



BOARD OF COMMISSIONERS

LAPORTE COUNTY

Circuit Courthouse

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Marlow Harmon, President

William Hager

Barbara Huston

LAPORTE COUNTY BOARD OF COMMISSIONERS

TUESDAY, DECEMBER 20, 2005

The LaPorte County Board of Commissioners met in a regular session on Tuesday, December 20, 2005 at 10:00 a.m. in the LaPorte County Complex Meeting Room # 3.

Present at the meeting were Commission President Marlow Harmon, Commission Vice President William Hager, Commission Member Barbara Huston. Also present were LaPorte County Attorney Robert Szilagyi, LaPorte County Auditor Teresa Shuter and Administrative Assistant Monique Gillard.

WELCOME AND PLEDGE OF ALLEGIANCE

Mr. Hager led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Harmon, I have one addition to the agenda under "Old Business" Section "H" L.T. Land Development and remove from the agenda "Approval of Minutes.

Mr. Hager, made a motion to approve the "Agenda" as amended, second by Mrs. Huston. Motion carried with a voice vote 3-0.

APPROVAL OF MINUTES

Removed-December 6, 2005

WEEKLY REPORTS

Commissioner's review and sign weekly reports during the meeting.

CLAIMS

Mrs. Huston, made a motion to approve Miscellaneous Claims in the amount of \$582,414.34, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mr. Hager, made a motion to approve Regular Claims in the amount of \$3,487,602.44, second by Mrs. Huston. Motion carried with roll call vote 3-0.

PAYROLL

Mrs. Huston, made a motion to approve Payroll Ending December 30, 2005, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

CORRESPONDENCE

None

REQUESTS

None

OLD BUSINESS

Al Ott, LaPorte County Stationary Engineer / Bid Recommendations

Mr. Ott, you all have copies on the proposal and the recommendations that I have given you, is there any questions on my recommendations.

Mr. Hager, made a motion to approve the recommendations, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Attorney Robert Szilagyi, Ordinance Regarding Storm Water Runoff Control

Mr. Harmon, Mr. Szilagyi asks that this be tabled.

Mr. Hager, made a motion to table until the end of January, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Attorney Dave Ambers, Division Road Purchase of Property

Mr. Harmon, we will hold this off until later in the meeting.

Robert Young, LaPorte County Highway Superintendent/ Material Bid Openings

Mrs. Huston, made a motion to close the bids, second by Mr. Hager. Motion carried with a voice vote 3-0.

Attorney Szilagyi opens the bids.

Material Bids:

Material Service Corporation: Class I which includes a bid bond
Vulcan Materials Company: Class I which includes a bid bond and non-collusion affidavit
Phend & Brown, Inc: Class II which includes documentation for bond
Reith Riley: Class II which includes bid bond and non-collusion affidavit
Vulcan Materials Company: Class IV
Reith Riley: Class IV

Next is Class V Diesel:
Petroleum Traders Corporation
Triple J-Mar Petroleum, Inc.
Rackham Service Corporation

Last is Class X

Hall Signs Inc. Confidential

Mr. Hager, made motion to give to turn the bids over to Mr. Young for his recommendation, second by Mrs. Huston. Motion carried with roll call vote 3-0.

Ken Herceg & Associates, Mr. Tim Wall/ Bid Openings Courthouse Restoration

Mr. Hager, made a motion to close all bids, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Attorney Szilagyi, Restoric LLC. \$4,079,200.00, Larson Danielson, \$3,587,280.00, Gariup Construction Company \$4,890,000.00, Ziolkowski Construction \$2,691,910.00.
Mrs. Huston, made a motion to turn the bids over to Tim Wall of Ken Herceg & Associates for review and then he will come back with a recommendation, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Cender & Company- Consulting Services

Mr. Harmon, as you know we are involved in economic development projects here in LaPorte County and we need a consulting firm to help us do these projects. Cender & Company we have been dealing with and have dealt with on other projects. The contract is for the scope of services that they will be performing and is quite lengthy.

Attorney Friedman, as the commissioners are aware the County Redevelopment Commission has embarked on activity designed to generate and induce new business to come to LaPorte County. At this time that is being looked at, at the corner of I-94 & 421 that the Redevelopment Commission is very excited about. And with we need to construct the best Economic Development team possible and part of that team that is being recommended is the company of Cender & Associates, Carl Cender worked as financial advisor when we did financing on the Jail Renovation. As you all know bringing Matt Reardon, on board with his expertise is from Munster and Phil Faccenda from Barnes & Thornburg. So, we think we are construction a top class, top flight grade A Economic Development Team and part of that would be Cender & Associates.

Dan Botich, there is interest in 421-I-94 corridor Cender & Company has been requested to send proposals which you have before you to create economic development area unlike the redevelopment area there is not there is not the signing of licenses required. And with that we will be preparing a plan necessary to create the opportunity for economic development working with SEH and Matt Reardon who is an economic development specialist for the Redevelopment Commission. I have sent out the section of the plan with the proposal itself with the proposal with an allocation area and there will be a tax impact study prepared and sent out to all the taxing units.

Matt Reardon, a couple of the key items that we are going to go thru the planning this is an interactive process that will not only involve the Commissioners but also the Plan Commission and the Redevelopment Commission. The general steps we are looking at are the introductory statement about the county and both of if the plans, market overview which will include general description, senses data, building construction data and drawing of the planning area, which to date will include the four corners of 421 and 94. an economic potential, the description of the activity, funding sources and financing options to assist the county, current community planning to make sure this overlaps with the current community planning and the statutory findings that are required to make sure we have done all of our work. I just want to layout a time table for you, so you have an understanding of what we are looking at key action dates. We are looking at February 17th to have the plan prepared and finalized including the plats and maps for your review and February 21st is the key date for the Redevelopment Commission would adopt what is called a declaratory resolution which is key in this factor it allows for the incurring of cost to be reimbursed to the Commission and or the Commission reimbursing the County for set cost in funding the project, from that point it needs to go to the Plan Commission for their review and approval and then on March 7th the Board of Commissioners would adopt a resolution approving the planning area and March 14th would be a public hearing regarding the issue, March 28th the Redevelopment Commission would again conduct a public hearing finalizing the project. This is part of the process for the means of creating the allocation areas which simply is stating it allows the county to be reimbursed for the new growth and evaluation and tax revenue. We want to make sure the investment that the county puts in gets back out as quickly as possible.

Mr. Hager, this isn't going to exceed \$ 35,000.00.

Mr. Reardon, no.

Mrs. Huston, made a motion to adopt the contract with Cender & Company, second by Mr. Hager and I would like to add that the President signs. Motion carried with a roll-call vote 3-0.

Award Walkway Contract

Mr. Harmon, there are several alternates, we have received two bids one from Tonn & Blank and Larson & Danielson. Tonn & Blank is for \$235,000.00 and there are several alternates that need to be looked and considered and Larson & Danielson \$217,083.00, numerous alternates on that and I think the board needs to go over.

Mr. Hager, I have set down and talked to DLZ on this, Brian Glaze and also I went over this and DLZ had the same thoughts that I had is that Tonn & Blank is the low bidder on this with what they are doing putting in new doors where Larson-Danielson are just repairing the doors. So I would make a motion to go with Tonn & Blank.

Mr. Hager, made a motion to go with Tonn & Blank, second by Mrs. Huston.

Mrs. Huston, Mr. Hager this includes the new automatic doors?

Mr. Hager, yes it includes the new doors.

Mrs. Huston, is it heated?

Mr. Hager, yes.

Motion carried with a roll-call vote 3-0.

Mr. Hager also added to the motion that the President can sign the contract with Tonn & Blank.

Mr. Harmon, also let the record show that we received a call from the Department of Justice in reference to ADA accessibility into the buildings and I explained to the lady what was being done and I informed her that would likely be signing a contract most likely today that would correct those problems. She did accept that as a good answer and she will be making a site visit and we will give her the information so she knows that this is being taken care of at this time.

David Ambers

Mr. Harmon, this is in reference to Division Road an unimproved roadway and your client has some property that they want to build some homes on but does not want the road vacated. I think it was two or three years ago that we got involved in this same piece of ground.

Mr. Ambers, it was three years ago Bats Inc. attempted to vacate that portion of the roadway and at that time I represented the property owners that would have been in 2000 and that petition to vacate was denied by this board.

Mr. Harmon, I have asked the board not to vacate it today, you have agreed if we allow you to put the gravel road in at your expense.

Mr. Ambers, my client wants to install a gravel drive way so he can get to the property and have the option if he chooses to build a road to the county specifications what ever is in effect at that time. And it will be at the owner's expense not the counties.

Mr. Harmon, that is some of the wording that has to be corrected in that agreement that you had dropped off, have you talked to Mr. Szilagyi?

Mr. Ambers, yes I have added a paragraph with the legal description and it states that the road way is at the buyer's expense.

Mr. Hager, made a motion to turn this over to Attorney Szilagyi and he and Mr. Ambers can work this out and the board will then approve Mr. Ambers client to gravel the road, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Jim Kaminski/ L.T. Land Development

Mr. Kaminski, I represent L.T. Land Development and its principal owner Mr. Harry Moore. I wanted to speak to the commission and back on the end of September a petition was presented to the Plan Commission requesting the rezoning of some agricultural land from agriculture to R1 residential for the purpose of developing a 35-40 home subdivision on county road 1150 west near 1000 South. It is about 2 from Wanatah near the corner of highway 30 and highway 421. At the Plan Commission hearing Mr. Moore an experienced developer presented the plan. The Plan Commission voted down petition and when it did so they said that they wished that the master plan was done so that the over agriculture use could be clarified. My client has decided not to proceed with this and we believe that this parcel is ideal for development but we want to work with the commission and the plan commission. The Southwest part of the county have little to offer in case of developing land and I notified Mr. Szilagyi that we would be withdrawing our petition to rezone at this time and hold off until after the end of the year and go back to the Plan Commission.

Mrs. Huston, clarify where this is again.

Mr. Kaminski, at 1150 W and 1000 South.

NEW BUSINESS

Patricia Pease, EMS Director/ Correctional Medical Services Contract for Payment

Mrs. Patricia Pease, you have before you a contract of consideration submitted by Professional Medical Services Incorporated, I have submitted a cover letter and I have had contact with them and they are requesting a reduced rate.

Mr. Harmon, how many calls do we make out there?

Mrs. Pease, we send quite a few out there and we have two prisons are in arrears \$25,000.00.

Mrs. Huston, Patty what is your recommendation.

Mrs. Pease, my recommend we do not negotiate a reduced fee.

Mr. Harmon, did they make any attempt to negotiate this contract with you.

Mrs. Pease, no we just received the contract within the last 10 days.

Mr. Hager, to deny the contract with Professional Medical Services, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

LaPorte County Assessor- Software Solutions Contract

Mrs. McDaniel, this contract was for 4 years and we have gotten it revised for 2 years.

Mr. Hager, you want a motion to go with the contract for 2 years only.

Mrs. McDaniel, yes.

Mr. Hager, made a motion to go with the two year contract in the amount of \$31,246.00 per year, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Mr. Harmon, Mrs. McDaniel would you get us the revised copy and bring it to the office to be signed.

Mr. Hager also included in the motion I would like that the President is approve to sign the contract.

PUBLIC COMMENTS

Mr. Dan Davis, from the Wall Gang to present you with this plaque and thank you for all that you have done.

COMMISSIONER'S COMMENTS


Mr. Hager, everyone a Merry Christmas. .


Mrs. Huston enjoy the holiday with your family.


ADJOURN

Commissioner Harmon adjourned the meeting at 10:50 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


COMMISSION PRESIDENT


COMMISSION VICE PRESIDENT


COMMISSION MEMBER


TERESA SHUTER, LAPORTE COUNTY AUDITOR

(Approximately 32 people present at meeting).