

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

MINUTES REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL JANUARY 23, 2017 AT 6:30 P.M.

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on January 23, 2017 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 Lois Sosinski called the Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

President Sosinski asked everyone to stand for the Pledge of Allegiance. President Sosinski asked that everyone, except emergency personnel, to please turn off their cell phones at this time. She also asked that everyone remain standing for a moment of silence in respect for the passing of Recorder Barbara Dean and retired Sheriff's Department Sergeant Roger Bernard.

ROLL CALL

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

APPROVAL OF THE JANUARY 23, 2017 AGENDA

A Motion was made by Councilman Novak and seconded by Councilman Kirkham to approve the January 23, 2017 Agenda. Motion carried 6-0

APPROVAL OF THE NOVEMBER 28, 2016 REGULAR MEETING MINUTES

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

APPROVAL OF THE DECEMBER 20, 2016 SPECIAL MEETING MINUTES

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

APPROVAL OF THE JANUARY 3, 2017 REORGANIZATIONAL MEETING MINUTES

A Motion was made by Councilman Sullivan and seconded by Councilman Santana to approve. Motion carried 6-0.

PUBLIC COMMENT

Hearing or seeing no additional Public Comment, President Sosinski closed Public Comment.

DEPARTMENT HEAD REPORTS

George Watkins, La Porte County Veterans' Service Officer

Mr. Watkins announced that there will be a 3rd Veterans' Treatment Court Graduation Ceremony on January 31st at 6:00 p.m. He added that the program is very vigorous but at its completion after approximately 14 months, a graduation is given. He encouraged all to attend.

Rich Mrozinski, La Porte County Commissioner

Commissioner Mrozinski updated the Council regarding the search for a replacement Veterans' Service Officer. He stated that the position was advertised and there have been 14 applicants. He anticipates that a Meeting will be held of February 10th to analyze the applications and determine the most qualified person. It will be put through Human Resources and will give an additional update at next month's Meeting.

Jay Sullivan, La Porte County Highway Engineer

Mr. Sullivan approached the Council to introduce himself as the new Highway Engineer. He added that he is President of the County Council in Pulaski County. He is also a licensed engineer in Indiana and owns a farm in Pulaski County.

Robert Cutler, La Porte County Coroner

Mr. Cutler is requesting another transfer vehicle for the Coroner's Office. He added that EMS has a vehicle that may be coming available that would suit the needs of the Coroner's Office. Councilman Yagelski asked if the vehicles would be parked in designated areas but Mr. Cutler said the Chief Deputies would be taking them home. Councilman Yagelski said he would have a difficult time supporting that but would not if they were instead parked in designated areas. He added there is no trade-in value on the EMS vehicles but can preferably be repurposed.

President Sosinski explained that the Coroner's Office has functioned for a long period of time with one vehicle so for this request to be considered by the Council, a detailed request is necessary in order to provide justification.

Councilman Novak questioned if an ambulance could be used and then Councilman Sullivan asked Mr. Sullivan from Pulaski County if they use idle ambulances when necessary. Mr. Sullivan replied that they do but the population in Pulaski County is smaller than La Porte County. He added that maintenance for the ambulance comes out of the EMS Budget.

Councilman Kirkham stated he believes the Coroner's Office needs a second vehicle due to the increased mortality rate.

Mr. Cutler said that other entities have to wait until the Coroner's vehicle can arrive before leaving a scene, so by having the ability of a quicker response would alleviate the additional burden from these other entities.

Councilman Kirkham asked if an ambulance is coming out of service in the future. Councilman Santana replied that he is the Liaison for EMS and there is an upcoming request for a new ambulance in 2017.

There was additional discussion regarding the use of an EMS ambulance when available, however it can be difficult if the ambulance is needed during that time and would be called away leaving the decedent at the scene. Councilman Novak added that he has spent as much as an hour with a fatal victim waiting for the Coroner. Mr. Cutler stated that the Funeral Homes help when available.

Hearing or seeing no additional Department Heads, President Sosinski closed Department Head Reports.

President Sosinski acknowledged the students in the audience.

LIAISON REPORTS

Councilman Novak said the Prosecutor is in attendance to address items at the Meeting. Juvenile Services will be also discussing a request at tonight's Meeting.

Councilman Yagelski discussed the NICTD double track going through La Porte County. He said that the Commissioners have approved it and the Council will be asked to give a show of support at tonight's Meeting. A Special Meeting will be necessary to answer specific questions and determine funding.

Councilman Kirkham attended a NIRPC Meeting but stated there was no new information at this time. He said the Park Department will be requesting a reappointment for their Board at next month's Meeting.

Councilman Sullivan said he had no report.

Councilman Santana said Jerry Cooley in Building Maintenance has been replaced with Rich Gramarossa. He also said he has spoken with Andrew McGuire from EMS and said they are on schedule to have the new EMS base in Michigan City at St. Anthony's Hospital at 400 and 421. As previously stated, there will be a future request for a new ambulance. Some new software will also be requested in June of 2017. EMA will be having a Meeting on February 1st at 2:00 p.m. It has been reported that all of the towers will be in place by the end of the week. In addition, all of the school systems are complete with radios. When all radios are in place, there will be intensive training. Councilman Santana also attended a Drainage Board/Surveyor Meeting on January 9th. He added that he was asked to address an issue with accounts but it was instead turned over the Attorney for the Board. Councilman Santana asked if he had contacted the Auditor's Office. Chief Deputy Andrea Smith replied that she has met with Attorney Adamsky and progress is moving forward in the right direction. She added that Attorney Adamsky was given information to bring back to the Board but has not yet given a response to the Auditor's Office. Councilman Santana said he would follow up on that matter.

President Sosinski said she has had her first meeting with Solid Waste where the Budget and a possible reduction in future fees was discussed. She also had discussions with Human Resources and the Clerk's Office. In addition, she has been spending time getting up to speed on the NICTD double track, and had

the opportunity to attend her first Problem Solving Court graduation celebration on January 10th. She said it was a positive way to see how our tax dollars are being spent.

Councilman Yagelski asked if there is still a purpose for Solid Waste since the Council makes all of the decisions. Attorney Friedman said it is enabled by Ordinance and Statute. In addition, many different governmental units are represented on the Solid Waste Board.

Attorney Biege approached as Counsel for the Solid Waste Board. He stated that the Solid Waste Budget is not the Council's Budget but are fees assessed through the Solid Waste process. It is not part of the General Fund and is separate and distinct from the County's dollars.

Councilman Kirkham informed the audience that there is now an item called Narcan that can be used after a heroin overdose. It was only available through entities such as Police and Fire Departments but can now be purchased at drugstores such as CVS.

NEW BUSINESS

1. Economic Development Coordinator Discussion

Commissioner Mrozinski explained that due to the numerous projects occurring in the County, it is necessary to have an Economic Development Coordinator. He explained that previously there were two employees with excessive salaries. The proposed Coordinator would be given a reduced salary and PERF but no insurance would be necessary, which would provide great savings to the County. He added he would want the Coordinator to be an appointed position and be reevaluated on a yearly basis.

Councilman Santana asked for clarification regarding the areas in which the Coordinator would operate. Commissioner Mrozinski explained that the Coordinator would work for the entire County. He added that he needs the assistance of a Coordinator due to the amount of projects in the County and would like to get the person appointed in February. If that happens, the first meeting with the "Alliance" would be in March to determine ways to assist each other. The goal is to get more work done with less money.

President Sosinski expressed concern over having to replace this employee when he/she leaves and having the terms of the position change to include insurance or other liabilities under Worker's Compensation. Commissioner Mrozinski replied that there are unknowns and the position of Director may be necessary. However, he believes it will work out as he anticipates by already having a trained person ready to start at day one. Whatever happens, the decision can be reevaluated at the end of the year.

Attorney Friedman said that Joe Coar, Chairman of the La Porte County Redevelopment Committee, was not in attendance due to a prior commitment. However, he asked Attorney Friedman to relay his support for the position and the person in consideration for it. He added that a vote is not required tonight but that an appropriation can be presented at February's Meeting.

Commissioner Mrozinski said that he had hoped the person could be appointed as of February 1st to attend scheduled Meetings on February 2nd.

President Sosinski said the employee versus sub-contractor aspect needs to be determined and this item will be on February's Agenda.

2. County Home/Maintenance Employees 2017 Status

Rich Gramarossa asked for permission to have the two remaining employees from the County Home be transferred to the Building Maintenance Janitorial staff. He explained that employees have worked for the County between ten and fifteen years and exhibited loyalty, dedication, and self-motivation at all times. He informed the Council which 10 buildings are being maintained by the Building Maintenance Department and hopes to the keep the employees on staff.

Councilman Yagelski said that the intention for these employees was as temporary staff for the specific purpose of cleaning the basement of the Courthouse. In addition, they were temporarily reassigned to keep positions for them in the County.

Barb Mossman, Human Resources Director, said she is unsure if the transferred employees possess the qualifications for the Building Maintenance positions. Councilman Yagelski asked for an update on the status of the basement.

Sue, Building Maintenance Supervisor, said there is still a lot of work to be done in the basement and the Clerk's office. She explained that these employees have been able to accomplish tasks that might otherwise have been hired from an outside source.

Councilman Yagelski stated that it was his understanding that any shredding from the Clerk's Office had to be completed by an outside firm due to certain rules and regulations. He also said new employees would not be hired at this time.

Councilman Santana added that the purpose of these employees was to clean the basement instead of painting or other tasks. Mr. Gramarossa said there is an abundance of tasks for Maintenance with a staff of four full-time and three part-time employees.

A Motion to maintain the employees at the same position for the six months was made by Councilman Yagelski and seconded by Councilman Santana. He added that the positions can be reevaluated after the six-month period.

President Sosinski said the effort of the Council was to keep County positions for the employees from the County Home. Councilman Santana said permanent positions were never promised to these employees and instead were supposed to find alternative jobs throughout the County.

Mr. Gramarossa said all of the employees are kept extremely busy, but Councilman Novak declared that the priority needs to be the cleaning of the basement. Mr. Yagelski added that Building Maintenance should not be required to do shredding for the Clerk's Office because it was given money for that purpose.

Auditor Winski explained that the determination of what needs to be shredded has to be done on a yearly basis and that there will consistently be a need for shredding additional documents in the basement. Councilman Novak clarified that while waiting for Department Heads to release documents for shredding, the employees are being used for alternative tasks. Councilman Santana suggested that the Department Heads be encouraged to release the documents in a timely basis.

Motion carried 6-0.

Councilman Yagelski explained that due to the inefficiency of the New Times and Herald Argus, two items were unable to be added to the agenda due to untimely advertising. He suggested writing letters to the editors advising that if this situation is not improved, the Council will find alternative sources for advertising. Auditor Winski stated that letter has been sent but Councilman Yagelski asked that a harsh letter be sent on behalf of the Council instead.

Attorney Friedman asked that to speak to the Publisher first because he understood the issue was being resolved, but will do what the Council directs.

A Motion was made by Councilman Novak and seconded by Councilman Sullivan to draft a letter to be sent if there is no resolution in this matter.

Auditor Winski stated that the County employees' salaries were printed in the paper as they always are, but were so small that many complained they were illegible. Therefore, the salaries will be reprinted in the next two days.

Motion carried 6-0.

OLD BUSINESS

Utility Inspector

Councilman Yagelski said he has moved out of the Highway Department to his new role. President Sosinski said the job description is being developed and will be moving forward in the next few days.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

Resolution Supporting Northwest Indiana Double Track Project for NICTD

A Motion was made by Councilman Yagelski and seconded by Councilman Novak to read by title only. Auditor Winski read Resolution 2017-01.

Commissioner Mrozinski approached the Council to explain that the Commissioners made a Resolution to support the double track and work with the involved entities to come up with the funding mechanism.

Michigan City Mayor Meer spoke in support of the resolution for the marketability of Michigan City, La Porte City and the County. A lot of work has gone into making this happen and the Michigan City Common Council has also passed a similar resolution to move this to the next step. The estimated cost is \$290,000,000 of which \$125,000,000 to be spent in La Porte and Michigan City. Additional well-paying construction and trade jobs will be created along with the growth of NICTD in the future. There will be additional meetings to structure the financing. He added that there has been incredible cooperation across party lines at the local, state, and federal levels.

Councilman Sullivan asked that everyone looks to work amicably in the region with other counties such as Lake and Porter. Mayor Meer agreed and said there is a united front and that if the federal funds do not go to La Porte County, they will go to another County. Councilman Novak added that he understands that

this project may generate \$100,000,000 in economic benefits to the region over the next thirty years. Mayor Meer said there is a lot of data on the thirty-year impact.

Mr. Smith, the liaison to Mayor Meer stated that the amount of possibly economic benefit is actually closer to \$390,000,000. In addition, he said that Notre Dame in St. Joseph County is also important due to the South Bend Airport.

A Motion to approve was made by Councilman Novak and seconded by Councilman Sullivan. Motion passed 6-0.

Resolution Interlocal Agreement for Building Inspection Services – Town of Michiana Shores and La Porte County Attorney Biege appeared on behalf of the Planning Commission. He explained that the Town of Michiana Shores does not have a Building Inspector, so an agreement was negotiated to have La Porte County inspect for the Town of Michiana Shores at the cost of \$50 per trip to be billed quarterly. He added that it has been challenging for the Town to maintain a Building Inspector, and has improved the agreement and the resolution. The County Commissioners have also approved it.

Councilman Yagelski asked about the funds for this. Attorney Biege said funds are still being collected and the Town of Michiana Shores will be handling Building Permits. If that changes, Attorney Biege will readdress the issue.

Councilman Novak asked if there is anything in the resolution regarding its adjustment. Attorney Biege stated that the time of reassessment is annually. He confirmed that the only involvement at this time is the Building Inspection.

Attorney Biege read the Resolution by title only.

A Motion to approve the resolution and agreement was made by Councilman Novak and seconded by Councilman Kirkham. Motion carried 6-0. Councilman Novak asked that the issue of mileage be reported upon at the end of the year. Attorney Friedman added that other towns might ask for the same consideration, so the fee may need to be increased in the future.

Motion carried 6-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

<u>La Porte County Health Department</u> Requesting Permission to Hire Environmental Specialist

Councilman Yagelski explained that this is not a new position but a switch of jobs. A Motion to approve was made by Councilman Yagelski and seconded by Councilman Santana. Councilman Sosinski clarified that this does not conflict with any personnel issues and was assured that it wouldn't. Motion carried 6-0.

La Porte County Prosecutor

Requesting Permission to Hire

1. Trial Support for Circuit Court Deputies

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 6-0.

2. Deputy Prosecuting Attorney

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

3. ICAC Administrator

Councilman Novak stated that this had been previously approved but was awaiting the award of a Grant. Prosecutor Espar said he was asked to approach the Council at the beginning of 2017 and was pleased to announce that an Indiana Criminal Justice Grant was approved for \$160,000 to fund the balance of the needs of the ICAC.

President Sosinski stated she is grateful the Grant was approved, but inquired the positions it would cover. Prosecutor Espar stated that this was not to replace funds used but for additional personnel. President Sosinski understood that the Grant was for the previously hired personnel, but Councilman Novak stated two staff members were hired but two additional members were to be hired upon approval of the Grant.

Councilman Santana asked what this Grant will cover. Prosecutor Espar explained that it covers two position of the unit. One is the Forensic Examiner out of the Michigan City Police Department who is paying more than half of that employee's financial obligations. The other position is the ICAC Administrator, which he stated the Council had already approved. He also said the Council approved four members.

Prosecutor Espar addressed President Sosinski saying he didn't know that she was cutting the unit in half. President Sosinski replied that is not what she was doing and her intent was to approve those people out of the General Fund with the intent to augment what was fronted out of the General Fund.

Councilman Yagelski stated that the Forensic Examiner should be paid out of Michigan City and so that issue is off of the table. He added he was under the same assumption as President Sosinski, as was Councilman Santana. He asked what information the Auditor found.

Auditor Winski said two employees were paid out of the Grant last year. She said Prosecutor Espar and another employee were moved to the General Fund per request of Prosecutor Espar. Prosecutor said two salaries were put in the General Fund and the other two were to be funded by the Grant. He stated he thought this would be an opportunity to celebrate the successes of the County and the acquisition of the Grant.

A Motion was made by Councilman Yagelski to approve the ICAC Administrator out of the \$160,000 Grant with the balance to the employment within the ICAC unit. Prosecutor Espar said the Grant is to fund the ICAC Administrator and the salary of the Forensic Examiner. Councilman Novak added that Michigan City only pays the benefits for Forensic Examiner and not his salary.

Auditor Winski asked for the details of the use of the Grant. Prosecutor Espar replied it could be used for the salary and benefits of the ICAC Administrator, the base salary of the Forensic Examiner, and training of the unit with the balance of the Grant.

Councilman Yagelski removed his Motion and adjusted the Motion for Attorney Friedman to review the Grant and readdress the issue at next month's Meeting. The Motion was seconded by Councilman Sullivan and approved 5-1 with Councilman Novak voting Nay.

Councilman Kirkham asked about the success of the unit. Prosecutor Espar said it is very successful and supports the lives of our children as the most important work. He hopes it has the unequivocal support of this body.

Councilman Yagelski asked if part-time employees could be reestablished because there has been such a substantial full-time employee turnover over the last year. Prosecutor Espar said he will do the best he can with the resources provided by the Council. He added that the public has been supportive of his decisions since taking office.

Councilman Yagelski asked that he work within the County and use local attorneys when possible. Prosecutor Espar explained that he seeks to find the most qualified individual and in that task it will draw people to La Porte County. He will not turn away a person from a neighboring County in lieu of a less qualified person from La Porte County.

Councilman Yagelski asked that Prosecutor Espar give consideration of the applications within La Porte County, whether full-time or part-time.

La Porte County Circuit Court Clerk Requesting Permission to Hire COMOT IV

Clerk Chroback explained that there is a vacancy for Deputy Clerk in Superior Court 2, so she is asking for permission to hire a replacement. A Motion to approve was made by Councilman Novak and seconded by Councilman Sullivan. Councilman Yagelski asked that before she was elected to the position, there was a period of eleven months where this position was not filled. Therefore, he would ask that this position be reassessed at a future date.

Auditor Winski clarified that the Treasurer does not employ Ms. Chroback and, therefore, not affiliated with the Tax Sale.

Councilman Santana apologized that he had to temporarily be absent, but clarified that this was an existing position. President Sosinski replied that it was.

Motion carried 6-0.

La Porte County Circuit Court Clerk
Requesting Permission to Spend
From Perpetuation Fund (1119)
For Filings, Scanning, Microfilming and Copying

\$30,000.00

Clerk Chroback explained that the Perpetuation Fund is for securing documents. She stated she has \$40,000 but is asking for \$30,000 at this time. Councilman Novak asked if there is the possibility to acquire a better price for the shredding. Clerk Chroback explained that this update is necessary and that both the old and new files are being scanned. She added that when things are e-filed, there will be easier access. Councilman Yagelski said that computers have been recently bought for the Clerk's Office, but Clerk Chroback disagreed, as did Treasurer Spevak. Clerk Chroback confirmed that purchases were approved by IT.

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

La Porte County Treasurer
Requesting Permission to Hire
COMOT IV

For the replacement of the position, President Sosinski clarified that whatever the description of the position dictates is what the COMOT level will be. A Motion to approve was made by Councilman Sullivan and seconded by Councilman Novak. Motion carried 6-0.

La Porte County Treasurer
Requesting Permission to Pay

2017 Vacation Days and any Overtime Accrued from Prior Year

Treasurer Spevak said that a First Deputy from the Michigan City Office is leaving after 18 years. She is requesting to pay her vacation days and overtime hours. She added that to replace the position is not a COMOT IV but instead a COMOT VI. Treasurer Spevak stated she must have mistyped the numerals when she submitted the request. Councilman Santana said it was requested as a COMOT IV.

Councilman Yagelski said that it was not policy to pay overtime hours. Treasurer Spevak explained that she is leaving as of February 1st, so is unable to take her comp hours before then. Councilman Yagelski confirmed that it is against policy to do this. Treasurer Spevak said she understood. President Sosinski asked Auditor Winski to send a letter be sent to all Department Heads to inform employees as of what hours can be banked. Auditor Winski offered to work with Barb Mossman in drafting the letter.

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 6-0.

<u>La Porte County Circuit Court</u> Requesting Permission to Spend From Adult Probation User Fees (2102) For Computers for Odyssey Upgrade

\$3,250.00

Steve Eyrick explained that the computers are necessary for the upgrade and that the request was examined by IT.

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

La Porte Juvenile Services Center Requesting Permission to Spend From 1000-20021-000-0176 For Computer Desk Risers

\$756.00

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

La Porte Juvenile Services Center Requesting Permission to Spend From Merit Overtime For Benefits

Not to Exceed \$4,000.00

Sheriff Boyd asked to spend for OASI and Medicare because he was learned that the Grant from the National Highway Transportation Safety Administration could no longer fund enforcement benefits which would have to be funded by the local municipality. After looking at figures, it was determined that is was necessary to pay OASI and Medicare out of the Overtime account.

Councilman Novak asked if not advertising this was an issue. Auditor Winski stated that only additional appropriations need to be advertised ten days in advance. She clarified that the Motion that was withdrawn was one that needed to be advertised. This request is for money that was already appropriated. A Motion of support was made by Councilman Novak and seconded by Councilman Yagelski. Motion carried 6-0.

A discussion ensued about whether or not this expenditure needed to be advertised. Attorney Friedman said he needed to review what had been previously approved and would advise the Council.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Novak commended the Sheriff's Department for the life-saving awards. He also thanked Dave Christian and Jerry Cooley for their service to the County.

Councilman Kirkham asked about the hiring freeze and why it came into place. President Sosinski replied that hiring was out of control and the Council became more fiscally responsible. Attorney Friedman explained that it was a Resolution previously approved by the Council that can be amended if desired.

Councilman Yagelski said he wanted to wrap things up because it was his 36th wedding anniversary.

President Sosinski said she has issue with the funding of the ICAC Department. She believed that two employees were put into the General Fund but there is confusion on the purpose of the Grant.

Attorney Friedman said the Liaison positions need to be put into record. President Sosinski said she furnished them to Auditor Winski and Attorney Friedman to be put into record. He also said ethics rules were proposed in light of the new INDOT rule. He asked for direction from the Council if the information to be sent to the AIC.

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Sullivan to forward the information to the AIC to adopt a rule for the State of Indiana. Motion carried 6-0.

Attorney Friedman discussed House Bill 1350, which would reduce the amount of RIVERBOAT tax proceeds being brought to local government entities. It threatens the amount of WIN TAX and Admissions' Tax on which the County and Council have come to rely. President Sosinski asked that the Council be updated on its progress.

ADJOURNMENT

A Motion was made by President 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 February 2017.

Councilman Terry Garner

Councilman Cary Kirkham

Councilman Randy Novak

Councilman Randy Novak

Councilman Lois Sosinski

Councilman John Sullivan