

The Board met in due form with the following members present: Kyle Allen, Sr., Michael Repay and Jerry Tippy. They passed the following orders, to wit:

There was a moment of silent prayer; the Pledge was given and the Emergency Exit Announcement made.

A courtesy copy of the agenda and notice of this meeting was faxed by Brenda Koselke to the Times in Munster and Crown Point, the Post Tribune in Merrillville and Crown Point, WJOB Radio Station, the Star, WLTH Radio Station, Comcast Cable, the Calumet Press, Portage Journal News, Pilcher Publishing and the Gary Law, Channel 21 media on the 12th day of January, 2018 at about 3:00 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 12th day of January, 2018 at about 3:00 p.m.

Order #1 Agenda #5

In the Matter of Reorganization of the Board: President and Vice President for the year 2018 of the Board of Commissioners of the County of Lake.

Tippy made a motion to appoint Commissioner Kyle Allen, Sr. as President of the Board of Commissioners for the year 2018, Repay seconded the motion. Motion carried 3-0.

Tippy made a motion to appoint Commissioner Michael Repay as Vice-President of the Board of Commissioners for the year 2018, Repay seconded the motion. Motion carried 3-0.

Order #2 Agenda #6A

In the Matter of Notices/Agenda: Permission to open Bids/Proposals.

Repay made a motion, seconded by Tippy, to approve the opening of the Bids/Proposals. Motion carried.

Order #3 Agenda #6B

In the Matter of Notices/Agenda: B. Additions, deletions and/or corrections to Agenda for a Regular Meeting.

Tippy made a motion, seconded by Repay, to approve Additions – Item #56B – Auditor to issue Tax Sale Certificates to the Board of Commissioners of the County of Lake Dated 1-17-2018; Item #56C – Preliminary Official Statement Dated January 8, 2018; Item #56D – Service Provider Agreement between Cardiotech CPR Training, LLC and the Board of Commissioners of the County of Lake for the period of March 1, 2018 to February 28, 2019 in an amount not to exceed \$34,000.00 payable at the rate of \$8,500.00 per quarter plus reimbursement for the cost of CPR/AED Cards; Item #56E – Bids for HVAC in the Penthouses at the Lake County Government Center to be opened; Item #56F – Bids for Renovations in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center to be opened; Item #56G – Bids for Material for LED Lighting Project to be opened; Item #56H – Bids for Labor for LED Lighting Project to be opened; Item #56I – Bids from December 13, 2017 Commissioners Meeting Number 44B Rejected. Midwestern Electric inadvertently signed as approved. Approval needs to be rescinded; Corrections – none; Deletions – none. Motion carried.

Order #4 Agenda #6D-E

In the Matter of Notices/Agenda: D. Approved Final Agenda made a matter of public record; E. Certificate of Service of Meeting Notice to those who have made such written request to be made a matter of public record.

Repay made a motion, seconded by Tippy, to approve the Final Agenda for a matter of public record and ordered same to make a matter of public record the Certificate of Service of Meeting Notice to those who have made such written request. Motion carried.

Order #5 Consent Agenda

In the Matter of Consent Agenda: Item #7A a-i; #7B; #7C; #7D.

Repay made a motion, seconded by Tippy, to approve the Items of the Consent Agenda (Item #7A a-i; #7B; #7C; #7D). Motion carried.

Order #5 Consent Agenda #7A-a

In the Matter of Board of Commissioners of the County of Lake: a. IDEM – Indiana Department of Environmental Management.

Repay made a motion, seconded by Tippy, to approve the Notices of the IDEM: Indiana Department of Environmental Management (sanitary sewer permit – City of East Chicago; Mason Corporation; Praxair, Inc.; W.R. Grace & Co. – Conn.; Amsted Rail Company, Inc.; Lakes & Rivers Logistics, Inc.; Whiting Metals, LLC; Golfview Subdivision Property Owners Association; CVP Development Company; Hammond Port Authority). Motion carried.

Order #5 Consent Agenda #7A-b

In the Matter of Board of Commissioners of the County of Lake: b. Indiana Department of Natural Resources.

Repay made a motion, seconded by Tippy, to approve the Notices of the Indiana Department of Natural Resources (Hobart First Methodist Episcopal Church and Parsonage – entered in the National Register of Historic Places on December 7, 2017). Motion carried.

Order #5 Consent Agenda #7A-c

In the Matter of Board of Commissioners of the County of Lake: c. Certificates of Liability Insurance.

Repay made a motion, seconded by Tippy, to approve the Certificate of Liability Insurance Notices (Superior Construction Co., Inc.; C. Lee Construction Services; Wilcox Environmental Engineering, Inc.; Kenneth Angotti d/b/a Angotti Landscaping; Order #5 Consent Agenda #7A-c cont'd

Gariup Construction Co., Inc.(3); Land-Ron, Inc.; United Consulting Engineers, Inc.(2); S&B Construction Group, LLC; SCS Mechanical, Inc.; Accent Homes, Inc.; Action Plumbing, Inc.; Gilkey Window Company, Inc.(2); Dunning Electrical Services, Inc.; United States Alliance Fire Protection, Inc.; Hektoen Enterprises Inc.; Current Electric, Inc.; DLZ Indiana, LLC(4); Ryan Fireprotection, Inc. (2); Tippmann Construction, LLC; Small's Garden Center & Department 9 Gifts, Inc.; The Pangere Corporation; NWI Electric). Motion carried.

Order #5 Consent Agenda #7A-d

In the Matter of Board of Commissioners of the County of Lake: d. Continuation Certificates.

Repay made a motion, seconded by Tippy, to approve the Continuation Certificate Notices (Stray Voltage LLC; BR Schroeder & Sons, Inc. (2); Stray Voltage LLC; Affiliated Customer Service, Inc.). Motion carried.

Order #5 Consent Agenda #7A-e

In the Matter of Board of Commissioners of the County of Lake: e. Reinstatement Notices.

Repay made a motion, seconded by Tippy, to approve the Reinstatement Notices (Tech One Heating & Air Conditioning Inc.; A Better Door & Window Company; Altra Builders, Inc.; Stash Construction, Inc.). Motion carried.

Order #5 Consent Agenda #7A-f

In the Matter of Board of Commissioners of the County of Lake: f. Cancellation Notices.

Repay made a motion, seconded by Tippy, to approve the Cancellation Notices (Ehrenfeld Construction; Bigelow Glass Inc.; Rhodes Plumbing, Inc.; R. Harker Construction Co., Inc.; Ben Schmucker Construction LLP; Ehrenfeld Construction; Foster Builders, Inc.; Harness Countryside Builders, Inc.; A Better Door & Window Company; L G Custom Homes, Inc.; Mero Installations LLC; Alamo Construction LLC; Industrial Contractors & Engineers Inc.; Rizi Enterprises LLC; Stratton Contracting Group, Inc.; Altra Builders, Inc.; Drilled Foundations, Inc.; Keeley L. Construction Company). Motion carried.

Order #5 Consent Agenda #7A-g

In the Matter of Board of Commissioners of the County of Lake: g. Renewal Bond for Parkway C&A, LP.

Repay made a motion, seconded by Tippy, to approve the Notice of the Renewal Bond for Parkway C&A, LP (Letter dated December 12, 2017, Bond No. 106593588 exp December 31, 2018). Motion carried.

Order #5 Consent Agenda #7A-h

In the Matter of Board of Commissioners of the County of Lake: h. Fritz Enterprises, Inc. Part 70 Administrative Operating Permit.

Repay made a motion, seconded by Tippy, to approve the Notice of the Fritz Enterprise, Inc. Part 70 Administrative Operating Permit (Letter dated December 6, 2017, modification for addition of five conveyor belts and one screener to the existing Slag and Metal Screening Process). Motion carried.

Order #5 Consent Agenda #7A-i

In the Matter of Board of Commissioners of the County of Lake: i. Kinder Morgan information regarding working near pipelines.

Repay made a motion, seconded by Tippy, to approve the Notice of Kinder Morgan information regarding working near pipelines (Letter dated November 27, 2017, from Edward A. Fant, Director, Compliance/Codes and Standards, stating the proper steps to ensure safe excavation include calling 811 and not performing any excavation within 25feet of a Kinder Morgan pipeline without a Kinder Morgan representative onsite). Motion carried.

Order #5 Consent Agenda #7B

In the Matter of Board of Commissioners of the County of Lake: B. Vendor Qualification Affidavits.

Repay made a motion, seconded by Tippy, to approve the following Vendor Qualifications Affidavits. Motion carried.

THE COUNTY CAFÉ
AWAKENINGS COUSELING CENTER, INC.
EVAPAR
SUNBELT RENTALS, INC.
CROSSWIND AVAIIATION SERVICES
MICHAEL FRAMPTION, MD, PC

Order #5 Consent Agenda #7C

In the Matter of Lake County Treasurer's Departmental Report for the month of November, 2017.

Comes now, Peggy Katona, Lake County Treasurer, and files with the Board his report of fees taken in and collected in his office for the Month of November 2017. Said report is in the following words and figures, to-wit; and the Board having previously duly examined and approved said report, now accepts same and the account of said official duly settled as in report set forth.

Repay made a motion, seconded by Tippy, to accept the above Treasurer's Report of November 2017 as submitted. Motion carried.

Order #5 Consent Agenda #7D

In the Matter of Weights and Measures Report for the period of 11/16/17-12/15/17.

Comes now, Christine Clay, County Inspector, Weights and Measures, and files with the Board her report of fees taken in and collected in her office for the Period 11/16/17-12/15/17. Said report are in the following words and figures, to-wit; and the Board having previously duly examined and approved said report, now accepts same and the account of said official duly settled as in report set forth.

Repay made a motion, seconded by Allen, to accept the above Weights and Measures Report of November 16, 2016 – December 15, 2017 as submitted. Motion carried.

Order #6 Agenda #8

In the Matter of Resolutions – A. Resolution Honoring Calvin Boender; B. Resolution Honoring Nathan Davids; C. Resolution Honoring Paul Wieggl; D. Resolution Honoring James Nichols.

Tippy made a motion, seconded by Repay, to approve the Honorary Resolutions – 4-H Robotics Team Winning 1st Place National Contest - A. Resolution Honoring Calvin Boender; B. Resolution Honoring Nathan Davids; C. Resolution Honoring Paul Wieggl; D. Resolution Honoring James Nichols. Commissioner Tippy will present Resolutions at 4-H meeting. Motion carried.

Order #7 Agenda #9

In the Matter of L C Highway – Contract Award for the Replacement of Lake County Bridge #411, Blaine Street over Beaver Dam Ditch. Letter of recommendation to Ellas Construction Co., Inc. in the amount of \$725,276.00 as the lowest responsive and responsible bidder.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **Ellas Construction Co., Inc.**, 3810 E. 7th Avenue, Gary, IN 46403, with \$725,276.00 for the Replacement of Lake County Bridge #411, Blaine Street over Beaver Dam Ditch, upon a motion made by Repay, seconded by Tippy, with the recommendation of the Highway Superintendent. Motion carried.

And it appearing to said Board of Commissioners that the above company's bids being the lowest most responsive and responsible bid for the Replacement of Lake County Bridge #411, Blaine Street over Beaver Dam Ditch for the L.C. Highway, having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

ELLAS CONSTRUCTION CO., INC. W/ *The Guarantee Company of North America USA* in the amount of 5% of amount bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for REPLACEMENT OF LAKE COUNTY BRIDGE NO. 411, BLAINE STREET OVER BEAVER DAM DITCH FOR LAKE CO. HIGHWAY IN THE AMOUNT OF \$725,276.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: January 17, 2018

KYLE ALLEN, Sr.
MICHAEL REPAY
JERRY TIPPY

ELLAS CONSTRUCTION CO., INC.

Order #8 Agenda #10

In the Matter of L C Highway – Agreement between North-West Engineering Co., Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for construction engineering services with regard to the construction of Lake County Bridge #411, Blaine Street over Beaver Dam Ditch in an amount not to exceed \$87,000.00.

Repay made a motion, seconded by Tippy, to approve the Agreement between North-West Engineering Co., Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for construction engineering services with regard to the construction of Lake County Bridge #411, Blaine Street over Beaver Dam Ditch in an amount not to exceed \$87,000.00. Motion carried. (SEE FILE "2018 CONTRACTS" OR ONLINE AT INDIANA GATEWAY)

Order #9 Agenda #11

In the Matter of L C Highway – Agreement between American Structurepoint, Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 0088990.B-29599, Lake County Bridge No. 36 on State Line Road over Kankakee River in an amount not to exceed \$229,922.33 of which Lake County will be responsible for 20% or \$27,590.68.

Repay made a motion to approve the Agreement between American Structurepoint, Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 0088990.B-29599, Lake County Bridge No. 36 on State Line Road over Kankakee River in an amount not to exceed \$229,922.33 of which Lake County will be responsible for 20% or \$27,590.68, Tippy seconded with discussion, question to Highway Department for clarification, \$27,590.68 is incorrect, Repay amended his motion to approve the Agreement with American Structurepoint, Inc. not to exceed 20% of \$229,922.33, Tippy seconded the motion. Motion carried. (SEE FILE "2018 CONTRACTS" OR ONLINE AT INDIANA GATEWAY)

Order #10 Agenda #12

In the Matter of L C Highway – Agreement between United Consulting and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 1400843, Lake County Bridge #61, 135th Avenue over West Creek in an amount not to exceed \$107,500.00 of which Lake County will be responsible for 20% or \$21,500.00.

Repay made a motion, seconded by Tippy, to approve the Agreement between United Consulting and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 1400843, Lake County Bridge #61, 135th Avenue over West Creek in an amount not to exceed \$107,500.00 of which Lake County will be responsible for 20% or \$21,500.00. Motion carried. (SEE FILE "2018 CONTRACTS" OR ONLINE AT INDIANA GATEWAY)

Order #11 Agenda #13

In the Matter of L C Highway – Statement of Just Compensation for the acquisition of property needed for the replacement of Lake County Bridge #260, Main Street (53rd Ave.) over Hart Street in the amount of \$23,725.00.

Repay made a motion to approve the Statement of Just Compensation and to authorize Highway to submit an offer for the acquisition of property needed for the replacement of Lake County Bridge #260, Main Street (53rd Ave.) over Hart Street in the amount of \$23,725.00, Tippy seconded the motion with discussion, with question to Highway Engineer, "there were two parcels that we needed to purchase right of way for, correct?" Duane responded, "we'll be before the Board with the second parcel at the next coming meeting, yes that is correct, Repay, added, "note that NIPSCO is requiring us to pay for this parcel". Motion carried.

REV-29
4/21/08

STATEMENT OF THE BASIS FOR JUST COMPENSATION Code N/A

1. This is a written statement of, and summary of the basis for, the establishment of the amount believed to be, through a valuation process, just compensation for the purchase of this right-of-way for highway purposes. The amount set forth in Item 5 below is not less than the approved estimate of value. In accordance with Public Law 91-646 as amended, the "Uniform Act", and as codified in Indiana at IC 8-23-17-1 through 8-23-17-35, this value disregards any decrease or increase in fair market value of the property prior to the date of valuation caused by the public improvement for which the property is acquired other than physical deterioration within reasonable control of the owner.

2. The legal description of this acquisition is set forth in the instrument of conveyance in the following identified parcel and this acquisition is identified in the Acquiring Agency's records as:

Project Bridge #260 Parcel 1 Road Main Street County Lake
 Owner(s) Northern Indiana Public Service Company

3. The area and type of interest being acquired: 0.301 Ac. Fee Simple (0.092 Ac. PER)
 The amount in Item 5 below includes payment for the purchase of all interests in the real property and no separately held interest is being acquired separately in whole or part, except as may be explained in Item 8 below.

4. This acquisition is (Check one):
 a. A total acquisition of the real property.
 b. A partial acquisition of the real property.

5. The Agency's Offer: Just compensation has been determined to be and the Acquiring Agency's offer for the purchase of this real property is as follows:

a. Total Land, Land Improvements and Buildings	\$ 19,725.00
b. Severance Damages (i.e.: Setback, Loss in Value to the Residues, etc.)	\$ _____
c. Other Damages (Itemize):	
Cost-To-Cure estimates:	
Relocate 80 LF fence & 2 steel bollards	\$ 4,000.00
_____	\$ _____
_____	\$ _____
_____	\$ _____
Temporary R/W	\$ _____
Total Damages	\$ 4,000.00
Total amount believed to be Just Compensation offered for this Acquisition is:	\$ 23,725.00

6. The amount in Item 5 above may include payment for the purchase of certain buildings and improvements and their ownership shall pass to the Acquiring Agency. These buildings and improvements are identified as follows:

 None

7. The amount in Item 5 above may include payment for the purchase of certain Land Improvements, Fixtures, Equipment, Machinery, Signs, Etc., and their ownership shall pass to the Acquiring Agency. These items are identified as follows:
 900 SF gravel drive, one metal drain culvert, one concrete drain culvert, 5,500 SF lawn, 3 deciduous trees

8. Items owned by others (i.e.: lessee, tenants, etc.) included in Item 5 above are identified as follows: _____
 None

9. Remarks: _____

Acquiring Agency: _____ Reviewer: _____

Signature: [Signature] Signature: [Signature]
 Name Printed: Duane A. Alverson Name Printed: Jeffrey R. Vale, MAI, SRA

Title: ENGINEER BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE Title: Vale Appraisal Group
 Date: 1-5-2018 Date: January 2, 2018

APPROVED THIS 17th DAY OF January 20, 18

Order #12 Agenda #14

In the Matter of L C Highway – Change Order #9 – (4) day time extension and Change Order #10 – (2) two day early start date for Traffic Maintenance and Signage for Lake County Bridge #241, Kennedy Avenue over the Grand Calumet River.

Repay made a motion, seconded by Tippy, to approve Change Order #9 – (4) day time extension and Change Order #10 – (2) two day early start date for Traffic Maintenance and Signage for Lake County Bridge #241, Kennedy Avenue over the Grand Calumet River, with zero cost to the County. Motion carried.

Order #13 Agenda #15

In the Matter of L C Highway – Road Cut Permit for Dewes Excavating, Inc. for site plan Vasa Terrace, Lake Dalecarlia.

Repay made a motion, seconded by Tippy, to approve the Road Cut Permit for Dewes Excavating, Inc. for site plan Vasa Terrace, Lake Dalecarlia. Motion carried.

From: 11/22/2017 10:07 #667 P.001/001

lot # 49
5803 Vasa Terrace
ROAD CUT PERMIT

PERMISSION TO WORK IN HIGHWAY ROAD RIGHT-OF-WAY
Dewes EXL-696-6305
DATE 12/5/17

Applicant: Dean Dewes
Dewes Excavating, Inc
P.O. Box 3
Lowell, IN 46356

Upon filing a Bond or a Certificate of Insurance acceptable and approved by the Board of County Commissioners for the amount of \$1,000,000.00 furnished by _____ in behalf of the applicant. Permission is hereby granted to
Bore 4" sleeve under Existing
Black Top 5 feet Deep

in accordance with the plans submitted and specifications outlined below.

CONSTRUCTED TO THE FOLLOWING SPECIFICATIONS:

1. Paved surface to be cut on a smooth edge. Cut is to be 12" wider than the proposed trench so as to hold 6" shoulder on both sides of trench.
2. After trench has been cut and the firmly bedded, the entire trench to be filled with Indiana # 73 or equivalent.
3. 10" of compacted aggregate to be placed 12" wider than paved surface on both sides. Aggregate to be in accordance with the most recent State Highway Specifications.
4. 6" of bituminous material laid and rolled so as to give a smooth continuous surface. Bituminous material to be in accordance with the most recent Indiana State Highway Specifications.
5. All safety precautionary measures to be used in accordance with standard practice during construction period.

Applicant shall in no case have the road closed for more than an (8) hour period. Contractor is to notify the Lake County Highway Engineer or his appointed representative 24 hours in advance of the cutting of the road. Also notification is to be given to all emergency services (police, fire, ambulances and schools etc.) 24 hours in advance. While project is going on, flagman, barricades and flashers to be maintained so as to keep the traveling public safe and free from harm. The completion of the project must meet the approval of the Lake County Highway Engineer.

Recommended by: [Signature] 12-15-2017

Lake County Highway Department

Approved by: JAN 17 2018
[Signature]
Lake County Board of Commissioners

Order #14 Agenda #16

In the Matter of L C Highway – Local Public Agency – Project Coordination Contract between the Indiana Department of Transportation and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 1702159 for the traffic signals new or modernized for 101st and Sheffield Avenue in an amount not to exceed \$527,000.00 of which Lake County will be responsible for 20%.

Repay made a motion, seconded by Tippy, to approve Project Coordination Contract between the Indiana Department of Transportation and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for Des. No.: 1702159 for the traffic signals, new or modernized, for 101st and Sheffield Avenue in an amount not to exceed \$527,000.00. Motion carried. (SEE FILE "2018 CONTRACTS" OR ONLINE AT INDIANA GATEWAY)

Order #15 Agenda #17

In the Matter of L C Highway – Deer Disposal Agreement between Jerri M. Fassoth and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for the year 2018 in the amounts as follows: A. \$150.00 per deer carcass, small animals: raccoons, opossums, rabbits, birds, squirrels, cats, etc. \$75.00 per carcass; B. Medium animals: medium size dogs, small pigs, small goats, fox, etc. \$100.00 per carcass; C. Large animals: large dogs, large goats, medium pigs, etc. \$150.00 per carcass; D. Extra large animals will be determined when notified; E. A \$50.00 fee will be imposed for all wrong addresses and if no animal is present.

Repay made a motion, seconded by Tippy, to approve the Deer Disposal Agreement between Jerri M. Fassoth and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for the year 2018 in the amounts as follows. Motion carried.

- A. \$150.00 per deer carcass, small animals: raccoons, opossums, rabbits, birds, squirrels, cats, etc. \$75.00 per carcass
- B. Medium animals: medium size dogs, small pigs, small goats, fox, etc. \$100.00 per carcass
- C. Large animals: large dogs, large goats, medium pigs, etc. \$150.00 per carcass
- D. Extra large animals will be determined when notified
- E. A \$50.00 fee will be imposed for all wrong addresses and if no animal is present.

Order #16 Agenda #18

In the Matter of L C Sheriff – Rejection of unopened bid received late from Ray O'Herron Co., Inc. for Police Officers Hand Guns.

Repay made a motion, seconded by Tippy, to reject the unopened bid received late from Ray O'Herron Co., Inc. Motion carried.

Order #17 Agenda #19

In the Matter of L C Sheriff – Accept proposal for Police Officers Hand Guns. Letter of recommendation to Kiesler Police Supply in the amount of \$67,848.00 as the lowest responsive and responsible bidder.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **Kiesler Police Supply**, 2802 Sable Mill Road, Jeffersonville, IN 47130, the contract for Police Officers Hand Guns in the amount of \$67,848.00, upon a motion made by Repay, seconded by Tippy with discussion, stating, "when bids were opened at the last meeting we had two bids for hand guns and the numbers were way off, there were math errors?" Chief Patterson, responded, "correct, what had happened was the higher bidder actually added the credit for our trade-ins to their total instead of subtracting it, so that's why that number looks so much higher, it was a mathematical error on their worksheet, even with doing math properly they were still almost thirty thousand dollars higher", Tippy, continued, "and so your third bidder is this Ray O'Herron company that bid late?", Chief Patterson, responded, "correct, I talked to the vendor and apparently they overnighted it the day before but it wasn't received until like 2pm, I believe the deadline was like 8am, so it was received properly" discussion closed. Motion carried.

Order #18 Agenda #20

In the Matter of L C Sheriff – grant request for issuance of service weapon to retired Officer Carl Porter.

Repay made a motion, seconded by Tippy, to approve the request for issuance of service weapon to retired Officer Carl Porter who retired April 17, 2015 honorably served the citizens of Lake County for twenty years retiring in good standing with the Lake County Sheriff's Department. Motion carried.

Order #18 Agenda #21

In the Matter of L C Sheriff – grant request for issuance of service weapon for retired Officer John Fisher.

Repay made a motion, seconded by Tippy, to approve the request for issuance of service weapon to retired Officer John Fisher who retired June 1, 2017 as a corporal in the uniform division in good standing from the Lake County Sheriff's Department honorably serving the citizens of Lake County throughout his twenty year law enforcement career. Motion carried.

Order #19 Agenda #23

In the Matter of L C Public Defender – Legal Services Agreement between James E. Harper and the Board of Commissioners of the County of Lake on behalf of the Lake County Public Defender, Conflicts Division for the period of January 17, 2018 to December 31, 2018 in an amount not to exceed \$10,000.00 payable at the rate of \$90.00 per hour.

Repay made a motion, seconded by Tippy, to approve the Legal Services Agreement between James E. Harper and the Board of Commissioners of the County of Lake on behalf of the Lake County Public Defender, Conflicts Division for the period of January 17, 2018 to December 31, 2018 in an amount not to exceed \$10,000.00 payable at the rate of \$90.00 per hour. Motion carried 3-0.

Order #20 Agenda #24

In the Matter of L C Fairgrounds – PROPOSALS: Award for Waste Hauling Services for the year 2018. Letter of recommendation to Republic Services, Inc. in the amount of \$325.00 per pull.

The Board having previously taken the proposals under advisement does hereby accept the recommendation to award **Republic Services**, 865 Wheeler Street, Crown Point, IN 46307, the contract for Waste Hauling Services for the year 2018 for Lake County Fairgrounds in the amount of \$325.00 per pull, upon a motion made by Repay, seconded by Tippy, with the recommendation of Paul Carlson Fairgrounds Superintendent, note that Republic Services was the sole bidder. Motion carried 3-0.

Order #21 Agenda #25

In the Matter of L C Fairgrounds – PROPOSALS: Award for Portable Rest Room Service for the year 2018. Letter of recommendation to Service Sanitation, Inc. in the amount of \$215.00 per month.

The Board having previously taken the proposals under advisement does hereby accept the recommendation to award **Service Sanitation, Inc.**, 135 Blaine Street, Gary, IN 46406, the contract for Portable Rest Room Service for the year 2018 for Lake County Fairgrounds in the amount of \$215.00 per month being the sole responding bidder, upon a motion to approve by Repay, seconded by Tippy, with the recommendation of Paul Carlson Fairgrounds Superintendent. Motion carried 3-0.

Order #22 Agenda #26

In the Matter of L C Criminal Court – Service Agreement between ATN Technology, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$1,500.00 payable at the rate of \$375.00 per quarter.

Repay made a motion, seconded by Tippy, to approve the Service Agreement between ATN Technology, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$1,500.00 payable at the rate of \$375.00 per quarter for access control system. Motion carried 3-0.

Order #22 Agenda #27

In the Matter of L C Criminal Court – Service Agreement between ATN Technology, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$1,368.00 payable at the rate of \$342.00 per quarter.

Order #22 Agenda #27 cont'd

Repay made a motion, seconded by Tippy, to approve the Service Agreement between ATN Technology, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$1,368.00 payable at the rate of \$342.00 per quarter for maintenance of telephone system. Motion carried 3-0.

Order #22 Agenda #28

In the Matter of L C Criminal Court – Service Agreement between Word Systems, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$6,429.00 payable at the rate of \$1,607.25 per quarter.

Repay made a motion, seconded by Tippy, to approve the Service Agreement between Word Systems, Inc. and the Board of Commissioners of the County of Lake on behalf of Lake County Criminal Court for the year 2018 in an amount not to exceed \$6,429.00 payable at the rate of \$1,607.25 per quarter for maintenance on all recording equipment located in the four (4) criminal courts and Magistrate's Courtroom. Motion carried 3-0.

Order #23 Agenda #29

In the Matter of L C Recorder – Software & Hardware Support Maintenance Agreement between Naviant, Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Recorder for the year 2018 in an amount not to exceed \$4,524.00 payable at the rate of \$377.00 per month.

Repay made a motion, seconded by Tippy, to approve the Software & Hardware Support Maintenance Agreement between Naviant, Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Recorder for the year 2018 in an amount not to exceed \$4,524.00 payable at the rate of \$377.00 per month. Motion carried 3-0.

Order #24 Agenda #30

In the Matter of L C Recorder – Request for property disposal.

Repay made a motion, seconded by Tippy, to approve the disposal of property for Lake County Recorder Office all items listed on property disposal forms. Motion carried 3-0.

Order #25 Agenda #31

In the Matter of L C Cedar Creek Township Assessor – Public Record of Township Assistance Standards and Guidelines for Cedar Creek Township, Lake County, Indiana.

Repay made a motion, seconded by Tippy, to make a matter of public record the Township Assistance Standards and Guidelines for Cedar Creek Township, Lake County, Indiana. Motion carried 3-0.

Order #26 Agenda #32

In the Matter of L C Ross Township Assessor – Agreement between CoStar Realty Information, Inc. and the Board of Commissioners of the County of Lake on behalf of the Ross Township Assessor for the year 2018 in an amount not to exceed \$3,540.00 payable at the rate of \$295.00 per month.

Repay made a motion, seconded by Tippy, to approve the Agreement between CoStar Realty Information, Inc. and the Board of Commissioners of the County of Lake on behalf of the Ross Township Assessor for the year 2018 in an amount not to exceed \$3,540.00 payable at the rate of \$295.00 per month. Motion carried 3-0.

Order #27 Agenda #33

In the Matter of L C St. John Township Assessor – Agreement between CoStar Realty Information, Inc. and the Board of Commissioners of the County of Lake on behalf of the St. John Township Assessor for the year 2018 in an amount not to exceed \$3,540.00 payable at the rate of \$295.00 per month.

Repay made a motion, seconded by Tippy, to approve the Agreement between CoStar Realty Information, Inc. and the Board of Commissioners of the County of Lake on behalf of the St. John Township Assessor for the year 2018 in an amount not to exceed \$3,540.00 payable at the rate of \$295.00 per month. Motion carried 3-0.

Order #28 Agenda #34

In the Matter of L C St. John Township Assessor – Agreement between Republic Services and the Board of Commissioners of the County of Lake on behalf of the St. John Township Assessor for the year 2018 in the amount of \$57.32 per month.

Repay made a motion, seconded by Tippy, to approve the Agreement between Republic Services and the Board of Commissioners of the County of Lake on behalf of the St. John Township Assessor for the year 2018 in the amount of \$57.32 per month. Motion carried 3-0.

Order #29 Agenda #35

In the Matter of L C Emergency Management – Request for direction concerning a vehicle that no longer functions. Jodi Richmond, Director, present/spoke.

Comes now, Jodi Richmond, Director of Lake County Homeland Security & Emergency Management Agency, before the Board of Commissioners requesting direction concerning a vehicle that no longer functions, letter dated December 19, 2017 submitted stating that the department is in possession of a 1998 Ford F-250 blue pickup truck that no longer functions seeking advice of what is needed to do to dispose of this vehicle, Jodi, asked if they could use it as a trade-in, Board discussion.

Repay made a motion to authorize the Emergency Management Department to trade-in that vehicle, Tippy seconded the motion. Motion carried 3-0.

Comes now, Jodi Richmond, Director of Lake County Homeland Security & Emergency Management Agency, continued before the Board of Commissioners, stating that they (her department) should have had an additional item on the Agenda in regards to the Travel Advisory paperwork that needs to be signed, Repay asked her to describe it and he would then speak on it. Jodi, continued, "it is through the Indiana State statute title 10 the Travel Advisory and it explains what it is in regards to if the Order #29 Agenda #35 cont'd

Board of Commissioners decide to close the County or decide to close the County Government, there are many different levels of closing roads and closing Government, we've done it in the past", Repay, began speaking, "what you sent over was kind of a pre-emptive or a pre-authorization in advance and my feeling is, and it's up to the Board, that in today's technology we're able to communicate pretty rapidly so I didn't want to pre-authorize a closing and have all the documents in advance because, I understand your point is to have it ready, but for me..... Tippy, asked, "what is the advantage of having everything pre-signed, is it just a matter of time?" Jodi, responded, "it is a matter of time in regards to me getting the information to the State, the sooner they get that, the sooner they can put it into the places and any additional resources that come up that we may request in regards to whatever the weather situation is" Tippy, commented, "but that can be substituted by a call to the President of the Board of Commissioners and start the same action in motion", Jodi, replied, "yes, and I would make sure all of you have a copy so that in the event with the discussion with the Sheriff Department and then the one Judge in regards to closing anything, you get a lot of legal things when you're closing roads and what do people do if they're on the roads, then you can sign that scan/email to me and then I can get that to the State", Dull, spoke to the Board, "I think send it back, put it on the next agenda because what it tells me is it may be there sitting there but it still requires action by the Board to do it", Repay, spoke, "the question I had was whether we preemptively do some sort of action or we retro if it should be needed", Allen, President of the Board asked Attorney Dull for his recommendation, John replied reiterating his previous statement to address matter at next meeting. NAT.

Order #30 Agenda #36

In the Matter of L C Data Processing – Request for permission to dispose of old telephones as the new telephones are installed concerning the VoIP Telephone System.

Comes now, Mark Pearman, before the Board of Commissioners, stating the letter submitted is asking for the authority that as we remove the old phones that we can dispose of them immediately through the recycler, so we don't have to come up every month and ask for that permission we can get the phones as soon as possible.

Repay made a motion, seconded by Tippy, to grant that permission to Data Processing. Motion carried 3-0.

Order #31 Agenda #37

In the Matter of Board of Commissioners of the County of Lake: Public Record of Legal Notice concerning the Sale of Commissioner Owned Real Estate at 1916 Wallace Street, Gary, Indiana, Parcel #45-08-7-452-014.000-004.

Repay made a motion, seconded by Tippy, to make the legal notice a matter of public record and let everyone know that we'll be selling 1916 Wallace in Gary at our February 7th Meeting. Motion carried 3-0.

Order #32 Agenda #38

In the Matter of Board of Commissioners of the County of Lake: BIDS: Asbestos Abatement in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center. Letter of recommendation to Northwest Indiana Environmental, Inc. in the amount of \$1,296,200.00 as the lowest responsive and responsible bidder.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **Northwest Indiana Environmental, Inc.**, 660 Morningside Drive, Crown Point, IN 46307, the contract for Asbestos Abatement in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center in the amount of \$1,296,200.00, upon a motion made by Repay, seconded by Tippy with discussion, "adding clarification based on changes made on Agenda, this is not just an asbestos removal project this is a contract for asbestos removal but its in conjunction with the remodeling of the Recorder's Office, all of the Courts, a few of the Bathrooms on the first floor and some areas up in the fan rooms, so the insurance companies do not allow or they require some very specific qualifications that most architects and contractors do not have so the asbestos abatement and removal is handled separately for that reason but it is part of a remodel project, so it's not as though...I think there's a misunderstanding that we're like doing this massive asbestos abatement work and that's not true, it's just necessary to be done before we go in for remodel and the remodel includes for the most part energy efficiency items, new HVAC controls, new lighting systems, so there's a cost savings in the operation as we go forward, so asbestos in an expensive part of the project but it is part of another process", Repay, commented, "asbestos in itself if it's not disturbed presents no danger to the inhabitants of this building or any other building, we need to disturb it in order to get the efficiency, so that's why we have to remove it", Tippy, continued, "and if I could also add to that, we did hire two consulting firms, Mr. Burns with RCM (present), he handled all the engineered scope of work, verification of scope, analyzed the bid, made the recommendation and we have also taken on a Company, VM Labs, VM Labs will be onsite to inspect the premises to make sure that the Contractor is removing asbestos in the proper manor", with the recommendation from RCM – Regulatory Compliance Management. Motion carried 3-0.

And it appearing to said Board of Commissioners that the above company's bids being the lowest most responsive and responsible bid for Asbestos Abatement in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center for L.C. Commissioners, having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

NORTHWEST INDIANA ENVIRONMENTAL, INC. W/ Alleghany Casualty Company in the amount of 10% of amount bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for ASBESTOS ABATEMENT IN BATHROOMS, RECORDER OFFICE AND COURTROOM AREAS AT THE LAKE COUNTY GOVERNMENT CENTER FOR LAKE CO. COMMISSIONERS IN THE AMOUNT OF \$1,296,200.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: January 17, 2018

KYLE ALLEN, Sr.
MICHAEL REPAY
JERRY TIPPY

NORTHWEST INDIANA ENVIRONMENTAL, INC.

Order #33 Agenda #39

In the Matter of Board of Commissioners of the County of Lake: Request for Tax Sale Certificates from the Little Calumet River Basin Development Commission.

Repay made a motion, seconded by Tippy, to grant the request for tax sale certificates from the Little Calumet River Basin Development Commission, Tippy seconded with question, asking, "the property in Gary that was sought after by possibly several, Order #33 Agenda #39 cont'd

that it was removed from this list?" Repay, replied, "I would say that I...there's lines through two properties, I would suggest that yes" Allen, spoke, "my concern were the parcels in Gary specifically, I had a conversation with the Mayor, so she has no objections in terms of the parcels being given to the Little Calumet River Basin" Tippy, continued, "so it appears at this point that there no other interested parties" Repay, replied, "that's my understanding". Motion carried 3-0.

Order #34 Agenda #40

In the Matter of Board of Commissioners of the County of Lake: County Form 14 – Vendor House Account Contract with Lake County to purchase or rent supplies, goods, machinery and equipment from the following: A-N.

Repay made a motion, seconded by Tippy, to approve the Vendor House Account Contracts with Lake County to purchase or rent supplies, goods, machinery and equipment from the following listed A-N – County Form 14. Motion carried 3-0.

- | | |
|-------------------------------|---------------------------------|
| A. A & R Hydraulics | H. Lindco Equipment Sales, Inc. |
| B. Bob Barker Company, Inc. | I. Menards |
| C. Evapar | J. M. J. Electric, LLC |
| D. Galls, LLC | K. Rigg's Mower's and More |
| E. Gary Sign Co. | L. Smith Ford of Lowell, Inc. |
| F. Gruel Bros, Inc. | M. Valley Truck Parts |
| G. Hubinger Landscaping Corp. | N. Reladyne |

Order #35 Agenda #41

In the Matter of Board of Commissioners of the County of Lake: Contractor pre-qualifications from the following to be made a matter of public record.

Repay made a motion, seconded by Tippy, to make a matter of public record the Contractor pre-qualifications from the following listed A-C. Motion carried 3-0.

- A. Actin Contracting, LLC
- B. Area Sheet Metal, Inc.
- C. Superior Construction Co., Inc.

Order #36 Agenda #42

In the Matter of Board of Commissioners of the County of Lake: Recommendation for award to the lowest responsive and responsible bidder, Sneed Construction for the Treasurer's Office at the Gary Courthouse for a Cashier's Custom Counter Top in the amount of \$5,445.00.

Order #36 Agenda #43

In the Matter of Board of Commissioners of the County of Lake: Recommendation for the award to the lowest responsive and responsible bidder, Sneed Construction for the Treasurer's Office at the Gary Courthouse for Moisture Mitigation Repairs in the amount of \$70,376.00.

Order #36 Agenda #44

In the Matter of Board of Commissioners of the County of Lake: Recommendation for the award to Sneed Construction for the Lake County Public Defender's Office for emergency cleaning & sanitizing due to Jail Hot Water Failure in the amount of \$3,770.00.

Order #36 Agenda #45

In the Matter of Board of Commissioners of the County of Lake: Recommendation for the award to Credent Quality Electric Co., Inc. for one (1) new portable drive unit to lower lights on high mast poles in the amount of \$2,985.00.

Repay made a motion to approve the recommendations in Items 42, 43, 44 & 45 to Contractor Sneed Construction and Credent Quality Electric, Tippy seconded the motion with discussion, stating, "item 44 was an emergency so on items 42 and 43 were other bids solicited?" Rehder, replied, "item 42 yes item 43 we asked two other bidders and there was no response" Repay, commented, "the question was did you solicit them, for both" Rehder, responded, "yes" Tippy, continued, "only one responded to 42 & 43?" Rehder, responded, "yes" Clarification was made that there were two bids for 42 and one did respond. Repay, question to Bob Rehder, present and spoke on behalf of Items #42-45 and answered questions from Board members. Allen confirm to let the record show the motion is for Item #42, 43, 44 & 45. Motion carried 3-0.

Order #37 Agenda #46

In the Matter of Board of Commissioners of the County of Lake: Joint Interlocal Agreement between the Town of New Chicago and the Board of Commissioners of the County of Lake regarding Mutual Aid Fire Protection for Hobart Township including the Unincorporated Portion in the amount of \$50,780.00.

Repay made a motion, seconded by Tippy, to approve the Joint Interlocal Agreement between the Town of New Chicago and the Board of Commissioners of the County of Lake regarding Mutual Aid Fire Protection for Hobart Township including the Unincorporated Portion in the amount of \$50,780.00. New Chicago Fire Chief present/spoke, thanked the Board of Commissioners. Motion carried 3-0.
Cont'd.

Order #37 Agenda #46 cont'd

JOINT INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE TOWN OF NEW CHICAGO AND LAKE COUNTY, INDIANA
REGARDING MUTUAL AID FIRE PROTECTION FOR HOBART TOWNSHIP
INCLUDING THE UNINCORPORATED PORTION

This Joint Interlocal Cooperation Agreement Between the Town of New Chicago and Lake County, Indiana, Regarding a fire protection Mutual Aid for the purchase of equipment for the New Chicago Fire Department is made and entered into in accordance with I.C. 36-1-7, *et. seq.*, by and between the Town of New Chicago, a municipal corporation, and Lake County, Indiana, a unit of local government by its Board of Commissioners (Lake County), :

RECITALS

- WHEREAS**, The Town of New Chicago is a unit of municipal government located in Lake County, Indiana, with jurisdiction over all real property and residents located within and inhabiting properties within the Municipal Corporate Boundaries of the Town of New Chicago; and
- WHEREAS**, Lake County is a unit of local government located in Lake County, Indiana, with jurisdiction over certain real property located within the Unincorporated Area Corporate Boundaries of Lake County, Indiana; and
- WHEREAS**, The Town of New Chicago and Lake County have each been advised that the provisions of I.C. 36-1-7-1, *et. seq.*, (Interlocal Cooperation Act and referred to hereinafter as the Act), as amended from time to time, permit local governmental units and entities to make the most efficient use of their powers by enabling governmental units to mutually contract and utilize services for the mutual benefit of the participating governmental entities; and
- WHEREAS**, The Town of New Chicago and Lake County are political subdivisions empowered by the Act with authority to contract on behalf of each other on a basis of mutual advantage so as to better provide public services; and
- WHEREAS**, The Town of New Chicago and Lake County each seek to enter into a joint interlocal cooperation agreement based upon the terms and provisions of the Act, as amended from time to time, to provide funds to the Town of New Chicago to purchase firefighting equipment as outlined in the attached Exhibit A and the Town of New Chicago will provide firefighting services in unincorporated Hobart Township to include the unincorporated area known as Viking Village; and
- WHEREAS**, The Town of New Chicago and Lake County have determined that entry into a joint interlocal agreement is in the best interest of the residents of New Chicago and Lake County, and therefore, have determined that it is advisable to enter into and become a participating unit under such a joint

interlocal cooperation agreement pursuant to the applicable provisions of State Law, as amended from time to time.

COVENANTS

NOW, THEREFORE, the TOWN OF NEW CHICAGO AND LAKE COUNTY, in consideration of the terms and conditions set forth herein, all of which are hereby acknowledge, do hereby agree to the following:

SECTION 1. DURATION.

The duration of this Agreement shall be 3 years from its effective date.

SECTION 2. PURPOSE.

The purpose of this Agreement is to set forth and establish the responsibilities and obligations of the Town of New Chicago and Lake County concerning the Mutual Aid Agreement.

SECTION 3. PROJECT DEFINED.

- A. The Town of New Chicago shall provide firefighting services to the unincorporated area in Lake County, Indiana including the area known as Viking Village.
- B. Lake County shall transfer to the Town of New Chicago paid to March 31, 2018 the sum of \$50,780.00 to purchase the equipment listed in the attached Exhibit A.

SECTION 4. PROJECT FUNDING.

Lake County agrees to transfer \$50,780.00 from funds available to Lake County to the Town of New Chicago.

SECTION 5. ADMINISTRATION AND AUTHORITY DELEGATION.

- A. This Agreement shall be administered through the Town of New Chicago who shall have all of the powers available to them as a unit of local government.
- B. The Clerk-Treasurer of the Town of New Chicago is hereby designated to receive, disburse, and account for all funds pursuant to this Agreement, and further, that all claims for supplies, materials, services or other expenses shall be examined and approved by the appropriate officials of the Town of New Chicago.
- C. Annually, the President of the New Chicago Town Board, the New Chicago Clerk-Treasurer, and the President of the Board of Commissioners, County of Lake shall meet to review the program and more specifically to review a report of the services delivered by the Town of New Chicago to the unincorporated area in Hobart Township to include the area commonly known as Viking Village as fire protection services under this agreement. Based upon this review,

Page 2 of 6

Order #37 Agenda #46 cont'd

recommendations as to service delivery shall be made to the Town of New Chicago Fire Department.

SECTION 6. ASSIGNMENT OF RIGHTS.

No party shall assign, delegate or otherwise transfer its rights and obligations as set forth in this Agreement to any other entity.

SECTION 7. AMENDMENTS.

The terms of this Agreement may not be amended, supplemented, waived or modified without the prior written approval of all parties.

SECTION 8. FORCE MAJEURE.

Except as otherwise provided in this Agreement, the Town of New Chicago and Lake County, shall not be deemed in default or in breach of this Agreement to the extent it is unable to perform due to an event of Force Majeure. For the purpose of this Agreement, Force Majeure shall mean and include any act of God, accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of public enemy, failure of transportation facilities, enactment, rule, order or act of government or governmental instrumentality (whether domestic or intentional and whether federal, state or local, or the international equivalent thereof), failure of technical difficulties or any other cause of any nature whatsoever beyond the control of the Town of New Chicago and Lake County, which was not avoidable in the exercise of reasonable care and foresight.

SECTION 9. NOTICES.

All notices required to be given under this Agreement shall be in writing, and deemed sufficient to each party when sent by United States Mail, postage prepaid, or hand-delivered, to the following:

<u>Town of New Chicago</u>	<u>County</u>
Town of New Chicago	Lake County Board of Commissioners
Town Hall	2293 N. Main St., 3 rd Floor
122 Huber Blvd.	Crown Point, IN 46307
Hobart, Indiana 46342	
Attn: Board Pres., City Clerk-Treasurer & Town Attorney	Attn: Board of County Commissioners & Attorney to the Board of County Commissioners

SECTION 10. CAPTIONS.

The captions and section designations herein set forth are for convenience only, and shall have no substantive meaning.

SECTION 11. SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

SECTION 12. ENTIRETY OF AGREEMENT.

This Agreement represents the entire understanding between the parties and supersedes all other negotiations, representations, or agreements, whether written or verbal, relating to this Agreement. This Agreement shall inure to the benefit of, and shall be binding upon the parties, and their respective assigns and successors in interest.

SECTION 13. MATERIAL DISPUTE.

The parties agree that the Town of New Chicago and Lake County shall meet for resolution purposes. Thereafter, if the dispute is unable to be resolved, the parties agree that the dispute will be governed by the laws of the State of Indiana in a court of competent jurisdiction. The parties agree that each party shall be responsible for its own attorney fees, absent any applicable provision of the law to the contrary.

SECTION 14. COUNTERPARTS.

This Agreement shall be signed in counterparts and each of said counterparts shall be considered an original.

SECTION 15. RECORDING AND FILING.

Before this Agreement takes effect, it must be recorded by Lake County with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, the Agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I.C. 36-1-7-6.

SECTION 16. LIABILITY.

The Town of New Chicago agrees to indemnify Lake County for any damages and attorney fees which Lake County, its elected officials, its appointed officials, its offices, its departments, its employees, and any of its independent agents must pay which are attributable to the negligence of the Town of New Chicago in performing its obligations under this Agreement.

SECTION 17. SEQUENCE OF ACTION.

- A. The President of the New Chicago Town Board as its executive and the New Chicago Town Board will first approve and execute this agreement and record it in the minutes of the New Chicago Town Council.

Order #37 Agenda #46 cont'd

- B. The Board of Commissioners as the Lake County Executive shall then execute the agreement at an official public meeting.
- C. Since the agreement is signed by the executives of the two units, the attorney for the Board of Commissioners shall forward the document to the Indiana Attorney General for approval. If not acted upon within sixty (60) days from receipt, the interlocal is deemed approved.

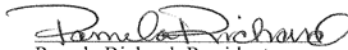
SECTION 18. PUBLIC ACTION.

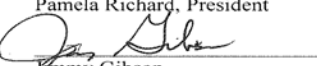
It is expressly acknowledged and stated that this Agreement is executed and entered into by Town of New Chicago and Lake County after action by and each entity to approve the Agreement at a duly advertised Public Meeting of the following:

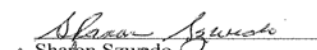
- A. By the President of the New Chicago Town Board, as its executive and by the New Chicago Town Board, as its fiscal body on the 13th day of December, 2017.
- B. By the Board of County Commissions of Lake County, Indiana, as the County the day of , 2017, by a vote of in favor and against and where the Lake County Auditor was directed to attest the action.

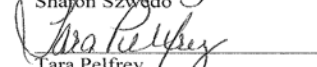
WITNESS WHEREOF, the parties, by their duly authorized officials and representatives have caused this Agreement to be executed this day of , 2017.

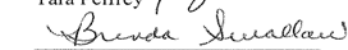
TOWN OF NEW CHICAGO,
LAKE COUNTY, INDIANA

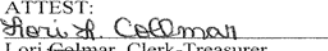

Pamela Richard, President


Jimmy Gibson


Sharon Szyedo

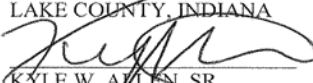

Tara Pelfrey

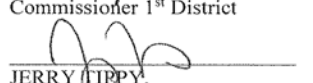

Brenda Swallow

ATTEST:

Lori Colmar, Clerk-Treasurer
Collmar

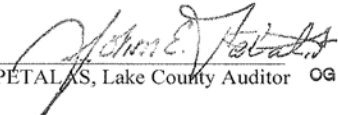
WITNESS WHEREOF, the parties, by their duly authorized officials and representatives have caused this Agreement to be executed this 17 day of Jan, 2018.

BOARD OF COMMISSIONERS,
LAKE COUNTY, INDIANA


KYLE W. ALLEN, SR.,
Commissioner 1st District


JERRY TIPPY,
Commissioner 2nd District


MICHAEL C. REPAY
Commissioner 3rd District

Attest: 
JOHN PETALUK, Lake County Auditor OG

Order #38 Agenda #47

In the Matter of Board of Commissioners of the County of Lake: Public Record of Letter from Commissioners' Attorney to Kelly S. Witte, Office of the Attorney General, Indiana Government Center South concerning Lorena E. Bostic v State of Indiana, et al.

Repay made a motion, seconded by Tippy, to make a matter of public record the Letter from Commissioners' Attorney to Kelly S. Witte, Office of the Attorney General, Indiana Government Center South concerning Lorena E. Bostic v State of Indiana, et al. Motion carried 3-0.

Order #39 Agenda #48

In the Matter of Board of Commissioners of the County of Lake: Donation of Parcel #45-11-16-378-002.000-036 to the Town of Schererville.

Tippy made a motion, seconded by Repay, to donate Parcel #45-11-16-378-002.000-036 to the Town of Schererville, donation of the certificate for Parcel #45-11-16-378-002.000-036 to the Town of Schererville. Motion carried.

Order #40 Agenda #49

In the Matter of Board of Commissioners of the County of Lake: Amended Lake County Vehicle Management Policy.

Comes now, Attorney Dull to speak on the matter of Amended Lake County Vehicle Management Policy, stating, "there are two amendments to the vehicle policy the first allows a civilian, assistant chief and the Sheriff's Department to have a take home car and the other one allows Highway to have those take home cars, that's the only change".

Repay made a motion, seconded by Tippy, to approve the amended Lake County Vehicle Management Policy. Motion carried.

**AMENDED
LAKE COUNTY VEHICLE MANAGEMENT POLICY**

I) APPLICABLE POLICY

A) Purpose

To establish a uniform policy for the assignment, operation and reporting of Lake County owned and leased vehicles.

B) Scope

This policy applies to the assignment, operation and reporting of all Lake County owned and leased vehicles by any county agency.

C) Controlling Policy

The policies outlined in this document control and supersede any other policy enacted by a department or office unless that policy meets the criteria specified in paragraph D below.

D) County Agency-Specific Vehicle Policies

A County agency may create additional agency-specific vehicle use provisions for its vehicles. An agency-specific policy may supplement, but not negate, any provision in this Lake County Vehicle Fleet Management Policy. A copy of any agency supplemented policy must be forwarded to the Lake County Commissioners, ATTN: Board President, at the time the agency's specific policy becomes effective. Any subsequent revisions and changes must also be submitted to the Lake County Commissioner President.

E) Exemption

This policy does not apply to the rental of vehicles for short term where the use is necessary because the official or employee is out of Lake County for one or more days on county business such as an educational seminar or a conference.

F) County Council Ordinances

This policy supplements but does not negate the policies established by the Lake County Council in the following Lake County Code of Ordinances.

- 1) Section 3.3, Vehicle Use Policy, Appendix A, Human Resources Manual, Chapter 32, Title III, Lake County Council Ordinance.
- 2) Section 35.01 through Section 35.07, County Policy, County Owned Vehicles, Chapter 35, County Policy, Title III, Lake County Administration.

YELLOW SECTIONS NOT YET ADOPTED

II) DEFINITIONS

For the purposes of this policy, the following definitions apply:

- A) "**County**" is the unit of local county government named Lake County.
- B) "**Commissioners' Administrator**" is the person appointed by the Lake County Commissioners as their administrator per IC 36-2-2-14.
- C) "**County Agency**" is any office or department that has a budget that is approved by the Lake County Council.
- D) "**County employee**" is any person who is directly employed by any County Agency, whether full-time, part-time, intermittent or temporary.
- E) "**County vehicle**" means any motor vehicle owned or leased by Lake County, Indiana or any of its agencies and where the cost is paid for by the County of Lake.
- F) "**Law Enforcement Officer**" is any sworn law enforcement agent who has the authority to arrest.
- G) "**Law Enforcement Vehicle**" is any vehicle assigned to or primarily operated by a Law Enforcement Officer, Law Enforcement vehicles which are not assigned to or primarily operated by a sworn law enforcement officer are not Law Enforcement vehicles for the purposes of this policy and therefore not exempt where Law Enforcement vehicles are exempt.
- H) "**County Commissioners**" are the Lake County Board of Commissioners who are the County Executive by statute and the owner of all county property.
- I) "**County Insurance Adjuster**" is the company under contract with the County to perform the function of accident investigation and damage assessment where county owned or leased property is involved.

III) VEHICLE ASSIGNMENT

- A) The elected official or department head responsible for the county agency shall assign vehicles to county employees for use in carrying out assigned tasks consistent with the role of the county agency.
- B) The safe operation of any motor vehicle owned or leased by Lake County, Indiana or any of its agencies where the cost is paid for by the County of Lake is necessary in order to continue to receive a vehicle assignment.

January 4, 2018

YELLOW SECTIONS NOT YET ADOPTED

1. If a county employee is assigned a county vehicle and has two damage claims within a calendar year that are the fault of the assigned driver, then the elected official or department head will revoke the vehicle assignment. In determining the foregoing, the following are relevant:
 - a. The damage caused was the fault of the county employee.
 - b. The element of fault will be determined after an investigation by Lake County's third party insurance adjuster.
 - c. The damage can be that cause to a person and/or to property.
 - d. The property damaged can be either owned or leased by Lake County or owned or leased to a third party.
2. If the items spelled out in paragraph III B1 occur, then the county employee will not be assigned a county vehicle by any elected official or department head for a period of one year.
3. If a county employee is charged with any offense of the Indiana Criminal Code involving alcohol or drugs then the employee will not be permitted to operate a county owned or county leased vehicle until the conclusion of the case. At the conclusion of the case, the elected official or department head will make a determination as to whether the employee can be assigned a county owned or county leased vehicle.

IV) PERSONS ASSIGNED TAKE HOME VEHICLE

A) Privilege

The assignment of a take-home vehicle is a privilege and not a benefit or right of employment.

B) Lake County Sheriff's Take Home Vehicles

- 1) Police Vehicles.
 - a) Probationary police officers and civilian employees shall not be assigned a take-home vehicle.
 - b) A civilian chief of staff in the Sheriff's Department shall be allowed a take home vehicle.
- 2) Residency of Police Officers
 - a) Officers who have a principal residence located outside of Lake County will not qualify for assignment of a take-home vehicle.

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- b) If an officer assigned a take-home vehicle moves their principal residence outside of Lake County, they must immediately notify the department of their change in residency and turn in their take-home vehicle.
- c) Officers whose principal residence is in Porter County, Jasper County or Newton County at the time of the adoption of this policy are exempt from the residency requirement and are eligible for a take-home vehicle.

C) **Non Sheriff's Department Take Home Vehicles**

The following vehicles assigned to the identified departments are designated as take home vehicles by this policy.

- 1) Lake County Coroner (1 Coroner and 3 First respondents only)
- 2) Lake County Highway Department (covers 1 Superintendent, 1 Assistant Superintendent, 1 Engineer, 4 Supervisors and 3 Foremen and 1 Seasonal Foreman)
- 3) Lake County Building Engineer Department (1 vehicle to be used by the person whose job description is titled Superintendent of Buildings)
- 4) Lake County Emergency Management (1 Director)
- 5) Lake County Prosecutor (1 vehicle)

D) **Use of Take-Home Vehicles**

- 1) Person assigned a take-home vehicle shall commute to and from work and their principal residence with said assigned vehicle as long as their primary residence is in Lake County.
- 2) Take-home vehicles shall not be used or driven for any personal business, off-duty employment or other personal use, except as follows:
 - (a) Person are permitted to make convenience stops while traveling their normal route to and from work if such stops are of a short duration and do not require additional travel.
 - (b) Stops at a business site while en route to or from work must be brief, not subject the vehicle to undue risk of damage and shall not be made at a business that would lend discredit to the county or its operations.
 - (c) Full time merit police personnel are exempt from this section.
- 3) No person other than the person assigned to the vehicle or other authorized department personnel shall operate a take-home vehicle.

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- 4) Non-departmental personnel and family members shall not be transported in a take-home vehicle except in case of an emergency. Full time merit police personnel are exempt from this section.

E) **Parking of Marked Vehicles.**

Patrol Officers shall park their vehicle at their residence in a legal and safe location that affords optimum visibility of the vehicle by the public.

F) **Assignment of Vehicle.**

This privilege regarding take home vehicles may be revoked or restricted by the Board of Commissioners at any time by modification of this policy.

V) **VEHICLE OPERATION**A) **Authorized Operators**

Only County employees may operate a County owned or leased vehicle. All County employees who operate a County vehicle must:

- 1) Possess a valid Indiana driver's license appropriate to the type of vehicle to be driven. The driver's license must not be suspended or set to expire before the County employee is expected to complete their travel.
- 2) Be an employee of the County of Indiana during the duration of the travel period.
- 3) Be conducting official business on behalf of the County.

B) **Authorized Passengers**

The following individuals may ride as passengers in a County vehicle:

- 1) A County official or employee conducting business on behalf of the County.
- 2) Wards of the County.
- 3) A passenger transported by a law enforcement officer while in the line of duty.
- 4) Passengers transported as part of an operator's specific duties.
- 5) A non-County employee who is an independent contractor conducting business on behalf of the County. All non-County employees traveling in a County-owned vehicle, except as defined in number 2, 3 and 4 above, must sign County

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Vehicle Form 1 (Waiver of Liability) before traveling in a County vehicle. A copy of this form is attached.

- 6) Any request for exception to this policy must be submitted in writing to the Lake County Commissioner by the Lake County Commissioner's designee. The request must be approved by the Lake County Commissioner, or their designee, before the exempted passenger travels in a County owned, County-leased or County-rented vehicle.
- 7) Full time merit police personnel are exempt from this section.

C) **Authorized Use**

County vehicles may only be used for the tasks outlined below.

- 1) Travel between the place where the County vehicle is dispatched and the place where the official County business is performed.
- 2) When on official travel status, travel between the place of County business and a place of temporary lodging or for obtaining food.

D) **Unauthorized Use**

County vehicles may not be used as outlined below:

- 1) Any use for personal purposes.
- 2) Travel or tasks that are beyond the vehicle's rated capability or capacity.
- 3) Travel outside the County of Lake, unless such travel has been pre-approved.
- 4) Transport of pets, livestock, domestic or wild animals except in the conduct of official County business.
- 5) Transport of cargo that has no relation to the performance of official County business.
- 6) Transport of acids, alcohol, explosives, weapons, ammunition or highly flammable material, except in the course of official duties.
- 7) Transport of these restricted items must be in compliance with all applicable local, County, and federal laws.
- 8) Transport of any item or equipment projecting from the side, front or rear of the vehicle in a way that constitutes an obstruction to safe driving or a hazard to pedestrians or other vehicles.

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- 9) Transport of employees from the normal place of business to restaurants or other places while not on official County business.
- 10) Engaging in any activity that would impede the safe operation of the vehicle.
- 11) Attending sporting events, including hunting and fishing which are not in the service of County business.
- 12) Unreasonably extending the length of time the vehicle is in your possession beyond that which is required to complete the official purpose of the trip.
- 13) All County officials and employees are prohibited from operating County vehicles at any time with any measurable amount of alcohol from alcoholic beverages or controlled substances in their bodies.
- 14) Operating a County vehicle without a valid driver's license or while said license is under suspension or revocation.
- 15) Smoking while in a County vehicle.
- 16) Adding any non-County issued devices, appliances, radios, antennas, seats, or other after-market equipment to a County vehicle, including but not limited to radar detectors, CB radios, satellite radios, fixed-mount GPS devices, speakers or car heaters to a County vehicle. Exemptions must be approved in writing by the agency.
- 17) Removing or disabling any item from a County vehicle that was either installed on the vehicle by the manufacturer or by the County, including but not limited to cruise control, radio, spare tire, jack, agency decals, door or seat belt warning buzzers, air bags, seats, seat belts, speakers, or On-Star equipment.
- 18) Agencies have the authority and responsibility to restrict County employees from operating County vehicles when the employee has a history of being an unsafe or irresponsible vehicle operator.
- 19) Full time merit police personnel are exempt from Sections 1 and 3.

E) **Employee Responsibility for Vehicle Use**

- 1) Employees are expected to use County vehicles in a responsible manner and within the bounds of all traffic and parking laws. The vehicle operator must pay any towing, storage, parking or traffic fines resulting from the operator's violation of existing laws or ordinances while operating a County vehicle. The County will not reimburse the operator for any such fines.

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- 2) Damages or other financial assessments related to County vehicles that, after official agency review, are determined to have been the result of the driver's poor judgment, irresponsibility, negligence, or violation of these rules may be charged to the employee. Such charges or assessments may include, but are not limited to, tow charges, damage to the vehicle and all traffic and parking violations.
- 3) Employee shall be responsible for checking the County vehicle before operation to ensure that the vehicle lights, turn signals, brake lights, and other safety equipment are functional on the County vehicle. Employees are to lock the doors of County vehicles when the vehicle is not in use.
- 4) Employees are not to drive any County vehicle with damages or defects which make the vehicle unsafe for operation.
- 5) The use of cellular phones while driving is strongly discouraged. If a cell phone must be used while driving, employees should pull over to the side of the road at the safest opportunity or pull into a rest stop or parking lot and stop the vehicle.
- 6) When fueling a County-owned or leased vehicle, the operator must:
 - a) Use the appropriate county pump for the vehicle if use of that pump is authorized.
 - b) Pay for fuel for the vehicle and seek reimbursement.

F) **Vehicle Operation Risk**

- 1) **Summary of County and County Employee's Risk**
There are four general vehicle damage scenarios when an employee is using a vehicle for County business. Below is a summary of those scenarios as well as information specific to who is responsible for payment.
- 2) **County vehicle damaged, County employee at fault:**
County pays for the repair of the county owned, leased, or rented vehicle. The other driver must file a tort claim, which is reviewed by the County's insurance adjuster to determine what liability the county may have in reference to the accident caused by the county employee. The Lake County Board of Commissioners will review the claim and determine whether to pay for damage or injury from the tort claim filed.

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- 3) **County vehicle damaged, non-County employee at fault:**
The county shall repair the vehicle if a repair recommendation is made by the county's insurance adjuster and approved by the Lake County Board of Commissioners. The county shall seek reimbursement from the third party insurance provider of the vehicle driven by the person causing the damage.
- 4) **Personal vehicle damaged, County employee at fault:**
The employee files a claim with their own insurance carrier and must pay their deductible. The other driver must file a tort claim with the Lake County Commissioners. The County's insurance adjuster will review the claim and determine whether to pay for damage or injury from the tort claim filed.
- 5) **Personal vehicle damaged, non-County employee at fault:**
Employee must file a claim with the other driver's insurance carrier or their own insurance carrier and pay their own deductible. The employee's insurance carrier has the ability to subrogate.

G) **County and County Employee Risk: Personally-Owned Vehicles**

- 1) Every person operating a motor vehicle on the public streets and highways of the County is statutorily required to maintain minimum insurance (See IC 9-25-4-5). When an employee drives their personally-owned vehicle (POV) for County business, the County reimburses that employee based on their mileage (\$.55 per mile as of July 1, 2013). The County's mileage reimbursement is provided to cover items such as depreciation (or lease payments), maintenance and repairs, tires, gasoline (including all applicable taxes), oil, insurance, and license and registration fees. Therefore, the County does not take on the liability of the County employee's personal vehicle because the cost is incorporated into the per diem the County pays the employee for driving their POV.
- 2) When a County employee drives their POV within the scope of employment and gets into an accident, the County employee is generally immune from a lawsuit brought by a passenger in their car or another injured third party (see IC 34-13-3-3). If the County employee is injured, the employee can file a workers' compensation claim but may not sue the County; recovery is limited to the workers compensation settlement. However, the employee may independently pursue a claim against a third party driver.
- 3) If a non-County employee passenger is injured while riding with a County employee in a personal vehicle during the course of County business, and some "fault" is placed upon the County employee, the passenger would have a proper tort claim and would have to file a claim under the Tort Claim Act to be reimbursed for injury or damage. If the County employee were

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sued for the incident by a passenger or a third party driver, the County would provide a defense. However, damage to the County employee's vehicle would not be covered by the Tort Claim Act but through their own insurance carrier.

H) **Vehicle Accident**

- 1) In case of a vehicle accident while operating a County vehicle: Call the Lake County Police or appropriate law enforcement agency. Make no statement as to fault or liability. If a claim results, respond to law enforcement authorities or someone hired by the County to investigate the accident.
- 2) Obtain the name, address, phone number, driver's license number, vehicle license plate, insurance company and policy number of all involved drivers. Diagram the accident.
- 3) Obtain the name, address, and phone number of witnesses and passengers. Complete and submit State Form 2121 (Indiana Operator's Proof of Insurance/Crash Report). The County employee driving the vehicle is also responsible for supplying the attending police department's report to the Commissioners' Administrator so that it can be attached to a repair estimate. A copy State Form 2121 is attached.
- 4) If the vehicle needs to be towed, every effort should be made to have the vehicle towed to the nearest secure County facility, in lieu of a private storage facility.

I) **Vehicle Theft Procedures**

In case of vehicle theft:

- 1) Notify the appropriate law enforcement agency.
- 2) Record the attending officer's name and badge number.
- 3) Obtain the name, address and phone number of any witnesses. Notify your agency elected official or department head of the theft.
- 4) Turn in any keys to the vehicle to the Lake County Board of Commissioners.

VI) **VEHICLE ACCOUNTING AND REPORTING**A) **Vehicle Fleet Administration**

The Commissioners' Administrator shall title, register and plate all county vehicles. The original vehicle title will be kept on file with the Lake County Board of

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Commissioners.

B) **Vehicle Markings**

- 1) All vehicles owned and operated by the county, excluding vehicles operated by county officials and vehicles used by the Lake County Sheriff's Department and Lake County Prosecutor's office for undercover purpose, shall bear a conspicuous county seal in the rear side windows.
- 2) The term County-Owned Vehicle shall include all vehicles in which the county has a possessory or ownership interest, including vehicles owned or leased, regardless of the funding mechanism used to acquire the vehicle.

C) **County Fleet Management System**

- 1) Each agency shall ensure that it files with the Lake County Auditor the necessary information to keep up to date the Lake County Capital Assets Summary.
- 2) The Commissioners' Administrator shall on a quarterly basis review the comprehensive database for all County-owned or leased vehicles maintained by the Lake County Auditor.
- 3) Each agency shall maintain a record keeping system which identifies vehicle usage of its assigned vehicle and will permit audit by the State Board of Accounts. A sample of the type of information to be maintained is attached as County Vehicle Form 2.

D) **IRS Requirements for Employer Provided Vehicles**

- 1) The Internal Revenue Service requires payroll tax withholding and compensation reporting (W-2) for employees using County-owned vehicles for non-business or commuting purposes.
- 2) The Lake County Auditor shall develop procedures for identifying a system to account for use of county owned or leased vehicles for non official business or commuting purposes.

VII) **Lake County Motor Pool Vehicles**A) **Purpose**

- 1) To ensure efficient and proper use of those County vehicles assigned to the Lake County Motor Pool.

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- 2) To provide a source of vehicles for the conduct of County business for those elected offices and departments that do not have assigned vehicles for their use.

B) Operational Responsibility

- 1) The Commissioners Administrator is assigned the responsibility for controlling the County's pool vehicle services.
- 2) Elected Officials and Department Heads are responsible to insure that the use of pool car vehicles shall be confined strictly to official business of the County of Lake

C) Procedure

- 1) Pool vehicles must be reserved in advanced. Attached is County Vehicle Form 3. Persons desiring use of a pool vehicle shall submit this form to the Commissioners' Administrator at least two days prior to the day for which the reservation is required.
- 2) Pool car vehicles shall be driven only by County employees with a valid Indiana Driver's License. All users of pool car vehicles must be authorized to drive as shown on the Authorized Drivers List which must be submitted to the Commissioners' Administrator by the Elected Official or Department Head.
- 3) The users of pool car vehicles shall comply with the County's policies regarding (1) operator's responsibility, and (2) reporting loss and damage to County property as set forth in this paragraph.
- 4) All pool car vehicles shall be formally signed out and in at the Commissioners' Administrator between the hours of 8:30 am and 4:30 pm. Keys for that vehicle only are to be checked out for use of the vehicle only immediately before usage of the vehicle.
- 5) The primary source of gasoline for operation of the vehicle is the Sheriff's Pump Station located North of the Lake County Jail. In filling the vehicle, the operator shall use the Commissioners' gas card. If during the operation of the vehicle there is a need to obtain gasoline, and the distance is too far from the pump, the operator shall utilize their credit card and pay for the gasoline for which the operator shall seek reimbursement. Keys and the gas credit card are to be returned promptly and not passed along to other employees.
- 6) No pool car can be held or reserved for future use. In the event a vehicle is required to be kept overnight, the overnight reservation box on County Form 3 shall be checked. A pool car vehicle may be kept overnight only if due to a late night or early morning business activity, or if out of town. Always provide reasonable time estimates for returning car pool vehicles to allow others to plan their trips. In consideration of energy saving measures, users are

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encouraged to combine trips with others attending the same meetings. If for some reason a trip exceeds the time estimated, please call 219-755-3206 to let the Commissioners' Administrator know that arrival will be later than expected. If the department is closed upon return, the keys shall be deposited in the security slot.

- 7) Each driver is responsible for the inner cleanliness of the pool car vehicle. If a vehicle requires washing, this fact shall be reported to the Commissioners' Administrator who shall make arrangements to have the vehicle washed through the use of personnel at Sheriff's Work Release Program, Community Corrections, or the Lake County Sheriff's Garage
- 8) In the event that service is required for the vehicle that causes it to be inoperable, the Commissioners' Administrator should be telephoned for assistance at telephone number 219-755-3206 or 755-3200. After 4:30 pm., the Lake County Patrol Division should be contacted at 210-755-3392.
- 9) Upon return, each person signing a pool car vehicle back in shall complete the Pool Car Vehicle Inspection section of County Form 3 and return it to the Commissioners' Administrator with the keys. Employees will record the mileage, the amount of gas in the tank, and leave the vehicle in clean condition containing the inventory of items listed on the County Vehicle Form 3.
- 10) There are designated parking spaces located in the pool car parking lot at the Lake County Government Center on the west side. All pool car vehicles are to be parked in the designated stalls by number. If privately owned vehicles are illegally parked in an assigned parking space, the Sheriff's Department is to be notified by the driver of the County vehicle. After notifying the Sheriff's Department of the illegally parked car, the pool car is to be parked directly behind the illegally parked vehicle bumper to bumper.
- 11) Abuse of pool car privileges, such as not returning keys, repeated late car returns or involvement in repeated accidents, will result in denial of future pool car privileges.
- 12) The provisions of this policy outlined in Section V, Vehicle Operation in Paragraphs A (Authorized Operators), B (Authorized Passengers), C (Authorized Use), D (Unauthorized Use), E (Employee Responsibility for Vehicle Use), F (Vehicle Operation Risk), H (Vehicle Accident), and I (Vehicle Theft Procedures) apply to the use of pool vehicle.

VIII. Vehicle Acquisition, Repair, and Maintenance**A) Vehicle Acquisition**

- 1) Any office or department desiring to acquire a vehicle either through

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purchase or lease shall submit the vehicle request to the Commissioners' Administrator.

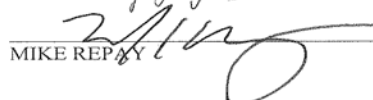
- 2) The Commissioners' Administrator shall review the vehicle inventory of the requesting office or department and make a recommendation to the Board of Commissioners.
- B) Vehicle Maintenance
- 1) An office or department with permanently assigned vehicles shall develop a maintenance program for their care.
 - 2) A Commissioners' Administrator shall develop a maintenance program for pool vehicles.
- C) Repair of Damaged Vehicles
- 1) The County's Insurance Adjuster shall be notified if any vehicle owned or leased by the County is damaged and have prepared a damaged estimate.
 - 2) The County's Insurance Adjuster shall utilize County Form 4 which is attached in the preparation of the repair estimate.

So Resolved, Passed and adopted this 17th day of January, 2018 by the Lake County Board of Commissioners, Lake County, Indiana.

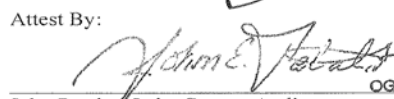
LAKE COUNTY BOARD OF COMMISSIONERS


KYLE W. ALLEN, SR.


JERRY TIPPY


MIKE REPAY

Attest By:


John Petalas, Lake County Auditor
January 4, 2018

Order #41 Agenda #50

In the Matter of Board of Commissioners of the County of Lake: Offer from Thomas Irrigation, Inc. to extend their 2017 snow removal prices through the year 2018 at the same rate for the Hammond Courthouse.

Repay made a motion, seconded by Tippy, to approve the offer from Thomas Irrigation, Inc., 441 W. Main Street, Schererville, IN 46375, to extend their 2017 snow removal prices through the year 2018 at the same rate for the Hammond Courthouse. Motion carried 3-0.

Order #41 Agenda #51

In the Matter of Board of Commissioners of the County of Lake: Damage Release, State of Indiana, L.L. No. 100-08-1040, Project ID E.006095, Draft No. 3551.

Repay made a motion to approve the damage release, Tippy seconded with discussion, asking, "so you're saying that they caused damage they paid us \$1100 and now we're releasing", Dull replied, "yes that is correct". Motion carried 3-0 for the approval of the Damage Release, State of Indiana, L.L. No. 100-08-1040, Project ID E.006095, Draft No. 3551.

Order #42 Agenda #52

In the Matter of Board of Commissioners of the County of Lake: Town of Merrillville request for parcel nos.: A-G.

Repay made a motion, seconded by Tippy, to donate the certificates for the parcels numbers listed in Items A-G to the Town of Merrillville. Motion carried 3-0.

- A. 45-12-04-281-015.000-030
- B. 45-12-04-281-016.000-030
- C. 45-12-04-281-017.000-030
- D. 45-12-04-281-018.000-030
- E. 45-12-04-281-019.000-030
- F. 45-12-16-426-001.000-030
- G. 45-12-16-426-002.000-030

Order #43 Agenda #53

In the Matter of Board of Commissioners of the County of Lake: Request for approval for the use Community Healthcare System, Occupational Health for initial treatment of work related injuries (workers compensation) so as to minimize the time and travel for our injured employees in our northern facilities to include St. Catherine Hospital, Community Hospital and St. Mary Medical Center.

Repay made a motion, seconded by Tippy, to approve the recommendation for the use Community Healthcare System, Occupational Health for initial treatment of work related injuries (workers compensation) so as to minimize the time and travel for our injured employees in our northern facilities to include St. Catherine Hospital, Community Hospital and St. Mary Medical Center. Motion carried 3-0.

Order #44 Agenda #54 A, B, C

In the Matter of Board of Commissioners of the County of Lake: Offers from the following to extend their 2017 photocopier maintenance bid through the first quarter of 2018 at the same rate. A. Adams Remco, Inc.; B. Gateway Business Systems, Inc.; C. McShane's, Inc.

Repay made a motion, seconded by Tippy, to approve the offers to extend 2017 photocopier maintenance bids through the first quarter of 2018 at the same rate for Adams Remco, Inc., Gateway Business Systems, Inc. and McShane's, Inc. Motion carried 3-0.

Order #44 Agenda #55

In the Matter of Board of Commissioners of the County of Lake: Offer from McShane's, Inc. to extend their 2017 office supply bid through the first quarter of 2018 at the same rate.

Repay made a motion, seconded by Tippy, to approve the offer from McShane's, Inc. to extend their 2017 office supply bid through the first quarter of 2018 at the same rate. Motion carried 3-0.

Order #45 Agenda #56A

In the Matter of Board of Commissioners of the County of Lake: Property disposal request – A. Lake County Auditor.

Repay made a motion, seconded by Tippy, to approve the request for property disposal for Lake County Auditor, items inspected by Mr. Cole. Motion carried 3-0.

Order #46 ADD Agenda #56B

In the Matter of Board of Commissioners of the County of Lake: Auditor to issue Tax Sale Certificates to the Board of Commissioners of the County of Lake dated 1-17-2018.

Repay made a motion, seconded by Tippy, to approve the request of the Auditor to issue the certificates. John Dull spoke, "there are some certificates we are working with that have the wrong date on them, we are trying to get the correct date". Motion carried 3-0.

Order #47 ADD Agenda #56C

In the Matter of Board of Commissioners of the County of Lake: Preliminary Official Statement dated January 8, 2018.

Repay made a motion, seconded by Tippy, to approve the Preliminary Official Statement (for the Judgment Bond) dated January 8, 2018. Motion carried 3-0.

Order #48 ADD Agenda #56D

In the Matter of Board of Commissioners of the County of Lake: Service Provider Agreement between Cardiotech CPR Training, LLC and the Board of Commissioners of the County of Lake for the period of March 1, 2018 to February 28, 2019 in an amount not to exceed \$34,000.00 payable at the rate of \$8,500.00 per quarter plus reimbursement for the cost of CPR/AED Cards.

Repay made a motion, seconded by Tippy, to approve the Service Provider Agreement between Cardiotech CPR Training, LLC and the Board of Commissioners of the County of Lake for the period of March 1, 2018 to February 28, 2019 in an amount not to exceed \$34,000.00 payable at the rate of \$8,500.00 per quarter plus reimbursement for the cost of CPR/AED Cards. Motion carried 3-0.

Order #49 ADD Agenda #56E

In the Matter of Board of Commissioners of the County of Lake: BIDS: HVAC in the Penthouses at the Lake County Government Center.

This being the day, time and place for the receiving of bids for HVAC in the Penthouses at the Lake County Government Center for the Lake County Commissioners the following bids were received:

Quality Control Systems, Inc.	\$1,517,000.00
Mechanical Concepts Inc.	\$1,900,000.00

Repay made a motion, seconded by Tippy, to take the above-mentioned bids under advisement for further tabulation and recommendation. Motion carried 3-0.

Order #50 ADD Agenda Amended #56F

In the Matter of Board of Commissioners of the County of Lake: BIDS: Renovations in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center.

This being the day, time and place for the receiving of bids for Renovations in Bathrooms, Recorder's Office and Courtroom Areas at the Lake County Government Center for the Lake County Commissioners the following bids were received:

Gough Inc.	\$1,549,000.00
Gibson-Lewis LLC	\$1,795,500.00
Hasse Construction Co., Inc.	\$1,478,000.00
Precision Builders Inc.	\$1,775,000.00
Gariup Construction	\$1,479,500.00
Berglund	\$1,739,000.00

Repay made a motion, seconded by Tippy, to take the above-mentioned bids under advisement for further tabulation and recommendation. Motion carried 3-0.

Order #51 ADD Agenda #56G

In the Matter of Board of Commissioners of the County of Lake: BIDS: Material For LED Lighting Project.

This being the day, time and place for the receiving of bids for Material for LED Lighting Project for the Lake County Commissioners the following bids were received:

Midwestern Electric, Inc.	\$374,856.00
Continental Electric Company, Inc.	\$165,000.00
Sweney Electric Company, Inc.	\$356,500.00

Repay made a motion, seconded by Tippy, to take the above-mentioned bids under advisement for further tabulation and recommendation. Motion carried 3-0.

Order #52 ADD Agenda #56H

In the Matter of Board of Commissioners of the County of Lake: BIDS: Labor for LED Lighting Project.

This being the day, time and place for the receiving of bids for Labor for LED Lighting Project for the Lake County Commissioners the following bids were received:

CTN Solutions, Inc.	\$435,900.00
TK Electric, LLC	\$380,170.00
Production Distribution Companies	\$431,925.52

Repay made a motion, seconded by Tippy, to take the above-mentioned bids under advisement for further tabulation and recommendation. Bob Rehder spoke regarding lighting bids opened. Motion carried 3-0.

Order #53 ADD Agenda #56I

In the Matter of Board of Commissioners of the County of Lake: Bids from December 13, 2017 Commissioners Meeting Number 44B rejected. Midwestern Electric Inadvertently signed as approved. Approval needs to be rescinded.

Repay made a motion, seconded by Tippy, to rescind the inadvertently signed bid of Midwestern Electric from December 13, 2017 Commissioners Meeting Number 44B rejected. Motion carried 3-0.

Order #54 Agenda #22

In the Matter of L C Community Development – PROPOSALS: Two (2) Bus Shelters.

This being the day, time and place for the receiving of bids for Two (2) Bus Shelters for the Lake County Community Development Department, the following proposals were received:

	Site A	Site B	Total
Gariup Construction Co., Inc.	\$11,250.00	\$11,250.00	\$22,500.00
Precision Builders, Inc.	\$12,400.00	\$15,600.00	\$28,000.00
Ryan Construction Inc.	\$18,000.00	\$22,200.00	\$40,200.00
Larson Danielson Construction Co.	\$15,669.00	\$19,741.00	\$34,835.00

Repay made a motion, seconded by Tippy, to take the above-mentioned bids under advisement for further tabulation and recommendation. Motion carried.

Order #55 Agenda #58 A-I

In the Matter of Lake County Council Ordinances and Resolutions: Adopted the 9th day January, 2018 - Items A-I.

Repay to veto Item #58B – Ordinance No. 1356C-5 – An Ordinance Amending Ordinance No. 1356C Lake County Employee Handbook, 2013 Edition, Ordinance No. 1356C, (Lake County Code 32), Tippy seconded the motion to veto with discussion, stating, “my reason for agreeing with the veto is that we’re in the process of hiring a human resources director, we’re probably 30-45 days away and assuming everything runs smoothly I think it be best if we included our new director in any new policies created this year”, Allen, commented, “I would concur with that assessment”. Motion carried 3-0.

Repay made a motion, seconded by Tippy, to approve Items 58A, Ordinance amending the Ordinance establishing the Lake Ridge Fire Protection District, Ordinance No. 1022, Item 58C – Ordinance No. 1413C-1 – Ordinance amending the Lake County 2018 Salary Ordinance, Ordinance No. 1413C, Establishing Carry-Over Positions and Salary Changes Approved After the 2018 Budget Deliberations, Item 58D – Ordinance No. 1413C-2 – Ordinance amending the Lake County 2018 Salary Ordinance, Ordinance No. 1413C, establishing a salary increase in the Lake County Sheriff’s Jail Budget - #3100, Item 58E – Ordinance No. 1416A – Lake County Mileage Rate Ordinance for 2018, Item 58F – Resolution No. 18-01 – Resolution recognizing February as Black History Month, Item 58G – Resolution No. 18-02 – Resolution Honoring the Lake County Library, as the recipient of the Indiana Library Federation’s outstanding Library Award, Item 58H – Resolution No. 18-03 - Resolution Honoring Debbie Rzepczynski as the recipient of the Indiana Library Federation’s Volunteer Award, and Item 58I – Resolution No. 18-04 – Resolution to approve transfer of \$426,075.00 from web maintenance fund, fund 256, Department 3800, Department 3900, Department 3910, Department 4000, Department 4030, Department 4040, Department 4050, Department 4070, Department 4100, and Item 58J – Resolution No. 18-05 – Resolution permitting the office of the Public Defender to pay outstanding 2017 invoices/debts from the 2018 budget, Item 58K – Resolution No. 18-06 – Resolution permitting the office of the Public Defender to pay outstanding 2017 invoices/debts from the 2018 budget, Item 58L – Resolution No. 18-07 – Resolution condemning acts of violence, Tippy seconded the motion. Motion carried 3-0. (SEE FILE “2018 ORDINANCES & RESOLUTIONS FOR ITEM)

Order #56 Agenda #59

In the Matter of Poor Relief Decisions

Repay made a motion, seconded by Tippy, to approve the Poor Relief Decisions submitted by the Poor Relief Hearing Officer. Motion carried 3-0.

Jeffery Walker Approved

Beatrice Galist Denied for appellant's failure to appear
Jasmine Evans Approved

Order #56 Agenda #59 cont'd

Jaquan Martin Approved/partial
Arnold Simpson Denied for appellant's failure to appear
Nakia Banks Denied for appellant's failure to appear
Michelle Brawn Denied for appellant's failure to appear
Martha Tapper Approved/partial
Shana Joshua Denied for appellant's failure to appear
La'Toya Jones Denied
Elizabeth Strycek Denied
Tiffany Strugis-Holden Denied
Traci Kinard Denied for appellant's failure to appear
Mary Thomas Denied
Ted McCoy Approved
Bernice Thompson Approved
Edward Lott Denied for appellant's failure to appear
Darci Morgan Approved/partial
Angela Gray Denied
Stephanie Castro Denied for appellant's failure to appear
Veronica Cross Denied

Order #56 Agenda #60A-B

In the Matter of Pay Immediate (hand cut) Checks: A. December, 2017; B. Direct debit claims for pay 1/8/2018.

Repay made a motion, seconded by Tippy, to approve the pay immediate hand cut checks for December 2017 and the Direct Debit Claims for pay 1/8/2018. Motion carried 3-0.

Order #57 Agenda #61A

In the Matter of Appointments: A. Public Record of Certificates of Appointment from Commissioners Appointments made at the December 20, 2017 meeting.

Repay made a motion, seconded by Tippy, to make a matter of public record the Certificates of Appointment from Commissioners Appointments made at the December 20, 2017 (Frank Kalvaitis – Board Member – Lake County Plan Commission – exp 12/31/2021; Shad Whisler – Board Member – Lake County Plan Commission – exp 12/31/2021). Motion carried 3-0.

Order #58 Agenda #61B

In the Matter of Appointments: Annual Appointments.

Repay made a motion, seconded by Tippy, to approve the Annual Appointments for the year 2018, those which have expired 12/31/17. 2018 Appointments read aloud by Commissioner Repay. Motion carried 3-0.

COMMISSIONERS

President, Board of Commissioners
Vice President, Board of Commissioners

Allen Sr., Kyle
Repay, Michael

DEPARTMENTS

Commissioners' Administrative Assistant
Equal Employment Opportunity Officer
Fairgrounds Superintendent
Highway Superintendent
Highway Assistant Superintendent
Highway Engineer
Purchasing Agent
Veterans Service Officer

Cole, Delvert
Allen Sr., Kyle
Carlson, Paul
Smoljan, Jan
Gregory, Ronald
Alverson, Duane
Koselke, Brenda
Guiden, Raymond

BOARD & COMMITTEE APPOINTMENTS

Alcoholic Beverage Commission
Contractors Licensing Board
Contractors Licensing Board
Data Board
Drainage Board
Drainage Board
Drainage Board
Economic Development Commission
Eleven County Drainage Board
Emergency Management Advisory Council
Family and Children Protection Team
Health, Board of
Health, Board of
Homeland Security & Emergency Management
District One Planning Committee
Homeland Security & Emergency Management
District One Oversight Committee
Insurance Oversight Committee
Jail Oversight Committee
Jail Oversight Committee
Little Calumet River Basin Development Commission

Hardesty, Nicholas J.
Tippy, Jerry
Pozzi, Joe
Allen, Sr. Kyle W.
Repay, Michael
Allen, Sr. Kyle W.
Tippy, Jerry
Spitale, Dan
Tippy, Jerry
Repay, Michael
Gopal, Kalyani
Golden, Phillip
Krejci, R.N., Deborah S.
Tippy, Jerry
Delver Cole, proxy
Tippy, Jerry
Delvert Cole, proxy
Repay, Michael
Repay, Michael
Blanchard, Larry
Castellanos, David

Northwest Indiana Community Action Corp	Allen, Sr., Kyle W.
Northwest Indiana Regional Planning Commission	Allen, Sr., Kyle W.
Northwest Indiana Workforce Board	Allen, Sr., Kyle W.
Plan Commission	Tippy, Jerry

Order #58 Agenda #61B cont'd

BOARD & COMMITTEE APPOINTMENTS

Private Industry Council	Hughes, Danita Johnson
Private Industry Council	Corcoran, Barbara
Private Industry Council	Costello, Anthony
Property Tax Assessment Board of Appeals	Salzeider, Robin
Property Tax Assessment Board of Appeals	Wickland, David
Public Defenders Board	Repay, Michael
Real Estate Disposal Committee	Allen, Sr., Kyle W.
Redevelopment Commission	Bainbridge, Thomas
Redevelopment Commission	Allen, Sr., Kyle W.
Redevelopment Commission	Trevino, Debbie
Redevelopment Commission	Palmateer, Randy
Redevelopment Commission (Council Appt)	Franklin, Elsie
Redevelopment Commission (Council Appt)	Brezik, John
Solid Waste Management Board	Tippy, Jerry
Veterans Affairs Study of Commission	Repay, Michael

Appointments skipped – Library Board appointment to Whiting; Property Tax Assessment Board of Appeals(1) appointment; Merit System Board appointment.....Repay noted that the Board of Commissioners have not heard anything regarding the appointments skipped (3).

Order #59 Agenda #62

In the Matter of Reports – Staff Reports

Comes now, Commissioners Attorney, with staff reports, stating, “the County under Commissioner Tippy’s leadership we’ve got a new program we’re going to be recording the various awards that are made with the gold until next September we’re going to be seeking a minimum of three for everything that we’ve got so she’s going record them directly (Sandi Radoja) and she’s developing an excel sheet, that’s the reason she’s here.

Order #60 Agenda #64

In the Matter of Commentary – Members of the Board of Commissioners.

Commissioner Allen, commented, thanked the other two Commissioners, his “fellow colleagues”, for allowing him to serve as their President.

The next Board of Commissioners Regular Meeting will be held on Wednesday, February 7, 2018 at 10:00 A.M.

There being no further business before the Board at this time, Repay made a motion, seconded by Tippy, to adjourn.

The following officials were Present:
Attorney Dull

KYLE ALLEN Sr., PRESIDENT

MICHAEL REPAY, COMMISSIONER

JERRY TIPPY, COMMISSIONER

ATTEST:

JOHN E. PETALAS, LAKE COUNTY AUDITOR