



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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Willie Milsap,
President

Dave Decker,
Vice President

Dr. Vidya Kora,
Member

MINUTES

LAPORTE COUNTY COMMISSIONERS

Monday March 20, 2013

To be held at 6:00 p.m. in the LaPorte County Complex Meeting Room #3

1. CALL MEETING TO ORDER
Commissioner Milsap called the meeting to order.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
All Commissioners were present
4. APPROVAL OF AGENDA
Agenda was approved.
5. APPROVAL OF MINUTES
 - A. February 20, 2013
 - B. March 4, 2013Minutes Were approved.
6. WEEKLY REPORTS
7. CLAIMS
 - A. Payroll Ending 3/15/13-\$982,004.16
 - B. Miscellaneous Claims-\$2,105,358.86Payroll and Claims were approved.
8. DEPARTMENT HEAD COMMENTS

Robert Young of the Highway Department requests permission to approach the County Council. Approved. Sheriff Mike Mollenhauer spoke regarding a contract he sent the Commissioner's for video visitation. He indicated that he would like to seek approval at the next meeting.

Jerry Cooley Maintenance Director requests permission to seek Council approval to replace an employee. Updates Commissioner's regarding maintenance of all County buildings, roofs and boiler systems and needed repairs. He indicated that there are several repairs needed throughout the County buildings and that the repairs could be costly. He indicated that the meters are emitting a gas smell occasionally. No heat in the kitchen at the jail. He further indicated that a new key system needs to be put into place for all the County buildings and security needs to be addressed for the boiler room and the Hiler Building. He said we had the state and local Fire Marshall's here and we did not do too badly on the reports.
9. CORRESPONDENCE
None
10. REQUESTS
 - A. LCCVB Event Promotion Fund:
LaPorte County Fair-\$500.00- Unanimously approved.
Wanatah Scarecrow Festival-\$500.00- Unanimously approved.

Wanatah Area Chamber of Commerce-\$500.00- Unanimously approved.

Wanatah American Legion Post #403-\$500.00- Unanimously approved.

B. Donations:

Mayor Ron Meer/Michigan City Police-\$500- Unanimously approved.

Patricia Harris with Indiana Black Expo Inc.-\$500.00- Unanimously approved.

Commissioner Decker adds the Kankakee Valley Paddlers Club-\$500.00- Unanimously approved.

Sonshine Troche Worthy Women Recovery Home.- Commissioner's granted permission and support to seek a donation from the County Council.

11. OLD BUSINESS

A. Appointment for Plan Commission vacancy.

Commissioners Nominate and appoint Jim Pressel to the Plan Commission.

B. Surveyor Hendricks Addendum to GIS Contract.

Addendum to change contract to reflect a savings of almost \$600.00 for the GIS flyover.- Unanimously Approved. The Surveyor also showed a GIS demonstration with technology provided by 39 North, as a preview for the meeting with the Commissioner's and the Council scheduled for the 25th of March.

C. Mike Yacullo request appropriation from Major Bridge Fund.

Mr. Yacullo appeared before the Commission to inform them that he has received the fracture critical report and is not ready to present a dollar amount regarding the repairs of the Franklin St. Bridge. He indicates that he would like to come back at the next meeting with an amount to request. A motion was made and approved unanimously.

12. NEW BUSINESS

A. Consideration of Proposed Settlement in the matter of *Donald J. Martin v. LaPorte County Sheriff's Department et al.*

County Attorney, Shaw Friedman, indicates to the Commission that the proposed settlement is less than what continued litigation would cost, and recommends approval of a settlement in the amount of \$15,000.00. Motion was made and approved unanimously.

B. Consider Proposed Amendment to Development Agreement KIP Project.

Commissioner Decker moves to table this matter. Approved unanimously.

C. Robert Young request permission to advertise for bids for a front end loader.

Mr. Young appears before the Commission and indicates that he would like to advertise for bids for a front end loader and that he would like to incorporate a grant that has \$52,000.00 available and that amount depends on what the county can contribute. Motion made and approved unanimously.

D. Jerry Cooley request permission to get bids for roofs at the County Complex, LaPorte Courthouse and the Juvenile Center.

Jerry Cooley appears before the Commission and indicates that there are several leaks in the roof of the Juvenile Center, 8th st., Michigan City Courthouse, the complex and the Highway department. He requests permission to accept bids for repairs. He further requested permission to seek bids for asphalt and paving driveways and parking lots. Motion made and approved unanimously.

E. Barbara Dean regarding Scanning Documents in the Recorder's Vault.

Barbara Dean appears before the Commission and requests permission to donate a microfilm reader printer to the County Library as hers has been upgraded. She indicated to the Commission that the library was the only place in need of such a machine. Motion made and approved unanimously. She then requested that the Commissioner's sign a contract to digitize the documents in the vault. She has a company that will come to the courthouse and do everything within a 2 week time span. Barbara Dean represented to the Commission that the money is in the Recorder's budget to pay for this service.

F. Joie Winski Maintenance Agreement Renewal Contract for Real Estate.

Joie Winski appears before the Commission and requests signature on a renewal contract for mapping software used by Real Estate. Motion made and approved unanimously.

G. Plan Commission recommendation to vacate lots 1 through 5 in Strawberry Field's Subdivision.

Tony Hendricks appears before the Commission and recommends the vacation of said lots and indicates that all the owners agree to this vacation, and there is one road that is a right of way that is not included in this vacation. Motion made and approved unanimously.

H. Discussion of Formats concerning meeting minutes.

Attorney Friedman indicates that he has researched the statutes and has found nothing that indicates meeting minutes should be done verbatim and recommends to the Board that minutes be summarized. Motion made and approved unanimously.

Resolution in support of the Power Boat race.

Commissioner Decker executes first reading of the Resolution. Motion made and approved unanimously.

13. PUBLIC COMMENTS

Nathan Pavlovich of Save the Dunes appeared before the Commission to discuss the matter of Embridge Pipeline's requirement or lack thereof, to have a permit to begin its project in LaPorte County, and presented Commissioner's with a copy of a memo from Kim Ferraro containing her analysis of the case law and her findings on the legal issue in this matter. He summarized said memo for the Commission. Attorney Friedman thanks Mr. Pavlovich for the memo and indicates that he has reviewed many documents regarding this matter. He says the key issue will be if our code is dealing more with safety, or if it deals more with environmental issues. He suggests that any interested party could file a request for declaratory relief from a local Judge for clarification on this matter.

Patricia Harris appeared before the Commission to thank them for approval for the donation to the IBE for the statewide conference to be held in Michigan City.

Michael Hollcraft appears before the Commission to reiterate his concern that Embridge is attempting to circumvent local laws by not obtaining a permit for their project. He further indicated that the alternative route is the most viable alternative for the pipeline. He cautions the Commission on acceptance of the Embridge data submitted regarding that route. He also provided the Commission with documentation in support of his comments.

Sonshine Troche appears before the Commission to encourage them to get a bowling team together and attend the Worthy Women's bowling event.

14. COMMISSIONERS COMMENTS

Commissioner Decker commends the appointees on a job well done.
Commissioner Milsap thanks Chief Swistek for coming from Michigan City and encourages all of LaPorte County to attend the Easter Egg Hunt in Michigan City.

15. ADJOURN

Motion is made an approved unanimously.

PLEASE TURN OFF ALL CELL PHONES

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE _____

ATTEST: _____

Auditor
LA PORTE COUNTY, INDIANA