

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 19<sup>th</sup> day of June, 2017 at about 9:15 a.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 19<sup>th</sup> day of June, 2017 at about 9:15 a.m.

Order #1 Agenda #5A

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

Allen made a motion, seconded by Tippy, to approve the Additions – Item #6E – Presentation from Lake County Indiana Economic Alliance; Item #14A – Contract for Lake County Jail Mental Health Director Services between William M. Mescall, PSYD., HSPP, CSAYC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff for the period of July 17, 2017 to December 31, 2018 in the amount of \$53,071.36 for 2017 and \$116,002.98 for 2018; Item #14B – Contract for Lake County Jail Part-Time Mental Health Director Services between Jason Kniola, MS, LMHC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff for the period of June 1, 2017 to July 17, 2017 in an amount not to exceed \$12,971.00; Item #42A – Public Auction for property address 51 Webb Street, Hammond, Indiana 46320 – Parcel Number 45-06-01-101-030.000-023; Item #44D – Milroy Covered Bridge Restoration Project – V&S Engineering; Corrections – Tax Sale Certificates should read real property parcel number 45-06-01-101-030.000-023; Deletions – none. Motion carried.

Order #2 Agenda #5D-E

In the Matter of Notices/Agenda: Approved Final Agenda made a matter of public record; Certificate of Service of Meeting Notice 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 Final Agenda as amended for a matter of public record and make a matter of public record the Certificate of Service of Meeting Notice to those who have made such written request to be made a matter of public record. Motion carried.

Order #3 Consent Agenda

In the Matter of Consent Agenda – Items #6A a-g; #6B; #6C; #6D.

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-g; #6B; #6C; #6D). Motion carried.

Order #3 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 the Notices of the IDEM: Indiana Department of Environmental Management a matter of public record (Safety-Kleen Systems, Inc.; Eckart America Corpo; Maya Energy; BP Products North America, Inc.; Old Town, LLC; McDonald's USA, LLC; Stericycle Environmental Solutions, Inc.; McDonald's USA, LLC; Old Town LLC; U.S. Steel – Gary Works; Lake County C&D Landfill; United States Gypsum Company; Old Town LLC; CG Indiana Holdings, LLC; NIPSCO Nicks Building Supply; Ziese and Sons Excavating, Inc.; Town of Dyer(3); EF Highlands, LLC; Marathon Pipe Line, LLC; Lake County C&D Landfill; BP Products North America, Inc.; Carmeuse Lime, Inc.; Hawthorne Ridge Development, LLC; Lakeshore Railcar & Tanker Services LLC; Town of Lowell; Hammond Group, Inc.; Lake County C&D Landfill; Mid-Continent Coal and Coke Company; Illiana Christian High School). Motion carried.

Order #3 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 the Certificates of Liability Insurance Notices a matter of public record (Catom Trucking, Inc.; Catom Trucking, Inc.; Austgen Electric, Inc.; Pepper Construction Company; Terra Environmental Corp; Heckaman Homes; Sikma & Sons Plumbing Co., Inc.; Boyd Construction Co., Inc.; John J. Pempek, Inc.; Keough Mechanical Corp.; Weaver's Tree Service; Rite Rug Co.; Ideal Heating Air Conditioning & Refrigeration, Inc.; Brock Industrial Services, LLC). Motion carried.

Order #3 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 the Continuation Certificates Notices a matter of public record (Great Lakes Elevator Service, Inc.; Olsson Roofing Company, Inc.; Hayes Mechanical LLC; RK's Excavating, LLC). Motion carried.

Order #3 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 the Reinstatement Notices a matter of public record (Burrink Commercial Services, Inc.; The Dock Guy, LLC; Cripple Creek Designs, Inc.). Motion carried.

## Order #3 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 the Cancellation Notices a matter of public record (The Oaks Group LLC; Greentree Environmental Services IN; Complete Construction Resources, Inc.; Bennett Roofing, LLC; Lake Builders, Inc.; A Builders Dream Co; NBA Builders LLC; Reliable Properties Improvements, LLC; Redwood Lawn Service & Snow Plowing, Inc.; Cripple Creek Designs, Inc.; Tri-K Development; Jim's Trees, Inc.; S&S Concrete Construction; Austin Sepke; Pan American Concrete Company; Nick's Construction; Job 1 Fire Protection, Inc.; BDH Contracting LLC; Pyramid Masonry; Better Living Construction; Burrink Commercial Services, Inc.; C&C Services; All Exterior Contractors, Inc.; Environmental Cleansing Corp; Beagle One Inc.; Via Meridiana Contractors, LLC; Danico Inc.; Midwest Maintenance & Construction Co., Inc.; Cassady Carpentry; Timber Ridge Builders, LLC; Verhagen/Wilson Construction). Motion carried.

## Order #3 Consent Agenda #6A-f

In the Matter of Board of Commissioners of the County of Lake: Enbridge pipeline safety and emergency information.

Allen made a motion, seconded by Tippy, to make the Enbridge pipeline safety and emergency information a matter of public record (Enbridge 1100 Louisiana St., Suite 3300, Houston, TX 77002). Motion carried.

## Order #3 Consent Agenda #6A-g

In the Matter of Board of Commissioners of the County of Lake: Wolverine Pipe Line Company pipeline safety & public awareness.

Allen made a motion, seconded by Tippy, to make the Wolverine Pipe Line Company pipeline safety & public awareness a matter of public record (Wolverine Pipe Line Company 8075 Creekside Drive, Suite 210, Portage, MI 49024). Motion carried.

## Order #3 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 following Vendor Qualification Affidavits. Motion carried.

AXON ENTERPRISE, INC.  
SECURMAR, LLC  
PEACE, LOVE, GRUB LLC  
PEPES OFF BROADWAY  
SUSAN COLGAN dba SPECTRUM AND LICENSING SERVICES  
CIVICPLUS, INC.  
ELLIOTT BROTHER BATTERIES, INC dba INTERSTATE BATTERY OF WESTERN INDIANA

## Order #3 Consent Agenda #6C

In the Matter of Treasurer's Departmental Report for the month of May 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 May 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 May 2017 as submitted. Motion carried.

## Order #4 Consent Agenda #6D

In the Matter of Weights and Measures Report for the period of 04/16/17-05/15/17.

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 04/16/17-05/15/17. 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 April 16, 2017 – May 15, 2017 as submitted. Motion carried.

## Order #4 Agenda #42

In the Matter of Board of Commissioners of the County of Lake: Legal Notice Sale of Commissioner Owned Real Estate: Real Property Parcel Number 45-06-01-101-030.000-023.

Allen made a motion, seconded by Tippy, to make a matter of public record the Legal Notice regarding the Sale of Commissioners Owned Real Estate and ordered same to proceed with Auction. Motion carried.

## Order #5 ADD Agenda #42A

In the Matter of Board of Commissioners of the County of Lake: Public Auction for Property Address 51 Webb Street, Hammond, Indiana 46320 – Parcel Number 45-06-01-101-030.000-023.

Comes now, Board President Repay, turned the meeting to an Auction, Licensed Auctioneer Donald Guernsey present to conduct auction, those bidding were asked to stand, starting bid \$1500.00 for Property Address 51 Webb Street, Hammond, Indiana 46320, Parcel Number 45-06-01-101-030.000-023, brief discussion regarding details, successful bidder will pay at closing and obtain title insurance with property within 30days, Auction began with 3bidders, Successful bidder – George Howard of 625 Allen Street, Gary, Indiana 46403 in the amount of \$14,000.00 for Property Address 51 Webb Street, Hammond, Indiana 46320, Parcel Number 45-06-01-101-030.000-023.

## Order #6 ADD Agenda #6E

In the Matter of Board of Commissioners of the County of Lake: Presentation from Lake County Indiana Economic Alliance.

Comes now, Karen Lauerman – President & CEO, Lake County Indiana Economic Alliance, present/spoke, gave presentation to the Board of Commissioners, non-profit organization to drive high paying quality jobs and investment throughout all Lake County and all the communities through marketing efforts and business, attraction and retention programs facilitating economic development from everything from initial inquiry through site selection, data analysis and demographics and basically facilitating the entire economic development process through protocol be it rezoning and incentives, our goal is to make the process smooth and efficient for the companies consultants the County and communities that we deal with ultimately bring these jobs and projects to coition, presentation continued with history of what LCEA has been doing since 2015 and also what's on the horizon for 2017. Commissioner Repay, spoke with commentary and gratitude to Lake County Indiana Economic Alliance.

## Order #7 Agenda #7

In the Matter of L C Highway – Lake County Highway Department Annual Report for the year ending December 31, 2016 to be ratified.

Allen made a motion, seconded by Tippy, to ratify approval of the Lake County Highway Department Annual Report for the year ending December 31, 2016, from Marcus Malczewski, Superintendent, L C Highway Department. Motion carried.

## Order #8 Agenda #8

In the Matter of L C Highway – Request for the selection of a consulting engineering firm to provide design engineering services for the Colfax, 45<sup>th</sup> Avenue to Main Street, Community Crossing matching grant project.

Allen made a motion for the selection **United Engineering** as the consulting engineering firm to provide design engineering services for the Colfax, 45<sup>th</sup> Avenue to Main Street, Community Crossing matching grant project, Tippy seconded the motion. Motion carried.

## Order #9 Agenda #9

In the Matter of L C Highway – Supplemental Agreement No. 4 between HWC Engineering, Inc. and the Board of Commissioners of the County of Lake for engineering services required for the Replacement of Lake County Bridge No. 240, Hohman Avenue over Grand Calumet River in Hammond, Indiana for an additional \$16,800.00.

Allen made a motion, seconded by Tippy, to approve Supplemental Agreement No. 4 between HWC Engineering, Inc. and the Board of Commissioners of the County of Lake on behalf of the Lake County Highway Department for engineering services required for the Replacement of Lake County Bridge No. 240, Hohman Avenue over Grand Calumet River in Hammond, Indiana for an additional \$16,800.00. Motion carried.

## Order #10 Agenda #10A-N

In the Matter of L C Highway – Certificates of Liability Insurance: Listed A-N.

Allen made a motion, seconded by Tippy, to make a matter of public record the Certificates of Liability Insurance submitted by the Lake County Highway Department listed in Items A-N. Motion carried.

- |  |                              |
|--|------------------------------|
| A. Absolute Trucking and Leasing, Inc. | H. Erickson's, Inc.          |
| B. Action Plumbing, Inc.               | I. Keldorn Trucking, Inc.    |
| C. C&L Transportation, LLC             | J. Meade Electric Co., Inc.  |
| D. Central Contractors Service, Inc.   | K. Reichelt Plumbing, Inc.   |
| E. E&B Transportation, Inc.            | L. Southland Excavating, LLC |
| F. Ellas Construction Company, LLC     | M. Three D Structural LLC    |
| G. Ellas Construction Co., Inc.        | N. V B Transport, Inc.       |

## Order #11 Agenda #44D

In the Matter of Board of Commissioners of the County of Lake: Milroy Covered Bridge Restoration Project – V&S Engineering.

Comes now, Claudia Carlson, Admin. Assistant at Lake County Fairgrounds, present/spoke, regarding Milroy Covered Bridge Restoration Project to restore and rehabilitate the 19<sup>th</sup> Century wooden covered bridge, request for approval, has a Grant, matching funds in place with County. Brief discussion

Allen made a motion, seconded by Tippy, to approve plans and specifications and the advertising of Specifications for the Milroy Covered Bridge Restoration Project for the return of bids by Wednesday, July 19, 2017 in the Lake County Auditor's Office prior to 9:30 A.M. Motion carried.

-Acknowledgement

Comes now, Attorney Dull, to acknowledge Lake County Highway Department Superintendent Mr. Marcus Malczewski, acknowledging that retirement for him may be in the near future, Mr. Malczewski stated he worked the County 55years! He was thanked, applause was given.

## Order #12 Agenda #11

In the Matter of L C 911 – Proposal between Susan Colgan dba Spectrum and Licensing Services and the Board of Commissioners of the County of Lake for Radio Frequency Consultant Services in an amount not to exceed \$2,780.00 to be ratified.

Allen made a motion, seconded by Tippy, to ratify approval and acceptance of the proposal for Susan Colgan dba Spectrum and Licensing Services and the Board of Commissioners of the County of Lake on behalf of Lake County 911 for Radio Frequency Consultant Services in an amount not to exceed \$2,780.00. Motion carried.

## Order #13 Agenda #12

In the Matter of L C Sheriff – BIDS: Contract for Food, Bread & Dairy Products for the period of July 1, 2017 to December 31, 2017. Letter of recommendation.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **Shop Rite Foods** with \$576,315.25 for Food Products for the Lake County Jail, and award **Five G's Distributing** with \$84,474.00 for Bread Products and award **Clover Crest Dairy** with \$43,512.00 for Dairy Products for the Lake County Jail for the period of July 1, 2017 to December 31, 2017, upon a motion made by Allen, seconded by Tippy. Motion carried.

And it appearing to said Board of Commissioners that the above company's bids being the most responsive and responsible bid for Food, Bread & Dairy Products for the L.C. Jail for the period of July 1, 2017 to December 31, 2017, 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:

SHOP RITE FOODS W/ *Western Surety Company* in the amount of 10% of amount bid is hereby approved by the Board of Commissioners.

FIVE G's DISTRIBUTING W/ No bid bond is hereby approved by the Board of Commissioners.

CLOVER CREST DAIRY W/ No bid bond 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 FOOD, BREAD & DAIRY PRODUCTS FOR THE PERIOD JULY 1 2017 TO DECEMBER 31 2017 FOR THE LAKE CO. SHERIFF/JAIL FOR \$576,315.25; \$84,474.00; \$43,512.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: June 21, 2017

MICHAEL REPAY  
KYLE ALLEN, Sr.  
JERRY TIPPY

SHOP RITE FOODS; FIVE G's DISTRIBUTING  
CLOVER CREST DAIRY

## Order #14 Agenda #13

In the Matter of L C Sheriff – Request for issuance of service weapon to retired Corporal John Fisher.

Allen made a motion, seconded by Tippy, to approve the issuance of service weapon as requested by the Lake County Sheriff to retired Corporal John Fisher who retired with good standings with the Sheriff's Department. Motion carried.

## Order #15 Agenda #14

In the Matter of L C Sheriff – Semi-Annual Lake County Sheriff's Department Jail Commissary Report.

Allen made a motion, seconded by Tippy, to make a matter of public record the Semi-Annual Lake County Sheriff's Department Jail Commissary Report. Motion carried.

## Order #16 ADD Agenda #14A

In the Matter of L C Sheriff - Contract for Lake County Jail Mental Health Director Services between William M. Mescall, PSYD., HSPP, CSAYC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff for the period of July 17, 2017 to December 31, 2018 in the amount of \$53,071.36 for 2017 and \$116,002.98 for 2018.

Allen made a motion, seconded by Tippy, to approve Contract for Lake County Jail Mental Health Director Services between William M. Mescall, PSYD, HSPP, CSAYC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff for the period of July 17, 2017 to December 31, 2018 in the amount of \$53,071.36 for 2017 and \$116,002.98 for 2018. Attorney Bushemi present/spoke. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

## Order #17 ADD Agenda #14B

In the Matter of L C Sheriff – Contract for Lake County Jail Part-Time Mental Health Director Services between Jason Kniola, MS, LMHC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff for the period of June 1, 2017 to July 17, 2017 in an amount not to exceed \$12,971.00.

Comes now, Attorney Bushemi, before the Board of Commissioners, to submit a correction for the Lake County Jail Part-Time Mental Health Director Services contract, the correction is that the period will end June 30, 2017, Lisa O'Keefe will fill-in until the start of Dr. Mescall contract July 17, 2017.

Allen made a motion, seconded by Tippy, to approve the Contract for Lake County Jail Part-Time Mental Health Director Services between Jason Kniola, MS, LMHC and the Board of Commissioners of the County of Lake on behalf of the Lake County Sheriff as amended for the period of June 1, 2017 to June 30, 2017 in an amount not to exceed \$5,009.28. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

## Order #18 Agenda #15

In the Matter of L C Juvenile – BIDS: Contract for Food, Bread & Dairy Products for the period of July 1, 2017 to December 31, 2017. Letter of recommendation.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **U.S. Foods** with Classes 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15 for Food Products, and award **Midwest Foods** with Class 3 for Food Products and for Bread Products and award **Clover Crest Dairy** with Dairy Products for the Lake County Juvenile Center for the period of July 1, 2017 to December 31, 2017, upon a motion made by Allen, seconded by Tippy. Motion carried.

And it appearing to said Board of Commissioners that the above company's bids being the most responsive and responsible bid for Food, Bread & Dairy Products for the L.C. Juvenile Center for the period of July 1, 2017 to December 31, 2017, 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:

## Order #18 Agenda #15 cont'd

U.S. FOODS                    W/    *no bid bond* is hereby approved by the Board of Commissioners.  
 MIDWEST FOODS            W/    *no bid bond* is hereby approved by the Board of Commissioners.  
 CLOVER CREST DAIRY      W/    *no bid bond* 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 FOOD, BREAD & DAIRY PRODUCTS FOR THE PERIOD JULY 1 2017 TO DECEMBER 31 2017 FOR THE LAKE CO. JUVENILE CENTER BY CLASS & CATEGORY and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:                    Date:    June 21, 2017

MICHAEL REPAY    U.S. FOODS; MIDWEST FOODS  
 KYLE ALLEN, Sr.    CLOVER CREST DAIRY  
 JERRY TIPPY

## Order #19 Agenda #16

In the Matter of L C Community Corrections – BIDS: Contract for Food, Bread & Dairy Products for the period of July 1, 2017 to December 31, 2017. Letter of recommendation.

The Board having previously taken the bids under advisement does hereby accept the recommendation to award **U.S. Foods** with Classes 1, 2, 6, 7, 9, 10, 12, 13, 14 & 15 for Food Products, and award **Midwest Foods** with Class 3, 16 & 17 for Food Products and for Bread Products for the period of July 1, 2017 to December 31, 2017 and ordered same to allow the open market for Classes 5, 8, 10 and 11 where no complete bids were received, and ordered same to approve the rejection of the bid from Stanz Foods for poor prior performance as recommended by Lake County Community Corrections, upon a motion made by Tippy, seconded by Allen. Motion carried.

And it appearing to said Board of Commissioners that the above company's bids being the most responsive and responsible bid for Food, Bread & Dairy Products for the L.C. Community Corrections for the period of July 1, 2017 to December 31, 2017, 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:

U.S. FOODS                    W/    *no bid bond* is hereby approved by the Board of Commissioners.  
 MIDWEST FOODS            W/    *no bid bond* 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 FOOD, BREAD & DAIRY PRODUCTS FOR THE PERIOD JULY 1 2017 TO DECEMBER 31 2017 FOR THE LAKE CO. COMMUNITY CORRECTIONS BY CLASS & CATEGORY and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:                    Date:    June 21, 2017

MICHAEL REPAY    U.S. FOODS; MIDWEST FOODS  
 KYLE ALLEN, Sr.  
 JERRY TIPPY

## Order #20 Agenda #17

In the Matter of L C Surveyor – Addendum to the agreement entered into on December 21, 2016 between The Sidwell Company and the Board of Commissioners of the County of Lake for ArcGIS for Server upgrade in an amount not to exceed \$1,490.00.

Allen made a motion, seconded by Tippy, to approve the Addendum to the agreement entered into on December 21, 2016 between The Sidwell Company and the Board of Commissioners of the County of Lake on behalf of the Lake County Surveyor for ArcGIS for Server upgrade in an amount not to exceed \$1,490.00. Motion carried.

## Order #21 Agenda #18

In the Matter of L C Public Defender – Legal Services Agreement between Teresa K. Hollandsworth and the Board of Commissioners of the County of Lake for Public Defender Services for the period of June 21, 2017 to December 31, 2017 in an amount not to exceed \$30,000.00 payable at the rate of \$90.00 per hour.

Allen made a motion, seconded by Tippy, to approve Legal Services Agreement between Teresa K. Hollandsworth and the Board of Commissioners of the County of Lake on behalf of Lake County Public Defender for Public Defender Services for the period of June 21, 2017 to December 31, 2017 in an amount not to exceed \$30,000.00 payable at the rate of \$90.00 per hour. State Public Defender Commission 40% reimbursement rate. Motion carried.

## Order #22 Agenda #19

In the Matter of L C Assessor – Request for cancellation of the contract between Waterlogic East, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Assessor effective May 31, 2017.

Allen made a motion, seconded by Tippy, to approve the cancellation of the Contract with Waterlogic East, LLC as requested by and on behalf of the Lake County Assessor, effective May 31, 2017. Motion carried.

## Order #22 Agenda #20

In the Matter of L C Assessor – Service Agreement between Nestle Waters North America, Inc. and the Board of Commissioners of the County of Lake for bottled water service May 25, 2017 to December 31, 2017 in the amount of \$1.99 per month for water cooler and \$5.99 per 5 gallon water bottle.

Order #22 Agenda #20 cont'd

Allen made a motion, seconded by Tippy, to approve the Service Agreement with Nestle Waters North America, Inc., 10335 Argonne Woods Drive, Suite 200, Woodridge, IL 60517, on behalf of the Lake County Assessor for bottled water service May 25, 2017 to December 31, 2017 in the amount of \$1.99 per month for water cooler and \$5.99 per 5gallon water bottle. Motion carried.

Order #23 Agenda #21

In the Matter of L C Recorder – IT Consulting Agreement between Donald Guernsey and the Board of Commissioners of the County of Lake for the period of July 1, 2017 to December 31, 2020 in the amount of \$525,000.00 payable at the rate of \$12,500.00 per month plus \$50.00 per hour for support personnel plus .30 cents per page for archival scanning Addendum B subject to annual funding by the Fiscal Body.

Allen made a motion, seconded by Tippy, to approve the IT Consulting Agreement between Donald Guernsey(present) and the Board of Commissioners of the County of Lake on behalf of the Lake County Recorder for the period of July 1, 2017 to December 31, 2020 in the amount of \$525,000.00 payable at the rate of \$12,500.00 per month plus \$50.00 per hour for support personnel plus .30 cents per page for archival scanning Addendum B subject to annual funding by the Fiscal Body. L C Recorder Chief Deputy present/spoke. Commissioner Tippy brief discussion. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

Order #24 Agenda #22

In the Matter of L C Plan Commission – Performance Bond for Emerald Crossing Unit 5 in the amount of \$448,748.74.

Allen made a motion, seconded by Tippy, to approve L C Plan Commission – Performance Bond for Emerald Crossing Unit 5 in the amount of \$448,748.74. Motion carried.

LAKE COUNTY PLAN COMMISSION

DATE:  
SUBDIVISION:  
BONDING COMPANY:  
PETITIONER:

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

Total: \$48,748.74

ALL OF WHICH IS HEREBY RESOLVED AND AOPTED THIS 21<sup>ST</sup> DAY of June, 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 #25 Agenda #23

In the Matter of L C Plan Commission – PROPOSALS: Lake County Comprehensive Plan.

The Board having previously taken the proposals under advisement and companies interviewed by the L C Plan Commission Committee, does hereby accept the recommendation to award **The Arsh Group**, 6482 Taft Street Suite A, Merrillville, IN 46410, in the amount of \$74,250 for updating the Lake County Comprehensive Plan for the Lake County Plan Commission, upon a motion made by Allen to approve and sign contract, Tippy seconded the motion. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

Order #26 Agenda #24

In the Matter of L C Plan Commission – PROPOSALS: Lake County Zoning Ordinance.

Tippy made a motion, seconded by Allen, to defer action and remove matter from Agenda. Motion carried.

Order #27 Agenda #25

In the Matter of L C Data Processing – Agreement between AT&T and the Board of Commissioners of the County of Lake for upgrading the Lake County Internet with AT&T.

Tippy made a motion, seconded by Allen, to approve the Agreement between AT&T and the Board of Commissioners of the County of Lake on behalf of Lake County Data Processing for upgrading the Lake County Internet with AT&T, Mark Pearman present/spoke, brief discussion. Motion carried.

Order #28 Agenda #26

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

Tippy made a motion, seconded by Allen, to approve the property disposal request for Lake County Data Processing, Mark Pearman present/spoke, items for disposal have been reviewed and hard drives removed and stored. Motion carried.

Order #29 Agenda #27 A-K

In the Matter of Board of Commissioners of the County of Lake: Franchise Wrecker Agreements between the Board of Commissioners of the County of Lake and the following (A-K) to be ratified.

Allen made a motion, seconded by Tippy, to approve and make a matter of public record the Franchise Wrecker Agreements between the Board of Commissioners of the County of Lake and the following (A-K). Motion carried.

- |                                    |                          |
|------------------------------------|--------------------------|
| A. Alternative Towing              | G. S&S Sales             |
| B. Caruthers Auto Sales & Towing   | H. EMT Enterprises, Inc. |
| C. Tom & Ed's Autobody & Towing    | I. Herrera's Towing      |
| D. Midnight Blue Towing & Recovery | J. Waffco Towing         |
| E. Emerald Towing                  | K. Purkey's Towing       |
| F. Simons Towing                   |                          |

Order #29 Agenda #28

In the Matter of Board of Commissioners of the County of Lake: Public Record of Receipts for towing letters.

Allen made a motion, seconded by Tippy, to make a matter of public record the receipts for towing letters sent (19), from Commissioner Repay, Board of Commissioners Office, May 30, 2017. Motion carried.

Order #30 Agenda #29

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 (A-F).

Allen made a motion, seconded by Tippy, to make a matter of public record the Contractor pre-qualifications submitted from the following listed in Items #A-F. Motion carried.

- A. EMCOR Hyre Electric Company of Indiana, Inc.
- B. Dyer Construction (Town of Merrillville-letter)
- C. Grimmer Construction, Inc.
- D. Austgen Equipment, Inc.
- E. Walsh & Kelly, Inc.
- F. Burling Builders, Inc.

Order #31 Agenda #30

In the Matter of Board of Commissioners of the County of Lake: County Fair Lease for the Lake County Fair between the Lake County Agricultural Society, Inc. and the Board of Commissioners of the County of Lake for the period of the Lake County Fair in the amount of \$1.00.

Allen made a motion, seconded by Tippy, to approve the County Fair Lease for the Lake County Fair with Lake County Agricultural Society, Inc., 200 East 80<sup>th</sup> Place, Merrillville, IN 46410, in the amount of \$1.00 for the period of the 2017 Lake County Fair. Motion carried.

Order #32 Agenda #31

In the Matter of Board of Commissioners of the County of Lake: Public Record of Letter to State Board of Accounts concerning Interlocal Agreement with the City of Crown Point.

Allen made a motion, seconded by Tippy, to make a matter of public record the Letter to State Board of Accounts, dated May 17, 2017, 302 W. Washington, 4<sup>th</sup> Floor-Rm 418, Indianapolis, IN 46402, concerning Interlocal Agreement entered into by Lake County Indiana and the City of Crown Point (Doc no. 2017-030593), being filed in accordance with statute. Motion carried.

Order #33 Agenda #32

In the Matter of Board of Commissioners of the County of Lake: Agreement between Lochmueller Group, Inc. and the Board of Commissioners of the County of Lake for Ralston and King Court Park Site Design in an amount not to exceed \$53,000.00 to be ratified.

Tippy made a motion, seconded by Allen, to ratify approval of the Agreement with Lochmueller Group, Inc., 130 South Main Street, Suite 300, South Bend, Indiana, for Ralston and King Court Park Site Design in an amount not to exceed \$53,000.00, Repay, spoke, this is the ratification of an agreement that is for work to take some park land and make it into something that is usable, safe and neighborhood friendly. Motion carried.

Order #34 Agenda #33

In the Matter of Board of Commissioners of the County of Lake: Emergency replacement of dishwasher at the Lake County Juvenile Center from C&T Design and Equipment Co. in the amount of \$29,664.98 to be ratified.

Allen made a motion, seconded by Tippy, to approve C&T Design and Equipment Co., 324 N. 325 E., Valparaiso, IN 46383, with \$29,664.98 for the replacement of a dishwasher at the Lake County Juvenile Center, declared emergency and recommended by Mr. Rehder to accept the low bid. Motion carried.

C&T \$29,664.98

Brooker LLC \$31,924.29

## Order #34 Agenda #34

In the Matter of Board of Commissioners of the County of Lake: Emergency repairs to walk-in cooler at the Lake County Juvenile Center from R&P Restaurant Service in the amount of \$5,945.00 to be ratified.

Allen made a motion, seconded by Tippy, to approve R&P Restaurant Service with \$5,945.00 for the Emergency repairs to a walk-in cooler at the Lake County Juvenile Center, as recommended by Mr. Rehder. Motion carried.

## Order #34 Agenda #35

In the Matter of Board of Commissioners of the County of Lake: Emergency repairs to condenser valve at the Civil Sheriff's Office from Johnson Controls, Inc. in the amount of \$965.00 to be ratified.

Allen made a motion, seconded by Tippy, to approve Johnson Controls, Inc., 1500 Huntington Drive, Calumet City, IL 60409, with \$965.00 for the Emergency repairs to a condenser valve at the Civil Sheriff's Office, as recommended by Mr. Rehder to accept the low bidder. Motion carried.

JCI. \$965.00

Correct Mechanical Inc. \$1,116.00

## Order #35 Agenda #36

In the Matter of Board of Commissioners of the County of Lake: Agreement between Christopher B. Burke Engineering, LLC and the Board of Commissioners of the County of Lake on behalf of Lake County Homeland Security and Emergency Management for professional services related to updating the Lake County Multi-Hazard Mitigation Plan (MHMP) in an amount not to exceed \$19,500.00 to be ratified.

Allen made a motion, seconded by Tippy, to approve the Agreement between Christopher B. Burke Engineering, LLC and the Board of Commissioners of the County of Lake on behalf of Lake County Homeland Security and Emergency Management for professional services related to updating the Lake County Multi-Hazard Mitigation Plan (MHMP) in an amount not to exceed \$19,500.00. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

## Order #36 Agenda #37

In the Matter of Board of Commissioners of the County of Lake: Agreement between Centers for Medicare & Medicaid Services and the Board of Commissioners of the County of Lake for coordination of benefits services to be ratified.

Allen made a motion, seconded by Tippy, to ratify approval of the Agreement between Centers for Medicare & Medicaid Services and the Board of Commissioners of the County of Lake for coordination of benefits services. Motion carried. (SEE FILE "2017 CONTRACTS" FOR ORIGINAL)

## Order #37 Agenda #38

In the Matter of Board of Commissioners of the County of Lake: Resolution of the Board of Commissioners of the County of Lake regarding declaration of official intent to reimburse settlement expenditures from judgment bond if necessary.

Allen made a motion, seconded by Tippy, to approve Resolution No. 17-08, Resolution of the Board of Commissioners of the County of Lake regarding declaration of official intent to reimburse settlement expenditures from judgment bond if necessary. Motion carried.



RESOLUTION NO. 17-08RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
LAKE COUNTY, INDIANA, REGARDING DECLARATION  
OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES

WHEREAS, the County of Lake, Indiana ("County"), a political subdivision of the State of Indiana, has or will enter into and make certain settlement agreement expenditures and incur related costs; ("Settlements");

WHEREAS, the County reasonably expects to reimburse the costs of the Settlements with proceeds of debt to be incurred by the County;

WHEREAS, for purposes of this Resolution, the term "debt" is intended to include tax-exempt bonds;

WHEREAS, the County expects to issue, or have issued on its behalf or through a leasing entity, debt not exceeding \_\_\_\_\_ Million Dollars (\$ \_\_\_\_\_) in aggregate principal amount for purposes of paying or reimbursing the payment of certain costs of the Settlements;

WHEREAS, the County intends that this Declaration of Official Intent to Reimburse Expenditures constitutes a declaration of official intent pursuant to Treas. Reg. § 1.150-2;

WHEREAS, the County intends to reimburse itself or be reimbursed for all, or part of, the costs described herein from proceeds of the financing;

WHEREAS, this Resolution shall be in full force and effect from and after its passage.

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

1. The County declares its official intent pursuant to Treas. Reg. § 1.150-2 to enter into and make certain settlement agreement expenditures and to pay or to reimburse the payment of certain costs of the Settlements including, but not limited to legal and financial advising services, and other related costs, with proceeds of debt to be incurred by the County; and to issue, or have issued on its behalf, debt not exceeding \_\_\_\_\_ Million Dollars (\$ \_\_\_\_\_) in aggregate principal amount for purposes of reimbursing costs of the Project.
2. The County reasonably expects to reimburse itself from proceeds of obligations issued by, or on behalf of, the County or through a leasing entity for costs of the Settlements paid prior to the completion of the permanent financing.
3. This Resolution shall be in full force and effect immediately upon its passage.

## Order #37 Agenda #38 cont'd

IN WITNESS WHEREOF, the Board of Commissioners of the County of Lake, Indiana, have hereunto set their hands, June 21, 2017.

Kyle W. Allen, Sr. D.H.  
Kyle W. Allen, Sr., Commissioner

Jerry Tippy J.S.  
Jerry Tippy, Commissioner

Michael C. Repay  
Michael C. Repay, Commissioner

Attest:  
John E. Petalaj  
John Petalaj, County Auditor

## Order #38 Agenda #39

In the Matter of Board of Commissioners of the County of Lake: Discussion/Action concerning Resolution No. 15-11, Resolution Opposing the Construction of a Nuclear Waste Repository in the Great Lakes Basin.

Allen made a motion, seconded by Tippy, to approve Discussion/Action concerning Resolution No. 15-11, Resolution Opposing the Construction of a Nuclear Waste Repository in the Great Lakes Basin. Motion carried.

**RESOLUTION NO. 15-11****Resolution Opposing the Construction of a Nuclear Waste Repository in the Great Lakes Basin**

**WHEREAS** Ontario Power Generation (OPG) is proposing to construct a deep geologic repository (DGR), which is an underground long-term burial facility, at the Bruce Nuclear Generating Station site in Kincardine Ontario Canada, and bury and abandon in the DGR all of Ontario's low and intermediate level radioactive nuclear waste, some of which remains highly radioactive and toxic for over 100,000 years. The proposed site is approximately one kilometre inland from the shore of Lake Huron and about 400 metres below the lake level;

**WHEREAS** Ontario Power Generation did not consider or evaluate any other actual sites for the location of the proposed DGR;

**WHEREAS** fresh water is the nation's and Canada's most important resource and should be protected and managed prudently;

**WHEREAS** the Great Lakes are an irreplaceable natural resource, containing twenty one percent of the world's, and ninety five percent of North America's fresh water, relied upon by millions for drinking water, tourism, recreation, vital to human and environmental health and economic and agricultural well-being of both Canada and the United States of America and supporting a regional economy of US\$4.7 trillion (2011);

**WHEREAS** Lake Michigan and Lake Huron are hydrologically connected as one continuous water body and any contamination resulting from a leaking nuclear waste repository located on Lake Huron could affect Lake Michigan's waters, the source of drinking water for Lake County, Indiana;

**WHEREAS** Lake Huron and connecting waters including Lake St. Clair, are a source of drinking water for millions of people downstream in Canada, the United States of America and First Nations;

**WHEREAS** individuals, citizen and environmental groups and municipalities and counties in both Canada and the United States have expressed concern and opposition to the proposed nuclear waste repository;

**WHEREAS** as of February 10, 2015, one hundred forty two (142) resolutions have been passed by communities in the States of Illinois, Michigan, Minnesota, Wisconsin, Pennsylvania, New

York, Ohio and Indiana and in the Province of Ontario representing 17.9 million citizens opposing the proposed nuclear waste repository, with the vast majority of the resolutions opposing any permanent underground nuclear waste repository anywhere in the Great Lakes Basin;

WHEREAS under the 2012 Protocol Amending the Agreement Between Canada and the United States of America on Great Lakes Water Quality, the governments of Canada and the United States acknowledge the importance of anticipating, preventing and responding to threats to the waters of the Great Lakes;

WHEREAS the Governments of Canada and of the United States share a responsibility and an obligation to protect the Great Lakes from contamination from various sources of pollution, including the leakage of nuclear waste from an underground nuclear waste repository;

WHEREAS in September 2014 resolutions HR 716 and SR 565 were introduced respectively in the US House of Representatives and US Senate expressing the sense that (1) the Canadian Government should not allow a permanent nuclear waste repository to be built within the Great Lakes Basin; (2) the President and the Secretary of State should take appropriate action to work with the Canadian Government to prevent a permanent nuclear waste repository from being built within the Great Lakes Basin; and (3) the President and the Secretary of State should work together with their Canadian Government counterparts on a safe and responsible solution for the long-term storage of nuclear waste;

WHEREAS, in the mid 1980's, the US Department of Energy was considering potential sites for a US nuclear waste repository, including some sites location in the Great Lakes Basin and as a result of significant Canadian opposition, Joe Clark, then Secretary of State for External Affairs, intervened and the US government honored Canada's request to exclude any sites within 40 kilometers of the Canadian border; and

WHEREAS placing a permanent nuclear waste burial facility so close to the Great Lakes is ill-advised. The potential damage to the Great Lakes from any leak or breach of radioactivity far outweighs any suggested economic benefit that might be derived from burying radioactive nuclear waste at this site. The ecology of the Great Lakes, valuable beyond measure to the health and economic well-being of the entire region, should not be placed at risk by storing radioactive nuclear waste underground so close to the shoreline;

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

- 1. In order to protect the Great Lakes and its tributaries, the Board of Commissioners of Lake County, Indiana urges that neither this proposed nuclear waste repository at the

Bruce Nuclear Generating Station site nor any other underground nuclear waste repository be constructed in the Great Lakes Basin, in Canada, the United States, or any First Nation property.

- 2. The Board of Commissioners of Lake County, Indiana urges the Government of Canada and the Government of Ontario to reject (and seek alternatives to) Ontario Power Generation's proposal to bury and abandon radioactive nuclear waste in the Great Lakes Basin.
- 3. A copy of this Resolution shall be transmitted to the Premier of Ontario, the Prime Minister of Canada, Canada's Federal Minister of the Environment, Canada's Minister of Foreign Affairs, Canada's Minister of Natural Resources, the President of the United States, the United States Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Indiana congressional delegation, the governors or premiers and the legislative majority leaders, in Indiana, Michigan, Illinois, Minnesota, New York, Ohio, Pennsylvania, Wisconsin and Quebec, the Board of Directors of the Great Lakes Commission, all Members of Ontario's Provincial Parliament and all Members of Canada's Parliament, and to the Joint Review Panel Deep Geological Repository for Low and Intermediate Level Radioactive Waste Case Reference Number 17520, c/o Panel Co-Manager, Ms. Debra Myles.

DATE THIS 15<sup>th</sup> DAY OF April, 2015.

*Bonnie A. Coffey* D.H.  
Commissioner Roosevelt Coffey, Jr.

*Michael Repay*  
Commissioner Michael Repay

*Gerry J. Scheub*  
Commissioner Gerry J. Scheub

Attest:  
*John E. Petras*  
John Petras, L.C. Auditor

In the Matter of Board of Commissioners of the County of Lake: Resolution No. 3905 – A Resolution authorizing the executive of a memorandum of understanding by the City of Gary Board of Redevelopment Commissioners and the City of Gary to transfer the City’s responsibilities under a certain memorandum of understanding between the City and the Lake County Board of Commissioners and the Redevelopment Commissioners.

Allen made a motion, seconded by Tippy, to ratify approval of Resolution No. 3905 – A Resolution authorizing the executive of a memorandum of understanding by the City of Gary Board of Redevelopment Commissioners and the City of Gary to transfer the City’s responsibilities under a certain memorandum of understanding between the City and the Lake County Board of Commissioners and the Redevelopment Commissioners. Motion carried.

**RESOLUTION NO. 3905**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BY THE CITY OF GARY BOARD OF REDEVELOPMENT COMMISSIONERS AND THE CITY OF GARY TO TRANSFER THE CITY’S RESPONSIBILITIES UNDER A CERTAIN MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE LAKE COUNTY BOARD OF COMMISSIONERS AND THE REDEVELOPMENT COMMISSIONERS**

**WHEREAS**, the City of Gary entered into a certain Memorandum of Understanding to provide certain professional services to the Lake County Board of Commissioners to demolish certain property owned by the Lake County Board of Commissioners and located at 901 East 49<sup>th</sup> Avenue, Gary, Indiana due to the dangerous condition of the structure; and

**WHEREAS**, the City of Gary Redevelopment Commission possesses the professional staff necessary to prepare the legally required documents for bidding out the demolition, to implement the legally required bidding and selection of bid process, to draft an appropriate contract for the demolition, and to monitor the performance of the demolition of said Property, including, but not limited to, the inspection for asbestos and other hazardous materials, and the completion of the necessary notices to the Indiana Department of Environmental Management, and the proper disposal of demolition debris; and

**WHEREAS**, the City of Gary Redevelopment Commission is better equipped to perform or supervise the above described functions and oversee the demolition of this Property; and

**WHEREAS**, in light of the substantial direct and indirect economic benefit that comes with the elimination of a public safety hazard, Redevelopment desires to oversee the demolition of this structure; and

**WHEREAS**, The Board of Redevelopment Commissioners of the City of Gary has determined that entering into this Memorandum of Understanding is in the best interest to the Commission and to the Citizens of Gary; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REDEVELOPMENT COMMISSIONERS OF THE CITY OF GARY, REDEVELOPMENT COMMISSION** that the President and Secretary be and they are hereby authorized to execute this Memorandum of Understanding transferring the City’s responsibilities under a certain Memorandum of Understanding to the Commission.

Copy of said Agreement is attached hereto as Exhibit “3904A”.

**ADOPTED this 7<sup>th</sup> day of June, 2017.**

**BOARD OF REDEVELOPMENT  
COMMISSIONERS OF THE CITY OF GARY,  
DEPARTMENT OF REDEVELOPMENT**

BY:  \_\_\_\_\_  
**KENYA A. JONES, PRESIDENT**

ATTEST:

BY:  \_\_\_\_\_  
**DAMON FLOURNOY, SECRETARY**

BY:  \_\_\_\_\_  
**GILBERT KING, JR., COMMISSION ATTORNEY**

**Memorandum of Understanding for Demolition  
Between the Lake County Board of Commissioners and the  
Gary Redevelopment Commission**

WHEREAS, the Gary Redevelopment Commission, (Commission), is a governmental entity duly organized under the existing under the laws of the State of Indiana and the municipal Code of the Commission of Gary; and

WHEREAS, pursuant to Indiana code (IC 36-7-14 et seq), the Commission is duly authorized to enter into agreements (Memorandums of Understandings) that foster the development and redevelopment of the property within the jurisdictional boundaries of the Commission of Gary; and

WHEREAS, the Commission possesses the professional staff necessary to prepare the legally required documents for bidding out the demolition, to implement the legally required bidding and selection of bid process, to draft an appropriate contract for the demolition, and to monitor the performance of the demolition of said Property, including, but not limited to, the inspection for asbestos and other hazardous materials, and the completion of the necessary notices to the Indiana Department of Environmental Management, and the proper disposal of demolition debris; and

WHEREAS, the Lake County Board of Commissioners serve as the executive body for Lake County, Indiana; and

WHEREAS, the recitals, representations, covenants and recitations set forth in the foregoing are material to this Agreement and are hereby incorporated into and made a part of this Agreement; and

**NOW, THEREFORE, BE IT AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**

**A. The Commission agrees to:**

1. Provide the personnel with the necessary qualifications to properly perform all of the activities required to properly prepare plans and specifications and other bid documents required to hire a licensed asbestos inspector and a demolition contractor for demolition of the building located at 901 East 49<sup>th</sup> Avenue, Gary, Indiana (Property).
2. Prepare and provide an itemized cost and expense proposal to the Board of Commissioners for providing all of the services provided for herein and discuss this with the Board of Commissioners.
3. Prepare a detailed project schedule in a format agreeable to both parties stating the estimated time required for completion of performance of each of the significant phases of this project.
4. Secure the appropriate inspection of the Property for asbestos and other hazardous materials and substances and report findings regarding same to the Board of Commissioners and the Indiana Department of Environmental Management.
5. Implement the necessary process to properly procure competitive quotes or bids for the inspection and demolition work, including, but not limited to, advertising for bids.

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6. Share draft copies of all bid documents and contracts with the counsel designated by the Board of Commissioners for review and comment at least fourteen (14) calendar days before letting the demolition project for bid and discuss any changes requested by Board of Commissioners.
7. Share copies of all quote and bid documents, including necessary insurance certificates and bonds, with Board of Commissioners along with an appropriate quote and bid tabulations.
8. Award the contracts for the inspection and demolition work to the lowest responsive and responsible bidder.
9. Monitor and document the monitoring of the inspection and demolition, and all necessary report preparation, to verify compliance with all legal requirements and the contract documents, including properly securing the Property during demolition.
10. Notify, orally and in writing, the inspection and demolition contractors of any observed noncompliance and provide copies of all said notices to Board of Commissioners.
11. Issue stop orders for any legal violations or significant noncompliance with any substantial requirement of the contract documents and work with the contractor(s) to regain compliance and completion of the project. Copy Board of Commissioners on any and all such orders and keep Board of Commissioners advised of the progress toward compliance.
12. Review and make written recommendations for all contractor pay requests and requests for change orders and provide copies of same to Board of Commissioners.
13. Issue a certificate of substantial completion for the demolition work, signed by both the contractor and the Commission, when appropriate, along with an appropriate punch list.
14. Issue a certificate of final completion, signed by the contractor and Commission, and an accompanying recommendation for final payment.
15. Submit detailed, itemized invoices in a format specified by the Board of Commissioners, based on a time and materials basis, to the Board of Commissioners for payment for the Commission's services, in a total amount not to exceed \$25,000.00.

**B. The Board of Commissioners agrees to:**

1. Provide the funds for this demolition project in a total amount not to exceed \$25,000.00.
2. Designate Board of Commissioners Counsel and cooperate with Commission in good faith by providing the Commission with all requested documentation that is reasonably available, promptly discussing issues about the project as they develop, and provide the Commission control of access to the Property throughout the quoting, bidding, inspection, and demolition processes.
3. Review and comment on all draft documentation submitted to it by the Commission in an expeditious manner.
4. Make payments to the inspector and contractor as recommended by Commission within thirty (30) calendar days of receiving the Commission's written recommendation regarding same.
5. Pay all appropriate Commission invoices within thirty (30) calendar days of receipt by the Board of Commissioners.

**C. Agreement Duration.** This Agreement shall begin upon execution of all parties and shall last until project completion, but no longer than one (1) year after commencement of the Project, unless extended by written agreement of all parties.

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**D. Administrative Authority.** Primary authority for administration and management of the demolition project shall primarily rest with the Commission and its authorized representatives. The Board of Commissioners shall cooperate with the Commission with respect to the project and shall have final decision making authority regarding the expenditure of Board of Commissioners funds provided under this Agreement. The parties hereby delegate the duty to receive, disburse, and account for all monies associated with this Agreement to the Office of the Controller of the Commission of Gary, Indiana.

**E. Filing.** This Agreement will be filed with the Indiana State Board of Accounts within thirty (30) calendar days after execution.

**F. Time of Essence.** Time is of the essence of this Agreement. The parties shall make every reasonable effort to expedite the subject matters hereof (subject to any time limitations described herein) and acknowledge that the successful performance of this Agreement requires their continued cooperation.

**G. Records.** The Commission agrees to maintain all records and documentation related to and supportive of the demolition project. Further, any such records and necessary information that may be maintained by the Commission shall be readily available to Board of Commissioners, its representatives or designated agent(s), external auditors, State Board of Accounts, or other duly authorized parties requiring access to such records. The Commission shall ensure that such records are maintained in accordance with the governing federal and state regulations, and shall keep all related records in a readily accessible location for a minimum of six (6) years, unless a longer retention term is required by Indiana law, or unless such records are the subject of litigation or audit, in which case they shall be maintained pending the completion of such action. The Commission shall cooperate with Board of Commissioners to ensure the availability of all records related to this Agreement as may be required for audit, monitoring or reporting purposes.

**H. Liability.** Each party to this Agreement shall be fully liable for the acts and omissions of its respective employees and agents in the performance of this Agreement to the extent permitted by law.

**I. Breach.** Before any failure of any party of this Agreement to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform such obligation and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the reasonable satisfaction of the complaining party within thirty (30) calendar days of the receipt of such notice. If after such notice, the breaching party fails to cure the breach, the non-breaching party may seek any remedy available at law or equity, subject however to the compulsory non-binding mediation provided below.

**J. Amendment.** This Agreement, and any exhibits attached hereto, may be amended only by the mutual consent of the parties, and by the execution of such amendment by the parties or their successors in interest.

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**K. No Other Agreement.** Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations, and discussions relative to the subject matter hereof and is a full integration of the agreement of the parties.

**L. Severability.** If any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, agreements, or portions of this Agreement and, to that end, any provisions, covenants, agreements, or portions of this Agreement are declared to be severable.

**M. Construction and Interpretation of Agreement / Indiana Law.** This Agreement shall be construed in accordance with the laws of the State of Indiana. The parties agree that they and their attorneys have each reviewed this Agreement, and that the normal rules of construction to the effect that any ambiguities are to be resolved against the drafting party or parties shall not be used in the interpretation of this Agreement.

**N. Waiver Ineffective.** No waiver, modification, or amendment of any term, condition, or provision of this Agreement shall be valid or have any force or effect unless made in writing and signed by the parties.

**O. Notices.** All notices and requests required pursuant to this Agreement shall be deemed sufficiently made if delivered, as follows:

To the Commission:

Attn: Counsel,  
401 Broadway, Suite 101  
Gary IN, 46402

To the Board of Commissioners:

Attn: Commissioner Kyle Allen  
2293 North Main Street  
Crown Point, IN 46307

or at such other addresses as the parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. In the event notice delivered by registered mail is refused or otherwise undeliverable, said notice may be delivered by regular mail. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

**P. Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same agreement.


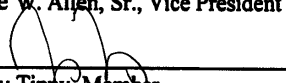
**Q. Assignment.** The rights and obligations contained in this Agreement may not be assigned without the express prior written consent of the parties.

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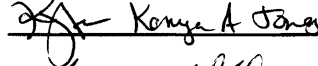

**R. No Third-Party Beneficiaries.** This Agreement shall be deemed to be for the benefit solely of the parties hereto and shall not be deemed to be for the benefit of any third-party.

**S. Effective Date.** Notwithstanding anything herein to the contrary, this Agreement shall not be effective until all parties hereto have executed this Agreement.

**Lake County Board of Commissioners**

  
 Micheal Repay, President  
 Kyle W. Allen Sr. <sup>D.H.</sup>  
 Kyle W. Allen, Sr., Vice President  
  
 Jerry Tippy, Member

**Gary Redevelopment Commission**

  
 Kenya A. Jones  
  
 Ramona Stouffer  
 RAMONA STOUTER  
 6-21-2017  
 DATE

Attest By:  
  
 John Petras, Auditor OG

DATE June 21, 2017

Order #40 Agenda #41

In the Matter of Board of Commissioners of the County of Lake: Letter from the Town of Munster Redevelopment Commission concerning the Ridge Road/Calumet Avenue Allocation Area and the East 45<sup>th</sup> Street TIF Area.

Tippy made a motion, seconded by Allen, to make a matter of public record the Letter, dated June 14, 2017, from the Town of Munster Redevelopment Commission concerning the Ridge Road/Calumet Avenue Allocation Area and the East 45<sup>th</sup> Street TIF Area. Motion carried.

Order #41 Agenda #43

In the Matter of Board of Commissioners of the County of Lake: Public Record of Notice of Adoption of Preliminary Determination.

Allen made a motion, seconded by Tippy, to make a matter of public record the Notice of Adoption of Preliminary Determination. Motion carried.

Order #42 Agenda #44 A-C

In the Matter of Board of Commissioners of the County of Lake: Property Disposal requests: A. Lake County Auditor; B. Lake County Court Administrator; C. Lake County Juvenile Center.

Allen made a motion, seconded by Tippy, to approve the property disposal requests for Lake County Auditor, Lake County Court Administrator and Lake County Juvenile Center, all items reviewed by Mr. Cole. Motion carried.

Order #42 Agenda #45 A-B

In the Matter of Review and Approval of the Minutes of Regular Meeting held Wednesday, April 19, 2017 and Regular Meeting held Wednesday, May 17, 2017.

Allen made a motion, seconded by Tippy, to approve the Minutes of the Regular Meetings of the Board of Commissioners of the County of Lake held April 19, 2017 and May 17, 2017 as scheduled. Motion carried.

Order #42 Agenda #46

In the Matter of Lake County Expense Claims to be allowed Wednesday, June 21, 2017.

The Board hereby orders Commissioners Allowance of Lake County Expense Claims of Wednesday, June 21, 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 June, 2017. Motion carried.

## Order #43 Agenda #47A-G

In the Matter of L C Council – Ordinances and Resolutions, adopted June 13, 2017.

Allen made a motion, seconded by Tippy, to approve all Lake County Council Ordinances and Resolutions submitted and adopted by the Lake County Council June 13, 2017. Board discussion, Tippy question to clarify 1403B-4&5, Repay spoke regarding Item B. Motion carried 3-0.

A. Ordinance No. 1204H-2	Ordinance Amending The Ordinance Establishing A Schedule of Rates and Charges to Be Collected by the County of Lake from the Owners Of Property Served By The Sewage Works Of Said County And Other Matters Connected Therewith, Ordinance No. 1204H
B. Ordinance No. 1404A-1	Ordinance Amending The Lake County 2017 Vehicle Towing Ordinance, Ordinance No. 1404A (eliminates the franchise fee)
C. Ordinance No. 1403B-4	Ordinance Amending The Lake County Part-Time Employees Pay Rate Ordinance For 2017. Ordinance No. 1403B (Coroner)
D. Ordinance No. 1403B-5	Ordinance Amending The Lake County Part-Time Employees Pay Rate Ordinance For 2017, Ordinance No. 1403B (L C Sup Court, Cty Div III)
E. Resolution No. 17-45	Resolution Honoring Antonise Christian, Medal Winner At The IHSAA Track & Field State Finals
F. Resolution No. 17-46	Resolution Reaffirming The Declaration Of Lake County Indiana's Council Supporting
The	Lake County Board of Commissioners' Resolution No. 17-05, A Resolution Concerning
All	Rights-Of-Way In Unincorporated Lake County, Indiana
G. Resolution No. 17-47	Resolution To Approve Transfer of \$63,789.00 From Web Maintenance Fund, Fund 256, Department 3600-Data Processing To Web Maintenance Fund, Fund 256, Department 3900

## Order #44 Agenda #48

In the Matter of Service Agreements.

None.

## Order #44 Agenda #49

In the Matter of Poor Relief Decisions.

Allen made a motion, seconded by Tippy, to approve the Poor Relief Decisions submitted by the Poor Relief Hearing Officer. Motion carried.

Tammie Townsend	Remanded to township for further consideration and review
Ralph Woods	Approved/partial
Elston Williams	Approved/partial
Luvenia Johnson	Denied for appellant's failure to appear
Dauida Jones	Denied
Valerie Macon	Denied
Jay Coutee	Approved/partial
Kathie Matthews	Remanded to township for further consideration and review
Shanell Berry	Denied
Rhonda Sellers	Approved/partial
Catherine Sirko	Approved/partial
Laurentha Arnold	Remanded to township for further consideration and review
Ralph Woods	Remanded to township for further consideration and review
Larissa Pruitt	Denied for appellant's failure to appear
Kristen Willis	Denied
Trisha Wild	Approved
Darryl Wiggins	Denied
Andriana DeJesus	Approved
Youseff Al Hijazeen	Approved/partial
Charles Schroeder	Approved
Earlie Crawford Jr.	Denied for appellant's failure to appear
Lathario Lindsey	Approved
Charles Eneke	Denied
Katherine Britzman	Approved/partial
Joseph Cyer	Approved/partial
Willis Harris	Denied for appellant's failure to appear
Lakita Dabney	Denied for appellant's failure to appear
Teresa Neal	Denied for appellant's failure to appear
Walter Irby	Denied for appellant's failure to appear
Lafayette Caldwell	Denied for appellant's failure to appear
Karen Barnes	Denied for appellant's failure to appear
Ritha Bennett	Approved/partial
Carl Hutchinson	Approved/partial
Sa-Diba Johnson-Dawson	Approved/partial
Elizabeth Rogers-Moore	Approved/partial



Robert Henderson Denied  
Ludean Kilgore Approved/partial  
Order #44 Agenda #49 cont'd

Nikia Banks Denied for appellant's failure to appear  
Frances Taylor Approved/partial  
Verdia Sullivan Remanded to township for further consideration and review  
Karl Jackson Approved/partial  
Michelle Young Approved/partial  
Ontario Tranzier Approved/partial  
Spencer Paterson Approved/partial  
Bernice Thompson Approved/partial  
Marquis Mitchell Approved/partial  
Jeanie McSwain Approved on condition

Order #44 Agenda #50 A-D

In the Matter of Pay immediate (hand cut) Checks: A. May, 2017. B. Direct debit Claims for pay 5/1/17 & 5/15/17. C. Direct debit claims for pay 5/26/17. D. Direct debit claims for pay 6/12/17.

Allen made a motion, seconded by Tippy, to approve the Pay immediate hand cut checks log for May 2017 submitted by the Auditor's Bookkeeping Supervisor and ordered same to approve the Direct debit claims log for pays 5/1, 5/15, 5/26, and 6/12, 2017 submitted by the Auditors County Payroll Assistant. Motion carried.

Order #45 Agenda #51A

In the Matter of Appointments: A. County Library Board (1).

Tippy made a motion, seconded by Allen, to re-appoint Lawrence Acheff to the County Library Board. Motion carried.

Order #45 Agenda #51B

In the Matter of Appointments: B. 4-H Board of Commissioners of the County of Lake Liaison appointment to be ratified.

Tippy made a motion, seconded by Allen, to appoint Anna Gianni as the liaison from the Board of Commissioners to the Lake County 4-H group. Motion carried.

Order #46 Agenda #55

In the Matter of Commentary – Public.

Attorney Dull introduced Anna Gianni, present.

Comes now, Citizen Joe Hero, spoke with comment, "since you eliminated the franchise fee, because it was probably illegal in my opinion, are you going to go back and refund all those people their money you collected the franchise from?", Dull, responded, no, we're not going to do that, there's a.....Response, interrupted by Board President, Mr. Hero is speaking as public comment only. Mr. Hero, continued, request for towing map that shows the zones for the different tow companies, did the committee keep minutes and who's on the committee, where's documentation of the criteria and what standards used? Questions continued.

The next Board of Commissioners Meeting will be held on Wednesday, July 19, 2017 at 10:00 A.M.

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

The following officials were Present:  
Attorney John Dull  
Brenda Koselke

\_\_\_\_\_  
MICHAEL REPAY, PRESIDENT

\_\_\_\_\_  
KYLE ALLEN Sr., COMMISSIONER

\_\_\_\_\_  
JERRY TIPPY, COMMISSIONER

ATTEST:

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JOHN E. PETALAS, LAKE COUNTY AUDITOR