



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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William Hager,
President

Michael Bohacek,
Vice President

Barbara Huston,
Member

LAPORTE COUNTY COMMISSIONERS

TUESDAY, APRIL 1, 2008

The LaPorte County Board of Commissioners met in a regular session on Tuesday, April 1, 2008 at 6:00 p.m. in the LaPorte County Complex Meeting Room #3

Present at the meeting were Commission President William Hager, Commission Vice President Michael Bohacek, Commission Member Barbara Huston. Also present, were LaPorte County Auditor Teresa Shuter, LaPorte County Attorney Robert Szilagyi and Executive Secretary Linda Arnett.

PLEDGE OF ALLEGIANCE

Mr. Hager, please all stand for the Pledge and also as most of you know we lost a great Deputy for moment of silence for Officer Biggs. Mrs. Huston led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Hager, I would like to add under "Correspondence" Clay Turner.

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

APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of March 4, 2008 as presented, second by Mr. Hager. Motion carried with a voice vote 2-0.

WEEKLY REPORTS

The Commissioners review and sign the reports during the meeting.

CLAIMS

Mrs. Huston, made a motion to approve Payroll Ending April 4, 2008, second by Mr. Hager. Motion carried with a voice vote 2-0.

Mrs. Huston, made a motion to approve Miscellaneous Claims in the amount of \$409,270.73, second by Mr. Hager. Motion carried with a roll-call vote 2-0.

CORRESPONDENCE

Mr. Turner, I talked to the three commissioners and asked for permission to place the new electronic trailer out at the County Highway, what I have given you is just an overview of the electronics trailer and the second page is what the new one will look like and the third page is what the cost is and we do have funds in our budget for this. I gave you an overview of what we did in 2007 with just our collection in Michigan City; we collected thirty-three tons of electronics over in Michigan City with just the one site.

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

REQUESTS

Rolling Prairie Community Center/ Request Street Closings August 16th & 17th

Mrs. Huston made a motion to approve the Street Closings requested in the referenced letter, second by Mr. Hager. Motion carried with a voice vote 2-0.

Rolling Prairie Community Center "Olde" Farmers Festival/ Request \$500.00 in Tourism Funds

Mrs. Huston, made a motion to approve the \$500.00 for the Farmers Festival, second by Mr. Hager. Motion carried with a voice vote 2-0.

OLD BUSINESS

Robert Szilagyi, LaPorte County Attorney/ Ordinance to Vacate Public Roadway/Easement/ Jacob Subdivision Easement

Mr. Hager we have an Ordinance here to vacate public roadway easement.

Mrs. Arnett, you have already approved this, Attorney Szilagyi just made up the ordinance.

Mr. Hager reads the Ordinance.

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

Ordinance #2008-05

Robert Szilagyi, LaPorte County Attorney/ Opening Bids for Excess Real Estate

Mrs. Huston made a motion all bids be closed, second by Mr. Hager. Motion carried with a voice vote 2-0.

Mr. Hager, we only have one bid and it is in the amount of \$500.00.

Mrs. Huston, made a motion to turn this over to our attorney for review, second by Mr. Hager. Motion carried with a voice vote 3-0.

Rick McVay, LaPorte County Highway Engineer/ Release of Bond Twin Acres Estates (tabled)

Mrs. Huston, made a motion to remove this from the table, second by Mr. Bohacek. Motion carried with a voice vote 3-0.

Mr. McVay, I have looked at the road and it is in good shape this developer now resides in California so he was not able to be here tonight. He is not 70% complete and they cannot sell anymore building sites because they have septic problems out there because of the high water table and the Health Department won't give him any septic permits, which means they can't get any building permits. It is my recommendation to release the bond and we can ask for another bond at a later time.

Mr. Hager, we can make a recommendation if we pass this through to release the bond, that he cannot build any more houses in there until he comes back before us.

Mrs. Huston, made a motion to approve the release of the bond and the builder cannot build any more houses until he comes back before us, second by Mr. Bohacek. Motion carried with a voice vote 3-0.

Roger Potratz, dh2W Architecture-Planning/ New LaPorte County Office Building/ Additional Appropriation Construction Cost \$1,200,000.00/ Estimated Architecture fee \$84,000.00 (tabled) from Riverboat

Mr. Bohacek, made a motion to remove from the table, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Mr. Potratz, the plans have been put out for bid, we have at least six bidders at this time and we have a request on the plumbing, heating and electrical plans will not be out until tomorrow and the project is to be bid on April 15th we would like to grant the bidders another week, they should have at least three weeks for this size of project to bid the project. We would like to ask that the commissioners have an exception to the regular scheduled meeting and hold a meeting for rebidding until April 22nd, that would give a one week extension, that would have to be a special meeting on your part, the second option would be to leave the bidding as originally planned but move the bidding back to the next commissioners meeting after April 15th which would be the 5th of May and time is of the essence and the third option would be would to be have a separate bidding package. We would like to suggest the first two, so we would like to have a special meeting or move to May 5th.

Mr. Bohacek, made a motion to hold a special meeting on April 22nd at 10:00 a.m. to open bids, second by Mrs. Huston. Mr. Hager is it in there that the building has to be ready by the second week of December?

Mr. Potratz, upon receipt of occupancy permit and that date is the 23rd of December with a \$500.00 a day penalty for each day after that.

Motion carried with a voice vote 2-1 with Mrs. Huston voting nay.

NEW BUSINESS

Judy Anderson, LaPorte County Assessor's Chief Deputy/ Professional Service Agreement

Mrs. Huston, our attorney has said this is software that they use and we need to do this.

Mr. Bohacek, are they going to be updating the web site and from the time that we give them the information to the time that it is uploaded and available.

Mrs. Huston made a motion to approve the contract, second by Mr. Bohacek with an addendum be added to the contract at a later date. Motion carried with a roll-call vote 3-0.

Commissioner's Appointment to the Library Board of Trustees

Mr. Hager, Mr. Kaminski's term has been expired and he cannot be put back on, the board is requesting that we appoint Dr. Serafin to the Library Board.

Mrs. Huston made a motion to approve Dr. Serafin, second by Mr. Bohacek. Motion carried with a voice vote 3-0.

Proposal for Assistance with Annual Continuing Disclosure Requirements for Bonds Issued in 2000 Contract amount not to exceed \$3,500.00

Mr. Bohacek made a motion to accept the contract with Cender & Company and allow the President of the Commission sign, second by Mrs. Huston. Motion carried with a voice vote 3-0.

Chris Holth, Woodruff & Sons/ Additional Appropriation 18th Street Sewer Project in the amount of \$110,150.00 from WIN TAX/CCD

Chris Holth with American Structure Point not Woodruff & Sons, in January when we heard there was going to be a new county building going up across from the County Home, Rick McVay brought up the fact that we don't have water or sanitary line ends short of where the new building is going to be. We have asked Woodruff & Sons for a price for an extension on the sewer and to bring the water down near that building, so they could tie into it. The requested change order is that sanitary line is the future extension to Pinola. The reason for the request was from Mr. McVay was to not have additional costs later. The cost is \$110,150.00 and in putting that out to bid, there are no plans for that existing we would be covering that under the engineering in the contract with the 18th Street project and if we put that out to bid there would have to be plans drawn up and in order to release that bid and a possibility even another IDEM permit. The hookups to the buildings and the Animal Shelter are not included in this amount.

Mrs. Huston both are included in this price? To the Animal Shelter also included in this?

Mr. Holth, neither one, not the hookup itself there would be a stub and then you would tie it into it.

Mrs. Huston, but both are included in this price?

Mr. Hager, just stubs.

Mr. Holth, the main line is included.

Mr. Bohacek, made a motion to accept the change order out of CCD Funds, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Mr. Hager, this will go on to the County Council and we would request that you be at the County Council meeting so you can explain this.

Polling Places for 2008

Mr. Bohacek, made a motion to approve the Polling Places for 2008, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Resolution for Amendment to LaPorte County Vacation Policy

Mr. Bohacek made a motion to approve the Amendment to the LaPorte County Vacation Policy Resolution #2008-05, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

Ordinance to Adopt Amendment to the LaPorte County Comprehensive Development Plan

Mr. Bohacek, made a motion to adopt the Ordinance by title only, Amendment to Comprehensive Development Plan, second by Mrs. Huston. Mrs. Huston made a motion to waive the rules and adopt on second and final reading, second by Mr. Bohacek. Motion carried with a voice vote 3-0.

Motion carried with a roll-call vote 3-0. Ordinance #2008-06

PUBLIC COMMENTS

Mr. Roger Potrez, some of the things we need before we can accept bids on the new building at is a wage grade and we have not received those as of yet. The other thing we need is the contract for doing the work, does that have to be drawn up again because that has been signed.

Mr. Bohacek, we have already signed your contract.

Mr. Hager, we have signed your contract and everything is alright.

Ms. Judy Anderson, LaPorte County Assessor Chief Deputy

Mr. Bohacek, we passed your item but I have a question for you. We are putting in our contracts when deliverables are going to be completed and they said that they are going to update the website once a quarter, how long will it take them to get it updated and ready to use.

Ms. Anderson, it will be that day, they can gather our live data anytime, remember we only have live data.

Mr. Bohacek if they could add an addendum to that, that when we roll the information to them on a quarterly bases that within five (5) days.

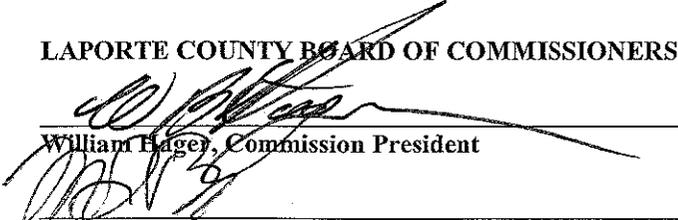
COMMISSIONER'S COMMENTS

Mr. Hager, our attorneys have been plasted in the paper by what they have been spending and how much we are paying our attorneys. I have a letter here from Gallagher Bassett, service on the Latta vs. LaPorte County case, they have stated here and you will recall that Shaw Friedman worked very hard on this matter spending countless hours and doing everything possible to defend and protect the county against the lawsuit filed by the Latta's, Shaw's hard work paid off for the county as he was able to defeat the action and the county was dismissed. I cannot stress how important the defeating that action was to the county, as you recall this case was a twenty million dollar apiece and it was a very, very tough case but Mr. Friedman kept going and working on this and we tried to get our other carriers involved and he did get this case solved for us and saved us millions of dollars. I cannot stress enough, he was working with the other insurance carriers which did not want to pay but by him going after them we did receive four (4) totaling thirty-thousand representing a settlement made of the four insurance carriers. I would like to state that our attorneys are working on getting these cases solved and I don't think Mr. Friedman has lost a case yet and I would like to put that on the record.

ADJOURN

Commissioner Hager adjourned the meeting at 7:00 p.m. . . .

LAPORTE COUNTY BOARD OF COMMISSIONERS



William Hager, Commission President



Michael Bohacek, Commission Vice President

Barbara Huston, Commission Member

ATTEST: _____
Teresa Shuter, LaPorte County Auditor

