

**LAPORTE COUNTY  
COUNTY COUNCIL MEETING  
March 31, 2008**

The LaPorte County Council met in regular session the 31<sup>st</sup> day of March, 2008, in the assembly room of the LaPorte County Government Complex. The meeting was called to order at 6:30 p.m. by President Mark Yagelski.

**ROLL CALL AND PLEDGE OF ALLEGIANCE:**

Mr. Ludlow led those present in the Pledge of Allegiance. There was a moment of silence for Larry Biggs, Sheriff's Department Detective Sergeant, who passed away recently. Roll call followed.

Mrs. Shuter:	Councilman Cooley:	Present
	Councilman Garner:	Present
	Councilman Jones:	Present
	Councilman Ludlow:	Present
	Councilman Mrozinski:	Present
	Councilman Yagelski:	Present

Councilman Cunningham was absent. Mrs. Shuter, "You have a quorum, sir."

**MINUTES:** Mr. Mrozinski commented that in the February 25, 2008, Regular Meeting Minutes, regarding the Wiley Road project, he voted "nay" and not "aye." Mr. Mrozinski then made a motion to accept the minutes of the two (2) Workshops held on February 25, 2008, the minutes of the Regular Meeting held on February 25, 2008, as corrected, and the minutes of the Joint Meeting with the Commissioners held on March 4, 2008. Mr. Ludlow seconded. Motion carried by voice vote 6 – 0.

**DEPARTMENT HEADS:**

*SHERIFF MOLLENHAUER/JAIL ANALYSIS:*

The jail staff analysis was discussed by Sheriff Mollenhauer. A Department of Corrections representative met with the warden from Michigan City, Sheriff Mollenhauer and Scott Bell, Jail Commander, and presented written and verbal reports. Sheriff Mollenhauer distributed the written report to the Council Members for their review.

Sheriff Mollenhauer stated that they were very much impressed with the jail and the operation of the jail but they do believe it could be more efficiently operated by implementing three (3) shifts rather than the four (4) shifts used now; the fourth shift is a relief shift. Sheriff Mollenhauer reported that Commander Bell has been looking into this anyway since the first of the year and they are hoping to get the eighty (80) bed pod opened up soon. The biggest problem right now is to get some hinges replaced on some jail cells. By next month they hope to have the pod partially opened.

Mr. Yagelski recommended a workshop at 5:00 p.m. before the April 28<sup>th</sup> meeting to tour the jail.

***SHERIFF MOLLENHAUER/PENSION DEATH BENEFIT:***

Sheriff Mollenhauer commented that Major Gary Broling and Chief Deputy Jim Sosinski did most of the research regarding the pension death benefit. Sheriff Mollenhauer reported that the department went to the merit system in 1966; there was a death benefit for children under the age of 18 to receive \$30.00 per month. He stated that until recently, with the death of retired Officer Dan Purkal, there hasn't been a situation with anyone passing away where their children are under the age of 18. Sheriff Mollenhauer requested increasing the amount to \$300.00 per child.

Mr. Ludlow asked if this would be an increased cost to the pension program. Major Broling answered that he wouldn't think there would be any significant increased costs; at this point we are talking about \$300.00 for twelve (12) to fourteen (14) months. Mr. Jones commented that he is for the program but what Mr. Ludlow is saying is making sense; if there isn't an increase why wouldn't we give them more than \$300.00. Sheriff Mollenhauer stated that Major Broling called several departments to get an idea what other departments allot; Tippecanoe County changed their amount to \$1,000.00 per month. Major Broling commented that \$300.00 is thought to be a very fair figure.

Mr. Jones made a motion to approve this increase to \$300.00 and Mr. Garner seconded. The motion carried by voice vote 6 – 0.

**LIAISON REPORTS:**

***EMERGENCY MANAGEMENT:***

Mr. Jones stated that Paul Young, Director of Emergency Management, reported that a siren was going down and it was an emergency situation, especially with spring weather and the tornado season. Mr. Young went to the Commissioners and they declared this situation an emergency. Mr. Jones reminded the Council that there has been a plan in place to change out all of the WWII era sirens that exist in LaPorte County at the pace of one to two a year. Mr. Jones stated that this emergency appropriation is before the Council tonight and in this case, is appropriate.

***HUMAN RESOURCES:***

Mr. Jones met with Joyce Leon, the Human Resource Director, and there is a transfer request on the agenda for Office Equipment/Furniture as a result of the Council handing down some furniture and the amount of money cut out from Mrs. Leon's request at the last meeting. Mrs. Leon was given a desk from the County Council; because of that and because the bid quotes were from 2007 and the price increased in 2008, she also had to buy a different piece of equipment to fit in the space with the new configuration. Mr. Jones explained that this is why there is a request to transfer \$1,350.00 and he is asking that the Council approve this amount.

***VETERAN'S OFFICE:***

Mr. Mrozinski reported that the medal presentation by the Veteran's Committee will be held on April 26<sup>th</sup> in this Complex at 10:00 a.m. All eligible LaPorte County Veterans that haven't received their medal yet should get their applications in to the Veteran's Service Officer at the Courthouse. Mr. Mrozinski stated that something added this year is anyone in the Reserves or National Guard called up for active duty, even though not eligible for a medal, may receive a certificate of appreciation; they need to make application before the 23<sup>rd</sup> of April.

*ANIMAL SHELTER:*

Mr. Mrozinski stated that the Animal Shelter will hold an Open House on Saturday, May 3<sup>rd</sup>. Pets can be micro-chipped for only \$20.00 which is about a 50% savings. Mr. Mrozinski reported that the Animal Shelter would like to thank the Council for moving the part-time person to full-time and because of that, starting on May 6<sup>th</sup> and 7<sup>th</sup>, the Animal Shelter will extend their hours on Tuesdays and Wednesdays to be open until 6:00 p.m.

*COUNTY HOME:*

Mr. Mrozinski reported that last Friday the County Home had their city water hooked up and turned on which takes a huge load off of a lot of people's minds. The only thing left now is to bury the old well system, which they are getting a bid for.

*COURTHOUSE SECURITY:*

Mr. Mrozinski commented that the Judges pay for Courthouse Security, the way it is setup now, from their User Fees. Payment for security for the Commissioners' Meetings and Council Meetings has been an issue and now there are a lot more Boards and Commissions asking for security to be here such as the PTABOA and the Plan Commission. Mr. Mrozinski asked if the Council should be looking at the departments, such as the Plan Commission when they want security full-time, to see if they should be paying the security or is it o.k. that the Courts are paying for everybody. Mr. Yagelski commented that this is what is relied on and it is fine. Mr. Mrozinski commented that when it is arranged for security to be at a meeting, and for some reason the meeting is cancelled, security needs to be notified.

*TOWNSHIP TRUSTEES/ASSESSORS:*

Mr. Garner reported that the Township Trustee/Assessors pretty much had their positions eliminated; they lobbied against it but didn't get anywhere. The overall feeling is that their position should have lasted until the end of their term and there should have been more information given. Mr. Garner commented that there will be some savings but it will also put more work on other departments for the County; overall, will it be worth it is still in question.

*COUNCIL/COMMISSIONERS:*

Mr. Cooley stated that he has been asked why the County Council is always arguing with the Commissioners. He stated that he is proud of the Council and Commissioners because we do work together hand-in-hand, and we do argue, but we always try to work out our problems; that is why the Council asks hard questions. The Council won't vote "yes" or "no" until they find out all of the answers.

*BUDGETS:*

Mr. Cooley was asked about budgets and the newly passed HB 1001. Over the six (6) years he has been here, the County Council has never raised the County budgets but has lowered them except for wages and emergency funding. Mr. Cooley commented what really surprised him is that regarding the 1001 bill there was no Council input and no one ever asked what has to be done with the County Council. He stated that in the two (2) years he was President he was never asked; he is disappointed with the Governor, Associations and everybody else because there weren't any meetings involving the County Council and what they are doing on budgets.

*ECONOMIC DEVELOPMENT:*

Mr. Cooley received an e-mail from Matt Reardon today regarding economic development and Mr. Reardon reported that Van Air, Palatek and Indiana Flex Fuel had investments this year of \$20.2 million and will create a potential of one-hundred sixty-nine (169) jobs. Mr. Cooley commented that economic development has come a long way.

*PARK DEPARTMENT:*

Mr. Cooley isn't a liaison to the Park Department but he did go to a presentation on the bike path and the bridge over I-94. Mr. Cooley has had a few calls from people wondering how we are going to pay for it; he commented that Indiana is a donor State and if we don't have federal projects, such as this, and they have money out there for bike paths and we don't go after these grants, we won't get money back.

*ASSESSOR:*

Mr. Cooley has been meeting with Assessor Carol McDaniel in trying to figure out what we are going to do. He has a feeling there will be several meetings with Mrs. McDaniel over the next few months.

*JUVENILE CENTER:*

Mr. Cooley reported that there was a meeting regarding the Juvenile Center and he agrees with the Judge in his analysis. He commented that Judge Tom Alevizos is doing a great job in trying to save money for this County.

*HB 1001:*

Mr. Yagelski commented that Committees would need to be formed by next month regarding HB 1001. He stated that there is some talk and language that we will be "pink slipping" some people July 1<sup>st</sup>. Mr. Yagelski will be in touch with the Council Members as the Committees are formed. He stated that he doesn't want to do anything until we see the report the DLGF will be putting out tomorrow. Mr. Yagelski stated that from what he reads there is the possibility that the Council will be the taxing agent for all of LaPorte County and the taxing agent will be a Local Option Tax.

As Mr. Cooley mentioned, Mr. Yagelski prides our Council and County officials for keeping the budgets down in good times and bad. Mr. Yagelski asked everyone to consider some Committees to talk with Michigan City, Sanitation, Wanatah, libraries, etc. to look at some of their concerns. Mr. Yagelski commented that we are going to look at hiring out at some time to see if budgetary numbers are true or not; in the next sixty (60) days we are going to have a lot of information given to us. Mr. Yagelski stated that even though the Council is part-time, they are going to spend as much time as we can because we have to ready for our budgets in August. The entities need to be contacted to keep them involved because at one point, Mr. Yagelski sees the Council being the central point unless someone else gives other facts and figures.

Mr. Yagelski commented that also in 1001, there is an issue pursuant to I.C. 36-2-15-8 and I.C. 3-10-9-3; LaPorte County Council, acting as a legislative body, does hereby certify to the LaPorte County Clerk the township of at least fifteen thousand (15,000) parcels of real estate and the following question to submit to the voters of this township, "Should the assessing duties of the elected Township Assessors in the township be transferred to the County Assessor." The only township we have involved is Michigan Township with Terry Beckinger. Mr. Yagelski stated that Mr. Beckinger understands the issue. Mr. Yagelski stated if the Council agrees, they

will ask that this question be put on the ballot as a referendum for a vote to the residents of Michigan Township. Mr. Ludlow asked if this is for the May Primary or the November General. Mr. Yagelski responded that it is for November.

Mr. Jones made a motion to allow the President to sign the “Certification to Clerk of Local Public Question” and forward the question to the Clerk for a referendum. Mr. Ludlow seconded. The motion carried by voice vote 6 – 0. Mr. Yagelski asked that the Council check their e-mail because they will be corresponding a lot during the next sixty (60) days.

**PUBLIC COMMENTS:** There were none.

**TRANSFER/HUMAN RESOURCE DEPARTMENT:**

Mr. Jones made a motion to allow the transfer of \$1,350.00 from Office Supplies to Office Equipment/Furniture in the County General Fund, Human Resource Budget, and Mr. Mrozinski seconded. The motion carried by voice vote 6 – 0.

**HB 1001 & ADDITIONAL APPROPRIATION/REASSESSMENT FUND/ASSESSOR:**

Attorney Shaw Friedman, on behalf of the County Assessor since she is attending the Assessor’s Conference, and Sherry Banic, President of the PTABOA Board, were in attendance. Mr. Friedman, to follow-up on Mr. Yagelski’s comments, does believe that the memo will go out from the Department of Local Government Finance (DLGF) tomorrow; the big issue is salary and benefits for those elected Township Assessors whose employment position transfers over to the County Assessor on July 1<sup>st</sup> in townships with less than 15,000 parcels. Mr. Friedman stated that as of January 1<sup>st</sup> of 2009, in townships with over 15,000 parcels, effective November 2008 depending upon the referendum, which the Council has just approved, would transfer assessing duties to the County Assessor. Mr. Friedman commented that the act is clear that the elected Township Assessor completes their term of office; if elected in 2006 it would be 2010, but it leaves the salary up in the air. Mr. Friedman stated that presumably it will be a County decision but what the attorney for the DLGF has informed him today, the DLGF is seeking an advisory opinion from the Attorney General on this issue.

Mr. Friedman commented that another key point for the elected Township Assessors with less than 15,000 parcels, their employment position transfers to the County Assessor on July 1<sup>st</sup> and their sole duty will be to assist with the transition of assessment duties and records to the County Assessor. Also, the employment positions as of June 30<sup>th</sup> of all elected Township Assessor employees transfers to the County Assessor on July 1<sup>st</sup>. By July 1<sup>st</sup>, all of the employees of the elected Township Assessor and employees of Trustee/Assessors need to be interviewed, or have opportunity to interview, for employment positions with the County Assessor. Mr. Friedman commented that this follows up on Mr. Yagelski’s point that there may need to be a Committee to assist the County Assessor; his office is willing to work to assist, and he would hope for suggestive representation from the County Commission, and he would also suggest the DLGF field representative may participate as well. Mr. Friedman stated that as they understand it, the employees must apply to the County Assessor before June 1<sup>st</sup> and they need to be employees of the Trustee/Assessor or elected Township Assessor as of March 19<sup>th</sup>.

Mr. Friedman stated that also discussed was if the Assessor chooses to look at some contract services for some of these responsibilities; this would be a full contract subject to request for

proposals and the process would be brought before the County Commission and the County Council. Mr. Friedman provided a copy of the statute because it does provide that the new contracts state that the Department of Local Government Finance is a party to the contract which is a whole new ballgame; they are a signatory on the contract.

Mr. Friedman commented that what the Council is going to be wrestling with is the impact of 1001 to the various taxing units and the need for some expertise to help weigh that out; the financial firm of Cender & Company has been utilized in the past. Mr. Friedman has asked Karl Cender to prepare a proposal and if the Commission and Council are so inclined, this would be a way to get good, hard numbers regarding the circuit breaker, possible shortfalls, income estimates, etc. Mr. Friedman distributed the proposal provided by Cender & Company. Mr. Ludlow asked if this is a proposal the Council can sign or is it a contract through the Commission. Mr. Friedman responded that it is a contract through the Commission but, in the interest of good collaboration between the two bodies, he wanted to present it to the Council as the Council will need to appropriate the money. Mr. Friedman commented that from what they can tell, the impact is far less severe on the County than it is on other taxing units; Cender & Company's contract is not to exceed \$35,000.00. Mr. Yagelski had called Mr. Friedman last week and stated that the Council needed to know sooner than later good hard numbers to look at and the impact. Mr. Yagelski stated that Mr. Hager is in agreement that a common area can be found between the Council and the Commissioners and this will be a joint venture.

Mr. Cooley commented that there is no permanent property tax relief. Mr. Friedman responded that it is his understanding that this was the concern that Representative Pelath and Senator Arnold had when they voted against this package. Mr. Friedman stated that the "jury is out" on long term relief. Mr. Yagelski stated that we don't have the option of looking in a crystal ball but he does agree with Mr. Friedman's statement.

Mr. Friedman stated that the Council was good enough to appoint counsel for the PTABOA Board and the Board is making headway on the appeals. Mrs. Banic reported that the Board has heard approximately two hundred fifty (250) appeals so far; ninety-one (91) have been lowered, seventy-five (75) have been denied, ten (10) have been raised, about fifteen (15) have been withdrawn and about twenty-seven (27) have been tabled in order to present more evidence and she doesn't have the number of people who have cancelled. She stated that their first month was a little bumpy but they are making headway. Mrs. Banic commented that without legal counsel, she doesn't know how they would have survived.

Mr. Garner asked if Nexus is coming through or will outside firms need to be hired. Mrs. Banic responded that they are looking into a hearing officer; a hearing officer would be someone who is not associated with the township or associated with the taxpayer. The State is being contacted for a list of Level II's since you must be a Level II to be a hearing officer; mass mailings will be sent out to qualified candidates to see if they would be interested in being a hearing officer. Mrs. Banic reported that three (3) interim hearing officers have been appointed that work in the Assessor's Office.

Mr. Garner's understanding was that Nexus was going to defend all of their assessments so where do they fit in. Mr. Friedman responded that they will serve as experts on behalf of the Township Assessor but someone neutral is still needed to hear the evidence; the DLGF has recommended, in order to help expedite the processing of appeals, the appointment of one, two or three hearing examiners which isn't the role of Nexus. Mr. Friedman stated that Nexus is

doing their job to defend the appraisals; they are attending hearings locally and in front of the Board of Tax Review.

Mr. Ludlow asked if Mrs. Banic just said that they hired three (3) people from the Assessor's Office to be hearing officers. Mrs. Banic responded that they appointed three (3) interim hearing officers, which is very common. They have contacted several Assessor's Offices throughout the State and it is common that the Level II Assessor Appraisers in their offices look at the evidence the taxpayer and Assessor provided and then give their recommendation to the PTABOA Board. The PTABOA Board has the final say. Mr. Ludlow asked when the County employees look at this information. Mrs. Banic answered that they haven't dealt with that yet; they were just appointed. Mr. Friedman stated that their recommendation would be to go with separate Level II or Level III appraisers; they were just trying to get more appeals through. Mrs. Banic commented that the Assessor's Office really doesn't have time to do it right now. Mr. Cooley commented that other counties have been asked, but we wouldn't have to go out of the County and could still use our Trustee/Assessors who have qualified as Level II's. Mr. Friedman responded that he has seen the certified list of Level II appraisers in the County and there were at least twenty (20) but they are trying to get the updated list of other counties. Mr. Yagelski asked if it wouldn't be prudent, since there will be some people out of work July 1<sup>st</sup>, to utilize their services. Mrs. Banic responded that this has been brought to their attention and they are hoping to hire a couple of hearing officers before July 1<sup>st</sup>.

Addressed was the request for appropriation of \$9,600.00 from the Reassessment Fund, Legal Fees, to increase the monthly retainer from \$1,000.00 per month to \$3,200.00 per month for a three (3) month period. Mr. Mrozinski made a motion to approve and Mr. Jones seconded.

Mr. Jones asked, as he promised a taxpayer he would ask the question, is it necessary for the attorney to be there the whole time of the PTABOA Hearings. Mrs. Banic responded that she thinks it is very necessary since none of the Board Members are attorneys; through the course of the day several legal questions are asked of the attorney to see if procedure is being followed correctly or if something needs to be tabled due to some legality. Mr. Jones stated that he figured that with the current hours the Board is putting in, the attorney is being paid \$31.00 per hour. Mr. Friedman commented that Mr. Hedge has gone above and beyond and was good to take on the assignment. Mr. Friedman also stated that Mrs. Banic made a good point since many of the taxpayers are there with their own attorneys; the meetings are all being video-taped and there is a Court Reporter present at all hearings. He also commented many appeals are going down-state to the Board of Tax Review and the stakes are high with millions in assessment; therefore, it is very helpful having counsel present.

Mr. Cooley was asked by a taxpayer if the attorney is doing work other than PTABOA work while in the hearings. Mr. Friedman responded that Mr. Hedge has his private practice but he is committing a day a week plus the prep time; he is not doing his own personal work while at the hearings. Roll call was taken regarding approval of \$9,600.00.

Mrs. Shuter:	Councilman Yagelski:	Aye
	Councilman Cooley:	Aye
	Councilman Garner:	Aye
	Councilman Jones:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye

Motion carried 6 – 0.

**ADDITIONAL APPROPRIATION/CCD FUND/BUILDING MAINTENANCE:** Al Ott, Stationary Engineer, reported that this request went before the Commission and the low bid of \$5,812.00 was accepted for awnings at the County Annex. The existing frames will be taken down and sandblasted and painted. Also a quote in the amount of \$10,382.00 was received to install an automatic sliding door and an automatic door opener for handicap accessibility. Mr. Jones made a motion to approve \$16,194.00 and Mr. Ludlow seconded. Motion carried by voice vote 5 – 1 with Mr. Mrozinski voting “Nay.”

**ADDITIONAL APPROPRIATION/CCD FUND/EMERGENCY MANAGEMENT:** Paul Young, Director of Emergency Management, echoed Mr. Jones comments from earlier that replacing the siren is an emergency. This siren is located at Craven Pond off of Weller Avenue in LaPorte City, and the contractor has guaranteed that the siren will be operating by the 12<sup>th</sup> of this month. Mr. Jones made a motion to approve the request of \$17,956.00 and Mr. Ludlow seconded.

Mr. Cooley received a call at home and was asked if the sirens have to last as long as they do; does the test last five (5) minutes. Mr. Young responded that the testing is routine and it is uniform all over the County. Mr. Jones commented that it is controlled by software and runs in ten (10) minute cycles. Mr. Garner asked about the siren replaced at Kingsford Heights and asked if most of the sirens are older ones. Mr. Young answered that some of the sirens are getting some vintage on them but he is trying to single those out as he goes along; ideally he would like to buy mounted units as it is cheaper. This siren needed replaced right now since it is tornado season and it quit.

The motion to approve \$17,956.00 as advertised carried 6 – 0.

**ADDITIONAL APPROPRIATIONS/EMERGENCY MEDICAL SERVICE:**

*GENERAL FUND:*

Mrs. Shuter stated that the \$5,000.00 advertised for Overtime was omitted from the budget process. Mr. Ludlow made a motion to approve this request and Mr. Jones seconded. The motion carried by voice vote 6 – 0.

*CUMULATIVE CAPITAL DEVELOPMENT (CCD) FUND:*

Mr. Ludlow made a motion to approve \$126,987.00 as advertised for Motor Vehicles in order to purchase a new ambulance and Mr. Jones seconded. Mr. Ludlow stated that he has a question, but it is not about the vehicle; five or six month ago money was allotted for a new employee to coordinate transfers and he asked if the number of transfers are up. Pat Pease, EMS Director, responded that there are sixty-five (65) transfers for the quarter which equates to about \$25,000.00 for the quarter; projected out we should at least accumulate an additional \$100,000.00 or more in revenue for the first year. Mr. Jones asked if the numbers could be up because he is on the Advisory Board and would Mrs. Pease reflect this in her report (laughter). The motion to approve \$126,987.00 passed by voice vote 6 – 0.



*WIN TAX FUND:*

Mr. Ludlow made a motion to approve \$6,900.00 for the purchase of twelve (12) additional pagers and one new portable radio. Mr. Jones seconded. The motion carried by voice vote 6 – 0.

**ADDITIONAL APPROPRIATION/HIGHWAY:** \$10,000.00 was advertised in the Major Moves Fund and the Win Tax Fund for Master Planning regarding a Regional Sewer District. Mr. Jones made a motion to approve \$10,000.00 from Win Tax and Mr. Mrozinski seconded.

Mr. Ludlow asked if this would be the initial report of what was requested during the Joint Session. Commissioner Bill Hager responded that this is correct and it would be to get American Structurepoint, Inc. on board and to come back with a report showing what it will take and how we get it going. Mr. Hager commented that a lot of people think we are putting sewers throughout the County, and we are not; we are just putting in a Regional Sewer District and in this way we will not have a Sewer District like the one on Highway 39 or like Springfield was going to put in that gets out of control and they can charge whatever they want. Mr. Hager stated that they have been working with Springfield because he believes if we get this off and running we will have enough businesses along Highway 20 to pay for the line from Highway 39 down to Highway 35 where they can meet up with the City.

Mr. Ludlow asked if this is an open-ended contract. Mr. Hager replied that this contract is for what it would be for American Structurepoint to do the entire project. Mr. Ludlow commented that they are charging us \$10,000.00 so that they can tell us how much they are going to charge us to do the project. Mr. Hager responded that as he understands it, by us taking over the Springfield Sewer District we can save approximately six (6) to nine (9) months and this is what they have to go downstate to find out. Mr. Cooley believes what the money is for is so that they can see if it is feasible to have one so that we control it. Mr. Hager stated that by estimation by the time we would get a complete Sewer District in the County, to protect all of the people in the County, he would look for approximately \$100,000.00; he stated that this is not all at once but down the road.

Mr. Ludlow asked how much is in Win Tax. Mrs. Shuter replied approximately \$600,000.00 uncommitted. Mr. Yagelski questioned if this proposal is to form just this one district area. Mr. Hager responded that it will be forming this one but it will also be for getting a pattern setup for the whole County so that nobody else can come in and start one up. Mr. Yagelski asked what would stop someone from coming in since this is only guaranteeing one area; Mr. Hager stated that you can only have one Regional Sewer District.

Mr. Yagelski asked if this would cancel the one that is on Highway 39. Mr. Hager replied that this one is altogether different. Attorney Baugher commented that this is a Conservancy District. Mr. Hager stated that the only one cancelled would be the one in Springfield. Mr. Yagelski asked about the one by the Fairgrounds. Mr. Hager responded that this is not Regional but is the 18<sup>th</sup> Sewer Project and in time we could add on to that. Mr. Yagelski commented that we should not have to spend this money again except for attorney language here and there. Attorney Baugher stated that you will end up modifying it obviously.

Attorney Baugher asked if those involved are working with LaPorte Wastewater Treatment people and Michigan City. Mr. Hager replied, "Yes." Attorney Baugher stated that the only reason he is asking this question is because, unless the County intends to build a Waste Treatment Facility, there are only two (2) Waste Treatment Facilities in the County with any

substance to expand upon. Attorney Baugher, having spoken to Jerry Jackson who operates the City of LaPorte's, stated that there has been some real concern that the County is moving off to form a District and there is very little coordination, and he favors this proposal, but all involved need to be aware that you will have to come either to LaPorte or Michigan City and contract services. Attorney Baugher commented that it might be a prudent matter to bring these folks onboard during the discussion stages to address any particular problems they may have. Mr. Hager stated that they have talked to both cities and that all of these will be computer operated and both cities can handle it.

Mr. Yagelski stated that the idea of having the Sewer District is that we could recoup our money in a longer period of time. Attorney Baugher commented that the period of the current agreement with the City of LaPorte regarding the line run to the Fairgrounds is fifteen (15) years. Mr. Hager reported that we would get hookup fees from the line put on Highway 20 and Michigan City would get the fees for maintaining it and the sewer fees. Mr. Hager stated that when Springfield Township needs to hook in, they would run a line down and hook into it; then anyone along 300 that hooked in, we would get those fees; this is how we would start generating funds to carry it on. Mr. Yagelski commented, just like we did in running a line to the Fairgrounds, that this is a case by case negotiating factor that we will have with the cities, Westville, and the huge amount we already have out there.

Attorney Baugher commented, with all respect to former Mayor Morris, that if you are going to have a District you really need to understand the capacity limitation of LaPorte and Michigan City. Attorney Baugher, having been around several Mayors, commented that they understand the concept but not the limitations of their existing facilities and that is why he mentioned Jerry Jackson. Mr. Yagelski asked if part of the contract is that we sign up Michigan City, LaPorte, Westville, Wanatah, Kingsbury, Kingsford Heights. Mr. Hager commented that it will be up to American Structurepoint to contact these entities; they would all be coming onboard with us.

Mr. Yagelski stated that there is a motion and a second to approve \$10,000.00 from the Win Tax Fund. Roll call was taken.

Mrs. Shuter:	Councilman Cooley:	Aye
	Councilman Garner:	Aye
	Councilman Jones:	Aye
	Councilman Yagelski:	Aye
	Councilman Ludlow:	Aye
	Councilman Mrozinski:	Aye

Motion carried 6 – 0.

**ADDITIONAL APPROPRIATION/GENERAL FUND/HUDSON TWP:** Mr. Garner made a motion to approve \$1,000.00 in the County General Fund, Hudson Township Budget, for Extra Hire/Part-time/Seasonal (Level II) and Mr. Mrozinski seconded. Mr. Ludlow asked why since the Trustee/Assessors will be out of work in June. Mrs. Shuter stated that they are typically entitled to the entire \$1,000.00 by law when they attain a Level II Certification. Attorney Baugher commented that he has looked at this before and it is not really a salary but an incentive to get the certification. Mrs. Shuter reported that Richard Gray, Hudson Township Trustee/Assessor, has received the Level II Certification. The motion carried by 6 – 0 by voice vote.

## **ADDITIONAL APPROPRIATION/INFORMATION TECHNOLOGY:**

### *WIN TAX FUND:*

Darlene Hale, IT Director, explained that the request for \$74,800.80 is to run fiber connection from the LaPorte County Annex Building all the way out to connect to other buildings that are County-owned. The current connections are wireless and are affected by weather; they were actually struck by lightning twice last year which is not covered by maintenance contracts and cost over \$5,000.00 in repair. If this request is approved and the County does their own trenching, which at one time was approved to do, \$33,187.00 will be saved. Ms. Hale provided maps of the proposed plan to the Council.

Mr. Jones made a motion to approve this request and Mr. Mrozinski seconded. Mr. Ludlow asked if the maintenance contract is part of the \$74,800.80 requested. Ms. Hale responded that it is not but she could probably cover it for the rest of the year. Mr. Ludlow asked if \$4,680.00 for Maintenance Contracts and \$11,634.00 for Computer Maintenance advertised in the County General Fund is part of the fiber optic costs. Ms. Hale replied that they would be part of the costs in total. Mr. Ludlow responded that we are actually looking at a little over \$90,000.00 in costs. Ms. Hale commented that the \$4,680.00 could be cut back.

Mr. Ludlow asked if there are any savings to the County for this project. Ms. Hale responded that there is in a way but not real significant; phone switches were discussed. Ms. Hale stated that there is a problem when the wireless goes down. Krista MacLennan, Juvenile Service Center Interim Director, stated that they cannot access any of the Michigan City information when the network goes down, they can't print, they can't access their time clock, they can't access their cameras, etc. Mrs. MacLennan stated that there are lots of times they are up and down and it is difficult to accomplish anything; over the winter there were days when she had to send people home because every paper was filed there was to file, they dusted every "dust bunny" there was to dust in their office and there wasn't anything else to do since the employees couldn't access anything on their computers. Ms. Hale stated that even though we pay maintenance when the weather is bad and the network goes down, they will not climb the poles.

Attorney Baugher asked how we actually connect to the Internet. Ms. Hale responded that we connect fiber to the Internet and it runs from the Complex to the Courthouse and to the "Hiler Building" and then to Michigan City. Mrs. MacLennan commented that they are getting their connection through wireless. Ms. Hale stated that from the Highway Department out to County Home is all wireless. Attorney Baugher commented that a fiber connection to the Internet is an extremely valuable community tool; we are fortunate because there are two potential access points in this County with one at the Toll Road to the north and the other is within a block of the Complex. Attorney Baugher stated that the reason he knows this is that he is on a Committee to see about developing a POP (Point of Presence) for the City of LaPorte and there are more than ample potential users for such a system. Attorney Baugher is told that the risk point is from where you use the service to where you connect into the Internet and a wireless system probably is a very unstable system. The only reason Attorney Baugher is bringing this up is because there is a Committee seriously looking at developing a Point of Presence to the fiber optic system within a block of here that he feels would be very valuable to the County and the growth of business; he would like for the County people to see if they could touch base with some folks that are trying to get this done.

Mr. Jones commented that a technology committee has existed in Michigan City for quite some time with wide representation from the school system and pretty bright people. He reported that just recently they have invited Darlene to sit on that Committee. Mr. Jones stated that before Attorney Baugher spoke, and now more than ever, he considered the idea that maybe there should be County-wide committee; if there is already a loop nearby you don't run a second one because the service providers will run one for you all day long and you will pay them. He commented that there are other ones out there that can be shared.

Mr. Cooley stated that the only problem he has, and he has talked to Darlene about it, is that the IT Committee hasn't met to make the recommendation to the Council. Mr. Cooley wants to make sure that everything is done right and we are spending the money wisely; he thinks the committees need to be involved. Therefore, he would like to table these requests until the next meeting even though he believes in the project.

Mr. Garner asked how many hookups there are; basically we are talking about the County Home, the proposed Purdue Extension Building, Soil & Water, Solid Waste, the Sheriff's Building at the Fairgrounds, the Animal Shelter, the Sheriff's Shooting Range, the Sheriff's Maintenance Garage, the Highway Department and the buildings between. Mr. Garner stated that the Tourism Board would be in favor of this project because of what they are trying to promote in this area; it would be very beneficial to LaPorte County.

Mr. Yagelski commented that the Data (IT) Board met one time last year through no fault of Darlene's but representatives that were on the Board. Mr. Yagelski is not at this time in favor of this project because there has not been enough research done and not enough communication with others or between ourselves.

Based upon the motion for approval of \$74,800.80 and the second, Mr. Yagelski asked for roll call.

Mrs. Shuter:	Councilman Garner:	Aye
	Councilman Jones:	Aye
	Councilman Yagelski:	Nay
	Councilman Cooley:	Nay
	Councilman Mrozinski:	Aye
	Councilman Ludlow:	Nay

Motion failed by tie vote 3- 3.

Mr. Cooley made a motion to table this request and Mr. Ludlow seconded. Motion carried 6 – 0 by voice vote.

*CUMULATIVE CAPITAL DEVELOPMENT (CCD) FUND:*

Ms. Hale requested \$30,079.00 for backup equipment. Mr. Jones made a motion to approve the backup equipment in the amount of \$30,079.00 and to table \$4,680.00 and \$11,634.00 advertised in the General Fund. Mr. Ludlow seconded. The motion carried 6 – 0 by voice vote.

**ADDITIONAL APPROPRIATION/GENERAL FUND/JUVENILE SERVICES CENTER:**

Krista MacLennan, Interim Director, stated that it was their impression that \$2,500.00 for Residential Allowance was in the budget but with the transitions made last summer everything was a little off the table. She reported that they are required by law to provide allowances for kids on the residential side who are there beyond a certain number of days; they receive \$4.00 per week for outings and that type of thing. Mr. Jones made a motion to approve \$2,500.00 and Mr. Cooley seconded. The motion carried 6 – 0 by voice vote.

**ADDITIONAL APPROPRIATION/CONTRACTOR’S REGISTRATION FEE FUND:**

Mr. Ludlow made a motion to approve \$2,000.00 for the purchase of equipment, a Philip’s Digital Dictation Machine, and Mr. Jones seconded. The motion carried 6 – 0 by voice vote.

**ADDITIONAL APPROPRIATION/EMERGENCY RESERVE FUND/SHERIFF:** This request for \$600,000.00 for Pension Benefits was tabled from the last meeting. Mr. Ludlow commented that this request was tabled because we were supposed to find out about the monthly payments, etc. Mr. Jones made a motion to bring this matter off of the table and Mr. Garner seconded. Motion carried by voice vote 6 – 0.

Sheriff Mollenhauer commented that as he understands it, there is a different non-reverting fund than last year. Mrs. Shuter stated that the request was advertised from the Emergency Reserve Fund. Mr. Ludlow commented that we are trying to avoid using the Emergency Reserve money since we are generating money from Civil Process. Mr. Ludlow asked if the pension is a monthly payment. Sheriff Mollenhauer replied that it is. Mrs. Shuter commented that it is paid through purchase order. Mr. Ludlow asked if we have enough money so far in the Sheriff’s Pension Fund that was created to continue the monthly payments. Chief Deputy Sosinski responded that he doesn’t believe so or it is getting real close. Mrs. Shuter stated that there is approximately \$140,000.00 in this fund. Mr. Ludlow commented that the payments are around \$50,000.00 per month so we have a hedge of two (2) or three (3) months plus they are generating money. Mrs. Shuter stated that this is correct to the tune of about the same amount. Mr. Ludlow suggested not pulling any money out of the Emergency Reserve Fund until we see how it works out regarding the Sheriff’s Pension Fund.; we could add money at the end of the year if Civil Process goes down and the Council will certainly fund the pension.

Mr. Yagelski commented that we are glad that the work through the Sheriff’s Association was done and more money is coming in. Due to no action taken, the matter dies.

**ADDITIONAL APPROPRIATION/SUP CT NO 4 PROBATION ROAD CREW FUND:**

Mrs. Shuter commented that the request for \$13,991.10 was omitted from the User Fee request last month. Mr. Ludlow made a motion to approve this request and Mr. Cooley seconded. Motion carried 6 – 0 by voice vote.

**ADDITIONAL APPROPRIATION/CCD FUND/VOTER REGISTRATION:** Jeana Blake, Co-Director of Voter Registration, explained that by state law, signatures are scanned into the poll books. When the transfer was made from the old system to the State system, all of LaPorte City was lost. A “little bitty” State scanner was provided. Mrs. Blake reported that Darlene’s IT Department is in the Voter Registration Office more than they like to be and the State scanner will not take care of what needs to be done; the State told Voter Registration that they are not going to go back in and retrieve the signatures. Mrs. Blake reported that Darlene had a scanner and the State would not approve its use.

Mr. Yagelski asked how the signatures were originally scanned. Mrs. Blake commented that the State originally did it and Voter Registration did LaPorte City's on their scanner but the new system is State-owned and they won't let Darlene use the County scanner. Ms. Hale (Darlene) explained that the County scanner will not function with the State application; a letter was sent requesting that the State purchase a scanner for us but they sent a letter back telling us what model of scanner to buy.

Mr. Yagelski asked about having our attorney send a letter informing them we cannot work with their equipment and confront the State; why do we bend down because the State of Indiana says so. Mr. Yagelski stated that there is an agency responsible for that. Mrs. Blake replied that the County is responsible. Mr. Yagelski asked if we have sent the State information showing the equipment is not working. The response from Ms. Hale and Mrs. Blake was, "Yes." Mrs. Blake commented that the scanner has been replaced three (3) times and they send the same type scanner to try again; we are playing back and forth games. The letters sent back and forth were included in the Council packet. Mrs. Blake stated that by 2009 every signature must be in every poll book.

Mr. Ludlow made a motion to approve \$6,452.00 as requested in the CCD Fund, Purchase Equipment. Mr. Ludlow suggested having our attorney send the bill to the State. Attorney Baugher would be pleased to do so but he hopes that no one holds their breath until they pay. Mr. Cooley seconded and the motion carried by voice vote 6 – 0. Attorney Baugher asked that someone from Voter Registration come talk to him at his office so he could have the information to send to the State.

**OLD BUSINESS:** Mr. Yagelski talked to Attorney Baugher and the Salary Ordinance Amendments will be addressed next month.

**NEW BUSINESS:** Regarding appointment to the Michigan City Economic Development Commission, Mr. Jones commented that the term of Sheldon Cohn on that committee is up; we are just forwarding a recommendation for appointment that can be rejected by the Mayor if he so chooses. Mrs. Shuter commented that there should also be a letter from Janet Greenwald.

Mr. Jones made a motion to forward both applications to the Mayor and Mr. Ludlow seconded. The motion carried 6 – 0 by voice vote.

**COMMENTS BY THE COUNCIL:**

Mr. Mrozinski commented that it would seem that it might be advantageous if we would have an Executive Session or a Joint Meeting with the LaPorte County Council, the LaPorte City Council and the Michigan City Common Council to talk about some common ground issues that we have to see if we can't work together. Mr. Mrozinski made a motion that our President pursue this. Mr. Yagelski stated that this is a good idea. Mr. Cooley seconded. Mr. Jones suggested consideration of an annual retreat since, if it is called an Executive Session, it needs to be about specific things. The motion carried 6 – 0.

Mr. Yagelski stated that Mr. Ludlow is trying to setup a meeting at another location. Prior to the meeting a workshop would be held. Mr. Ludlow will work on this matter. Mr. Yagelski commented that we should start making any trips now since August will be coming up real quick and it would behoove us to go to other entities especially with the Bill (1001) coming up. Mr. Ludlow will contact the Sheriff about a time to setup a workshop to tour the jail if the next Council Meeting is “on the road.”

Mr. Cooley was asked by the Mayor of Michigan City and Public Access TV about getting together with the County to offer a service for more government meetings on TV. If we have a meeting in Wanatah, or wherever, there are a lot of communities in the County that are not on TV. It would be nice if we looked at including the whole County so when there are meetings in their communities they could be on TV. Mr. Cooley commented that they were talking about approximately \$30,000.00. This will be presented to the Commissioners before long. Mr. Cooley stated that if we are going to start moving our meetings around we need to go to places that have TV.

Mr. Ludlow, even though most of the Department Heads are gone, wanted to make note of what the Council did tonight and the fact that we don't know financially where we are or where we are going; we are flying by the seat of our pants. Unless a proposal is an annual mandatory thing, like buying an ambulance once a year or Sheriff's Department squad cars, something that has to be replaced every year, it had better have a purpose to it. Mr. Ludlow further stated that it had better save us some money, save us some employee costs or something or, for himself personally and what the rest of the Council is saying tonight, you are going to struggle to get it past the Council until we can get the financing straightened out for the County for the future. Mr. Ludlow commented that he isn't saying that the fiber optics wasn't a good project but it is \$100,000.00 the County may need to keep employees working. This is Mr. Ludlow's only comment to those Department Heads who may see this later or read about it.

Mr. Ludlow made a motion that the Auditor, the President of the Council and the Council Attorney draft a letter to all Department Heads and Elected Officials that the Council will scrutinize all requests for financial short-term and long-term costs. Mr. Mrozinski seconded. The motion carried by voice vote 6 – 0.

**ADJOURNMENT:** The meeting was adjourned at 7:45 p.m.