



*LaPorte County Auditor
Joie Winski
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**MINUTES
LA PORTE COUNTY COUNCIL REGULAR MEETING
JANUARY 29, 2014 6:30 PM**

(Please Turn Off All Cell Phones)

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

NOMINATION AND ELECTION OF OFFICERS

President and Vice President

Councilman Santana nominated Mark Yagelski for President. Councilman Cunningham seconded the nomination.

Auditor Winski asked if there were any more nominations. Hearing or seeing none, nominations were closed.

Councilman Cunningham made a Motion to close the nominations. The Motion carried 5-0 to retain Mark Yagelski as President.

Councilman Santana nominated Rich Mrozinski for Vice President. Councilman Cunningham seconded the nomination.

Auditor Winski asked if there were any more nominations. Hearing or seeing none, nominations were closed.

Councilman Cunningham made a Motion to close the nominations. The Motion carried 5-0 to retain Councilman Mrozinski as Vice-President.

Councilman Yagelski asked if there were any changes for liaisons to Commissioner Boards from 2013 to 2014. Hearing or seeing no changes, all will remain the same for 2014.

APPROVAL OF AGENDA

A Motion was made by Councilman Mrozinski and seconded by Councilman Bernacchi to approve the January 29, 2013 Agenda. The Motion carried 5-0.

APPROVAL OF NOVEMBER 25, 2013 REGULAR MEETING MINUTES

A Motion was made by Councilman Santana and seconded by Councilman Bernacchi to approve the November 25, 2013 Regular Meeting Minutes. The Motion carried 5-0.

2014 APPOINTMENT TO BOARDS, COMMISSIONS AND LIAISONS & COUNCIL MEETING DATES

Auditor Winski stated that she had a letter from Matt Sikorski asking to be reappointed to the Alcohol and Tobacco Board.

Councilman Cunningham made a Motion to approve. It was seconded by Councilman Mrozinski. The Motion carried 5-0.

Auditor Winski stated that she had two letters to the PTABOA. One is from Mr. Bernacchi and one is from Mrs. Grace Goers, who are both current members. There is also a letter from Mr. Purze.

Councilman Mrozinski stated that it is his understanding that there needs to be at least one level 2 and that right now there is only 1, which means that if that guy is out of the area that they can't even meet. Due to the fact that Mr. Bernacchi is a Level 2 and Mr. Purze is a Level 3, Councilman Mrozinski made those two nominations for PTABOA. Councilman Cunningham seconded the Motion.

Councilman Yagelski asked Attorney Biege if this would conflict with the Republican and Democrat vote as far as how many they have on it because the Commissioners already made appointments as well.

Attorney Biege stated that the Statute says that when the County Council makes its appointments, the one consideration with the designation of level 2 and level 3, the political affiliation comes in at the point when the Commissioners make their appointments, but the way that the statute reads, the Council makes their appointments first. There's no obligation for political affiliation from the Council's standpoint. After the Council makes its appointments, the Commissioners would take political affiliation into consideration for the remainder of the board.

Mr. Friedman stated that he and Attorney Biege disagree on the issue of precedence. Unlike the alcohol board where there's a specific order of appointments, it doesn't say anything in this statute. The Commissioners made their appointments and it's properly balanced. He said that he believes the Council needs to be balanced also on their appointment with a bi-partisan base. They said that looking at the appointees, they believe the Council is in compliance. Unless the other nominee is able to be certified as a Republican, he doesn't meet the bipartisan department so that would be the question: whether he was able to be certified as a Republican.

Councilman Mrozinski stated that he doesn't believe the Council has any obligation to address the political affiliations. They need to address the qualifications. He said that the board needs a level two or it can't even meet, and this would give them a level three and a level two. He agrees with Attorney Biege that they appoint by qualifications.

Mr. Friedman stated that the Commissioners do as well. There have been level two and level three appraisers previously appointed by the Commissioners. Mr. Schultz has not indicated to the County commission any problem with the qualifications of those on there. There has been a requirement that there be a bi-partisan composition on the board.

Attorney Biege stated that he respectfully disagrees with Mr. Friedman. He said that in his opinion the statute is crystal clear. The qualification for the Council appointment is a level two or level three. The order in which they are appointed does not matter. The Commissioners' appointments are specifically subject to sections G and H, which refer to the political composition. So, the Commissioners are limited, in his opinion, to the political composition, and it is not a consideration of the County Council.

Councilman Cunningham asked Mr. Friedman if he is aware of any of the three Commissioners' appointments having any level at this time. He asked if any of the three appointments hold a level 2.

Mr. Friedman stated that he hasn't checked Ms. Dreiner's current certification, but she is a longtime township assessor who was a level 2 assessor and kept up her certification even until 2013.

Councilman Cunningham said that he will go on record saying that he spoke with Mr. Schultz, who says that if Mr. Bernacchi is not present at the Meeting that they cannot conduct the Meeting. He asked Councilman Bernacchi if this is his understanding.

Councilman Bernacchi stated that there has to be one level two to conduct the Meeting. He said that Mrs. Dreiner's did expire. He said that he attended all of the Meetings last year but that without him they could not have conducted the Meeting.

Councilman Cunningham stated that this clearly illustrates that none of the Commissioners' appointments are a level 2. He feels that it is the obligation of the Council members to present the most viable candidates that they have regardless of political affiliation. The Council has a level two out of one appointment and the Commissioners have zero level twos out of three appointments, and the Council has the opportunity to appoint a level three. It's a no brainer in his opinion.

Councilman Yagelski asked for a roll call.

Councilman Bernacchi asked if there was a conflict for him to be voting for himself.

Attorney Biege asked if he is compensated.

Councilman Bernacchi indicated that he is for that board.

Attorney Biege stated that it would be a conflict.

Councilman Bernacchi abstained.

Councilman Cunningham asked for a separation.

The Motion for Mr. Bernacchi carried 4-0 with Councilman Bernacchi abstaining. The Motion for Mr. Purze carried 5-0.

Auditor Winski stated that Ms. Marilyn Kiser of Wanatah wishes to be appointed to the Wanatah Public Library Board.

Councilman Cunningham made a Motion to approve. It was seconded by Councilman Santana. The Motion carried 5-0.

Auditor Winski stated that the Meeting dates for the 2014 year are February 24th, March 24th, April 28th, May 27th, June 23rd, July 28th, August 25th, September 22nd, October 27th, and November 24th.

Councilman Mrozinski made a Motion to approve the schedule. It was seconded by Councilman Santana. The Motion carried 5-0.

DEPARTMENT HEAD REPORTS

Sheriff Mollehauer wanted to bring to the attention of the Council an incident that occurred on December 28th of 2013 that involved one of his officers. He compliments the officer for a life-saving effort. The officer was Rashaun Sinclair. Deputy Sinclair and a co-owner of John's Garage, Leonard Petrone, went out to assist with accidents on US 30. Deputy Sinclair was off-duty at the time. One of the crash victims was not breathing at the time of arrival, and Deputy Sinclair and Mr. Petrone were able to do CPR and bring the gentleman back to life. He was recognized with a certificate and two days off with pay as a reward. It was especially great considering he was off-duty. Sheriff Mollenhauer said that this is a perfect example of officers being able to utilize these cars off-duty. He wouldn't have even known of the crash if he didn't have the vehicle and the radio and the proper equipment to take care of the situation. He wants to recognize and compliment Deputy Sinclair for the credit he brings to the La Porte County Sheriff's Office. He said that many officers have responded off-duty and that everyone has really stepped up to the plate. He said that there has been perfect attendance even with the bad weather.

Councilman Yagelski thanked EMS, the Sheriff's Office, and everyone that helped out with the bad accidents, especially the one on I-94.

PUBLIC COMMENT

Mr. Purze thanked the Council for the appointment and said that he is looking forward to working with Mr. Bernacchi and Mr. Schultz to get the assessments correct. He also stated that he believes that they should shop for value for the EMS service, wherever the value is found, whether it is with a contractor or with the in-house people that have been doing it.

Councilman Yagelski welcomed the La Porte High School students to the Meeting.

LIAISON REPORTS

Councilman Bernacchi stated that everything is pretty much complete with the reassessment. The ratio study got approved, and tax bills will be out pretty soon.

Auditor Winski stated that all of the 1782 notices, which are the precursor to the budgets, were sent out yesterday. Three were already returned by the time of the Meeting. By February 6th, the tax bills should begin to be processed for 12pay13, and at the same time they will be working on the 13pay14 bills. The state has offered all of the needed help. She said that she expects bills to out by the end of February or early March.

Councilman Bernacchi stated that he spoke with the Treasurer after the Solid Waste Meeting about putting a recycling schedule with the next tax bills. They are looking at the cost to put the additional sheet in there.

Councilman Mrozinski stated that the County Home returned over \$300,000 back to the County General Fund. While it's a great amount, it is down from past years due to the declining number of residents at the County home. The Animal Shelter rehab project is coming along really well, and it is going to make the animal shelter state of the art. He has been attending meetings with Judge Koethe about the Veteran's Court. She is doing an amazing job at organizing the project. They've had help from various organizations, and it is coming along really well. They are still hoping to get underway on April 1st. Also, he has been part of a committee out at Purdue working with the campus veterans out there. The committee is called Transition to Civilian Life. It is for men and women coming back from the military and wanting to get back into civilian life. This is helping them out as far as getting into education. They are sponsoring a public workshop at Purdue on March 1st. It will start at 9 a.m. It is open to everybody, and especially veterans should attend. It is also for unclaimed entitlements for veterans. This is a good chance to come down and find out what's going on and what you may be entitled to.

Councilman Yagelski stated that he and Commissioner Decker were on the NICTD Board. They came to a conclusion to keep 11th Street Station as the main South Shore thoroughfare and to add more rails and to add a downtown public parking station. They are going to move on to the next phase of funding for that. He also regretted to announce that Mrs. Sosinski lost her mother and her father-in-law within an hour of each other.

Councilman Bernacchi asked if they are going to rehab the old South Shore station.

Councilman Yagelski stated that it is a private entity and that they do not own it even though they want to keep it in the same location. If they want to do it as a joint venture, they'd be ok with that but they don't have any ownership of that.

NEW BUSINESS

Councilman Yagelski asked for approval from the Council to send a letter with the situation of the governor asking for help on the personal property tax issue.

Attorney Biege stated that he does have a Resolution prepared.

Councilman Yagelski stated that he knew this and that is why he is asking for both Attorney Biege and Mr. Friedman.

Mr. Friedman said that Mayor Milo's letter was passed on to the local legislative delegation. The County Commission is going on record against elimination of the business personal property tax because of the huge impact that it would have on local government entities, and it was the desire of the Commission that the County consider also going on record with it.

Councilman Bernacchi made a Motion to approve 2014-02 by Title Only. It was seconded by Councilman Cunningham.

Councilman Yagelski read the Resolution: *Be it resolved by the La Porte County Council that we oppose any proposal to erase or eliminate all or any portions of the business personal property tax without a corresponding replacement revenue string implemented by the State of Indiana.* The Resolution will take effect immediately. The Motion carried 5-0.

OLD BUSINESS

Purdue North Central University Financial Support Petition for Student Services and Activities Complex

Mr. Steven Turner, Vice Chancellor, appeared on behalf of Chancellor Dworkin who was unable to attend. He was prepared to share any details or answer any questions.

Councilman Bernacchi said that his understanding is that PNC has two years to get the total amount for the project.

Mr. Turner said that this is true. He said that they currently have about a hundred donors for the project. They have two \$1,000,000 gifts, one 500,000 dollar gift, and several others. They are presently on pledge totals north of \$3 million. He asked the Council to help push them over the top. He said that he does not see any problem whatsoever with reaching the \$3.7 million. The \$3.7 million represents about 10 percent of the total cost of the project, which is about \$34.7 million. The other revenue sources include a contribution of about 70 percent from the State of Indiana and another segment paid for by students themselves through student activity fees. It's a shared project and a shared cost. It's been that way for the twelve years that they have been working on the project.

Councilman Cunningham stated that the petitions received say that the donation should not exceed \$25,000, but that PNC is asking for \$10,000 per year for 5 years, which would be \$50,000.

Attorney Biege stated that that was the original request. He had a conversation with Steve, and the statute precludes that. They modified the request to conform to the statute, which would be a maximum of \$25,000.

Councilman Cunningham stated that as deep as they are in debt, PNC is certainly a viable institution in the County and he hopes this progresses and the new building will bring a lot of additional features. He has some reservations because of the debt, but since they are spreading it out over a five year period, he made a Motion to give PNC \$5,000 a year from Riverboat or Win Tax for the next five years and that they not make this payment until December of 2014 and each December thereafter to defer the County's money as long as possible.

Councilman Mrozinski seconded the Motion.

Councilman Yagelski stated that they should make the Motion for January of 2015.

Councilman Cunningham modified his Motion to make it January of 2015. Councilman Mrozinski seconded it. The Motion carried 5-0.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2014-1 Authorizing Grant Accounts to Maintain a Negative Balance

Attorney Biege stated that they've traditionally done this each year to roll over the grants until the money actually comes in.

Councilman Mrozinski made a Motion to approve by title only. It was seconded by Councilman Santana.

Auditor Winski read by title only: *An Ordinance Authorizing Grant Accounts to Maintain a Negative Balance*. The Motion carried 5-0.

Ordinance No. 2014-1A and 2014-1B Heartland Footwear Declaratory and Confirmatory Resolutions

Councilman Mrozinski made a Motion to approve both resolutions 2014-1A and 2014-1B. It was seconded by Councilman Santana.

Auditor Winski read by title only: *Declaratory Resolution of the La Porte County Council Declaring a Portion of La Porte County, Indiana, an Economic Revitalization Area Pursuant to IC 6-1.1-12.1-1 for Heartland Footwear Personal Property and Confirming Resolution of the La Porte County Council Determining that the Qualifications for an Economic Revitalization Area have been Met and Confirming a declaratory resolution adopted by the Council for Heartland Footwear Real Property.*

Councilman Yagelski stated that there has to be an opening for Public Comment at this time about this topic.

Hearing or seeing none, Public Comment was closed. The Motion carried 5-0.

APROPRIATIONS, TRANSFERS, REQUESTS

Purdue North Central – Chancellor Dworkin

Requesting an Additional Appropriation

Riverboat (1191) or Win Tax (4220)

For Student Services and Activities Complex

\$25,000.00

Presented earlier in the Meeting. See “Old Business” section above.

La Porte County Prosecutor

Requesting an Additional Appropriation

Deferral Fees (2501)

For Major Felony Deputy Salary Increase

\$6,861.00

This should be a transfer not an additional appropriation. Councilman Mrozinski made a Motion to approve the transfer. It was seconded by Councilman Santana.

The Prosecutor stated that he believes he has to have the Council’s ‘blessing’ to move forward and go before the Commissioners.

Councilman Cunningham asked Mr. Szilagyi to explain the salary increase.

Mr. Szilagyi stated that historically, they have had a Senior Major Felony Deputy in Circuit Court and Superior Court No. 1. They also had a state-paid Deputy in Circuit Court and Superior Court No. 1 plus himself in Circuit Court and his Chief Deputy in Superior Court No. 1. Because of the large amount of cases in the last three years coming out of Michigan City, he has had to take a fourth deputy and put it over there in Superior Court No. 1. He lives in La Porte but has a good rapport with the Michigan City Police Department, and every weekend he is called out to go over there. It has gotten to the point where they have notified the police agencies that they have deputies on a rotating schedule as to who gets called on weekends. He is a Major Felony Deputy, and that is why he is asking for the increase. He does not see where it is going to go down. Second, he didn’t catch until personnel change the fact that in those courts, that one Deputy was classified as a Major Felony, now they just added a third Deputy as a Major Felony.

Councilman Cunningham clarified that it is a transfer and not an additional appropriation.

Mr. Szilagyi said that it is, but that he has to get approval from the Commissioners and then come back to the Council.

Councilman Cunningham asked if the individual has experience in major felony cases and Mr. Szilagyi stated that he has been there for three years.

Councilman Cunningham asked how many major felony cases he’s handled.

Mr. Szilagyi stated that they have an average of 75-80 cases assigned to them. He is going to trial on a child molesting case next week. He is experienced and is not a brand new Deputy.

Auditor Winski said that Mr. Szilagyi is increasing this Deputy's salary in the payroll account but the money is coming from the Deferral Funds.

Mr. Szilagyi said he spoke to State Board of Accounts and that he can transfer the money into the salary account.

Auditor Winski said that it is still considered an additional appropriation. Anytime the budget changes, even though the money is coming from his Fund, it is still an additional appropriation. She just wanted the Council to know why it says additional appropriation and not simply a transfer.

Note: This item was never voted on.

Purdue Extension Office

Requesting an Additional Appropriation

Riverboat (1191) or Win Tax (4220)

For Office Desk Furniture

\$10,000.00

Hugh Tonagel said that when they moved into their office building a few years ago, there was no money for some of the office furniture. What he is asking right now is for desk units for the four secretaries that work in the office that are up front. They need them for better storage and better professional image. They would also like to get the phone wires off the floor and eliminate the possibility of someone tripping over them. The amount advertised is high, and he is sure that they can probably do it for between \$7,500 and \$9,000.

Councilman Mrozinski made a Motion to approve from Riverboat not to exceed \$10,000. The Motion died for lack of a second.

Councilman Yagelski clarified that they didn't have the money then and they still don't have it now.

There may be a couple of extra desks left from when they fixed up the Michigan City IT office. They will have to check with Jerry Cooley.

Councilman Cunningham also suggested that Mr. Tonagel send out a letter to the Department Heads stating what he needs because he knows some of the offices have extra furniture.

La Porte County Sheriff

Requesting Permission to Spend

Misdemeanant (1175)

For Inmate Safekeeping, and

\$1,530.30

Internet Service & Maintenance, and

\$4,929.40

Emergency Request for Vehicle Replacement

\$25,900.00

Councilman Bernacchi made the Motion to approve the \$1,530.30 for Inmate Safekeeping. It was seconded by Councilman Santana. The Motion carried 5-0.

Councilman Bernacchi made a Motion to approve the \$4,929.40 for Internet Service & Maintenance. It was seconded by Councilman Santana. The Motion carried 5-0.

Councilman Mrozinski asked if the money for the vehicle was from Misdemeanant also.

Sheriff Mollenhauer stated that it was the CCD Fund that they purchase vehicles from. He said that when he discussed it with the Auditor, they mentioned the CCD Fund.

Auditor Winski stated that she has since been told that the CCD Fund was for Marion County only by the State Board of Accounts. She said that the Sheriff needs this money now, so they need to transfer some money around in his budget and come back next month and replace that money from one of the funds. She stated that he has a special deal on this car and the deal was only good until the day after the Meeting. They have been trying to figure a way to get this money so that he can replace that car. Unfortunately the insurance does not cover replacement of vehicles. It is too expensive to do it that way.

Sheriff Mollenhauer said that he also spoke to the Commissioners about that. As far as the insurance, they have \$50,000 loss before they will pay anything. They have had two cars totaled out, and this money is to replace one of them. The one car was not the officer's fault and the other party's insurance company paid a settlement to them after the car was totaled out. They salvaged it and it is going to the body shop to be fixed. It's going to cost about \$300 out of pocket, so they will have that car, which was a 2008 Chevy. This one that was totaled was a 2011, and it was totaled, but it was the Officer's fault. He was running hot to a call and lost it on an ice-covered road. Fortunately, he was not injured and he didn't hit anything but trees. They definitely need the replacement vehicle, and the mechanic called around and was fortunate enough to find a 2013 brand new Ford Interceptor Explorer, solid Arizona Brown, all-wheel drive, for \$25,500. Last year, they paid \$24,500 for the sedan, so this is a good deal. They were fortunate enough to find it in Plainfield, Indiana. There is a hold on it until the day after the Meeting.

Auditor Winski stated that there is \$63,104 in the Misdemeanant Fund that they could take that money from now, but then they need to replace that next month, and they will talk about where they will get it from.

Councilman Cunningham stated that he has some concern because a year or two ago, they bought a car out of the Misdemeanant Fund and they were told by the state that they can't use money out of the Misdemeanant Fund without the Council's approval. He asked if they are being asked to spend it out of the Misdemeanant Fund without approval and then transfer it back.

Auditor Winski stated that she is asking for the approval for the Sheriff to buy that car with Misdemeanant Funds, but then they will have to replace that with an additional appropriation back. This was an emergency situation where they didn't have time to advertise an additional appropriation. That is fine with the State Board of Accounts.

Councilman Cunningham asked what happened two years ago when the state said that the Misdemeanant Funds could not be used for a personal vehicle.

Sheriff Mollenhauer stated that he purchased it out of the Commissary.

Councilman Cunningham asked what the Commissary balance is today.

Sheriff Mollenhauer stated that on the first of the month with the semi-annual report, it was \$15,550.79. It might be less or more than that at this time.

Councilman Bernacchi asked how many backup vehicles the Sheriff has as far as a situation like this.

Sheriff Mollenhauer indicated that they have one.

Councilman Bernacchi asked if he is going to go out for bids again in the spring for vehicles.

Sheriff Mollenhauer confirmed this.

Councilman Bernacchi asked if it was safe to wait until Spring.

Sheriff Mollenhauer stated that whatever numbers the Chief has for next year; this would just be decreasing one for next year. This one is at a good price. It is available, and it is brand new. It's a leftover. The sedans were \$24,500 and this is \$25,500. He does not think that they can beat it. The striping kit is \$400 installed, and that can be paid out of commissary.

Councilman Bernacchi said that moving forward, instead of just trading in, they should probably keep at least two extra vehicles in case they run into this situation again.

Councilman Yagelski said that they are trading perfectly good vehicles for very little money. This is again another example. They've wrecked a car in the last 6 years 3 times. They've had to buy replacement cars 3 times in the last 6 years. So, the odds are that they're going to need a car. That's why he was opposed to it. He said that he can't vote for trading because they gave up another vehicle that they could have been driving for another year. This is not the first time that it's happened.

Sheriff Mollenhauer said that this is the second.

Councilman Yagelski clarified which vehicle was the third, and it was seven years ago. He stated that the odds are that a vehicle sitting there for a year not doing anything is not going to hurt them, especially when they have things that they could take the car out for. He just wants to make sure that they do not continue to dispose of these cars for very little money without the opportunity to use it during the year.

Councilman Cunningham asked for clarification's sake, if they have a \$50,000 deductible on vehicles outside of the County Highway Department, where he's sure there are several vehicles that are worth way more than that and he doubts they're going to total that, how many vehicles do they have in La Porte County that are worth more than \$50,000, is there some way to tally that, or if they even have an

inventory of the number of vehicles that they have in the County. He said that there are license plates, etc, so someone has to have a record of that. He asked if he could get that before the next Meeting.

Sheriff Mollenhauer said that Mr. Jones can get that to him and that he has also talked with him about this because he thinks that police cars are more susceptible to crashes than most other vehicles. He thinks they are fortunate that they've only lost 3.

Mr. Friedman stated that Mr. Jones has prepared it. He said that the cost of individually insuring those as opposed to the self-insured retention is considerably more. That is why the agent of record went in this particular direction. There are a number of highway vehicles, as Mr. Cunningham pointed out, that are considerably in excess of that which are outside the self-insured retention, but the cost of individually insuring those other vehicles is considerably higher than the current self-insured retention plan.

Councilman Cunningham asked if they wouldn't be insuring a fleet and not individually insuring.

Mr. Friedman stated that the loss ratio has not been that bad. Over the course of that many years with that many vehicles, it has not been enough to justify doing the fleet versus the self-insured.

Councilman Santana asked if it would be cost-effective to try to buy down that deductible.

Attorney Friedman stated that they can certainly inquire about that.

Councilman Bernacchi asked the Auditor to clarify if they can take it from CCD.

Auditor Winski clarified that she does not know if the state will let them take it from the CCD Fund. She was questioned why they did that in the beginning. She was sent the code that said that it is for vehicles in Marion County only. There are a lot of quirky laws.

Sheriff Mollenhauer said that he doesn't understand that because prior to him taking over, the Council used to give the sheriff \$300,000 a year to go out and purchase cars, and that was all out of CCD.

Auditor Winski stated that she did try to reach Mr. John Pajakowski of the State Board of Accounts but that she hasn't gotten a response from him yet.

Councilman Yagelski stated that today's vote would be just the Misdemeanant and that whatever the State Board of Accounts told them would be at the next Meeting.

Auditor Winski confirmed this. She said that they can take the money out of Misdemeanant as long as they replace it.

Councilman Yagelski said that he thought they could take it out if the Council agreed it to and be done with it and Auditor Winski agreed.

Councilman Santana asked when the Sheriff would take delivery of the 9 or 10 cars if they advertised in the spring.

Sheriff Mollenhauer stated that Chief Sosinski takes care of all of that. He said that he knows for a fact that they only manufacture police pursuit vehicles during a certain time of the year. He doesn't know when it starts and when it stops. He knows that the Chief was planning to go to the last Commissioner's Meeting but was unable to make it due to family circumstances.

Councilman Bernacchi stated that it is usually in July or August.

Sheriff Mollenhauer agreed that it is usually August when they get them.

Councilman Santana clarified that if they are advertising in April that it is still another seven months that they would be without the vehicle that they need. The number would reduce by one by virtue of buying this one now.

Sheriff Mollenhauer agreed with this.

Councilman Cunningham stated that several of his constituents have asked about the County cars sitting along the pipeline site. He asked if the County is being reimbursed for gas and/or wear and tear on the engines. He asked if they decided this when they negotiated with the pipeline for this security job because idle time is wear and tear on the vehicles.

Sheriff Mollenhauer stated that they are not. He believes it was asked and he is not sure exactly what the answer was. He said that he can find out for sure though.

Councilman Cunningham stated that most taxpayers have a serious problem with that. He thinks that there ought to be a negotiation where the County is reimbursed for gasoline, etc because as Sheriff Mollenhauer has stated in the past, idling is worse on the engines than driving. For example, when a cop works a wedding, he goes into the wedding and does not let his car idle for 8 hours. There is an additional cost to the County for an officer to work a second job.

Sheriff Mollenhauer agreed with this.

Councilman Santana made a Motion to spend \$25,500 out of the Misdemeanant Fund for the vehicle and to let Sheriff Mollenhauer handle the stripe kit. Councilman Mrozinski seconded the Motion.

Councilman Yagelski asked what would happen as far as the radio and light bar.

Sheriff Mollenhauer stated that it would all come from the car that was totaled. None of that was damaged.

The Motion carried 4-1 with Councilman Cunningham voting Nay.

Sheriff Mollenhauer also wanted to speak about the School Resource Officers. There are two schools with resource officers, La Porte Community Schools and Michigan City. The Sheriff was informed 6-8 weeks ago that there have been some grants awarded to three of the schools. La Porte had received a grant for one officer. South Central and Westville want to share an officer and they received permission to share the grant for an officer. These are matching fund grants. Right now, there is one officer that is completely funded by La Porte Community School Corporation, and this would be the same kind of situation. It would be advantageous to take care of this as soon as possible.

Sheriff Mollenhauer thinks it is important to have school resource officers when you look at what has happened as far as school violence these days. There are three officers that were chosen by the merit board, and they are presently on hold. They could reconvene with the merit board and choose two officers to be hired and put into the law enforcement academy at the end of March. It is a 16 week academy. They would be out around the end of June and be able to go into an 8 week FTO training, which would be able to put two seasoned officers into those schools relatively quick right around the first of the school year. There is nothing more important than protecting the children, and Sheriff Mollenhauer whole-heartedly endorses this. This is definitely needed. It wouldn't put any more officers in the road, but it would provide more protection in the schools.

Councilman Yagelski stated that he spoke to both schools and the school boards agreed with the fact that if the grant money ever dried up that they would have to pay for those officers at that point in time. This would not be an obligation for La Porte County. Their attorneys have to talk to the County attorney about it as well. It has to be for the next school year, and not now. It would be next month before everything could be tidied up between attorneys, etc.

Sheriff Mollenhauer said that he would really like to have a work session about it. He thinks this could be explained well enough tonight.

Councilman Yagelski said that the explanation was fine but that they couldn't vote tonight because the attorneys have to speak about it first with the County Attorney as far as who pays for benefits and retirement, etc, and everything that has to be worked out.

Councilman Cunningham clarified that Officer Marvin McCoy is in the La Porte Schools and asked Sheriff Mollenhauer if the purpose of the letter was to have two officers in La Porte Schools and Sheriff Mollenhauer said that it is.

Councilman Cunningham asked about the officer in Michigan City Schools.

Sheriff Mollenhauer stated that it is a Michigan City Police Officer.

Councilman Cunningham stated that this one officer did the entire school system.

Sheriff Mollenhauer said that the other officer in the letter would be shared between South Central and Westville.

Councilman Yagelski stated that they could do a workshop before the next Meeting, but he'd like to see the attorneys speak with the County attorney. There has to be a letter of understanding. It is not simple. La Porte agreed to it, but it was through a series of meetings.

Councilman Cunningham asked if in the past this was a situation where if Officer McCoy goes into the school for nine months, they pay $\frac{3}{4}$ of his salary and the County pays the other $\frac{1}{4}$ of his salary and benefits, etc. He asked if this has been the normal procedure.

Sheriff Mollenhauer said that it has. That was how it worked with Sgt. Kellems. They put him wherever they needed him the worst in the summer. They will do the same with Deputy McCoy this summer. The new officers would be utilized the same way as well.

Councilman Cunningham asked if the resource officers are no additional cost to the County.

Sheriff Mollenhauer said that they are with cars and equipment.

Councilman Cunningham asked if La Porte School pays anything as far as equipment or retirement, etc.

Sheriff Mollenhauer said that pension and insurance are figured in for that 75 percent.

Councilman Yagelski said that the Council had to pick up the pension part because the school only pays a dollar.

Sheriff Mollenhauer said that it was 4 years ago now, so he would have to look at the contract again. He did browse through it. They had Bill Kaminski re-do the agreement with Deputy McCoy when he was put in there because there was a change in the pay rate.

Councilman Bernacchi said that they should just bring this information and discuss it at the Workshop instead of talking about it now.

Councilman Yagelski said that they will have the School Resource Workshop at 6 o'clock before the next Meeting. The HR Meeting would be half an hour earlier for the Commissioners.

Councilman Mrozinski said that they would like to see what the figures would like with the percentage rolled in and the deputies contributing to their own retirement fund and Sheriff Mollenhauer reminded him that that has to be agreed on by the Sheriff and the Merit Board.

Councilman Mrozinski said that other offices don't have the vehicles and gas, etc that the Sheriff's Office does. Times are hard now and he wants the officers to pay for some of their own retirement like every other employee is doing.

Sheriff Mollenhauer said that they do. They pay over \$300,000. He told Mr. Mrozinski that he can get the figures from the Auditor's Office. It can be discussed with him and the Merit Board.

La Porte County Clerk of the Circuit Court

Requesting Permission to Spend

Clerk's Perpetuation (1191)

For Digital Transfer Image to 35mm Film, and

For Preservation of 5 Marriage License Books (Years 1988-1901)

\$40,000.00

Councilman Bernacchi made a Motion to approve the transfer. It was seconded by Councilman Santana. The Motion carried 5-0.

CORRESPONDENCE

Letter from Sheriff Michael Mollenhauer regarding School Resource Officers (see the above dialogue in "Appropriations, Transfers, Requests" section). There will be a workshop at 6:00 p.m. before the next Meeting.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Cunningham said that the 27th was Mr. Santana's last day as a Michigan City fireman, and he wants to congratulate him on his 28 and a half years as a fireman and his newfound retirement.

Councilman Santana thanked him, saying that he is looking forward to it and is going to enjoy it.

Councilman Cunningham also wanted to thank the Council for stepping up to the plate and putting Mr. Purze on the PTABOA board. It's a shame that they had to take this step. Had he not been removed from the Drainage Board, this would have been an issue. He is highly qualified in both areas, and Mr. Cunningham is glad that they have him on the PTABOA Board.

ADJOURNMENT

A Motion was made to adjourn by Councilman Santana and seconded by Councilman Bernacchi. The Motion passed 5-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL, dated this 24th day of February, 2014.

Matt Bernacchi (came in late)
Councilman Matt Bernacchi

Earl Cunningham
Councilman Earl Cunningham

Absent
Councilman Terry Garner

Rich Mrozinski
Councilman Rich Mrozinski

Jeff Santana
Councilman Jeff Santana

Lois Sosinski
Councilwoman Lois Sosinski

Mark Yagelski
Councilman Mark Yagelski

ATTEST: Joie Winski
Joie Winski, Auditor La Porte County