



BOARD OF COMMISSIONERS LAPORTE COUNTY

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Barbara Huston
President
Mike Bohacek
Vice President
Ken Layton
Member

LAPORTE COUNTY COMMISSIONERS

Tuesday, August 3, 2010

The LaPorte Board of Commissioners met in a regular meeting on Tuesday, August 3, 2010, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mrs. Huston, President, called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mr. Braje led the Pledge of Allegiance.

ROLL CALL

Mrs. Huston, present

Mr. Bohacek, absent

Mr. Layton, present

APPROVAL OF AGENDA

Mr. Layton made a motion to approve as printed, seconded by the chair, motion carried by voice vote 2-0.

APPROVAL OF MINUTES

Mr. Layton made a motion to approve as presented, seconded by Mrs. Huston, motion carried by voice vote 2-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Payroll Ending August 6, 2010, Mr. Layton made a motion to approve as presented, seconded by the chair, motion carried by roll call vote 2-0.

Regular Claims—\$1,332,029.33, Mr. Layton made a motion to approve, seconded by the chair, motion carried by roll call vote 2-0.

Misc. Claims —\$2,451,069.02, Mr. Layton made a motion to approve as presented, seconded by the chair, motion carried by roll call vote 2-0.

PUBLIC COMMENTS

Charles Conjelka and Betty Conjelka, Galena Township, the reason we are here is the project on 300 E. which involves our area, on the one entrance – they have done the work, they put culverts in, when the rains come it washes our lane out.

Mr. Layton, they are not done yet.

Mr. Conjelka, they said it is not in their plan so they are not going to put in a culvert. There is a ditch alongside the road that has been installed, it comes about ¾ of the way down and the ditch stops there and goes under a culvert to our first or northern entrance and that is where it ends. We have another entrance 60 feet to the south and the water is going across that and washing it right out. It's on the East side of the road and on the south side of the bridge. We would appreciate it if you would go out and look at it.

Mr. Layton, I will talk to them and get back to you.

DEPARTMENT HEAD COMMENTS

Mr. Rich Mrozinski, County Councilman, Mr. Layton, I saw your emails to Herceg about the condition of the courthouse and I applaud your efforts and want you to know we are behind you 100% and want to continue this and get it taken care of. It has been going on way too long.

CORRESPONDENCE

None

REQUESTS

Kankakee Township Fire Department/Street Closings

Mr. Layton, this is an annual project and enjoyed by several thousand people and I make a motion to approve it, seconded by Mrs. Huston, motion carried by voice vote 2-0.

OLD BUSINESS

Consideration of Final 2011 Reassessment Contract

Mr. Layton, I would like to ask that the council comment on it please.

Mr. Braje, we have the contract and with the approval of the commissioners we believe that will obligate the council to fund the contract. So if it is the intention of the commissioners to execute this contract, it should be accepted pending the cooperation of the county council.

Mr. Layton, I will make a motion that we put our signatures to the contract, seconded by Mrs. Huston. I know that there is a lot of consideration being given to this issue on whether it was the low bid or the best bid or highest bid. We all know that at our previous meeting that our Assessor said that she would not sign the contract for the lowest bidder. It is our interpretation through an email with the DLGF that I asked them if we could go on beyond or circumvent that signature and there is not. If our Assessor will not sign the contract, it will not be valid. We are at a point in time that we must go forward without any further delay. Prior to the meeting tonight, I discussed with some council members, we were a party to an agreement in the tax court that said that certain things would be done in a certain time frame. I believe if we delay this any further, we will not be able to comply with the agreement that we signed in tax court.

Mr. Mrozinski, we have a meeting set up with Tyler and A & S next Wednesday at 4:00 p.m. to discuss the issue.

Mrs. Huston, there is a motion on the floor to sign the reassessment contract and send it to the council for their approval or disapproval.

Mr. Earl Cunningham, I heard on the radio today that we couldn't decide at our last meeting. It was my opinion that we couldn't make a decision because it wasn't on the agenda. We couldn't appropriate the money. That is why the meeting was set up for the 11th and properly advertised. I

agree with Mr. Mrozinski that it is a slippery slope when we are not taking the lowest bid. That is the purpose of bidding. On the other hand, I know there is a clause that the best might not always be the lowest. I argued that the bid specifications should have been written tighter. I will tell you that at this point in time, after listening to Mr. Schultz and the committee, I am always discouraged when we have a committee and don't listen to the committee. If I am forced to vote in the first four votes, I will vote in favor of it because I agree with Mr. Layton, we have to move on. We can't wait until January when we have a new assessor who is willing to sign off.

Mr. Layton, I don't disagree with what you just said. I don't disagree with the principle that Mr. Mrozinski is trying to bring forward. I believe that we are at a point in time, especially with the signatories that we had with the state tax court, that said we are going to comply with certain issues by a certain time and any further delay, in my opinion, brings us into very dangerous waters. If we sign this document this evening and forward it on to the council, if the council passes it, so be it, if the council doesn't pass it we will face that as it comes. That's where I am at on that issue.

Mrs. Huston, I feel the same way and we need to move forward. Motion carried by roll call vote 2-0.

Mr. Layton, will this be brought up for a vote at this called meeting?

Mr. Cunningham, it wasn't on the agenda at our last meeting so we couldn't vote on it. We will be voting on it on the 11th.

NEW BUSINESS

Mr. Layton, under New Business A, B, and C we have received an email today asking that all three of these topics be tabled until representatives of Apex and representatives of the Housing Authority of Michigan City could be present. I make a motion to table until we are notified further, seconded by the chair, motion carried by voice vote 2-0.

COMMISSIONER'S COMMENTS

None

ADJOURN

Mrs. Huston, President, adjourned the meeting at 6:34 p.m.


LAPORTE COUNTY BOARD OF COMMISSIONERS



Barbara Huston, President



Ken Layton, Member

ATTEST: 

Craig Hinchman, LaPorte
County Auditor