

The Board met in due form with the following members present: Roosevelt Allen, Jr., Michael Repay and Gerry Scheub. 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 1st day of April, 2013 at about 3:30 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 1st day of April, 2013 at about 3:30 p.m.

Order #1 Agenda #5A

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

None.

Order #2 Agenda #5B

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

Repay made a motion, seconded by Scheub, to approve the Additions – Item #26A – Lake County Sheriff request for permission to sell the 1974 Ex-Coast Guard 41 Foot UTB Serial #41390 Boat in the amount of \$3,000.00 to Paul Dykterok of Master Craft Marine and the Raymarine VHF Radio and Hummingbird Depth Sounder in the Amount of \$500.00; Corrections and Deletions – none. Motion carried.

Order #2 Agenda #5D-E

In the Matter of Notices/Agenda: Approval of Final Agenda for a matter of public record; Public Record of Certificate of Service of Meeting Notice to those who have made such written request.

Repay made a motion, seconded by Scheub, to approve and make a matter of public record the Final Agenda and Certificate of Service of Meeting Notice. Motion carried.

Order #3 Consent Agenda

In the Matter of Consent Agenda: Items #12 A-G, 16, 25, 27A – 27E, 31, 32A, & 33.

Repay made a motion, seconded by Scheub, to approve and make a matter of public record the Items of the Consent Agenda (Items #12 A-G; #16; #25; #27A-#27E; #31, #32A & #33). Motion carried.

Order #3 Consent Agenda #12 A-G

In the Matter of L C Highway – Certificates of Liability Insurance (Anker Trucking, Inc.; Beam Longest & Neff, LLC; UV Lofistics, LLC dba United Vision Logistics; CET Company, Inc./CET Equipment, Inc.; Sikma & Sons Plumbing Co., Inc.; Midwestern Electric, Inc.; Hardings, Inc.).

Repay made a motion, seconded by Scheub, to make a matter of public record the L C Highway – Certificates of Liability Insurance (Anker Trucking, Inc.; Beam Longest & Neff, LLC; UV Lofistics, LLC dba United Vision Logistics; CET Company, Inc./CET Equipment, Inc.; Sikma & Sons Plumbing Co., Inc.; Midwestern Electric, Inc.; Hardings, Inc.). Motion carried.

Order #3 Consent Agenda #16

In the Matter of L C Plan Commission – 2012 Annual Report.

Repay made a motion, seconded by Scheub, to make a matter of public record the L C Plan Commission – 2012 Annual Report. Motion carried.

Order #3 Consent Agenda #25

In the Matter of L C B.O.C. – Public Record of Commissioner Repay letter giving Kathleen Benich authorization to sign and initial Commissioners documents on his behalf.

Repay made a motion, seconded by Scheub, to make a matter of public record the letter of Commissioner Repay authorizing his secretary Kathleen Benich to sign and initial Commissioners documents on his behalf. Motion carried.

Order #3 Consent Agenda #27A

In the Matter of IDEM: Indiana Department of Environmental Management.

Repay made a motion, seconded by Scheub, to make a matter of public record the Notices of the IDEM: Indiana Department of Environmental Management (Ramsey Development, LLC; W.R. Grace & Co.). Motion carried.

Order #3 Consent Agenda #27B

In the Matter of IDEM: Indiana Department of Transportation.

Repay made a motion, seconded by Scheub, to make a matter of public record the Notices of the IDEM: Indiana Department of Transportation (Railroad crossing(s) upgrade). Motion carried.

Order #3 Consent Agenda #27C

In the Matter of IDEM: Certificates of Liability Insurance.

Repay made a motion, seconded by Scheub, to make a matter of public record the Notices of the IDEM: Certificates of Liability Insurance (Surface America, Inc.; Surface America, Inc.). Motion carried.

Order #3 Consent Agenda #27D

In the Matter of IDEM: Continuation Certificates

Repay made a motion, seconded by Scheub, to make a matter of public record the Notices of the IDEM: Continuation Certificates (Westside Mechanical, Inc.). Motion carried.

Order #3 Consent Agenda #27E

In the Matter of IDEM: Cancellation Memos.

Repay made a motion, seconded by Scheub, to make a matter of public record the Notices of the IDEM: Cancellation Memos (C/R Homes, Inc.; Aspen Contracting, Inc.; Bejar LLC; Schwarz Welding & Frabricating; Kvaerner North American Construction, Inc.). Motion carried.

Order #3 Consent Agenda #31

In the Matter of Vendor Qualification Affidavit

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

ARAMARK REFRESHMENT SERVICES
ALL TIRE SERVICES, LLC
PARAMOUNT APPAREL INTERNATIONAL, INC. DBA IMPERIAL SPORTS
JANINE FRIZZO DBA TARTTOWN TEAS
JEROME J. SVITKO DBA LEMON LAKE FLIGHT CENTER
GRILLCO, INC. DBA GUS BOCK'S ACE HARDWARE

Order #3 Consent Agenda #32A

In the Matter of Appointments: Public Record of Certificate of Appointment from Commissioners Appointment made on March 20, 2013 to the Community Corrections Advisory Board.

Repay made a motion, seconded by Scheub, to make a matter of public record the Certificate of Appointment from Commissioners Appointment made on March 20, 2013 to the Community Corrections Advisory Board, Kevin Huseman. Motion carried.

Order #4 ADD Agenda #26A

In the Matter of Lake County Sheriff request for permission to sell the 1974 Ex-Coast Guard 41 Foot UTB Serial #41390 Boat in the amount of \$3,000.00 to Paul Dykterok of Master Craft Marine and the Raymarine VHF Radio and Hummingbird Depth Sounder in the Amount of \$500.00.

Repay made a motion, seconded by Scheub, to approve the request of the L C Sheriff to sell the 1974 Ex-Coast Guard 41 Foot UTB Serial #41390 Boat in the amount of \$3,000.00 to Paul Dykterok of Master Craft Marine and the Raymarine VHF Radio and Hummingbird Depth Sounder in the Amount of \$500.00. Motion carried.

Order #5 Agenda #6

In the Matter of L C Highway – Contract for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for the year 2013.

The Board having previously taken the bids under advisement does hereby award **Rieth-Riley**, 7500 W 5th Avenue, Gary, IN 46406, with \$344,250.00 for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for the Highway Department for the year 2013, upon a motion made by Repay, seconded by Scheub, recommended by Highway Superintendent. Motion carried.

And it appearing to said Board of Commissioners that the above company's bid being the most responsive and responsible bid for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for 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:

RIETH-RILEY CONSTRUCTION CO., INC. W/ *Travelers Casualty and Surety Company of America* in the amount of 5% of bid total 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 BITUMINOUS MATERIALS FOR ROADWAY PATCHING, BRIDGE DECK AND APPROACH OVERLAYS (DELIVERED AND APPLIED) FOR LAKE CO. HIGHWAY FOR \$344,250.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: April 3, 2013

ROOSEVELT ALLEN, Jr.
GERRY SCHEUB
MICHAEL REPAY

RIETH-RILEY CONSTRUCTION CO., INC.

Order #6 Agenda #10 cont'd

Repay made a motion, seconded by Scheub, to approve the County Utility Agreement with Comcast Cable & Western Utility Contracts for north R.O.W. of West 101st Avenue & Building/14785 W. 101st Avenue on behalf of L C Highway. Motion carried.

Order #7 Agenda #11

In the Matter of L C Highway – County Utility Agreement with AT&T-Indiana for buried telephone facilities at 5823 W. 85th Avenue, St. John Township.

Repay made a motion, seconded by Scheub, to approve the County Utility Agreement with AT&T-Indiana for buried telephone facilities at 5823 W. 85th Avenue, St. John Township on behalf of L C Highway. Motion carried.

Order #8 Agenda #21

In the Matter of L C B.O.C. – Bridge Transfer Memorandum of Agreement between the City of Gary and the Gary Chicago International Airport Authority and the Board of Commissioners of the County of Lake.

Repay made a motion, seconded by Scheub, to defer. Motion carried 3-0.

Order #9 Agenda #13

In the Matter of L C Community Economic Development Department – Community Development Block Grant Public Hearing.

At this time, Commissioner Allen, opened this meeting as a Public Hearing regarding Community Development Block Grant, opening remarks read aloud by Board President, Allen.

Comes now, the Board will submit into the record – the Affirmative Action Program, Section 3 Understanding as is, and also the approval of the Resolution Authorizing and Directing The President of the Lake County Board of Commissioners to Submit A Projects Proposal for Community Development Block Grant Funds for Federal Fiscal Year 2013 & 2014, upon closing of the public hearing.

At this time, Commissioner Allen, called for anyone of the public to speak for or against said Grant.....total project \$25,000.00.....any public comments/input.....Hearing closed.

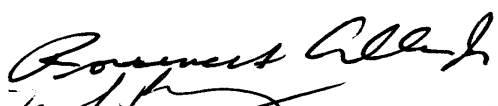
Repay made a motion, seconded by Scheub, to approve Resolution Number 2013-04, Resolution Authorizing and Directing The President of the Lake County Board of Commissioners to Submit A Projects Proposal for Community Development Block Grant Funds for Federal Fiscal Year 2013 & 2014. Motion carried.

**AFFIRMATIVE ACTION PROGRAM
IMPLEMENTING SECTION 3 OF THE
HOUSING AND URBAN DEVELOPMENT ACT OF 1968**

SPECIFIC AFFIRMATIVE ACTION STEPS

COUNTY OF LAKE agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and project area businesses.

- A. To ascertain from the HUD Area Office Director the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials of the department in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from the appropriate areas the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan or the U.S. Employment Service.
- C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source and to employ such persons, if otherwise eligible and if a vacancy exists.
- D. To insert this affirmative action plan in all bid documents, and to require all bidders to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish the goals.
- E. To insure that contracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project area, are also let on a negotiated basis, where ever feasible when let in a Section 3 covered project area.
- F. To formally contact unions, subcontractors and trade associations, to secure their cooperation for this program.
- G. To insure that all appropriate project area business concerns are notified of pending contractual opportunities.
- H. To maintain records including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 Affirmative Action Plan.



Signature

Order #9 Agenda #13 cont'd

LAKE COUNTY, INDIANA
Section 3 Understanding

The U.S. Department of Housing and Urban Development (HUD) issued regulations that provide the directive to create job opportunities for low-income persons when HUD funds are expended on a construction project. These regulations are known as Section 3 policy. The purpose of the Section 3 policy is to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low and very low-income persons.

Section 3 covered projects are construction, reconstruction, conversion, or rehabilitation of housing, including reduction and abatement of lead based paint hazards, or other public construction which includes building and improvements assisted with HUD housing and community development assistance. Section 3 covered contracts do not include contracts for purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

Fund recipients and contractors must show compliance with the numerical goals set forth by the regulations. The numerical goals for new hires apply only to the number of new hires generated because of the financial assistance of the HUD programs. The numerical goals are not absolute numerical requirements. They are goals that each recipient and contractor should try to reach. The goals, if not met, do not trigger sanctions against the recipient or contractor. However, if challenged on the issue of compliance with Section 3, the recipient or contractor should be ready to demonstrate that they tried to reach these goals. The goals are as follows:

- 30% of all covered new hires for the year FY 2013 & 2014

In addition, recipients and contractors are required to show compliance with the goal that at least 10% of any building trade activity which is subcontracted, and 3% of non building trade activity (construction management, etc.), is awarded to eligible Section 3 business concerns.

Further information regarding these requirements may be found in the Federal Regulations at 24 CFR 135 and the Lake County Section 3 Plan.

I certify that I have read the information above and understand the Section 3 requirements and numerical goals.

Name: *Timothy Bannister*

Title: *President Bd of Commissioners*

Date: *April 5, 2013*

Order #9 Agenda #13 (#14) cont'd

RESOLUTION NUMBER 2013-04

A RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE LAKE COUNTY BOARD OF COMMISSIONERS TO SUBMIT A PROJECTS PROPOSAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FEDERAL FISCAL YEAR 2013 & 2014

WHEREAS, under the provisions of Title 1 of the Housing and Community Development Act of 1974, as amended to date, Lake County, Indiana is authorized to provide financial assistance to units of general local government for undertaking and carrying out Community Development activities; and

WHEREAS, it is provided in such Act that the unit of general local government shall provide a satisfactory assurance prior to submission of its Application, that it has held one public hearing to obtain the views of citizens of Community Development needs; and

WHEREAS, it is desirable and in the public interest that Lake County, Indiana, hereinafter called the ("County"), undertake and carry out Community Development activities; and

WHEREAS, the County is proposing a project for assistance under the Housing and Community Development Act of 1974, as amended to date, and proposes to undertake and make available a total project cost of Twenty Five Thousand Dollars (\$25,000.00) and

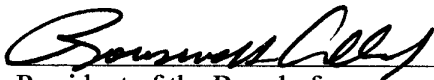
WHEREAS, the County has held one formal public hearing on the proposed program and has made available to the general public, through the mass media and other sources, information concerning the program; and

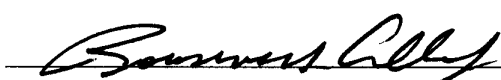


WHEREAS, the County has general knowledge of the proposed uses of such funds and is cognizant of the conditions that are imposed in the undertaking and carrying out of Community Development activities and undertaking with Federal financial assistance under Title 1, including those prohibiting discrimination because of race, color, creed, sex or national origin;

NOW THEREFORE, BE IT RESOLVED, by the County of Lake, Indiana:

Section 1: That the President of The Board of Commissioners of the County of Lake, IN is hereby authorized to file a Project proposal for funds under Title 1 of the Housing and Community Development Act of 1974, as amended to date, with Lake County, Indiana and provide all information and assurances as may be necessary under the Act.

The Board of Commissioners of the County of Lake


President of the Board of
Commissioners of the County of Lake

Order #10 Agenda #15

In the Matter of L C Emergency Management Agency – 2012 Emergency Management Performance Grant-Salaries Sub-Grant Agreement – CDFA #97.042, EDS# C44P-3-276B between the Indiana Department of Homeland Security and the Board of Commissioners of the County of Lake in an amount not to exceed \$42,775.70 from the 2012 Emergency Management Performance Grant Program.

Scheub made a motion, seconded by Repay, to approve the 2012 Emergency Management Performance Grant-Salaries Sub-Grant Agreement – CDFA #97.042, EDS# C44P-3-276B between the Indiana Department of Homeland Security and the Board of Commissioners of the County of Lake in an amount not to exceed \$42,775.70 from the 2012 Emergency Management Performance Grant Program on behalf of L C Emergency Management. Motion carried.

Order #11 Agenda #17

In the Matter of L C Data Processing – Agreement between Judge William Longer and the Board of Commissioners of the County of Lake for Lake County Data Board Attorney Services for the year 2013 in an amount not to exceed \$12,000.00 payable at the rate of \$90.00 per hour.

Order #11 Agenda #17 cont'd

Repay made a motion, seconded by Scheub, to approve the Agreement between Judge William Longer and the Board of Commissioners of the County of Lake for Lake County Data Board Attorney Services for the year 2013 in an amount not to exceed \$12,000.00 payable at the rate of \$90.00 per hour on behalf of L C Data Processing. Motion carried.

Order #12 Agenda #18

In the Matter of L C B.O.C. – Town of Dyer request for transfer of tax sale certificates as follows: A. 45-10-12-383-003.000-034; B. 45-11-18-280-006.000-034; C. 45-11-18-380-001.000-034.

Scheub made a motion, seconded by Repay, to approve the request of the Town of Dyer for transfer of tax sale certificates A. 45-10-12-383-003.000-034; B. 45-11-18-280-006.000-034; C. 45-11-18-380-001.000-034. Motion carried.

Order #13 Agenda #19

In the Matter of L C B.O.C. – Soloman Haymon Agreement – Property ID 45-08-27-351-012.000-004.

Repay made a motion, seconded by Scheub, to approve the Agreement for payment plan to pay delinquent taxes for Property ID 45-08-27-351-012.000-004. Motion carried.

Order #14 Agenda #20

In the Matter of L C B.O.C. – Consulting Contract between Robert Rehder and the Board of Commissioners of the County of Lake for the period of January 1, 2013 to December 31, 2014 for consulting services with regard to the Lake County Jail Construction Fund Bond (Ordinance 1344B) in an amount not to exceed \$72,000.00 payable at the rate of \$3,000.00 per month.

Repay made a motion, seconded by Scheub, to approve the Consulting Contract between Robert Rehder and the Board of Commissioners of the County of Lake for the period of January 1, 2013 to December 31, 2014 for consulting services with regard to the Lake County Jail Construction Fund Bond (Ordinance 1344B) in an amount not to exceed \$72,000.00 payable at the rate of \$3,000.00 per month. Motion carried.

Order #15 Agenda #22

In the Matter of L C B.O.C. – Bid Award for Juvenile Justice Center Telephone System Upgrade. Letter of Recommendation.

The Board having previously taken the proposals under advisement does hereby accept the proposal of **Tri-Electronics, Inc.** for \$57,999.00, not to exceed, for Telephone System Upgrade at Juvenile Justice Center, Lake County, Indiana, upon a motion made by Scheub made a motion, seconded by Repay. Motion carried.

Letter of Recommendation

March 28, 2013

Board of Commissioners
Of the County of Lake
Lake County Government Center
2293 North Main Street
Crown Point, IN 46307

Subject: Proposals under Advisement

Dear Commissioners:

Proposals were opened at the Commissioners meeting of September 19, 2012 for the Juvenile Justice Center Telephone System Upgrade and taken under advisement. The results were as follows:

Northwest Communications total \$106,336.11
Tri-Electronics, Inc. total \$57,999.00

I would like to recommend the low bid of Tri-Electronics, Inc. in the amount of \$57,999.00 at the most responsive and responsible. If you have any questions, please let me know.

Sincerely yours,
Robert Rehder

Order #16 Agenda #23

In the Matter of L C B.O.C. – SPECIFICATIONS: Lake County Jail Plumbing Project to be advertised. Bids to be returned on Wednesday, May 1, 2013 prior to 9:30 A.M. in the Lake County Auditor's Office.

Repay made a motion, seconded by Scheub, to approve the advertising of Specifications for Lake County Jail Plumbing Project for the return of bids by Wednesday, May 1, 2013 prior to 9:30 A.M. in the Lake County Auditor's Office. Motion carried.

Order #17 Agenda #24

In the Matter of L C B.O.C. – Notice of Mandatory Bidders Conference for Vendors interested in bidding on the Plumbing Work at the old Lake County Jail to be held on Tuesday, April 16, 2013 at the 10:00 A.M. in the Lake County Jail.

Repay made a motion, seconded by Scheub, to approve the Notice of Mandatory Bidders Conference for Vendors interested in bidding on the Plumbing Work at the old Lake County Jail to be held on Tuesday, April 16, 2013 at the 10:00 A.M. in the Lake County Jail. Motion carried.

Order #18 Agenda #26

In the Matter of L C B.O.C. – Request for property disposal from the Lake County Recorder.

Repay made a motion, seconded by Scheub, to approve the disposal request of the Lake County Recorder. Motion carried.

Order #19 Agenda #28

In the Matter of Lake County Expense Claims to be allowed Wednesday, April 3, 2013.

The Board hereby orders Commissioners Allowance of Lake County Expense Claims of Wednesday, April 3, 2013 to be paid out of the County Treasury upon the Warrant of the County Auditor according to the Lake County Claim Docket on file in the Auditor's Office.

Scheub made a motion, seconded by Repay, to approve and make a matter of public record the Claims and Docket, and ordered same for Auditor to include white claims for the review of Claims and Docket effective April, 2013. Motion carried.

Order #20 Agenda #29

In the Matter of Service Agreements

Scheub made a motion, seconded by Repay, to approve the following Service Agreements. Motion carried.

L C BOARD OF ELECTIONS AND REGISTRATION	W/	Chester, Inc.
L C BOARD OF ELECTIONS AND REGISTRATION	W/	Environmental Systems Research Institute, Inc. (ESRI)
L C HEALTH DEPARTMENT	W/	Chester, Inc.
L C HEALTH DEPARTMENT	W/	Healthcare Waste Management
L C SHERIFF	W/	Tee Jay Service Company
L C SUPERIOR COURT COUNTY DIV RM 3	W/	Word Systems, Inc.

Order #21 Agenda #32B

In the Matter of Appointments: Lake County Redevelopment Authority Appointment.

Repay made a motion, seconded by Scheub, to appoint Mr. Randy Palmateer to the Lake County Redevelopment Authority. Motion carried.

Order #22 Agenda #34

In the Matter of Staff Reports

Comes now, Attorney Dull, with a staff report regarding the T.A.W. Bids submitted to the Auditor on April 1, 2013, said bids have been opened and a recommendation is upon approval of the Board.

Repay made a motion, seconded by Scheub, to approve, with the recommendation of the L C Auditor, the acceptance of the low bids for 2013 Tax Anticipation Warrants (TAW) to **Chase Bank** at 0.80% for the General Fund and **Tech Credit Union** at 0.55% for Lake County Parks & Recreation. Auditor present, spoke. Motion carried.

Order #23 Agenda #38

In the Matter of Adjournment

Scheub made a motion, seconded by Repay, to cancel the Commissioners Meeting scheduled, to be held, May 15, 2013. Motion carried.

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

The next Board of Commissioners Meeting will be held on Wednesday, April 17, 2013 at 10:00 A.M.

The following officials were Present:

Attorney John Dull
Brenda Koselke
Tramel Raggs

ROOSEVELT ALLEN Jr., PRESIDENT

MICHAEL REPAY, COMMISSIONER

GERRY SCHEUB, COMMISSIONER

ATTEST:

PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR