



BOARD OF COMMISSIONERS LAPORTE COUNTY

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*Barbara Huston
President*

*Mike Bohacek
Vice President*

*Ken Layton
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, November 17, 2009

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, November 17, 2009, at 10:00 a.m., in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

Mr. Stan Maddox led the pledge of allegiance.

Mrs. Huston, please remain standing, I would like a prayer and moment of silence for the officer that was killed in Kosciusko County, he is being laid to rest today.

ROLL CALL

All present

APPROVAL OF AGENDA

Mr. Layton, one addition under New Business, Item G., a Non Collusion Contract with the Department of Transportation on Schultz Road project.

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

APPROVAL OF MINUTES

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

WEEKLY REPORTS

The Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending November 27, 2009, Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims---\$436,244.44, Mr. Bohacek made a motion to approve as submitted, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Regular Claims-----\$975,729.96, Mr. Layton made a motion to approve as submitted, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

Mr. Mike Schultz, 308 John Street, LaPorte, IN. I am back again questioning the CSX railroad crossing closure on Long Lane in Wellsboro, this is day 60. I know Bob Young from the Highway

Department contacted them. No one has showed up, they don't do anything. It is one thing if they are working on it but they are not even working on it. I don't know if there is something we can do or since the federal government controls the railroad if Congressman Donnelly's office needs to get involved. They need to get it done. It is becoming a hardship and action has to be taken.

Mr. Bohacek, Mr. Willoughby, I heard this at a NIRPC meeting about the city of Gary. It involved a railroad crossing that was in a severe state of disrepair and I thought it allowed the city to make repairs and invoice the railroad. Could you check that out?

Mr. Willoughby, we are looking into this and will follow up on this.

Mr. Young, I have called them numerous times. Most of the time they contact me through this rail master. Most of the time, he doesn't answer his cell phone or return calls. I have talked to him twice. They had to pull off of that job to go to an emergency. That is how they operate. The entire pavement between the two sets of rails is gone. Both the approaches are ok.

Mrs. Huston, Mr. Willoughby will you write a letter to Donnelly's office and Mr. Young, will you share the phone numbers you have with our attorneys?

DEPARTMENT HEAD COMMENTS

Mr. Bob Young, Highway Superintendent, the contract you have before you is for the project on Schultz Road. Mr. Wright is at a construction meeting with INDOT right now. We have the notice to proceed from the state. After this meeting today, Rieth & Riley has been awarded the contract and will be starting on the road sometime this week. Also, the bridge project on Schultz should be opening this week. There is some guard rail to be put up and some incidentals to be done.

Mr. Young, I also have a letter here that we send to the Coast Guard and our bridge tenders each year. We are scheduled to close the bridge from December 1, 2009 at 6:00 a.m. and reopen March 14, 2010 at 10:00 p.m. This is the schedule we have maintained in the past.

Mr. Layton, that schedule is dictated by the Coast Guard isn't it?

Mr. Young, I think we set it close to these days and we send it to them for their approval. If they have a problem with it, they let us know.

Mr. Layton, I make a motion to allow our superintendent to forward this letter to the Coast Guard, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Young, I have a letter from Rieth-Riley Construction who we awarded our paving contract for 2009. They would like to continue and honor their 2009 bid for 2010. We would also have to send a letter to the other bidders in the same category to see if they wish to do the same thing. I believe that is dictated by the state board. It is a formality because I think the only other bidders were Walsh and Kelly and Rowe and Sons. If these companies want to extend their bid, they can extend that bid, they cannot alter their price. I don't think you want to sign this until I have approached the others.

Mr. Layton, doesn't that leave Reith-Riley open if the other bidders come in with a lower bid?

Mr. Young, no. We won't re-bid it. They have the opportunity to extend their bid from last year which is higher, they can't alter that bid.

Mr. Bohacek, if we open up that entire bid, would there be any value to re-bidding that contract?

Mr. Young, that is the Commissioner's choice, to accept this or re-bid. You are taking a chance that it will be higher or lower. I don't know what the market is really doing. I can check around.

Mr. Bohacek, let us know.

Mr. Young, it might be to our advantage to just re-bid it. It could be higher, I know it won't be lower. I will look into what the asphalt prices are doing.

Mr. Rich Mrozinski, I am representing the LaPorte County Regional Sewer District. We need to address the contract with American Structure Point for the sewer project on U.S. 20. They came to us and said we are spending money needlessly. We prematurely sent a letter to them and said the contract was cancelled. We need to reinstate that contract. I would like for us to address that, otherwise, we have wasted a ¼ of a million dollars of the tax payers money and got nothing for it. We need to get that back in force so we can get some of those things done. The sewer district would like to have use of the county attorney to look over a few legal things. This would not exceed over 12 hours per year. We need an appointment to the sewer district by the Commissioners so we can carry on our meetings. I talked to Mr. Layton about this yesterday, and he suggested posting an add in the paper for someone who might be interested.

Mr. Layton, the suggestion I had for Councilman Mrozinski was since we have this and another one on the agenda, that we run both of them in the newspaper allowing people to come forward that want to serve on these boards. Have those board members that are currently serving do the interviews and then bring a name forward to the Commissioners.

Mr. Willoughby, at this point I don't know if there is authority for our office to represent the sewer district.

Mr. Bohacek, my concern is that in the event of legal action being brought against that board, will the county then have protection?

Mr. Willoughby, as this point, I wouldn't give the opinion that our office represent the sewer district. I can look into that further if that is the Commissioner's desire to have that representation. At this point, my office doesn't represent the sewer district until we have authority to do so.

Mr. Tony Hendricks, LaPorte County Surveyor, I am here in place of Jeff Wright. He wanted to bring up that the Commissioners give approval for the county attorneys to work on an ordinance for a speed limit on 100 N. and Forrester. He is asking for a revision of that speed limit to 35 mph at that intersection.

Mr. Layton, I have a question on Forrester and 100. I remember when the original concept came forward that there was some questions about the extension of State Road 2 as it is currently into the curve and the engineer from the state of Indiana was trying to get the county to take that property at that time. I believe it was turned down by the commissions because of utility concerns.

Mr. Hendricks, they have approved engineer plans.

Mr. Layton, have either you or Mr. Young seen any plans recently because there was some intricate horseshoe turn off of 100.

Mr. Young, I have not. Jeff may show up here after his meeting. I will have him get a hold of you.

CORRESPONDENCE

None

REQUESTS

Bob Young, LaPorte County Highway Superintendent/November CEDIT Draw

Mr. Robert Young, LaPorte County Highway Superintendent, I am requesting the normal draw for CEDIT money with your approval. I assume it came in at \$1.75 million, which will let us pay our bills.

Mr. Bohacek made a motion to approve the draw, seconded by Mr. Layton, motion carried by roll call vote 3-0.

OLD BUSINESS

Petition to Vacate a Portion Of Grapevine Lane (Tabled)

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

Mr. Bohacek made a motion to reject the petition to vacate a portion of Grapevine Lane, a 30 foot right of way in LaPorte County, Indiana, seconded by Mr. Layton, motion carried by roll call vote 3-0.

NEW BUSINESS

Al Ott, Stationary Engineer/Open Bids for Replacement of Windows and Upgrading Lighting

Mr. Bohacek made a motion to close the bids, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Willoughby, the first bid for the lighting is:

Accurite Construction, bid bond in compliance, will pass along, subject to review

Bancroft Electric Inc., \$242,090.00, no bid bond but a check for 10%, \$24,209.00

Frontier Construction, \$313,416.00,

Marquiss Electric, bid bond , \$133,159.00

Emcor Hyre Electric, no bid bond, broken out, no total

Herman & Goetz, Inc., bid bond, base bid with alternates \$105,345.00, base bid with alternate #1 is \$9,815.00, with alternate #2, \$2,295 and alternate #3, \$1,990.00

Koontz-Wagner Electrical Construction, base bid with options, \$297,983. 00, option #2, for additional work \$185,555.00

Window Project

Kaser-Spraker Construction Inc., \$123,755.00

Trout Glass & Mirror, no bid bond but a check for \$10,700, total bid \$107,000

Meyer Glass & Mirror, copy of bid bond documents, bid total \$79,500

Telephones

TRCA, LLC, \$50,265.60, annual amount

AT&T, all separate, no bid bond

Frontrunner Network Systems, \$20,651, annual amount, no bid bond

Trash

Republic Services, \$1,537 per month, options with costs savings with number of pickups per week, \$1,482, no bid bond

Waste Management, \$1453 per month

Elevators

Kone, Inc., \$4,917.00 per quarter, \$1,639 per month

ThyssenKrupp Elevator, monthly charge \$2,455, exclusion of hourly rates

Oracle Elevator, \$1,250 per month, \$14,700 per year

Pest Control

Franklin Pest Solutions, \$615.00, per month

Hatfield Pest Control, \$5,700 per year, \$475.00 per month

Vending Services

Neal Vending Service, Inc., 18% commission

CL Vending, 17% commission on beverages, 12% commission on chips & etc.

Mr. Bohacek made a motion to turn over all bids to Mr. Ott for review, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Layton, I would like them all made available for the public to review.

Al Ott, Stationary Engineer/ Open Proposals for Elevator, Vending, Telephones, Pest Control and Trash

Please see above.

Joyce Leon, Human Resources/Employee Handbook Policy Changes

Mrs. Leon, the voluntary furlough is a new policy which will allow employees to request time off, unpaid, to help the budget, it won't affect their benefits. On the original one, it allowed the employees to request hours, the other is full days at a time. Just let me know which one you want approved.

Mr. Bohacek, time off should not exceed 225 hours in any six month period, this will not affect their full time or part time status?

Mrs. Leon, no.

Mrs. Huston, this is not to encourage overtime.

Mrs. Leon, departments will not have any overtime incurred. It would have to go through the department head for approval and I would get copies of it and we would give you a quarterly report so we can determine if there are any savings.

Mr. Bohacek made a motion to approve the original version of the voluntary furlough that allows hours, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Mrs. Leon, the next policy is a new one for the H1N1 and seasonal influenza policy, so we can have a consistent policy for the employees.

Mr. Bohacek made a motion to approve, seconded by Mr. Layton, motion carried by roll call vote 3-0.

Mrs. Leon, the next three are just revisions to make some consistency between the retirement and the sick days after the employee terminates or retires and they get payment for the sick days. The policy needs to be consistent on how they approach for the money.

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

Support County Council's Position on 2010 Hiring Freeze

Mrs. Huston, there is nothing before us from the county council, is your attorney working on this?

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

Lee Reinfurth, Drainage Board Member/Letter of Resignation

Mr. Layton made a motion to accept Mr. Reinfurth's letter of resignation from the Drainage Board, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Layton, I think it would be appropriate at this time to readdress Mr. Mrozinski's request for the Springfield Sewer District Board or LaPorte County Regional Sewer District's Board and that we put both of those board options out there in the paper to ask anyone that is interested in either of them to apply.

Mr. Bohacek, the Drainage Board is a little unique. It serves a district and there are some boundary issues. It is north of the toll road in order to be in this district. The sewer authority seat is county wide.

Mr. Layton, I think it would give different individuals throughout the county the opportunity to serve if they so wish and then we could have the sewer board do the interviews and recommendations to the Commissioners on that one and the drainage board on the other.

Solicitation of Bids for Lease of County Owned Farmland

Mr. Bohacek made a motion to solicit bids for lease of the county owned farmland, seconded by Mr. Layton, motion carried by voice vote 3-0.

Non Collusion ARRO DOT on Schultz Road 400 North Contract

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

COMMISSIONER'S COMMENTS

ADJOURN

Mrs. Huston, President, adjourned the meeting at 11:05 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President


Michael Bohacek, Vice President


Ken Layton, Member

ATTEST: 
Craig Hinchman, LaPorte County
Auditor