



# BOARD OF COMMISSIONERS LAPORTE COUNTY

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*Barbara Huston  
President*

*Mike Bohacek  
Vice President*

*Ken Layton  
Member*

## LAPORTE COUNTY COMMISSIONERS

Tuesday, April 6, 2010

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, April 6, 2010, 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. Layton led the Pledge of Allegiance.

### ROLL CALL

All Present

### APPROVAL OF AGENDA

Mr. Layton, under New Business, Item C, please remove American Structure Point.

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 March 16, 2010, seconded by Mr. Layton, motion carried by voice vote 3-0.

### WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

### CLAIMS

Payroll Ending April 16, 2010, Mr. Layton made a motion to approve as submitted, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Miscellaneous Claims---\$ 104,570.69, Mr. Bohacek made a motion to approve as presented, seconded by Mr. Layton, motion carried by roll call vote 3-0.

### PUBLIC COMMENTS

Mr. Tim Haas, Haas and Associates, consulting engineers from Michigan City. I would like to let you know that we do engineering work in Michigan City and are interested in working with you on projects. Perhaps someday, we can give you proposals. We have a couple of small jobs with you.

Mr. Shem Kaleel, Global Engineering, consulting engineer in Michigan City as well. We do that kind of work in item C and we would love to do a proposal for it. We have no contracts with the county at this time.

Mr. Dennis Metheny, 6757 W. 450 N., Michigan City. I have a couple of items I would like to discuss. The reassessment bid – I am very disappointed with the people put on that board to select I don't think they are the proper people. Carol McDaniel because she is one of the problems we have in this county. Mr. Rich Mrozinski and yourself, Madame President. I know that you support Carol McDaniel, because when they brought the issue up here to move it on to the Prosecutor of LaPorte County, you voted against that. I don't think that two out of the three should have been on there. I hope it is not going to be a group associated with Nexus since we still don't have that problem resolved. As far as American Structure Point, I don't know exactly what is involved.

Mrs. Huston, it is the LaPorte County Regional Sewer District and completion of the Southwest Lake Michigan Sanitary Sewer Master Plan.

Mr. Metheny, one of the problems I have with that sewer district that people do not understand is that their properties can be liened. I did not want that put into a regional sewer district for the county. I didn't mind it being in Springfield Township, but once it went regional – I don't think people understand what the whole scope of this is. They can have eminent domain done against them, they can be forced to hook into that sewer, and their property can be liened.

Mrs. Huston, do you remember years ago when the county commissioners sent a paper down state saying that we would never, ever, take anyone's property by eminent domain? We would not force anybody to hook up. When we did 18<sup>th</sup> Street, people had a choice if they wanted to hook up to it. On a personal note, I think hooking up to sewer and water in Springfield Twp. would be a good thing.

Mr. Metheny, I have a disc from IDEM that was sent to me about sewer districts. In that disc IDEM states that they can be liened, they can be taken under eminent domain, so there must be a conflict between the county law and state law of IDEM. I am against the master plan and the sewer district. I don't think it should be done on the backs of the taxpayers. 18<sup>th</sup> Street was not done in a sewer district. 18<sup>th</sup> Street was done by the Commissioners.

Mr. Layton, Mr. Metheny, in regard to your disapproval on who was appointed to the committee to look over the reassessment bids, I am the one that made that motion. I specifically asked Mrs. Huston because she is the president of this board. I specifically asked that Mr. Mrozinski be on it because he is the liaison from the Council to the Commissioners. Mr. Matt Bernacchi is the liaison for the Assessor's Office and he is a Level I assessor. I also had Mrs. McDaniel on that committee because, by statute, she must approve whatever contract is submitted and accepted by this board.

Mr. Mike Kobos, Coolspring Township, I am also disturbed with the sewer system. I was watching the meeting when it was asked of Mr. Mrozinski whether it was just Springfield Twp. sewer or county wide. He said just Springfield. At last month's Commissioner's meeting there was a conservancy district being formed on the Porter/LaPorte County line. Commissioner Bohacek asked Attorney Mr. Hollenbeck what they were going to do about sewer and water because now we have a county wide regional sewer. Mr. Mrozinski says they will not force people, pending how good your system is. In a sense, there is an open door. This county wide regional master plan is a bad thing for the county. You have problems now with subdivisions. Why did that all happen? Because the master plan of the Planning Commission was not abided by. They built in water holes. Variances or exceptions were granted.

#### DEPARTMENT HEAD COMMENTS

Mr. Jim Sosinski, Chief Deputy, Sheriff's Dept., I have a contract for the Interact Public Safety System that we had a work shop on approximately two weeks ago. I would like the Commission to have their attorney look this contract over. From there I would like the Commissioners along with someone from the E-911 Advisory Board to present to the County Council the project for the maintenance agreement. Once that money is appropriated, I would hope the Commissioners would sign the contract and that we could proceed.

Sheriff Mike Mollenhauer, I wanted to apologize; I was not able to make your meeting last month. I know it was in the news already about our digital video recording system. We are going to start phase one early this month. The equipment has now arrived. We will have 205 cameras throughout our department and outside. We are going to be able to start this with 96 cameras recording. The County Council okayed it, however, they didn't have the funds of \$275,000.00. With phase one, we are going to use commissary money, \$79,943.66. This is for liability purposes and for the safety of our officers.

Mr. Jeff Wright, LaPorte County Highway Engineer, would like to report on a couple of road projects that are

gearing up here this spring. County Road 200 East and 300 East the bridges are underway. The bridges are done but the roads are still closed. They will probably be closed for the duration of the construction season. Bridge 34 on 500 South is underway, that road is closed as well. Our two ARRA projects are underway. County Road 500 West and State Road 2 to Johnson Road, all construction signs are in place and they started patching operations this morning. Wozniak Road from State Road 2 to 400 will start tomorrow. That is an ARRA project as well. Tiffany Woods is underway as well. It is near completion. Karen Court, we hope to raise as high as we can, possibly 18 inches. I don't know the status of the trees on Welnetz Road.

Mr. Layton, we received invoices this morning for 200 E. and 300 E. for \$15,000 and \$20,000 for land acquisition. We have been asked to expedite those. Was land acquisition part of the grant we were working on originally or will that be an expenditure out of the Cum Bridge Fund?

Mr. Wright, the bridge project on 200 E. is a Federal match and will be 80-20. The right of way is paid entirely out of the bridge fund. County Road 300 E. is all county funds.

Mr. Layton, we will expedite these over to you for your approval.

Mr. Tony Hendricks, LaPorte County Surveyor, update on the Kankakee River. We have some tree removal and are now in a hold state until July. We are 90-95% done. We have been notified to stop when the crops are in so there will be a lull in the summer.

#### CORRESPONDENCE

None

#### REQUESTS

##### Bob Young, LaPorte County Highway Superintendent/Request Payment for Wayne Barnes' Unused Sick Days

Mr. Layton, Mr. Young called this morning and said he would not be available for this meeting. I called the highway and found out that Mr. Barnes has 11.25 days coming. I make a motion that we concur with the county policy and pay him those days, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

##### Carol Trotter, Auditor's Office/Request Payment for Unused Sick Days

Mr. Layton, Mrs. Trotter retired a week ago as part of the downsizing of the county when Mr. Hinchman lost an employee in his office here in LaPorte. He brought an employee over from Michigan City to fill that spot. The lady was uncomfortable with the tasks that were to be performed and opted to retire. The county personnel policy says that you can claim these sick days if you have twenty years or more, unfortunately, this employee only has 18 ½. It does not comply with the policy. I feel very sad for the employee and I cannot make a motion to allow it.

Mr. Bohacek, the employee in question has been with the county for 18 ½ years and still has some sick time left. Her office was closed and asked to move to the LaPorte location and accept those job duties, duties she said she was not comfortable doing. With that and the years of service, I am going to make a motion that we make an exception to the policy and grant her the sick days.

Mr. Layton, I probably know this lady better than anybody, she worked for me for 8 years. She was a good employee and very loyal. I know two people on the county highway that the policy was changed for. I just believe that we have a policy and should adhere to it. Even though she is a friend, I can't second the motion.

Mrs. Huston, the chair will second the motion, motion carried by roll call vote 3-0.

##### Union Mills Mill Pond Festival/Request \$500.00 Tourism Funds

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

##### Rolling Prairie Lions Club, Harvest Bicycle Tour/Request \$500.00 Tourism Funds

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

OLD BUSINESS

John Sullivan, LaPorte County Coroner/Lightning X Products, Inv. #4717 (Tabled)

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

Mr. John Sullivan, LaPorte County Coroner, Invoice 4717 for LaPorte County Coroner's Office dated 2-19-10, is for the purchase of a LED light for the Suburban and the purpose of that is safety for the Coroner and the deputies while loading bodies on highways. The Coroner's vehicle does not have any lights. Mr. Parks from the garage was kind enough to install alternating headlights for me. This is an interior LED bar in the front. This light is enough to be seen, it is a very brilliant bar even through the tint they are very visible. These are so the car can be seen.

Mrs. Huston, you do understand that the vehicle belongs to the County and that's why we questioned the light. That is why we requested you come to us so we know you are having them put on the vehicle. Is the vehicle being parked at the County Highway? We did request that.

Mr. Sullivan, no, I was having trouble keeping the battery charged since I had a laptop computer wired in there, two radios & two flashlights. The draw was too much. These are things that take draw when it is parked.

Mrs. Huston, it would have behooved you to come to us and inform us of this before we felt it was missing.

Mr. Sullivan, it has not been parked there for two months, I discovered the problem in the winter. The heated garage and shore line at my house had cured all that.

Mr. Layton, I think what the Commission President is trying to ascertain is whether it is being used for personal use to go back and forth to work at the fire department.

Mr. Sullivan, yes, I do take it on certain days so it is at a central location if needed. The deputies have access to it and can come get it to make the call.

Mrs. Huston, we have had several complaints from your fellow firemen wanting to know why we are not enforcing what we asked of you to do which is to park the suburban at the county highway. We have also had complaints where you have run signal 10 to emergency calls in that vehicle where no deaths had occurred. The fire department in Wanatah has written us a letter and a complaint from a lady that you almost ran her off the road because of excessive speed in the vehicle.

Mr. Sullivan, yes, I have responded to accidents and 9 times out of 10 I can do some good.

Mrs. Huston, is this battery problem a winter problem so now we can park the vehicle at the highway department?

Mr. Sullivan, sure, we will give it a try. We may have to run a shore line out to it.

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

NEW BUSINESS

Carol McDaniel, LaPorte County Assessor/Award LaPorte County Reassessment Bid

Mrs. McDaniel, I will read the results from the committee. (see attached)

Mrs. Huston, I sit on another board and usually the project engineer will say how much they actually think the project will cost. If you were to estimate how much this project should cost the county because of the mess that we are in, what would you estimate?

Mrs. McDaniel, \$2.5-2.6 million to get LaPorte County cleaned up and get us a base to move forward on.

Mr. Braje, we have looked over all the contracts. The Commission must understand that the contract must be approved by the DLGF. The contract deals with all the issues, penalties, and requirements, even in terms of

completion. In the event that the Commissioners feel that the low bid is not the best bid, there needs to be findings made concerning the current selection of the bidder. I would also advise that, understanding the committee wanting the local component portion of the bid, it was not a specification of the bid and was not a requirement of the bid that was offered. I would advise that the lowest and best bidder be selected or the best bidder does not always mean the lowest but the Commissioner need to consider all those elements that has been brought to your attention by the committee in making your determination.

Mr. Layton, Mrs. McDaniel, the A & S Associates that came in at \$1,640,000, I assume is certified by the DLGF?

Mrs. McDaniel, I have not verified that.

Mr. Braje, we have talked to the DLGF and all bidders are certified by the DLGF.

Mr. Layton, I do have some concerns. Several months ago I spoke to you directly about Ad Valorem and we made some phone calls to Kokomo, Howard County, to inquire about their work record. I spoke specifically with the Treasurer down there; she had very, very, high admiration for the work that they performed. I believe that these 40 hard cards that were pulled earlier, were pulled on behalf of Mrs. Hinckle, the school board attorney.

Mrs. McDaniel, no, that wasn't the same ones.

Mr. Layton, here is my point. Yesterday, when I received the email from the committee, I went into the financial system and pulled the financial report under reassessment we currently have \$2,079,000.00 in the fund. Ad Valorem contract price is \$2,784,650.00. I fully understand that this work was to be completed by 2011 which gives us two years. If we had a normal tax season we may get the \$2.7 to fulfill our obligation to this contract. However, we are also involved in litigation. If we win the litigation, we owe nothing. If we lose, we could owe up to \$500,000 plus. I believe even though we have 2 million dollars in the bank for reassessment, we really only have \$1,500,000.00 that is not committed. I see no way this county can obligate its citizens to \$2,800,000.00 if we don't have the funds. I cannot make a motion to concur with the committee's findings on Ad Valorem. I asked why there was a million dollar discrepancy between Ad Valorem and almost all of the other companies we have here. Does Ad Valorem know something the others do not know?

Mr. Bohacek, I guess as I am looking at the findings of the board, I am trying to find clear cut reasons to use one over the other. Unfortunately, there is not enough meat here for me to look at Ad Valorem, although, I know their reputation and know how they work.

Mrs. Huston, on behalf of the board, the money in the reassessment is around \$2,000,000.00. We also took into consideration the law suit. One thing we liked about A & S Associates is they would hire local people and the amount they would hire was an encouragement to the board. Judy Anderson did talk to these people and the owner said they are 4 ½ hours away and he would be looking at renting a house for the duration of the project. A & S Associates said they would have the boots to the ground ready to go and do the training. The only thing we were concerned with was the only county A & S was working with was Vanderburgh County and all they are doing there is retrending. They have never actually completed a reassessment. The board found that all bidders were very competent.

Mr. Layton, I would like to thank the committee for their efforts and the document you prepared was fair. It has been my thought all along that we could do this in house but the DLGF would not allow that to happen. Strictly on the financial reason, I make a motion to accept A S Associates for this project, seconded by Mr. Bohacek with a question.

Mr. Bohacek, Mr. Mrozinski, this order 1 through 5, how are you ranking them?

Mr. Mrozinski, I had conversations with other members of the council, and the bottom line is, as the fiscal body of this county, in order to justify spending more than the low bidder, you will have to come up with either legal reasons or ethical reasons.

Mr. Braje, there was suppose to be a bid bond as part of it. Almost every one of the bidders included a 15% retainer as opposed to a bid bond. Which makes sense because when you put the bid bond in the contract this size it is just extra money they put on top of the bid.

Mr. Mrozinski, remember, when you buy cheap you end of with something cheap.

Motion was carried by roll call vote 3-0.

Mr. Bohacek made a motion to allow Mrs. Huston, President of the Commission, to execute the signing of the contract because of an April 15, 2010 deadline, seconded by Mr. Layton, motion carried by voice vote 3-0.

Mr. Layton, Mrs. McDaniel, I also know according to statute that you will have to be a signatory to this and approve the vendor that was selected here this morning. Do you have a feeling on whether you would make that approval or not?

Mrs. McDaniel, I will have to take this back to the board.

Lynne Spevak, LaPorte County Clerk/Approval of Polling Places for 2010 Primary

Ms. Spevak, by state statute the executive board meaning the Commissioners of the county needs to approve the polling places for the 2010 primary election. The township trustees have submitted locations in their district and within a 5 mile radius of a ward or precinct and all come under approval of the election board. We have a couple of changes this year, two changes in Michigan City and one change in LaPorte, all county townships were at the same location.

Mr. Layton, were all of the precinct places that were chosen, do they fall under the ADA compliance?

Ms. Spevak, yes they do.

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

Oliver Nelson, Account Executive/Energy Systems Group

Mr. Nelson, Energy Systems Group can provide LaPorte County financial and construction services that accelerate energy infrastructure renovations, utilizing alternative financing strategies.

Mr. Nelson gives a concept presentation (see attached)

Michigan City Area Schools/Tax Assessment Dispute

Mr. Jim Kintzele, President of Michigan City School Board (statement attached)

Mr. Don Dulaney, Vice President of the Michigan City School Board (statement attached)

Dennis Metheny, I am very upset paying school taxes in Michigan City schools when the school board doesn't cut their budgets. They just keep adding to it. Now it has come to this. I am very disappointed in the school corporation, and I mean the school board and administrators. The teachers are busy teaching. All we here is that it is about the children. It is not only about the children but about the teachers. I have not heard one thing about cutting any of these administrators they have. We hear they are short 8.2 and 10.2, which is it? I get upset seeing this school corporation, who is in a law suit with this county, which is costing the county and school corporation more money. I am here to defend this commission and Craig Hinchman, the Auditor when it should have never gotten to this point. This is about every taxpayer in the community and every taxpayer that is getting their house foreclosed on because their taxes are too high. For this school corporation and the city to do this to this county makes me want to regurgitate. I support the teachers and the children but we also have to support the taxpayers. This school corporation does not cut their budget and for them to put it on the backs of the county people, I get very upset. These taxes need to be resolved. When they turn around and increase their budget to the point of where it is at now, and then say we are 8 million short, maybe you should not have increased your budget. This school corporation doesn't seem to have the direction to see that they need to cut this before it gets to this point. This law suit is ridiculous.

Mr. Mike Kobos, I am also a resident of the Michigan City Area Schools. I can't help but get angry. All we get in Michigan City is new structures. Buildings do not teach. Mr. Burgwald made a proposal that I thought sounded pretty good, cut administrators and have enough funds for this year. They are biting the hands that feed them. Nobody is going to get anywhere as long as we are suing. No other school system is suing you.

Mr. Kintzel, I challenge anybody to name when a compromise was requested, what was the compromise, who made the compromise, and who they made their offer to. This school board has not seen a compromise offered to our school system. There has never been a compromise offered to our board or our attorney.

COMMISSIONER'S COMMENTS

Mr. Bohacek, I have a daughter that goes to Michigan City Area Schools and relies on the school's services. She is special needs and the only opportunity she has to spend time with classmates is during music, art, and physical education. To have them cancelled is a huge problem for me but more importantly for her, as it is a lost opportunity to spend time with her peers. We need to work together to form a solution. Everyone is in a financial pinch right now, we are all in the same leaky boat.

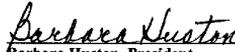
Mr. Layton, I think the question is when are we going to get back on track with normal taxation. I was surprised by Mr. Kintzel's final statement when he said the school board has never been given a compromised proposal. When I in fact, have read two of them that was told to us was forwarded to Mrs. Hinckle, your counsel. The county commission, the county council, the county treasurer and county auditor all met in January and developed what we thought was a viable compromise. To use the 06-07 data that had been changed by the Crowe Horvath report and accept all of the contributions made by the PTABOA board and use the new numbers with the 5,000 changes and have that approved by the State Board of Accounts and the DLGF and use that data for the inception of the new taxes for all of us. It is my opinion that if we use that data, Michigan City schools would not be facing an 8.2 million dollar deficit; there would have been a surplus if those numbers would have been allowed to be used. I am under the impression that compromise has been forwarded to your counsel, Mrs. Hinckle, the DLGF and Mrs. McDaniel. I thought it was a viable compromise, it would have moved us forward. LaPorte County used to be a leader in this state and now we are the laughing stock. We have offered a viable compromise and we have been told it was unacceptable on two separate occasions.

Mrs. Huston, I never thought I would see the day that I would agree with Mr. Kobos. One thing that he said was we cannot go forward if we continue to sue. I have to agree with that 100% and echo those words. We need to find a resolution. If you know Mr. Bohacek's little girl, Stephanie, she is a sweetheart and she needs these programs as well as the other children.

ADJOURN

Mrs. Huston, President, adjourned the meeting at 11:55 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS

  
Barbara Huston, President

  
Michael Bohacek, Vice President

  
Ken Layton, Member

ATTEST:   
Craig Hinchman, LaPorte  
County Auditor

**Jim Kintzele**

Good Morning,

My name is Jim Kintzele, President of the Michigan City Area Schools Board of Trustees.

I thank you for allowing me to speak to you this morning regarding the shortfall of more than \$8.2 million that our school corporation is now facing due to the ongoing dispute surrounding LaPorte County property taxes. As you are aware, this shortfall is the direct result of the County Auditor's certification of 2005 assessed values for 2007 tax bills.

As you are *also* no doubt aware, our School Board has taken legal action against the Auditor and the Department of Local Government Finance. We have filed suit in Indiana Tax Court along with the other entities that are facing devastating shortfalls, including the City of Michigan City, the Town of Pottowattomie, and the town of Long Beach. The parties involved in our case against the Auditor AND those involved in the Assessor's suit against the Auditor have all been ordered into mediation by the Tax Court.

At our last school board meeting, on March 23, a member of this Commission addressed our Board, urging us to direct our legal counsel to reach a compromise in the settlement talks. I am here this morning to let you know that the Michigan City Area Schools board is **eager** for a settlement. Our direction to our attorney is straightforward: to work with all the parties involved to find a solution that will give us the tax revenue we need to run our school district. And although I can't divulge specifics of the negotiations, I *can* tell you that the parties are, in fact, attempting to reach some sort of resolution.

The Michigan City Area Schools is NOT willing to compromise, however, when it comes to the education of our students. We can NOT compromise when it comes to the value of our teachers and staff. We can NOT compromise when it comes to the safety and welfare of our children and the citizens of our community.

The \$8.2 million shortfall has brought our school corporation to a crisis point. The lack of a timely resolution to this has left us with no choice but to look at options to cut programs and personnel, and unfortunately the students and staff of Michigan City Area Schools are going to pay a heavy price.

Simply put: As School Board members, we **must** find a way to recoup the \$8.2 million. If we do not, public education will take a catastrophic hit – a hit that threatens the economic future of our city.

We welcome mediation because it will put all parties in the same room at the same time. But for mediation to be successful, **everyone** needs to share the same goal: taking care of the immediate needs of Michigan City. We respectfully request that you help us find a resolution – a resolution that will NOT harm the children of Michigan City Area Schools.

I realize that this is a politically-charged situation. But it is time to set politics and personal feelings aside. It is time to be the first to stop the name calling and the finger pointing – even if those who oppose you continue this type of behavior. If everyone wants the same end result, we can **certainly** work together to get there.

## **Don Dulaney**

Good Morning. I am Don Dulaney, Vice President of the Michigan City Area Schools Board of Trustees.

I would also like to thank you for allowing me to comment regarding the \$8.2 million shortfall our school district is facing.

As members of the Michigan City Area Schools Board of Trustees, we have a fiduciary responsibility to make sure that we have the funds we need to provide students with a quality education.

That is why, when the Auditor's action caused a shortfall, we immediately attempted to resolve this situation. Our chief financial officer met with Mr. Hinchmann on several occasions – and then met with the DLGF and then, quite frankly, appealed to anyone who would listen. By October, our Board had no choice but to pursue legal action. Now, as the legal process is unfolding, we continue to work with the parties to find a way to prevent this shortfall from becoming a reality. But sadly, time is running out.

As you know, the property tax debacle has plagued our county for a long time now. As the weeks, and months, and yes, even **years** have dragged on, I fear it may have become too easy to overlook the fact that there are real victims here. Of course, the property tax dispute has involved a lot of adults – property owners, elected officials, state entities, lawyers, and many others. But the **REAL** victims are children.

As a School Board member, I want to meet my fiduciary responsibility to the children of Michigan City. But because of this shortfall, I may have to let those children down. I may not have enough money to keep their schools open. I may not be able to keep paying their teachers. I may not be able to provide art and music and physical education. I may not be able to let them go on field trips or even to send them to summer school for the extra help they desperately need.

Please end this situation now by working with us to reach a resolution. And please remember that the 6,900 children of Michigan City Area Schools are the real victims of the shortfall. And so are the 12,000-plus parents and grandparents, the 1,200 school employees, and the 32,000 citizens of Michigan City.

Our responsibility as elected officials is to represent **all** of these people, not just a few, and to fund the essential services of local government.

The committee looked over all reassessment bids. We have had two meetings, also took time and looked over the bids over the week-end. We wanted the vendors to have a home base in Indiana and to be hiring local people.

Lowest bid was A & S \$1,640,000.  
Highest bid was Ad Valorem \$2,784,650.

1. **Accurate Assessments** \$1,986,800.

- Talked to the three counties that work with them, and one county that doesn't use them anymore. This vendor is doing reassessment in only two counties. And only partial reassessment in the other.
- The company hasn't hired any extra people to help. The owner has a bother and some family members to help, also a lady in Ft Wayne that comes and helps out if needed.
- The company is a small company and very slow.

We do not believe this company would be able to handle a project this large.

2. **Nexus** \$1,684,500.

- Law Suit

3. **Tyler/CLT** \$1,825,800.

- This vendor is based in Ohio
- They have their own staff/will start out with project supervisor and two field people/may add 8 more people during the summer, but will bring in their own people/ Troy said, as the county may not want us to hire local people.
- This is the company that was asked to leave Terre Haute, because not doing the job.
- This is the company not took money and did not finish the job in Lake Co.
- This is the company that under bid a shopping mall in Allen Co. And is in court over this.
- The project supervisor was hired in 2008, with no reassessment projects that we could verify.
- The County projects that they have worked on are not comparable to LaPorte in parcel size.
- There was one county that Tyler was working in and turned in an invoice for a much larger amount than was in their contract.
- New construction over 1000 parcels will be an added fee

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS  
COUNTY OF LA PORTE  
DATE 4-8-10  
*Bertha A. Huxton*  
*Craig Henchman*  
Auditor  
LA PORTE COUNTY, INDIANA

4. **A S Associates**

\$1,640,000

- The owner will be the project supervisor, will be on site 4 days a week
- The owner may rent a house, or get a hotel room
- The owner will hire 15 local people four at a time and he will do the training
- The owner will have the boots to the ground ready to go.
- This Vendor has not done a full reassessment in the state of Indiana.
- The only county they are working in is Vanderburgh County and it is re-trending
- This vendor has no projects competed so we could verify
- The owner Chuck Simmons is running for County Assessor in Floyd Co

We do not think this company can handle LaPorte County as big as we are. Also not have done a full reassessment. We are looking for a company that will get a complete clean data in the 18 months that DLGF has given us.

5. **Ad Valorem**

\$2,784,650

- This Vendor is based in Kokomo, IN
- We have checked 6 counties that the vendor works in. They all loved their work. Saying that this vendor is easy to work with, if you have a question they will get the answer right away. Their people are very knowledgeable, fair and trust worthy.
- This vendor will start out hiring 13 local people and if they need to they will hire more.
- This vendor will train the people.
- This vendor will not take on more than what they can handle
- This vendor came into our office and ask for 40 hard cards, we run them at random, they took the cards to the field, came back showing us an error on every card.
- The project supervisor is much more experienced and qualified
- This vendor knows our software
- This vendor knows our neighborhood issues.

We think this vendor came in so much higher because they now understand the scope of work that is involved after reviewing the sample cards. Beings ¼ of the reassessment has be done by 12-01-10 and given to DLGF Ad Valorem is what LaPorte is what LaPorte needs.

*\* 2,079,000.<sup>00</sup> currently in fund.*

*2 500,000 - law suit.*

# LaPorte County Commissioners Concept Presentation



# Value Proposition

Energy Systems Group can provide LaPorte County financial and construction services that accelerate energy infrastructure renovations, utilizing alternative financing strategies.

# Agenda

- Introduce Energy Systems Group
- Introduce the Process
- Introduce House Bill 351
- Business Clients – References and Utilization
- Process to Proceed

# Who is ESG?



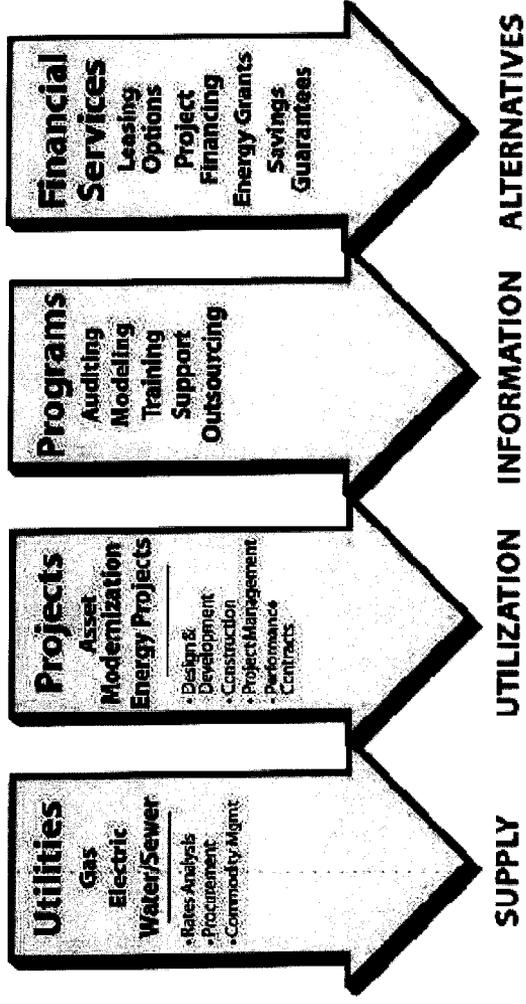
- Established in 1994
- Independent wholly owned subsidiary of Vectren
- Focused on design and implementing Strategic Energy Master Plans
- Delivered over \$1.0B in energy improvements since 1994
- NAESCO accredited
- Unbiased solution provider

# Energy Systems Group

- Providing energy services to Schools, Hospitals, Universities and Governments
- \$125M+ in revenues for 2008
- 200+ employees in 22 states
- 3 Energy Centers
- 1 LG processing plant & pipeline
- 255+ Customers
- Numerous award winning projects



# Strategic Energy Master Plan



# Solutions Development Process

- **Conceptual Presentation**
- **Letter of Authorization**
- **Initial Grade Audit**
- **Present IGA and Review**
- **Develop Action Plan to Proceed**
- **Perform Investment Grade Audit**
- **Present Final Proposal**
- **Authorize construction documents**
- **Verify Results and Guarantee Begins**

# House Bill 351

## Governed by IC-36-1-12, Public Works Projects

### – All Solicitation rules apply

#### **With Exception**

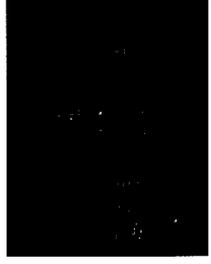
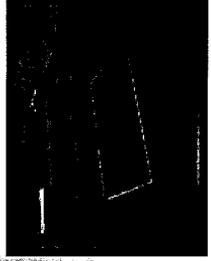
- ESG is the Qualified Provider under the legislation
- County is required to advertise for RFP, 2 times in local paper, with 7 days between each advertisement.
- Competitive proposals will be submitted 30 days after the last date of advertisement
- Subcontracts do not have to be competitively bid
- Guaranteed savings, Energy, Operations and Capital avoidance must cover the cost of the contract within 10 years
- Payments are subject to annual appropriations and do not constitute an indebtedness.
- Selection of “Best Qualified Provider” is completed and project construction/financing documents are drafted.

# Sample Project

## Vanderburgh County Courthouse Evansville, IN

1 Building  
84,000 Square Feet  
Lighting  
HVAC  
Windows  
Water Conservation System  
Ceilings/Floors  
Fire Alarm System  
Electrical Systems

**Project Cost: \$5,340,799**



# Business Clients

## **City of Bloomington**

- WWTP, Ice Rink, Animal Shelter, City Hall
- 3 phase client, \$3.5M worth of improvements

## **Tipton County Courthouse**

- Boilers, Fan Coil Units, DDC Controls, Chiller, Rooftop units, Lighting
- \$1.5M worth of improvements

## **Boone County Courthouse**

- Fan Coil Units, Controls, Boiler, Lighting
- \$1.8M worth of improvements

# Financial Proposal

- Installment Purchase Agreement
- Tax Exempt Rates
- Unlimited Borrowing Capacity
- Uncontrolled Financing Process
- Non-appropriation Treatment
- Funds Available Immediately

## Next Step

- **Letter of Authorization**
- 12 Months of utility bills
- 12 months maintenance records
- Access to Building Staff



# Discussion



ENERGY SERVICES  
**Energy Solutions**  
The Performance Group, Inc.  
Energy Solutions Group, LLC