

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

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
JANUARY 26, 2015 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on January 26, 2015 at 6:30 p.m. (local time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

La Porte County Council President Mark Yagelski called the Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

President Yagelski asked everyone to stand for the Pledge of Allegiance. Mr. Yagelski asked that everyone, except emergency personnel, to please turn off their cell phones at this time. He went on to acknowledge the passing of Ernie Banks and Robert "Bear" Falls. He asked that, after the pledge, everyone continue to stand for a moment of silence in honor of Robert "Bear Falls" who was a great man and a great leader for the community.

ROLL CALL

Auditor Winski takes the Roll Call. Council Members present were Councilwoman Sosinski, Councilmen Bernacchi, Kirkham, Yagelski, Santana and Councilman Novak. Councilman Garner was absent. A quorum was noted.

APPROVAL OF THE JANUARY 26, 2015 AGENDA

A Motion was made by Councilwoman Sosinski and seconded by Councilman Santana to approve the Agenda. Motion carried 6-0.

APPROVAL OF THE NOVEMBER 24, 2014 REGULAR MEETING MINUTES

A Motion was made by Councilman Santana and seconded by Councilman Bernacchi to approve the November 24, 2014 Regular Meeting Minutes. Motion carried 6-0. Councilwoman Sosinski abstains from approving the January 5th minutes, as she did not attend that Meeting. Councilmen Novak and Kirkham abstain from the November 24th and December 29th Meetings, as they were not yet on the Council. Motion carried 4-0.

APPROVAL OF THE DECEMBER 29, 2014 SPECIAL MEETING MINUTES

A Motion was made by Councilman Bernacchi and seconded by Councilman Santana to approve the December 29, 2014 Special Meeting Minutes. Motion carried 5-0.

APPROVAL OF THE JANUARY 5, 2015 SPECIAL REORGANIZATION MEETING MINUTES

A Motion was made by Councilman Novak and seconded by Councilman Kirkham to approve the January 5, 2015 Special Reorganization Meeting Minutes. Motion carried 6-0.

PUBLIC COMMENT

Dennis Metheny, 6757 West 450 North, Michigan City, IN 46360

Mr. Metheny said he should be put on the agenda for every Meeting. He went on to read from Indiana Code 5-14-3-1, Public Policy; Construction; Burden of Proof for Non-Disclosure. Section 1: A fundamental philosophy of the American constitutional form of representative government is that government is the servant of the people and not their master. He said that he must be the master and the Council his servant, and said it was just a statement.

He continued stating that the County funds ALCO (Access LaPorte County) and spoke to a person who watched the last televised Meeting that blanked out 5 times. Mr. Metheny went on to say that ALCO blames Comcast for the problems. He continued, saying that this has been going on for years, and questions why Alco is not able to get Comcast to fix the issues, especially since ALCO gets paid \$70,000 to \$75,000 a year to broadcast the shows/meetings. Although he acknowledged that there doesn't seem to be an issue when it's replayed, Mr. Metheny expressed the importance of the community being able to watch the meetings live. He asked that the Council consider withholding any future payments to Alco until the problems are fixed. He doesn't feel it is fair that taxpayer money is being used to pay for something that isn't 100%. He has seen ALCO come in and change the microphones/cameras more than once, but that hasn't fixed the problem. He, again, asked that the Council think about withholding payment to ALCO.

Mr. Metheny then said that he attended the previous two Meetings and spoke to representatives from one of the companies that made a presentation regarding doing a study for the Council. He said he is not the kind of person who likes to spend money, but that he supports having the study done so it can be proven what will work and what won't when it is presented to the state or the Feds. He said he'd rather give them the money because they are qualified, and not companies like DLZ or any other company like that. However, he said he has spoken to President Yagelski about it and understands his reasoning.

Mr. Metheny spoke about IMM and whether the \$900,000 is going to be reimbursed. It was on the 39 Conservancy District and that the County had paid for the water and the sewer and the Solid Waste district gave them the \$900,000.

President Yagelski answered that he doesn't have the answer at this time. Mr. Metheny asked whether he should go to the Commissioners. President Yagelski said they could both ask, and apologized for not having the answer. Mr. Metheny said that it's quite all right and that he just asks the questions so he can get direction on where to go.

Councilman Bernacchi stated that he believes the Solid Waste Board appropriated the money at that time and they made the appropriation because the board had the money in its account. He does not believe that any repayment arrangements were made and that it was just an investment that failed. Mr. Metheny said that when Mr. Bohacek was a Commissioner, he was trying to negotiate to get that money back. Councilman Bernacchi said that Mr. Bohacek and he serve on the Board, and Mr. Biege is the Attorney for the Board. Although Mr. Biege and he were not a part of the board at that time, Mr. Bohacek or Mr. Biege would be able to help Mr. Metheny. Mr. Metheny thanked him.

President Yagelski clarified that the money that is paid to ALCO does not come out of the County budget, but out of the fees paid by Comcast per a franchise agreement. Mr. Metheny said that gives more reason for Alco to fix it since they are being paid with Comcast money.

Commissioner Kora approached the Council and reminded President Yagelski that, during the Workshop, he wanted to address the Economic Development Budget to be put within the Commissioners Budget. He asked if President Yagelski wanted to add that to the Agenda. President Yagelski responded yes and thanked him.

Anthony Hendricks, LaPorte County Surveyor

Mr. Hendricks said he had petitioned to be on the Agenda, but his two items were removed from the Agenda. He said one of the items was the Section Corner Perpetuation Fund and he heard that the Council wanted more detail, so he provided a packet to them. He said they try to spend as judiciously as possible from the fund to keep costs low and keep it out of the budget. He explained that in the packet are the last two years and this year, which would be the 2013 year. He would like this to be put on the next month's agenda, as it's an appropriation and would like some items paid for and contracts and CAD/computer software purchased and/or updated.

He said that two of the computers in the Section Corner Division of the office have outdated Windows 98 and need to be replaced. He tried to look through the local vendor, Darlene in IT, and the state vendor, which could save approximately \$600 per computer. However, the computers were not purchased last year because the end of the year came too quickly. He also wants to look for funds to travel to the national convention for Purdue. He has made it clear that he was going to help Purdue University North Central and the students who work 4 months for a national competition. They work hard to fund this, as it costs \$8,000 to \$10,000 per year. Mr. Hendricks was hoping that possibly the County or the Council could assist and/or support. He has, personally, donated hundreds of dollars to this construction club. These students will be the next managers of construction in LaPorte County, and they did a very good job for the competition. Although it was not on the Agenda, and he doesn't want to open a can of worms that every group is assisted, Mr. Hendricks hopes that some support can be given, either personally or by a corporation. The final item, which is on the Agenda, is the Training Fund. He didn't realize, until he did research after asking for other funds, that the Elected Officials Training Fund shall come to the Council for approval. Therefore, he has submitted this request to the Council, as he attends this conference each year. It is a State Surveyor's Convention and it involves very difficult classes for two 8-hour days and another ½ day on Wednesday. It has to do with all state issues. He apologized that the Surveyors do not make it clear what they do, and acknowledged that using the Training Fund for a National Homebuilder's Competition is a little different, but provided the County Surveyor's Association of Indiana list of a Surveyor's duties.

As a Planning Commission Member, he hopes that some money could be used to support the trip to the National Homebuilder's Convention, whether on cable access or if companies would like to donate to the Purdue Construction Management Club. The students pay their own way and spend 4 months preparing for the competition. It is very difficult, costly and time-consuming and there are 35 national teams that compete. Previously, a Big Ten team won and, although, it wasn't Purdue, the students did a great job. He hopes that in February the Section Corner Perpetuation Fund item can be put on the Agenda and, if possible, the Council Members can support PNC's Construction Management Club. He thanked the Council.

John Mills, 1207 Scott Street, LaPorte, IN 46350

Mr. Mills said was saddened to find out about the demolition of the barn at the last Commissioner's Meeting. He tried to fight for the barn, but sees that it is coming to a conclusion. However, what he is truly sad about is not being able to save the barn. He said he failed to get his point across to try different approaches to save it. He said that the roof is not sagging and it's been there 128 years, but realizes that it is in the way for more progress. He thanked the Council for letting him try and wanted to continue to save it all. He compared it to the American Gothic, where there is a picture of the man and woman, but there would be no pitchfork and there will be a big void. He went on to read a poem he wrote 3 years ago about a barn.

It's Just A Barn?

*It's just an old barn, did I hear you say
A place to house livestock and maybe store some hay
Well it's done just that and a whole not more
Let me tell you about how it's been used many times before*

*It was used as shelter for a baby to be born
You know that one, that very first Christmas morn'
It was a barn where four brothers helped and planned and laid out this great land
Then it was off to Philadelphia they went with quill pens in hand*

*It came in handy for a fellow named George
When he held up that winter at Valley Forge
It was used to capture an assassin with a gun
Who shot our beloved President before he could see the great work that he'd done*

*It was a barn that started out as a small flame
That burned and charred a great city to which a cow got the blame
It was a barn where a couple of brothers named Wright
Perfected their plane before they took that first flight*

*It was in barns where young men and boys would throw a ball
And hopes to be playing late into the fall
Barns were called upon during many a war
Where they were used by the government, who had supplies and equipment to store*

*You see, barns don't care about race, color or creed
They've always been there to help us, no matter the need
So, my friend, I hope you now see
Why this barns means so much to me*

The Council and audience applauded.

Steve Eyrick, LaPorte County Chief Probation Officer

Mr. Erick said he didn't see Department Head Comment, and, although President Yagelski said that would be next, he told Mr. Erick to continue. Mr. Eyrick said he had two requests and explained that Probation User Fees are being used for the Operating Budget. He said he has two invoices that need to be paid but didn't get onto the Agenda. He asked that they be approved out of the 400 Account, from the Probation Fee Budget. President Yagelski said there shouldn't a 400 account, but Mr. Eyrick explained that User Fees are appropriated to various areas including law books and drug testing. President Yagelski said that is not 400, but Mr. Eyrick said he thought there was an equipment account within the Probation Fund.

Auditor Winski said she thought she spoke to him or someone else, but that the Council voted not to have a 400 account in any budget. She went on to explain that it doesn't matter who is appropriating the money, there cannot be a 400 account. President Yagelski said they have pulled them for the last 12 years, which is as long as he has been on the Council. Mr. Eyrick asked if the costs will be covered. President Yagelski asked what needed to be purchased. Mr. Eyrick replied that a scanner for Superior Court 4, the Magistrate's Court Room and a computer for Superior Court 1, Judge Bergerson.

President Yagelski asked whether these items could wait until next month. Mr. Eyrick said he would have to speak to the Judges. Auditor Winski said those are 400 account purchases and that the State Board of Accounts does audit those. Mr. Eyrick said they have been paying out their budget since 1991. Therefore, he asked if he has to re-submit his request in a letter for next month. President Yagelski replied yes, but that Mr. Eyrick does not have to attend that Meeting.

Hearing or seeing no other Public Comment, President Yagelski closed Public Comment.

DEPARTMENT HEAD REPORTS

Hearing or seeing no Department Head Reports, President Yagelski closed Department Head Reports.

LIAISON REPORTS

Councilman Novak said that, being new to the Council, he has been trying to get to all of the departments to which he is a liaison. He met with Director Buell with the Department of Corrections on January 14th. On January 15th, he attended his first Northwestern Indiana Regional Planning Commission Meeting signed up for several committees. He also met with the Prosecutor, Mr. Espar, and Juvenile Services today, January 26th. On Wednesday, January 28th, he will attend a 911 Advisory Board Meeting. Councilman Santana and Councilman Kirkham had nothing to report.

Councilwoman Sosinski said she had nothing to report, but said the E911 Advisory Board that she has been on for the first few months of the year, but will have difficulty meeting because of her new job. However, Mr. Novak has been serving as the Vice-President of that Board, serving for the LaPorte County Fire Chief's Association, but now serves as liaison. She said that Councilman Novak and she had spoken and felt it is important for him to continue as liaison to

that Advisory Board, and that she will trade one of her liaison positions with him so he can stay on the 911 Advisory Board.

President Yagelski agreed and continued that he wants to appoint Councilman Kirkham to the Chamber's Government Affairs Committee. Also, he said they are doing a lot of clean up and found that in the past, only one person was appointed. However, when the redevelopment commission was passed in 2008, there were supposed to be 4 commissioners and 3 councilpersons appointed. He went on to appoint Councilmen Novak and Bernacchi and Councilwoman Sosinski to the Redevelopment Commission. He asked if the Commissioners had already appointed 4 commissioners and there was an affirmative reply. Councilwoman Sosinski asked that, with the recent adjustments, could a list be emailed to the Council Members. President Yagelski said yes.

Councilman Santana that Councilman Bernacchi and he were added to Human Resources with Councilwoman Sosinski and asked how they meet. She responded that when the county formed the Human Resources Department and hired a Director, the entire formation of that changed to try to keep politics out of Personnel issues. So what happens is that, when a position changes in dynamics or when a job description changes, there is protocol that is followed. The committee was formed by HR and has one Council liaison on it. It is then graded and submitted in that particular matter. Any items that are Personnel related and may be confidential or involve disciplinary actions, the Council is not involved and only Human Resources would address it. Therefore, she was wondering why more members were added to that role. After talking to Councilman Bernacchi, Councilwoman Sosinski said it might have to do with the concern of looking at Department Heads, Elected Officials and/or employees in general as to where they are now and where they should be, because of all of the years there were not raises or flat raises/bonuses. She went on to explain that an earlier council, possibly 6-8 years earlier, had enlisted the services of Waggoner, Irwin and Sheele, who did an in-depth study of job descriptions, since they were inadequate at that time. The results were compared to surrounding counties and counties that resembled the LaPorte County dynamics. She said that if the Council had to address these issues again in the future, it would not be as much of a hefty item because all of the numbers are already in the study. They would just have to compare the numbers in the current year. However, it would have to be determined if the Council would have the money to move on what they find. Otherwise, it may be addressed on an as-needed basis. She summarized that since the legwork was done, it would just be a matter of comparing to update.

President Yagelski said to move forward, it's not just a comparison but reflective of how raises are given and what types, including those that may be given in the future; how many sick days, holidays or vacation days are given; and how many days off are given from the Commissioners. He continued that it's not an all-encumbered thing and not just to catch up. Councilwoman Sosinski said that she believes that a benefit package was part of what was included with the report from Waggoner, Irwin and Sheele. However, President Yagelski said he wasn't talking about that, but all of the county employees. And if raises are given, how does the County re-coop that money through the County, whether it is how many holiday or sick days are given. He feels that there must be some type of analysis and questions how to plan for the future. Councilwoman Sosinski said that she has worked in Payroll and HR and said would look at the salaries. President Yagelski said collectively, that's what the committee would address. Councilwoman Sosinski questioned the amount of money that would be needed. President Yagelski said that the committee should meet and then let the Council know what is needed.

Auditor Winski said that told Councilwoman Sosinski that Barb Mossman, Andrea Smith and she had met with Paula from Waggoner, Irwin and Sheele last year and the amount was approximately \$50,000.00. Councilwoman Sosinski asked whether that was just to update or do another analysis. Auditor Winski said she believed it would just be an update. Councilwoman Sosinski said she would contact Ms. Mossman and Auditor Winski said she could provide Paula Reamer's phone number, if requested.

Councilman Bernacchi said that on the 13th, the PTABOA had an Organizational Meeting. He said they have a full board and will have their first Meeting on the 10th to hear appeals. There are roughly 600 appeals to be heard, which would wrap up all of the appeals in the process, and exemptions are heard year by year. Solid Waste had their Organizational Meeting on the 21st and looks like, with the reconciliation and all of the budgets coming in, that they are in good shape regarding the budgeting. There may be a reduction this year, due to the money that came in and created a surplus. Just to touch base with the HR, it might be productive to sit down with HR and look into what the salaries should be in regard to other organizations and governments, utilizing the information that they have. He would like to come up with a cooperative plan with the Commissioners.

President Yagelski addressed who the Commissioners want to hire to represent LaPorte County for their best interest. Working with the NICTD Board, President Yagelski has dealt with people in Indianapolis as representation, as far as the railroad is concerned and feels it's beneficial to have that type of thing. He goes on to acknowledge the millions of dollars lost in Riverboat over the last couple of years, and it's going down state now because they feel they have a right to that money. Therefore, he supports the commissioners on getting representation down there to speak for them. There are many interests to consider, not just the Riverboat. Regarding PTABOA, Councilman Santana asked Councilman Bernacchi whether or not a Meeting can be held without him because he is the only one that holds a Level 2. Mr. Councilman Bernacchi replied that no, they cannot. Councilman Santana thanked him.

NEW BUSINESS

Economic Development

Councilmen Santana and Bernacchi and Councilwoman Sosinski asked for clarification on this item. President Yagelski explained that in the budget process, under the Commissioner's budget, it was a number, which was agreed to be given by the Council. It would be under the representation of the Commissioners and they would be able to sign all of the paperwork and check the payroll. Councilwoman Sosinski made a Motion to put Economic Development back into Commissioner's budget for one year. She continued that she believes everyone knows why it was removed but that it needs to be put somewhere. The Council agreed and Councilman Bernacchi seconded the Motion. Motion carried 6-0.

Councilman Santana reminded President Yagelski that he did not ask for questions and noticed that Attorney Biege and Auditor Winski were discussing the item. President Yagelski said they talk all of the time, but Councilman Santana said he wanted to ask legal counsel if the Council was able to do this right now. Attorney Biege was trying to determine whether the money was a transfer. President Yagelski said no, that it was just a number. Attorney Biege then said if it's not a transfer, it would have to be an appropriation and it would have to be advertised. President

Yagelski said it would have to be tabled. Councilwoman Sosinski removed her Motion; however, Councilman Novak said that the Council would have to vote upon the table. Motion carried 6-0.

Sheriff's Salary

President Yagelski said he had spoken to Sheriff Boyd and had given up the tax warrants. He has worked with Attorney Biege for a contract. Attorney Biege said he has a draft together, but that the Sheriff still has to review it. President Yagelski asked the Sheriff to come up to the podium and asked him whether or not he has had a chance to review the contract.

Sheriff Boyd said he had not. President Yagelski said that the contract is pretty upfront and that it's just the amount or percentage in question. The Sheriff would relinquish all other monies that would go back to the County. Attorney Biege said that if the Council chooses to authorize the contract, that the wording could be adjusted. He continued that he tweaked some of the language so there were not issues, as there were with the previous Sheriff's contract.

President Yagelski clarified that he is asking the Council to be able to sign the contract after the Sheriff approves it. Councilman Santana made a Motion for that and Councilman Novak seconded it, pending the Sheriff's approval of the contract. President Yagelski asked if there were any questions and Councilwoman Sosinski, again, clarified the item. Attorney Biege said that, initially, the Council has to approve the dollar amount and then move to salary. Councilman Novak asked if this item was going to be put off until the next Meeting, but President Yagelski said that the Sheriff is already getting paid and this issue needs to be resolved. President Yagelski asked for an amount and Attorney Biege said it is \$124,870, which represents 90% of last year's pay. President Yagelski said that there were other options out there, but the Sheriff chose this one. Councilman Kirkham asked that "not to exceed" is used as to the amount and President Yagelski agreed. Councilman Novak asked whether there needed to be a vote upon the amount. President Yagelski said yes and Councilman Novak made a Motion to approve the amount. Councilman Kirkham seconded the Motion. Councilwoman Sosinski asked whether there is a problem in regard to her, as Councilman Cunningham always used to ask. Attorney Biege said that there is not. Motion carried 6-0. Councilman Santana made a Motion for the previous discussion, which is giving authorization to President Yagelski to sign the contract after it is reviewed and tweaked. Councilman Novak seconded it. Motion carried 6-0.

EMA Payments for Emergency Sirens

President Yagelski explained that the Township Trustees were paying for their NIPSCO services. When the sirens needed to be repaired, the county maintained and repaired them. However, one of the townships decided they no longer wanted to pay for the NIPSCO services and would just turn their siren off. Councilman Novak said he met with Mr. Cooley earlier in the day and there are four sirens. Two are in Lincoln Township, one is on 421 and the other is on Horseshoe Bend. President Yagelski said the point is that they still expect the Townships to pay for their NIPSCO services. Councilman Novak said it involves 3 different Townships.

Jerry Cooley, Head of Maintenance, came to the podium. He explained that maintenance pays all of the electric bills for the county. However, last year, one of the Townships ran into financial difficulty and maintenance started to pay them. Mr. Cooley said he sits on the advisory board for Springfield Township. And, although, NIPSCO pays for one of the 5 sirens in Springfield, the Township pays for the rest. He went on to say that he has spoken with Howard Connelly, who is the Trustee for Springfield, and said what the townships need to do, is go back and put the sirens

back in the budget. He said the Council never authorized him to use money from the county to pay for the Township's sirens. President Yagelski said that the Council never authorized them to stop paying in the first place. Mr. Cooley said they he will no longer pay for the sirens, unless he is authorized to pay it by the Council. He went on to say that if one Township is authorized, then it should be for all and the Council would not want to take on such a burden. Councilman Santana said there are approximately 47 sirens in all of the townships. President Yagelski asked Attorney Biege to look into how to open the budgets in order to add in the sirens and have the townships pay for their own services. Attorney Biege said that he would check it out. Councilman Novak said that the cost ranges from approximately \$17.00 to \$30.00 per month per siren. President Yagelski asked for a Motion to table the issue until the next Meeting. Councilman Novak made the Motion and Councilman Santana seconded it. Motion carried 6-0.

OLD BUSINESS

Update Regarding LaPorte County Commissioners' Credit Card Fraud Case

Attorney Biege said he has information, but it was not verified. Therefore, he asked that it be set over for next month until he can see the certified documents. Councilman Novak made a Motion to table the issue and Councilman Santana seconded it. Motion carried 6-0.

Supplemental Public Defender Firewall Payment County Council Support

Councilman Yagelski explained this request is in regards to using the Supplemental Public Defender Fund as a one-time \$35,000 use for a firewall. The fund keeps growing in size and monies need to be used. The firewall is a legitimate expense. Attorney Braje's concern was if the State does not agree with the use, money for the next quarter could be cut. A Motion was made by Councilman Kirkham and seconded by Councilman Santana to use Supplemental Public Defender. Motion carried 6-0.

Councilman Yagelski again explains this was just asking for support in the event there is a cut or a lesser draw.

Feasibility Study for Replacement of Franklin Street Lift Bridge Not to Exceed \$938,000.00

A Motion is made by Councilwoman Sosinski to approve the feasibility study. Motion has no second and dies.

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

Ordinance No. 2015-1

Addressing Decorum for Attendees at La Porte County Council Meetings

This Ordinance would take care of legalities in the event they would ask someone to leave. This is a work-in-progress and he would like to ask the Commissioners to co-sponsor.

A Motion is made by Councilman Santana and seconded by Councilman Kirkham to read by title only. Auditor Winski reads the Ordinance by title only. Ordinance No. 2015-1 Addressing Decorum for Attendees at La Porte County Council Meetings.

Councilwoman Sosinski questions what is considered appropriate and what is not. Rights of freedom could be violated.

Attorney Biege states he used language from other county or city ordinances as well as court rules using an example that was challenged by freedom of speech. He agrees with Lois that this is a grey area and states many courts have decorum rule ordinance. President Yagelski states this is just to get the ball rolling for more discussion. Councilwoman Sosinski will agree to that. Motion carried 6-0.

Confirming Resolution No. 2015-1

Determining That the Qualifications for an Economic Revitalization Area Have Been Met and Confirming Declaratory Resolution Adopted by the County for Hickman, Williams & Company (Real Property)

Mr. Dave Christian, Economic Development states these are Resolutions for an economic revitalization area.

President Yagelski spoke to Attorney Biege prior to the Meeting and would like to read all of these by title only tonight and proceed forward next month.

Mr. Christian said the company is doing due diligence by looking at this particular parcel, move and set up business here.

Councilman Bernacchi and Councilwoman Sosinski made Motions to read by title only. Auditor Winski reads by title only Confirming Resolution No. 2015-1 Determining That the Qualifications for an Economic Revitalization Area Have Been Met and Confirming Declaratory Resolution Adopted by the County for Hickman, Williams & Company (Real Property). Motion carried 6-0.

Councilmen Santana and Kirkham made Motions to read by title only. Auditor Winski reads by title only Confirming Resolution No. 2015-1A Determining That the Qualifications for an Economic Revitalization Area Have Been Met and Confirming Declaratory Resolution Adopted by the County for Hickman, Williams & Company (Personal Property). Motion carried 6-0.

Councilmen Novak and Santana made Motions to read by title only. Auditor Winski reads by title only Declaratory Resolution No. 2015-1B Declaring a Portion of La Porte County, Indiana an Economic Revitalization Area Pursuant to Ind. Code §6-1.1-12.1-1 et seq., for Hickman, Williams & Company (Real Property). Motion carried 6-0.

Councilman Bernacchi and Santana made Motion to read by title only. Auditor Winski reads by title only Declaratory Resolution No. 2015-1C Declaring a Portion of La Porte County, Indiana an Economic Revitalization Area Pursuant to Ind. Code §6-1.1-12.1-1 et seq., for Hickman, Williams & Company (Personal Property). Motion carried 6-0.

Councilman Novak asks where this is located. Mr. Christian passes out maps to IMM building and property is located on Highway 39 across from Briarleaf Golf Course. The land is approximately 60 acres.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Circuit Court Clerk

Requesting Permission to Spend

CLERK'S RECORD PERPETUATION (1119)

for Transfer of Images, Shredding, Preservation, Etc. \$40,000.00

A Motion is made by Councilman Bernacchi and seconded by Councilman Santana to approve. Motion carried 6-0.

La Porte County Surveyor

Requesting Permission to Spend

ELECTED OFFICIALS TRAINING FUND (1217)

for State Surveyor Convention \$750.00

A Motion is made by Councilman Novak and seconded by Councilman Santana to approve. Motion carried 6-0.

La Porte Maintenance Department

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

for Replacement of Heating/Air in Courthouse and Annex \$65,000.00

A Motion is made by Bernacchi seconded by Councilman Santana. Motion carried 6-0 to pay out of Win Tax.

La Porte County EMS

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

for EMS Secure Indiana Reimbursement Grant \$4,000.00

A Motion is made by Councilman Bernacchi and seconded by Councilman Novak. Motion carried 6-0 to pay out of Win Tax.

La Porte County Prosecutor

Requesting an Additional Appropriation or Permission to Spend

1. CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220) or

2. PROSECUTOR DEFERRAL (2501)

for Replacement of Computers and Furniture for Prosecutor \$20,000.00

A Motion is made by Councilwoman Sosinski and seconded by Councilman Novak to pay the request from Prosecutor Deferral Funds. Motion carried 6-0.

The furniture will be used for Prosecutor Espar and his Deputies. The last two Prosecutors brought their own furniture and left with it. Councilman Kirkham wants to make sure Prosecutor Espar will leave the furniture with the County when he leaves. Prosecutor Espar assures them he will.

La Porte County Sheriff

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

for Sheriff Used Vehicle Purchase \$7,900.00

A Motion was made by Councilman Bernacchi and seconded by Councilman Novak. Motion carried 6-0 to pay out of Win Tax.

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

for Purchase of Dishwasher, Freezer and Garbage Disposal Jail \$73,523.00

A Motion was made by Councilman Novak and seconded by Councilman Santana. Motion carries 6-0 to pay out of Win Tax. Director Cooley will contact Nipsco to see if any rebates are available.

Councilman Bernacchi asks Sheriff Boyd how much was left in the Commissary Fund when he came into office. Sheriff Boyd states about \$12,000 and as of this morning there was approximately \$17,552; however daily bills are paid out of that fund.

Requesting an Additional Appropriation

RIVERBOAT (1191) OR WIN-TAX (4220)

for Sheriff Pension Shortage \$320,038.00

A Motion was made by Councilman Bernacchi and seconded by Councilman Novak. Councilwoman Sosinski asks Attorney Biege if there is any conflict if she votes. Attorney Biege states there is not. Motion carries 6-0.

La Porte County Highway Engineer

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

for Triangle Bus Service Initiative \$7,222.25

Engineer Yacullo tells the Council the operation of the Triangle Bus Service has increased. A second bus had to be purchased. President Yagelski said this was one-shot deal money when it was presented to the Council. Questions were asked. A Motion was made by Santana Sosinski out of CCD. Motion carries 4-2 with Councilmen Yagelski and Novak voting no.

Requesting an Additional Appropriation

CCD (1138), CAGIT (1110) RIVERBOAT (1191) OR WIN TAX (4220)

Traffic Impact Study KIP \$59,500.00

Engineer Yacullo states this study will set the table to garner support from the State in the form of federal dollars or a tiger grant for the construction of an additional roadway that may be needed in the future. A Motion to approve was made by Councilman Santana and seconded Sosinski. Motion fails 4-2, with Councilman Santana and Councilwoman voting Aye.

Requesting an Additional Appropriation
RIVERBOAT (1191), WIN-TAX (4220) OR MAJOR MOVES (1172)
for Local Match Construction of New Bridge on Otis Road (tabled) \$333,000.00

A Motion is made by Councilman Bernacchi and seconded by Councilwoman Sosinski to remove from the table. Motion carries 6-0.

Engineer Yacullo states that request is for the Otis Road Bridge which crosses over the Little Calumet River. It currently has an 8 foot pipe which is not significant enough to carry the water. Erosion is occurring and the stream is wide. He would like an actual bridge built and remove the abandoned railroad bridge. Engineer tried to get EMA funding downstate, but got turned down.

President Yagelski asks how many more bridges will be done this year. A lot of money was used out of the Cumulative Bridge Fund and does not want to use Riverboat or Win Tax.

Engineer Yacullo states at least one.

Councilman Novak would like photographs of the bridges in question and a list of bridges in priority of fixing them. A Motion was made to table. Motion carries 6-0.

Requesting an Additional Appropriation
RIVERBOAT (1191), WIN-TAX (4220) OR MAJOR MOVES (1172)
for Intersection Improvement Johnson Rd./CR 500 W \$220,000.00

President Yagelski feels there is not enough accident data that warrants an Intersection Improvement.

Councilman Santana spoke to residents of Jongkind Park and they do not feel there is any type of issue or safety problem. He would also like to see the demographic changes that would take place on a project like this.

Councilman Bernacchi feels if a white stripe there it may be a temporary solution to the intersection. No Motion made, Motion dies.

Councilman Novak wants to know who does and determines the study.

Engineer Yacullo states this intersection was on the radar before and NIRPC and INDOT are involved in the study.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Santana explains why he voted in favor of the KIP Traffic Study. He wants to be ahead of the game in the event KIP starts to flourish.

President Yagelski thanks Phyllis Marks for all of hard work and fundraising she did for the Barn.

Councilman Novak would like to see a three year capital expenditure list from each Department. He would also like to request a Workshop in regards to the Ethics Ordinance.


Prosecutor Espar needs more money for computers so he will be coming back to the Council. He will need \$12,330.

Councilwoman Sosinski remembers "Bear Falls" as a great man and his mantra of it being all about the kids. She goes on to say he will be greatly missed.

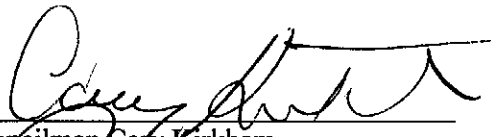
ADJOURNMENT

A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to adjourn. Motion carries 6-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23rd day of February, 2015.



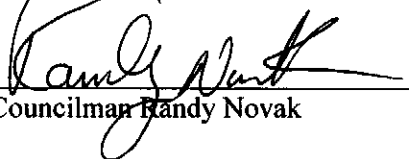
Councilman Matt Bernacchi



Councilman Cary Kirkham



Councilman Terry Garner

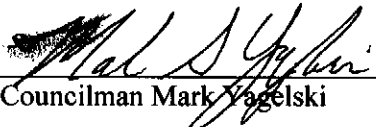


Councilman Randy Novak

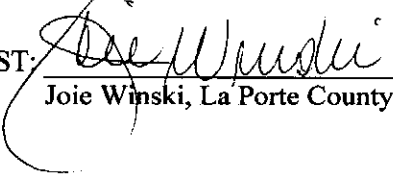


Councilwoman Lois Sosinski

Councilman Jeff Santana



Councilman Mark Nagelski

ATTEST: 

Joie Winski, La Porte County Auditor