



*LaPorte County Auditor
Joie Winski
555 Michigan Avenue, Suite 205
LaPorte, IN 46350-3490*

**MEETING MINUTES
LA PORTE COUNTY COUNCIL REGULAR MEETING
MARCH 25, 2013**

The Regular Meeting of the La Porte County Council was called to order on Monday, March 25, 2013 at approximately 6:40 p.m. in the Assembly Room of the La Porte County Government Complex.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL.

The Meeting was called to Order by President Yagelski who began the Meeting with the Pledge of Allegiance and Auditor Winski to proceed with the Roll Call. Council Members present included: Councilwoman Lois Sosinski, Councilmen Rich Mrozinski, Matt Bernacchi, Mark Yagelski, Earl Cunningham, Terry Garner, and Jeff Santana. A quorum was present for the Meeting to proceed.

APPROVAL OF AGENDA.

A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to approve the Revised Agenda. The Motion carries 7-0.

APPROVAL OF FEBRUARY 25, 2013 REGULAR MEETING MINUTES.

A Motion was made by Councilwoman Sosinski and seconded by Councilman Bernacchi to approve the February 25, 2013 Regular Meeting Minutes with change noted on Page 13 by Mr. Santana. The Motion carries 7-0.

ELECTION OF VICE-PRESIDENT.

The two nominees for Vice-President are Councilwoman Sosinski and Councilman Mrozinski. Auditor Winski takes the roll call. For Councilwoman Sosinski: Councilmen Santana, Bernacchi and Councilwoman Sosinski (3). For Councilman Mrozinski: Councilmen Yagelski, Cunningham, Garner and Mrozinski (4). Councilman Mrozinski will retain his position as Vice-President 4-3.

ELECTION OF ALCOHOL BEVERAGE BOARD MEMBER.

President Yagelski states there are two individuals up for nomination for the Alcohol Beverage Board. Mr. Roger Wolff and Mr. Cliff Wozniak. President Yagelski calls for the vote.

Since this position no longer needs to be a political appointment Councilman Santana would like some clarification. He understood that Attorney Biege and Attorney Friedman agreed that the same practice could continue; however due to the fact the political requirement is no longer a State Statute perhaps this should be readvertised as other individuals may be interested in serving on the Board. The Council

had an individual who was on the Board and was eliminated simply because he was from a different political party.

Attorney Biege states the statutory requirement that the member be a political appointment has disappeared. That has been the tradition in the County and it has carried it forward. There is no legal advertising requirement, it's a practice issue on what the Council thinks would be appropriate.

President Yagelski states that is correct and in the past it has been done as a courtesy only.

Councilman Cunningham states Mr. Sikorski served the Council well, had perfect attendance and there were no complaints about his service. It is his desire to be reappointed and the Council was misinformed a Republican had to be appointed. Before voting on the other two, Councilman Cunningham feels that Mr. Sikorski should be given consideration and support.

President Yagelski asks if there are any other comments.

Councilwoman Sosinski also notes that Mr. Sikorski served the Council well and unfortunately the Council assumed the nomination had to be from a political party. Councilwoman Sosinski again asks Attorney Biege that this requirement is no longer in effect.

Attorney Biege says that is correct.

President Yagelski says there will be no readvertisement and there are three people who are interested and would like to call for the vote.

Councilwoman Sosinski and Councilmen Santana state there is actually a fourth person who is interested, Mr. John Parrett who is in attendance this evening.

With nominations closed, President Yagelski calls for the vote by Auditor Winski. Councilman Cunningham (Sikorski), Councilman Garner (Wolff), Councilman Mrozinski (Sikorski), Councilman Santana (Sikorski), Councilwoman Sosinski (Sikorski), President Yagelski (Sikorski) and Councilman Bernacchi (Sikorski). Mr. Sikorski will be the Council's Alcohol Beverage Commission Member.

DEPARTMENT HEAD REPORTS.

Bob Young - Highway Department

Mr. Bob Young informed Council Members he went before the Board of Commissioners and was granted permission for advertisement of bids for a front-end loader. One of the last things that Jeff Wright did before he left the Highway Department was purchase a loader from the Cumulative Bridge Fund. There was a surplus of money to purchase the loader for \$54,000. It turned out that the transmission was bad and the County was given a full refund of \$54,000, which was deposited back into the Bridge Fund. A 75-25% Grant became available which Mitch Bishop acquired with 75% being on the County's end. The grant cannot exceed \$52,000 and the 'old' piece of equipment must go offline. The loader must be a 2012 or newer, meet the Tier 3 emissions, be equivalent to the existing spec loader, and be in the \$120,000 to \$125,000 range.

Councilman Garner questions if this is worth it, with new diesel engines there is a lot of scrutinization. Farmers in the area are talking about new technology and some are buying models before that year so they don't have to deal with emissions rules.

Mr. Young states he doesn't know. The only other thing that could be done is to purchase one outright. However to use the grant it must be a 2012 or newer and meet the Tier 3 emissions. No decision, just an update.

President Yagelski questions how many loaders there are now and if one of those would be traded in.

Mr. Young states there is one (1) in Rolling Prairie District, one (1) in La Porte District, and two (2) in the Hammond District. The one being used as their primary machine four-wheel drive which is currently operating only on the front wheel drive, the rear wheel drive is out. It would be about \$60,000 to fix it and it's a 1997. Mr. Young can't see investing that type of money in it and that would be the one traded in if the grant was utilized.

Mr. Bernacchi questions when the loader is traded in, is that part of the grant and if there will be any trade-in value on the loader.

Mr. Young is not sure; however he believes the motor will have to be destroyed and basically reduced to scrap.

Calling or seeing no other Department Heads, President Yagelski closes Department Head Comments.

LIAISON REPORTS.

Councilman Cunningham reports that approximately ten days ago, he and Councilman Mrozinski attended the Shared Ethics Advisory Commission. Lake, Porter and several other counties in Northwest Indiana were also in attendance. Each Council Member received informational packets. Councilmen Cunningham and Mrozinski also had the opportunity to speak with the Mayors of Gary and East Chicago. Councilman Cunningham felt this was very worthwhile.

Councilwoman Sosinski states there will be a Vote Center Regional Meeting on April 18th in the County Complex Meeting Room. The Meeting will be directed by Amy Miller, Deputy Director of Communications Outreach and Secretary of State Connie Lawson. Ms. Spevak will be in attendance and the public is invited.

Councilman Mrozinski would like to echo Mr. Cunningham's report on the Shared Ethics Commission. It will be approximately \$750 for Ethics training, where they will train the employees. Employees can't be expected to follow rules if they don't understand them. He would like a workshop set up to inform the Council on what they have to offer.

Councilman Mrozinski also reported that the Greater La Porte Economic Development Commission (GLEDC) currently has twenty-six (26) projects in progress. Nineteen (19) are industrial site selection, seven (7) are commercial site selections. The twenty-six (26) companies are looking for 789,000 sq. feet of existing space and 232 acres of Greenfield sites. Of the twenty-six (26) projects, twelve (12) are looking for County sites or buildings and GLEDC continues to assist the County in this regard. Fourteen (14) are looking for City sites and buildings. Access to rail service and fiber optics continues to be a

major driver in these projects. GLEDC also received a major compliment from a national site selector who brought a company to town to conduct a site selection who stated "I've conducted site selections all across the United States, and recently completed site selection in La Porte, it was the best presentation any community has ever given." The County continues to move forward with Economic Development projects through GLEDC.

Councilman Yagelski reports he spoke with ALCO TV tonight. They are trying something new tonight to see if live broadcasts can be enhanced. There have been issues with missing voices, garbled language, etc. They are trying to work on those issues so the public will have more access to live broadcasts and clearer sound.

Councilman Yagelski states a few years back the Council did five moving Council Meetings. He'd like to know by next month's meeting if there is any interest in doing this.

PUBLIC COMMENT.

President Yagelski hearing or seeing no other Public Comment, closes Public Comment.

CORRESPONDENCE.

Correspondence received D.E. "Sonshine" Troche, Executive Director requesting funding from the La Porte County Council for the Worthy Women Recovery Home in the amount of \$260,000 from the Riverboat Admissions Tax or Win Tax Fund

The Council reviewed this request and did contact the Commissioners so there would not be any misunderstanding. The Commissioners stated they were in support of the Recovery Program, but didn't state it should come out of the Council's money. The Commissioners are going to ask Planner Mitch Bishop, to work Sonshine to obtain additional funding. President Yagelski asks Sonshine Troche to please come up.

Sonshine Troche asks audience members to please stand up to show their support the Worthy Women Recovery Home and the work they do. She tells Mr. Yagelski the Commissioners did not say the Council was going to give money away; she wanted to speak with the Council Members for several reasons.

Ms. Troche says her name is Sonshine Troche. She spells it with an "O" to shine the love of God on people and not to judge them. Sonshine states she is also jittery as she accidentally smashed her hand with a sledge hammer. She would like to bring a few things to the Council's attention including statistics on arrests, re-arrests, dropout rates, and incarceration numbers.

Sonshine reads letters to the Council received from Judge Alevizos, Judge Lang and Magistrate Friedman in support of the program.

Sonshine outlines several points, some of which include: meetings to get program funding and items brought to her attention in regards to using the money as part of her salary. Sonshine states she believes every one of the Council Members are paid a certain amount of money which she believes is over \$10,000. She knows the Council works for their money, just as she does hers, but she gave up a high paying job in order to help this community.

She would also like to bring to the Council's attention that she did not ask for the money on November 26, 2012 to maintain the home. It's noted that way in the minutes and would like it stricken if possible. She asked for that money to help to rehabilitate the home to get it built and ready. The budget is actually closer to \$370,000. She's not asking for \$260,000 tonight, just stating that is the money needed. Sonshine would like one of the Council Members to entertain a motion to give the Worthy Women Recovery Home \$25,000.

President Yagelski asks if there is anything else to bring up.

Councilman Garner makes a Motion to give \$25,000 to the Worthy Recovery Home and seconded by Councilwoman Sosinski. The \$25,000 will come out of the Riverboat Fund.

Auditor Winski takes the roll call on the Motion. Ayes: Councilman Garner, Mrozinski, Santana, Bernacchi and Councilwoman Sosinski. Nays: Councilmen Yagelski and Cunningham. The Motion to give \$25,000 to the Worthy Women's Recovery Home passes 5-2.

Correspondence received from the Swanson Center requesting payment dating back from 2005 in the amount of \$372,001.

Matt Burden, Executive Director of Swanson appears before the Council and would like to walk the Council through the nature of the request to why there was a shortfall.

The Swanson Center is a CARF-accredited organization and is one of only 25 certified community mental health centers in the State of Indiana. For La Porte County services, Swanson Center sees about 4,000 consumers each year for over 100,000 kept appointments. In July of 2010, the community mental health system in the State of Indiana experienced a 30 percent reduction in revenues that led to a net reduction of about 1,000 jobs across the state. In September 2010, the Madison Center also closed its doors.

The County's support for Swanson Center is critical and determined by statute. Prior to 2004, the annual support was determined by County specific property tax values and then the statute changed. It was changed to the State Adjusted Growth Quotient (SAGQ), which is a state-wide figure, and that's what's been applied since 2004 when applied correctly.

In the attached Exhibit "A," the green bars represent the amounts actually received by Swanson Center since 2004 and the red bars represent amounts owed, but not paid. The top depicts, since 2013, the current payment is up to speed in regards to statutorily required funding. 2004, that was the baseline year, based on the local property tax values. Then every year, the state adjusted growth quotient was supposed to be applied. Two years there was no increase, five years in a row there was no increase. The 4.4% is the SAGQ, the State of Indiana Adjusted Growth Quotient that should have been applied that year. It was rounded down to 4%, which left a shortfall of \$1,760 that year. The next year, 3.9% was not applied. In 2007, the growth quotient was 4.0% and it was applied to a figure from 2 years prior, that is why there is a shortfall. Then the next five years in a row, the amounts were not applied at 3.7%, 4.0%, 3.8% and 2.9%.

In mid-2012, after a lot of discussion, Swanson Center was able to resolve this issue and received the correct amount for quarters 3 and 4. This year is on track for the 2.8% growth quotient and Swanson Center would be happy to reach resolution on the correct amount owed in regards to the shortfall.

Council Mrozinski explains this isn't something that is just done out of the kindness of the Council's heart, it is ordered by the State on how much money to pay every year. The County is in a bad financial situation here. While he understands there is a shortfall, it is not the County's fault. Councilman Mrozinski questions what the current financial situation at the Swanson Center is and if they are able to carry on their programs.

Mr. Burden states Swanson Center has experienced major financial losses over the last couple of years. It is a business that thrives on billing and services are billed to Medicaid, Medicare, private insurance, and if not done, it's self-pay sliding fee scale.

Councilman Mrozinski would like to ask if all parties could sit down and have a negotiation on resolving this rather than the County giving \$372,000 all at once.

President Yagelski comments on a few things. The same thing that happened to the Sheriff is happening to the Swanson Center. There are a lot of programs that were cut and not able to be funded because of the money crunch situation. The \$372,000 is the full amount that is due and owing, and a figure of \$300,000 was discussed. The Council was provided reports last year, but at that time the Commissioners did not take further action.

Councilman Santana questions if Swanson Center approached the Council throughout these years and how did it get to this?

Mr. Burden states this is a new Statute and every year prior to 2004 was based on the county tax values. When their financial department communicated with the County about what is the proper amount to remit, they were not sure. About a year and a half ago serious discussion began and the chart is not something that the Swanson Center came up with, it was created by the trade association and confirmed with the DLGF.

Attorney Biege wants the Council Record to be clear. The methodology used was an increase, the supplied number is the SAGQ number from the DLGF. It applies an increase to each year and this is a bit of a hybrid because all information was not obtained at that time. This calculation is not what Indiana Code calls for, but it's the best the Council can get based upon the information the prior Auditors had.

Attorney Biege wants to make sure Council Members understand this is not the way the Statute calculates; however this is as close as it can get.

President Yagelski asks Attorney Biege if that was determined through both attorneys last year?

Attorney Biege states yes, more or less. The previous Auditor was contacted, but could not get the number needed, based upon La Porte County's property tax history, that's why the SAGQ number comes from DLGF. It's not how the statute says it should be calculated.

Councilman Bernacchi asks if there is a settlement in the amount of \$300,000 and if this will be taken out of Riverboat?

President Yagelski states that was last year's Agreement and that Agreement will stand this year and Riverboat Funds may be used.

Councilman Bernacchi makes a Motion that \$100,000 be withdrawn for the next three quarters out of the Riverboat, that way its not being taken out all out at once. By the end of the year the \$300,000 will be paid. The Motion is seconded by Councilman Santana.

Attorney Biege states he would prefer to draft a new Ordinance, so the Auditor has something for future payouts and this was under the Correspondence section of the Agenda, there was no advertisement. As such, the Auditor's Office will advertise and this will be finalized and validated at the next meeting.

Auditor Winski takes the roll call. Ayes: Councilwoman Sosinski, Councilman Mrozinski, Santana, Bernacchi, Cunningham (5). Nays: Councilman Garner (1). Abstention: President Yagelski (1). The Motion passes 5-1, 1 abstain.

Correspondence received from Jerry Cooley, Maintenance Director Requesting an Additional Appropriation Riverboat, Win Tax or CCD for Repairs to County Parking Lots at (809 State St., 555 Michigan Ave. & 364 Zigler Road) and amount is undetermined and Requesting Permission to Hire an Employee who terminated employment on March 12, 2013.

Councilwoman Sosinski makes a motion for Mr. Cooley to replace the person leaving and is seconded by Councilman Santana.

Councilman Mrozinski asks if this position is just for JDC.

Director Cooley states he has made a lot of changes in regards to employees. He's trying to take care of 14 buildings and adjusting employees accordingly. The employee being requested will have to be skilled in electrical, plumbing and HVAC. Mr. Cooley feels it may be a hard position to fill because of the part-time wages (\$10.30) and he would also like to personally interview them.

Councilman Mrozinski says he knows of problems in the past where prospective employees have contacted Human Resources and people were disqualified from even going to the Department Head because they thought they were overqualified.

President Yagelski states he did speak with Mr. Cooley. This is common practice with employers that they hire part-time people and bring them in to evaluate. There were problems with Human Resources deciding who can or cannot interview; however some of those applicants were brought back and are actually working for Mr. Cooley right now.

Councilwoman Sosinski states there have also been issues where potential candidates were and interviewed and hired without putting an application in. She is confident the Human Resources Department will work very closely Mr. Cooley.

The Motion is to replace the position with a full-time person.

Auditor Winski takes the roll call. Nays: President Yagelski, Councilmen Bernacchi, Cunningham, Garner, Mrozinski (5). Councilman Santana and Councilwoman Sosinski (2). The Motion fails 5-2.

Maintenance Director Cooley wanted to bring a few items to the Council's attention. The parking lot at the Hiler Building is deteriorating and is not ADA Compliant. The Juvenile Center has roof leaks and the

parking lot is sinking. He utilizes his part-time employee budget as well as trustees through the jail and they have been doing a great job in assisting him.

La Porte County Circuit Court – Honorable Thomas Alevizos

Requesting Retroactive Pay for Chief Probation Officer

General Fund (1000-10173-000-0154) \$2,500.00

A Motion made by Councilman Cunningham and seconded by Councilman Mrozinski to approve Salary Ordinance to pay the Chief Juvenile Probation Officer in the La Porte County Circuit Court, with no additional funds from the County. The Motion carries 7-0.

Judge Alevizos informs the Council that currently House Bill 1006 has passed the House 80-20, and is now running through the Senate. If this Bill passes both the Juvenile and Adult Chief and Assistant Chief Positions will no longer be County employees, they will become employees of the State.

Judge Alevizos would like to clarify a couple things that were mentioned. The new probation officers are because of the big spike in criminal cases filed in Michigan City, and it's resulted in a lot more presentence investigations and a lot more people on probation. Some of the Judges were very surprised to find out that by hiring new people, now bumps up some of the salaries for the chiefs. He felt it was important to tell the Council this as he has always been straight-forward with them.

La Porte County Prosecuting Attorney

Requesting a Transfer of Funds from

Pretrial Diversion (2500-20200-000-0327) to

Claims (2501-20200-000-0343) \$125,618.00

Motion made by Councilman Bernacchi and seconded by Councilman Cunningham to approve. Motion carries 7-0.

President Yagelski questions Prosecutor Szilagyi in regards to why the bad check cashing position did not come before the Council. The position was moved, posted and filled without anything brought before the Council.

Prosecutor Szilagyi apologizes and tells the Council he needed to fill it so he did with someone from within the County. He states he went to Human Resources and went from there. The individual hired also works as part of Deputy Trial Support for Superior Court 4.

President Yagelski states the Hiring Ordinance procedure was to get a hold of the County Council.

Councilman Garner asks if the Council could terminate that position and President Yagelski says yes.

La Porte County Circuit Court Clerk

Request to Purchase 18 Document Scanners

IV-D Child Support (8899-20200-000-0571) and \$14,165.00

Clerk's Perpetuation Fund (1119-20200-000-0341) \$11,332.00

\$25,497.00

Motion made by Councilman Mrozinski and seconded by Councilman Garner to approve. The Motion carries 7-0.

La Porte County Sheriff

Requesting an Additional Appropriation

County Cumulative Capital Dev. Fund (1138-41002-105-0216)

for Cars and the Installation of Equipment

\$372,362.80

Chief Sosinski tells the Council that the Sheriff's Office is in need of replacing 18 vehicles from their fleet. 14 vehicles are needed for patrol, 1 for the warrants division, 3 for the detective bureau, and then 2 of the old detective vehicles will be handed down to process servers. That would be a total of 18 vehicles.

The trade-in included are: three-2006 models, two-2007 models, ten-2008 models, and three-2009 models. Bids were advertised with the permission of the County Commissioners, and at the February 20th meeting, the bid was awarded to Sauer's Lincoln for the amount of \$349,964 that allowed for a trade-in amount of \$96,000. All of the vehicles were at or over 100,000 miles, with the lowest at 89,000 and the highest at 127,000 miles. These vehicles will also accrue an additional 10,000 to 14,000 miles by the time the new vehicles arrive. It is critical to replace the vehicles in order to maintain the health of the police fleet. In doing due diligence on replacement cycles, it was found that the best practice to remove police vehicles was at the 100,000 mile mark; with the extreme at the 125,000 mile mark. That fits the industry standard. By replacing vehicles at this point, maintenance costs will be reduced and optimized vehicle resale value will be obtained.

Chief Sosinski respectfully asks for an Additional Appropriation in the amount of \$349,964 from the CCD Fund be granted. Also requested is \$6,918.80 for the installations of the stripe and star kits. \$12,600 for the outfitter and another \$2,880 for the installation of push bars. This would be a total appropriation of \$372,362.80 from the CCD Fund.

Councilman Mrozinski questions what kinds of vehicles they are and the warranties that come with them.

Chief Sosinski states the vehicles are Ford Taurus's from Sauers Ford with the basic bumper to bumper 36,000 mile with the 100,000 mile power train warranties.

Councilman Santana would like clarification on who will be getting the vehicles.

Chief Sosinski states there is a total of 18 new vehicles. 14 are needed for patrol cars, 1 for warrants division, 3 for the detective bureau, and then 2 of the old detective vehicles will be handed down to process servers. A total of 18 vehicles would be traded in.

Councilman Garner questions how many vehicles were bought last year. Chief Sosinski states 8.

Councilwoman Sosinski asks Chief Sosinski if any of these vehicles for yourself? Chief Sosinski states they are not.

Councilwoman Sosinski asks Attorney Biege if there is a problem voting on this, a conflict of interest?

Attorney Biege believes there is not.

Councilman Garner makes a motion for \$372,362.80 to come out of CCD Fund to purchase 18 vehicles: 14 for Patrol, 1 for Warrants, 3 for Detective Bureau. The Motion is seconded by Councilwoman Sosinski.

Councilman Santana states he has done some research on this and spoke with Chief Mark Swistek of Michigan City. According to Chief Swistek, city and state are pretty much trying to practice getting rid of vehicles anywhere from 80,000 to 100,000 miles. Other factors include major repairs, idle time, etc. Public safety is of utmost importance and he just wanted to share what other agencies are practicing.

Councilman Bernacchi met with Chief Sosinski and questions about adding an extended warranty to the vehicles.

Chief Sosinski states the Ford Premium Car Package would \$1,650 per car with a \$100 deductible for every repair needed for a total of \$29,700 for an Extended Warranty. There is also a Warranty Available without a deductible but that will raise the price over \$400, which would be about \$2,200 per car per Warranty. The basic warranty covers a lot of this already and he is not sure if the Extended Warranty is worth it.

Auditor Winski takes the roll call. Ayes: Councilwoman Sosinski, Councilmen Yagelski, Bernacchi, Cunningham, Garner, Mrozinski, and Santana (6). Nays: Councilman Cunningham (1). The Motion carries 6-1.

Requesting Permission to Pay Marquis Electric Misdemeanant Fund (1175-20200-000-0591) for Replacement of one (1) Jail Camera	\$705.00
Requesting Permission to Pay Miner Electronics Misdemeanant Fund (1175-20200-000-0591) for Cost of three (3) Jail Cameras and Installation	\$2,333.80
Requesting Permission to Purchase Misdemeanant Fund (1175-20200-000-0591) for Cost of seventy-five (75) 'boats'	\$18,922.50

Motion made by Councilman Bernacchi and seconded by Councilman Garner to approve the above requests.

Councilman Mrozinski questions what the balance in the Misdemeanant Fund (a/k/a County Corrections Fund) is. With the Community Corrections Building opening up items will be needed there.

Sheriff Mollenhauer believes there is approximately \$70,000 in the account. That amount is verified by the Auditor.

The Motion carries 6-1 on each of the three individual requests above.

La Porte County Pioneer Cemetery Commission

Requesting an Additional Appropriation

General Fund (2300-41029-000-0260)

for Fencing and Gates

\$3,000.00

Motion made by Councilman Cunningham and seconded by Councilman Bernacchi to approve. Motion carries 7-0.

La Porte County Surveyor

Requesting an Additional Appropriation

La Porte County Drainage Board (1000-30054-000-0136)

for School and Conference

\$1,200.00

Requesting an Additional Appropriation

La Porte County Drainage Board (1000-30054-000-0106)

for School and Conference

\$1,200.00

A Motion was made by Councilman Bernacchi and seconded by Councilman Santana to pay out of the Commissioner's Travel Fund.

Councilwoman Sosinski and Councilman Garner ask if the Council has the authority to spend out of the Commissioner's Travel Fund.

President Yagelski states no they do not have the authority and suggests making the Motion to approve contingent on the Commissioner's approval and suggests that in the future these types of requests go before the Commissioners as they have a budget for that.

Motion is amended by Councilman Bernacchi to approve \$2,400 out of the Riverboat Fund which is seconded by Councilman Santana. Motion carries 5-2.

La Porte County Auditor

Requesting a Transfer from

Fund 4001 (KIDC) to Fund 1172 (Major Moves)

for Correction of Previous Transfer done in 2012

\$5,700,000.00

Motion made by Councilmen Cunningham and Mrozinski and seconded by Councilman Bernacchi to approve. Motion carries 7-0.

La Porte County Voter's Registration

Requesting a Transfer from

Travel (1000.3003.000.0132) to Dues (1003.3009.000.0132)

for Attendance at July Conference

\$40.00

Motion made by Councilman Bernacchi and seconded by Councilman Garner to approve. The Motion carries 7-0.

La Porte County Highway

Requesting Permission to Hire an Employee
for Full-Time (COMOT I) position

Councilwoman Sosinski questions Bob Young if that was the position where all three employees were reviewed and this particular position came back as a Comot I. She also asks if the two employees left is there a possibility of those two absorbing what was left of this Comot I position?

Mr. Young states that is what they are doing now. The reason he is requesting this to pick up slack, answer phones when there is a lunch, vacations, sick, etc. They could also be used as a utility person mowing grass, cleaning, etc.

Councilwoman Sosinski asks if he has part-time monies for that and Mr. Young states he does.

Motion made by Councilman Mrozinski and seconded by Councilman Cunningham to deny the request. The Motion carries 7-0.

OLD BUSINESS.

President Yagelski states that in regard to the Hiring Freeze and using the email system, he has spoken with Attorney Biege. The requests cannot go through the Council but rather if it came through the President he could decide if there should be a meeting on it. The email process in place cannot continue.

Councilwoman Sosinski states she also spoke with Mr. Biege about this and feels it should be a decision of all seven Council Members, not just one.

President Yagelski states this procedure would be for emergencies only. It seems as every Department is making a case for an emergency. It could be anyone of us the request comes before.

Councilman Cunningham asks Attorney Biege if the Council could grant special permission to hire on a temporary basis.

Attorney Biege says that can also be done or set up by Committee. The issue is the way the information is being sent to the Council. The Council, by act or attrition could decide if there is going to be a meeting and advertise. If the Council delegates its authority in a public meeting, that is acceptable otherwise the Council can delegate to the President, individual or a committee. The Council making this decision under these parameters is satisfactory.

Councilman Cunningham makes a Motion that the Council delegate to the President or his designee the authority to hire in an emergency situation pending approval.

Councilwoman Sosinski would like to make an addition to the Motion adding the Human Resources Director to the mix, after consulting with the Council President or such designee.

Councilman Cunningham accepts Councilwoman Sosinski's amendment to the Motion. The Motion is seconded by Councilwoman Sosinski. Motion carries 7-0.

Attorney Biege will show this as an Amendment to the Ordinance.

COUNTY COUNCIL/ATTORNEY COMMENTS.

Councilman Mrozinski again reiterates the importance of the Shared Ethics Committee and would like President Yagelski to set up a meeting or joint workshop with the Commissioners so a presentation can be made.

Councilman Cunningham would like the public to know the difference between a transfer and an additional appropriation. Transfers are from one account to another without requiring additional monies from the taxpayers or the Riverboat Funds.

Councilman Garner stated that even though Sunshine Troche is gone he wanted to clarify that the Council did not give any money to Friends of the Barn. That money was County money put into a County Building so there was no money given to Friends of the Barn. The County owns the property.

ADJOURN.

A Motion was made by Councilman Mrozinski and seconded by Councilwoman Sosinski to adjourn the Meeting. Motion passes 7-0. The Meeting adjourns at approximately 8:37 p.m.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL, dated this 22 day of April, 2013.

Councilman Matt Bernacchi

Councilman Terry Garner

Councilman Jeff Saptana

Councilman Mark Yagelski

Councilman Earl Cunningham

Councilman Rich Mrozinski

Councilwoman Lois Sosinski

ATTEST: _____
Joie Winski, Auditor La Porte County

EXHIBIT "A"

Swanson Center County Funds Request

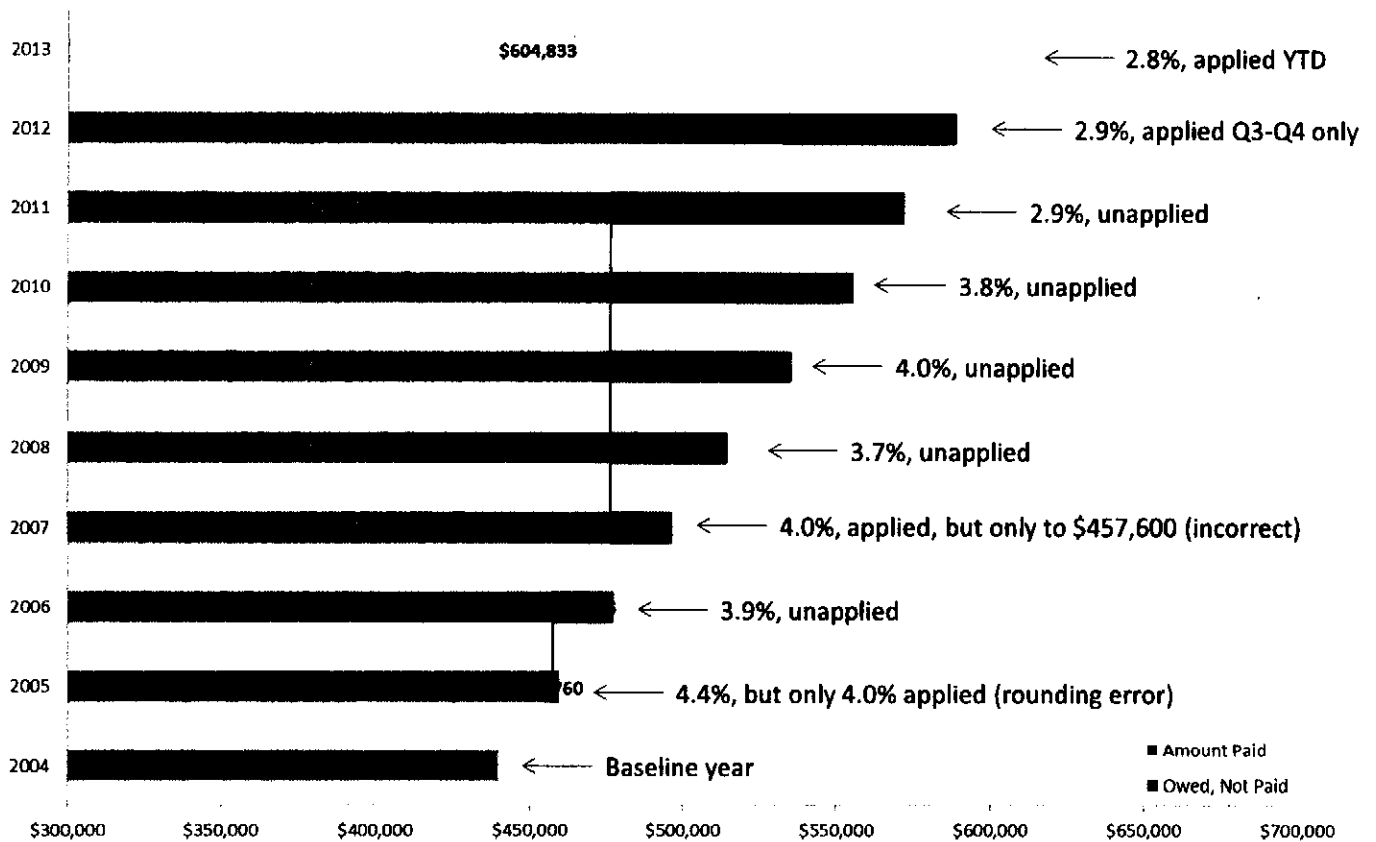
LaPorte County Council Meeting

March 25, 2013

Overview

- Swanson Center is one of Indiana's 25 certified community mental health centers, providing mental health and substance abuse services to LaPorte County to close to 4,000 people per year
 - Since July of 2010, Indiana state cuts have reduced revenue in the community mental health system by close 30%, resulting in over 1,000 lost jobs since 2008
 - Since the Madison Center closure in September of 2010, Swanson Center now sees around 1,500 consumers per month, or about 400 (40%) more than historic levels
 - Swanson Center has recently seen record levels of charity care
 - Over \$1.6 million in 2011 and 2012
- By serving those with behavioral health needs in the community, we save tax dollars that would otherwise be spent on:
 - Jails
 - Prisons
 - Nursing homes

LaPorte County Funds to Swanson Center: 2004 to 2013



Note: Green bars represent amount paid, 2013 projected. Red bars represent amount owed but not paid. SAGQ percentage as it should have been applied each year is shown at right.

Conclusion

- Reached resolution on the correct County support for current payments remitted
- Hopeful to reach an agreement on how to settle the \$372,001 shortfall that accumulated from 2005-2012
- Swanson Center is committed to meeting the needs of our community
- We could not serve our population in need without the County's past and continuing support—THANK YOU.

Calculation for CMHC funding from County Government									
CY	CY paid	CY owed	CY diff	SAGQ	notes				
In 2004, IC 12-29-2-2 was modified to ensure CMHC funding is adjusted annually based on the CY SAGQ as determined under IC 6-1-1-18-5-2									
2004	\$440,000	\$440,000							
2005	\$457,600	\$459,360	\$1,760	1.044	SAGQ verified by email from DLGF				
2006	\$457,600	\$477,275	\$19,675	1.039	SAGQ verified by email from DLGF				
2007	\$475,904	\$496,366	\$20,462	1.04	SAGQ verified by email from DLGF				
2008	\$475,904	\$514,732	\$38,828	1.037	SAGQ verified by email from DLGF				
2009	\$475,904	\$535,321	\$59,417	1.04	SAGQ verified by SBO memo				
2010	\$475,904	\$555,663	\$79,759	1.038	SAGQ verified by SBO memo				
2011	\$475,904	\$571,777	\$95,873	1.029	SAGQ verified by SBO memo				
2012	\$532,132	\$588,359	\$56,227	1.029	SAGQ verified by SBO memo				
2013		\$604,833		1.028	SAGQ verified by SBO memo				
CY total difference between 2005 to 2012:									
			\$372,001						