



# BOARD OF COMMISSIONERS

## LAPORTE COUNTY

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*Ken Layton  
President*

*Barbara Huston  
Vice President*

*Willie Milsap  
Member*

### LAPORTE COUNTY COMMISSIONERS

TUESDAY, February 21, 2012

The LaPorte County Board of Commissioners met in a regular meeting on Tuesday, February 21, 2012, at 10:00 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

Mr. Robert Young led the Pledge of Allegiance.

#### ROLL CALL

All present

#### APPROVAL OF AGENDA

Mrs. Huston, please add under Requests, G, Michael Bohacek reference water line and under New Business, please remove C, Barry McDonnell, petition for the vacation of unimproved public road.

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

#### APPROVAL OF MINUTES

January 17, 2012, Mrs. Huston made a motion to approve as presented, 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 2, 2012, Mrs. Huston made a motion to approve, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Miscellaneous Claims—\$2,552,644.54, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Regular Claims—\$1,485,947.35, Mrs. Huston made a motion to approve in the amount stipulated, seconded by Mr. Milsap, motion carried by voice vote 3-0.

#### PUBLIC COMMENTS

Mrs. Phyllis Marks, 7353 W., St. Rd. 2, LaPorte, IN. We have a group of people getting together to restore and save the barns at the county home. At this point, we are just now meeting and trying to get our program together. We will be ready for the first commissioner's meeting in May. At this time I would like to give you this material to look over. I would appreciate your attention and look forward to seeing you in May.

Mr. Milsap, thanks for coming up to the office and sharing your vision of the barns. Did you make arrangements for your team to go out to the location?

Mrs. Marks, yes we have been doing that. The contractors have been informed to go to the office and ask Mrs. Felton for access to the barns.

DEPARTMENT HEAD COMMENTS

Mrs. Pat Pease, EMS Administrator, I would like to request that the commissioners consider the name of Andy Snyder, fire chief for the city of LaPorte, to fill a vacancy on the EMS Council.

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

Mr. Layton, I understand that you would like to have a Michigan City fire representative.

Mrs. Pease, yes, and we are just waiting on a response.

Mr. Milsap, I am going to contact Jeff Sanatana, he expressed interest and I have a call in to him.

Mrs. Pease, would that be the pleasure of the board if he responds?

Mrs. Layton, yes.

Mr. Bert Cook, co-director of the LaPorte County Economic Development Alliance. We have hired a retention expansion coordinator, Mr. Brian McKee and he came to us from IU Health. We are excited to get him on staff and will be starting full time retention visits at the beginning of next week. We have quite a bit of interest in the south county right now, especially the Kingsbury Industrial Park. We have worked six projects in the last month and we have three pending.

Mr. John Regetz, co-director of the LaPorte County Economic Development Alliance. I continue to work with Matt Bernacchi and Jeff Wright on the 400 N. and 950 W. project to finalize and get ready to go for bid. My last day in the office will be March 13, 2012. It has been my pleasure to work with the county and this board.

Mr. Layton, I am not looking forward to you leaving. The relationship that we have gained over the past years, the strides have been enormous putting the city of Michigan City and the city of LaPorte and the county on the map and you have had a great deal to do with that. Your expertise and willingness to work with others is beyond the scope of your profession. Our loss is going to be Idaho's gain. I wish you and your family the best in the future.

Mrs. Huston, I, too, would like to say that it was a huge step forward when the co-alliance was formed. We will miss you and it was a pleasure working with you.

Mr. Milsap, John, good luck in your future endeavors.

Sheriff Mike Mollenhauer, I would like to report on our jail population. We are 57 over as we speak. We have 425 inmates in the LaPorte County jail and a capacity of 368. On our ordinance that we created in 2007 for notices to move that gets served by the courts on the first step of evictions, since that began in July of 2007, we put into continuing education for the training of the officers, \$7630.00, 2008, \$12,040, 2009, \$14,280, 2010, \$12,425, and 2011, \$14,455 for a total of \$60,830. We have a new Kiosk system that my Jail Commander, Scott Bell will explain. The council gave us \$30,000 and we took another \$30,000 from the commissary fund to get the wiring done for a Kiosk system.

Mr. Scott Bell, Jail Commander, we put in a Kiosk system for the commissary. The main purpose for it is the inmates can order commissary on the devices from the cell blocks and it prevents up from having to pass out and pick up forms. This is now done by computer; it is very efficient and very quick and you don't have human error involved. It frees up man power hours that we can devote to doing other things in the jail. The Kiosks are free of charge and when we are all done there will be 22 of them. We paid for the labor and material to get the wiring run for the devices. We had them pull additional wires for possible future video visitation. We hope to get a system going perhaps by the end

of this year. In addition, we put all the forms that the jail uses on the devices as well. We are in the works of getting the law library software placed on the kiosk system.

Sheriff Mollenhauer, the video visitation has been my goal and we have hopes to get that up and running by the end of this year. It is a big safety issue. We are under staffed and over populated right now. About six months ago you took a vote on the re-audit of the commissary account. According to the State Board of Accounts, the re-audit was not necessary, they found everything good.

Mrs. Huston, these notice to quit evictions, it is sad that this much money was put into training, which is good, but from where it came from..that's sad.

Mr. Bob Young, LaPorte County Highway Superintendent. I see that Jeff Wright is on the agenda and he is on vacation and won't be here. I would like to thank you for ordering the mild winter.

#### CORRESPONDENCE

None

#### REQUESTS

##### Southtown Beach Property Owner's Assn./Request \$500 Tourism Funds

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

##### Union Mills Mill Pond Festival/Request \$500 Tourism Funds

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

##### Laura Moyer, PKD Foundation/Request \$300 Tourism Funds

Mrs. Huston, since this is the convention and visitors bureau promotion fund request, they have their own budget and their own funding, I'm not sure why we are getting this.

Mrs. Huston, I make a motion to deny, not that it isn't a great cause but they do have their own funding.

Mr. Milsap made a motion to table rather than deny.

Mrs. Huston removed her motion and seconded Mr. Milsap's motion, motion carried by voice vote 3-0.

##### Nicki Caylor, Northwest Athletic Club/Road Closures for Dyngus Day Dash

Nicki Caylor, Director of Northwest Athletic Club. We are requesting lane closures on Hitchcock to the turn around and back to 400 N. for the Dyngus Day Dash for the benefit of the American Red Cross. We are putting this on in conjunction with the Michigan City Park Department and the American Red Cross. The Michigan City Police Department has already signed off on the event.

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

##### Rolling Prairie Community Center, Inc./Request \$500 Tourism Funds

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

##### Rolling Prairie Business & Community Assn./Request \$500 Tourism Funds

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

##### Michael Bohacek/Utilize County Road Right of Way for Installation of Water Line

Mr. Michael Bohacek, I am currently under contract to purchase a home at 214 White Foot Trail in unincorporated LaPorte County, also known as Michiana Park. The drinking water is supplied by wells in this area. About 20 years ago there was a leaky underground storage tank at a filling station on U.S. Highway 12. IDEM has addressed some of the issues with filtering and monitoring. I want to have city water brought to it. There is no city water available on White Foot Trail. The nearest city water is on Michiana Drive which is supplied through Michiana, Michigan. I want to bring a water line along your county right of way. There is a 40 foot right of way and the road is 12 foot wide. This will be my next step in securing approval with Michiana, Michigan.

Mr. Layton, this is going to be a directional bore not a trench?

Mr. Bohacek, correct. I have been in contact with H & G and that is who we are going to contract. We are tapping Michiana, Michigan's line not Michigan City's.

Mrs. Huston, if you were to do this line, have you contacted anyone else along this road to see if they would like to tap into the line?

Mr. Bohacek, yes, once I get permission from this board for the right of way permit, I will then contact the homeowners. It will help defray the cost as well. The water is testing fine, but sometime those sites can become very active and then quiet. This will further the investment I am going to make.

Mr. Layton, the water going into the filtering system is contaminated, correct.

Mr. Bohacek, yes.

Mr. Layton, the filtering system that you are talking about is only for the residents in question.

Mr. Bohacek, IDEM put it in and it is very expensive. They see this as a short term problem and supplying city water is a long term solution. If you add up what they have spent from day one, city water would have been less expensive.

Mr. Milsap, are the neighbors aware of the status of this contaminated water?

Mr. Bohacek, absolutely.

Mrs. Huston, this will be at your expense?

Mr. Bohacek, I will pay for it.

Mr. Layton, Mr. Young, since the permit is coming from your office, do you see anything?

Mr. Young, I don't see any issues. We would have our utility inspector check it out and be on the scene when the boring takes place to see that it meets our specifications.

Mr. Milsap, Mr. Hendricks, do you have any problems with this?

Mr. Hendricks, LaPorte County Surveyor, I don't see any problems with this from the surveyor's standpoint. We don't have any jurisdiction other than drainage but Mr. Bohacek is correct, that is a dedicated simple right of way that the county owns, it is not just a grant.

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

#### OLD BUSINESS

#### Jeff Wright, Highway Engineer/Architectural Services Contract for the Department of Corrections Facility

Mr. Layton, this is the contract that has been awaiting the funding requests from the council. This is the DLZ contract that we have not signed as of yet for the LaPorte County Community Corrections facility. Changes were made this morning to comply with all of the demands and wishes of the county. DLZ has incorporated all of those changes that were asked for by the county engineer.

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

Jeff Wright, Highway Engineer/Design Engineering Contract for the CR 400N Economic Development Project (Tabled)

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

Overtime and Holiday Policy and The Pay Plan Revisions

Mrs. Joyce Leon, Director of Human Resources, these two policies have already gone through approval, we just made a couple of minor changes. On the longevity increases we changed it from the first day of the first calendar month following the anniversary month to the first pay. The overtime and holiday policy was redone for clarification based on the meetings and input.

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

NEW BUSINESS

Northern Indiana Public Service Co./Corrected Electric Service Contract

Mr. Layton, I sent you copies of the letter I received from NIPSCO a month ago. Quite frankly, I didn't understand it and was hoping you would review the letter and add some input to it. I do know, by calling NIPSCO, that if we sign this contract we are agreeing to a 9.9% increase to our electric rates. Also, I found out that the Board of Public Works for the city of Michigan City is tabling their contact until they do more research and talk to a NIPSCO representative.

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

Lynne Spevak, LaPorte County Clerk/Microvote Election Management System Software License Agreement

Ms. Spevak, this is the first year that I have seen a contract like this. It is a minimal amount of money but I don't think we can work without it.

Mrs. Huston, this is for the Microvote machines?

Ms. Spevak, yes.

Mr. Layton, this is for 2012 Annual Software Maintenance Agreement for \$9,500.00.

Mrs. Huston, do you have this in your budget?

Ms. Spevak, yes.

Mrs. Huston made a motion to approve and to allow the president to sign on behalf of the board, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Melissa Mischke, GIS Coordinator/GIS Intergovernmental Sharing Agreement and Data Exchange Agreement

Mrs. Mischke, LaPorte County has requested GIS data from Porter County for use in our 911 Dispatching Center along with some additional uses in the mapping department. They have given me paperwork that looks like a Memorandum of Understanding. We will receive the data from them once they have the request on file. There will be no charge for this.

Mrs. Mischke, the Data Exchange Agreement is for web feature services. There is a \$6,000 charge for that. My understanding is that the Department of Homeland Security through Indiana does provide us a \$6,000 grant. We participated in the past so that our emergency management people will have a common operating picture of any incidents that happen in our area. We currently do that through our Beacon website with the Schneider Corp.

Mrs. Huston made a motion to approve and give the president authority to sign the GIS Intergovernmental Sharing Agreement with Porter County, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Layton, next is the Data Exchange Agreement with the Indiana Office of Technology, Geographical Information Systems Division and LaPorte County. Unless I missed something, it looks like the state of Indiana is going to pay the county.

Mrs. Mischke, I think what happens is that they execute the grant to pay for it. The state through Homeland Security issues that \$6,000 grant that would pay for the service.

Mr. Layton, I have no problem being involved in it, in fact, I think it is beneficial for the county to be involved with the state so we can take their upgrades as well. I don't want to obligate you or us to anything that hasn't been properly funded first.

Mr. Layton, I would prefer to table this until we are assured that we don't have to come up with the funding.

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

Robert Young, Highway Superintendent/Longevity Increases

Mr. Young, there are nine truck drivers and equipment operators up for longevity increases, along with two foremen. This comes to a total of \$2,656.65. I have to ask for this because of the way things have been changed.

Mr. Layton, I am going to make a suggestion that you take this \$2,656.65 out of your overtime account and transfer it into each one of these individuals so you don't have to go before the county council for additional funding on this issue. It will still take a letter of transfer.

Robert Young, Highway Superintendent/Appropriate Funds for Narrow Banding

Mr. Young, I have two quotes here. I need 57 radios for mobile units for \$34,821.29 and to upgrade 27 radios that we have and they are compatible and just need to be reprogrammed for narrow banding. Also on the Miner bid you will see 10 hand held portable radios that we use for flagging & etc.; that is included in that bid for a total of \$35,899.50. ERS is bidding on the same for \$41,943.69. I would recommend that we go with the cheaper quote from Miner Electronics.

Mrs. Huston made a motion to go with Miner Electronics' bid for the narrow banding radios, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Sheriff Michael Mollenhauer/Appropriation for Vehicles for 2012

Mr. Jim Sosinski, Chief Deputy, we have asked for appropriation for \$254,742.94 and since I asked for that I have received a grant for \$5,000.00 towards installation of the equipment so now I am asking for \$249,742.94. That is for 11 new vehicles from Kelly Chevrolet from the state bid and I am asking for two used vehicles for our metro department. That funding is for equipment needed. We need to replace consoles, light bars, RDS units, sirens and also stars and striping for the vehicles.

Mrs. Huston, you said you needed to replace equipment in cars you have now?

Mr. Sosinski, no, in these new cars. We need four new consoles, one light bar, 3 RDS units and 9 sirens.

Mrs. Huston, do you have everything as far as narrow banding?

Mr. Sosinski, as far as narrow banding, we do not need any new equipment. The radios that we have are compatible for narrow banding.

Mr. Milsap, how do you determine when a vehicle needs to be traded in?

Mr. Sosinski, on police vehicles, it is determined by mileage. Police miles are different than personal mileage on a car.

Mrs. Huston, since we only have the final number, what is the state bid for a vehicle?

Mr. Sosinski, for the 2012 Chevy Impala, is \$225 less than last year's 2011 model. It is \$20,143.06.

Mr. Layton, you are getting 11 new vehicles, what about trade ins?

Mr. Sosinski, we are trading in 11 vehicles and the cost was \$46,850.00.

Mr. Milsap made a motion to approve the amount requested, \$249,742.94, seconded by Mrs. Huston, motion carried by voice vote 3-0.

**Fran Tibbot, Emergency Management Director/Emergency Radio Service Contract**

Mr. David Kaufman, you should have the contract for the narrow banding relative to the siren system. These were old enough that none of them could be converted. It will give us a system that will be able to test sirens individually as opposed to all or nothing. It will be a new radio receiver program and also a monitoring system will be installed downstairs.

Mr. Layton, if I am not mistaken, the \$170,673.79 is the same amount of money that was appropriated by the county council at their meeting on January 28, 2012.

Mr. Kaufman, that is correct.

Mrs. Huston, is this also the two sirens at the Fair grounds and Washington Park?

Mr. Kaufman, I am not sure if those are in there or not. This is just the rebanding of existing equipment. There is nothing new in that, no new sites.

Mr. Milsap made a motion to accept and allow the president to sign for the board, seconded by the chair, motion carried by roll call vote 2-1.

Mrs. Huston, I was under the impression that Washington Park and the LaPorte County fair grounds were included in this. That is the reason I did not second or vote for this.

**Appointment of Museum Curator**

Mr. Layton, we have a letter from the LaPorte County Historical Society, Inc. and due to the resignation of the previous curator, they request that the Board of Commissioners appoint Susan Richter to the position of museum curator effective as soon as possible.

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

**Resolution of the Board of Commissioners of LaPorte County of Support by LaPorte County, Indiana for United States Bicycle Route #35**

Mr. Layton, I sent this to you via email and what they are asking us to do is approve a bicycle route through LaPorte County. This is coming out of Michigan and going through Indianapolis all the way to Mississippi. This will be a complete route throughout the nation. There are no funds by the county needed; all the signage will be taken care of by the state highway and transportation officials.

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

This will be known as Resolution 2012-01.

**LaPorte County Health Department/On-site Sewage System Regulations**

Mr. Tony Mancuso, LaPorte County Health Department Administrator, this is an ordinance from back in 1996 and we just updated it. The state came out with new rulings in 2009 so we went ahead and updated it.

Mr. Braje, we reviewed this and find it an appropriate ordinance to conform to state regulations.

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

This will be known as Ordinance #2012-01.

COMMISSIONERS COMMENTS

Mr. Layton, I neglected to address on our agenda today when we were amending it, we have a vacancy currently on the LaPorte County Plan Commission. Mr. John Mott has resigned from that post. I was contacted by the Plan Commission this morning wishing to have a new appointment made. We do have a person that has sent us a letter of interest, Mr. Jim Pressel, currently the president of the LaPorte County Home Builders Assn.

Mr. Milsap, we had another person, Ms. Judy Johnson.

Mr. Layton, I will nominate Mr. Jim Pressel, seconded by Mr. Milsap, motion carried by voice vote 3-0.

Mr. Milsap, I would like to remind everyone of the upcoming sectional. I think LaPorte will be playing Michigan City. Get out and support the teams.

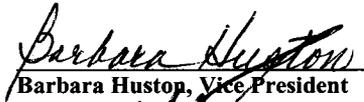
Mr. Layton, due to the upcoming Purdue Road School on March 6, 7 & 8, we are moving the commissioners meeting from the 6:00 p.m. March 6<sup>th</sup> meeting to March 5<sup>th</sup> at 10:00 a.m.

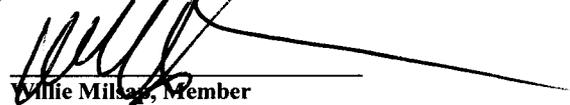
ADJOURN

Mr. Layton, President, adjourned the meeting at 11:31 a.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Ken Layton, President

  
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Barbara Huston, Vice President

  
\_\_\_\_\_  
Willie Milsap, Member

ATTEST:   
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Craig Hinchman, LaPorte  
County Auditor