



# BOARD OF COMMISSIONERS LAPORTE COUNTY

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

## LAPORTE COUNTY COMMISSIONERS REORGANIZATION MEETING

TUESDAY, January 3, 2012

The LaPorte County Board of Commissioners met in a reorganization meeting on Tuesday, January 3, 2012, at 10:00 a.m. in the LaPorte County Complex Meeting Room #3.

### CALL MEETING TO ORDER

Mr. Craig Hinchman, LaPorte County Auditor, called the meeting to order at 10:00 a.m.

### PLEDGE OF ALLEGIANCE

Mr. Milsap led the Pledge of Allegiance.

### ROLL CALL

All present

### ELECTION OF OFFICERS

Mr. Hinchman, I will open nominations for president.

Mrs. Huston made a motion to nominate Commissioner Layton for president, seconded by Mr. Layton.

Mrs. Huston made a motion to close the nominations for president, seconded by Mr. Layton, motion carried by voice vote 2-1.

Mr. Layton, the chair will take nominations for vice president.

Mr. Layton, the chair will nominate Mrs. Huston for vice president, seconded by Mrs. Huston, motion carried by voice vote 2-1.

### APPROVAL OF AGENDA

Mr. Milsap made a motion to approve as presented.

Mrs. Huston, we have correspondence from Earl Cunningham on their board and would like to add the recommendation for the Community Corrections Building.

Mr. Layton, we will add Mr. Cunningham's communication under Correspondence.

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

### APPROVAL OF MINUTES

Mrs. Huston made a motion to approve the minutes of December 20, 2011 as written, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mrs. Huston made a motion to approve the minutes of the Special Meeting of December 28, 2011, seconded by Mr. Milsap, motion carried by voice vote 3-0.

#### APPOINTMENTS

##### Insurance Agent of Record

Mrs. Huston made a motion to appoint Apex and Michiana Insurance, seconded by Mr. Milsap with a clarification that Apex is health, motion carried by voice vote 3-0.

##### Switchboard Operators

Mrs. Huston made a motion to reappoint Mary Bishop, Shirley Oberholtzer, and Eleanor Schnable, seconded by Mr. Milsap, motion carried by voice vote 3-0.

##### Department Head Appointments

##### County Home Administrator

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

##### Veterans Service Officer

Mrs. Huston, it has been brought to our attention that Mr. Wantuch wants to retire June 1, 2012, so I am going to make a motion to appoint John Wantuch as interim director until June 1, 2012. We will be appointing a veteran's board to give us nominations for a new veteran's service officer, seconded by Mr. Milsap, motion carried by voice vote 3-0.

##### Museum Curator

Mrs. Huston made a motion to make an interim curator of Susan Richtor, seconded by Mr. Milsap, motion carried by voice vote 3-0.

##### EMS Administrator

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

##### E-911 Director

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

##### Animal Shelter Director

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

##### Stationary Engineer

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

##### Emergency Management and Disaster Director

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

##### Inspector of Weights and Measures (By Affirmation only – State Appointment)

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

County Highway Engineer

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

County Highway Superintendent

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

General Foreman

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

Garage Foreman

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

Bridge Foreman

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

Rolling Prairie District Foreman

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

Hanna District Foreman

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

Utility Inspector

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

Right To Know Director

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

Commission Liaison Positions for 2012

County Highway

All commissioners

Regional Bus Authority

Mr. Milsap

County Home

Mr. Layton

**Plan Commission**

Mrs. Huston

**Right To Know**

Mrs. Huston

**NIRPC**

Mr. Layton

**Animal Control Board**

Mr. Milsap

**Kankakee Valley Workforce Development**

Mr. Milsap

**Northern Indiana Commuter Trans District**

Mrs. Huston

**Drainage Board**

Mrs. Huston

**E-911 Board**

Mrs. Huston

**EMS Board**

Mr. Milsap

**Data Board**

Mrs. Huston

**Juvenile Services Board**

Mr. Milsap

**Solid Waste Management District Board**

All Commissioners

**Local Planning Council (Kankakee Valley Job Workforce)**

Mr. Milsap

**Fair Board**

Mr. Layton

**Community Corrections Board**

Mr. Layton

**Advisory Boards**

**LaPorte County Public Library Board**

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

**Alcoholic Beverage Commission**

Mr. Milsap nominated Mr. Dave Lamb.

Mrs. Huston nominated the current board member, Roger L. Wolff.

Roll call vote for Mr. Lamb, 1-2.

Roll call vote for Mr. Wolff, 2-1.

Mr. Layton, I would like to clarify my vote at this time. I know and am personal friends with Mr. Lamb. I spoke with Mr. Milsap about this last Friday. This is not a vote against the individual; it is a vote to continue what we believe is good service. I contacted the state of Indiana and talked to the ABC Board and to the ABC officer that services LaPorte County. In the two years that Mr. Wolff has been an appointment, he has never missed a meeting and has always had a professional attitude at the meetings. He was recommended by the ABC board that he be maintained.

**LaPorte County Animal Control Advisory Commission**

Mrs. Huston nominated Dr. Lisa Booth, Barbara Hooper, and Dr. Lisa Polazzi.

Mr. Milsap nominated Mr. Andy Hynek instead of Mrs. Hooper.

Mrs. Bernard, Andy Hynek could be the appointment from the Sheriff's Department and still appoint Mrs. Hooper.

Mr. Milsap, I will withdraw that.

Mr. Layton, we have Dr. Booth, Mrs. Hooper and Dr. Lisa Polazzi, motion carried by voice vote 3-0.

**Board of Construction Review**

Mrs. Huston made a motion to reappoint John "Jack" Blake and Ken Wojecick, seconded by Mr. Milsap, motion carried by voice vote 3-0.

**Board of Health**

Mr. Mancuso, Miss Gillard and Dr. Stiller are both willing to still serve.

Mrs. Huston made a motion to appoint Monique Gillard and Dr. Aileen Stiller, seconded by Mr. Milsap, motion carried by voice vote 3-0.

**Convention/Tourism Bureau Board of Managers**

Mr. Milsap nominated Mr. Decker and Mr. Borrousch.

Mrs. Huston nominated Mr. Rick Knoll.

Mr. Layton, Mr. Dennis Borrousch will be reappointed by acclamation.

Roll call vote for Mr. Decker, 1-2.

Roll call vote for Mr. Knoll, 2-1.

**Data Board**

Mrs. Huston made a motion to reappoint all members, Johnny Stimley, Lois Sosinski, Michael Schultz, and John Dudek, seconded by Mr. Milsap, motion carried by voice vote 3-0.

**Drainage Board**

Mrs. Huston made a motion to reappoint Rick Knoll and Ted Daube, seconded by Mr. Milsap, motion carried by voice vote 3-0.

**E-911 Advisory Board**

Mrs. Huston made a motion to appoint Lois Sosinski, Sheriff Mike Mollenhauer, Pat Pease, Ron Martin, Andy Snyder, James Imes, Jeff Hamilton, Fran Tibbot, Mayor Blair Milo, Mayor Ron Meer, Bob Sulkowski, Mark Swistek, Adam Klimzak, and John Dudek, seconded by Mr. Milsap, motion carried by voice vote 3-0.

**Emergency Medical Service Council Members**

Mrs. Huston made a motion to reappoint Marsha Leonard and Robert Cutler, Jr., seconded by Mr. Milsap, motion carried by voice vote 3-0.

**Pioneer Cemetery Commission**

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

**Plan Commission**

Mr. Layton, I remind my fellow commissioners when we went through the zoning ordinance a few months ago, the commission was reminded that we didn't have any farm community members on that board. I will step down and nominate Mr. Glenn Minich and Mr. Harold Parker, seconded by Mrs. Huston.

Mr. Milsap, I would like to reappoint Mr. Kogut and Mr. Hogan.

Mr. Hogan, 1-2

Mr. Kogut, 1-2

Mr. Minich, 3-0

Mr. Parker, 3-0

**Property Taxes Assessment Board of Appeals**

Mr. Layton, we have received letters from Mrs. Goers and Mr. Miller indicating their desire to continue to serve. We also received a letter from Mr. Matt Bernacchi wanting to serve on this board.

Mr. Milsap made a motion to appoint Grace Goers, Roger Miller and Matt Bernacchi, seconded by Mrs. Huston, motion carried by voice vote 3-0.

**LaPorte County Redevelopment Commission**

Mr. Milsap made a motion to reappoint Tim Larson, John Knoll, Sam Ferguson, Clay Turner and Jim Laughlin, seconded by Mrs. Huston, motion carried by voice vote 3-0.

**DESIGNATION OF PUBLICATION**

Mr. Layton, we currently do publications with the LaPorte Herald Argus, the Michigan City News Dispatch, the Westville Indicator and the Regional News.

Mrs. Huston made a motion to make them the legal designation of publication, 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 January 6, 2012, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Miscellaneous Claims---\$475,715.38, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by voice vote 3-0.

## PUBLIC COMMENTS

Mr. Earl Cunningham, 6311 W. Shiva Drive, LaPorte, IN. At your last meeting in December, Mr. Kimmel addressed you and he listed many titles including self proclaimed expert in corrections. He stated that the 40" flat screen T.V.'s were necessary to calm down the prisoners to prevent riots. Shortly thereafter, the Sheriff under questioning from Commissioner Huston, admitted that only three of those ten or fourteen flat screens were in the offenders area. The rest are in the office areas which total contradicts Mr. Kimmel's need for them. As council members, our sole responsibility is fiscal, to watch out for the tax payers money and see that it is spent properly. Under this sheriff, we have wasted over \$50,000 in legal fees on the RPM lawsuit, over \$100,000 in legal fees in the dog handler's cases, we have used approximately \$6,000 per year from the commissary fund as the state board of accounts says, with no benefit to the county. We have spent over \$5,000 for personal clothing for the sheriff, from a line item that says, Sheriff's uniforms. We have spent several thousand dollars for extra nights around the country at national sheriff's conventions. If we continue to practice two toning the deputy's cars, we will spend between \$50,000 - \$60,000 over the next purchasing cycle. This all adds up to a lot of money. Council members feel this could be more effectively spent. He also listed the Sheriff's merit board as one of his titles. I find that interesting as that same individual has served on the Sheriff's campaign team. How can it be ethical for that individual to set in judgment of an officer appealing a suspension or any disciplinary action brought down by the sheriff when he has such a close relationship to the sheriff? In the future you will be considering an ethics ordinance; if this is ethical and not covered under the ethics ordinance then you might as well not have an ethics ordinance.

Mr. Jim Sosinski, Chief Deputy, LaPorte County Sheriff's Office. Just to clarify a few things that Mr. Cunningham mentioned. In reference to the T.V.'s, the ones that are in the offices, the old T.V.'s that were in there were taken out of the offices and put in the jail to use the old T.V.'s first. Hence, the reason for the new T.V.'s in the offices. As far as the merit board goes, the sheriff has three appointees and the officers have two. There is no conflict of interest there.

## DEPARTMENT HEAD COMMENTS

Mr. Mike Quinn, on behalf of all the department heads here today that were reappointed, we would like to thank you for your continued interest in us and we will continue to do a good job for you.

Mr. Layton, I would like for you to publicly address the issue that you addressed to Mr. Milsap and I this morning in reference to the last meeting where we had the gentleman complaining about Lakeshore Cleaners in Michigan City.

Mr. Quinn, I watched your meeting on T.V. and I saw where Mr. Janitek attacked Lakeshore Cleaners. It is the responsibility of the weights and measures inspector to check dryers in laundromats because they are devices that are timed and charges the public for the use of them. They are a retail item. We were told by the state director of weights and measures to basically do it on a complaint basis only. After hearing this complaint, I am going today to Lakeshore Cleaners to check their dryers. Washing machines are exempt, they are not a timed device they are a cycle device. Mr. Janitek also said that in Chesterton those devices are checked every week. That is not true. They are checked once per year per law. If a complaint is filed, they follow up and are rechecked. We will be doing spot checking of dryers but will still be on a complaint basis. All Mr. Janitek's statements were not true.

Mr. Milsap, when you make that inspection, can you insure that the owner is present?

Mr. Quinn, we cannot make them be present. The only regulation we have is we have to go in there when their business is in operation. The owner is not always there, so we deal with the manager or attendant that is there.

#### CORRESPONDENCE

Mr. Layton, we received an email correspondence in letter form from Earl Cunningham.

Mr. Layton reads the letter: January 2, 2012, Commissioners: It is my pleasure to let you know that the committee selected to recommend a firm to continue pursuit of a new community corrections building has completed their task. After winnowing down the original field of six to two finalists, interviews were conducted on December 27, 2011. Following that meeting, I delivered copies of the proposals for each of you to your office. I want to thank you for your confidence and the other committee members, Jeff Wright, Dick Buell, and Rich Mrozinski for their hard work on this task. It is our recommendation that you enter into a contract with DLZ. Sincerely, Earl Cunningham, Chairman.

Mr. Layton, we have no documents that were presented to us. Mr. Wright, do you have any documents that were presented to you?

Mr. Wright, not in the form of a contract.

Mr. Layton, when and if that contract comes into your hands, we would like a copy of it delivered to Mr. Braje's office. If that contract is acceptable to the committee and to Mr. Braje's office, we will entertain that at our next meeting if that time frame is allowable.

#### REQUESTS

None

#### OLD BUSINESS

None

#### NEW BUSINESS

None

#### COMMISSIONER'S COMMENTS

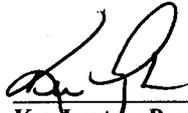
Mr. Milsap, the ethics committee that was scheduled to meet on January 11, 2012 at 3:00 p.m., has been moved to 1:00 p.m. in the commissioner's conference room.

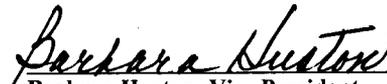
Mrs. Huston, I would like to thank everyone for coming. Hope everyone had a good New Years and I hope Santa brought everyone everything they requested. If we don't get any more snow, we will be in good shape. Also, since it has been slow, we have been saving money out at the highway department.

Mr. Layton, prior to this meeting, Commissioner Milsap contacted me and we spoke again this morning in these chambers with Mr. Braje in reference to the appointment process that we go through. We have three department heads that are considered to be professional hires that are not appointed or reappointed annually by the board. One being Mrs. Leon, H R Director, Mrs. Mischke, GIS Director, and Mr. Bishop, our county planner. Mr. Braje is going to look into the authority in whether that should become annual appointments or if the way it has been handled in the past is continued on.

#### ADJOURN

Mr. Layton, President, adjourned the meeting at 10:47 a.m.

  
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Ken Layton, President

  
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Barbara Huston, Vice President

  
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Willie Milsap, Member

ATTEST:   
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Craig Hinchman, LaPorte  
County Auditor