



BOARD OF COMMISSIONERS LAPORTE COUNTY

555 Michigan Avenue, Suite 202

LaPorte, IN 46350

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*Ken Layton
President*

*Barbara Huston
Vice President*

*Willie Milsap
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, March 15, 2011

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, March 15, 2011, at 10 a.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mr. Layton, President, called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

Mrs. Huston led the Pledge of Allegiance.

Mrs. Huston asked for a moment of silence for the earthquake victims in Japan.

ROLL CALL

All present

APPROVAL OF AGENDA

Mr. Layton added Item G, under New Business, Permission of Placement of ATM Machines.

Mrs. Huston made a motion to approve the amended agenda, seconded by Mr. Milsap, motion carried by voice vote 3-0.

APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of March 1, 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 March 18, 2011 and April 1, 2011, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Misc. Claims ----\$1,096,563.15, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

Regular Claims--\$ 737,294.62, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

PUBLIC COMMENTS

None

DEPARTMENT HEAD COMMENTS

Mr. Young, Highway Superintendent, I am requesting permission to advertise for bids for new snow plow trucks, seven vehicles, fully equipped. Our newest truck now is six years old. It is time to advertise for bids and see what they are going for. These are very nice trucks I have specked out; stainless steel boxes, liquid tanks, they are state of the art trucks.

Mr. Layton, the specifications that you are going to put out, will they be available for all manufacturers to meet?

Mr. Young, yes. With your approval, I would like to say we will have the bid package ready within a week for them to pick up at the highway and turn in on the due date at the Auditor's office.

Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Layton, Mr. Young, while you are in front of us, I would like to take this opportunity to congratulate you on your endeavors and your award at Road School at Purdue University this year. Mr. Young was given a certificate of Master Road Builder. That is a culmination of many, many hours of classes, education and training. There is only five Master Road Builders in the state of Indiana. Mr. Young graduated with a class of six. With all the counties in the state, there is only eleven in the entire state. You sir, do us honor by your award. Thank you.

Mr. Young, I would like to congratulate the county as a whole on the award that was given on the County Road 200 East Bridge Project. It was quite a day for LaPorte County.

Mr. Rich Mrozinski, I attended the American Council of Engineering Companies of Indiana engineering excellence awards. On behalf of the county, I accepted this award. ACEC 2011 Engineering Excellence Awards Competition Merit Award presented to Board of Commissioners, LaPorte County, project NICTD Bridges over CR 200 East and CR 300 East in LaPorte County, Engineer DLZ Indiana, LLC.

CORRESPONDENCE

None

REQUESTS

Michigan City Parks & Recreation/Road Closure for Michigan City Triathlon

Mr. Jeremy Kienitz, Michigan City Parks Recreation Director, I want to thank you for your approval of road closures of last year's Michigan City Triathlon. This year for our third annual Michigan City Triathlon will take place, Saturday, August 13, 2011. The bike portion will go down Lake Shore Drive all the way to the Michigan state line. We are requesting the closure of the 3200-3600 block of Lake Shore Drive for this event. I am here for approval of closure. We do have the Michigan City Police Department on board, Long Beach Police Department, and over 50 volunteers located along this stretch of Lake Shore Drive. We will allow cars to and from their homes; we will work with the community and get enough information out to them via press releases and mailers. This year we are going to a one lap course.

Mr. Milsap, is there a rain date.

Mr. Keinitz, rain or shine.

Mr. Milsap made a motion to grant the request, seconded by Mrs. Huston, motion carried by voice vote 3-0.

American Red Cross/Road Closure for Marathon

Mr. Layton, this request came from Judge Stalbrink, he is on the Board of Directors for the Red Cross. The marathon will be on County Road 400 North from Ohio Street to the Porter County Line. It will be only for a two hour period from 6:00 p.m. – 8:00 p.m. on April 25, 2011. They have worked out all the details with the Sheriff's Department and the City of Michigan City.

Mr. Milsap made a motion to grant the request, seconded by Mrs. Huston, motion carried by voice vote 3-0.

OLD 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 (Tabled)

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

Mr. McCain, we were here the first of February with a petition to vacate a portion of a street in Hudson Lake, Lake Side Drive in Cassaday's Addition. The concern was raised by one of the adjoining property owners who initially signed a consent to this, about how they would get their well repaired and maintained. I suggested what we would do if it were vacated is that the vacation would be subject to a creation of an easement over the area being vacated that could not be obstructed so that if a property owner who adjoins the right of way needed to have workmen come down that area to get to their property, that area would be open and not obstructed. The primary purpose was to obtain DNR approval for centrifuge to dissipate the muck. We have prepared an amended ordinance which provides for an easement that if it is vacated it would be subject to this easement. I sent a draft of the revised form of ordinance to attorney Chris Willoughby for approval. He had no problem with the form. I have not submitted to the Commissioners before as I have not had a chance to talk to Mr. Willoughby.

Mr. Braje, we have reviewed it and talked to Mr. McCain and we have no objections to the easement.

Mrs. Huston made a motion to approve the vacation, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Ordinance #2011-02

Mr. Layton, by title only, AN ORDINANCE TO VACATE A PORTION OF LAKE SIDE DRIVE THAT ABUTS LOTS 16, 17, 18, 19, 20, AND 21, IN CASSADAY'S ADDITION TO LAKE PARK, HUDSON TOWNSHIP, LAPORTE COUNTY, INDIANA.

Mrs. Huston made a motion to waive the rules and pass on the second reading by title only, seconded by Mr. Milsap, motion carried by voice vote 3-0. AN ORDINANCE TO VACATE A PORTION OF LAKE SIDE DRIVE THAT ABUTS LOTS 16, 17, 18, 19, 20 AND 21, IN CASSADAY'S ADDITION TO LAKE PARK, HUDSON TOWNSHIP, LAPORTE COUNTY, INDIANA.

NEW BUSINESS

Tim Gropp, GLEDC, Executive Director/KIP Improvement Project

Mr. Tim Gropp, as you may be aware the LaPorte County Council approved a resolution allocating up to \$6,000,000.00 towards the development of the Kingsbury Industrial Park for rail improvements. We were initially going to come today for a resolution and signatures. As things have changed late last week, we do not have the final documents prepared. Due to some partnerships and agreements between property owners in the Kingsbury Industrial Park, this project has become much more simplified. The legal representation is working on drafting up new loan documents and they would prefer that we come with the final documents to be reviewed and signed. Under the resolution from the Council last night, they had up to 45 days to approve those. I will tell you that we are in a much

tighter time crunch than that based on some potential prospects. We are going to encourage the legal staff to move as quickly as possible to draft those documents to get everyone at the table to make final improvements. I am requesting that in the future we could call a special meeting to get those approved so LaPorte County does not miss out on any opportunities that might be coming forward.

Mr. Layton, it is my interpretation for any special meeting that we have to have a 48 notice to the media, print and TV and radio. I don't think any member of the board has any problem calling a special meeting to help this project go forward. Whenever you find that the paperwork is ready and to make a presentation to the commission, please allow us the 48 hours for notification.

Mr. Gropp, we will try to give you more than that if possible. We are excited and it was a big step we took last night. We look forward to moving forward.

Tony Mancuso, LaPorte County Health Dept. Administrator/Fee Changes

Mr. Mancuso, it has been six years since we have made any changes in our permit fees. I went through each department and figured which ones needed to be increased. (please see attached)

Mrs. Huston, according to this, what you were charging and what you are proposing to charge is still way below what it costs to run the lab?

Mr. Mancuso, we consider what other labs are charging and we have to be competitive with them. We do not have the volume that they do. We are one of three health departments that has a water lab in the state.

Mrs. Huston, I guess my question is, since you are increasing fees, why aren't we covering our costs?

Mr. Mancuso, we do want to be competitive with the other labs and we don't have the volume.

Mr. Mancuso discusses the departments, Vital Records/Genealogy, Nursing, Water Lab, Food Permits, Septic Systems, and Pools/Spas.

Mrs. Huston made a motion to approve the request for a change of fees, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Jeff Wright, LaPorte County Highway Engineer/Contract for LaPorte County Bridge #55

Mr. Wright, I have a contract for reconstruction of Bridge #55 on County Road 1100 South for \$336,000. We are just following through with the plans and budget for this year's projects. We are requesting signatures on the contract.

Mr. Layton, that money that you referred to has already been set aside?

Mr. Wright, yes.

Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by roll call vote 3-0.

Lynn Spevak, LaPorte County Clerk/Absentee Hours and Approval of Polling Places

Miss Spevak, this is just an election formality. We have to have approval from the commissioners for the absentee hours. The election board made a resolution to adopt to have one Saturday open; it is a municipal election and not a full county wide election. Voting would be from 10:00 a.m. to 4:00 p.m. Monday through Friday in the Michigan City Courthouse. The City of LaPorte will work Monday, Tuesday, Thursday, & Friday from 10:00 a.m. to 4:00 p.m. The Polling Places, we have two new ones in the city of LaPorte. I combined Cummings Lodge with 2-2, it was at the church on Hawthorne. I also added at the 5th ward of LaPorte, two polling places at the Agape Church and that one was at one of the apartment complexes. Michigan City all stayed the same. We will have one out in Kingsford Heights, they contracted the election board to hold a primary election. Cass Township contracted with us to run their public question on the consolidation of the school to go with Prairie and Dewey.

Mr. Layton, are all these ADA compliant?

Miss Spevak, yes they are.

Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Attorney Craig Braje/Smoking Ban Ordinance

Mr. Braje, we have the ordinance to amend the fine for violation of smoking prohibitions. The only amendment is the reduction of the fine to \$25.00.

Mr. Layton, I was approached by members of the sheriff's department security staff to have a reduction in the amount of fine. Mr. Braje revamped the ordinance per their recommendation.

Mrs. Huston made a motion to approve on first reading by title only, seconded by Mr. Milsap. **ORDINANCE AMENDING FINE FOR VIOLATION OF SMOKING PROHIBITIONS.** Ordinance #2011-03. Motion carried by voice vote 3-0.

Mrs. Huston made a motion to waive the rules and approve on the second reading by title only, seconded by Mr. Milsap. **ORDINANCE AMENDING FINE FOR VIOLATION OF SMOKING PROHIBITIONS.** Motion carried by voice vote 3-0.

Attorney Craig Braje/Michigan City Courthouse Parking Ordinance

We have an ordinance establishing parking restrictions for the Michigan City Courthouse. There has been concern by the employees of the courthouse as to after the revamping of the parking lot that there were not adequate regulations concerning the use of parking spaces. This particular ordinance provides for both the fine, towing and reserved parking places.

Mrs. Huston, made a motion to approve the ordinance on first reading by title only, seconded by Mr. Milsap, **ORDINANCE ESTABLISHING PARKING RESTRICTIONS FOR THE MICHIGAN CITY COURTHOUSE PARKING LOT, #2011-04,** motion carried by voice vote 3-0.

Mrs. Huston made a motion to waive the rules and approve on the second reading by title only, seconded by Mr. Milsap. **ORDINANCE ESTABLISHING PARKING RESTRICTIONS FOR THE MICHIGAN CITY COURTHOUSE PARKING LOT, #2011-04,** motion carried by voice vote 3-0.

Mr. Layton, Mr. Young, there is going to need to be some signage posting at the Michigan City Courthouse.

Permission for Placement of ATM Machines

Mrs. Huston, I have been approached to place ATM machines in our county facilities. We will have one in the county courthouse, one in the county complex, one in the old Hiler Building and one in the Michigan City Courthouse. They will be put in and up for operation in five or six weeks.

Mr. Braje, the only concern I have about this agreement is there is no term period. I would ask that if the commissioners elect to approve this the term period would be at will. These could be removed by either party upon reasonable notice.

Mrs. Huston made a motion to allow the company to install the ATM machines, seconded by Mr. Milsap, motion carried by voice vote 3-0.

COMMISSIONER'S COMMENTS

Mrs. Huston, soon it will be nice weather so be careful. I want to support what is going on down state with the labor unions. We have always been very supportive of unions and would like to put my support towards their efforts.

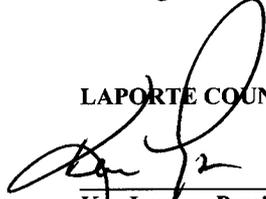
Mr. Layton, on behalf of the board and the award that was presented to us from the American Council of Engineering, I would like to congratulate Mrs. Huston who was the board president at the time that this agreement that was made with NICTD. I would like to congratulate you on your endeavors of bringing this award to LaPorte County. Thank you.

Mr. Layton, we have a gentleman in LaPorte County that has brought a great amount of praise to LaPorte County. We have a gentleman in Southern LaPorte County, the Hanna area, Mr. Gene Schmidt, has been elected as the president of the National Association of Conservation Districts of the entire country. To have someone from our own locale be elected as the president is a major accomplishment. It bodes well that he is a member of the LaPorte County Community and I congratulate him.

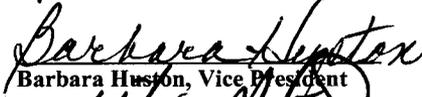
ADJOURN

Mr. Layton, President, adjourned the meeting at 10:44 A.M.

LAPORTE COUNTY BOARD OF COMMISSIONERS



Ken Layton, President



Barbara Huston, Vice President



Willie Milsap, Member

ATTEST:



Craig Hinchman, LaPorte
County Auditor

LAPORTE COUNTY HEALTH DEPARTMENT

Charles Janovsky M.D., Health Officer

Government Complex
809 State Street, Suite 401 A
LaPorte, Indiana 46350-3385

(219) 326-6808, Ext 2200
(219) 325-8628, Fax



Tony Mancuso, Administrator

Michigan City Office
302 West 8th Street, Suite 4
Michigan City, Indiana 46360

(219) 874-5611, Ext.7780
(219) 873-3048, Fax

lphealth@laportecounty.org

To: Ken Layton
LaPorte County Commissioners

From: Tony Mancuso, Administrator

Subject: Changes in Fee's for various health dept. services

At the January 25, 2011 Meeting of the LaPorte County Board of Health, the board reviewed and approved the proposed fee increases.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA.
DATE 3-15-11

[Signature]
[Signature]
ATTEST: *[Signature]*
Auditor

LA PORTE COUNTY, INDIANA

I respectfully request the LaPorte County Commissioners review and approve the following fee schedule for the various services of the LaPorte County Health department.

Vital Records/ Genealogy

1. The public's request for family genealogical searches has experienced a dramatic increase over the last five years due to the public's curiosity regarding the history of their family lineage. LaPorte County's recording of birth and death records began respectively in 1882. Birth or death entries that are seventy five years or older are considered genealogical entries.
2. In previous years it was the Health Departments practice to allow the interested parties to physically review our books which enabled them to record their own notes regarding the family member's documented information. However, due to the fragile nature of our books as well as the historical value we have ceased this practice in order to limit the handling (for preservation purposes) and also to prevent possible loss of records.
3. The current practice has been that the Vital Records staff has absorbed the additional duties of the genealogy searches incorporating the research into their daily work load. The detailed and time consuming research has in the past been performed and offered free of charge to the public.
4. Of the thirty nine counties reporting fees for genealogy searches, twenty two counties impose a \$3.00 per document provided fee. Searches that do not yield requested family data will not be assessed a research fee. We feel the \$3.00 fee to be fair and reasonable for our clients as well as the county.

Current Fees=	Genealogy =	\$0.00	Proposed Fee=	\$ 3.00
	Certified Birth Certificate =	\$7.00		Same
	Certified Death Certificate =	\$9.00		Same
	Additional Certified DC's=	\$7.00		Same
	Paternity Affidavit =	\$25.00		Same
	Correction Affidavit =	\$25.00		Same

NURSING:

Proposed increase is to compensate for program expense increases such as: salary, mileage, education, postage, computer equipment and supplies.

<u>Service</u>	<u>Current Fee</u>	<u>Current Cost</u>	<u>Proposed Fee</u>
Blood Profile County Employee	\$40.00	\$33.50	Remain Same
Blood Profile General Public	\$45.00	\$33.50	Remain Same
CBC Blood Panel	XX	\$5.00	\$10.00
PSA Blood Test	XX	\$12.50	\$20.00
A1C Blood Test	XX	\$50.75	\$60.00
TB Test	\$5.00	\$3.17	\$10.00
Yellow Fever Vaccine	\$85.00	\$81.05	\$90.00
Typhoid Vaccine	\$55.00	\$45.82	\$60.00
Adult Hepatitis A Vaccine	\$33.00	\$22.99	\$40.00
Adult Hepatitis B Vaccine	\$35.00	\$30.20	\$40.00
Twinrix (Hepatitis A/B)	\$45.00	\$47.10	\$60.00
Menactra	\$95.00	\$102.66	\$125.00
TDaP (Adacel)	\$35.00	\$35.18	\$45.00
Polio (IPV)	\$30.00	\$23.96	\$35.00
MMR	\$55.00	\$50.11	\$60.00
HPV (Gardasil)	\$130.00	\$125.10	\$135.00
Flu Vaccine (2010 price)	\$10.00	\$9.90	\$15.00
Zostavax (Shingles)	\$170.00	\$153.78	\$170.00
Varivax (Chickenpox)	\$95.00	\$83.69	\$100.00
International Travel Out of County	\$15.00		\$25.00
Blood Profile Out of County	XX		\$15.00
Copy of shoot record	XX		\$1.00

WATER LAB

Bactria/E-coli test

	Current Fee	Cost to run	Proposed Fee
Drinking	\$15.00	\$29.20	\$20.00
Surface	\$20.00	\$36.23	\$30.00
Pool/Spas	\$18.00	\$32.86	\$25.00
Beaches	\$15.00	\$30.36	\$25.00

SUPPLIES	Cost Per Test	Drinking	Surface	Pool/Spa	Beach
Colilert	\$3.78	X	X (2x)	X	X
SimPlate (plate & media)	\$2.25			X (2X)	
Anti-foam drops	\$0.09		X (2x)		X
Quanti-Tray 2000	\$1.64		X (2x)		X
Color Comparator	\$0.09	X	X	X	X
Sample bottles	\$0.55	X		X	
3mL pipette	\$0.34		X	X	
50mL pipette	\$1.32			X	
labor (60 mins. Per sample)	\$22.82	X	X	X	X
Proficiency studies	\$0.19	X	X	X	X
Waste	\$0.62	X	X	X	X
Water	\$0.88	X	X	X	X
Calibra., Suit/lab water, maint.	\$0.25	X	X	X	X
Cost to run each test		\$29.20	\$36.23	\$32.86	\$30.36

Nitrate testing fees will remain the same

FOOD PERMITS

Proposed increase is to compensate for program expense increases such as: salary, mileage, education, postage, computer equipment and supplies. It costs on average \$117 for each 1 hour inspection.

Current Fees=	1 inspection/year=	\$65.00	Proposed Fees =	1 inspection/year=	\$78.00
	2 inspections/year=	\$100.00		2 inspections/year=	\$120.00
	3 inspections/year=	\$125.00		3 inspections/year=	\$150.00
	4 inspections/year=	\$180.00		4 inspections/year=	\$216.00

Opening, plan review, menu review, consultation fee:

Current fee=	\$75.00	Proposed Fee =	\$100.00
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Probationary fee for unsanitary conditions:

Current fee=	\$75.00	Proposed Fee =	\$100.00
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Mobile unit:

Current fee=	\$125.00	Proposed Fee =	\$150.00
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Current Seasonal Fees will not change

SEPTIC SYSTEMS

Proposed increase is to compensate for program expenses such as: salary, mileage, education, postage, computer equipment and supplies.

Elevated Sand Mound require 4 inspection compared to the 1-2 inspections for gravity systems

Current fees=	Repair / New construction = \$60.00	Proposed Fee =	Repair / New construction = \$80.00
	Commercial = \$100.00		Commercial = \$120.00
	Tie-in = \$25.00		Tie-in= same
	Elevated Sand Mound = \$0.00		Elevated Sand Mound = \$120.00

POOLS/SPAS

Proposed increase is to compensate for program expenses such as: salary, mileage, education, postage, computer equipment and supplies. We've gone from one (1) inspection a year to four (4) inspections a years.

Current fee:

Existing:	Yearly =	\$50.00	One time license fee = \$50.00
	Seasonal =	\$50.00	

Proposed fees:

Existing:	Yearly =	\$200.00	One time license fee = \$75.00
	Seasonal =	\$100.00	
	Late fee =	50% of permit fee	

We have (24%) 16 places that have more than one system at the same address.
Second pool/wading/dive/spa at same address:

Yearly =	\$150.00
Seasonal =	\$50.00
Late fee =	50%