



BOARD OF COMMISSIONERS

LAPORTE COUNTY

555 Michigan Avenue, Suite 202

LaPorte, IN 46350

Phone: (219) 326-6808 ext. 2229 - FAX: (219) 326-9103

*Barbara Huston
President*

*Mike Bohacek
Vice President*

*Ken Layton
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, February 3, 2009

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, February 3, 2009, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

Present at the meeting were Commissioners Barbara Huston, President, Mike Bohacek, Vice President, and Ken Layton, Member. Also present were LaPorte County Auditor, Craig Hinchman, LaPorte County Attorney, Craig Braje, and Executive Secretary, Reathel Noveroske.

PLEDGE OF ALLEGIANCE

Mr. Layton led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mrs. Huston, under Old Business we are removing B, Park Place Subdivision-Phase V-Bond Reduction, per Rick McVay.

Mr. Bohacek made a motion to accept as amended, seconded by Mr. Layton, motion carried by voice vote, 3-0.

APPROVAL OF MINUTES

Mr. Layton made a motion to approve the minutes of January 20, 2009, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending February 6, 2009, Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims--- \$383,805.26, Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Regular Claims---\$1,275,936.01, Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

None

DEPARTMENT HEAD COMMENTS

None

CORRESPONDENCE

None

REQUESTS

LaPorte County Fair Pioneer Land Christmas Open House/Request \$500.00 Tourism Funds

Mr. Bohacek made a motion to approve as presented, seconded by Mr. Layton, motion carried by voice vote 3-0.

OLD BUSINESS

Board Appointments (Tabled)

Mr. Bohacek made a motion to remove from the table, seconded by Mr. Layton.

LaPorte County Community Corrections Advisory Board

Mr. Layton, I make a motion we concur with the County Council with the appointment of Earl Cunningham, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

LaPorte County Convention/Tourism Bureau Board of Managers

Mr. Layton, I ask that we leave this on the table. They have not come up with a name yet, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Rick McVay, Highway Engineer/Park Place Subdivision-Phase V-Bond Reduction (Tabled)

Removed from agenda

Agreement Between LaPorte County board of Commissioners and Cender & Company (Springfield Regional Sewer District) (Tabled)

Mr. Bohacek made a motion to leave on the table, seconded by Mr. Layton.

Howell Jones/Purchase Excess Property (Tabled)

Mr. Layton made a motion to take off the table, seconded by Mr. Bohacek.

Mr. Jones, I'm requesting the purchase of land owned by the county. Before you decide on what to do with this, this is a state law and I assume county government would enforce state laws. It seems to me this law was written for property exactly like this. I know, Mr. Layton, you said you came out and took a look at the property, unless you got out of the car and walked the property, all you saw was my property. I believe I sent a copy of the definition from the Indiana Court of Appeals for nominal consideration and it fits right in to what I am asking for. I would like to say that at the last meeting there was no one hear to object, complain, or voice any opinion on it. There was no one other than myself to make any bids on this property. Again, I would ask you to consider my offer on this property.

Mrs. Huston, we did go out to look at the property. The county can and may sell or keep the land. We have looked at everything you have given us. Our decision is to keep the property. We feel that seven parcels or 24 lots for \$100 is truly a nominal fee. That would make each lot \$4.00. We have talked it over with our lawyer, Mr. Braje.

Mr. Braje, the decision to sell the property under this offer is discretionary with the Board of Commissioners and they can either elect to sell or not to sell the property. It is strictly a business judgement.

Mr. Jones, I have crunched the numbers. How much has the county received over last 20 years on that property? I can tell you that within 5 years they would get over \$1,000. I will take the whole block and

pay taxes on the whole block. I am not going to build on it. If you are looking at this as a business decision, then I don't think there is any doubt that you would vote to give it to me. I am the only one that has expressed an interest in this property.

Mr. Bohacek, Let's set it up for sealed bids to sell it. That will give us a true and actual value of the property. We would be soliciting bids for the property. We can offer Commissioner's property for sale at an auction. You feel that \$100 for all the parcels is a fair and reasonable market price offer for this property. We don't feel that way. I want to get the property back on the tax roles. Put it up for sealed bids and the market will determine what it is worth. You can bid as you see fit. To me it is a fair and equitable way of doing it. Whatever the highest sealed bid is, that is the end of it.

Mr. Layton, we do not want to make money on this, we just want to recoup what it costs us to go through the process. You are offering us \$100 for property that has an assessed value of \$64,400.00.

Mr. Bohacek made a motion to table and put up for public auction, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Richard Edwards/Purchase Excess Property (Tabled)

Mr. Bohacek made a motion to leave on the table, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Braje, one of the things that is not included in these bids is that they must sign and indicate that they are not delinquent in any taxes before they would qualify. This would be under the disposal of excess property.

NEW BUSINESS

None

COMMISSIONER'S COMMENTS

Mr. Bohacek, there has been a little confusion on the Regional Sewer Authority and exactly what it does. The goal is not to let this get confused and have people thinking it is more than what it is. Every year the county does sewer projects. Right now the county writes the check out of a fund and we put the sewers in the ground. The Regional Sewer Authority is there to function as another source of funding. The Regional Sewer Authority would now qualify for a grant. We now have the ability to bond and still we have the ability for the county, if they so desire, to help contribute to a short term grant. Just for a point of clarification, a Regional Sewer Authority does not mean that we are going to sewer and water the entire county. It is simply a way to manage the expenditures we are already making in a more prudent manner. This is to have a way to generate income from these investments so that those benefactors of such improvement will be paying for it. The county will currently extend sewer and water for free to encourage that kind of economic development, there is typically no way for those monies to be repaid. With a Regional Sewer Authority, it will be a billing entity that can make money.

Mrs. Huston, as was discussed, tomorrow, because of the snow, county offices will not open until 10:00 a.m. The commissioners, prior to that, will make a decision if we will open at all. We will error on the side of safety for our employees.

Mr. Bohacek, will that be a paid day off for employees or will we encourage them to use a sick day? I would like to suggest that it be a non paid day or use a PTO day.

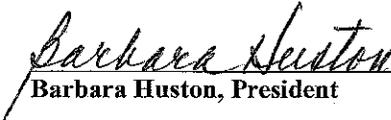
Mr. Layton, I will concur with that.

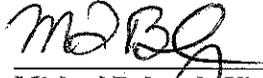
Mrs. Huston, we wish everyone a safe trip home this evening.

ADJOURN

Mrs. Huston adjourned the meeting at 6:23 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President


Michael Bohacek, Vice President


Ken Layton, Member

ATTEST: 
Craig Hinchman, LaPorte County Auditor