

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

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
MAY 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 May 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.

ROLL CALL

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

APPROVAL OF THE MAY 26, 2015 AGENDA

A Motion was made by Councilwoman Sosinski and seconded by Councilman Santana to approve the Agenda. Councilman Novak asked that County Prosecutor item be removed from the Agenda. Councilwoman Sosinski accepted the amendment to her Motion. The Motion carried 7-0.

APPROVAL OF THE APRIL 27, 2015 REGULAR MEETING MINUTES

A Motion was made by Councilman Novak and seconded Councilman Santana to approve the April 27, 2015 Meeting Minutes. The Motion carried 7-0.

PUBLIC COMMENT

Dennis Metheny, 6757 W 450 N, Michigan City, IN 46360

Since the taxes came out, Mr. Metheny has been doing research on the County Treasurer, Nancy Hawkins. He expressed concern that Treasurer Hawkins wants to hire a part-time person for \$16,300, but he doesn't

feel Treasurer Hawkins spends enough time in her office and there is more than enough staff. He again asked about a past deposit made at the library and wants to know who in her office made the deposit that evening. He said it is unethical for Treasurer Hawkins to not have paid her property taxes, but yet gave herself an extension to pay them. He also discussed her property assessment and that it was reduced \$14,000. He felt it was because she is an Elected Official and because he speaks up, the assessment on his property was raised. Mr. Metheny also rode by her home and felt it is being assessed incorrectly. He also questioned why an additional person is registered to vote using Treasurer Hawkins' address when they live somewhere else.

Mike Schultz, La Porte County Assessor

Mr. Schultz explained that Mr. Metheny's property assessment has actually gone down \$8,000 in the two previous years. He also clarified Treasurer Hawkins' assessment of her land and property and said before accusations are made Mr. Metheny should have the proper information.

Seeing or hearing no additional Public Comment, President Yagelski closed Public Comment.

DEPARTMENT HEAD REPORTS

John Boyd, La Porte County Sheriff

Sheriff Boyd informed the Council that the Department is going to be acquiring another canine by using the donation account. A donation for approximately \$10,000 was recently made by an estate and another \$5,000 from a business in Michigan City. The canine will specialize in explosives, but will also be trained in apprehension. The canine's handler has already been chosen and will be attending a 6-week training course with the canine. This is important for safety in the schools, hospitals and anywhere bomb threats may occur. The Sheriff's office was served with notice to heighten awareness of government buildings. He came before the Council, not for approval, but to inform. There will be no cost to the taxpayers, as the funding will be from the donation account and also the Commissary Account, which is permissible. He said he would be available for questions at any time.

Rich Mrozinski, 2303 E 150 N, La Porte, IN 46350

Mr. Mrozinski holds the position of Liaison to Chairman of the La Porte County Veterans' Advisory Committee. He has been asked to speak on behalf of Grave's Registration, who buys the flags and markers for the veteran's graves. Each year, for Memorial Day, flags are designated to each veteran's grave. The average cost for flags is approximately \$10,000, which is the yearly budget for the flags. However, many flags and markers become damaged and need to be replaced. When possible, flags and markers are repaired, but to insure respect for the veterans, appropriate designations to their graves are necessary. Previously, funeral homes paid for the markers, but no longer do so. Therefore, with the increase in veterans' deaths, and replacement of flags and markers, Mr. Mrozinski is asking that, during budget hearings, to raise the yearly budgeted amount from \$10,000 to \$15,000.

Councilman Santana asked if the flags are kept out for the entire year.

Mr. Mrozinski replied for the majority of the cemeteries, the flags are taken down after the 4th of July. The weather takes a tremendous beating on the flags.

Jerry Cooley, Building Maintenance

Mr. Cooley said the Hanna garage should be complete by next week, in time for the holiday festivities. The weather has impeded construction of the highway garage, but it is moving forward. By the end of June,

the HVAC project should be completed. Mr. Cooley discussed the sign honoring the veterans and said it is too much maintenance for the Department to put it up and take down and store it. He would have preferred an LED sign. He also expressed concern that he doesn't have an account to pay for maintenance items and doesn't have the luxury of coming before the Council for each request. He said if he calls a contractor for each repair, it would create an unnecessary expense. He then asked for approval for his position for Janitor that he would like be made into a Maintenance position instead. President Yagelski said that it was discussed.

George Watkins, La Porte County Service Officer

Mr. Watkins announced that there will be 32 to 33 bricks added to the Veterans' Walkway on June 2nd at 2:00 p.m. He asked all to come out to honor the veterans being installed into the walkway. Also, on November 7th, La Porte County Veterans' Service Medal will meet in the Assembly room at 10:00 a.m. He has applications and welcomes anyone who is interested to call 219-326-6808, ext. 2616.

Mike Yacullo, La Porte County Engineer

Mr. Yacullo informed the Council that 1000 North bridge project has been completed. The Council gave \$150,000 for the project, but the cost was approximately \$111,000, so the remainder of the money will be returned to the Cumulative Bridge fund. Significant progress has also been made on the connector road connecting Holiday Properties and 950 West.

Lynne Spevak, Clerk of the Circuit Court and Secretary of the Election Board

Ms. Spevak said that a civil suit has been filed against the election board, but Attorney Shaw Friedman will not be available to represent them. She asked that the Council's attorney Doug Biege represent them in this action. Both President Yagelski and Attorney Biege responded affirmatively.

Andrew McGuire, La Porte County EMS Administrator

Mr. McGuire explained about a supplemental payment adjustment for in-state, government-owned ambulance providers. It is through the Centers for Medicaid and Medicare services and required documents being submitted in a specific order. Blue and Company was retained to submit the information properly. For 2011 and 2012, \$128,779.98 and \$142,410.24 was received, respectively, for a total of \$271,190.22. This project was a huge undertaking, and Mr. McGuire thanked the EMS Office Manager, Karen Parkerson and Paula Purkal from the Billing Department. The EMS Department is going to continue to apply for reimbursement money for the years 2013 and 2014.

Seeing or hearing no additional Department Heads, President Yagelski closed Department Head Reports.

President Yagelski welcomed the students in attendance from La Porte High School.

LIAISON REPORTS

Councilman Garner attended a Sheriff's Merit Board meeting where the hiring process and agility testing were discussed. Also addressed was the acquisition of the new canine and the trainer. He also attended the Sheriff's Merit Pension Board meeting. They have approximately \$27,700,000 and is accumulating interest. He said it's best to put your money in sooner than later, as the money is being invested at a high interest. The new bill for the funding with warrants has been passed, so will help in the future. There is approximately \$300,000 in contribution and \$500,000 in investments and hopefully more rewards will come to the County.

He also attended a meeting with the Prosecutor and another with the Building Commissioner. Also, he met with the Purdue North Central Extension meeting. The MS4 Coordinator has hired a part-time intern for the summer, but sees the need for putting the funding back in the budget for next year.

Councilman Novak attended the 911 Advisory Board meeting and hopes the CAD system is in the final stretch. He attended the police memorials in La Porte and Michigan City. He has also had several meetings with the Prosecutor, and requests an executive session with the Council prior to the next Council Meeting to discuss the item that was tabled at tonight's Meeting.

Councilman Santana met with EMA on May 6th, where the upcoming Grand Prix race was discussed. He also attended the May 11th Drainage Board meeting and the EMS Awards Ceremony. It was well attended and EMS personnel received well-deserved awards. He also informed the Council that EMS will be making a request at tonight's meeting and hopes it is supported.

Councilman Kirkham discussed the compressor problem that occurred at the County Home. He thanked Mr. Cooley and the maintenance personnel at the Home for their assistance. The Animal Shelter is going well and advertising adoptive pets of the day has helped get many pets adopted. The Park Department decided to change the dates of their meetings to the first Tuesday of the month starting in July. Also, Luhr Park was reopened after it had been previously damaged last fall. He attended the Sheriff's town meetings and encourages all to attend, as they are very worthwhile.

Councilwoman Sosinski attended her first La Porte County Redevelopment Commission meeting on April 29th. Meetings will be held bi-monthly, unless additional meetings are necessary. On May 13th, there was a joint Executive Session with Commissioners and Council. She was unable to attend the Purdue Extension meeting, as she had a prior commitment with Human Resources.

Councilman Bernacchi attended two PTABOA Meetings this month and appeals are going well. He echoed Councilwoman's Sosinski's report regarding the Redevelopment Commission. He also met with the Planning Commission regarding a zone change. There is an excess of funds in Solid Waste because of the rate fee change, so he is hoping some of that money can be used to move the recycled wood by the Fairgrounds.

President Yagelski scheduled the Executive Session with the Prosecutor at 5:45 p.m., prior to next month's meeting on June 22nd. Attorney Biege will look into if an Executive Session can be called. President Yagelski also suggested Budget Hearings be held on August 3rd, 4th and 5th if necessary. The Council agreed and said they would begin at 8:30 a.m. The Finance Committee (Councilman Garner, Councilman Novak and Councilman Bernacchi) will meet and Auditor Winski will coordinate the date and time.

President Yagelski asked to do a workshop to walk through the Jail on July 27th at 5:00 p.m. Councilman Garner asked that it occur during Budget Hearings, if time is available. It was decided it will be done after one of the Budget Hearings.

Councilman Santana asked that during Budget Hearings the lunch hours be shortened. Auditor Winski stated that on the 2nd day of Budget Hearings, the County Home usually provides lunch. Therefore, additional time will be needed on that day to travel to and from the County Home.

President Yagelski asked Attorney Biege for clarification on whether the meeting with the Prosecutor will be an Executive Session or a Workshop. Attorney Biege said he will consult with the Auditor.

NEW BUSINESS

Reclassification of Employee – Circuit Court

Judge Thomas Alevizos explained this is not a reclassification of one of his employees, but moving one of the Juvenile Services Center employees to the Court House and reclassifying his/her position. He said the previous Administration was only working his employees 32 hours per week, as opposed to 37.5, but getting paid the same as the other poll employees in the County. Also, one of the Deputy Director positions was eliminated, as it was unnecessary. The 32-hour situation caused an expense of \$10,000 per month in overtime and call-ins. It has been reduced to \$4,000 after the study was completed two years later. Approximately 7 years ago, a process called Graduated Sanctions was used to look at how the Juvenile Justice System was being used. The outcome was that alternative services and programs began to be used. Because the JDAI, or Juvenile Detention Alternatives Initiative, is now being implemented and the process to compile the data in the Quest program is necessary, the position of JDAI Coordinator/Quest Administrator was created. It is not a new position, but an employee was taken from the Center and was paid the Center wages. He submitted the updated position to the Personnel Committee and was told the classification is a PAT-3 at a salary of approximately \$30,000. A grant will be received this year from the state JDAI in the amount of \$34,992.00.

Councilwoman Sosinski echoed what was said in Judge Alevizos presentation. She clarified the salary will be \$36,500 and the previous position was \$33,300, which is a \$3,200 difference. She also stated she is representing the Committee for this item.

Judge Alevizos stated this is slated to begin July 1, 2015.

It was clarified from Auditor Winski and Judge Alevizos that the grant money will pay for the majority of the salary, and the remainder will be paid by the County. It was also verified that the position at the Center is no longer no longer exists, so that salary is no longer being paid. Judge Alevizos said, if necessary, his Department could contribute \$800 for this position.

A Motion was made by Councilwoman Sosinski and seconded by Councilman Bernacchi to approve effective July 1st at the PAT-3 rate.

Motion passed 7-0.

President Yagelski clarified that this employee will receive the 3% raise.

OLD BUSINESS

Verifying Support from April 27, 2015 Meeting for Court House Repairs \$275,000

President Yagelski asked Commissioner Decker to clarify whether the project had to go out for bid.

Commissioner Decker replied no, that it is done in sections under the bid amount and is specialized work.

Councilman Novak asked who determined the bid amount.

Commissioner Decker responded that it was put out for RFP's and the Commissioners were given the best possible estimate. The \$275,000 is the highest and may the project may not cost that much.

Councilman Santana asked what action was taken at the April 27th meeting.

President Yagelski responded that support was verified at that meeting and Commissioner Decker without that verification, the project would have been delayed for at least a month.

Councilman Novak questioned why the project does not have to go out for bid.

Commissioner Decker replied that the original bid was used and the scope of the bid was changed. The new scope is going from the new ceiling up and it entailed doing different things by different groups. The groups gave estimates and it was put together under one contractor, Tonn and Blank. Tonn and Blank's architect will be overseeing the project.

Councilman Bernacchi explained that when a project is let to a general contractor, and there is a change in the scope of work, a change order is created. The owner or representatives, who in this case are the Commissioners, would then review it. If it's under 20% of the contract, there is typically not a problem. Therefore, since it's already under contract, it doesn't have to go out for bid.

Councilman Santana made a Motion to move for support of the \$275,000 to complete the project.

Councilman Novak asked from which fund it was originally advertised.

Auditor Winski replied that she believed it was CCD, but would have to verify that. Commissioner Decker also responded he believed it was from CCD.

Councilman Garner seconded the Motion.

Councilman Novak expressed concern that whoever was in charge of this project was careless and because of that, additional expenses continue to be incurred.

Commissioner Decker said alternatives to the costs are being considered, but doesn't understand why certain things were overlooked.

Councilman Novak asked whether or not Commissioner Decker will be back before the Council for the ADA Restrooms.

Commissioner Decker replied yes, but President Yagelski believed that the money was already there for the ADA Bathrooms. Commissioner Decker said the \$275,000 is only for the ceilings, the walls and the lighting, but it is supposedly in the other budget.

President Yagelski said that if the previous architect did not fulfill his contract, he hopes that he will not be paid in full.

Councilman Novak said the Council needs reassurance from the Commissioners that this project is going to come under control.

President Yagelski said that this project is likely to go over budget, and if it does, he wants the excess to come out of what is owed to the original architect.

Councilwoman Sosinski asked if this project needs to be advertised against a fund. Attorney Biege said he will verify the original amount advertised and if it needs to come back for an additional appropriation. Motion passed 7-0.

Attorney Biege Letter

Attorney Biege explained he wrote a letter to the Council clarifying some items regarding the Franklin and Otis Street Bridges. Regarding the Otis Road Bridge, there was a positive meeting with the property owner and reported the discussion to the Council through the correspondence.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

None.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Recorder

Requesting an Additional Appropriation

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

for Recorder Reimbursement Shades, Desks

\$4,128.86

Councilman Santana made a Motion to approve and seconded by Councilman Novak. Councilman Santana asked Auditor Winski out of which account it should be taken. Auditor Winski said it could come out of CAGIT (\$3,000,000), RIVERBOAT (\$2,800,000) or WIN TAX (\$786,943)

Councilman Santana asked that it be taken out of CAGIT, Fund 1110. Motion failed 6-1.

La Porte County Recorder

Requesting Permission to Spend

COUNTY IDENTIFICATION SECURITY (1160)

for Crowd Force Redaction Index

\$7,789.50

Councilwoman Sosinski and Councilman Santana asked for more information

Recorder Dean said that it is to remove social security numbers from documents before they are posted online. Councilman Garner said he had previously discussed this with Recorder Dean, but did not know from which fund this was coming.

President Yagelski clarified that it was being transferred out of the County Identification Fund 1160.

A Motion was made by Councilman Novak to approve and was seconded by Councilman Santana.

Councilwoman Sosinski clarified the purchase order amount with Recorder Dean. Motion passed 6-1, with Councilman Garner voting Nay.

La Porte County Treasurer

Requesting an Additional Appropriation

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

for a Part-Time Employee

\$16,300.00

Treasurer Hawkins explained when she became the Treasurer, one of her full-time staff retired and she felt she didn't have enough work to replace that person. The position stayed open for 5 years and was removed from her budget during last year's budget hearings. At that time, she was told to come before the Council, when she was ready, to request it be added back into the budget. However, she still does not need a full-time person, but is requesting someone part-time, as the County is in a regular tax cycle and she will need assistance in the office with tax sales, judgments and collections. In addition, she will not need the entire \$16,300 for this year, as that is the yearly wage and will only need \$10,700 for the remainder of 2015.

Councilwoman Sosinski said she is the Treasurer's Liaison and wanted to express her appreciation to Treasurer Hawkins that she never hired anyone for the full-time position and, instead, made it a part-time position.

A Motion was made by Councilwoman Sosinski and was seconded by Councilman Novak to approve out of RIVERBOAT.

Councilman Garner asked if this could wait until Budget Hearings and be put in for next year.

Treasurer Hawkins explained that collections are beginning and a tax sale has been scheduled for October 8th and 9th and at this time there are over 6,000 properties on the tax sale list.

Councilman Garner said money is spent on computers and programs, so that we wouldn't need as many people, but we never get rid of any employees. He said he not ready to vote on this at this time.

Councilman Novak asked if the Personnel Committee reviewed this.

Councilwoman Sosinski said it is at the fiscal body's discretion and that Treasurer Hawkins is only coming back for a part-time person.

Councilman Bernacchi asked if Treasurer Hawkins has any money in her budget for this new hire.

Treasurer Hawkins said she has approximately \$4,000 in her Seasonal/Part-Time budget, which is not enough to cover the remainder of the year.

Councilman Novak asked if the amount could be reduced to \$6,700 and Treasurer Hawkins replied yes.

Councilwoman Sosinski amended her Motion to \$6,700 and it was seconded by Councilman Garner. Motion passed 5-2, with Councilmen Garner and Yagelski voting Nay.

La Porte County Sheriff

Requesting an Additional Appropriation

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

for Sheriff Overtime

\$60,000.00

Sheriff Boyd explained major incidents, such as the state of emergency in February, the standoff on I-94, the explosion in Lacrosse, caused the additional overtime expense.

A Motion was made by Councilman Novak and seconded by Councilman Santana to approve out of CAGIT. Councilman Novak if this amount will last until the end of the year. Sheriff Boyd said it is difficult to project in Emergency Services. However, the typical yearly cost is approximately \$120,000. Motion passed 7-0.

La Porte County Sheriff

Requesting an Additional Appropriation

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

for Sheriff Inmate Food

\$210,000.00

Sheriff Boyd said the Director of Food Service, Joe Garner, is present for any questions. Last year, \$400,000 was spent to feed the inmates, but there were \$45,000 in unpaid claims that were paid out of this year's budget. They also feed the inmates at the work-release center and through May 13th, there has been an increase of 2,276 meals.

A Motion was made by Councilman Santana and seconded by Councilman Garner to approve out of CAGIT. Motion passed 7-0.

La Porte County Emergency Medical Service

Requesting an Additional Appropriation

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

for EMS Command Vehicles and Equipment

\$95,000.00

Director McGuire handed packets to each of the Council Members and explained that the vehicle protection and rotation is included, as well as 3 different estimates. He said the vehicles being replaced are a 2006 Envoy and a 2006 Dodge Caravan. He said that EMS tried to procure a grant to get state or federal funding, but it has not yet happened. This year, there are not ambulances to be replaced, which makes it a good time to request these vehicles. The vehicles can also be repurposed within the county. The current vehicles cannot pull the trailers, and were never meant to be used as emergency vehicles. He also suggested that the Caravan could be used as a pool vehicle, instead of paying the paramedic students' mileage.

Councilwoman Sosinski asked about the mileage, repairs and condition of the old vehicles. Mr. McGuire said they are in fairly good condition, but the Caravan has some body and rust issues.

A Motion was made by Councilman Santana and seconded by Councilman Novak to approve, not to exceed \$95,000, out of RIVERBOAT. Motion passed 7-0.

La Porte County Highway Engineer

Requesting an Additional Appropriation

MAJOR BRIDGE (1171)

for Bridge #505 Franklin Street Life Bridge Repainting

\$400,000.00

Mike Yacullo said the bid came in a \$358,000.00. He explained he went to the Michigan City Redevelopment Commission for assistance, but they declined.

Councilman Garner expressed frustration that Michigan City does not contribute more to the maintenance of the bridges and there doesn't seem to be any answers.

Councilwoman Sosinski added that the County owns the bridge.

Mr. Yacullo said that NIRPC is going to partially fund the study and there is \$400,000 in federal funds set aside. He also said that the process will begin after Labor Day, and take 60 days, with a 30-day closure period. The bridge has not been painted since 1998 and some structural steel has already been replaced.

Councilman Santana explained that he has received phone calls regarding the operation and motor of the bridge.

Mr. Yacullo said the issues have been addressed, but adjustments still have to be made.

A Motion was made by Councilman Novak and seconded by Councilman Santana to approve, not to exceed \$400,000.00, out of Major Bridge (1171). Motion passed 6-1, with Councilman Garner voting Nay.

La Porte County Highway Engineer

Requesting an Additional Appropriation

CUMULATIVE BRIDGE (1135)

for Otis Road Bridge

\$333,000.00

A Motion was made by Councilman Garner and seconded by Councilman Novak to untable the item. Motion passed 7-0.

Mr. Yacullo advised that the owner was willing to sign a letter of commitment to donate the ground on which the bridge sits. And although it is a privately-owned bridge, there is a public risk if the bridge issues are not addressed.

Attorney Biege said that there is no agreement with the property owner, although discussions and negotiations have occurred. He also clarified that if the County chose to move forward with this project, a Letter of Intent would be required, more information would be needed and the County would enter into an enforceable agreement.

Alternatives to repair were discussed, but INDOT would not approve a small repair and, therefore, there would not be federal assistance.

A Motion was made by Councilman Garner and seconded by Councilman Novak to approve, with the condition that Attorney Biege will go through the proper channels to obtain the property.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Novak requested information from the Commissioners at the last meeting regarding the Franchise Fee and the Agreement as to who owns the equipment in the building (La Porte Access). He would like clarification at the next meeting.

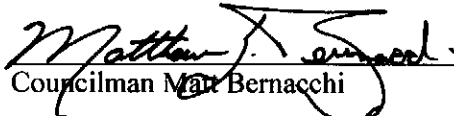
President Yagelski commended the four Eagle Scouts from the Boy Scouts sponsored by the St. Joseph Young Men's Society.

Attorney Biege said the American Legions Posts and VFW in Michigan City repurpose the Veteran flags and given them to children at parades.

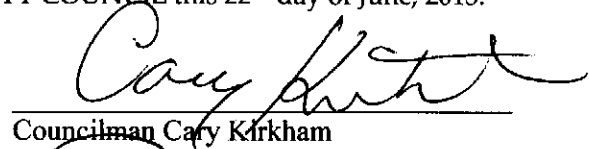
ADJOURNMENT

A Motion was made by Councilwoman Sosinski and seconded by Councilman Novak to adjourn the meeting. Motion passed 7-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 22nd day of June, 2015.



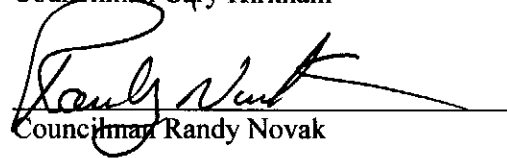
Councilman Matt Bernacchi



Councilman Cary Kirkham



Councilman Terry Garner



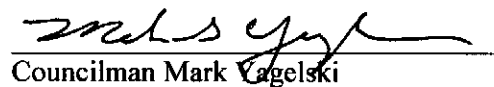
Councilman Randy Novak



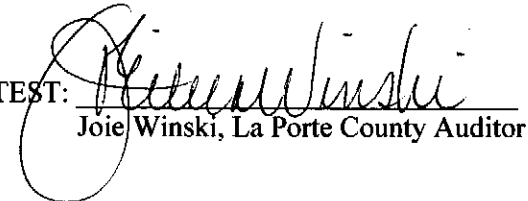
Councilwoman Lois Sosinski



Councilman Jeff Santana



Councilman Mark Jagelski

ATTEST: 

Joie Winski, La Porte County Auditor