

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, December 21, 2010

The LaPorte Board of Commissioners met in a regular meeting on Tuesday, December 21, 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 made a motion to approve the agenda, seconded by Mr. Bohacek with two additions. Please add Resolution to Acknowledge Exemplary Behavior and Resolution to Rename Small Structure 1170, motion carried by voice vote 3-0.

APPROVAL OF MINUTES

Mr. Bohacek made a motion to approve the minutes of December 7, 2010 as presented, seconded by Mr. Layton, motion carried by voice vote 3-0.

WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

CLAIMS

Misc. Claims ----\$ 225,437.82, Mr. Layton made a motion to approve as presented, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

Regular Claims--\$3,377,917.27, Mr. Layton made a motion to approve, seconded by Mr. Bohacek, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

Mr. Earl Cunningham, 6311 W. Shiva Drive, LaPorte, IN. Since this is Mr. Bohacek's last meeting I would like to thank him for his four years of service to LaPorte County. He has done a fine job and has brought many thoughts outside the box and helped us move forward. On behalf of Bill Hanna and the United Way Executive Board, I would like to take this opportunity to thank all three commissioners for your involvement with actually pressing forward a United Way Fund Drive on behalf of LaPorte County's employees. I think it is the first time in the last fifteen years that we have had a directed fund drive. I know we will be very successful under your direction.

DEPARTMENT HEAD COMMENTS

Mr. Bob Young, Highway Superintendent, I would like to publicly thank the county highway employees, they stuck together and chipped in and got us through this major snow storm. We had some complaints but also a lot of compliments. I would also like to thank all the other departments, the Sheriffs Dept., EMS, the many, many, volunteers, Volunteer Fire Departments, the Red Cross. It showed what LaPorte County is made of.

Mrs. Huston, we do appreciate all the hard work that the highway dept. did, the EMS, the volunteer firemen, the volunteers, the shelters and EMA, everybody in LaPorte County worked together during that storm. We, as commissioners, are very proud of everyone.

Mr. Tony Hendricks, LaPorte County Surveyor, as a member of the Plan Commission, I came this morning to ask, this may be a question for the County Attorney; there is a Special Plan Commission meeting tonight at 6:00. I have not received a letter from the secretary of the Plan Commission three days prior. I do not know what members asked for the meeting.

Mr. Bohacek, I just talked to Mitch Bishop. The public hearing has been cancelled, I believe they are just going to discuss the plan. The actual public hearing and vote has been cancelled.

Mr. Hendricks, there are serious issues in this master plan that is coming forward. I would hope that maybe we could slow this process down and discuss some of these issues. The plan commission members are entrusted to protect the public, the taxpaying land owners and at this point, I cannot support this master plan without revisions.

Mr. Bohacek, do you have a list of revisions you would like to bring forward to the plan commission?

Mr. Hendricks, yes. The last meeting, they changed the time and there was no ALCO TV. There was a lot of people that showed up at that meeting. I think the plan commission should listen to these people and see what they say instead of trying to get this done before the end of the year. There is not that much development going on in the county. It is a perfect time to get this plan done and done right.

Mr. Bohacek, if you give me your list of concerns and your amendments, I will certainly take them to the meeting tonight and read them for the record.

Mr. Hendricks, thank you.

CORRESPONDENCE

None

REQUESTS

None

OLD BUSINESS

None

NEW BUSINESS

Robert Young, LaPorte County Highway Superintendent/2011 Material Bid Recommendations

Mr. Young, this is my recommendation to the commissioners on our annual material bids.

(Please see attached)

Mr. Layton made a motion to accept the recommendations of the highway superintendent and award the bids as they were recommended, seconded by Mr. Bohacek, motion carried by voice vote 3-0.

Mr. Young, you have the letter I provided you from Rieth-Riley Construction Co., Inc. This is to extend their annual bid for hot asphalt.

Mr. Layton, if we accept this, this will mean we pay the same price as in 2009?

Mr. Young, yes.

Mr. Bohacek made a motion to accept the pricing from Rieth-Riley as indicated in the letter, seconded by Mr. Layton, motion carried by voice vote 3-0.

Resolution To Acknowledge Exemplary Behavior

Mr. Bohacek reads the Resolution in its entirety. (See attached)

Mr. Bohacek makes a motion to adopt the Resolution, seconded by Mr. Layton, motion carried by voice vote 3-0.

Resolution 2010-12

Resolution to Rename Small Structure 1170

Mr. Bohacek, this resolution is to rename small structure 1170 to the name of Gilbert's Crossing, the bridge across White Ditch. We'll do this by title only.

Mr. Layton, I will second that. I know Mr. Purz personally. He has done business with this county for many, many, years. It is a fitting tribute to name a bridge in his honor this close to his home. Motion carried by voice vote 3-0.

Resolution #2010-13

COMMISSIONER'S COMMENTS

Mr. Layton, I wish everyone a Merry Christmas and a Happy New Year.

Mr. Bohacek, after our last meeting, I was greeted with my morning News Dispatch. I got to read Mr. Friedman's and Mr. Milsap's retort about how we handled the contract for our legal services. Mr. Milsap was concerned that I took a vote on a contract towards the end of my term and that it would be a contract that would extend beyond my term. I would suggest that Mr. Milsap read a government book because government entities typically do vote on contracts that extend beyond the term of any elected official. However, what Mr. Milsap doesn't understand and what the public should understand; the board that he serves on, the Michigan City Common Council, does in fact end at the end of the calendar year, because the entire board is elected – there is no carry over terms. In conclusion of their November 7, 2007 meeting, Mr. Milsap, serving as president, allowed his board to continue the contract with their attorney, Attorney Meyer, through the course of the 2008 calendar year. Of that board make up at that time, four members were not returning, not retained by the voters. Maybe Mr. Milsap, as the president, should have halted that action. He chose not to and now here we are a few years later and he is calling foul ball. Mr. Milsap is claiming that this is a retaliatory effort. "Mr. Milsap believes Commissioners left him out of the vote in retaliation for his saying he wouldn't accept the county's gold plated health insurance until discussed publicly and approved at a public meeting since it isn't available to other part time employees." Mr. Milsap, of course, wouldn't take our county health insurance, he is a fireman. His fire insurance is a \$1 a month. Why would he take ours when it would cost him a couple hundred dollars more than that; that would be stupid. Of course he is not going to take our county's health insurance. It was not in retaliation in any way shape or form it was just the county commissioners trying to stop this badgering by Attorney Friedman to be reappointed to the spot as county attorney. What is also interesting is that Mr. Milsap, whose personal attorney is Mr. Friedman, – Mr. Friedman says he served as county attorney for twenty years, he claimed this issue never came up while he was here. If he served us for twenty years, and the commissioners have been getting county health insurance for more than twenty years, why did he choose to withhold this advice? He has no problem popping off with advice, comments and suggestions

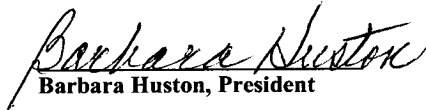
any other time. But now he is not the county attorney, he did not get appointed, and now is saying we shouldn't have done this. We disagree with him. I want to commend the commissioners once again with the decision they made at the last meeting.

Mrs. Huston, Merry Christmas to all and hope to see you back on January 4, 2011. Thanks to Mr. Bohacek, we will miss you. Thank you Mr. Layton, hope you have a Merry Christmas and my best to your wife Rita.

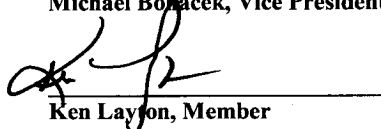
ADJOURN

Mrs. Huston, President, adjourned the meeting at 10:20 a.m.


LAPORTE COUNTY BOARD OF COMMISSIONERS


Barbara Huston, President

Michael Bohacek, Vice President



Ken Layton, Member

ATTEST: 
Craig Hinchman, LaPorte
County Auditor

Noveroske, Reathel

From: Pajor, Julie
 Sent: Wednesday, December 08, 2010 8:47 AM
 To: Huston, Barbara; Layton, Ken; Bohacek, Mike
 Cc: Noveroske, Reathel
 Subject: 2010 BID RECOMMENDATIONS.xls

Dear Commissioner's,
 Bob Young asked me to forward this attachment of his material bid recommendations. We are wondering if we are able to go with your approval or if this has to go to a meeting? In any case he asks that you review them so we can mail letters to the vendors before the end of the year. This way the vendors are aware of the results of the bids. Thank you. Julie

**MATERIAL BID
 recommendations**

2011

CLASS	VENDOR	ACCEPT	REJECT	PRIMARY	SECONDARY	NOTES
1	Hanson Material Service Vulcan Const. Materials	X X		X	X	Low Bidder
2	Rieth-Riley Const. Co.	X		X		Only Bidder for this Class
3	The Levy Company Phoenix Services	X X				Both of these bidder prices were exactley the same
4						No Bidders for this
5	Co-Alliance Triple J-Mar Petroleum Rackham Service Corp Petroleum Traders	X X X X				Call All Bidders to get rack price for the day each time we need fuel.
6	Hall Signs Pen Products Northern Equipment	X X X		X		
7	James H. Drew Corp. DEBCO Metal Culverts	X X				Guard rail ONLY

BOARD OF COMMISSIONERS OF THE COUNTY OF LAPORTE, INDIANA
RESOLUTION NO. 2010-12

RESOLUTION TO ACKNOWLEDGE EXEMPLARY BEHAVIOR

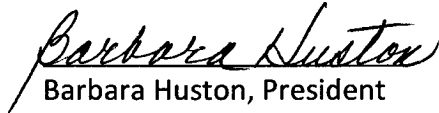
WHEREAS, the Board of Commissioners of the County of LaPorte are authorized to recognize certain individuals for their actions.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners wish to recognize Stephanie Bohacek and Elisabeth Bohacek for the outstanding behavior during their attendance during the many county meetings they were forced to attend during their father's term as County Commissioner

ADOPTED AND APPROVED, by the Board of Commissioners of the County of LaPorte, Indiana this 20th day of December, 2010.

BOARD OF COMMISSIONERS
COUNTY OF LAPORTE, INDIANA

By:


Barbara Huston, President

Attest:


Craig Hinchman, LaPorte County Auditor