

LAPORTE COUNTY COUNCIL MEETING
November 23, 2009
REVISED DECEMBER 4, 2009

The LaPorte County Council met in regular session on November 23, 2009 in the assembly room of the LaPorte County Council Government Complex, 809 State Street, LaPorte, Indiana 46350.

Meeting was called to order by Council President, Mark Yagelski at 6:30 p.m.

Pledge of Allegiance was recited.

Auditor Craig Hinchman had roll call and the following Council Members were present; Mr. Bernacchi, Mr. Cunningham, Mr. Ford, Mr. Garner, Mr. Mrozinski, Mrs. Sosinski and Mr. Yagelski. Also present were Council Attorney Don Baugher, Auditor Craig Hinchman and Chief Deputy Auditor, Mary Ray. Auditor Hinchman declared a quorum.

The Agenda was approved by all Council Members.

The 2010 County Council Meeting Schedule was approved by all Council Members.

The minutes from the October 26, 2009 meeting were approved by all Council Members.

DEPARTMENT HEAD REPORTS

Commissioner Barb Huston spoke about the recent bridge improvements. She introduces Chris Beck from NICTD who gave a power point presentation showing the four new bridge improvements in the County. Projects were completed under budget.

Commissioner Barb Huston spoke about Purdue Extension Office not being able to agree to more than one year lease on their building owned by Parents & Friends, therefore they need to move. She wanted Council approval to re-model the second floor of the Court House and move the Superior Court #3 and their Offices into the second floor and move the Purdue Extension Office to the basement of the County Complex. No vote was taken.

Commissioners Barb Huston and Ken Layton toured the South Bend Free Clinic for employees and were very impressed. They both feel that a free clinic for the LaPorte County Employees can be run out of the fourth floor offices in the County Complex.

Commissioner Barb Huston wants to reclassify the maintenance/janitorial staff in the Michigan City Court House. Reclassify the Assistant Supervisor and janitor into two maintenance workers. No increase in payroll, just reclassification.

Motion was made to approve

All members voted in favor

Motion approved.

LIAISON REPORTS

Mr. Garner met with the Treasurer, reported approximately fifty million in provisional taxes were collected, estimates another forty million in January.

Met with the Auditors office, they are in the process of balancing so that they can disburse tax dollars and they also reported lack of Co-operation from the Assessors Office.

He then apologized for some of his comments made at the October meeting about the Sheriff's garage.

Mr. Matt Bernacchi met with the Township Board of Education Office. The salary contract for 2009 need formal approval and approval of the 2010 salary contract. He also stated a possibility of incorporating three township schools to save money.

Mr. Earl Cunningham met with the Judges and Commissioner Ken Layton regarding painting being done by the Community Correction Inmates. He stated that the inmates were not interested.

He also stated that Juvenile Services was doing a great job.

Mrs. Lois Sosinski met with Human Resources Office, details for the voluntary furlough were discussed and she stated that the County Commissioners had approved the documentation. There will be a tracking process regarding who is using the voluntary furlough program to see how successful it is. Also discussed was the hiring freeze starting in 2010. She also stated what a wonderful job they had done drafting these items.

Mr. Scott Ford had no report.

Mr. Rich Mrozinski met with the County Home Office. He stated that there were some issues from the recent fire inspection that needs to be addressed. Some repairs are also needed. He also met with the County Commissioners regarding ALCO Television. Stated that we are funding only channel 97. He also stated that Veterans Bricks for the Robert Cutler Walk are still for sale at \$25.00 per brick. Armed Forces Day will be observed in Michigan City on May 15, 2010

Mr. Mark Yagelski stated that we are going to pay back nine million dollars to the emergency fund then probably borrow the same in January, 2010. He asked Commissioner Barb Huston to report on the progress of the clean up on the exterior of the Court House. She stated that a small portion was given a "wash" to see what happens. Stated that the mold is getting worse. Mr. Yagelski asked her to get the County Attorney involved.

PUBLIC COMMENTS

None

APPROPRIATIONS OR TRANSFERS OR REQUESTS

LAPORTE COUNTY HEALTH DEPARTMENT

Requested the appropriation into the Communicable Disease Non-reverting Fund (526-20200-000-526) from the H1N1 Grant For timely payment of claims \$15,000.00
Voice vote taken
All members voted in favor
Motion approved

LAPORTE COUNTY SHERIFF

Requested appropriation into the Pension Fund (238-20200-000-238) \$277,207.00
Motion to approve from Riverboat Admission Tax (272)
All members voted in favor
Motion approved

BUILDING MAINTENANCE

Requested payment of sick time for retired employee Jeffrey S. Long #100-10151-000-142 \$5,984.82
Due to the hand book changes, this matter was discussed at Length.
Motion to approve
Voice vote taken
All members voted in favor
Motion approved

LAPORTE COUNTY PROSECUTING ATTORNEY

Requested transfer of funds

From:	To:	
#550-11007 OASI	#508-11017 PERF	\$2,352.53
#550-11009 Medicare	#508-11017 PERF	\$ 531.98
#550-11017 PERF	#508-11019 Health Insurance	\$2,707.01
#550-11019 Health Insurance	#508-11019 Health Insurance	\$3,067.72
#327-20200-000-327	#343-20200 Claims	\$89,172.50
#327-20200-000-327	#343-10117 Salary	\$35,626.00
#327-20200-000-327	#343-11007 OASI	\$2,200.00
#327-20200-000-327	#343-11009 Medicare	\$ 500.00
#327-20200-000-327	#343-11017 PERF	\$2,600.00
#327-20200-000-327	#343-11009 Health Ins.	\$5,700.00

Motion to approve first four items

Voice vote taken

All members voted in favor

Motion approved

Motion to approve last six items

Voice vote taken

All members voted in favor

Motion approved.

LAPORTE COUNTY HIGHWAY DEPARTMENT

Requested the November CREDIT Draw

#208-20200-000-208 \$1,750,000.00

Motion to approve

Voice vote taken

All members voted in favor

Motion approved

Mr. Garner made a motion for the Council to receive a
Itemized statement of expenses covering the draw for \$1,750,000.00

Voice vote taken

All members voted in favor

Motion approved

**LAPORTE COUNTY SUPERINTENDENT'S
OFFICE-- BOARD OF EDUCATION**

Requested approval of Salary Contracts for 2010 \$274,739.00

Motion to approve contracts not to exceed \$274,739.00

Voice vote taken

Mrs. Sosinski and Mr. Garner voted against

Mr. Ford, Mr. Mrozinski, Mr. Yagelski, Mr. Cunningham and Mr. Bernacchi

Voted in favor

Motion approved

Motion to "formally "approve the 2009 Salary Contracts

That were previously advertised

Voice vote taken

All members voted in favor

Motion approved

LAPORTE COUNTY DRUG FREE PARTNERSHIP

Requested appropriation from the County Drug Free

Community Grant Fund (331-20200-000-331) \$138,777.00

Motion to approve

Voice vote taken

All members voted in favor

Motion approved

NEW BUSINESS

**Approval of the Memorandum of Understanding
Between the County of LaPorte, Indiana Economic
Development Corporation, Halfwassen Group, LLC.
ICS Logistics, LLC, and CSX Transportation, Inc.**

Motion to approve

Voice vote taken

All members voted in favor

Motion approved

**APPROVAL OF THE FOLLOWING
ORDINANCES/RESOLUTIONS:**

Opening Cash Drawer Balances for County Offices (2009-09)

Motion to approve ordinance

Voice vote taken

All members voted in favor

Motion approved

Hiring Freeze for County Employees

Previously approved at the October 26, 2009 Budget hearings.

Motion to approve as Resolution 2009-06

Voice vote taken

All members voted in favor

Motion approved

2010 LaPorte County Salary Ordinance 2009-08

Motion to approve First reading by title only.

Voice vote taken

All members voted in favor

Motion approved

Motion to approve Second reading by title only

Voice vote taken

All members voted in favor

Motion approved

OLD BUSINESS

Payment of Sheriff's Department and EMS for the R.P.M. Fest

Motion to take off the table

Voice vote taken

All members voted in favor

Motion approved

A lengthy discussion between the Council and Sheriff Mollenhauer regarding legal questions involved in paying the Deputies and EMS workers at the R.P.M. Fest. Sheriff Mollenhauer has information from the State Board of Accounts, and the County Attorney and the Sheriff's Association's Attorney stating that payment from the commissary fund is not legal. Mr. Cunningham, backed up by Senator Arnold states they have a letter from the State Board of Accounts that it is ok to use these funds as long as the Sheriff agrees. Sheriff Mollenhauer stated he will not agree since his information states it is illegal. Sheriff Mollenhauer states that this is just a political football.

Motion to pay from the Commissary fund

Roll call vote taken

Mr. Yagelski excused himself from the vote since his son works for the Sheriff's Department and he was involved in the R.P.M. Fest

Mrs. Sosinski voted against

Mr. Ford, Mr. Mrozinski, Mr. Cunningham, Mr. Bernacchi, Mr. Garner voted in favor

Motion approved

(No action will be taken on this until an agreement is reached between the Council and the Sheriff.

CORRECTION/ADDITION TO THE MINUTES: Council member Cunningham noted that the payment of both the Sheriff's Deputies and the EMS personnel was to the benefit of the Sheriff's Department in that it allowed the Sheriff's Department to provide its core function of protecting the public at a very large event and the EMS personnel were present to provide support services to the Sheriff's Department.

COMMENTS BY COUNCIL MEMBERS

Mr. Yagelski requested Council Attorney, Don Baugher to draft a letter Regarding openings for committee members for publication.

Mr. Garner questioned Ray Hamilton about tech support on his computer program. Mr. Hamilton stated that is still not good but they are working on it and it is coming along better, the staff is learning.

He also inquired about the status of the County accepting credit card payments. The Commissioners have approved a contract but nothing has been implemented yet.

Mr. Mrozinski was pleased to sign the Memorandum of Understanding regarding the economic development at Kingsbury Industrial Park.

He is also going to speak with Judge Tom Alevizos about the inmates at the work release center refusing to work.

Mr. Earl Cunningham stated that the R.P.M. Fest issue is not a political issue.

Mr. Yagelski wanted to wish his mother a happy birthday and tell all to have Happy Holidays.

Adjournment at 8:30 p.m.