



BOARD OF COMMISSIONERS

LAPORTE COUNTY

Circuit Courthouse

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Marlow Harmon, President

William Hager

Barbara Huston

LAPORTE COUNTY BOARD OF COMMISSIONERS

TUESDAY, JUNE 7, 2005

The LaPorte County Board of Commissioners met in a regular session on Tuesday, June 7, 2005 at 6:00 p.m. in the LaPorte County Complex Meeting Room.

Present at the meeting were Commission President Marlow Harmon, Commission Vice President William Hager and Commission Member Barbara Huston. Also, present were LaPorte County Attorney Robert Szilagy, Deputy Auditor Rita Layton, Executive Assistant Monique Gillard.

Commissioner Huston led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Hager made a motion to approve Tuesday May 17 2005 minutes and May 3, 2005 as presented, second by Mrs. Huston. Motion carried with a voice vote 3-0.

WEEKLY REPORTS

CLAIMS

Mrs. Huston made a motion to approve Payroll Ending June 17, 2005, second by Mr. Hager. Motion carried with a roll call vote 3-0.

Mr. Hager made a motion to approve Miscellaneous Claims in the amount of \$615,661.86, second by Mrs. Huston. Motion carried with a roll call vote 3-0.

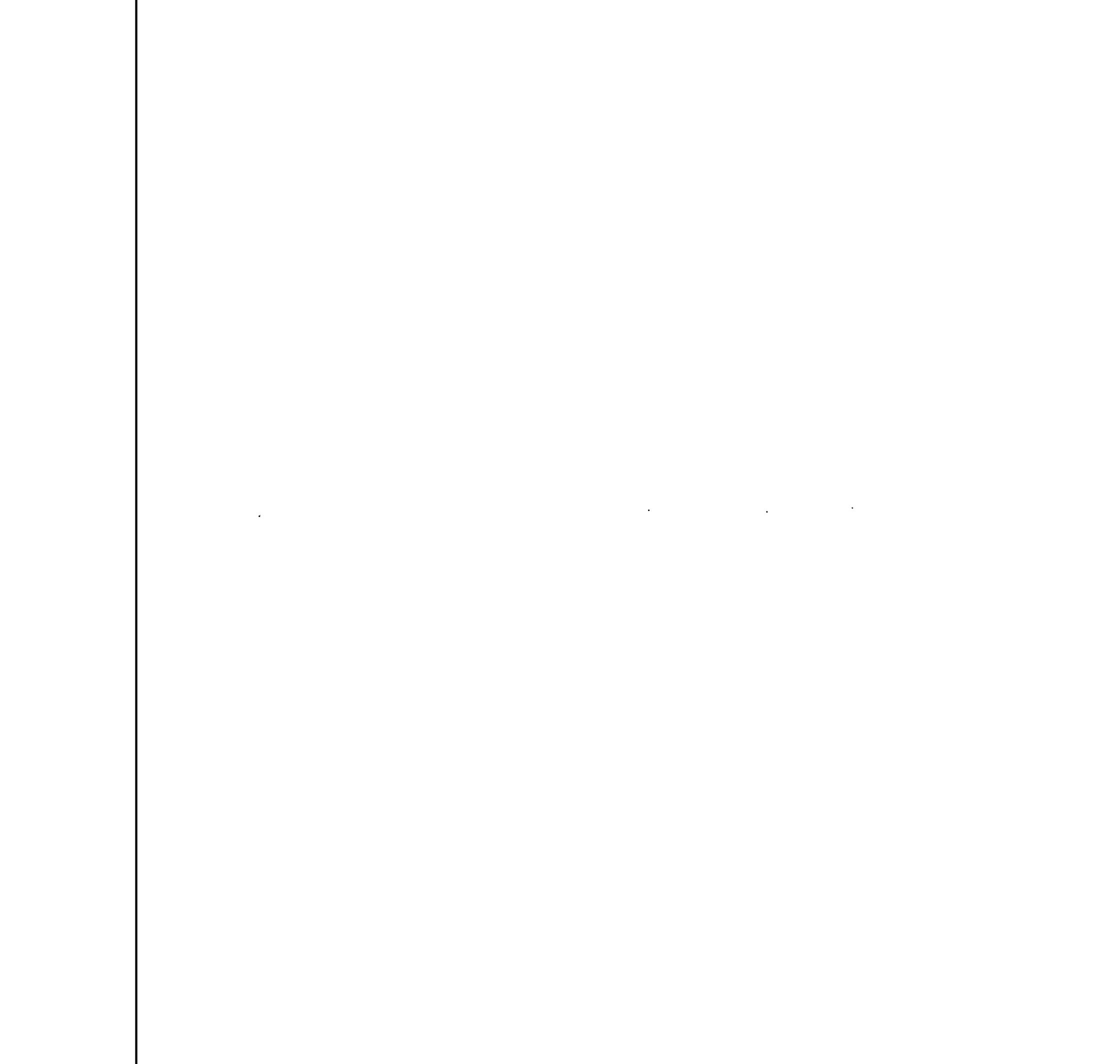
CORRESPONDENCE

None

REQUESTS

Paul J. Baldoni, Judge LaPorte Superior Court #3- Request to move LaPorte Superior Court and affiliated offices to Museum area

Judge Baldoni, Superior Court #3, the letter I sent to each of you explains that we would like to occupy the Museum space once it is empty; this move would us back together. Over the years Superior 3 has various divisions have been moved around the buildings elsewhere. So, this move would put us all back together the Clerks Office, Traffic, Civil, Probation, LADS and the Court it would put it all back to one level or two levels of the Museum. This would put us in the position that we could operate as a one unit court and be more efficiently. Secondly, as you all know most of us have been through the jail we built we took



the brunt of that project and lost the most because of that project and we do not have sunlight. The area is too small for our operation and we cannot expand but with the museum moving on that space is now available also we have examined other options and they did not work out for a number of reasons. I am anxious to get staff someplace where I am going to be able to get my staff and what we have talked about is the Museum space it's going to be open, fix it up and it will be a fine facility to do our business. I have attached a rough sketch, it is ideas of how we can use this space just look at it, and we think it is quite workable. And as far as the handicap issue, which it is a big issue with the probation being on the second floor we have the elevator coming down and we would not have to worry about this and I believe this move has a lot of pluses to it. I am hoping you would think about this and give us permission to talk to people about this concept. How soon the museum is is going to move out.

Mr. Hager, by the end of the month.

Mrs. Huston, on the drawing, on the bottom part here there is nothing penciled in here.

Judge Baldoni, I am not sure about that space there, I was told that might be space for someone else there but we would like to have it. But I did not put it in our plan yet because I was told that might be someone else's.

Mrs. Huston, as you know we are short on space and in looking this over this would be quite an undertaking and I can understand where you would be coming from. . You also mentioned bathrooms, our facilities would not be able to accommodate.

Judge Baldoni, no you would need bathrooms for the jury room and for the Judges Chambers.

Mrs. Huston, then you mentions money that you would have to come before the council for that funding is that correct or do you have money like the prosecutor has funds.

Judge Baldoni, I have probation users fees I don't have the wealth of the prosecutors office. We have some money but we don't have the funds of the prosecutor.

Mr. Harmon, I think we had to do that with Judge King's courtroom, we appropriated funds.

Mr. Hager, we talked about this for quite a long time and you have had a lot of problems. I will make the motion to allow you to move forward and get plans and a price.

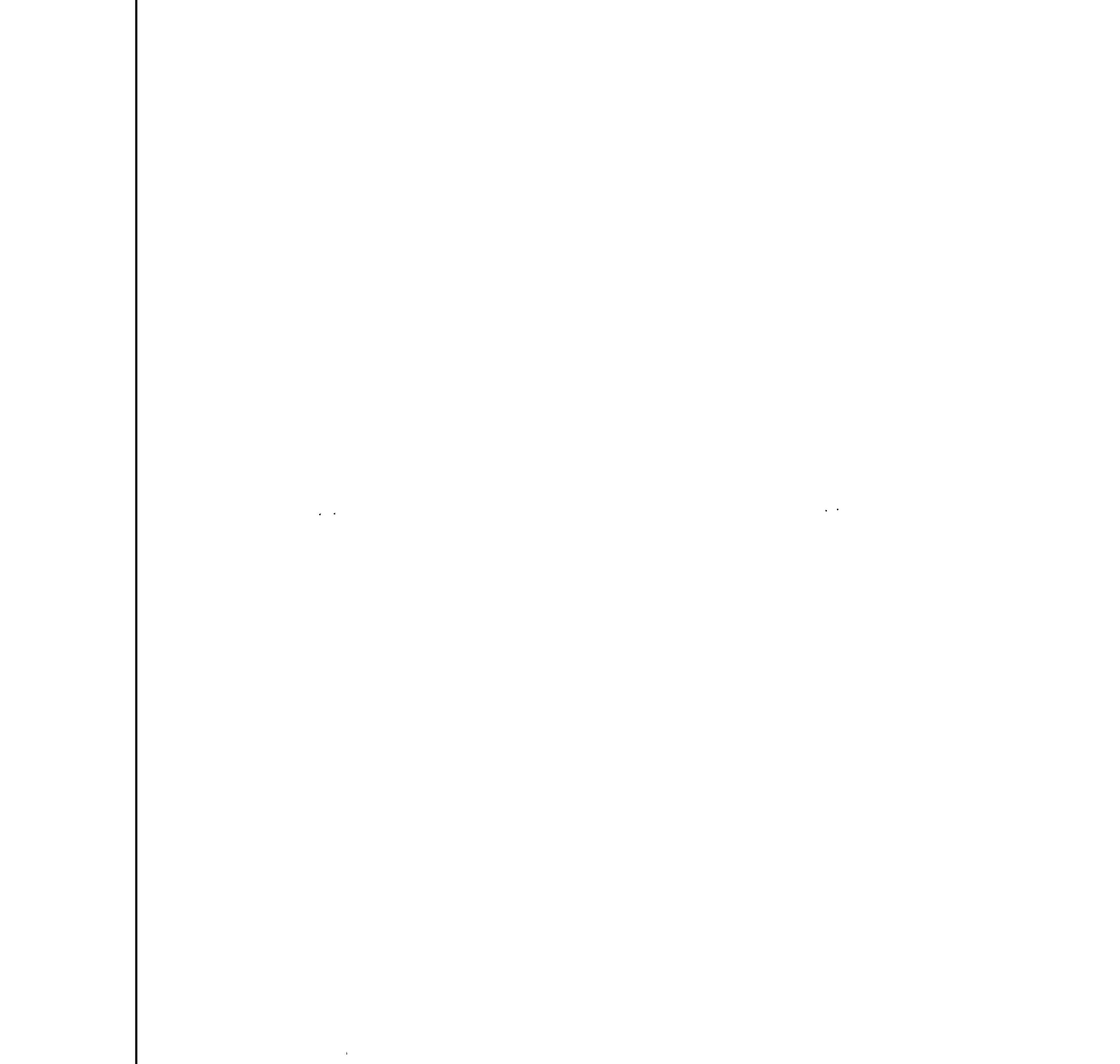
Mr. Harmon, I don't have a problem with that get an engineering and or design firm.

Judge Baldoni, I would like to get someone that knows the building.

Mr. Harmon, if the board will approve this we can get a design firm to come in and you sit down and go through and come up with what you are looking for and if you take up too much room we will tell you no.

Judge Baldoni, I have contacted the new clerk and that office goes with us too. We are going to be giving you space back.

Mr. Harmon, we have a motion by Mr. Hager to allow Judge Baldoni to move forward in selection an engineering firm to design a new courtroom and facilities for Superior Court #3, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.



OLD BUSINESS

Rick McVay, LaPorte County Highway Engineer/Proposed Speed Limit Fail Road/Division Road to LaPorte City Limits

Mr. McVay, this is a carry over from last year we got the traffic study done and we are recommending a 40 mph speed limit on a stretch of road from Fail Road to Division Road to the LaPorte City Limits.

Mr. Harmon, that's south of Highway 2.

Mr. Szilagyi, some go over 60 mph there?

Mr. McVay, that's what the study shows.

Mr. Hager made a motion to turn this over to Attorney Szilagyi for an ordinance, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/Proposed Speed Limit C.R. 400 West /S.R. 2 to Small Road

Mr. McVay received a letter from young individual for putting a speed limit. We did do a traffic study and found that there was a concern there and to set the speed limit of 40 mph.

Mrs. Huston, made a motion to approve and turn over to the County Attorney for an Ordinance, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ Bridge 215-C.R. 500 South over Kingsbury Creek

Mr. McVay, I have reviewed the bids and Kankakee is the lowest and most responsible bidder, in the amount of \$194,126.00 and we do have money in our bridge budget to cover it.

Mr. Harmon how many bids did we receive?

Mr. McVay, three bids

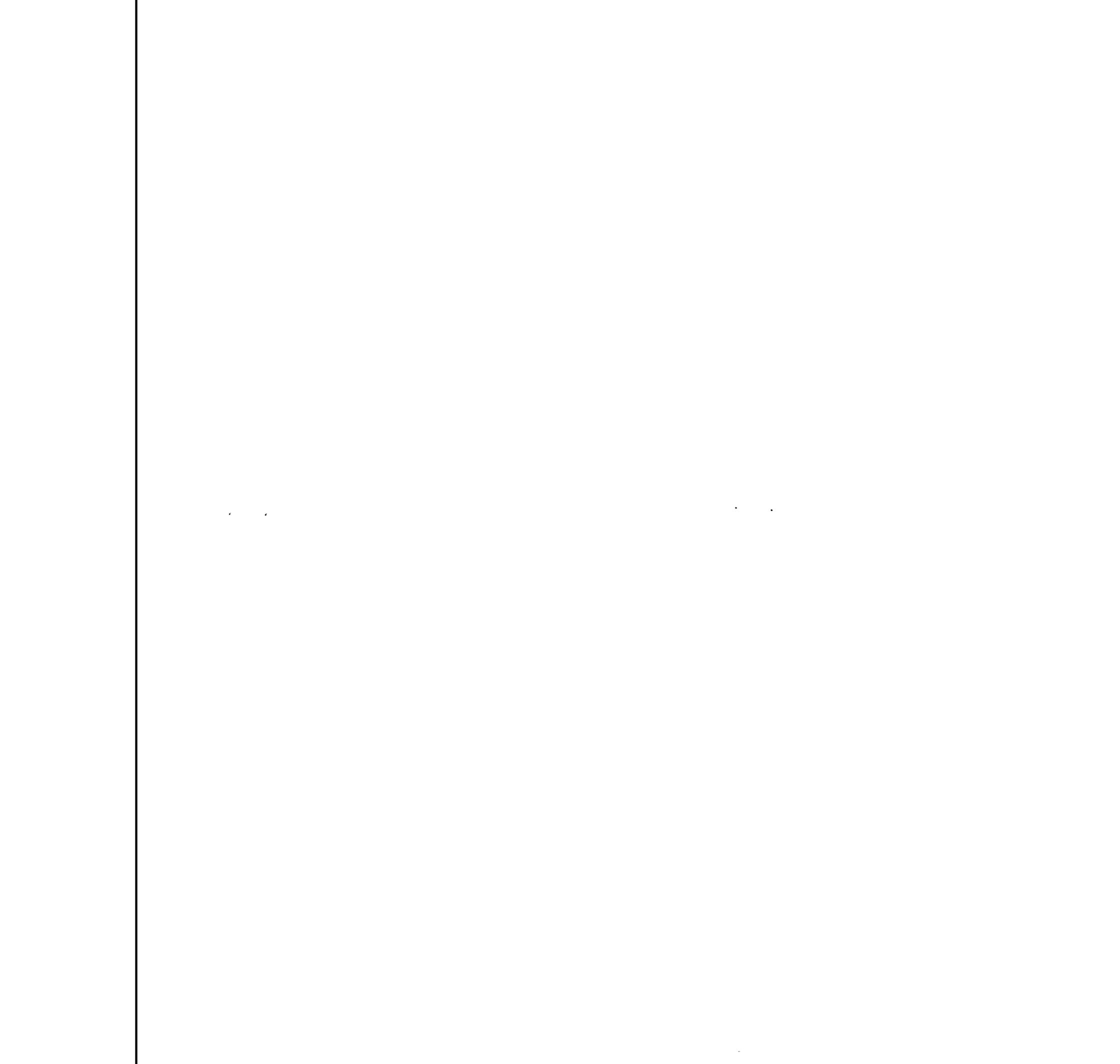
Mr. Hager, made a motion to allow Mr. McVay to move forward and allow the bid by Kankakee Valley, second by Mrs. Huston. Motion carried with a roll call vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ LaPorte County Bridge 258 – Wozniak Road over Norfolk Southern Railroad/ Change Order #2

Mr. McVay, due to some additional work that was not in the plan and another thing I asked for that was not in the plans was masonry coating, it helps to preserve the concrete.

Mr. Harmon, total change order # 2 is \$9,363.51.

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



Rick McVay, LaPorte County Highway Engineer/Pine Valley Subdivision/Secondary Plat Approval /Southside of C.R. 500 South

Mr. McVay, we reviewed the subdivision and everything is acceptable, they did put the surface on and they are willing to post a bond for that surface incase it gets damaged during construction in the amount of \$6,867.90.

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

Rick McVay, LaPorte County Highway Engineer/ Approval of Payment # 1 Universal Recycling \$159,300.00/ Royal Metal Building

Mr. McVay, we review that site and the building is down it was a very professional job.

Mr. Hager, made a motion to approve payment #1, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Jane Bernard, Director LaPorte County Small Animal Shelter/ Ordinance Ticket Violations Revisions/Attorney Robert Szilagyi

Mrs. Huston made a motion to approve the Ordinance on first by title only; second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mr. Hager made a motion to accept the Ordinance on second and final reading by title only, second by Mrs. Huston. Motion carried 3-0.

Mr. Harmon, this will be known as Ordinance #2005-07

Attorney Cory Schoffner- Ordinance/ Pansy Lane Road Vacation 2nd and Final Reading

Mr. Harmon, we have an Ordinance before us on second and final reading.

Mrs. Huston made a motion to adopt on second and final reading, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mr. Harmon, this will be known as Ordinance #2005-08.

NEW BUSINESS

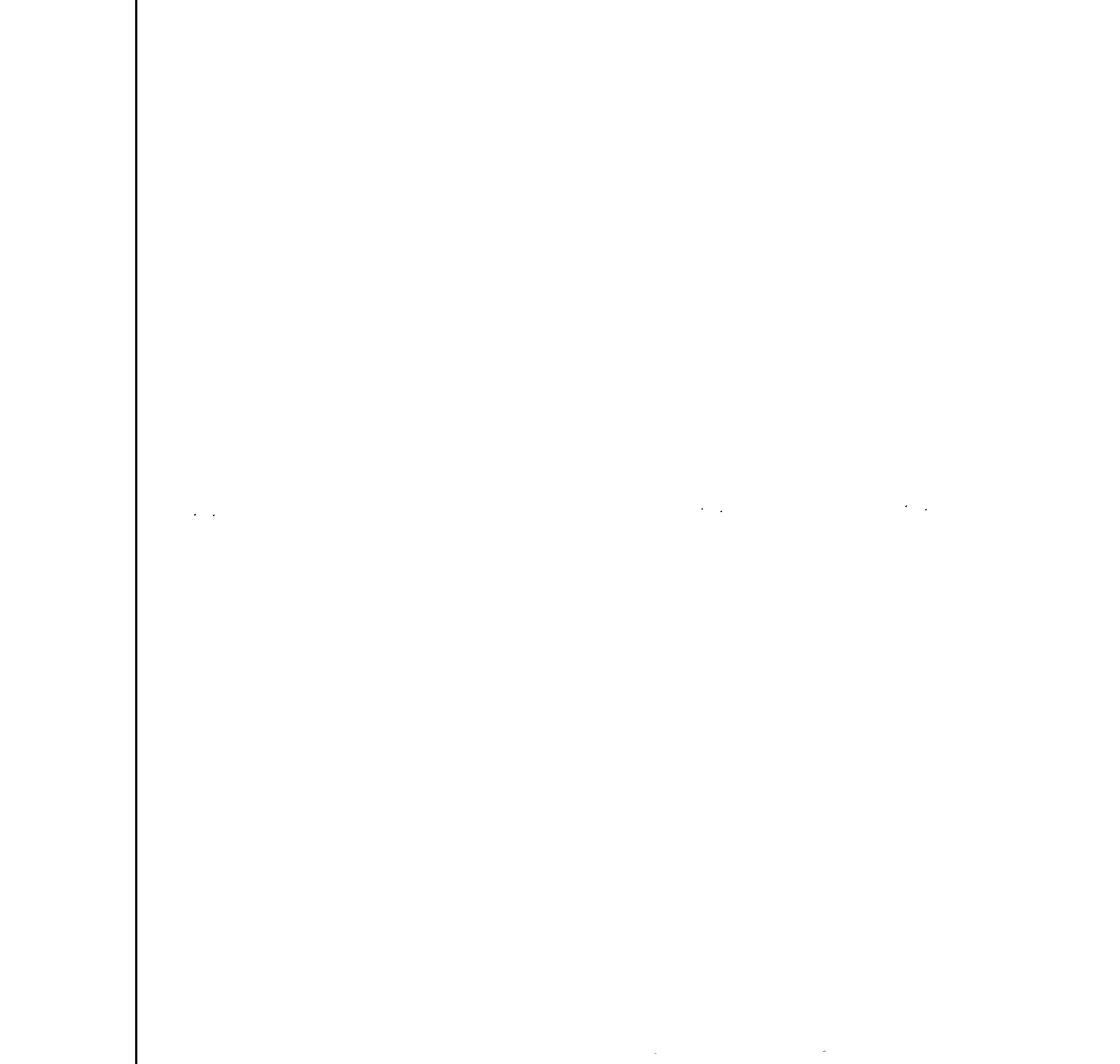
Lynne Spevak, LaPorte County Clerk-Recommendation/ Proposed Voting System

Ms. Spevak, election board had a meeting recently and our suggestions of which voting machines the county should be considering for the 2006 election. We have until July 1st to have a contract signed, for the punch card only. The handicap accessible is a separate contract in itself is December 31st, so our suggestion is was on the punch card change over would be with the same company we are currently using Optical Scan.

Mr. Harmon, out of the four machines was that one that was demonstrated there?

Ms. Spevak, no. but I would suggest that you start a committee or something if you wish to review it more otherwise from the Election Board stand point this is our recommendation.

Mr. Harmon, have filled out the application for the refund?



Ms. Spevak, in that case Rob Neary did when we had the change in the ordinance, so I figured you would have Mitch do that.

Mr. Harmon, do I understand this right that we need to appropriate the entire amount of dollars and once we sign the contract for that amount of money we can apply for the roughly \$600,000.00 dollars. You need to get on the councils agenda for that. Will that have a paper trail?

Ms. Spevak. The poll workers would have to change the tape during the elections and we thought that that would be a problem. That's why we want the beeper ballot this way absentee and handicap would all be using the same ballot.

Mr. Harmon, they had two machines there as I recall, one was for handicap and one was the optical scan which is the one you are recommending.

Ms. Spevak, yes we feel that the State of Indiana hasn't certified all of the machines for handicap accessible yet, so we are still waiting for suggestions on the handicap accessible.

Mrs. Huston, this won't put us behind?

Ms. Spevak, no

Mrs. Huston, is the money inclusive with those machines?

Ms. Spevak, I think there is going to be another charge but then we get more money for the handicap also. We were waiting for the state to certify all of the machines and then we could just have one general meeting and have all of the machines certified at once. I think we still need to set up a committee because all of the polling places are not handicap accessible. I did turn in a list of the current polling places that just need a little booster to go over the hump.

Mr. Huston, we did not do very well as far as polling places.

Ms. Spevak, we have 7 in the County, 4 in the city of LaPorte and 3 in Michigan City that need to be looked at or changed.

Mr. Harmon, we appreciate your recommendation.

Mr. Harmon, we can table this until the next meeting and make a final decision at our next meeting one million –one hundred and twenty thousand six hundred and twenty three dollars.

Ms. Spevak, look thru them.

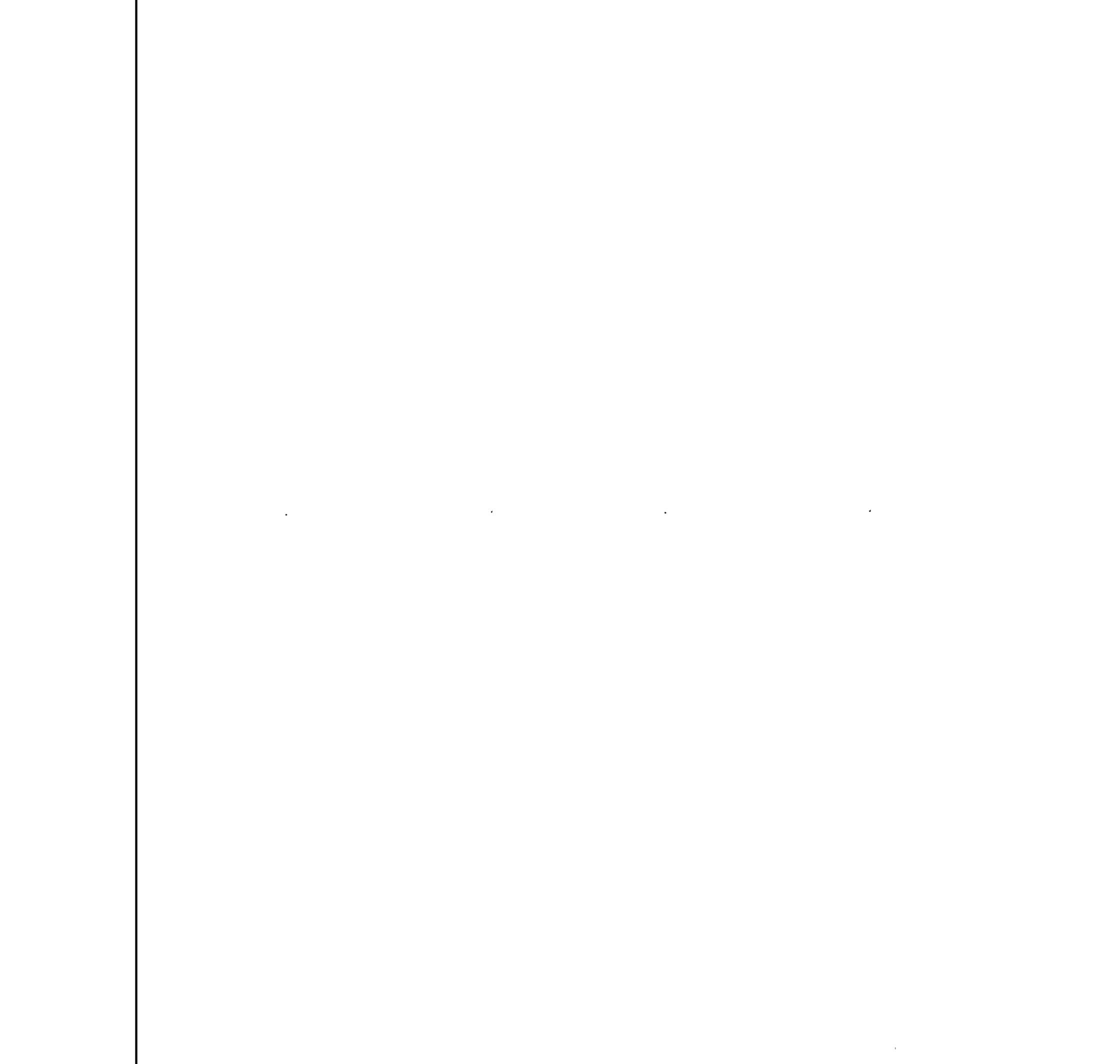
Mrs. Huston, didn't the state just recommend or didn't the secretary of state just also recommend for an extension on that July 1st date.

Ms. Spevak, I have not heard that.

Mr. Hager, made a motion to table until our next meeting, second by Mrs. Huston. Motion carried with a voice vote 3-0.

LaPorte County New Personnel Policy and New Employment Application

Mr. Harmon, this has been an ongoing process with the personnel policy. It has been review by Barnes & Thornburg, the Highway, EMS, Juvenile Center and Work Release have



addendums to this and we will be asking them to turn in those addendums for us to review and see if there are any conflicts of what we have written here and readopt them. Tonight approve the original and then request those addendums from those departments.

Mr. Hager made a motion to approve the Personnel Policy and also the employment application and to have a paper that all employees sign that states that they have received a copy of the Personnel Policy, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

LaPorte County Assessor Carol McDaniel and LaPorte County GIS Coordinator Melissa Mischke/ \$142,500.00 from Reassessment Fund/ Land Use Land Cover For Ag Land Valuation

Mrs. Carol McDaniel, LaPorte County Assessor, I am requesting the funds come out of the reassessment fund.

Mr. Hager made a motion to allow the request in the amount of \$142,500.00, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

PUBLIC COMMENTS

Pam Nichols, I am here as a preservationist from Michigan City. I am inquiring about a parcel of land in reference to the Homeless Shelter ask the board to donate. I did get a judgment from Judge King that said we could not build a Homeless Shelter there. The Preservationist would like the board to donate that land to the Preservationist of Michigan City to use as infill for the Historic downtown Michigan City area.

Mr. Harmon, is that property wide that's on 9th street?

Ms. Nichols, on Pine Street.

Mr. Harmon, is that property wide enough to put a house on?

Ms. Nichols, I am not sure is it is or not but the preservationist do want to purchase that property.

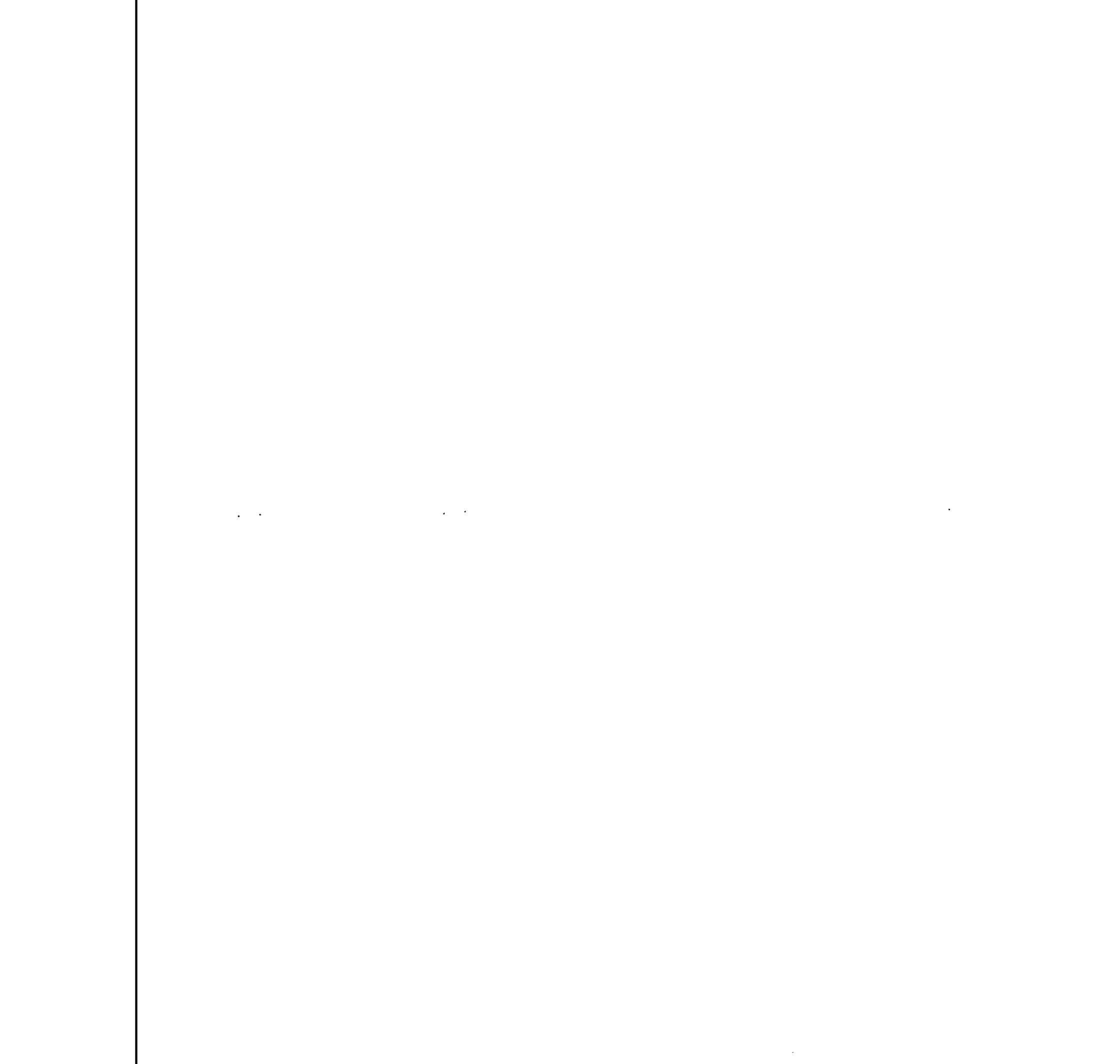
Mr. Harmon, I am going to ask the board to table at this time to look at the size of the property.

Mr. Hager, made a motion to table.

Mr. Szilagyi, I would like to have a copy of the Judges decision.

COMMISSIONER'S COMMENTS

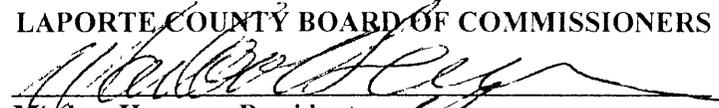
Mr. Hager, I want to personally comment on the way Reith-Riley has turned there company around and the good work they are doing for the county.



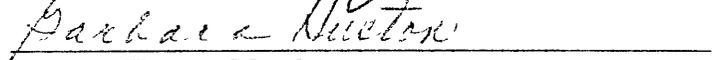
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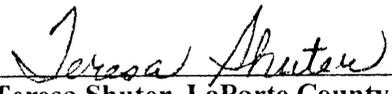
Commissioner Harmon adjourned the meeting at 6:50 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Marlow Harmon, President


William Hager, Vice President


Barbara Huston, Member

Attest: 
Teresa Shuter, LaPorte County Auditor *if*

(Approximately 20 people in attendance)

