

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

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
OCTOBER 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 October 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 and Yagelski and Councilwoman Sosinski. A quorum was noted.

President Yagelski acknowledged the students in the audience from South Central and La Porte High Schools.

APPROVAL OF THE OCTOBER 26, 2015 AGENDA

A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to approve with the removal of the 3 Maintenance items from the Agenda. Motion carried 7-0.

**APPROVAL OF THE PUBLIC HEARING ON THE 2016 BUDGET AND SEPTEMBER 28, 2015
REGULAR MEETING MINUTES**

A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to approve as presented. Motion carried 7-0.

PUBLIC COMMENT

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

Mr. Mrosinski explained he has been on the Advisory Board for the County Home for 9 years. He discussed the decline of the home and said the nail in the coffin was when the Arch Program was eliminated. He went on to say that the last Commissioner that regularly attended was Bill Hager. Now Dr. Kora is attending, but also brought his plan for the private company to take over the Home. He explained that the discussed \$250,000 per year deficit is mostly for wages of employees and hopes those employees will continue to be employed by the County.

He also said that he is concerned that Attorney Friedman sits on the Board of the Swanson Center, which is going to receive 20 percent of the ownership. Mr. Mrozinski spoke with Attorney Friedman about his concerns, but Attorney Friedman said because he is not profiting personally, it is not a legal issue. Mr. Mrozinski said that an appraisal has been requested, but it hasn't been done, so it's unclear what is being given away. He is frustrated that no one is listening to the County Home Advisory Board and that the Council should be very careful when considering the County Home proposal.

President Yagelski said that he also sits on the County Home Advisory Board, and the objective is not to make money, but to be the non-profit agency that is required to receive the grant. He continued that if Mr. Mrozinski knows of another non-profit, he should bring it forward.

Councilman Novak clarified that although it would be helpful to have a non-profit assist with the grant application for the County Home, it is not required per a discussion at the last Commissioner's Meeting.

Mr. Mrozinski said there may be someone out there that would want to purchase the building and once it's gone, it's gone.

John Mills, 1207 Scott St, La Porte, IN 46350

Mr. Wells asked if the cameras could be adjusted so all of the Council Members could be seen at the same time on the TV during the Council meetings. President Yagelski said it is something being addressed.

Mr. Mills also asked if there was ever a Workshop regarding the County Home. President Yagelski replied yes. Mr. Mills commented that he believes that the taxpayers should have a say in what happens to the County Home and suggested that a vote take place. Councilman Santana said he has considered a referendum on it, but it would not be able to be done until May 2016.

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

Mr. Cunningham commented that in addition to the 20% ownership by the Swanson Center, they will also receive 6% of the profits. He added that money should go to the County and that the Swanson Center already receives money from the County including \$896,596.00 in 2013, 580,122.00 in 2014 and over \$600,000.00 so far in 2015. He discussed the changes in the terms of the County Home proposal. He expressed concern that the Swanson Center Board does not represent the constituency of the County and is made up of Democratic Party members. He also said the audit of the Swanson Center is done by Karl Cender, who also does work for the Commissioners. He continued with concern regarding the Swanson Center's association with the Winston/Terrell Group and its past associations with the Democratic Party. He also said some of the money being sent to the Swanson Center is being sent to the Winston/Terrell Group. If \$1.00 of our tax dollars goes to a Democratic political group, he said it means our tax dollars are funding Democratic candidates.

President Yagelski clarified that Crowe Horwath and not Karl Cender, does the audit for the Swanson Center. He also explained he was appointed to the Swanson Center Board over 10 years ago.

Jim Stemmler, 2944 Summit Valley Dr, La Porte, IN 46350

Mr. Stemmler explained that he works with many Veterans and that the problem of homeless Veterans in La Porte County cannot be ignored. He knows of Veterans who have lived in a barn, a burned home and behind the Bowling Alley and that they are paying close attention to future of the County Home. He asked that the Council take this into consideration when making decisions regarding the County Home.

Mr. Mrozinski re-approached the Council and stated that when he was on the County Council and wanted to attend a County Home Advisory Board meeting, he was told no because they only wanted one Council member to attend.

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 a 3rd Town Meeting will be held at the Wanatah Council Chambers on Tuesday at 7:00 p.m. He added that anyone can attend and that future plans and services will be discussed.

George Watkins, La Porte County Veterans Service Officer

Mr. Watkins announced that the La Porte County Patriotic Service Medal Presentation will take place on November 7th at 10:00 a.m. in the County Complex Meeting Room. Request Forms are available in the Veterans' Service Office and are due no later than November 4th. Office business hours are 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. Monday through Friday. His contact information is as follows: telephone: 219-326-6808, ext. 2216; fax: 219-362-9804; or email: gwatkins@laportecounty.org. Also, on November 7th at noon, the 2nd Annual Veterans' Day Parade will be held in Michigan City. On November 11th, there is a Veterans' Day Ceremony at the Civic at 9:30 a.m. On November 7th, from 7:00 a.m. to 11:00 a.m., Veterans can receive free breakfast at Post 37 on Highway 20.

Joie Winski, La Porte County Auditor

Auditor Winski updated the Council on the County's financial situation. One year ago, the County was \$20,161,532.61 in the hole. And it may not seem like improvement, but this year, the County is \$4,042,784.26 in the hole.

Mike Schultz, La Porte County Assessor

Assessor Schultz distributed a list of the appeals for 2015, and said that Friday is the deadline for taxpayers to file an appeal on their assessment for 2015. As of now, there are 1,878 appeals, which equates to 2.85 percent of the total. 195 of them are Commercial and 1,683 Residential/Agriculture. Of those, 926 are 5% or less and under the statute, the responsibility falls upon the taxpayer to prove the value. The County Assessor's office will still go out to each, but the burden does fall on the taxpayer.

President Yagelski questioned how many properties actually went to the Tax Sale. Auditor Winski replied approximately 1,600 and that approximately 1,200 properties did not sell. He continued that decisions need to be made regarding the status of these properties and that the Commissioners should take action

before the properties fall into disrepair. Auditor Winski added that a meeting on that subject is scheduled for Friday morning.

Assessor Schultz said the majorities of the homes are in the Hudson and Fish Lake areas and said the lots should be bundled to be more desirable to buyers.

President Yagelski asked that Attorney Biege send a letter to the Commissioners requesting fast action on the homes. Attorney Biege agreed.

Jerry Cooley, La Porte County Maintenance Supervisor

Mr. Cooley said construction is coming along very well. He added that the Agenda items needed to be removed because blueprints are necessary.

He continued that the telephones are in and 4 of them are in operation and they are troubleshooting any problems. 3 digit extensions and 900 numbers will be used.

The walkway is falling into disrepair, so a Motion was made by Councilman Garner and seconded by Councilman Bernacchi for an approval of support for the Commissioners to proceed with covering the walkway and securing the building and the annex, together with the Courthouse. Motion carried 7-0.

Mike Yacullo, La Porte County Engineer

President Yagelski asked for an update on the Michigan City Bridge and if the sirens can be silenced when they are not in use. He explained that the sirens are going off while it is being painted. Mr. Yacullo said he would inquire into it. He said the painting might be finished earlier due to good weather.

President Yagleski asked about the property in Rolling Prairie. Mr. Yacullo replied that his contact at IDEM was promoted and a replacement is being sought. He said he will continue to keep up on it.

LIAISON REPORTS

Councilman Novak attended the Septic Well Committee meeting with the Realtor Association and the Commissioners and progress is being made. He also met with the 911 Advisory Board and said Interact is moving forward.

President Yagelski inquired if the computers will still be compatible when Interact comes into full use. Commissioner Novak said he is not sure if that will be an issue.

Councilman Santana said that EMA is still working on the 800 MHz radios and there will be a meeting for it at the Michigan City office on November 5th at 1:00 p.m.

Councilman Kirkham said that the Parks Department received a \$15,000 grant from ALCOA Foundation, which will assist in building a small shelter and amphitheatre at Luhr Park. The Department also received a donation of a tractor from Mr. & Mrs. Wolfensohn, which will be an asset to the Parks Department. Also, the Animal Shelter will not declaw cats at the Shelter when cats are adopted. The Christmas pictures with Santa will be at the Small Project Building at the Fairgrounds on December 13th and 19th.

Councilwoman Sosinski said there was an Insurance Committee Meeting, where it was learned that there is a 6% increase in rates, which translates into a \$550,000.00 increase. The employees will be responsible

for approximately \$90,000.00 and the County for the additional \$460,000.00. Also, two other programs were adopted that encourage the employee to do the shopping who would then be rewarded with a stipend. She continued that she spoke with Nancy Hawkins regarding the Tax Sale and was told that approximately 25 percent of the properties that were offered actually sold. According to SRI figures, that is consistent with other Counties.

Councilman Bernacchi noted the Assessor's item on the Agenda. He also said the Elected Officials salary list is being looked at and fine-tuned, and that the final meeting for adjustments will be December 14th at 5:30 p.m.

President Yagelski gave an update on NICTD. As of now, there is no agreement, but there are letters of support. Councilman Santana said that, although he never saw anything in the newspaper, a radio station announced that a 3-year extension was granted. President Yagelski said he had no knowledge of it, but that was the requested extension.

NEW BUSINESS

*Problem Solving Court Grant Award from the Department of Justice
Steve Eyrick, La Porte County Adult Probation Chief Probation Officer*

Mr. Eyrick announced that the Department of Justice gave the La Porte Problem Solving Court a \$198,000.00 Grant. One of its provisions is to hire an Intensive Case Manager at a Probation salary, including benefits. He said he would like to request permission to advertise so he can fill that position.

A Motion was made by Councilman Novak and seconded by Councilman Santana to approve. Motion carried 7-0.

Mr. Eyrick added that these grants are renewable and are easier to receive when they've previously been granted.

President Yagelski said a meeting is scheduled for November 17, 2015 at 5:30 p.m. with the Commissioners to discuss the La Porte Probation Division and Commissioner Bohacek's Lease Vehicle Program. Auditor Winski advised that she will send a confirmation email.

OLD BUSINESS

*Michiana Resources Request for Funding \$52,000 (approved pending advertisement)
Bill Trowbridge, President & CEO of Michiana Resources*

Attorney Biege explained that the request has already been approved, so he suggested a Motion to reaffirm. A Motion was made by Councilwoman Sosinski and seconded by Councilman Kirkham to reaffirm.

Motion carried ~~7-0~~ 6-1, with Councilman Yagelski voting nay.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

Resolution No. 2015-10B Supporting Various La Porte County Law Enforcement Agencies application to apply for High Intensity Drug Traffic Area (HIDTA) Program Funding Atley Price, La Porte County Prosecutor's Office

Mr. Price said that approximately 20 years ago, it was decided by the three major law enforcement agencies in La Porte County (Michigan City, Sheriff's Department and City of La Porte) to pool resources to more effectively control the narcotics in the County. It has been very successful and it caught the attention of a lot of agencies, including the FBI, the ATF, the Marshall's Service and the DEA. By putting together a comprehensive Threat Assessment and submitting it for approval to the National Drug Control Office, it can bring manpower, equipment and money to be used for various things. Mr. Price discussed the constant change in technology and the improvement in capturing audio and video. He is asking for an approval by the Council to show Washington comprehensive support from the County. A Motion was made by Councilman Bernacchi and seconded by Councilman Novak to approve. Motion carried 7-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Recorder

Requesting Permission to Spend
from RECORDERS PERPETUATION (1189)
for Printer, Water Cooler & Rent, Microfilm, Copy Machine Maintenance \$1,817.85

Councilman Novak asked why no information was attached. A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to table. Motion carried 7-0.

La Porte County Probation

Requesting Permission to Spend
from PROBATION USER FEE (2102)
for Scanners \$6,670.00
for Computer Purchase \$1,677.00

Mr. Steve Eyrick explained that many departments use the scanners and they are currently beginning to show wear. There are 6 scanners and one PC, and Darlene Hall approved all items. Attorney Biege said included is an HPZ420 Business Workstation for \$750.00, (2) 23-inch monitors for \$398.00 each and a graphics card for \$104.00. A Motion was made by Councilwoman Sosinski and seconded by Councilman Santana to approve all items. Motion carried 7-0.

La Porte County Clerk

Requesting Permission to Spend
from CLERK'S PERPETUATION (1119)
for Scanning and Developing Film \$10,000.00

Ms. Lynne Spevak explained that since her original request of \$40,000.00 in January, the funds have run out and there are bills approaching for the Marriage License Books and Shredding. Her estimate for these bills is under \$10,000.00. A Motion was made by Councilman Novak and seconded by Councilman Kirkham to approve. Motion carried 7-0.

Councilman Garner asked how much is currently in the Clerk's Perpetuation Fund and Ms. Spivak replied \$0 and that she used it all.

La Porte County Assessor

Requesting Permission to Spend
from SALES DISCLOSURE (1131)
for Computer, Monitors, Software, Security \$18,787.33

Councilwoman Sosinski asked if the request was looked over by the IT Department. Assessor Schultz said yes and that he would be giving some monitors to the Surveyor's Office. A Motion was made by Councilman Kirkham and seconded by Councilwoman Sosinski to approve. Motion carried 7-0.

Assessor Schultz said the balance in that account is \$77,480.02.

Councilman Bernacchi asked if the Assessor's Office could do an assessment/appraisal on the County Home. Assessor Schultz said the assessment given by his office would be comparable to a private assessment. Councilman Santana said this was addressed at the last Commissioners' Meeting. Assessor Schultz said that all government buildings are assessed, even if they are exempt, so the assessment can be pulled.

La Porte Superior Court No. 2

Requesting Permission to Transfer
from 1000-30093-000-150 to 1000-10135-000-0150
for Law Clerk \$1,600.00

President Yagelski asked if this request is because of part-time. Auditor Winski replied yes. A Motion was made by Councilman Santana and seconded by Councilman Kirkham to approve. Motion carried 7-0.

La Porte County EMS

Requesting Permission to Transfer
from 1000-30027-000-0140 to 1000-41001-000-0140
for Two Laptop Computers \$3,500.00

Councilman Novak noted that Andrew McGuire previously came before the Council for this item. A Motion was made by Councilman Novak and seconded by Councilman Santana to approve. Councilwoman Sosinski confirmed that this was looked at by IT. Motion carried 7-0.

La Porte County Auditor

Requesting Permission to Transfer
from 1000-30007-000-102 to 1000-10130-000-102
for Part-Time Help \$7,000.00

A Motion was made by Councilman Garner and seconded by Councilman Santana to approve. Motion carried 7-0.

La Porte County Haz-Mat

Requesting an Additional Appropriation
from 1191 (RIVERBOAT) WIN TAX (4220) OR CAGIT (1110)
for Haz-Mat Vehicle Purchase (*tabled*) \$55,000.00

A Motion was made by Councilman Bernacchi and seconded by Councilwoman Sosinski to untable the item. Motion carried 7-0.

Councilman Novak said that this vehicle does not fall under the Vehicle Leasing Program since it's an emergency vehicle. A Motion was made by Councilman Novak and seconded by Councilman Santana to approve out of RIVERBOAT (1191). Motion carried 7-0.

The Council members discussed why this purchase isn't allowed out of the CCD Fund and Auditor Winski explained per Indiana State Code, CCD is only for Sheriff's vehicles.

La Porte County Engineer

Requesting an Additional Appropriation
From RIVERBOAT (1191) OR WIN TAX (4220)
for Local Match Pavement Management

\$50,000.00

Mr. Mike Yacullo said that through NIRPC and INDOT, there are now federal funds available to assist with the road-paving project. It is an 80%/20% project, with \$200,000.00 of federal money and \$50,000.00 from La Porte County. Councilman Garner said he was concerned at the amount and that it is only assessing and evaluating which roads are in need. Mr. Yacullo replied that during the next round of funding, there might be \$2,000,000.00 to be used throughout the County.

President Yagelski explained that this would be useful in other capacities. Councilman Santana asked for the timeframe on the project. Mr. Yacullo said at the end of 2017, when additional funding for paving would be available for application. Mr. Yacullo also discussed the different companies that might be used.

Auditor Winski asked if an RFQ had been done. Mr. Yacullo said that it was advertised, but his office is still awaiting bids and then the selection process will begin.

President Yagelski said computers will be needed to enter data, so what is the guarantee that this project will be carried out. Mr. Yacullo said that the responsibility could be written into a job description or specifically assigned to one person.

Auditor Winski suggested that GIS be used, so when a road is paved, it could be marked so there is a consistent chart of what has been completed.

President Yagelski asked what the County is getting from the grant. Mr. Yacullo said that the only cost is for data collection. President Yagelski said that, originally, all the signs were being replaced and now it is some signs. Mr. Yacullo said that the useful signs should be kept, but that all signs could be replaced.

A Motion was made by Councilman Garner and seconded by Councilman Bernacchi to table. Motion carried 7-0.

La Porte County Maintenance

Requesting an Additional Appropriation
from RIVERBOAT (1191) OR WIN TAX (4220)
for Upgrade to Smoke Alarm System

\$30,000.00

This item was removed from the Agenda per a Motion at the beginning of the meeting.

Requesting an Additional Appropriation
from RIVERBOAT (1191) OR WIN TAX (4220)
for Purchase of Plow and Truck (*tabled*) \$37,000.00
This item was removed from the Agenda per a Motion at the beginning of the meeting.

Requesting an Additional Appropriation
from RIVERBOAT (1191) OR WIN TAX (4220)
for Maintenance Demolition (*tabled*) \$11,,000.00
This item was removed from the Agenda per a Motion at the beginning of the meeting.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Novak asked if the Maintenance items would come back on the Agenda or if they've been advertised. Mr. Cooley said they are having trouble getting bids on the demolition. Mr. Yacullo said the Contractors that do demolition have not been very responsive. Councilman Novak said it should be advertised in the newspaper.

Councilman Kirkham said that he is concerned about the 10 rooms for handicapped residents at the County Home being overseen by the Swanson Center, since the Swanson Center is for mental health issues. Also, since his involvement in politics over the last 10 months, he has seen how the County government is manipulated to help only a few and his is sickened over not being able to make changes. He also acknowledge his grandchildren who attend North Central High School in Michigan and their 9-0 record in football.

Councilwoman Sosinski asked that the La Porte County Highway Superintendent Bob Young attend the next time the tabled item is addressed. President Yagelski commented that Mr. Young has no idea about it, but Councilwoman and Councilman Garner still want him to attend.

Councilwoman Sosinski acknowledged the production of Alice done by the La Porte High School and the Council and the audience gave a round of applause.

Councilman Garner said he was asked to watch the last Commissioner's Meeting and was inquiring if they are going to address the Council regarding the money needed for the County Home proposal. Councilman Santana commented that the Commissioners may go elsewhere for the \$60,000.00

Councilman Novak said there needs to be a guarantee that the Veterans will be protected in regard to the County Home. If the plan guaranteed that the Veterans and County residents had priority, he would have no problem supporting it. However, he has problems supporting it right now.

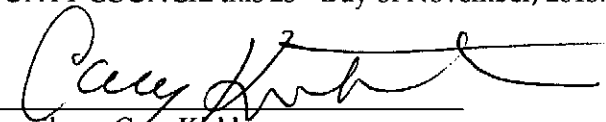
ADJOURNMENT


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


“ “ “ “ “ “

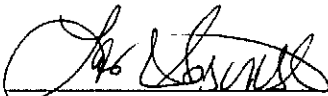
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23rd Day of November, 2015.


Councilman Matt Bernacchi

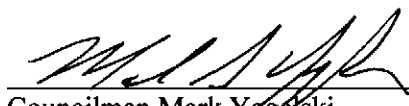

Councilman Cary Kirkham


Councilman Terry Garner


Councilman Randy Novak


Councilwoman Lois Sosinski

Absent
Councilman Jeff Santana


Councilman Mark Yagelski

ATTEST: 
Joie Winski, La Porte County Auditor