



# BOARD OF COMMISSIONERS LAPORTE COUNTY

555 Michigan Avenue, Suite 202  
LaPorte, IN 46350  
Phone: (219) 326-6808 ext. 2229 - FAX: (219) 326-9103

*Ken Layton  
President  
Barbara Huston  
Vice President  
Willie Milsap  
Member*

## LAPORTE COUNTY COMMISSIONERS

Tuesday, February 1, 2011

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, February 1, 2011, at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

### CALL MEETING TO ORDER

Mr. Ken Layton, President, called the meeting to order at 6:00 p.m.

### PLEDGE OF ALLEGIANCE

Mr. Mike Schultz led the Pledge of Allegiance.

### ROLL CALL

All present

### APPROVAL OF AGENDA

Mrs. Huston, under Old Business, item A, the Redevelopment Board, Tim Larson instead of Terry Lawson. Under New Business, item D., Human Resource Review Board Appointment, seconded by Mr. Milsap, motion carried by voice vote 3-0.

### APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of January 18, 2011, seconded by Mr. Milsap, motion carried by voice vote 3-0.

### WEEKLY REPORTS

Commissioners review and sign the weekly reports during the meeting.

### CLAIMS

Payroll Ending February 4, 2011, Mr. Milsap made a motion to approve, seconded by Mrs. Huston, motion carried by voice vote 3-0.

Misc. Claims ---\$9,376,897.07, Mrs. Huston made a motion to approve as presented, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

Mr. Layton, the \$9,000,000.00 is the loan that the County Council took from the Emergency Reserve Fund and put into the General Fund. So actually, the expenditures were \$376,897.07.

### PUBLIC COMMENTS

None

### DEPARTMENT HEAD COMMENTS

Mr. Mike Schultz, LaPorte County Assessor, I thought I would give you an update on what the office has been doing for the first thirty days. It has been fairly productive. As far as the education, five of my staff members have now passed their level I test. We probably have 12 that are levels I, II and some III's. We are working on the education portion. The Michigan Twp. Chief Deputy passed her Level I as well. The Level II test will be given in March and the same people will go again.

Proval was updated over the weekend. We ran a test run yesterday. Everything is very good, there are no snafus. Our internal IT updated our work stations. So now we can do the Proval. We have eight new work stations. Two are up and running, six need to be hooked up. I will be requesting from the Council twelve more out of the Assessor's Sales Disclosure Fund so it will not be a cost to the taxpayers. We will be able to create the data bases that we need for 2008 pay 2009, 2009 pay 2010, 2010 pay 2011, 2011 pay 2012 and the reassessment. This should get us moving forward a little quicker.

As far as the 7500 parcels, you may have read in the paper, we are just about finished categorizing them for further action. Which ones we need to get in touch with Tyler for their review and which ones we don't have to do anything about. We should have that done by the end of the week. I am meeting with Tyler on Thursday for an update calendar. Everything seems to be going fairly smoothly in the office. As far as the tax bills being delayed, the reconciled bills, that has nothing to do with the Assessor's office.

Mrs. Huston, why do you need so many work stations?

Mr. Schultz, they are computers, but work stations. Five will go to Michigan Township and we will have the other fifteen. Four will be dedicated to reassessment when we hire the extra staff. We are six months behind just on the data entry.

Mr. Milsap, data entry with these new work stations will be a lot quicker, am I right?

Mr. Schultz, right. With the new work stations, I am told they will be a lot quicker. We also have a new server dedicated just to the Assessor's Office.

Mr. Layton, this question is pertaining to the PTABOA Board. There was a hitch on some of the appointees passing their Levels I & II. Are they going to be sent back to get that?

Mr. Schultz, that is their option. I can't mandate it. For those that didn't pass the test, they are offering it again in Plymouth this Thursday. We had three that didn't pass and one from my office is going. As far as PTABOA, we have also expedited some of the appeals. We were able to call some and get them resolved. We are trying to clean up what's left of the appeals.

#### CORRESPONDENCE

None

#### REQUESTS

##### LaPorte County Fair Pioneer Land/Request \$500 Tourism Funds

Mrs. Huston made a motion to approve \$500 to Pioneer Land, seconded by Mr. Milsap, motion carried by voice vote 3-0.

#### OLD BUSINESS

##### Correction on Redevelopment Commission

Mr. Layton, at our first meeting in January, we made an appointment to the Redevelopment Commission and there was a mistake on the appointment. We put it down as Terry Lawson and it should have been Tim Larson.

Mrs. Huston made a motion to remove Terry Lawson from the Redevelopment Commission, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Milsap made a motion to nominate Tim Larson to the Redevelopment Commission, seconded by Mrs. Huston, motion carried by voice vote 3-0.

#### NEW BUSINESS

##### Attorney David McCain/To Vacate a Portion of Lake Side Drive in Cassaday's Addition to Lake Park, in Hudson Twp., LaPorte County, IN

Mr. David McCain, here is proof of publication and mailings. This is a petition is to vacate a portion of Lake Side Drive in Hudson Lake. It runs along the edge of Hudson Lake. In this subdivision, other streets have already been vacated. The people who front on that street have access off of Lake Park Ave. No one is being taken off of their access. Cottage Grove Ave. is a paved street and we are not asking to change that at all. The petition was done by David Durkin. The people we gave notice to also signed a consent to the vacation. Lakeside Road doesn't exist, it is a paper street.

Mr. Layton, if the vacation is granted, the vacation would be for each property owner?

Mr. McCain, right.

Mr. Layton, the commission has received a letter from Mr. and Mrs. Richard Marren, who is also one of your signatures. It is a letter asking for some things to be included. They say their wells are on the lake side of their residences. If the street is vacated, then there would be no access because of the narrowness between the homes.

Mr. Durkin, out of the six houses, no one will put up a fence, nothing is going to change down there.

Mrs. Huston, could we vacate Lake Side Dr. and not vacate in front of Lots 20 & 21?

Mr. McCain, I would suggest a way that might better protect them. If you vacated any of the streets, the vacated portion then belongs to the adjoining property owners. Leaving 20 and 21 not vacated would still deny them access. I would suggest to approve the vacation providing that the property owners that acquire the rights to this property would permit anyone along there to have access to the front of their property. I think we could put it in the vacation order proposing what amounts to an easement for the benefit for these other property owners. I would prepare it for Mr. Willoughby for his review.

Mr. Layton made a motion to table for a later date, seconded by Mrs. Huston, motion carried by voice vote 3-0.

#### Michael Schultz, LaPorte County Assessor/2007 Form 11 Proposal

Mr. Mike Schultz, this started under the former Assessor but the timeline for getting these out just doesn't work. We don't know when the timeline is going to be right for this. We do have the funds in our budget but we don't have the time to do the Form 11's like we used to because of all the other projects going on including reassessment. We hope to someday get back to doing the Form 11's in house. This company works with Manatron which is our Proval System. They have taken the 2007 data put in their system to update addresses. They work with the Post Office on the change of addresses. The money is in the budget but you would need to sign the contract. What we are asking is that the commission give the President permission to sign this in case we want to go ahead with it. We don't want to have to wait a month or two weeks for a signature, we want to be ready to go.

Mr. Layton, if we endorse this contract, then you don't want to do it, are we obligated in any way to this firm for any portion of payment?

Mr. Willoughby, I would recommend that you not sign unless you are ready to enter into the contract.

Mrs. Huston made a motion to approve the request by the Assessor that, if needed, the President of this Board can sign paperwork to go forward with the Form 11, seconded by Mr. Milsap, motion carried by voice vote 3-0.

#### Attorney Braje/2011 Sheriff's Compensation Agreement

Mr. Willoughby, the proposed Resolution and Compensation Agreement mirrors last years. Statute requires that resolution of this board and county council along with the agreement from the Sheriff would put that compensation mechanism in place. We worked together on this agreement. If you are inclined to approve this resolution and by statute authorize Mr. Layton to sign on behalf of this board, I will submit these documents to Mr. Baugher for his presentation to the Council.

Mrs. Huston made a motion to pass the resolution by title only, Resolution Of The Board Of Commissioners Of LaPorte County To Enter Into Compensation Agreement With The LaPorte County Sheriff, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Resolution #2011-01

#### Human Resource Review Board

Mr. Layton, following up on County Ordinance 2007-01 under the Ordinance to Establish a Human Resource Department and Human Resources Review Board, Section 3, there is a Human Resource Review Board to be put in place. Such board will consist of three LaPorte County Council members and two members of the LaPorte County Commission. It begins on January 1 of each year and continues through the end of the year. Mr. Milsap agrees to be one of the members from the commission and the President of the Board, myself, will serve as the other member of the commission.

#### COMMISSIONER'S COMMENTS

Mr. Milsap, as everyone knows, this past week, I called for an investigation of the state's job creation agency. Believing, as I do, that we are not receiving our share of either job incentive funds or new jobs from the IEBC. I would like to show you a poster of a recent article in the Times of Northwest Indiana. Northwest Indiana is simply not getting its fair share of jobs from this agency. Let me be perfectly clear, we have a skilled, highly trained, workforce here. We have easy access to prime transportation routes. We have good industry sites available at places like 194 & 421, Kingsbury Industrial Park and 39 North. It is time the state agency promotes these sites just as hard as they have sites in the suburbs near Indianapolis. To date, the city of Carmel opened a \$125,000,000 concert hall this past week. Carmel has wonderful new roads that we have paid for with tax dollars from the toll road. They have new manufacturing plants with tax breaks that we helped pay for as well. All I am saying is that Hamilton County, where Carmel is located, has gotten more than its fair share and its unemployment rate is 6.5% compared to our unemployment rate of 10.5% which is among the worst 20 counties in the state. I am a firm believer that the squeaky wheel gets the grease. I intend to keep pushing until we see our fair share of new jobs coming here to LaPorte County.

Mrs. Huston, we have received several phone calls in the office from people wanting to know that when the commissioners call a State of Emergency if they actually have to report to work. It seems some companies have a point system for their employees. When the commissioners call a State of Emergency it is to protect the citizens of LaPorte County. We need to have cars off the roads in order to plow the roads. We encourage people to stay off the roads for their own safety so we can clear the roads. It is a shame that businesses take points away from their employees because they are unable to get to work. I believe tickets can be issued for being on the road during a State of Emergency. My point is that companies should be a little more lenient with the employees; it is not their fault that they can't get to work.

Mr. Layton, as you know, Porter and Starke Counties have already declared a State of Emergency. We have not done that yet. However, we have issued an order for a two hour delay tomorrow. Quite frankly, it is my impression from what I have seen outside, LaPorte County Government buildings should be closed tomorrow.

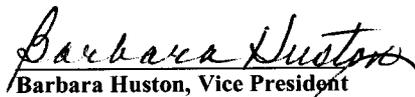
Mrs. Huston made a motion that due to the weather conditions and what we are expecting tomorrow, all county offices will be closed, seconded by Mr. Milsap, motion carried by voice vote 3-0.

ADJOURN

Mr. Layton, President, adjourned the meeting at 6:46 p.m.

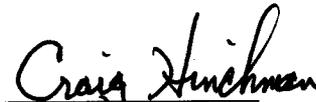
LAPORTE COUNTY BOARD OF COMMISSIONERS

  
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Willie Milsap, Member

ATTEST:

  
Craig Hinchman, LaPorte  
County Auditor