



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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LaPorte, IN 46350

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*Ken Layton
President*

*Barbara Huston
Vice President*

*Willie Milsap
Member*

LAPORTE COUNTY COMMISSIONERS

Tuesday, August 2, 2011

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, August 2, 2011, held at 6:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Mrs. Pat Pease led the Pledge of Allegiance.

Mr. Layton requested a moment of silence for Chief Warrant Officer, George Andrews Howes, a helicopter pilot in Viet Nam. His helicopter went down in January 1970; his remains were located just recently. After 41 years of missing, there was an honor guard and escort from the Indianapolis airport to Knox, IN. I just ask that we have a moment of silence out of respect for this man and his family.

ROLL CALL

All present

APPROVAL OF AGENDA

Mrs. Huston, under New Business, please add F., DLZ Work Order Proposal Supplement.

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

APPROVAL OF MINUTES

Special Meeting of July 13, 2011, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.B

Regular Meeting of July 19, 2011, Mrs. Huston made a motion to approve, 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 August 5, 2011, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Misc. Claims ----\$334,453.00, 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

Sheriff Mike Mollenhauer, I wanted to mention some great news. When an off duty officer and two other officers apprehended the armed robbery suspect from the Family Express. He has since been implicated in two bank robberies. Jeff Wright was the one that made the initial stop; Chief Jim Sosinski and Trail Creek Officer Steve Dick assisted. This is another incident of an officer with a take home car.

Mr. Layton, congratulations to all involved.

Mr. Al Ott, Stationary Engineer, I would like to clarify some of the rumors about the alarm system here at the county complex.

Mr. Layton, through advice of our council, we would rather do this at an executive session.

Mr. Ken Purze, Drainage Board member, most of what we do at the Drainage Board is regulated by I.C. Code 36-9-27 and in section 29 it explains the surveyor's roll with us. Without Tony's help on the Drainage Board, we would be lost. I want to talk about some of the things the Drainage Board has accomplished recently. Aside from the approximately 440 miles of regulated drains that we work for the county to manage, we also get involved with regional projects. Drainage affects the economy of LaPorte County. The Drainage Board wanted to bring forward this summary of what we have accomplished because it represents a huge amount of projects for the county in the amount of \$956,070.00. Without Tony's expertise and advice, we would not have been successful at pursuing this. Mr. Coulter has been appointed to the Drainage Board for 30 years. With his background and expertise, and the technical expertise we get from Tony, and my understanding of modern politics, we have been extremely successful. We also participate in activities with Farm Bureau. Each year Farm Bureau sends us to a class to be adequately informed so we can provide leadership necessary to develop a drainage program beneficial to all citizens of the county. By allowing us to attend these sessions, it allows us to look at the bigger picture and network beyond our county. Since we have a licensed surveyor now who has been willing to go the extra mile, we have done phenomenally the last couple of years. We appreciate your support.

Mr. Henricks, LaPorte County Surveyor, thank you for all the help for what we have gotten accomplished. I want to give Ken a lot of kudos for all the help he has given us to lead us through those boards. This money is not really ours; he went down to Starke County to help them get another grant to help them through all their log jams. We are partnering as much as we can with Starke County and St. Joseph County.

Mr. Coulter, that GPS camera locating all the log jams is terrific.

Mr. Layton, I would like to thank all of you for your service to LaPorte County.

CORRESPONDENCE

None

REQUESTS

Kankakee Township Fire Dept./Street Closures

Mr. Layton, this is the 40th Annual Firefighters' Ball to be held September 10, 2011 from 7 p.m. until 1 a.m. , they request permission to close the following streets. Michigan Street from Maple Street to Depot Street, Depot Street from Mechanic Street to Walker Street, and Michigan Street from Depot Street east to Prairie Street.

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

OLD BUSINESS

None

NEW BUSINESS

Appointment of 911 Director

Mrs. Huston, I would like to commend the committee that worked to do the interviews. There were seven members which Mrs. Pease was chairman. They conducted seven interviews; four inside employees and three outside. The board gave us two recipients; one from the outside and one from the inside to interview which we did in an executive session last week. I feel both men we interviewed were excellent candidates. The board is to be commended. The candidates are Michael Osborne who is a fireman with 30 years of experience in Michigan City. I was amazed at all of his credentials. He holds certain certifications that only three people in the entire state hold. I believe he said 33 people in the United States holds the two certifications. I have to say he is more than qualified and pleased with his credentials. The other candidate is John Dudek from the 911 center. John has worked in the center now for six years and he came to us with a background in the police department in Michigan City. He has numerous management skills and a dispatching background. Both candidates were very good.

Mrs. Pat Pease, the board met and interviewed the seven candidates. We all submitted our own questions and formed a questionnaire from each one of the seven board members. We asked each candidate the exact same questions and evaluated them as a group. That is how the process went. We looked at their backgrounds and what they could add to the Center.

Mr. Layton, thank you and the other board members for your efforts on this process.

Mrs. Huston made a motion to appoint John Dudek for the Director of the 911 Center, the chair stepped down and seconded the motion, motion carried by voice vote 2-1.

Mr. Dudek, thank you, I appreciate it and won't let the county down or the 911 Center. I feel like I come with a lot of experience and background and look forward to moving on with positive changes.

Mrs. Huston, I think the Center has come a long way and I am pleased with the communication between the Center and Emergency Services.

Mr. Layton, good luck to you in your endeavors, it is a tough job. We wish you well.

Mr. Milsap, when will you start?

Mr. Layton, before you start in that position I would prefer you talk to Mrs. Joyce Leon in Human Resources. She will advise us of the time frame.

Sheriff Mike Mollenhauer/LaPorte High School Liaison Officer Agreement

Sheriff Mollenhauer, this is a three year agreement. In 2008 the school approached me, the sheriff, wanting to know if we had an officer wanting to be the resource officer for the LaPorte School Corporation. Mike Kellems agreed to do it. He has done an outstanding job for the past three years. We have talked and he has advised that he will continue on for at least another year. The agreement mirrors what it did three years ago. Paragraph 5 reads, For providing said Police Resource Officer, School shall pay an annual amount to the County that reflects an equivalent proportion of an officer's salary. The amount will be adjusted annually every July based on any salary and benefit increases incurred by the County. Payment shall be made on a monthly basis to the County, due on or about the first business day of each month and continually thereafter during the term of this agreement. For the 2011-2012 school year the annual amount due is \$51,684. This reflects 74% of the combination of his wage, insurance and pension.

Mr. Layton, we were provided with a question from you, whether or not it should have the Commission or Councils signature on the agreement also. Counsel advises us that the contract should be signed by the commissioners. You had concern that this agreement might go through the end of your term. In item 10 of the agreement, it goes through June, 2014. This would be within your term.

Let me say this, I am supportive of the program. In all fairness, I discussed with you and Chief Sosinski concerns the board has received about this officer being elected to the school board, if there was any kind of conflict of interest. It was my understanding that the school corporation's attorney did research and ruled that there was no conflict of interest because he was still your employee. If you are comfortable with this officer serving in this position, I will entertain a motion by the board to approve this agreement.

Mrs. Huston, under number 7, exhibit B is missing. Also, should we have attorney approval on it?

Mr. Layton, we are going to ask that the signatory sheet encompasses the county commissioners and we will refer this to our attorneys for their review. This can then be brought back to us at our next meeting.

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

Pat Pease, EMS Administrator/Permission To Advertise For Bids For Two Ambulances

Mrs. Pease, EMS Administrator, I am here to request permission to advertise for two new ambulances in following our projected replacement vehicle schedule from several years back. We have projected out to 2013.

Mr. Layton, I contacted you earlier today with concerns by citizens about the program that we have on rotating ambulances in and out of service. Why would a diesel rig with only 118,000 miles on it, when 118,000 miles on a diesel is relatively new, be traded?

Mrs. Pease, in the quick research I did, there is no industry standard for trading in ambulances. However, the majority of the providers trade in between 5 & 7 years and not beyond the 125,000 because of reliability, as the ambulance ages the cost of repairs go up, and your down time goes up. If you look at the attachment I gave you, you can see where most of them are traded before 125,000. The ones I want to trade now are pushing 8 years and would be well at their 125,000 miles. We have a lot of repair issues and they are also out of warranty at that time. We have been compared to a lot of other vehicles either a semi or a pickup or some other vehicle that doesn't do what we do with these ambulances. My comment on that would be that these semis that go 200,000 miles are carrying material and we are carrying people and we can't afford to break down. We have to be reliable.

Mr. Milsap, what are your average transfers per year?

Mrs. Pease, about 1,000. Non emergency transfers.

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

Pat Pease, EMS Administrator/Permission To Solicit Quotes For A Support Vehicle

Mrs. Pease, I have tried for several years to replace the support vehicle. It is almost not being used anymore due to lack of reliability. There used to be three support vehicles. There are three supervisors, they used to take them home and they still do, and they do respond off duty from their homes. They are equipped with life support equipment and very seldom, if ever, turn in overtime. They are willing to do this on their own time. We don't provide them any more with the means to do it. I think that is a shame. Basically, for the 2010 budget, we expended \$2,642,000.00 and we took in \$2,609,000.00. The only tax dollars we used, the rest were user's fees, was \$33,722.00. That is 30 cents per resident per year to have this service. I am asking for your support to get another support vehicle. I would like two to get it back to the full three vehicles. We have three supervisors and when off duty they rotate the one that is left.

Mrs. Huston, how many miles does that vehicle have?

Mrs. Pease, it now has 65,000 miles and is a 1999. I know and I am 100% sure what these vehicles are used for. They are there to help the public.

Mrs. Huston made a motion to allow Mrs. Pease to solicit quotes for *two* support vehicles, seconded by Mr. Milsap, motion carried by voice vote 3-0.

First Reading/Stop Sign Ordinance at 50 South and Forrester Road

Mr. Layton, we have been contacted by residents of the 50 South and Forrester Road intersection. That is in and around Garwood Orchards. They were seriously concerned about the traffic flow and speed in that area. They requested a study be done on whether or not there was ample reason for a 4 way stop for traffic and speed control. I asked the Sheriff to do a survey and the county engineer to do a survey to see if it met what is required by state code. The Sheriff's office replied back with quite an in depth report and the highway engineer also came back with his report and both of them recommended that a 4 way stop sign be placed at this intersection.

Mrs. Huston made a motion to approve this ordinance on first reading by title only, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Ordinance 2011-09.

Mr. Layton, an Ordinance Designating Four-Way Stop At The Intersection Of Forrester Road and C.R. 50 South.

Mrs. Huston made a motion to waive the rules and approve by title only on second reading, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mrs. Huston made a motion to present on second reading, Ordinance Designating Four-Way Stop At The Intersection Of Forrester Road And C. R. 50 South, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Layton, this will come in full effect once it is published in the newspaper.

DLZ Work Order Supplement #1

Mr. Layton, we have an agreement with DLZ to do some assistance in the funding mechanism with the state of Indiana through the work release program. What this supplement would do; DLZ would do the preliminary schematic designs and they would also do the initial soil borings to make sure we are IDEM compliant. It s not to exceed \$32,000.

Mr. Dick Buell, Executive Director of Community Corrections. What occurred back in June of this year; DOC came in and did an audit of the Juvenile Service Center and the Adult Community Corrections. As a result of that audit, there was \$229,710.22 that was going to be returned back to the state of Indiana. Judy Cunningham, our Administrative Assistant, came to me and asked if there would be a possibility of asking for that money to come back to us to use specifically for this purpose. I contacted Senator Arnold and he set up a meeting with DOC Officials in Indianapolis with me. They were gracious enough to return that \$229,710.22 to us to use for professional services, for some new vehicles that we needed, and for wages. We were very fortunate. They know our situation. We set aside \$124, 834.26 for professional services to fill the need to pay for this.

Mr. Layton, the reason we asked for this is that we held a meeting with DLZ and thought because of the ADA compliance issue that we are facing; we need to get off of dead center and be able to present something to the county council that had some depth to it and show them what the numbers might be. This is why we asked for this scope of work to be put together. There are no county funds to be expended on this. We have to also thank Judge Alevizos because he was very instrumental in getting these funds released back.

Mrs. Huston made a motion to approve the work order proposal supplemental No. 1, seconded by Mr. Milsap, motion carried by voice vote 3-0.

COMMISSIONER'S COMMENTS

Mr. Milsap, I would like to applaud the Sheriff's Dept. and employees for their quick response to the fire of July 20th, they acted quickly and efficiently.

Mrs. Huston, I received an email from Councilwoman, Lois Sosinski, asking why the Highway

Department was off last Thursday. What everyone fails to understand is that in February the highway department does not take two holidays off because of weather, in lieu of one day in July when the work load is not as heavy. All county offices were closed for snow days but the highway department was working. Also, a couple of weeks ago, we had no electricity in the Hiler Building and closed those offices. So, anyone that is complaining that the highway got last Thursday off, they had snow days and holidays that the highway department didn't get.

Mrs. Huston, I would like to ask Mr. Milsap if you brought up to your board about the board of the Swanson Center under the ethics ordinance.

Mr. Milsap, yes, and we will fall underneath that. County commissioners are also affected by that. If my being on the Swanson Board as Vice President, it effects me also.

Mrs. Huston, so it will affect the Swanson Center Board, the entire Board?

Mr. Milsap, if you are an elected official on the board.

Mrs. Huston, keep hydrated and stay cool during this heat wave we are having.

Mr. Layton, after reviewing the state statute pertaining to the new County's Master Plan, I have been informed and I have read that if we take no action within 90 days of being advised by the Plan Commission that they passed it, it automatically becomes law. There are components in that Master Plan that I disagree with. I am advising my fellow commissioners that I am going to contact Mr. Ray Hamilton and Mr. Biege and ask them to get that back in front of us as soon as possible so this board can take some action and comply by the statute. I don't want this to pass without it coming before this board for approval or disapproval.

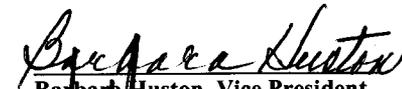
ADJOURN

Mr. Layton, President, adjourned the meeting at 6:57 p.m.

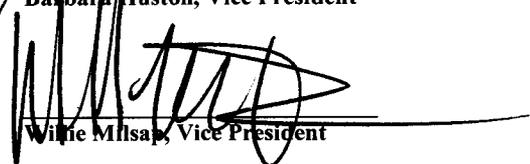
LAPORTE COUNTY BOARD OF COMMISSIONERS



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ATTEST: 
Craig Huchman, LaPorte
County Auditor