

*LaPorte County Auditor
Joie Winski
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LaPorte, IN 46350-3490*

**MINUTES
REGULAR MEETING OF THE LA PORTE COUNTY COUNCIL
MARCH 30, 2015 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on March 30, 2015 at 6:30 p.m. (CDT) 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.

ROLL CALL

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

APPROVAL OF AMENDMENT TO MARCH 30, 2015 MEETING AGENDA

Councilman Bernacchi made a motion for the presentation on the Library to be heard first. Councilman Garner seconded the motion. Motion carries 7-0.

PUBLIC COMMENT

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

Mr. Metheny explained that he is not happy about the Library bond issue. He said that he has gathered as much information on this issue from the Internet as he could, but that he feels the figures are too vague and he is not confident that the La Porte County tax problem is completely fixed. Therefore, as a La Porte County and Michigan City taxpayer, he does not support this bond and feels it should be held off for a year or two.

Donald Lode, 7882 N. Pottawattamie Trail, Rolling Prairie, IN 46371

Mr. Lode supports the Library bond issue. He feels that new businesses look at parks and libraries as a representation of the County, and that libraries promote better education to the students, which in turn create better citizens.

Mary Wellinski, 3614 W. Windsor Court, La Porte, IN 46350

Ms. Wellinski explained that her children and she have spent countless days at the La Porte County Library reading, learning and having adventures. On a limited budget, she is grateful to have a place at which she can spend time and not money. She said she would be happy to pay a little extra in taxes to continue to have that opportunity, and is grateful to the La Porte County Library system.

Rita Mrozinski, Vice-President, Greater La Porte County Chamber of Commerce

Ms. Mrozinski came to speak on behalf of the Library bond issue. She feels that the Library system should be improved, as it adds worth to the community. She said that the function of the library provides an immeasurable resource and that it supports all, from early childhood through adults, and assists with continuing education and job acquisition. She feels that the library only enhances the community and respectfully requests the Council to vote for the Library bond.

Dr. James Dworkin, Chancellor, Purdue North Central

Being a labor economist, he stated that the decision to support the Library bond is easy. He explained research shows that anything to stimulate early childhood education is the best use of money, and for every dollar spent, many come back. Secondly, there has been a lot of research done regarding the need for libraries, and it shows that people love to have the books in their hands. In addition, anything that can be done to stimulate reading and learning should be supported.

Jim Jessup, Hanna Township

Mr. Jessup explained that he has lived in La Porte County for a long time and has witnessed a lot of decision-making, both public and private. One of his observations has been that decisions are often made based on the bottom line and dollars and sense. In decisions regarding parks, libraries and education, much more has to be considered. These areas need to be looked at as investments in the future and the message being sent to the community, such as quality of life and economic development. These are the things that bring people to our community and keep them here. The idea that good enough is good enough is an outdated concept and we have to rise to the excellence of our surrounding communities. He also said that, speaking as a Hanna resident, it is critical to keep the library in Hanna and appreciates the Council considering this Library bond issue.

Rick Irwin, Rolling Prairie, IN

As a filmmaker and adjunct professor, Mr. Irwin has observed an increasing gap between the children that have and those that have not. He feels that human interaction is decreasing and that most students he observes are focused on their phones and not each other. He feels that one of the last places left is the library, where children and adults can go to interact with people and that is critical. He would love to see more digital technology in the library and hopes the Council considers voting in support of the bond issue and makes it happen.

Linda Wiltfong, 304 Farmwood Lane, La Porte, IN 46350

As Superintendent for South Central Schools, she came to speak for the school system. As the schools move into the digital era, they also struggle financially. Therefore, they have reached out to the La Porte County libraries and, with their assistance and resources, have implemented new pilot programs to improve curriculum and student learning. The libraries have been instrumental in the success of the students' progress and she encourages the council to support this issue.

Spencer Shaffer, 1633 N Rustic Drive, La Porte, IN 46350

He came before the Council to help bring the libraries into the future. He has been granted the opportunity to take part in a new library program offered at the La Porte County Library. The program is assisting those students who would not otherwise have access to digital technology, such as a 3 dimensional printer. He feels it this will prepare students for the job force and make them more prepared for the technological world. With renovation of the library, it will help broaden the amount of people that can take advantage of technology and move toward a library of the future.

William Hobbs, 3011 N Sand Ridge Road, Rolling Prairie, IN 46371

He introduced his daughter Margaret and said she wanted to speak on this issue. Margaret said she didn't know anything about stocks or taxes, but loves the library and totally supports the bond and the Council, and hopes the Council will also support the bond.

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

NEW BUSINESS

LA PORTE COUNTY LIBRARY BOND PRESENTATION

Fonda Owens, Director, La Porte County Public Library

Ms. Owens thanked the Council for adding the Library Bond to the agenda. She explained that each of the Council members received a packet summarizing, in detail, the process of compiling the information for the Library bond. They began in 2013 with facility studies, including HVAC and a study of all of the La Porte County library facilities. Upon completion of the studies in early 2014, a Library Committee was formed with members from the Library Board, community members and staff members. During the process, surveys and interviews were conducted, community meetings were attended, key community leaders, business, industry and schools were met with, and organizations involved with early child education were consulted. The Library Committee wanted to insure that what is being asked for today would not only take care of the needs of the Library in the present, but also well into the future. An architect and construction manager have been hired, and legal and financial counsel have been retained. Together, these professionals have made a recommendation. The projects will not only impact those people in La Porte library but those of surrounding communities, such as Michigan City. Ms. Owens went on to explain that the libraries are out of compliance with ADA, so they need to be brought up to code. Also, energy savings will be gained and those savings will offset expansion and she expects operational costs will be reduced due to energy efficiency. It is anticipated that the projects will be under \$12,000,000 and that is why she came before the Council. She went on to explain that Belvia Gray from Umbaugh & Associates and Tony Oss from Larson-Danielson are in attendance tonight, if the Council should have any questions.

Mark Phillips, General Counsel for La Porte County Library

Mr. Phillips explained that in November 2014, the Board of Trustees for the Library moved forward with a preliminary determination hearing, which was held in December. At that hearing, approximately 25 witnesses gave testimony, mostly in favor of the bond issue. Following the hearing, the Board passed a unanimous resolution to move forward with the projects. Advertisements were put in both the La Porte and Michigan City newspapers but no petitions seeking a petition remonstrance process were received. The Voter Registration Board of La Porte County has certified the absence of those petitions. He asked that the Council look favorably on this issue and said he would be happy to answer any questions. He also said that he has furnished copies of all information to Attorney Biege.

Councilwoman Sosinski commented that, although the Library Board anticipates the cost to be under \$12,000,000, it is usually not feasible to stay within that budget. She continued that she is a large supporter

of the Library and schools, and realizes the importance of libraries. However, she is concerned with the bricks and mortar portion of the proposal and feels that it doesn't always need to be a new building. She also recognizes the need for the ADA upgrade because the County is facing similar issues. However, she would like to look at alternative proposals and said she would have difficulty approving the bond at this time.

Mr. Phillips addressed Councilwoman Sosinski's concern regarding the finances. He said, statutorily, \$12,000,000 cannot be exceeded for these projects. Preliminary estimates of the construction costs are between \$10,000,000 and \$11,000,000, and it is likely the actual amount will be less, but won't know until the actual bids are in for the construction. That is why the resolution is asking for up to \$12,000,000.

Councilwoman Sosinski expressed concern that, as the projects move along, more money may be needed. She questioned how projects will be chosen for completion. She feels that an existing library would benefit for improvement over building a new one.

Ms. Owens said that improvements include adding technology, but that several of the libraries are at capacity for adding anything and systems will have to be replaced. It is not simply about adding new buildings.

Belvia Gray from Umbaugh & Associates spoke regarding total project costs and increases. She explained that they are not in a position to sell bonds until bids are received. If the total project costs come in under \$12,000,000, then only the amount of bonds would be sold to fund the projects.

Councilman Garner said his biggest concern is Hanna's library. There is no commitment to Hanna's library and if there isn't, he will not be able to vote for the bond.

Ms. Owens said a lot of community input was given and she has personally been to 15-18 community meetings in Hanna over the last four years. She said they are working very hard with the community and that there are plans for Hanna in the proposal.

Councilman Garner wants to insure that the Library Board is committed to Hanna and asked that the members approach and declare their commitment to Hanna's library. He went on to say that, for the Council to show commitment to the proposal, the Library Board needs to show their commitment to the small communities like Hanna.

The Board members approached and Scott Siefker spoke, who is the Library Board Vice-President. He said the Board is committed to Hanna and how the vision for Hanna is going to be fulfilled. He said they have spoken to South Central schools about putting the library there. However, the details are not complete and want to get funding before finalizing plans. He said he is committed to the Hanna community and putting a library in that area.

Councilman Garner said that is what he wanted to hear. However, Councilwoman Sosinski expressed concern that if a sight has not been selected, the property acquisition cost is unknown.

Ms. Owens said that, over the last month, sites have been visited and approximate costs have been determined for the proposal. However, exact costs cannot be specified until they have funding to move forward. They are committed to every community.

Councilwoman Sosinski asked how the guidelines were prepared for each project.

Tony Oss from Larson-Danielson Construction approached. He explained that the budgets were derived from collaboration between MKM Architecture, who has a lot of experience with libraries, and Larson-Danielson. They looked at all aspects of the buildings and used the information for the budget guidelines. Speaking to budget concerns, all projects will be designed at one time, but the construction will be phased so not all construction will be done at once. There will also be contingencies built in, and know from past experience what those contingencies will be. There is hope that some of the libraries' wish lists can be fulfilled.

Councilwoman Sosinski said, in her experience, it is very unlikely that any project comes in, at or under budget. Her concern is that, out of the things that are scheduled to be completed, only a portion will be finished for \$12,000,000. She wants to insure that the money is going to be used properly for the families that really need the library for education and not just for technological upgrades.

Ms. Owens said that the main goal is to improve services and not just have a beautiful building. Space is needed for early childhood literacy or adult education. The library is one of the places that adults can go for free continuing education. It is about the service delivery to the community.

Councilwoman Sosinski questioned if there was an area being looked at for more assistance, more help or more staff.

Scott Siefker answered that employees and staff are an operational issue, but felt that the Library Board would not demonstrate good stewardship of taxpayer dollars by using bonds from a capital project for operational issues. He feels that the Library's operational budget would be better suited to address the issues of the Library's infrastructure, such as staff and salaries.

Councilwoman Sosinski said she wasn't asking to use the money for staffing, but what importance the Library Board puts on the staffing.

Scott Siefker said the staffing is of paramount importance. Being a small business owner, he said that he understands that inventory or buildings are secondary to staffing. He also understands that the Council is being asked to put a certain amount of trust in the Library Board to execute the project correctly for the best interest of the community. Over the last several years, the Library is one of the few areas of County government that has not had to engage in borrowing to sustain service to the community. They have been fiscally conservative and deferred capital projects when funding was not available. The reality is the Library has not engaged in capital projects in approximately 20 years and they would not be good stewards of taxpayer dollars if they did not start to address the Library's issues. They see the proposal as the best way to preserve value.

Councilwoman Sosinski said that it is a matter of trust and it is a lot of money. She has voiced her concerns and it will all come down to when the estimates come in and then it will be out of the Council's hands.

Councilman Garner explained that his concern for Hanna is because, approximately four years ago, the Hanna Library was scheduled to be closed. He said he attended Library Board meetings with Mr. Cunningham and wanted to be sure that the Board heard their concerns and was pleased with the direction of the Library Board.

Scott Siefker said that he was new to the Library Board at that time, and the Board was operating in a severely affected budget situation. They were looking for ways to streamline operations and whether or not to close the Hanna branch. With the input from the taxpayers, the right decision was made and the

Library was not closed. The Board operates in the right way and they heard what was important to the community.

Councilman Santana said he wanted to thank everyone who came out to voice their opinions and concerns on this issue. He also expressed that emails and calls that he received did not go unnoticed, and said that all elected officials appreciate such a large turnout for a meeting. He continued that, like Councilman Garner, he wants to be sure that no Library branch is left behind, and if one is going to be improved, then all should be improved. He then stated several times that, in *HIS* opinion, a vote against this bond is a vote against education and he will be supporting the bond.

Library Board member, Gregg Fuhlenbrock, came to the podium. He said he is conservative and that he may offer a different view on the situation. He said he is from Hanna and that municipal money and the previous budget situation have made him nervous. However, after the reconciliation, when tax money started to come in and things improved, the Library Board wanted to move forward and insure that all libraries were improved. He said that some will be addressed before others and some will need more attention than others, but the goal is to raise the level of excellence in all facilities.

President Yagelski said taxpayers have contacted him and acknowledge that, although this comes up as a bond, it is actually a tax increase. He said, like Councilwoman Sosinski, he would like to have seen a 3-, 5- or 10-year proposal instead of \$12,000,000 all in one shot. Similar proposals have been attempted, such as the A.K. Smith Center in Michigan City and La Porte City, without a plan but just to address immediate needs. He continued that it is unfortunate that the County is still facing a financial situation and, although it is improving, there are still issues being faced. This is being looked at as a \$12,000,000 project, but if the wants and needs of the County were addressed, it would be approximately \$120,000,000 or more to address the issues. He went on to say that if a member votes against this issue, it doesn't mean he or she is against education. He is just uncomfortable with the amount of money and would like to have seen a more detailed proposal.

Councilman Santana clarified that his opinion was his opinion and his statement of why he wouldn't vote against it.

Councilwoman Sosinski said her son is a proud teacher in the city of La Porte and if she votes against the bond, it has no reflection on teacher's, education or libraries. She said she disagrees with Mr. Santana.

Councilman Santana said to Mrs. Sosinski, "You can't disagree with my opinion, Hon, I've got a daughter who is a teacher in Evansville".

Councilman Bernacchi interrupted to make a motion to approve \$12,000,000 bond not to exceed. The motion was seconded by Councilman Santana. Motion carries 5-2, with Councilwoman Sosinski and President Yagelski voting against it.

PUBLIC COMMENT

Earl Cunningham, 6311 W Shiva Drive, La Porte, IN 46350

Mr. Cunningham began by addressing information and misinformation. He heard at public meetings that the total cost to the taxpayers for the Toll Road would be \$10,000 and now hears that may not be accurate, so he asked that the Council to verify the figure for the next meeting.

Secondly, he feels the Council and taxpayers were misled regarding demolition of the barn. Obviously, there was no signed contract between Mr. Pavey and the Council or the barn would be torn down. The

Commissioner's attorney said Mr. Pavey gave permission for the siding to be taken off of the barn, but he is unable to give permission because he doesn't own the siding. At that time, the County still owned the siding and it was given away.

Regarding the homeless shelter, he now hears it is not going to be just a homeless shelter, but a chronically homeless shelter. A homeless shelter would be where a person would come in, be rehabilitated, and leave. A chronically homeless shelter is where a person would not leave. He feels that if a person has been homeless for 3 years, he or she is going to continue to be homeless.

Most of all, he wants to address the January 5, 2015 meeting. He said that meeting reminded of an old movie called "The Sting" or a bait and switch, an old sales technique. Being on the Council for 8 years, Mr. Cunningham noticed that when Attorney Friedman attended a Council meeting, he sat at the back of the room with an entourage. At the January 5th meeting, a simple reorganizational meeting, Attorney Friedman sat at the front. He said no one voted to get rid of Attorney Biege that night. For 6-7 months, Attorney Biege had advised the Council that their position was the correct one regarding the PTABOA board. All the Council had to do was appoint the most qualified person and had nothing to do with being Republican. He continued that Attorney Biege is being paid to fight this battle. He said the vote on January 5th was a rushed vote by President Yagelski and Mr. Cunningham has lost respect for him. Mr. Cunningham stated that Attorney Biege asked, during the January 5th meeting, if the candidate was qualified.

President Yagelski's response was that the candidate was a Republican and previously served on the board. Mr. Cunningham said that was not an answer to the question. In addition, the person appointed has no certification and the person removed has level 3 certification. He said he blames none of the Council members and feels they were duped. He said Councilman Garner could clean it all up tonight and asked him how many times he voted and he responded 3 times. There was confusion regarding the number of candidates and that Councilman Bernacchi should not be automatic to the board. Mr. Cunningham said that Councilman Kirkham never intended to remove the person who was removed and that he asks the Council to review the tape from that meeting. He said he would return to next month's meeting to address this issue again.

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

Mr. Metheny began by saying he is disappointed in the Council members who voted for the Library bond issue. He said some of them ran on lower taxes, but this will raise his taxes. He continued that some of the Council members may have enough money to deal with the higher taxes, but he is on a fixed income and it will be difficult for him.

He said he sat at the previous meeting and thought it was interesting that there is squabbling over \$600,000.00. He said that if all of the money that is approved at monthly Council meetings was added together, \$600,000.00 is a drop in the bucket. Most of it comes from CCD or Riverboat, so why isn't Riverboat money being used to pay for it and get the probation done. He said he was getting tired of listening to the Council members and the quibbling.

He doesn't want to see a penny of taxpayers' money going into business, because if they can't make it, the business gets the gain and the taxpayers get the loss. He will continue to come to the meetings to demand fiscal responsibility. He said those who cannot be fiscally responsible should resign.

Mike Dempsey, Director of Operations, Access La Porte County

Mr. Dempsey discussed the issues of freezing during the February 23rd meeting. He met with 3 Comcast technicians, Darlene Hale, Jerry Cooley and the owner of Access La Porte's server. It was determined that 3 separate Internet providers are being used and, therefore, there have been issues. Also, Access La Porte

is Internet based, so any kind of problem with the origin of the Internet will cause problems. Discussion included using one server and getting a local server.

Councilman Garner said viewers like the podium in the center. Mr. Dempsey said they keep the camera in the middle during the Pledge of Allegiance to pan the audience and show who is in attendance.

Councilman Santana asked about picture in picture. Mr. Dempsey said that MCAS equipment is on loan to Access La Porte County, and said he would reach out to them to ask to use the equipment for the picture in picture.

PUBLIC COMMENT

Seeing or hearing no Public Comment, President Yagelski closes Public Comment.

APPROVAL OF THE FEBRUARY 23, 2015 REGULAR MEETING MINUTES

A motion was made by Councilman Novak and seconded by Councilman Garner to approve the February 23, 2015 Regular Meeting Minutes. Motion carries 6-0. Councilman Santana abstained, as he was absent from the February 23rd meeting.

APPROVAL OF THE MARCH 10, 2015 EXECUTIVE SESSION MEETING MINUTES

A motion was made by Councilman Novak and seconded by Councilman Santana to approve the March 10, 2015 Executive Session Meeting Minutes. Motion carries 7-0.

APPROVAL OF THE MARCH 11, 2015 SPECIAL MEETING MINUTES

A motion was made by Councilman Santana and seconded by Councilman Kirkham to approve the March 11, 2015 Special Meeting Minutes. Motion carries 7-0.

DEPARTMENT HEAD REPORTS

Sheriff John Boyd

He began by reporting the unfortunate passing of Reserve Officer Bryon Enos, who passed away in early March. Mr. Enos was a ten-year veteran of La Porte County Sheriff's Office Reserve program. He donated countless hours of his own personal time to the people of La Porte County and La Porte County Sheriff's Office. Sheriff Boyd then asked for permission to spend money out of the commissary account for flowers for Deputy Enos. It is the traditional Indiana Sheriff's star and costs \$125.00. Ordinarily, flowers are paid for out of the Petty Cash fund, which comes from the pop machine, located in the Sheriff's office, and is only accessible by employees. However, the Petty Cash fund is short right now, so Sheriff Boyd is asking to use the money from the Commissary account.

A motion was made by Councilman Garner and seconded by Councilman Novak to approve. Motion carries 7-0.

Councilman Novak commented that Mr. Enos was a great man who leaves behind 3 young children. He said that that thoughts and prayers go out to his family.

Sheriff Boyd added that Mr. Enos was also a volunteer with the Coolspring Township Fire Department and he will be greatly missed.

George Watkins, County Service Officer for La Porte County

Mr. Watkins said he often receives calls from a Funeral Home asking if his office has a copy of a person's discharge. He said that if it's not at the Recorder's Office, he has no access to it. He wants all veterans to know to have a copy accessible or have one recorded at the Recorder's Office, as it is a free service to them.

He also shared that Representative Walorski is having a job fair in Mishawaka on April 8th from 9:00 a.m. to 1:00 p.m. There will be 50 employers and 800 jobs available. It will be held at the Bethel College, Weikamp Athletic Center, Gates Gymnasium at 1001 Bethel Circle, Mishawaka, IN 46545. For more information, go to <http://walorski.house.gov/jobsfair>. He also has the brochure posted in his office, or call 219-326-6808, ext. 2216.

Dave Christian, Economic Development for La Porte County

Mr. Christian said he wanted to give an update on Economic Development in the County. Kingsbury is moving forward with the deep-pocket developer, rail car owner and moving produce to Florida and possibly from the West Coast. Due diligence is continuing and there is cautious optimism. Also, there are businesses looking at sights in Wanatah and Hanna.

Per Councilman Novak's request, a draft copy of the County's tax abatement, from 2007 to March 2015, was given to each of the Council members. Councilman Novak asked about Sullivan Palatek and La Porte Cancer Center. Their information on the draft seemed incomplete. Mary Jane Thomas came to the podium to assist in answering questions. She said that Sullivan Palatek amended their name, but she may need to clarify information on the draft. She reminded the Council that it is a preliminary draft and is incomplete. For the La Porte Cancer Center, she did not locate approval for them, but did find a resolution and will continue to search for the approval.

Councilwoman Sosinski questioned if the information is current. Ms. Thomas said that the information was taken as of the year it was approved by the Council. Councilwoman Sosinski asked if the information indicates what the business proposed or what they have actually filed.

Ms. Thomas explained that the draft only indicates what is proposed and she needs to complete the information. She said she compiled the information by looking online at meeting minutes from 2007 to present, identified any tax abatements that were granted, the year it was approved by the Council, determined whether it was personal or real, and for how many years. The next step is to update the information and research the compliance forms. Mr. Christian said more information will also be secured from the Auditor's office.

President Yagelski noted that he recognizes the information in the draft is not correct/complete.

Councilman Novak said that the companies have to report information by April 15th, but was corrected by Auditor Winski that the date is May 15th.

Mr. Christian explained that Heartland Footwear moved their operation to South Bend and even though the abatement was approved, it was never used.

Jerry Cooley, La Porte County Building Maintenance

Mr. Cooley gave an update on projects. The grinder system installation in the Jail has begun and when completed, the ceilings, carpet and lights will be reinstalled. There is concern about the noise, but the grinders will be insulated and will hopefully be completed within a month.

President Yagelski questioned if there is a warranty on the grinders. Mr. Cooley replied affirmatively. He said the grinder part will have to be replaced in approximately 10-15 years.

Mr. Cooley discussed the roof repairs. Materials on the roof are blowing up, similar to a swimming pool cover. Although the manufacturer and contractor said they wouldn't warranty the roof, Mr. Cooley was able to persuade them to repair it. He said that the glue used on the roof was insufficient and should have been secured with mechanical fasteners. It should be completed after the weather breaks.

President Yagelski asked if there will be an extended warranty on the roof, but Mr. Cooley said no, that it was near the end of its warranty.

The County Highway barn repairs will be completed when the weather improves. The old roof needs to be removed and the new one put on. The doors will be done at the same time. The barn in Hanna will be done in a similar manner.

He also noticed that during last week's storm, the tunnel leaked, so that will be investigated. Councilman Garner said that the issue with the tunnel has been previously discussed and it was suggested to cover it. He asked Mr. Cooley to speak to the Commissioner's about the tunnel. It will also assist in the security of the building. Mr. Cooley agreed that was the best solution and wants to address the problem, but keep the costs as low as possible. Enclosing the tunnel would also save operating costs, such as gas and electric.

Eric Fenstermaker, Assistant Administrator, La Porte County EMS

Mr. Fenstermaker is requesting to use the EMS Donation Account for a few items. The first is not to exceed \$4,500.00 for a trailer to haul the Gator. The Gator is used at events at Lake Michigan, the Maple City Grand Prix and sporting events. At this time, there is no way to haul it. A motion was made by Councilman Garner to approve and was seconded by Councilman Novak. Motion carries 7-0.

Mr. Fenstermaker thanked all who donated.

Mr. Fenstermaker explained that La Porte County EMS is working on a new First Aid building at the Fairgrounds. They have been working with the Fair Board to replace the existing building. It is being funded by donations organized by Captain Jeff Rose. He requested an amount not to exceed \$10,000.00 from the Donation Account, at no cost to the taxpayers.

Councilman Santana asked if 80% of the donations have already been collected, which includes donated materials. Mr. Fenstermaker answered yes. He continued that some donations do not have a dollar amount, as some are labor and materials.

Councilman Garner asked what the \$10,000.00 will be used for. Mr. Fenstermaker responded it would be for various materials to build the facility.

A motion was made by Councilman Santana and seconded by Councilman Novak. Motion carries 7-0.

Mr. Fenstermaker, again, thanked the donors, as did the Council.

Hearing or seeing no Department Heads, President Yagelski closes Department Head Reports.

LIAISON REPORTS

Councilman Kirkham discussed the Animal Shelter. He explained that Jane Bernard, through donations and her budget, is getting PVC beds for the dogs. If anyone is interested in donating, they are approximately \$35 each.

Councilwoman Sosinski said that Human Resources will be meeting Wednesday in the HR office at 3:15 p.m. It has nothing to do with a salary study, but a reevaluation of a Circuit Court position, based on the services changing the scope of the job. She will be attending in an advisory position.

She continued that she received an email from Adult Protective Services regarding receipt of a grant to reimburse the salary of a part-time person. Upon further information, she will bring it to the Council at the next meeting.

Councilman Bernacchi discussed getting computers for the Planning Commission. It would be a transfer from Registration Fees and not an additional appropriation.

He also met with Barbara Mossman regarding salaries throughout the county, and determining average raises on both state and national levels. He was given reports, but inquired if they should be updated.

Regarding the Assessor's Office and the reassessments of job classifications, he felt it should be Countywide and not confined to one office. Elected officials and/or Department Heads should be notified to update job classifications. It can be reevaluated in August during Budget Hearings.

Councilman Santana said he had nothing to report.

Councilman Novak had a conversation today with the Department of Corrections, but believes that issue was resolved. He's also been having weekly conference calls with the 911 Center regarding the new CAD system. It is hopeful it will happen this year. He also attended the EMA meeting this morning regarding reprogramming of all the County 800 emergency radios.

Councilman Garner said that Purdue Extension held its annual meeting tonight and, obviously, he wasn't able to attend. Hugh Tonagel said he would like to have a luncheon/dinner at the May meeting to go over their programs. Councilman Garner also spoke with Rick Brown, the MS4 Coordinator, regarding the \$2,500.00 for an intern, which was cut out of his budget last year. He is now struggling, so he would like to reevaluate his situation at this year's Budget Hearings.

Councilman Garner said he had spoken to both Assessor, Mike Schultz and Auditor, Joie Winski regarding the tax bills and said they are ahead of the game. He asked if Auditor Winski wanted to comment.

Auditor Winski said test bills are being printed now, and the bills will go to the printer by the end of the week. Tax bills will definitely be on time.

President Yagelski said the meeting at Purdue Extension will be held on May 26th at 5:15 p.m. There will be light refreshments and their programs will be presented. The Council will be able to leave by 6:05 p.m. in order to attend the Council meeting at 6:30 p.m. He also invited the public to attend.

President Yagelski said the next workshop will be held before the April 27th Council meeting at 5:45 p.m. The meeting will be for the IT. President Decker will get back to the Council regarding additional workshops.

President Yagelski discussed the job classifications. Councilwoman Sosinski and he addressed the consequences of notifying the Elected Officials and Department Heads regarding the job classifications without specific details. Also, in the past, there has been no penalty if a job evaluation comes out negatively. President Yagelski expressed concern about how this will be presented and that it will create additional issues. Councilwoman Sosinski added that the evaluation should be a general look at salaries and, because there was an evaluation done recently, most of the job descriptions are current.

OLD BUSINESS

PUBLIC HEARING ON TAX ABATEMENT

Notice was hereby given to the residents of La Porte County, Indiana, that on January 26, 2015, the La Porte County Council introduced resolutions, including Resolution Nos. 2015-1, 2015-1A, 2015-1B, 2015-1C, declaring certain property within La Porte County to be an Economic Revitalization Area pursuant to I.C.6-1.1-12.1-1 for the Hickman, Williams & Company (both Real and Personal Property).

Councilman Garner had questions, so Mr. Christian came up to respond. He said the properties were the 39 North, the IMM building. Councilman Garner said tax abatements have been previously given to those properties. However, Mr. Dave Christian said that was a different company and that they will be moving their business from Illinois to here.

A Public Hearing on the request was heard.

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

A motion was made by Councilwoman Sosinski and seconded by Councilman Santana for a third reading of the resolutions by title. Motion carries 7-0.

Auditor Winski read each of the Resolutions by title only.

Mr. Dave Christian answered questions. President Yagelski asked how many jobs would be created. Mr. Christian said approximately 20 jobs. 4 of them will be coming from Illinois and the rest will be local and there is potential for substantial increase. The approximate wage will be \$34,000.00 to \$35,000.00 per year.

President Yagelski asked if Mr. Christian had the check and said the Council could not vote with it. Mr. Christian received the check and delivered it to Auditor Winski.

Councilman Santana asked that, if the business does not relocate here, will the County lose any money. Mr. Christian said no.

Councilman Kirkham asked if the business would still relocate to the County if there were not abatements. Mr. Christian said it is an enticement for the business to relocate.

President Yagelski said he calculated that the average yearly salary and it would be \$32,500.00.

President Yagelski asked for a roll call. Motion carries 5-2, with Councilman Garner and Councilwoman Sosinski voting against it.

Mr. Christian presented Mr. David Gelwicks, President of Hickman, Williams & Company. Mr. Gelwicks handed out brochures to the Council. He said the company is a 125-year old employee-owned company, and is pleased to be coming to La Porte County.

President Yagelski asked if they would be bringing a lot of infrastructure. Mr. Gelwicks said they would be using some of what is left in the building, but the biggest addition will be the railroad that was never completed. To receive their materials, they need to use the railroad.

President Yagelski welcomed the students in attendance.

CORRESPONDENCE

Letter from Attorney Biege regarding Mollenhauer v. Board of Commissioners & County Council

Attorney Biege reminded the Council that the Judge ruled in their favor in the summary judgment motion on the lawsuit by Mike Mollenhauer over salary and wages. Mr. Mollenhauer then filed a Motion to Correct Errors, but the Judge filed in the favor of the Council again. He will update the Council if there are further developments.

Councilman Garner asked, since Mr. Mollenhauer is no longer Sheriff, is there any obligation to pay his bills. Attorney Biege replied his only.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2015-1

Addressing Decorum for Attendees at La Porte County Council Meetings

A motion was made by Councilwoman Sosinski and seconded by Councilman Novak to table. Motion carries 7-0.

APPROPRIATION, TRANSFERS, REQUESTS

La Porte County Plan Commission

Requesting Permission to Spend

CONTRACTOR'S REGISTRATION FEES (2067)

for Computers

\$1,800.00

Cindy Kreske explained that the computer used by one of their inspectors is over 14 years old. She said they are requesting a laptop and that 4 inspectors share one computer.

Commissioner Garner asked that Ms. Kreske come back and ask for additional laptops for each inspector.

Attorney Biege said he is the Attorney for the Planning Commission and does not believe each of the inspectors would use a laptop.

Councilman Bernacchi said he would determine what is needed by the next meeting.

President Yagelski asked if there was any progress on paying fees online. Ms. Kreske said not too much. President Yagelski asked if Councilman Garner uses it.

Councilman Garner said it is not as easy as it seems. President Yagelski would like to see a more updated approach. Motion carries 7-0.

La Porte County Adult Probation

Requesting Permission to Spend
ADULT PROBATION USER FEES (2102) Not to Exceed
For iPads, Stands \$2,000.00

Steve Eyrick said there is a kiosk with a computer and monitor that stopped working. I-Pads and stands are needed for 3 locations. 3 iPads and 2 stands are being requested. A motion to approve from User Fees was made by Councilman Garner and seconded by Councilwoman Sosinski. Motion carries 7-0.

Requesting Permission to Transfer
ADULT PROBATION USER FEES (2102)
To PROBLEM SOLVING COURT (2701)
For PROBLEM SOLVING COURT Calendar Year 2015 \$5,000.00

A motion was made by Councilman Bernacchi and seconded by Councilman Santana to approve. Motion carries 7-0.

La Porte County Circuit Court

Requesting Permission to Spend
ADULT PROBATION USER FEES (2102)
for Office Furniture and \$1,810.49
for Two (2) LaserJet Pro Printers \$897.98

A motion was made by Councilman Kirkham and seconded by Councilman Garner to approve. Motion carries 7-0.

La Porte County EMS

Requesting an Additional Appropriation
RIVERBOAT (1191), WIN TAX (4220) OR CCD (1138)
for Purchase and Installation of Back Up Generator \$21,315.00

A motion was made by Councilman Novak and seconded by Councilman Santana to approve out of WIN TAX.

Councilman Garner said this is a change order and doesn't make him happy. He said \$21,000.00 seems excessive.

President Yagelski said it was an architecture problem and that the price of the generators was not investigated before they were purchased.

Councilman Novak also said they were previously encouraged to come back if they needed more money.

Motion carries 4-3, with President Yagelski, Councilman Garner and Councilman Kirkham voting against it.

La Porte County Recorder

Requesting Permission to Spend
RECORDER'S PERPETUATION (1189)
for Purchase of Blinds and Office Furniture \$4,128.86

Councilman Garner said he is the Liaison for the Recorder's Office and Ms. Barbara Dean never mentioned this expenditure to him.

Attorney Biege said he doesn't believe that these expenditures can be purchased from this fund. He believes this fund is for documents only. He asked that the Council review it before they vote.

Councilwoman Sosinski said that these items were already paid for and this is for reimbursement.

President Yagelski asked that Ms. Barbara Dean come to discuss the credit card issue because it a violation to use a personal credit card.

President Yagelski asked for a vote to table the item. A motion was made by Councilman Kirkham and seconded by Councilman Novak to table. Motion to table passes 4-3, with Councilwoman Sosinski, President Yagelski and Councilman Garner voting against it.

La Porte County Highway

Requesting an Additional Appropriation

CCD (1138) OR CREDIT (1112)

for 20 new Plows at \$6,300 each

\$126,600.00

The plows to be replaced are from the 1970's and 1980's. The exact same plows are looking to be purchased. After further review, the number of plows requested is reduced. Some of the plows were repaired, but some are beyond repair. One quote from W.A. Jones is \$6,300.00 each and Henke is over \$9,000.00 each. Councilman Garner made a Motion to approve 20 plows at \$6,300.00 each; the motion dies. A Motion was made by Councilman Novak to approve the request for 12 plows. Motion passes 7-0.

La Porte County Sheriff

Requesting an Additional Appropriation

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

for Pension Funds

\$180,000.00

A motion to approve was made by Councilman Novak. Auditor Winski said it should come out of RIVERBOAT. The motion was seconded by Councilman Kirkham.

There was a discussion on whether or not process server fees, which are put into the Sheriff's Pension Fee fund, will be used to offset the amount being appropriated. At present, there is \$82,189.98 in the Sheriff's Pension Fee fund, which is for January and February. The pension amount will be reduced for next year. Senate Bill 217, if passed, will provide additional fees and, therefore, the amount of money collected for Process Fees will increase. Councilwoman Sosinski asked Attorney Biege if she had any conflict by voting, and he responded no. Motion passes 7-0.

Requesting an Additional Appropriation

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

for Purchase of Vehicles, Equipment and Striping

\$281,505.85

Councilman Novak asked Sheriff Boyd to break down the cars. Sheriff Boyd said 4 police SUV's from Sauer's Ford at \$27,724.44 per unit for a total of \$110,897.76; 3 police-package sedans at \$24,840.44 per unit for a total \$74,521.32. There will be an additional trade-in value of \$9,500.00 for 5 vehicles. The Commissioners have asked that 2 of the vehicles (SUV) be held back for reallocation. Also requested are 5 process server cars from La Porte Chrysler at \$19,055.00 per unit or a total of \$95,275.00. There will be a

trade-in value of \$13,500.00 bringing the total bid to \$81,775.00. He said that the process servers not only serve thousands of civil processes per year, but also do compliance checks on sex offenders living in the County.

President Yagelski said that the process server cars coming in only for oil change service. He also said that the police vehicles being traded in could be painted and have the light bars removed for use by the process servers.

Sheriff Boyd explained that the cars are not in good condition and that is why the trade-in price is so low. He continued that the garage mechanics do such a good job and the drivers take good care of their cars. He added that the process servers do pay taxes on the vehicles.

Councilman Bernacchi asked what the monetary request would be if the cars for the process servers were removed. Sheriff Boyd said it would be \$175, 919.08 minus \$81,775.00. He also said that the average mileage on each of the process server's cars is 144,000 miles.

A motion was made by Councilman Santana and seconded by Councilman Bernacchi to approve \$200,000.00. Auditor Winski said the vehicles should be purchased out of the CCD fund.

Councilman Novak added that the mechanics in the garage are doing a great job.

Motion carries 6-1, with Councilman Garner voting against it.

La Porte County Engineer

Requesting an Additional Appropriation

MAJOR CUMULATIVE BRIDGE (1171)

for Repainting of Franklin Street Bridge

Not to Exceed

\$450,000.00

The paint job was originally part of the contract when the mechanical repairs were done. However, the price was excessive, so another bid was sought. Because there is money left over from the mechanical repair contract, the appropriation asked for is \$225,000.00.

President Yagelski inquired when the bridge was last painted. Michael Yacullo replied it was in 1998. The structural steel is exposed to more elements than a typical bridge because of its grading style deck.

President Yagelski said that the bridge was painted when the President came to Michigan City and Councilman Bernacchi inquired if Michigan City offered any contribution. Mr. Yagelski asked Mrs. Winski if someone from the county had gone to the Redevelopment Commission (of which she is a member) to ask for funding. Auditor Winski said the Redevelopment Commission said they would not contribute.

A motion was made by Councilman Novak and seconded by Councilman Santana to approve \$225,000.00. Motion does not pass, 1-6 with Mr. Novak the only aye vote.

President Yagelski then requested that Mr. Yacullo go back to the Michigan City Redevelopment Commission and ask them to consider appropriating funds for the painting of the bridge.

Requesting an Additional Appropriation

CUMULATIVE BRIDGE (1135), MAJOR MOVES (1172) OR CCD (1138)

for Otis Road Bridge

Not to Exceed

\$333,000.00

After a short presentation by Michael Yacullo, President Yagelski asked Attorney Friedman to approach. President Yagelski said that he had been contacted by residents who said that the County does not own the entire bridge. Attorney Friedman said it was the first he had heard of it, and asked if an actual claim had been made. President Yagelski said a resident had shown him maps, so the Council decided to table the issue so the ownership could be investigated.

Councilman Novak made a motion to table and Councilwoman Sosinski seconded it. Motion carries 7-0.

Requesting an Additional Appropriation

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

for Traffic Impact Analysis Study Relating to KIP

\$59,500.00

President Yagelski said he had been involved with getting grants through NICTD and said to seriously look at the amount. The government requires a study to be completed to get the grant.

Mr. Yacullo said this could be a big money project, so the study is essential.

Councilman Santana said this had previously come before the Council and is disappointed that it didn't get support of the Council. He continued that, if we don't get moving on this, we are going to miss the piece of the pie.

A motion was made by Councilman Santana and seconded by Councilman Garner to approve out of RIVERBOAT. Motion carries 6-1, with Councilman Bernacchi voting against it.

La Porte County Planner

Requesting an Additional Appropriation

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

for ADA Improvements

\$24,737.00

A motion was made by Councilman Garner and seconded by Councilman Santana to approve out of RIVERBOAT. Motion carries 7-0.

President Yagelski asked what would be the timetable for the improvements. Mitchell Bishop responded it would be approximately 60 days. President Yagelski asked Attorney Friedman if that was feasible. Attorney Friedman and Mr. Bishop said it would be completed within 90 days. Mr. Bishop said some equipment needs to be ordered, but once received, can be installed within a few days.

Councilman Santana asked if this would complete the ADA improvement entirely, but Mr. Bishop said approximately two-thirds to three-quarters of the work is completed.

President Yagelski asked if this included the 2nd floor renovation of the building, but Mr. Bishop said it was only the annex building. The 3rd, 4th and 5th floors are the water fountains and the restrooms on the 3rd and 5th floors. Attorney Friedman said that, due to the work that has been completed, the County is in substantial compliance as far as the Department of Justice is concerned.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Novak made a comment regarding the road appropriation for the study. Previously he voted against, but after doing further research, he voted for it.

Councilman Santana expressed concern over money being spent by department heads and elected officials before coming to the Council for approval. Therefore, Councilman Santana made a motion and was seconded by Councilman Novak for a letter to be sent to all department heads and elected officials to request approval from the Council first, before spending money for which they are going to request reimbursement.

Councilwoman Sosinski commented that she thought they were already aware of this issue.

Auditor Winski said she has sent many letters and emails, and has consistently included this issue in her annual report. Motion carries 6-1, with Councilwoman Sosinski voting against it.

Councilman Kirkham complimented Mr. Young on the diligence in surveying his plows and lowering his request from 20 to 12 plows. He went on to congratulate his grandson on his high school basketball team winning the State Championship in Michigan.

Councilman Bernacchi told Mr. Metheny that he approved \$527,785.47 and felt none of it was liberally spent. He felt he never spent a dollar of the taxpayers' money that he didn't think was necessary.

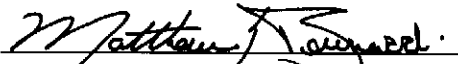
To Mr. Cunningham, Councilman Bernacchi explained why he couldn't vote for Mr. Purze. He said it was because he was still practicing being a tax representative and you he could not do that and sit on the board at the same time.

President Yagelski said he voted with his conscious in regard to the Library. He went on to tell Mr. Metheny that, when the Council votes on appropriations quickly, the Council members are very educated on the issues upon which they are voting.

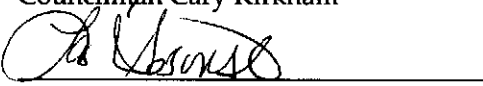
Attorney Biege clarified that the Library Board is a separate taxing entity. Therefore, the Council only approved a decision made by the Library Board. The Council's vote is an advisory opinion, but they are not the final authority. The Library Board controls the vote on how to proceed. The Council did not spend the County's money and the Library Board voted for the tax increase.

A motion was made by Councilman Novak and seconded by Councilman Santana to adjourn the meeting. Motion carries 7-0.

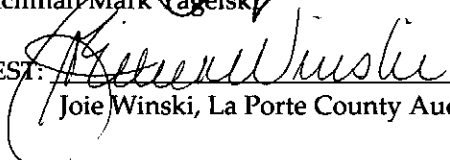
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 27th day of April, 2015.


Councilman Matt Bernacchi

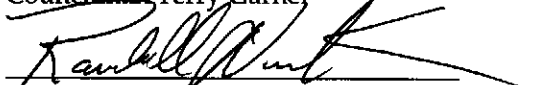

Councilman Cary Kirkham

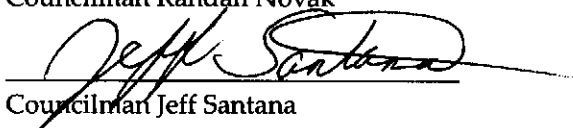

Councilwoman Lois Sosinski


Councilman Mark Yagelski

ATTEST: 
Joie Winski, La Porte County Auditor


Councilman Terry Garner


Councilman Randall Novak


Councilman Jeff Santana