

# BOARD OF COMMISSIONERS

## LAPORTE COUNTY

Circuit Courthouse

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Marlow Harmon, President

William Hager

Barbara Huston

### LAPORTE COUNTY BOARD OF COMMISSIONERS

TUESDAY, OCTOBER 18, 2005

The LaPorte County Board of Commissioners met in regular session on Tuesday, October 18, 2005 at 10:00 a.m. in the LaPorte county Complex Meeting Room #3.

Present at the meeting were Commission President Marlow Harmon and Commission Member Barbara Huston. Also present at the meeting were County Attorney Robert Szilagyi, Commission Secretary Linda Arnett and Assistant Monique Gillard. Commission Vice President William Hager was absent.

#### WELCOME AND PLEDGE OF ALLEGIANCE

Mrs. Huston led the Pledge of Allegiance

Mr. Harmon, let in is noted in the minutes that Mr. Hager has been excused from the meeting due to attending the AIC Conference.

#### APPROVAL OF AGENDA

Mr. Harmon, amendments to the agenda under "Old Business" remove section "G" remove Charlie Hendricks approval of Drainage Approval of Park Place and under "New Business" add section "E" Appointment to 39<sup>th</sup> District and under "F" add Notice to Bidders for Courthouse Renovation.

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

#### APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of October 4, 2005 as submitted, second by Mr. Harmon. Motion carried with a roll-call 2-0.

#### WEEKLY REPORTS

The Commissioners sign the weekly reports during the meeting

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

#### CLAIMS

Mrs. Huston made a motion to approve Miscellaneous Claims in the amount of \$2,336, 651.64, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

#### Settlement

Mr. Harmon, we received a settlement agreement from our attorneys in reference to a lawsuit against the county but due to the nature of the case, we do not want to discuss that issue and anyone that wishes to have any questions about this particular settlement should contact Attorney Shaw Friedman.

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

PAYROLL

Mrs. Huston, made a motion to approve Payroll Ending October 21, 2005, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

CORRESPONDENCE

None

REQUESTS

Shaw R. Friedman, LaPorte County Attorney/ Engagement of Short, Elliott & Hendrickson, Inc.

Mr. Friedman, with the future of industrial and commercial growth outside the city lines of Michigan City and LaPorte it is important for the tools necessary to help with economic development and job creation. You as county commission have helped that process along by the creation of both economic development corporation and a new redevelopment commission and I want to note the presence of a couple of our redevelopment commission members here this morning both John McDaniel and Karen Biernacki. As various developers approach LaPorte County with their plans it is important that we as we discuss various incentives to get that development, that are necessary to get a deal done that we do so in a way that is prudent and responsible for the tax payers. We only want the incentives that are necessary to get the development done but not so much to be a windfall that might due a deal anyway, that is the tough question. It is why we are recommending that the county retain Matt Reardon's services to assist in these deals. Matt as you know has been heavily involved in economic development and understands the counties feelings and that of the county council. We spoke that their be no use of eminent domain for private or commercial development, the county has been strongly on record on that. We are recommending some one of Matt's expertise to help the county get the best deal possible, someone who understands that the tax base needs to be protected and that we use every tool available to land good high paying jobs for residents of LaPorte County.

Mr. Harmon , I think this is a good step forward as far as the county is concerned I know we have been involved in EDC issues and it is very time consuming, we do that with all the works we have to keep up with and I think this is one of the steps that we need to take before we get our EDC Director in place. I do appreciate Mr. Reardon stepping into the position and plus we have a lot of things moving that we could use some help on. One question Mr. Friedman, I have not talked to Mr. Hager or I don't know if Mrs. Huston has, have you had a chance to converse with him at all.

Mr. Friedman, I did and as you know Mr. Hager had to leave for Indianapolis for the Association of Indiana Counties and he was good enough to stop by my office and he had an opportunity to visit with Matt, and visit with his vision of economic development.

Mrs. Huston, made a motion to grant Mr. Friedman's request and bring Matt Reardon on board, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Appointment to Pioneer Cemetery Board/ Mr. Ken Baker

Mr. Harmon, the Pioneer Cemetery Board is appointed by the Board of Commissioners we had one member leave the board, Mr. Baker is requesting that he be appointed as the financial secretary, then the Cemetery Board will submit some names for his replacement.

Mrs. Huston, made the motion to appoint Mr. Ken Baker as financial secretary of the Pioneer Cemetery Board, second by Mr. Harmon. Motion carried with a roll-call vote 2 0.

OLD BUSINESS

Rick McVay, LaPorte County Highway Engineer, Royal Metal Building Final Approval

Mr. McVay, this is final approval of the demolition project it is complete and it went very smooth and it is done.

Mrs. Huston, made a motion to approve the recommendation of the County Highway Engineer and this project is completed, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer, Bridge 203/Change Order #1 in the amount of \$7,478.42

Mr. McVay, this change order is due to wet soil conditions and they had to go thru some extra steps to get the footings in.

Mr. Harmon, what bridge is this on?

Mr. McVay, 1900 South and 400, this project was drug out do to the conditions.

Mr. Harmon, our share is \$7,478.42.

Mrs. Huston, made a motion to approve the request for the Change Order in the amount specified, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer, Construction Engineering Services, Bridge 203/Additional Cost \$2,777.47

Mr. McVay, this is for the same reasons the project took some extra services from the consultant.

Mr. Harmon, our additional cost is \$2,777.47.

Mrs. Huston, no except your letter says 47cents and my program says 27 cents, which is it.?

Mr. McVay, it is 47cents.

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

Rick McVay, LaPorte County Highway Engineer, Bridge 203 Final Acceptance

Mr. McVay, the bridge is complete and we went 5% over.

Mrs. Huston, made a motion to approve the final acceptance for Bridge 203, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Rick McVay, LaPorte County Highway Engineer/ Madura Road Proposed Speed Limit 30 mph

Mr. McVay, it would be our recommendation of 30 mph, according to our traffic study we did not see much of a problem.

Mr. Szilagyi, I need to know how far it goes to draft an ordinance because the reset of that is private.

Mr. McVay, I think it is about a half a mile.

Mrs. Huston, made a motion to concur with the recommendation of the Highway Engineer and turn this over to Attorney Szilagyi to create an ordinance, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Bid Openings Courthouse Walkway

Mr. Harmon, let the record show the time is 10:00 a.m. this date was the time that all bids had to be in, we have received four bids they were turned in within the time limit allotted.

Mrs. Huston, made a motion that all bids be closed, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Szilagyi, the first bid that we have is from Larson-Danielson in the amount of \$756,131.00, Tonn & Blank in the amount of \$789,900.00, Gough, Inc. \$1,048,000.00 and GariupConstruction, Inc. \$838,000.00.

Mrs. Huston, made a motion to turn all bids over to DLZ for their recommendation, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Charlie Hendricks, Urban Drainage Approval Park Place

Removed from the agenda

Pat Pease, Administrator LaPorte County EMS/ Resolution (\*\*amend to include)

Ms. Pease, this resolution is a request for the EMS Administrator on an annual basis to average the last five years of uncollected receivables and come up with a percentage of doubtful accounts and provide that to the State Board of Accounts. We were doing it but this way we will have a Resolution to show that we can do so.

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

Mr. Harmon, the will be known as Resolution # 2005-09

NEW BUSINESS

Jane Bernard, Director LaPorte County Animal Shelter/ Additional Appropriation in the amount of \$4,900.00

Mrs. Bernard, I regret having to ask you for the extra funds, the first is the gas and oil account in the amount of \$900.00 and the second is for \$4,000.00 for part-time help this is the third or fourth year that I have had to make this request. We hope to rectify this next year the county council granted us extra money in our part-time help. We are just over 800 dogs and 750 cats this year it is not so much that we have so many people working out their it is just complaints are on the rise going out responding about their neighbors, so that is what that request is for.

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

Kathleen Lang, Judge LaPorte Superior Court #1/Additional Appropriation in the amount of \$26,487.65

Judge Lang, this request is for updating Superior Court 1, when we were at the budget hearings I expressed to the council along with Judge Chapala that the courtroom needed upgrading with computers and things like that. The council asked for figures and get back to them so that is what we

have done. There were no computers in Superior Court 1, Judge Chapala did not use them, and I am requesting two to get started.

Mrs. Huston, this words system, reporting system that is a piece of specialized equipment that you will have to train someone on?

Judge Lang, yes the court reporter and all the other court reporters are trained on that.

Mrs. Huston, and how did Judge Chapala's reporter do it in the past.

Judge Lang, it was a tape cassette system.

Mr. Harmon, have you discussed this with the Data Department?

Judge Lang, yes they have been involved from the start and they bid this all out they are familiar with all the equipment.

Mr. Harmon, my last question is do you have any money in one of your special accounts?

Judge Lang, nothing of this magnitude.

Mrs. Huston, made a motion to approve the request submitted and the money be taken out of Win Tax or CCD funds, second by Mr. Harmon. Motion carried with a voice vote 2-0.

Al Ott, LaPorte County Stationary Engineer/ LaPorte County Home Generator

Mr. Harmon, we have a request for LaPorte County Home Generator I believe we should go with the recommendation of the Stationary Engineer and approve Marquiss Electric, Inc. in the amount of \$76,415.00 these funds will be taken out of the Ruth Rohrabough Estate.

Mrs. Huston, made a motion to approve the request of the LaPorte County Stationary and approve Marquiss Electric, Inc., second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Robert C. Szilagyi, LaPorte County Attorney/ Rezoning of Clinton Township

Mr. Szilagyi, Mr. Kaminski was to be here and I believe we should table this until the next meeting.

Mrs. Huston, made a motion to table until the next regular meeting, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Appointment to the 39<sup>th</sup> Conservancy District

Mr. Harmon, due to the loss of one of the board members they request that the Board of Commissioners appoint a replacement to fill the unexpired term of that person and this person will serve until February 11, 2006 and at that time the Conservancy District will elect a replacement. They have submitted a name of Terry Larson that we appoint to fill that unexpired term.

Mrs. Huston, made a motion to comply with their request to appoint Terry Larson to the 39<sup>th</sup> North Conservancy District, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Notice to Bidders for the Courthouse Renovation

Mr. Harmon, we have a request from Herceg & Associates to send out a notice to bidders and the bids would be let until Tuesday, December 20, 2005 at 9:00 a.m... Mr. Wall has asked that we allow extra time to let bidders due to the scope of work that needs to be done and the project that we are

talking about is the restoration of the exterior of courthouse. Tim Wall has been the chief engineer in this project and spent the last six (6) months working on this project.

Mrs. Huston, made a motion to advertise for the notice to bidders to go out for the Restoration of the Exterior of the LaPorte County Courthouse, second by Mr. Harmon. Motion carried with a roll-call vote 2-0.

Mr. Harmon, will you be doing the advertising or will our secretary?

Mr. Wall, we have already made arraignments with the local papers, the Michigan City and the City of LaPorte papers.

**PUBLIC COMMENTS**

None

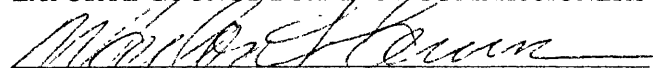
**COMMISSIONER'S COMMENTS**

None

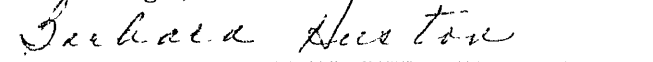
**ADJOURN**

Commissioner Harmon adjourned the meeting at 10:45 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)