

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

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
JUNE 22, 2015 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on June 22, 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, Councilwoman Sosinski and Councilman Yagelski. A quorum was noted. Councilman Santana was ill and not present at the meeting.

APPROVAL OF THE JUNE 22, 2015 AGENDA

A Motion was made by Councilwoman Sosinski and seconded by Councilman Novak to approve. The Motion carried 6-0.

APPROVAL OF THE MAY 26, 2015 REGULAR MEETING MINUTES

A Motion was made by Councilman Kirkham and seconded by Councilman Garner to approve the May 26, 2015 Meeting Minutes. The Motion carried 6-0.

PUBLIC COMMENT

Nina Salyer, 196 McClung Rd, Lot 10, La Porte, IN 46350

Ms. Salyer discussed the tragedy of sexual abuse of children. She began a program in La Porte County to educate people through several forums that were well attended. She has a strong interest in ending this abuse because La Porte is second in the state of Indiana, and Indiana is seventh in the nation for sexual abuse of children. She believes those statistics are related to the correction centers in Westville and Michigan City. She prays that the Council will listen to the Prosecutor's presentation.

Gail Johnson, Executive Director of Dunebrook, 1622 Richards St, La Porte, IN 46350

Ms. Johnson stated that Dunebrook serves 7 counties in the state. Over 25 years ago, the community leaders came together to create Dunebrook, a place where victims of child abuse could be interviewed in a safe, child-friendly atmosphere. Approximately 10-15 years ago, body safety was introduced into the schools, which has helped inhibit perpetrators of child abuse crimes. With the rate of internet growth, the crimes have grown to alarming rates. With a collaborative effort of law enforcement in La Porte County, internet criminals and victims are able to be identified. The proposed Child Exploitation Unit would be the tool to be able to raise additional money, such as grants and is the next step in the process of identifying and prosecuting sexual abuse perpetrators.

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

DEPARTMENT HEAD REPORTS

Joie Winski, La Porte County Auditor

Ms. Winski explained that, taking the lead from the Council during previous Budget Hearings, the Auditor's and Assessor's offices are going to each take one employee and cross train them. The employee from the Auditor's office will work in the Assessor's office and vice versa. The purpose is that, when extra hands are needed in either office, these two employees will be available. There would be no additional cost, as both employees are COMOT IVs. Ms. Winski asked for concurrence from the Council.

Mr. Novak asked if the proposed employees are current employees.

Auditor Winski explained that, although one is a part-time employee being moved into full-time, both are current employees. She also stated that she has one full-time spot available and will be using that to pay the employee from the Assessor's office that is being trained.

Councilwoman Sosinski asked if the salaries were already in the Budget and Auditor Winski replied yes, and that it was also approved through the Board of Accounts. The program will start within the next two weeks and the Council will be updated on its progress in a few months.

Assessor Mike Schultz explained, by cross training the employees, they will be able to better understand the work being completed from the other office. He stated that his office will continue to pay the Level 2 pay. The goal is for this program to help reduce mistakes and increase efficiency.

President Yagelski said a study was previously done regarding eliminating the Real Estate office and asked Auditor Winski if that has ever been considered.

Auditor Winski explained that she could not foresee the elimination of the Real Estate office because it is where legal descriptions begin, and transfers and splits are completed. She discussed the necessity of the software in the Auditor's and Assessor's offices being compatible and that in the future, it might be possible to reduce the number of people in the Real Estate office, but not at this time.

Assessor Schultz added that the software in his office will eliminate the need for the Assessor's office to replace vacated positions as the technology is more user friendly and less labor intensive.

Jerry Cooley, Head of La Porte County Building Maintenance

Mr. Cooley explained that, after an inspection of the Courthouse roof in Michigan City, it was found that there were many holes in it and that it is completely shot. Therefore, he will be returning to the Council in a few months with a cost on its repair.

President Yagelski stated that Mr. Cooley and he have been in communication regarding the electrical issues and asked Mr. Cooley if he has a status update.

Mr. Cooley said that there is an estimate that it will cost approximately \$1,000,000 to fix all of the wiring in the Michigan City Courthouse. He has had meetings with Ameresco to help determine the best course of action.

President Yagelski stated that energy efficiency isn't the problem, it's the wiring throughout the building.

Mr. Cooley explained that if an energy efficient route was taken, there may be some payback. In addition, it may assist with payment of the repairs. He suggested that a workshop between the Council and Commissioners may be necessary to determine the outcome.

Councilman Novak stated he would prefer to get a complete picture of the needed repairs at the Courthouse instead of hearing about them one at a time.

President Yagelski asked about the lighting from the grant received by Mitch Bishop. That grant covered replacement of all lighting in Michigan City and La Porte County courthouses. He confirmed that, per Mitch Bishop, currently no lighting needs to be replaced. However, if lights are out in either location, the warranties need to be investigated. He also stated that the Inspector in Michigan City is awaiting the plan for the replacement of the electrical.

Councilman Kirkham asked if there was a completion date for the Courthouse.

Mr. Cooley replied approximately the end of September.

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

LIAISON REPORTS

Councilman Kirkham visited the Animal Care Camp held by the Animal Shelter and stated it was well attended. After joining the Government Affairs breakfast, he learned about a company in Goshen that can rehabilitate buildings into apartments and/or condominiums and suggested that might be an option to make the County Home building profitable.

Councilwoman Sosinski discussed the upcoming meeting items regarding the Clerk's office. Also, she will be following up on a Wi-Fi issue in Voter Registration and updated them on the printer/copier situation. The Job Evaluation Committee received 6-7 evaluations prior to Budget Hearings. She also discussed the 2012 salary survey completed by Waggoner, Irwin, Sheele and Associates, and suggested only updating the survey. She received a letter regarding the roads from the Springfield Township trustee, but President Yagelski said that had already been addressed.

Councilman Bernacchi said that there have been organizational meetings regarding the Budget Hearings. However, he was not aware that a salary survey had been completed in 2012. Therefore the Finance Committee is requesting that a proposal is acquired to review and update the salaries of Elected Officials and Department Heads.

Councilman Novak attended the organizational meeting for the Budget Hearings and also mentioned the upcoming presentation by Prosecutor Espar.

Councilman Garner spoke with the MS-4 Coordinator and discussed the upcoming meeting item for MS-4. He has also attended two Finance Committee meetings and it was agreed by the Council to proceed with getting a proposal for the cost of reviewing the 2012 salary survey. Councilwoman Sosinski said she would speak to Barb Mossman the following day.

President Yagelski explained that Commissioner Bohacek is reviving the Sanitary District in order to obtain grants, etc. Councilman Kirkham will take over as the Liaison. President Yagelski stated that, because Budget Hearings are approaching, it is necessary to get the bids from the vendors for the copiers/printers. Therefore, has asked that be completed at the next Council Meeting so it can then be forwarded to the Commissioners for approval. He also added that IT will attend and give recommendations.

NEW BUSINESS

Transfer Between Salary Accounts – Prosecuting Attorney

Prosecutor Espar requested a transfer from the Law Clerk Account to the Salary Account due to the staff addition of Attorney Catherine Breitweiser-Hurst. Being a veteran of the United States Navy, Ms. Breitweiser-Hurst will be Veterans' Court Prosecutor. With her experience and assignment, she is considered a Tier 1 and entitled to Tier 1 compensation. However, he asked the Council to consider her additional qualifications and stated there will be no additional money needed, it would just be a transfer of funds.

President Yagelski asked for the exact amount and Auditor Winski replied it is \$65,827.38.

A Motion was made by Councilman Garner and seconded by Councilman Novak to approve the transfer.

Councilwoman Sosinski asked what dictates Tier 1 versus Tier 2.

Prosecutor Espar explained that it was his formulation based on responsibilities and duties in the office, including the handling of serious and complex offenses.

Councilwoman asked about his Budget for the next year and if additional money will be needed.

Prosecutor Espar said he may, but also may be able to find additional money elsewhere in his Budget.

Auditor Winski added that if Councilwoman Sosinski didn't have a copy of Prosecutor Espar's salary tiers, she would provide one to her. She also clarified that the entire salary would be \$65,827.38, but the transfer would only be \$5,890.36.

Motion carried 5-1, with Councilwoman Sosinski voting nay.

OLD BUSINESS

Verifying Support from April 27, 2015 Meeting for Court House Repairs \$275,000 (re-advertised)

A Motion was made by Councilwoman Sosinski and seconded by Councilman Kirkham to approve the re-advertisement out of CCD. Motion carried 6-0.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

Resolution No. 2015-0 Approving Encumbrances from 2014

Auditor Winski read by title only.

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

Auditor Winski explained this is a resolution to approve all of the appropriations made through 2014, as it shows a series of checks and balances to the DLGF and State Board of Accounts.

Motion carried 6-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County MS-4

Requesting Permission to Spend

NON-REVERTING MS-4 FUND (9001)

for County Fair Outreach and Expansion of Cigarette Butt Collection Program \$3,000.00

A Motion was made by Councilman Bernacchi and seconded by Councilman Novak to approve. Motion carried 6-0.

La Porte County Clerk

Requesting Permission to Hire

Part-Time or Full-Time (Council Discretion)

Ms. Lynne Spevak explained than an employee left the Michigan City office and due to the Odyssey program, it may be possible, to go from a full-time to part-time employee. However, at this time, she doesn't want the position to be removed from her Budget.

Councilwoman Sosinski clarified that Ms. Spevak is asking to increase the hours of the part-time position because she will be relinquishing the full-time position.

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

La Porte County Clerk

Requesting Permission to Spend

IV-D CHILD SUPPORT (8899-20200-000-0571)

for 2 New Computers

\$2,531.94

Ms. Spevak stated that two of her computers need to be replaced and Darlene Hale from IT provided her with the quotes for the new computers.

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

La Porte County Solid Waste

Requesting an Additional Appropriation

SOLID WASTE DISTRICT GENERAL FUND

for Clean Up of Green Waste Public Access Site on Ziegler Road

\$250,000.00

Mr. Clay Turner stated that this was advertised in a timely fashion in both Michigan City and La Porte County papers. He explained the site is a county property, and after appearing before the County Commissioners on May 27, 2015, entered into an inter local agreement to lease the site for the next 5 years and clean it up. An organizational plan to operate the facility will be submitted in the near future.

President Yagelski asked if there is a plan to shut down the facility.

Mr. Turner explained that is a Board of Commissioners' decision. He formed a committee which spent several months reviewing the site. After reporting their findings to the Solid Waste District Board, they were asked to get proposals to clean it up. Approximately 3 years ago, it cost \$50,000.00 to clean up the site.

Councilman Garner recalled that after that clean up, it was supposed to be maintained and now it's worse than ever.

Mr. Turner said the person who cleaned it up grossly underestimated the endeavor and believes he/his business went bankrupt.

Councilman Garner asked if the plan will include assurances that the maintenance will be continued.

Mr. Turner said he wants to get a feasible plan in place so the site can be turned back over to the County. After a question from President Yagelski regarding previous maintenance, Mr. Turner explained that Solid Waste would bring grinders to the facility, grind the material, and bring it to their Westville facility. However with the increase in fuel costs and limited operating hours, the job became too big. Over the years, more people and landscapers have begun using the site. However, it is not financially feasible to have a person at the site for 40 hours a week. Also, people have dumped items there that should not be there, such as concrete and railroad ties. In his 2016 Budget, funds will be allocated for this site, whether it be fencing or cameras.

President Yagelski added that this type of site is necessary, as people will dump it elsewhere if a specific area is not designated.

Councilman Kirkham asked if \$250,000.00 is only for cleaning up the site or if it also includes maintenance for the next 5 years.

Mr. Turner said his figure was from a clean-up bid received by the County Highway in 2014. Therefore, the \$250,000.00 will be used for cleaning only. However, there is a process that he will be bringing before his Board that may reduce costs to complete the project. If it is not approved, he will come before the Council in July to request additional funds.

Ms. Sosinski was concerned that this might trigger an increase in user fees, but Mr. Turner assured the Council that there will actually be a decrease, just not to the level he wanted.

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

Since it was a resolution, Auditor Winski read by title only: A Resolution for an Additional Appropriation 2015-6.

A Motion was made by Councilman Novak and seconded by Councilman Bernacchi to approve by title only. Motion carried 6-0

La Porte County Prosecutor

Requesting an Additional Appropriation

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

for Formation of Child Exploitation Unit

\$226,022.50

Prosecutor Espar explained he wants to join in a partnership of the highest importance with leaders of the community and the Council. This proposed Exploitation Unit has its origins in the recent past. The federal government, which maintains, collects and compiles crime statistics, noticed a trend and then a huge spike in reported incidents of crimes against children, particularly crimes of sexual exploitation against children. In a 10-year period, these incidents increased 2,000 percent. It became apparent that the internet provides a basis for the worst types of crimes and makes investigating them very difficult. Mr. Espar described a variety of sexual crimes that occur against children and that this depravity transcends every profession.

The proposed Exploitation Unit will address all of these types of offenses and is a model that brings a measure of promise for effectiveness. The current model is reactive, but this model is proactive and a partnership between federal, state and local governments that will bring all of their resources together. The suggestion that this proposal is a duplication of services is incorrect, and will actually prevent two people from investigation of the same person.

A Motion was made by Councilman Garner and seconded by Councilman Bernacchi to approve out of CAGIT.

Councilwoman Sosinski expressed that, although she understand the confidentiality, she is not accustomed to approving a Budget to which she has not been provided details. She confirmed that the proposed amount is for 2015 only. Therefore, she would like to see a more comprehensive Budget and more information on grants.

Prosecutor Espar stated that, although he presently has no grants, he assured the Council he will be pursuing them. However, a collaborative model must be in place to apply for the grants.

Councilwoman Sosinski added she would like to use other available resources to assist with funding.

Prosecutor Espar said he will not spend any additional money than what is itemized in the proposed Budget, and assured the Council that, going forward, there will be substantial savings because of the Mayor's commitment to the program.

Councilman Novak asked that Prosecutor Espar be diligent on keeping the costs down. He continued that he has a choice tonight – to do something or do nothing. He will be supporting this issue.

Councilman Kirkham asked if there is a timeline for obtaining grants.

Prosecutor Espar hopes to have had enough time with the collaborative model when opportunities arise in 2016. He also explained that he has made contacts with La Porte City departments and has received support from them.

President Yagelski said the program was outlined well, but doesn't feel that the state has given its share of funding. He said that when the state has excess funding, it's not using to help this type of program or any others. And although this a great program, he feels this is not the time for it to happen. He would also like to hear from the counties using the same program.

Councilman Novak said there is a huge difference between making people happy and protecting children.

President Yagelski said it's not about one individual, but about taking care of all of the taxpayers. He explained that there are disagreements on issues, but each Council member needs to vote to his/her conscience. He then asked for a roll call. The Motion passed 4-2, with Councilwoman Sosinski and President Yagelski voting Nay.

La Porte County Adult Probation

Requesting Permission to Spend

ADULT PROBATION USER FEES (2102

for New Computers

\$1,849.98

A Motion was made by Councilman Garner and seconded by Councilman Kirkham to approve. Motion carried 6-0.

La Porte County Emergency Medical Service

Requesting an Additional Appropriation

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

for Grinders

\$58,140.00

for Overflow Line

\$2,500.00

for Soundproofing the Grinders

\$3,000.00

for Wiring

\$10,657.00

Sheriff Boyd said they have been working toward an issue to the flooding issue. He believes this plan will prevent future flooding. Two grinders will be installed to break up waste as it comes from the toilets. A

historical perspective was completed and it was found that flooding continues to occur in the same area. An overflow pipe will also be installed and have an alarm to warn of problems. The soundproofing is necessary because it will produce a hum and may inhibit the work being done by the Detective Bureau.

President Yagelski asked if these items could be combined. He also asked how much was appropriated for the grinders. Chief Deputy Auditor Andrea Smith replied \$58,140.00.

A Motion was made by Councilman Novak and seconded by Councilwoman Sosinski to approve \$58,140.00, \$2,500.00, \$3,000.00 and \$10,657.00 out of CAGIT. Motion carried 6-0.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Garner reminded everyone that the La Porte County Fair begins at the La Porte County Fairgrounds on July 12th.

Councilman Kirkham said he went to the Purdue Extension office for a legislative update and attended the State Board of Accounts meeting in Shelbyville, which he found to be very informative. He said a representative from Purdue University may come to this area for a legislative update. He also wished a happy 4th of July to everyone.

Councilwoman Sosinski said she took exception to the idea that if you don't vote for something, it means you are against it. She said they each have their reasons for how they vote and would have preferred that Prosecutor Espar's item be addressed after the first of the year.

Councilman Novak said he agrees with Councilwoman Sosinski and didn't mean for his comments to be directed toward anyone.

ADJOURNMENT

A Motion was made by Councilwoman Sosinski and seconded by Councilman Kirkham to adjourn the meeting. Motion passed 6-0.

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



Councilman Matt Bernacchi



Councilman Cary Kirkham



Councilman Terry Garner



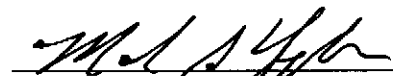
Councilman Randy Novak

Absent

Councilwoman Lois Sosinski

Absent

Councilman Jeff Santana



Councilman Mark Yagelski

ATTEST: 

Joe Winski, La Porte County Auditor