

**LAPORTE COUNTY
COUNTY COUNCIL MEETING
April 28, 2008**

The LaPorte County Council met in regular session the 28th day of April, 2008, in the Wanatah Town Hall, 104 N. Main Street, in the Town of Wanatah, Indiana. The first “on the road – to the people” meeting was called to order at 6:30 p.m. by President Mark Yagelski.

ROLL CALL AND PLEDGE OF ALLEGIANCE:

Mr. Ludlow asked that all present remain standing after the Pledge of Allegiance for a moment of silence for a County Employee, Paramedic Captain Tony Campbell, who passed away on April 16th and who was with EMS for nine (9) years and a resident of Union Mills. Mr. Ludlow then led those present in the Pledge of Allegiance. Roll call followed.

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

Mrs. Shuter, “You have a quorum, sir.”

ADOPTION OF AGENDA: Mr. Yagelski recommended moving Circuit Court Judge Tom Alevizos from New Business to Reports by Department Heads. Mr. Jones made a motion to approve this change and Mr. Cooley seconded. Motion carried unanimously.

MINUTES: Mr. Ludlow made a motion to approve the minutes of the Joint Workshop held on March 31, 2008, and the minutes of the Regular Meeting held on March 31, 2008, and Mr. Cunningham seconded. Motion carried by voice vote 7 – 0.

DEPARTMENT HEADS:

CIRCUIT COURT: Circuit Court Judge Tom Alevizos stated that Krista MacLennan has been serving as interim Director of Juvenile Services and currently he and Human Resource Director, Joyce Leon, have been working on a reorganization plan for Juvenile Services which he will discuss later.

Judge Alevizos commented that through consultations with his Probation Officers and with the implementation of the philosophy of graduated sanctions, the Children in Institutions expenditures have been reduced by approximately twenty-two percent (22%).

Judge Alevizos reported that the Juvenile Services Center is primarily used for delinquent kids but it is not exclusively used for delinquent kids; it is also used by the Department of Children and Services for placement of Children in Need of Services (CHINS) kids who make up approximately six percent (6%) of the utilization. Judge Alevizos explained that even though they are not a General Fund agency, they have been a property tax agency and the thought in the

past was not to charge them for the use of the Center since it eventually came out of the same pocket. He stated that since the Department of Children and Services is a major part of HB 1001, it makes sense to start charging for CHINS kids now so that effective January 1st the County taxpayers do not bear a burden that has been determined by the legislature to be a State taxpayer burden. Judge Alevizos has met with Terry Ciboch, Director of the Department of Children and Services, regarding this matter; by using a per diem rate of \$130.00, which is cheaper than what the alternative would be if they were not allowed to use the Juvenile Services Center, additional revenue will be generated for the General Fund to make up approximately \$58,000.00 of the expenses if utilization rates remains the same.

Judge Alevizos commented that there hadn't been much administration happening at the Juvenile Services Center so on a temporary basis Krista MacLennan moved over from the position at the Courthouse to spend most of her time at the Juvenile Center. Judge Alevizos reported that there were some experimental changes made in December and the people who worked at the Center didn't particularly like them because for some reason, they were the only people in County Government who got to choose when they worked. Judge Alevizos stated that also discovered was a lack of a training plan and obviously it is a Center that is ripe with potential liability. Therefore, Judge Alevizos engaged a consulting group, Embracing Change Consulting led by Rosalyn Martin a County resident and former employee of the Juvenile Center; they have come up with a plan that will handle scheduling and create a management team with a savings of approximately \$30,000.00. He stated that he would be happy to answer any questions between now and next month's meeting when this will be addressed further.

Judge Alevizos stated that Mr. Cunningham and Mr. Cooley serve on the Advisory Board of the Juvenile Center and this plan has been presented to the Board and recommended by the Board. Mr. Cunningham commented that with this plan there should be improved performance for less money. Mr. Cooley stated that we do want to stop having repeats with the kids. Mr. Cunningham and Mr. Cooley expressed appreciation for Judge Alevizos' efforts.

Judge Alevizos commented that state-of-the-art philosophy on how you approach juvenile delinquency is a program that is jointly developed between the United States Department of Justice and the National Council of Juvenile and Family Court Judges called Graduated Sanctions which has been implemented in various places around the country over the last seven (7) or eight (8) years; basically there will be more sanctions for younger kids earlier so that they can be diverted from the delinquency stream. Judge Alevizos stated that if they aren't diverted, they will be treated tougher than they have been in the past. The end result is a reduction in juvenile recidivism and a reduction in the amount of money that is spent to institutionalize the kids that long term outweighs the cost of providing the services upfront. He stated that the community plan is being put together to be shared with the Council this summer so that it can be reviewed in light of the budget process as well as what changes are being made through HB 1001.

Mr. Yagelski thanked Judge Alevizos for keeping the Council informed. Mr. Jones stated that Mrs. MacLennan has done a good job as well in implementing Judge Alevizos' vision and, with some of the sweeping changes made, it hasn't been an easy path to follow.

PTABOA: Sherry Ritter-Banic, President of the PTABOA Board, and Joie Winski, Vice President of the Board, asked that the Council review the compensation of the Board as well as establish some meeting criteria. Mrs. Ritter-Banic reported that the Board typically meets eight (8) to ten (10) hours once a week to review approximately thirty-five (35) taxpayer files; each member is paid \$75.00 per meeting. She reported that information is reviewed at home prior to the meeting so the Board actually works eight (8) hours plus they have an additional three (3) to five (5) hours of prep work per week. Mrs. Ritter-Banic stated that the Planning Board, whose meetings usually last a couple of hours, receives \$90.00 per meeting and the BZA, whose meetings average approximately four (4) hours, receives \$120.00 per meeting; she believes that the PTABOA Board would be parallel to the BZA.

Mrs. Ritter-Banic requested that the Council consider establishment of criteria so that if the PTABOA meeting goes over four (4) hours it would go to a second meeting. She also asked that the Council consider some type of overtime pay as well since some of the meetings last ten (10) to eleven (11) hours. Mrs. Ritter-Banic requested that whatever decision is made, the compensation go back to the day of appointment in January.

Mr. Shuter stated that if the Council would like to give direction regarding compensation, the money can be placed on next month's agenda. Mr. Cunningham asked Mrs. Shuter if there was any idea of what the retroactive costs would be back to January 1st. Mrs. Shuter responded that the County usually doesn't pay retroactive but based upon whatever direction the Council decides to go for pay, the calculations will be made and the figure brought back to the Council at the May meeting. Mr. Cunningham was a witness to one of the ten-hour PTABOA meetings and he realizes, in order to keep the quality of people that we have, there is no way we can get by with paying \$5.00 to \$6.00 per hour and expect them to drive to the meeting with the cost of gasoline, etc.

Mr. Jones made a motion that there be a three (3) member Committee formed and a workshop to discuss the definition of a meeting and pay and to advertise \$225.00 per person per week on the high side and the Council can decide from there. Mr. Ludlow seconded and the motion carried by voice vote 7 – 0. Mr. Yagelski assigned Mr. Ludlow, Mr. Cooley and Mr. Cunningham to the Committee with Mr. Ludlow as Chairman. Mrs. Ritter-Banic stated that they would also like to discuss the Hearing Officer situation which they would like to move forward on but more feedback is needed on the direction to go whether it be a position that the County establishes or if it should be a contractual service.

SUPERIOR COURT NO. 1: Judge Kathleen Lang provided a brief report on Re-Entry Court which is the exact opposite of the spectrum Judge Alevizos was talking about. She stated that they have been working with people returning from the Department of Corrections to provide more intensive supervision connecting them to adult services, faith-based organizations, and community mental health to try to make them successful. Judge Lang commented that Superior Court No. 1 is the 6th Re-Entry Court in the State of Indiana and they held their first hearing this week. Those returning from the Department of Corrections must come to Court every two to four weeks and they must report on what they are doing, where they are with their job search, if they have a job, where it is, where they are living, etc. and then the Court tries to connect them to whatever services they can. Judge Lang reported that the community responsiveness has been incredible. Included in the Advisory Board are Community Partners, Swanson Center, Madison Center, a couple of different churches, etc. Judge Lang will return at a later date for a full report. The intent is to lower the recidivism rate and to reduce crime in the community.

LIAISON REPORTS:

Mr. Yagelski:

Mr. Yagelski stated that this meeting was meant to get out to the community and wasn't meant as a secret meeting. The second "on the road – to the people" meeting will be held in Michigan City in the City Hall Chambers on May 19th with a workshop beginning at 5:30 p.m.

Since HB 1001 was passed, Mr. Yagelski realized we would need to find out the effect on the taxing units and he asked Commissioner Hager to hire someone to assist the County. Karl Cender of Cender & Company, Merrillville, Indiana, stated that he has done a lot of financial consulting with the County over the years to keep up with the pertinent changes. Mr. Cender commented that the "big one" to hit the local units of government, including the counties, would be the tax cap scheduled to go into effect in 2009 and actually get worse in 2010. He stated that Legislative Services has done some estimates and in some cases there will a severe impact; therefore, a planning tool is needed for budgeting, etc. Mr. Cender stated that it is not too soon to start this study. Mr. Yagelski commented that the Commissioners agreed to a contract with Cender & Company with an amount not to exceed \$35,000.00. Mr. Cender commented that, depending on how quickly the information can be downloaded from the County, they would hope to have a report in four to five weeks or early June.

Mr. Ludlow asked if the information would also be pertinent to all taxing units and would a comparison of what raising the CEDIT and CAGIT versus instituting LOIT would be included to see the effect on communities and what would be the better effect. Mr. Cender responded that it is included in the proposal. The money for this project will be advertised for next month.

Mr. Yagelski asked if the Council Members would be available for a jail tour on Monday, May 5th, at 5:00 p.m.

Mr. Jones:

As liaison to the Sheriff's Department, Mr. Jones announced that the Annual Peace Officers Memorial Service is scheduled for Friday, May 9th, at 1:00 p.m. and will be held in the parking area between the LaPorte Courthouse and the Sheriff's Department. In case of inclement weather, the service will be moved to the assembly room on the main floor of the County Complex. The keynote speaker will be U. S. Congressman Joe Donnelly. The sic (6) police officers from Indiana who made the ultimate sacrifice will be honored as well as all who have served in LaPorte County and were killed in the line of duty.

As liaison to Weights & Measures, Mr. Jones announced that Mike Quinn, Director of Weights & Measures, has been named as the President of the Indiana Association of Weights and Measures and is to be congratulated.

Mr. Jones reported that Human Resource Director, Joyce Leon, asked that the Council reaffirm the Job Evaluation Committee that was previously discussed. Mr. Jones stated that Mrs. Leon believes that she can accomplish the duties that were formerly done via the application process to the Personnel Committee through what is called a Job Evaluation Committee. Mr. Jones suggested utilizing our resource in Mrs. Leon and let her conduct her department as she sees fit. He is looking for a reaffirmation from the Council that this is the way they want Mrs. Leon to move forward. Mr. Jones isn't sure what the membership roster will look like for the Job

Evaluation Committee; he doesn't know if the Council want to establish rules or just let Mrs. Leon run with it but personally, he would like to let Mrs. Leon run with it since she knows more about it. Mr. Yagelski commented that ultimately it would be a recommendation that would come before the Council.

Mr. Garner made a motion to dissolve the Personnel Committee and from this point on let the Human Resource Director oversee the hiring of County Employees and bring it back to the Council and the Commissioners. Mr. Cunningham seconded. The motion carried 7 – 0 by voice vote.

Mr. Jones stated that there was a letter sent to the Council Members regarding the E-911 charges on the phone bills. Mr. Jones researched this matter and asked that Brent Soller, E-911 Director, contact other Directors to see if they had received similar requests, and the National Emergency Numbers Association (NENA) which oversees a lot of legislation directly related to communications in emergency centers, and what was found out is that an exchange access facility in the Indiana Code is defined as access from a particular service users premises to a telephone system does not include an incoming only line but an internet that goes in and out would be an exchange access facility, a fax that goes in and out would be an exchange access facility as would a regular telephone; an enhanced emergency telephone system fee must be uniform and may not vary according to the type of exchange access facility used as a unit. Mr. Jones stated that Ken Lowden, from the State, said that each line must be paid for and if you have several lines you have to pay that many times.

Mr. Cooley:

Mr. Cooley reported that there was a grand opening for Hilltop which is basically a way to get free medical help paid for by federal dollars. This facility is located in the 700 block in downtown Michigan City.

The first meeting with the Assessor was held regarding merging all of the assessors into one. Mr. Cooley reported that a joint meeting with all of the assessors in the County is planned sometime around May 15th in order to meet the State requirements with the exception of Michigan Township.

Mr. Garner:

Mr. Garner, as liaison to Purdue Extension, thought last month that the building issue was finished but there is still a problem since bids were put out last Tuesday morning through the Commissioners and they ranged from \$2.2 million to \$2.6 million. He thought that the instruction was to hold the bids at \$1.2 million. Mr. Garner is disappointed since how many times can you tell individuals that you only want to spend so much money and we can't get in the range we need to be. Commissioner Hager and Commissioner Bohacek have assured Mr. Garner that they will get the cost down and they will be back before the Council with an amount the Council is comfortable with and we can move forward.

Mr. Mrozinski:

Mr. Mrozinski reported that there is an Open House at the Animal Shelter this Saturday and there will be a micro-chip clinic from 10:00 a.m. until 1:00 p.m.

Mr. Mrozinski commented that Courthouse Security's request is on the agenda tonight and they provided security for the Courthouse last Saturday, will be providing it next Saturday and Election Day because the Courthouse is open for absentee voting. He stated that last year when they had those two Saturdays and Election Day, the Courthouse was standing wide open and anyone could have wandered in and done whatever they wanted. He agrees with the Clerk's Office regarding their request for security.

Mr. Mrozinski stated that the Parks Department is also on the agenda tonight for a couple of new vehicles and a furnace. He reported that the furnace was previously owned by NIPSCOI and used for ten (10) years for training before it went to the Parks Department. He stated that it is wore out, inefficient and probably unsafe and needs to be replaced. Mr. Mrozinski commented that it would cost more to repair the van and dump truck than to replace them. Also requested is paving for a couple of parking lots which will need to be discussed.

Mr. Yagelski:

Mr. Yagelski stated that letters had been sent to Department Heads asking them to hold expenses down and as reaffirmation, the Council needs to follow through with their statements and to be uniform.

PUBLIC COMMENTS:

BULL DITCH:

Randal Hocutt, 3304 W 925 N, Michigan City explained that he has been working on getting Bull Ditch cleaned which has been a continuing battle. Mr. Hocutt reported that he has been to the Drainage Board and is trying to work up the ladder. There was a considerable amount of discussion. Mr. Yagelski asked Rick McVay, Highway Engineer, if the Council could get involved in this matter as it seems that this project, which is 6.1 miles long, is approximately two (2) miles short of being completed. Mr. Yagelski asked if this could be completed through the Highway Department. Mr. Hager answered that it could be if the Council would give the Commissioners the money; then they could hire someone to come in and do it but it will be very expensive at roughly a cost of \$100,000.00. Mr. Hager stated that there are problems all over the County. Mr. Hocutt is on the agenda for the next Commissioners' meeting.

Mr. Baugher commented that, as a way of perspective, the Council has no appointments to the Drainage Board. Mrs. Shuter informed Mr. Hocutt that he could contact the Auditor's Office to see how much money has been collected and is in the Bull Ditch Fund and what has been paid for. The claims are submitted through the Drainage Board.

HUDSON LAKE CONSERVATION ASSN:

Bill Companik, 7365 E. Hudson Pointe Lane, Hudson Lake, President of the Hudson Lake Conservation Association, requested that the LaPorte County Council along with the Indiana Department of Natural Resources (IDNR) and the South Shore Railroad to upgrade the Hudson Lake by installing a high capacity pumping system delivering 1.5 million gallons per day. Mr. Companik stated that with this development, the lake water could be stabilized at its legal level making it 100% functional each day of every year into the future.

Mr. Companik reported that they are requesting that the three (3) most appropriate funding sources are being asked to join in and fund \$125,000.00; IDNR is being asked for \$40,000.00 to develop an Engineering Feasibility Study, LaPorte County is being asked to fund \$50,000 to

install the pump, a security fence, night lights and distribution box and the South Shore Railroad is being asked to allocate \$35,000.00 to install the 3-phase electrical connection to operate the pump.

Mr. Companik thanked the Council and commented that he has come before the Council to introduce this proposal with the intention that it be published and also to be on the agenda for the next time. Mr. Yagelski stated that the Council cannot supply any type of money until the study is completed which will be months away. Mr. Companik responded that there is already an application in to the Indiana Department of Engineers; he thinks that his organization will be in line for these funds by the end of this year.

TRANSFER/GIS DEPARTMENT: The request to transfer \$240.00 from Computer Supplies to a new line item, Clothing, in the GIS Department was addressed. Mr. Cooley commented that normally the County only buys clothing for EMS or the Sheriff's Department; he asked if it is required for Ms. Mischke, Coordinator, to be supplied with clothing. Mrs. Shuter responded that she doesn't actually know but she understands that the money is for polo shirts to wear to the GIS Conferences and the meeting that she attends. Mr. Cunningham made a motion to deny this request and Mr. Cooley seconded. Motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/CIRCUIT COURT: \$3,101.00 was advertised in the County General Fund, Circuit Court Budget for Court Reporter. Mrs. Shuter explained that this request is for an upgrade for Amy Pawlik since a COMOT VI Classification was approved during the budget hearing for this position but the total amount was omitted from the budget. Mrs. Shuter stated that this upgrade was part of the reorganization when Judge Alevizos took over in the Court.

Mr. Cunningham made a motion to table this request until the next meeting and Mr. Ludlow seconded. The motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/CLERK: \$1,400.00 was advertised in the County General Fund, Clerk of the Circuit Court Budget, for Court House Security. Mr. Mrozinski made a motion to approve this request and Mr. Ludlow and Mr. Garner seconded. Mr. Ludlow asked the Sheriff is there is any way to get around the meetings without paying time and a half. Sheriff Mollenhauer responded that he doesn't know how since there are only two (2) Security Officers and Michigan City and three (3) in LaPorte.

Mr. Mrozinski stated that there has been a record number of people voting absentee ballot at the Court House this year. He stated that it used to be that you had to have a reason why you had to vote absentee but now that process has been opened up; there would be one (1) Security Officer at each Court House the two (2) Saturdays before the election and on Election Day.

The motion to approve \$1,400.00 carried by voice vote 7 – 0.

CIRCUIT COURT REQUEST: Judge Alevizos asked that the request tabled for Amy Pawlik in the amount of \$3,101.00 be removed from the table. Mr. Ludlow made a motion to take this matter off of the table and Mr. Cunningham seconded. All approved 7 – 0.

Judge Alevizos explained that this employee doesn't work for the Circuit Court due to the rearrangement of the Magistrates so that the Circuit Court uses less Magistrates; instead of using

two and a half (2 ½) they are using two (2) and the other Magistrate is full time in Michigan City. The position was traditionally in the Circuit Court and remains in the Circuit Court Budget but now works for Judge Lang and Judge Boklund. Mr. Ludlow asked if Amy Pawlik is a Court Reporter. Judge Alevizos answered “Yes.” There was some confusion regarding the classification of this position. Therefore, Mr. Cunningham made a motion to put this request back on the table and Mr. Ludlow seconded. Motion carried 7 – 0 by voice vote. Judge Alevizos commented that next year they should figure out which budget this position should be listed in.

ADDITIONAL APPROPRIATION/ECONOMIC DEVELOPMENT FUND: A total of \$43,000.00 was advertised in the Economic Development Fund; Educational - \$10,000.00, Travel - \$6,000.00, Professional Services - \$5,000.00, Administration Expenses - \$ 4,000.00, and Consultant - \$18,000.00. Matt Reardon, Project Consultant for County Economic Development, explained the requested amounts and stated that the work last year resulted in \$20 million in investments, one hundred forty-six (146) jobs retained and created in the County and \$7 million in wages paid as a result of three (3) transactions that occurred with Van Air, Palatek and Indiana Flex Fuels.

Mr. Ludlow made a motion to appropriate \$43,000.00 as requested in the Economic Development Fund and Mr. Jones seconded. Motion carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/HIGHWAY: \$21,450.00 was advertised in the Cumulative Capital Development (CCD) Fund and the Riverboat Fund to repair and seal asphalt. Mr. McVay stated that this request is based on a quote received from Rieth-Riley to repave the County Home Parking lot with 1-1/2 “ of overlay. Mr. Yagelski commented that this project would not be one of the top priorities as the portion cut for water and sewer will be patched. Mr. Garner made a motion to deny this request and Mr. Cunningham and Mr. Cooley seconded. Motion to deny carried by voice vote 7 – 0.

ADDITIONAL APPROPRIATION/HIGHWAY: \$110,150.00 was advertised in the Major Moves Fund for the 18th Street Sewer Main & Water Main Project. Mr. McVay stated that this request is to get the water and sewer beyond the site of the proposed new building even though this building is still “up in the air.” He stated that sooner or later the sewer and water main should extend west anyway. Mr. McVay reported that the contractor is already mobilized and pricing from last year is being used to get this project done; to bid out today would most likely cost one and a half (1-1/2) times the amount requested so it would be cheaper to do it now than a year from now.

Mr. Jones made a motion to approve this request and Mr. Cunningham seconded. Mr. Cooley commented that if the building isn’t constructed, we won’t need this. Mr. McVay responded that the future plan may be for the County to extend out towards Pinola. He also stated that if the building does come in the parking lot wouldn’t have to be ripped up to extend the sewer and then rebuild the parking lot. Mr. McVay commented that the sewer is about thirty (30) feet deep at that point and it could be tricky to get it in with the building sitting there.

Mr. Ludlow asked to what point the sewer line and hydrant would run. Mr. McVay responded that it would be right at the tunnel left of the building and it would run a little over two hundred feet (200’).

Mr. Yagelski stated that the Major Moves Fund was supposedly brought in for economic development. The sewer project was economic development but extending a line is not economic development. Mr. McVay responded that if it is being extended to go further west in the future, it depends upon how you look at it. Mr. Jones commented that Matt Reardon could be asked if it is economic development. Mr. Jones stated that he thinks it is shovel ready infrastructure. Mr. Yagelski commented that it is only shovel ready to go to the Purdue Extension Building and is not shovel ready to do anything more than that.

Mr. McVay stated that they could tie in where we are terminating now but would need a longer lateral; it's not necessarily to facilitate a tap-in but it is so we don't have to tear anything up in the future if there is a new building. Mr. Hager commented that the Fairgrounds is expanding their parking for campers and this could go straight into it which he is told if we would run into it with a sewer line, it would be much better to keep a flow constantly going. Mr. Cooley stated that we are already going into the Fairgrounds and what bothers him is if the City annexes it, we are doing it for the City. Mr. Baugher commented that typically the contract with the City would be fifteen (15) years by State statute.

Mr. Yagelski, referring to what Mr. Garner said earlier, commented that we talked about \$1.2 million and now we are over that amount. There has been discussion regarding lowering the amount down to \$1.7 or \$1.5 million but added to that should be the amount for the extension of the sewer line and the parking lot so we would still be at \$2 million.

Mr. Ludlow commented that this is advertised from Major Moves but is this the only fund it can be spent out of tonight. Mrs. Shuter responded that the money could be approved from the Riverboat Fund which contains approximately \$4.2 million as of now. Mr. Cunningham then withdrew his second to the motion to approve this amount from the Major Moves Fund as he would prefer taking it from the Riverboat Fund. Mr. Jones commented that his motion was for the project and he doesn't care where it comes from.

Mr. Cunningham made a motion to approve \$110,150.00 from the Riverboat Fund instead of Major Moves. Mr. Mrozinski seconded. Mr. Ludlow asked how much time we have to decide on this. Mr. McVay responded that the contractor is probably going to pull out their equipment in a couple of weeks. Mr. Garner asked if this project is that beneficial to the County. Mr. McVay responded that he truly believes it is because we are getting last year's prices since the contractor, American Structurepoint, is tied into their contract. Mr. McVay further commented that if a building is put at that site with a parking lot and a company comes in and they want sewer and water, the majority of the parking lot would have to be rebuilt so he feels it is a wise decision to do it now. Mr. Garner stated that he, like Mr. Cooley, doesn't feel that the County will be able to recoup the costs. Roll call was taken.

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

Motion carried 6 – 1.

ARCHITECTURAL FEE FOR DH2W: \$1,284,000.00 was advertised from the Riverboat Fund for the proposed new County Office Building. Mr. Yagelski stated that \$84,000.00 of this amount was meant for architectural fees. Roger Potratz, President of dh2w commented that his firm is under contract to the Board of Commissioners for the architecture on the proposed building.

Mr. Yagelski stated that in looking at a generalization book and cost per square foot, there was no way this building was going to come in at \$1.2 million and if the Commissioners signed a contract having Mr. Potratz's company come in \$1 million over, he is disappointed in the whole contract itself. Mr. Potratz commented that they thought it was realistic that this building could be brought in for \$80.00 per square foot because of the construction method for the building but when he took a bid just a week before this project for a small residential style project for a classroom addition at \$112.00 per square foot, he knew that the bids were in trouble for this project. Mr. Potratz stated that the building was designed to be extremely energy efficient; he commented that if a building of conventional construction is built with minimal insulation requirements that still meet the Indiana code, the building will cost substantially more to maintain and heat over one that is an energy efficient building.

Mr. Yagelski stated that there was a set amount of money and this is not the first time this has happened to the County Council; he is totally disappointed in this type of service. Mr. Potratz reminded that the project for the 911 Center came in on time and under-budget and they were the architects for that also. Mr. Yagelski responded that he doesn't know whose budget Mr. Potratz looked at but the 911 project was over-budget as additional dollars had to be approved.

Mr. Potratz stated that he is now under obligation to bring this project down to where it is feasible to build; he has talked to Commissioner Hager and he would like to setup a meeting between the Council and Commissioners early next week to go over some items that have been suggested and put together to hopefully reduce the price.

Mr. Ludlow asked if this amount is based upon 7%, what is owed today. Mr. Potratz responded that he has approximately 800 hours in the project and he has yet to receive any re-numeration for the project. Mr. Ludlow again asked what is owed today. Mr. Potratz responded 80% of the original \$1.2 million. Mr. Ludlow stated that the project didn't come in at \$1.2 million. Mr. Potratz replied that this is what his fee is and this is what he will live with.

Mr. Potratz asked Mr. Baugher if this project would have to be re-bid or could it be negotiated with the low bidder. Mr. Baugher responded that there could be negotiations with the low bidder, but the problem he is having is that he doesn't know how a contract for professional services was approved when it appears no money was appropriated to pay it. Mr. Yagelski stated that as far as he is concerned, the scope of the project has changed so it will have to be re-bid. Mr. Ludlow stated that the Commissioners have a line item for Professional Services. Mr. Yagelski commented that they have no money in that account. Mr. Baugher stated that he is probably getting a little monotonous but signing contracts committing the County to money that has not been appropriated gives you an unenforceable, illegal contract.

The request for appropriation died for lack of a motion.

ADDITIONAL APPROPRIATION/INFORMATION TECHNOLOGY: As this request was tabled at the last meeting, Mr. Garner made a motion to take this matter off of the table and Mr. Cunningham seconded. The motion carried by voice vote 7 – 0.

Advertised in the General Fund, Information Technology Budget, was \$4,680.00 for Maintenance Contracts and \$11,634.00 for Computer Maintenance. Advertised in the Win Tax Fund was \$74,800.80 for Fiber Connection and \$13,000.00 for Claims/Receipting Software.

Mr. Ludlow commented that this is one of those items that falls within a preview of what the Council was talking about holding back on until we know financially where we are. Mr. Ludlow had discussion with Mr. Baugher as he was trying to figure out a way to make a motion that the Council would show support for certain projects but not fund them; by showing support, at the point that we know financially where we are, we could go back and initiate those programs more quickly and not have to go through the whole process.

Darlene Hale, IT Director, stated that the \$4,680.00 could be pulled off for Maintenance Contracts since she will have money leftover to pay it. Mr. Yagelski reported that the Data Board met and approved the requests, as they believe in technology changes, but have agreed upon the fiber project based upon the condition of future funding.

Mr. Ludlow made a motion that the Council show support for these projects but not fund them at this time. Mr. Cunningham seconded. The motion carried by voice vote 7 – 0.

Ms. Hale stated that the \$13,000.00 advertised for Receipting Software is for the offices that take money in from the public. Mr. Cunningham made a motion to approve this amount from the Win Tax Fund as advertised and Mr. Jones seconded. The motion to approve carried 7 – 0. Mr. Cooley asked when this software would go into effect. Ms. Hale responded as soon as she can get it into place; hopefully within the next month.

ADDITIONAL APPROPRIATION/PARKS DEPT: Advertised in the Cumulative Capital Development (CCD) Fund was \$94,399.00, Repair & Seal Asphalt, \$3,599.00 for Building Repair/Maintenance and \$56,114.00 for Vehicles. Tim Morgan, Superintendent, first addressed the request for a new furnace which will include central air conditioning, the ductwork, is 92% energy efficient and will be installed in-house by staff. As mentioned earlier by Mr. Mrozinski, the current furnace was donated by the NIPSCO Training Center and is a 60% efficient furnace.

Mr. Mrozinski made a motion to approve \$3,599.00 as advertised and Mr. Cooley seconded. The motion to approve carried 7 – 0 by voice vote.

Next addressed was the request for vehicle replacement. Mr. Morgan commented that they would hope to get ten (10) years out of every vehicle. He reported that they have been “limping along” with the van and the dump truck as well. Mr. Morgan stated that the van has gotten to the point where a tremendous amount of body work is needed; LaPorte Chrysler provided an estimate of \$5,133.01 for the body work on the vehicle as well as the maintenance to replace struts, power steering housing, etc. The trade-in value would be \$3,500.00 on the van and also on the dump truck. Mr. Morgan stated that they were able to get another five (5) years out of the dump truck by putting a new bed on it.

Mr. Ludlow made a motion to replace the van immediately and show support but no funding for the dump truck at this point. Mr. Cunningham seconded. The motion carried 6 – 1 by voice vote with Mr. Mrozinski voting “Nay.”

Mr. Yagelski asked if the non-reverting Park Funds, 259 and 260, could be used. Mr. Morgan responded that there isn’t enough to pay for vehicles from these funds as approximately \$19,000.00 has been carried over from the previous year; approximately \$10,000.00 is used to fund the environmental education program. The main revenue is generated from shelter fees. Mr. Morgan commented that the non-reverting funds are limited but they have been used to help support the County Park Budget over the years.

Mr. Ludlow made a motion to table the request for \$94,399.00 for Repair & Seal Asphalt and to come back with a cost proposal of chip and seal on those lots. Mr. Morgan asked if the County still does chip and seal. Mr. McVay responded that chip and seal hasn’t been done lately because for a little more money the County can pave; he wouldn’t suggest chip and seal for a parking lot because when tires turn on it constantly, they will tear it up. Mr. Ludlow made a motion to table the request. Mr. Cunningham seconded. The motion to table carried 7 – 0 by voice vote.

OLD BUSINESS:

Mr. Jones made a motion to approve the Salary Ordinance amendments affecting the Animal Shelter and the Human Resource Department on the first reading. Mr. Ludlow seconded. The motion carried 7 – 0 by voice vote.

The Sheriff’s Salary Ordinance will be addressed next month.

NEW BUSINESS:

Mr. Cunningham made a motion to table the Salary Ordinance Amendment for the Juvenile Service Center until next month and Mr. Cooley seconded. Motion to table carried 7 – 0 by voice vote.

COMMENTS BY THE COUNCIL:

EARL CUNNINGHAM:

Dh2w: Mr. Cunningham asked Mr. Hager if he had any idea of when we entered into the contract for architectural services with dh2w. Mr. Hager answered that we never really entered into it with him but they called him in to talk about it and he was told that we had some money there that we could pay and he could come in and do it; this was probably about two (2) months ago. Mr. Garner asked if what Mr. Hager is saying is that we don’t have a contract with him. Mr. Hager responded that we have never signed a contract. Mr. Garner, getting back to Mr. Baugher’s statement, asked where we stand.

Mr. Cunningham commented that Mr. Potratz has said that he has done 800 hours of work already. Mr. Hager responded, “Not that I know of.” Mr. Cunningham said if you do the math that is twenty (20) weeks at forty (40) hours per week and he doesn’t think we entered into any agreement twenty (20) weeks ago. Mr. Hager stated that he thinks we will need to get a hold of

Mr. Bohacek since he is the one that wanted Mr. Potratz and he got him. Mr. Hager still thinks we can do the building at \$1.2 million.

Johnson Road: Mr. Cunningham stated that he lives just a block off of Johnson Road and it looks like the work was done a week before anticipated and all of his neighbors were pleased how fast it went. He commended Mr. McVay for encouraging Rieth-Riley to proceed at a rapid pace since there was a lot of traffic inconvenienced.

RICH MROZINSKI:

Mr. Mrozinski commented that he has to admit that he was skeptical on the Rolling Prairie Project on Wiley Road until he saw it but it is a beautiful job. Mr. Mrozinski stated that one comment that was brought up at the Rolling Prairie Business Association is that the stop sign is on Michigan Street coming in under the bridge and the school buses have to stop there; the suggestion was that it would be a much better idea to put the stop sign coming in off of 500 East and let the traffic coming under the viaduct continue to go unabated. Mr. Hager commented that a count was run and that is the reason that stop sign was put there. Mr. McVay responded that a traffic study can be conducted to see what the numbers tell us.

JERRY COOLEY:

Mr. Cooley announced that there will be a workshop in Indianapolis for the County Councils, County Commissioners, County Auditors and County Attorneys; information concerning Assessors and their duties will be discussed.

MARK YAGELSKI:

Mr. Yagelski thanked the great people of Wanatah for the friendly atmosphere and for the chance to come see their building. He reminded everyone that the next Council meeting will be held in Michigan City.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:35 p.m.