay attention when the permit process is started when we're looking at development. Mr. Purrs said that on the back side, if there is a disaster declared and our emergency manager has to get involved with doing assessments of damaged areas, which we did have that a couple years ago, we were successful with getting funding. Mr. Purrs said that we have to be able to report to either the State or on the Federal level where the disaster has occurred; estimate how much the damage to be and then that allows us to get Federal funding to pay for infrastructural problems that occurred. Mr. Purrs said that just the individual residential home if you are built in the wrong area, you won't qualify for flood insurance and if you don't qualify, you won't get the benefits. Mr. Purrs said that you can't get a federally backed loan on certain homes that are built in the wrong place.

Barbara Huston said that she asked for a motion to adjourn.

Board members stated yes. All approved. Motion carried 9-0.

There being no further business, meeting adjourned at 7:10 p.m.


~~BARBARA HUSTON, President~~
Matthew Bernacchi, Vice President


ANNEMARIE POLAN, Rec. Secretary