

The Board met in due form with the following members present: Michael Repay, Kyle Allen, Sr. 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 15th day of September, 2017 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 15th day of September, 2017 at about 3:30 p.m.

Order #1 Agenda #5A

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

Allen made a motion, seconded by Tippy, to open Bids/Proposals. Motion carried.

Order #2 Agenda #5B w/D-E

In the Matter of Notices/Agenda: B. Additions, deletions, and/or corrections to Agenda for a Regular Meeting; D. Approved Final Agenda made a matter of public record; E. Certificate of Service of Meeting Notice and Posting to those who have made such written request to be made a matter of public record.

Allen made a motion, seconded by Tippy, to approve the Additions – Item #25A – Letter of Recommendation and Comparison of Offers with Regard to the Purchase of Property at 93rd Avenue & Main Street from Attorney Irak; Item #25B – Letter from the Lake County Agricultural Society requesting the use of the Lake County Fairgrounds for the 2018 Lake County Fair (2018 Fairgrounds Takeover Schedule Attached); Corrections – none; Deletions – Number 19, and ordered same to make a matter of public record the Final Agenda as amended and make a matter of public record the Certificate of Service of Meeting Notice and Posting to those who have made such written request. Motion carried.

Order #2 Consent Agenda

In the Matter of Consent Agenda.

Allen made a motion, seconded by Tippy, to approve and make a matter of public record the Items of the Consent Agenda (Items #6A a-h; #6B; #6C; #6D). Motion carried.

Order #2 Consent Agenda #6A-a

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

Allen made a motion, seconded by Tippy, to make a matter of public record the Notices of the IDEM: Indiana Department of Environmental Management (City of Crown Point Material Management Facility; Stericycle Environmental Solutions, Inc.; Illiana #4 Transfer Station; Buckeye Terminals, LLC; Stanrail; U.S. Steel GaryWorks; BP Products North America, Inc.; H-A Industries; Eckart America Corporation; Illiana Christian High School; Whiting Clean Energy, Inc.; Walsh & Kelly, Inc.; Lake County C&D Landfill; Buckeye Terminals, LLC; Oil Technology, Inc.; Eckart America Corporation; Town of Winfield). Motion carried.

Order #2 Consent Agenda #6A-b

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

Allen made a motion, seconded by Tippy, to make a matter of public record the Certificates of Liability Insurance Notices (Telephone Plus, Inc.; ADP TotalSource MI VI, LLC; Allied Constructors, Inc.; Illinois Truck & Equipment Co., Inc.; McAllister General Contractors, Inc.; Versitle Construction Group, LLC; Fogarty Enterprises, Inc.; Kwiatowski Masonry, Inc.; Goodwin Fire Equipment, Inc.; Delta III, Inc.; Plotke Asphalt Inc.; Performance Mechanical Contractors, Inc.; A&M Home Services, Inc.; Ziese & Sons Excavating, Inc.; Johnson Controls, Inc.; Ellas Construction LLC; Each One Teach One Foundation). Motion carried.

Order #2 Consent Agenda #6A-c

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

Allen made a motion, seconded by Tippy, to make a matter of public record the Continuation Certificate Notices (Midwest Property Maintenance Services, Inc.; Faith Technologies, Inc.; Sign Art, Inc.; HMM Systems, Inc.; HDS II Inc.; Versitle Construction Group, LLC). Motion carried.

Order #2 Consent Agenda #6A-d

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

Allen made a motion, seconded by Tippy, to make a matter of public record the Reinstatement Notices (Navarros, Inc.; Timber Ridge Builders, LLC; PGL Signs & Service, Inc.). Motion carried.

Order #2 Consent Agenda #6A-e

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

Allen made a motion, seconded by Tippy, to make a matter of public record the Cancellation Notices (Arnt Asphalt Sealing, Inc.; Autumn Landscaping; Pario Solutions, Inc.; Drywall Service of Gary, Inc.; Valley Glass Company; John Zarlengo Asphalt Paving Co.; Delta III, Inc.; Hooks AV LLC dba Hooks Concrete and Construction Co; Custom Concrete Co., Inc.; Timbr

Ridge Builders, LLC; Landscaping for Less; Ground Up Remodeling, Inc.; Elpidio Soto dba C&C HVAC; Mars Service Company, Inc.; Pro Flooring; Oertel Construction, LLC; Pritchard Mechanical Contractors, Inc. and Jack Pritchard; Rise to Heights General Order #2 Consent Agenda #6A-e cont'd

Contractors Inc.; Navarros, Inc.; Phil's Tile Service; Progressive Painting and Construction Services, Inc.; Sherly Tuckpointing & Building; J.V. Crane & Engineering, Inc; MVP Fire Systems, Inc.; SGE Services, Inc.; Absolute Trucking and Leasing Inc.; Wampler Works Inc.; Allen County Builders Supply, Inc; Jacobs Telecommunications, Inc.; PGL Signs & Service, Inc.). Motion carried.

Order #2 Consent Agenda #6A-f

In the Matter of Board of Commissioners of the County of Lake: Pipeline Association for Public Awareness.

Allen made a motion, seconded by Tippy, to make a matter of public record the Pipeline Association for Public Awareness Notice (Dated August 2017, www.pipeawareness.org). Motion carried.

Order #2 Consent Agenda #6A-g

In the Matter of Board of Commissioners of the County of Lake: Explorer Pipeline Safety Brochure.

Allen made a motion, seconded by Tippy, to make a matter of public record the Explorer Pipeline Safety Brochure Notice (Dated August 2017, www.expl.com). Motion carried.

Order #2 Consent Agenda #6A-h

In the Matter of Board of Commissioners of the County of Lake: Enbridge Pipeline Safety Presentation.

Allen made a motion, seconded by Tippy, to make a matter of public record the Enbridge Pipeline Safety Presentation Notice (Dated August 2017, www.enbridge.com/map). Motion carried.

Order #2 Consent Agenda #6B

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

Allen made a motion, seconded by Tippy, to approve the Vendor Qualification Affidavits. Motion carried.

TRAFFIC CONTROL SPECIALISTS, INC.
CO-ALLIANCE LLP
NICOLE BITER
NICOLE L. GANGA

Order #2 Consent Agenda #6C

In the Matter of Treasurer's Departmental Report for the month of July, 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 July, 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.

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

Order #2 Consent Agenda #6D

In the Matter of Weights and Measures Report for the period of 07/16/17-08/15/17.

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 07/16/17-08/15/17. 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.

Allen made a motion, seconded by Tippy, to accept the above Weights and Measures Report of July 16, 2017 – August 15, 2017 as submitted. Motion carried.

Order #3 Agenda #8

In the Matter of L C Highway – RFP: County Ditch Cleaning and Restoration from the following.

Allen made a motion, seconded by Tippy, to approve the seeking of proposals for County Ditch Cleaning and Restoration from the following on behalf of Lake County Highway Department for the return of proposals by Wednesday, October 18, 2017 by 9:30 A.M. in the Lake County Auditor's Office. Motion carried.

- A. Delta III Construction
- B. Dyer Construction Company, Inc.
- C. V-Mad Construction
- D. Austgen Equipment, Inc.
- E. Wunderink Trucking, Inc.
- F. Ellas Construction Co., Inc.
- G. R.A. Oros

Order #4 Agenda #9

In the Matter of L C Highway – Request for selection of a consulting engineering firm to provide construction inspection services for the replacement of Lake County Bridge #61, 135th Avenue over West Creek.

Allen made a motion, seconded by Tippy, to approve the selection of **United Consulting** as the Consulting Engineering Firm to provide construction inspection services for the replacement of Lake County Bridge #61, 135th Avenue over West Creek. Motion carried.

Order #5 Agenda #10

In the Matter of L C Highway – Request for selection of consulting engineering firm to provide construction inspection services for the replacement of Lake County Bridge #36, State Line Road over Kankakee River.

Allen made a motion, seconded by Repay, to approve the selection of **American Structurepoint** as the Consulting Engineering Firm to provide construction inspection services for the replacement of Lake County Bridge #36, State Line Road over Kankakee River. Motion carried 2-1, Tippy abstain.

Order #6 Agenda #7

In the Matter of L C Highway: BIDS: Rehabilitation of Lake County Bridge #240, Hohman Avenue over Grand Calumet.

This being the day, time and place for the receiving of bids for the Rehabilitation of Lake County Bride #240, Hohman Avenue over Grand Calumet for the Lake County Highway Department, the following bids were received:

Ellas Construction Co., Inc.	\$973,577.35
Superior Construction Co., Inc.	\$672,800.00
Gariup Construction Co.	\$743,700.00

Tippy made a motion, seconded by Allen, to take the bids under advisement for further tabulation and recommendation. Motion carried. (REPRESENTATIVE OF GARIUP CONSTRUCTION CO. PRESENT FOR BID OPENING W/JOHN DULL)

Order #7 Agenda #11

In the Matter of L C Sheriff – P.O. #3711636 for In Touch Pharmaceuticals for Rx for Jail Inmates for the month of August, 2017 in the amount of \$95,466.30.

Allen made a motion, seconded by Tippy, to approve the payment of P.O. #3711636 for In Touch Pharmaceuticals for Rx for Jail Inmates for the month of August, 2017 in the amount of \$95,466.30. Motion carried.

Order #8 Agenda #12

In the Matter of L C Public Defender, Conflicts Division – Amendment to the Agreement entered into on December 21, 2016 between Roseann Ivanovich and the Board of Commissioners of the County of Lake for an additional \$30,000.00 payable at the rate of \$90.00 per hour.

Allen made a motion, seconded by Tippy, to approve the Amendment to the Agreement entered into on December 21, 2016 between **Roseann Ivanovich** and the Board of Commissioners of the County of Lake on behalf of L C Public Defender, Conflicts Division for an additional \$30,000.00 payable at the rate of \$90.00 per hour. Motion carried.

Order #8 Agenda #13

In the Matter of L C Public Defender, Conflicts Division – Amendment to the Agreement entered into on December 21, 2016 between Aaron A. Koonce and the Board of Commissioners of the County of Lake for an additional \$20,000.00 payable at the rate of \$90.00 per hour.

Allen made a motion, seconded by Tippy, to approve the Amendment to the Agreement entered into on December 21, 2016 between **Aaron A. Koonce** and the Board of Commissioners of the County of Lake on behalf of L C Public Defender, Conflicts Division for an additional \$20,000.00 payable at the rate of \$90.00 per hour. Motion carried.

Order #8 Agenda #14

In the Matter of L C Public Defender, Conflicts Division – Amendment to the Agreement entered into on December 21, 2016 between Eric K. Morris and the Board of Commissioners of the County of Lake for an additional \$20,000.00 payable at the rate of \$90.00 per hour.

Allen made a motion, seconded by Tippy, to approve the Amendment to the Agreement entered into on December 21, 2016 between **Eric K. Morris** and the Board of Commissioners of the County of Lake on behalf of L C Public Defender, Conflicts Division for an additional \$20,000.00 payable at the rate of \$90.00 per hour. Motion carried.

Order #8 Agenda #15

In the Matter of L C Public Defender, Conflicts Division – Amendment to the Agreement entered into on December 21, 2016 between Patrick W. Young and the Board of Commissioners of the County of Lake for an additional \$20,000.00 payable at the rate of \$90.00 per hour.

Allen made a motion, seconded by Tippy, to approve the Amendment to the Agreement entered into on December 21, 2016 between **Patrick W. Young** and the Board of Commissioners of the County of Lake on behalf of L C Public Defender, Conflicts Division for an additional \$20,000.00 payable at the rate of \$90.00 per hour. Motion carried.

Order #9 Agenda #16

In the Matter of L C Board of Elections and Registration – Agreement between Ferree Movers and the Board of Commissioners of the County of Lake for the moving of the voting machines at the rate of \$22.00 per machine and \$120.00 per hour per crew.

Allen made a motion, seconded by Tippy, to approve the Agreement between Ferree Movers and the Board of Commissioners of the County of Lake on behalf of Lake County Board of Elections and Registration for the moving of the voting machines at the rate of \$22.00 per machine and \$120.00 per hour per crew. Motion carried.

Order #10 Agenda #17

In the Matter of L C Prosecutor – PO #3710791 for Lafayette Materials Management Company, Inc. stickers and file folders in the amount of \$2,872.30.

Allen made a motion, seconded by Tippy, to approve payment of PO #3710791 to Lafayette Materials Management Company, Inc. stickers and file folders in the amount of \$2,872.30. Motion carried.

Order #11 Agenda #18

In the Matter of L C Recorder – Agreement between Property Insight, a division of Rocky Mountain Support Services, an Arizona Corp. and the Board of Commissioners of the County of Lake in the amount of .10 cents per image for a recorded document and .20 cents per page for a recorded document including the index of the instrument number or book or page, or both for the period of September 20, 2017 to September 19, 2018.

Allen made a motion, seconded by Tippy, to approve the Agreement between **Property Insight**, a division of Rocky Mountain Support Services, an Arizona Corp. and the Board of Commissioners of the County of Lake on behalf of the Lake County Recorder in the amount of .10 cents per image for a recorded document and .20 cents per page for a recorded document including the index of the instrument number or book or page, or both for the period of September 20, 2017 to September 19, 2018. Motion carried.

Order #12 Agenda #20

In the Matter of L C Health Department – PO No. 3711657 for The Sidwell Company, Inc. for ARCGIS Training in the amount of \$3,675.00.

Allen made a motion, seconded by Tippy, to approve payment of PO No. 3711657 to The Sidwell Company, Inc. for ARCGIS Training in the amount of \$3,675.00. Motion carried.

Order #13 Agenda #21 A-F

In the Matter of L C Plan Commission – Release and acceptance of performance bonds for Farmington Meadows Phase II for: A. Loc #740 - \$85,800.00; B. Loc #741 - \$22,000.00; C. Loc #742 - \$700,810.00; D. Loc #732 - \$85,800.00; E. Loc #733 - \$22,000.00; F. Loc #734 - \$612,600.00.

Tippy made a motion, seconded by Allen, to approve the Release and acceptance of performance bonds for Farmington Meadows Phase II for Loc #740 - \$85,800.00, Loc #741 - \$22,000.00, Loc #742 - \$700,810.00, Loc #732 - \$85,800.00, Loc #733 - \$22,000.00, and Loc #734 - \$612,600.00 on behalf of Lake County Plan Commission. Motion carried.

RELEASE

WHEREAS, **Mark Langen** has on December 16, 2015 filed a PERFORMANCE BOND (in the form of a Irrevocable Standby Letter of Credit No. 732) issued by DeMotte State Bank in the amount of Eighty Five Thousand Eight Hundred Dollars and 00/100 (\$85,800.00) for required improvements to **Farmington Meadows Phase II**.

The Board of Commissioners of the County of Lake does hereby release said PERFORMANCE BOND in the amount of Eighty Five Thousand Eight Hundred Dollars and 00/100 (\$85,800.00) effective this date.

Dated _____ 20th _____ DAY OF _____ September _____, 2017

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

RELEASE

WHEREAS, **Mark Langen** has on December 16, 2015 filed a PERFORMANCE BOND (in the form of a Irrevocable Standby Letter of Credit No. 733) issued by DeMotte State Bank in the amount of Twenty Two Thousand Dollars and 00/100 (\$22,000.00) for required improvements to **Farmington Meadows Phase II**.

The Board of Commissioners of the County of Lake does hereby release said PERFORMANCE BOND in the amount of Twenty Two Thousand Dollars and 00/100 (\$22,000.00) effective this date.

Dated _____ 20th _____ DAY OF _____ September _____, 2017

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

RELEASE

WHEREAS, **Mark Langen** has on December 16, 2015 filed a PERFORMANCE BOND (in the form of a Irrevocable Standby Letter of Credit No. 734) issued by DeMotte State Bank in the amount of Seven Hundred Thousand Eight Hundred Ten Dollars and 00/100 (\$700,810.00) for required improvements to **Farmington Meadows Phase II**.

The Board of Commissioners of the County of Lake does hereby release said PERFORMANCE BOND in the amount of Seven Hundred Thousand Eight Hundred Ten Dollars and 00/100 (\$700,810.00) effective this date.

Dated 20th DAY OF September, 2017

Order #13 Agenda #21 A-F cont'd

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Farmington Meadows Phase II
BONDING COMPANY: DeMotte State Bank
PETITIONER: Mark Langen

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$85,800.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Farmington Meadows Phase II
BONDING COMPANY: DeMotte State Bank
PETITIONER: Mark Langen

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$22,000.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Farmington Meadows Phase II
BONDING COMPANY: DeMotte State Bank
PETITIONER: Mark Langen

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$700,810.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

Order #13 Agenda #22

In the Matter of L C Plan Commission – Performance Bond for Windy Knoll Estates Subdivision in the amount of \$6,067.00.

Tippy made a motion, seconded by Allen, to approve the L C Plan Commission – Performance Bond for Windy Knoll Estates Subdivision in the amount of \$6,067.00. Motion carried.

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Windy Knoll Estates
BONDING COMPANY: West Bend Mutual Insurance Company
PETITIONER: James & Janice Nichols

Order #13 Agenda #22 cont'd

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$6,067.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

Order #13 Agenda #23

In the Matter of L C Plan Commission – Performance Bond for Silver Creek South Subdivision in the amount of \$35,375.00.

Tippy made a motion, seconded by Allen, to approve the L C Plan Commission – Performance Bond for Silver Creek South Subdivision in the amount of \$35,375.00. Motion carried.

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Silver Creek South
BONDING COMPANY: First Midwest Bank
PETITIONER: Beans & Corn, LLC – Fred & Christina Doppler

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$35,375.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

Order #13 Agenda #24

In the Matter of L C Plan Commission – Performance Bond for Thorny Acres Subdivision in the amount of \$4,055.00.

Tippy made a motion, seconded by Allen, to approve the L C Plan Commission – Performance Bond for Thorny Acres Subdivision in the amount of \$4,055.00. Motion carried.

LAKE COUNTY PLAN COMMISSION

DATE: September 20, 2017
SUBDIVISION: Thorny Acres
BONDING COMPANY: Peoples Bank
PETITIONER: William and Becky Bultema

The Board of Commissioners of the County of Lake does hereby make acceptance of said Bond as of this date.

TOTAL: \$4,055.00

ALL OF WHICH IS HEREBY RESOLVED AND ADOPTED THIS 20TH DAY OF September, 2017

ENTERED IN BOND BOOK No. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS, COUNTY OF LAKE

MICHAEL REPAY, PRESIDENT
KYLE W. ALLEN, Sr., COMMISSIONER
JERRY TIPPY, COMMISSIONER

JOHN PETALAS, AUDITOR

Order #14 Agenda #25

In the Matter of Board of Commissioners of the County of Lake: Change Order No. 1 from Ziese & Sons Excavating, Inc. for liner repairs at Equalization Basin #1 in the amount of \$22,812.00.

Tippy made a motion, seconded by Allen, to approve Change Order No. 1 in the amount of \$22,812.00 from Ziese & Sons Excavating, Inc., 6929 W 109th Avenue, Crown Point, IN 46307-8843, for liner repairs at Equalization Basin #1 (Hermit's Lake). Motion carried.

Order #15 ADD Agenda #25A

In the Matter of Board of Commissioners of the County of Lake: Letter of Recommendation and Comparison of Offers with regard to the purchase of Property at 93rd Avenue & Main Street from Attorney Irak.

Comes now, Attorney Dull, before the Board of Commissioners, spoke on behalf of this matter, stating, "on behalf of Joe (Irak), I recommend that you award the property as you did at your last meeting, we received no additional bids for 93rd."

Allen made a motion to accept the recommendation and the letter based on the staff recommendation and the action taken by the Commissioners at its August meeting, Tippy seconded the motion. Motion carried 3-0.
(SEE FILE 'CONTRACTS' FOR PURCHASE AGREEMENT)



**OFFICE OF THE ATTORNEY
TO THE BOARD OF COMMISSIONERS**

LAKE COUNTY GOVERNMENT CENTER
2283 NORTH MAIN STREET
CROWN POINT, IN 46307
PH. 219/755-3058 • FAX 219/648-6138

September 19, 2017

LAKE COUNTY COMMISSIONERS
Via Email Transmission Only

koselbl@lakecountyin.org

In Re: RECOMMENDATION IN REGARDS TO OFFERS FOR PURCHASE OF
PROPERTY AT 93rd AVENUE & MAIN STREET

Dear Commissioners:

As you are aware, we received two offers to purchase the real estate at 93rd Avenue & Main Street, which is the property just east of the Purdue Co-op Building. We have discussed the issues with these offers in the past however, I am asking that you take final action for approval of one of the two offers that we received. Legal ads were placed in the newspaper advertising the parcel, along with a sign being placed on the property. No offers other than the two you are aware of have been received.

Both offers to purchase were made by one very reputable company as well as one very reputable individual. I know that the Board of Commissioners appreciates the offers made by each potential buyer and acknowledges that both offers were substantial and will serve to be a benefit to the taxpayers of Lake County. However, based upon the "Comparison of Offers" that I am attaching to this correspondence, **I am recommending the Offer to Purchase submitted by Paul G. Stracci based on the comparison of facts contained in my analysis.** Mr. Stracci's proposal is less speculative and based on the fact that each of the parties would be requesting similar zoning, the Stracci proposal would potentially have this project developed in a more timely fashion as the offer has no contingencies regarding any type of construction loan or pre-lease provisions.

Based upon all of the above as well as the attached, I am asking the Board of Commissioners to make a conditional approval of the Paul G. Stracci Offer to Purchase. Final approval would be subject to my continued negotiations with Mr. Stracci and his attorney in regards to the final terms and conditions of the Offer to Purchase which will be submitted back to the Board for the Board's ultimate approval of the Offer to Purchase.

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Lake County Board of Commissioners

If any of you have any questions or concerns regarding this recommendation, please do not hesitate to contact me. Thank you for your time and consideration.

Very truly yours,



Joseph S. Irak
Assistant Attorney to the
Lake County Board of Commissioners

JSI:tk
enclosure(s)

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE



APPROVED THIS 20th DAY OF September 2017

Order #15 ADD Agenda #25A cont'd

COMPARISON OF OFFERS
FOR PURCHASE OF PROPERTY AT 93rd & MAIN

J & M DEVELOPMENT

STRACCI

PURCHASE PRICE

\$415,000.00 W/NO EARNEST
MONEY DOWN

\$409,000.00 W/\$2,000.00
EARNEST MONEY DOWN

INTENDED USE

BOTH PARTIES HAVE INDICATED THAT THEY WOULD LIKE TO HAVE OFFICE SPACE AS WELL AS SOME RETAIL BUSINESS.

TIME TO CLOSE

MAXIMUM OF 16 MONTHS

MAXIMUM OF 280 DAYS
(APPROX. 9 MOS.)

CONTINGENCIES

1. NEEDS ACCESS & DRAINAGE
FROM COUNTY

1. NEEDS ACCESS & DRAINAGE
FROM COUNTY

2. WANTS 270 DAYS FROM DATE OF
SIGNING TO OBTAIN ALL NECESSARY
ZONING APPROVALS, LEAVING APPROX.
7 MONTHS TO CLOSE.

2. WANTS 270 DAYS FROM DATE
OF SIGNING TO OBTAIN ALL
NECESSARY ZONING APPROVALS,
LEAVING 10 DAYS TO CLOSE.

3. BUYER WILL TRY TO OBTAIN A
CONSTRUCTION LOAN AND WILL SEEK
OUT TENANTS TO LEASE SPACE IN
THE 16 MONTH TIME FRAME. IF
BUYER IS UNABLE TO OBTAIN THE
CONSTRUCTION LOAN, THE AGREEMENT
WILL BE CANCELED AT THE END OF
THE 16 MONTH PERIOD.

3. NO REFERENCES HAVE BEEN
MADE TO A CONSTRUCTION LOAN
OR TO FUTURE TENANTS.

TERMINATION OF AGREEMENT

BOTH PARTIES AGREE THAT EITHER BUYER OR SELLER CAN TERMINATE THE OFFER BASED ON THEIR SOLE AND EXCLUSIVE JUDGMENT, WITH ANY EARNEST MONEY PAID TO BE RETURNED TO THE PROPER PARTY.

Order #16 ADD Agenda #25B

In the Matter of Board of Commissioners of the County of Lake: Letter from the Lake County Agricultural Society requesting the use of the Lake County Fairgrounds for the 2018 Lake County Fair (2018 Fairgrounds Takeover Schedule Attached).

Tippy made a motion, seconded by Allen, to approve and accept the letter from the Lake County Agricultural Society and to confirm that all those dates are accepted. Motion carried. (SEE FILE "MEETING FOLDER" FOR LETTER/TAKEOVER SCHEDULE)

Order #17 Agenda #26 A-C

In the Matter of Review and Approval of the Minutes from Regular Meeting, Wednesday, August 16, 2017, Special Meeting, Thursday, August 24, 2017, and Special Meeting, Thursday, August 31, 2017.

Allen made a motion, seconded by Tippy, to approve the Minutes of the Board of Commissioners Regular Meeting held Wednesday, August 16, 2017 and Special Meetings held Thursday, August 24, 2017 and Thursday, August 31, 2017. Motion carried.

Order #18 Agenda #27

In the Matter of Lake County Expense Claims to be allowed Wednesday, September 20, 2017.

The Board hereby orders Commissioners Allowance of Lake County Expense Claims of Wednesday, September 20, 2017 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.

Allen made a motion, seconded by Tippy, 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 September, 2017. Motion carried.

Order #19 Agenda #28A-I

In the Matter of Lake County Council Ordinances and Resolutions – Adopted September 12, 2017.

Comes now, Board members, with discussion, Tippy began discussion regarding Item #28B – Ordinance No 1412A, stating, "its something that Attorney Dull and I have been working and the Council was kind enough to pass it on two readings at their last meeting but it was not the revision....." Dull, "I spoke with Ray Szarmach he suggested that you (the Board) pass this one (Ordinance 1412A) today and at the next meeting they (LC Council) will amend this", Tippy responded, "ok", Board discussion closed.

Allen made a motion, seconded by Tippy, to approve of Lake County Council Ordinances and Resolutions, Agenda Items 28 A – I. Motion carried.

- A. Ordinance No. 1409A-1 – Ordinance amending the Ordinance establishing the manner and form in which the Lake County Recorder may provide bulk form copies to a bulk user, Ordinance No. 1409A

Order #19 Agenda #28A-I cont'd

- B. Ordinance No. 1412A – Ordinance regulating and controlling outdoor events in Lake County, Indiana
- C. Ordinance No. 1412B – Ordinance establishing the Lake County Tax Sale Local Rules.
- D. Ordinance No. 1412C – Ordinance allowing or the pre-approved payment of claims for Lake County, Indiana.
- E. Ordinance No. 1412D – Ordinance granting the Recorder's request to use monies from the Recorder's Record Perpetuation Fund to supplement the Recorder's 2018 budget.
- F. Resolution No. 17-66 – Resolution Honoring Raphael Perez
- G. Resolution No. 17-67 – Resolution Honoring Marty Dziegłowicz
- H. Resolution No. 17-68 – Resolution in support of October as Breast Cancer Awareness Month.
- I. Resolution No. 17-69 – Confirmatory Resolution for the designation of an economic revitalization area

Order #20 Agenda #29, 30 & 31

In the Matter of Service Agreements; Poor Relief Decisions; Pay Immediate (hand cut) Checks A-D.

Allen made a motion, seconded by Tippy, to approve all Service Agreements, Poor Relief Decisions and Pay Immediate (hand cut) Checks. Motion carried.

Order #20 Agenda #29

In the Matter of Service Agreements.

There were none.

Order #20 Agenda #30

In the Matter of Poor Relief Decisions.

Allen made a motion, seconded by Tippy, to approve all Service Agreements, Poor Relief Decisions and Pay Immediate (hand cut) Checks. Motion carried.

Andrea Woodson	Denied for appellant's failure to appear
Kevon Ford	Approved/partial
Tiffany Williams	Denied for appellant's failure to appear
Brandell Kennedy	Denied for appellant's failure to appear
Monisha Jones	Denied
Gregory Posey	Approved
Cora Carter	Approved/partial
Valentino Bailey	Approved
Michelle Bivins	Approved/partial
Wanda Colon	Approved/partial
Chane' Haynes	Approved
Andre Harris	Approved/partial
Nina Gordon	Approved
Tamika Fawns	Denied for appellant's failure to appear
George Lyles	Denied for appellant's failure to appear
Natasha Hawkins	Approved/partial
Latarra Middleton	Denied for appellant's failure to appear
Kenyonda Moore	Denied for appellant's failure to appear

Hally Link	Approved on condition
Rhonda Hardin	Approved/partial
Kilva Riley	Approved
Alisha Daniels	Approved/partial
Versie Chatman	Denied for appellant's failure to appear
Robert Russell	Denied
Catherine Daniels	Denied
Priscilla Badie	Approved/partial
Tray Shawn Williams	Approved/partial
Sadie Golden	Denied for appellant's failure to appear
Walker Law	Remanded to township for further consideration and review
Elston Williams	Denied
Olana Lee	Remanded to township for further consideration and review
Michelle Young	Approved
Elisa Truss	Approved/partial
Crystal Pittman	Remanded to township for further consideration and review
Dominique Smith	Approved/partial
Duwane Johnson	Approved
Janice Martin	Remanded to township for further consideration and review
Mary Spurlock	Approved/partial
Katherine Britzman	Approved/partial
Crystal Pittman	Approved
Jacob Santos	Denied for appellant's failure to appear
Marquita Strong	Approved/partial
Latasha Johnson	Denied for appellant's failure to appear
Alana Lee	Denied for appellant's failure to appear
Crystal Reeves	Approved/partial
Law Walker	Approved/partial
Clifford Danzy	Denied
Donyel Mister	Approved/partial
Tammy Townsend-Bourne	Approved/partial
Muyon Griffin	Approved/partial
Stephanie Woodall-Wilson	Approved
Crystall Ruiz	Denied
Anazalia Lawson	Approved

Order #20 Agenda #31

In the Matter of Pay Immediate (hand cut) Checks A-D.

Allen made a motion, seconded by Tippy, to approve all Service Agreements, Poor Relief Decisions and Pay Immediate (hand cut) Checks. Motion carried.

Pay Immediate (hand cut) Checks:

- A. August, 2017
- B. Direct debit claims for pay 8/7/17
- C. Direct debit claims for pay 8/21/2017
- D. Direct debit claims for pay 9/1/2017

Order #21 Agenda #32 A-D

In the Matter Appointments: A. Assistant Highway Superintendent.

Allen made a motion, seconded by Tippy, to appoint Mr. Ron Gregory as Assistant Highway Superintendent, term expiring December 31, 2017. Motion carried.

Order #22 Agenda #32B

In the Matter of Appointments: B. Gary Regional Airport Authority; C. Judicial Nominating Commission – District 2; D. Hammond Library Board; E. Merit System Board.

Allen made a motion, seconded by Tippy, to defer Item 32 Items B, C, D, & E and the District 1 appointment (B. Gary Regional Airport Authority; C. Judicial Nominating Commission – District 2 including District 1; D. Hammond Library Board; E. Merit System Board). Motion carried.

Order #23 Agenda #32F

In the Matter of Appointments: F. Certificates of Appointment made at the Commissioners meeting on August 16, 2017 to be made a matter of public record.

Allen made a motion, seconded by Tippy, to make a matter of public record the Certificates of Appointment made at the Commissioners meeting on August 16, 2017 (Highway Department Superintendent – Jan Smoljan exp. 12/31/2017; Lake County Community Corrections Advisory Board – Albert Gay exp. 12/31/2019; Lake County Community Corrections Advisory Board – David Plavec exp. 12/31/2019; Shared Ethics Commission Advisory Council – Daniel M. Klein exp – n/a) Motion carried.

Order #24 Agenda #33

In the Matter of Reports – Staff Reports

Comes now, Attorney Dull inquired about the date of the next scheduled meeting, upon brief discussion the next meeting is October 18, 2017 a Regular Meeting, Commissioner Tippy, requested the Board hold a Special Meeting October 11, 2017, brief discussion regarding the time of the meeting, upon discussion their will be a Special Meeting held Wednesday, October 11, 2017 at 11a.m. in the Commissioners Courtroom.

Order #25 Agenda #34

In the Matter of Commentary – Elected Officials Present.

None.

Order #26 Agenda #35

In the Matter of Commentary – Board of Commissioners.

Comes now, Tippy commented regarding the scheduling of special meetings through the end of the year, Repay suggested that matter be discussed at the October 11th meeting as part of the agenda. Comments closed.

Order #27 Agenda #36

In the Matter of Commentary – Public.

Comes now, Donald E. Phillips II, commented regarding his attempt to get custody, as he stated, of a property that belongs to the County at 4251 W 22nd Plaza working with Tramel Raggs regarding this matter, discussion among Commissioner Repay, Attorney Dull and Mr. Phillips II.

Discussion closed, Mr. Phillips was told to stay after the adjournment of the meeting and Attorney Dull will get more info. Comments closed.

The next Board of Commissioners Special Meeting will be held on Wednesday, October 11, 2017 at 11:00 A.M.

The next Board of Commissioners Regular Meeting will be held on Wednesday, October 18, 2017 at 10:00 A.M.

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

The following officials were Present:

Attorney John Dull
Brenda Koselke

MICHAEL REPAY, PRESIDENT

KYLE ALLEN Sr., COMMISSIONER

JERRY TIPPY, COMMISSIONER

ATTEST:

JOHN E. PETALAS, LAKE COUNTY AUDITOR