

LAPORTE COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 15, 2005

The LaPorte County Board of Commissioners met in a regular session on Tuesday, March 15, 2005 in the LaPorte County Annex and Security Complex Room #3 at 10:00 a.m. . . .

Commissioner Harmon called the meeting to order at 10:00 a.m.

Present at the meeting were Commission President Marlow Harmon, Commission Member Barbara Huston. Also, present were County Attorney Robert Szilagyi, LaPorte County Auditor Teresa Shuter and Recording Secretary Linda Arnett. Commission Vice President William Hager was absent.

LaPorte County Sheriff, Jim Arnold led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mrs. Huston, made a motion to approve the agenda as written., second by Mr. Harmon. Motion carried with a voice vote 2-0.

APPROVAL OF MINUTES

Mrs. Huston, made a motion to approve the minutes of February 15, 2005 as written, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

WEEKLY REPORTS

The Commissioners review and sign weekly reports during the meeting.

CLAIMS

Mrs. Huston, made a motion to approve Payroll ending March 24, 2005, the chair made the second. Motion carried with a roll-call vote 2-0.

Miscellaneous Claims

Mrs. Huston made a motion to approve Miscellaneous Claims in the amount of \$1,870,200.47; the chair made second. Motion carried with a roll-call vote 2-0.

Settlement Claims

Mr. Harmon, we received two (2) court settlement claims from Attorney Friedman, due to the nature of the settlement thru the court system any information that is wanted of these claims you need to contact Attorney Friedman. The claims are in the amount of \$9,875.00 and \$15,000.00.

Mrs. Huston, made a motion to pay both of these claims in the amounts stipulated; the chair made the second. Motion carried with a roll-call vote 2-0.

CORRESPONDENCE

None

REQUESTS

James Arnold, LaPorte County Sheriff, Peace Officers Memorial

Sheriff James Arnold, I am requesting the use of the east side of the courthouse lawn for my 6th annual Peace Officers Memorial Day service to be held on Friday, May 13th from 1p.m... I have checked with maintenance, it will be no problem and the commissioners have always granted this request before. If inclement weather occurs we will have the service held inside.

Mrs. Huston, made a motion to approve the request of Sheriff Arnold, the chair made the second. Motion carried with a roll-call vote 2-0.

Rolling Prairie Business & Community Association-Street Closing Approval, August 20th & 21st and Request for \$500.00 for the 13th Annual Olde Farmers Fest

Mrs. Huston, made a motion to approve the closing of the for the Home Town American Pride and in the same motion give them \$500.00 for advertising, the chair made the second. Motion carried with a roll-call vote 2-0.

Tim Morgan, LaPorte County Parks Department, Superintendent, Request for CCD Funds (amendment to the agenda)

Tim Morgan, I would like to thank the commission on the support of a grant application last year that has been successful, in the amount of \$250,000.00 for the development of the south side of Red Mill County Park. I would again like to commend the commission for the continued support of grant applications for development of the parks.

We are requesting funds for these three items a bobcat auger attachment, Kubota tractor and a Chevrolet Colorado the total amount we are requesting for these three items \$26,700.60. We are working on two grants right now, the Land & Water grant and the Recreational bills grant.

Mrs. Huston, you have a Kubota tractor, how many Kubota tractors do you have now? Do you have one for each of your parks?

Mr. Morgan, we have one at this time for the whole County Park System and it is about six (6) years old. Often what happens is, a lot of time we are working in multiple parks and we don't have a tractor anywhere else.

Also, we are planning on starting a hayride program this fall and this would be good for the program.

Mr. Harmon, you will not be adding any vehicles?

Mr. Morgan, no we will be reducing what we currently have, the council is adamant about replacing vehicles not adding vehicles.

Mr. Harmon, you were advised by the council to cut 20% from your budget, did you cut the 20% out?

Mr. Morgan, yes sir. We cut the 20% and we got hit really hard.

Mr. Harmon, this is the lowest for all the equipment \$26,700.60.

Mr. Morgan, the County Park Board approved the lowest bid on each.

Mrs. Huston made a motion to approve the request of the three items stipulated in the amount of \$26,700.60, the chair made the second. Motion carried with a roll-call vote 2-0.

OLD BUSINESS

Rick McVay, LaPorte County Highway Engineer, 75 West-Proposed Speed Limit Modification 250 S. to 400 S.

Mr. Harmon, this is an Ordinance by title only unless there is an objection, hearing no objection, the Ordinance on first reading by title only Ordinance Setting a Speed Limit on County Road 75 West between County Roads 250 South and 400 South.

Mrs. Huston, made a motion to approve the Ordinance on first reading, the chair made a second. Motion carried with a roll-call vote 2-0.

Mr. Harmon, I ask that we move forward for a second reading if there is no objection.

Mrs. Huston, no objection.

Mr. Harmon, we have an Ordinance before us on second reading by title only an Ordinance setting the Speed Limit on County Road 75 West between County roads 250 South and 400 South the speed limit to be set at 35 mph, need a motion to adopt.

Mrs. Huston, made a motion to adopt this Ordinance on second and final reading, the chair made the second. Motion carried with a roll-call vote 2-0.

Mr. Harmon, this is Ordinance 2005-03.

Rick McVay, LaPorte County Highway Engineer, Johnson Road & C.R. 450 North Proposed Signalized Intersection (need to remove from table)

Mrs. Huston, made a motion to remove from the table, the chair made the second. Motion carried with a voice vote 2-0.

Mr. McVay, well Sheriff Arnold and I met on this and discussed ways to attack this problem short of a signal and discussed turning lanes, widen the intersection and or a caution lights and monitor the intersection.

Mr. Harmon, I want to comment on this. I think we need to take the alternative and put up a signal at that intersection until the renovation of Johnson road then we should look at turn lanes. There is enough traffic at different times of the day that has created a safety problem and that's what I am concerned about. It is a site problem and that is what I am worried about.

Sheriff Arnold, at that intersection between 1993—1994 we have had a total 50 accidents at that intersection out of 50 accidents there have been 41 injuries no fatalities. If you take that and break it down that is 4 accidents per year that comes out to three injuries per year over the past 12 years. Between the hours of 6 a.m. and 6:00 p.m. we have had 41 accidents there and between 6:00 p.m. in the evening and 6:00 a.m. in the morning we have had 9, that means that most of the accidents 82% of the accidents happen between the hours of 6:00 a.m. and 6:00 p.m.. I have had no complaints from any of the residents there in the area about that intersection. I am suggesting a flashing red light for traffic east and west bound on 450 North and a caution light for the traffic on Johnson Road. We have a site problem there, I would like to see a flashing red light there and monitor it for a year. I do not agree at this time that it warrants a four way stop light.

Mr. Harmon, I agree with you up to a point, but this would control the problems during the day. Are there site problems, yes there are site problem and after this meeting I want to advise you and Mr. McVay and Mr. Young to meet with you on Friday morning at 10:30 at Dunebrook, they are willing to do whatever they can to help correct this problem. The caution lights we have at 212 and 12 and that is an issue and we need to eliminate any accidents.

Mrs. Huston, I would like to ask Sheriff Arnold, I have heard and I am not sure if you put up a stop light at a new location, is it true that it might even cause further accidents, because they aren't aware of the stop lights?

Sheriff Arnold, absolutely people are trying to beat the light, they are not accustom to the light being there. People get into a false sense of security by putting a traffic light in its going to eliminate accidents all that is going to do is people are going to try to beat that light and cause more accidents. People just don't pay attention to their driving; putting up a stop light or caution light is not going to stop people from trying to beat the light.

Ms. Huston, do think by clearing up the site, do you think by clearing that up and putting in turn lanes would help that.

Mr. McVay, it couldn't hurt, I think if we did do that we would have to keep an eye on it to see if it did do any good.

Ms. Huston, I mean instead of a light do you think it would elevate the problem, maybe if we could make the intersection more viewable to the public and human error being the factor maybe it would be a better way to go.

Mr. McVay, I think we need to look at that and put in some turn lanes to get those people off of Johnson Road, it gets very congested in there

Ms. Huston, do you have plans to clean up the site.

Mr. McVay, yes that will be included in the project and also Pahs Road will be included in the project.

Ms. Huston, Mr. Harmon I would like to table this until we can have more information, the chair made the second. Motion carried with a roll-call vote 2-0.

Appointment to Plan Commission

Mr. Harmon, we have a name to submit it has to be republican or a neutral candidate. Ms. Huston made a motion to appoint Lynn Waters to the Plan Commission, the chair made the second. Motion carried with a roll-call vote 2-0.

John Sullivan, LaPorte County Coroner Chief Deputy, CCD fund new vehicle (need to remove from table)

Mr. Harmon, this was tabled; we will leave it on the table at this time.

Robert Young, LaPorte County Highway Superintendent, Bid Opening Class 11 Bituminous Materials, Class 12 Hot Asphalt Concrete, Class 13 Seal Coating (Chip & Seal)

Mrs. Huston, made a motion to close the bids, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Szilagyi, the first one is Class 11 Seneca they have a bid bond, Koch Materials Company bid bond, Bit-Materials Products bid bond, Class 12 the first one is from Welsh & Kelly and the second is Reith Riley, Class 13 Reith Riley and the last one is Welsh & Kelly.

Ms. Huston, made a motion to turn all bids over the LaPorte County Highway Superintendent Robert Young, the chair made the second. Motion carried with a roll-call vote 2-0.

Robert Young, LaPorte County Highway Superintendent, Bid Opening (5) New Tandem Dump Trucks

Mrs. Huston, made a motion to close the bids on the Tandem Dump Trucks, the chair made the second. Motion carried with a roll-call vote 2-0.

Mr. Szilagyi, the first bid you have is from Pozzo Mack Sales and Service they have three different bids enclosed. I have three separate bids here from Great Lakes International. Ms. Huston made a motion to turn the bids over the LaPorte County Highway Superintendent, Robert Young for his recommendation on April 5, 2005, and the chair made the second. Motion carried with a roll-call vote 2-0.

Ordinance LaPorte County Department of Redevelopment (2nd Reading)

Mr. Harmon, this Ordinance is before us on second and final reading by title only, An Ordinance of the Board of County Commissioners of LaPorte County, Indiana Establishing the LaPorte County Department of Redevelopment and the LaPorte County Redevelopment Commission. Ms. Huston, made a motion to adopt on second reading and final reading, the chair made the second. Motion carried with a roll-call vote 2-0.

Mr. Harmon, this will be known as Ordinance #2005-04.

NEW BUSINESS

Kenneth Layton, LaPorte County Treasurer, Tax Sale Contracts (amendment to the agenda)

Mr. Layton, you have received a letter from me on the tax sale.

Mr. Harmon, I did meet with Mr. Layton and Ms. Shuter at the last meeting they had and yes there were problems with the previous and there were questions with the other company we had not so much in LaPorte County but in other Counties. I support this new company and the position they have taken and the process they are going to go thru.

Mrs. Huston, made a motion to sign the contract with Government Utilities Technology Service, the chair made the second. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer, Additional Appropriation from Riverboat, \$80,000.00

Mr. McVay, we are asking for additional appropriation in the amount of \$80,000.00. This is for continuous clean up at the Rolling Prairie Garage.

Mr. Harmon, for your information I have talked with Mr. Hass the engineering firm doing the project and they are prepared to, they have been in touch with the state in reference of getting the funding returned to us and the first time we applied we did not meet the criteria but I talked with Mr. Hass the other day and believe we do meet the criteria. They will be resubmitting the application and try to recover some of the \$400,000.00 or \$500,000.00 we have gotten invested in the process and unfortunately it is pumping product out of the ground. We have been at this for 6 years now trying to get this cleaned up, for your information and for the council members here at the next county council meeting Mr. Hass will be there to update the council.

Ms. Huston made a motion to approve Mr. McVay's request for the additional appropriation from Riverboat, the chair made the second. Motion carried with a roll call vote 2-0.

Monique Gillard, Human Resource/Assistant to the Board of Commissioners/ Poor Relief Case (amendment to the agenda)

Ms. Gillard, this is the poor relief case of Antoinette Brandon. This case was denied by Michigan Township Trustee. Ms. Brandon appealed the Michigan Township decision to deny Ms. Brandon.

Mrs. Huston made a motion to deny this appeal, the chair made the second. Motion carried with a roll-call vote 2-0

Attorney Ryan Beall, Road Vacation

Mr. Harmon, Hudson Lake Road Vacation, Attorney Beall. Attorney Beall is not present.

Mrs. Huston made a motion to table until the attorney can be present, the chair made the second. Motion carried with a roll-call vote 2-0.

Kent Carpenter, LaPorte County Maintenance Department, Additional Appropriation \$19,477.19 for equipment (amendment to the agenda)

Mr. Carpenter, I am requesting the money for the Wabash Complex on 8th Street, we have four (4) offices over there and with this equipment we can eliminate the phone lines which will save us approximately \$4,000.00 per year. This fiber that Mr. Tulacz put in will be helping us.

Ms. Huston, made a motion to approve the request, the chair made the second. Motion carried with a roll-call vote 2-0. chair. Motion carried with a roll-call vote 2-0.

Mr. Harmon, Mr. Carpenter one more thing, I think it is important to know the due diligence that Mr. Carpenter and Mrs. Jablonski have done in the Maintenance Department watching the phone bills like they have, they have come up with an error that was done in 2002 where Verizon had charged us some \$36,000.00 for phones that we don't use. Mr. Carpenter and Mrs. Jablonski found those mistakes and notified Verizon and they credited us back \$36,000.00 in error of those phone bills.

Contract, Paul I. Cripe, Street Centerline and Address Range Data Project (amendment to agenda)

Mr. Harmon, we have a new contract with Paul I. Cripe for street Centerline and Address Range Data Project. We have a new contract with Cripe, discussed with Mrs. Mischke getting the addressing forward this money can be taken out of the reassessment monies and we have discussed this with Mrs. McDaniel's and she agreed that the \$250,000.00 and she discussed this with the State Board of Accounts and she was advised that she could pay for the project. Now at this time, I ask the board to sign this contract with Paul Cripe to get this project moving forward.

Mrs. Huston, made a motion to sign the contract with Paul Cripe, the chair made the second. Motion carried with a roll-call vote 2-0.

PUBLIC COMMENTS

Mr. Jerry Cooley, I am the liaison for the Park Department and I did go to the meeting the other night and they were talking about subdivisions around our park at Luhr how close it is to our park. The problem that they are having there is that there should be some kind of soft area between the subdivision and the park system. We need to come up with some kind of ordinance that any developments next to our parks they need to come and talk to us about how to develop back there. Mr. Szilagyi, its 100 and some odd acres, most of those lots are ten (10) acres or better

Mr. Harmon, as the attorney just said, we are looking at that ordinance for zoning and we may be able to incorporate that.

Mr. Cooley, I know we are spending \$600,000.00 for new trucks and I know next year we want to buy even more trucks. I will say that the county garage does an excellent job but I went out there and there is a lot of our equipment setting outside a lot of snow sitting on it and I hate to spend money but we need to do something to protect our equipment. It is not

necessary to have a heated building but I feel that we need something to protect our investments.

Mrs. Huston, we need to have the ambulances we have been sitting out too.

Mr. Harmon, I think one of the issues is the ambulances and we have a very serious issue with and we will address is the substation up in Rolling Prairie area. We are spending thousands of dollars to make our trucks run from that area to LaPorte back to the county barns, we are wasting man hours and wear and tear on the trucks. We need to protect the equipment with a substation in that area by doing that we won't need the size building down here that you would normally have to have.

Mr. Behler, in reference to the information that I dropped off to you yesterday, I just wanted to state that I have heard from four more townships yesterday and I have an addendum here and where should I mail that to your home or office. Mr. Harmon, to our office.

Mr. Behler, in the process the deadline is set for purchasing of our equipment.

Mr. Harmon, for your information we just got a letter from our attorney how that funding could take place and I don't know if there is a deadline on it but I don't know where we fall. I have asked Mrs. Huston to speak with Ms. Spevak today and see if we can get something moving or get this done as soon as possible.

Mr. Behler, if the commission should decide to go with an outside program or the state program, I am sure the clerk is up on this. Also, it is mandated to have all accessible polling places for 2006.

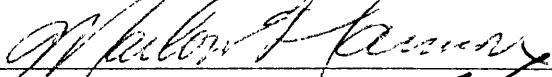
COMMISSIONER'S COMMENTS

None

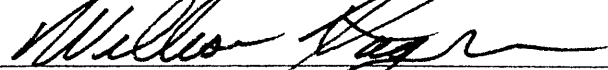
ADJOURN

Commissioner Harmon adjourned the meeting at 11:25 a.m...


LAPORTE COUNTY BOARD OF COMMISSIONERS



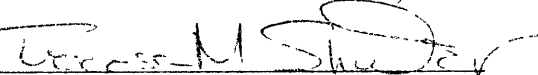
Marlow Harmon, President



William Hager, Vice President



Barbara Huston, Member

ATTEST: 

Teresa Shuter, LaPorte County Auditor
(Approximately 25 people in attendance)