



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

**MINUTES
LA PORTE COUNTY COUNCIL REGULAR MEETING
FEBRUARY 27, 2017**

CALL TO ORDER

The La Porte County Council Meeting was called to order at 6:30 p.m. by La Porte County Council President Jeff Santana who asked everyone to stand for the Pledge of Allegiance and remain standing for a moment of silence for Susie Garner, wife of Council Member Terry Garner who passed away; former Council Attorney Sam Melnick, currently a Member of the County Election Board, who also passed away recently and Diane Danielson, a longtime employee of the County Assessor's office, who passed away after a short illness.

ROLL CALL

County Auditor, Joie Winski, called the roll. All Members were present with the exception of Councilman Terry Garner. A quorum was noted.

APPROVAL OF THE FEBRUARY 27, 2017 AGENDA

Councilman Novak asked that Item #1 under New Business (Clarify policy of County Council regarding any County Supplement to State paid salaries for Judges and Prosecutor) be removed from the Agenda and then made a Motion to accept the amended Agenda which was supported by Councilman Kirkham. Motion passed 5-0.

APPROVAL OF THE JANUARY 25, 2017 REGULAR MEETING MINUTES

Councilman Novak made a Motion to accept the Minutes as read. Councilman Kirkham supported the Motion. Motion passed 5-0.

APPROVAL OF THE FEBRUARY 9, 2017 SPECIAL MEETING MINUTES

A Motion to accept the Minutes as read was made by Councilman Kirkham and supported by Councilman Novak. Motion passed 5-0.

PUBLIC COMMENT

Leigh Morris, 424 Upper Lake Shore Drive, La Porte, IN, presented and read a letter to the Council on Economic Development. He spoke in favor of the former County Economic Alliance and spoke against the \$127,000 appropriation on the Agenda for Economic Development.

Terry Ritter, 175 Country Club Drive, La Porte, IN questioned why the County is buying mowers from South Bend and not within La Porte County.

Dennis Metheny, 6757 W 450 N, Michigan City, IN, spoke on tractors, mowers and their prices; Access La Porte County and Swanson Center appropriations.

DEPARTMENT HEAD REPORTS

Andrew McGuire, EMS – briefly reported on two items: The County has received its 2014 Medicare reimbursement of \$175,280. This is the 4th year the County has applied and received reimbursement. EMS is currently working on the 2015 reimbursement grant. Mr. McGuire also presented the EMS Year-End Report to the Council that shows their calls are up significantly by 1,427 calls as our revenues.

Larry Butcher, EMA director, EMA has applied for two grants: one is for an emergency response trailer (\$29,000) and another for personal computers and EOC enhancements. They are not matching funds. The 800 MHz project is progressing at a good pace. Weather is helping in these efforts. Jeff Wiatrowski has gone over and above on this project. He is very knowledgeable and has been a great asset to him.

A discussion took place on the trailer and where it will be housed and what it will be used for. It will be hauled with the EMA Tahoe vehicle.

Auditor Winski asked that the Council create an Inspection Fund for the position created in the Planning Department to deposit revenues collected from those inspections. A Motion was made by Councilman Novak and supported by Councilman Sullivan. Motion passed 5-0.

County Highway Superintendent Bob Young approached the Council to remind them that the decision to purchase the mowers has already been chosen by the Commissioners. The Council is only appropriating the money for the mowers. There were only two bids and the lowest bid did not meet the specs required.

LIAISON REPORTS

Councilman Yagelski explained to Mr. Metheny on the County Highway mowers and explained that Riggs is the same company, La Porte, South Bend or Valparaiso. He explained the process on the bids.

Councilman Kirkham his Departments are all on the Agenda.

Councilman Sullivan reported that Councilman Novak and he attended a meeting at JBC Rail in the KIP and it answered a lot of questions on the KIP for him. He also stated a Council Member needs to serve on the Planning Commission. Council President Santana appointed Mr. Sullivan to the Commission.

Councilman Novak reported on the County Home. The Indiana Finance Housing Authority has rejected the County's request for funding. State Senator Bohacek is trying to get a Veteran's Home to locate there. There will be a Study Committee on this during the summer and the Commissioners will put a price on the property.

Councilman Santana reported that his Departments are all on the Agenda. He questioned funding mechanisms for the double-tracking project. State Senator Bohacek's language has passed the Senate and is now in the House. He also spoke on decreased revenue from the Riverboats and is concerned on the loss

that we may incur. The County has hired a lobbyist to help in this effort. Representative Pressel is also involved in these efforts.

NEW BUSINESS

1. *Clarify policy of County Council regarding any County Supplement to State paid salaries for Judges and Prosecutor was Removed*

2. *Recognize Non-Exempt status of Maintenance Department Supervisor Based on Published Status as of Date of Hire; Make "of record" Applies Only to Current Occupant of Position.*

Barb Mossman approached the podium to explain that it was brought to her attention that this position could be classified incorrectly. Upon clarification with Wagoner, Irwin and Scheele, it was determined that this position was in fact an Exempt position.

A Motion making clear on the record that any overtime incurred by this employee from January 1st to present is payable to her, but the job description she signed has a scrivener's error on it listing the job description as non-exempt when it should be an exempt position. The job description was hereby ordered by the Council to be corrected and have the exempt language included. A Motion was made by Councilman Yagelski and supported by Councilman Novak. This change will take place immediately. Motion passed 5-0.

3. *Ken Purze KRBC Funding Issues Update*

Presented a map showing the eight counties that this encompasses. He presented an update on the County's contribution of \$11,500 and what the County received in return. He presented a report on the Commission to the Council.

Mr. Purze requested a Resolution from the Council that they support the \$6 million being requested of the State Senate for support of the KRBC. A Motion was made to request the Attorney to draw up a Resolution of support by Councilman Novak and supported by Councilman Sullivan. Motion passes 5-0.

4. *Consideration of Directing County Council Attorney to write Indiana Department of Correction requesting DOC Pay for Autopsies of Inmates in State Correctional Facilities as per Statute Cited by County Coroner Robert Cutler.*

Attorney Friedman spoke to a letter from Coroner Robert Cutler to the Council concerning a State Statute that provides that not all autopsies have to be borne by the County. At \$2,500 per autopsy, only those on inmates from La Porte County should be our responsibility. There is a process whereby the State can invoice the County from which the inmate came and thereby lessening the burden on La Porte County. Mr. Friedman will write a letter to the DOC at the direction of the Council.

A discussion took place and Councilman Sullivan made a Motion to have the Attorney send a letter to the DOC. The Motion was supported by Councilman Novak and passed 5-0.

5. *La Porte County Haz Mat – LEPC Budget Approval*

This is a formality that is done annually. A Motion was made to accept the Budget as presented by Councilman Yagelski and supported by Councilman Novak. Motion passed 5-0.

6. *La Porte County Sheriff Commissary Fund Report (July 1, 2016 – December 31, 2016)*

Sheriff John Boyd gave a report on the status of the Commissary Fund. Currently there is a balance of \$80,953. Disbursements are listed in the handout given to all Council Members and IC Codes are followed for expenditures.

Mr. Yagelski thanked the Sheriff for the inmates helping to clean the County Roads.

President Santana commented on Fail Road and Highway 20 and asked that extra patrols be stationed there to help curtail the accidents there. The Sheriff commented on this and has increased the afternoon shift in this area and Highway 20. The Sheriff said that he will be coming to the Council in the near future to ask for additional personnel.

7. *Attorney Michael Hardy, Barnes and Thornburg*

Attorney Hardy presented a report on the final easement ownership agreement at the KIP. There has been one change in the agreement. He explained the ILPK ownership. Negotiations included obtaining an assignment on the judgement against ILPK and turning ownership over to the County. The County will own the real estate under the rail that was built there. No other substantive changes were made. In the final stretch now and on March 8th the easements will be signed over to the Redevelopment Commission.

OLD BUSINESS

None.

CORRESPONDENCE

Letter from Ronald Knickrehm requesting reappointment to the La Porte County Park Board. Motion was made to approve by Councilman Kirkham and supported by Councilman Sullivan. Motion passed 5-0.

ORDINANCES AND RESOLUTIONS

None.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Community Corrections

Permission to Hire Counselor to be paid by
Community Corrections Grant

Motion to approve by Councilman Novak and supported by Councilman Sullivan. Motion passed 5-0.

La Porte County Prosecutor

Requesting Permission to Hire from ICAC Grant
For Administrator and Investigator

Prosecutor John Espar appeared and stated these positions are paid for through a Grant obtained from the ICJI. A discussion took place.

Motion was made to approve by Councilman Novak and supported by Councilman Kirkham. Motion passed 5-0.

La Porte County Prosecutor/Child Support IV-D
Requesting an Additional Appropriation
From Riverboat (1191) for Automobile Replacement

Deputy Prosecutor Barry McDonnell spoke to the request. This is a replacement automobile for one that was totaled in an accident.

Motion was made to approve \$1,200 from Riverboat by Councilman Novak and supported by Councilman Kirkham. The remainder of funding will come from IV-D Funds. Motion passed 5-0.

La Porte County Prosecutor
Requesting Additional Appropriation
From Riverboat (1191) Or Win Tax (4220)
For Law Books and Law Clerk

Prosecutor Espar appeared and led a discussion on the request for law books and a law clerk.

\$13,000 was approved for law books from the Riverboat Fund on a Motion made by Councilman Kirkham and supported by Councilman Novak. Motion passed 5-0.

After a brief discussion, it was agreed with Prosecutor Espar that the \$17,000 for a law clerk will be expended from the Prosecutor's Deferral Fund. The Motion was made by Councilman Novak and supported by Councilman Sullivan. Motion passed 5-0.

La Porte County Information Technology
Requesting Permission to Hire
For System Technician PAT II

Motion was made to approve by Councilman Yagelski and supported by Councilman Novak. Motion passed 5-0.

La Porte County Assessor
Requesting Permission to hire COMOT V and COMOT IV
To Replace Employee

Assessor Schultz explained that this was to replace his Personal Property deputy who passed away recently.

Motion to approve by Councilman Novak and supported by Councilman Kirkham. Motion passed 5-0.

La Porte County Animal Shelter
Requesting Permission to Spend
From Shelter Donation Account (4100)
For Update and Remodel of Front Reception Area

\$34,975.00

A Motion was made by Councilman Kirkham and supported by Councilman Novak to approve \$34,975 from the Shelter Donation Fund (4100) to remodel the front reception area of the Animal Shelter. Motion passed 5-0.

Access La Porte County

Permission to Spend from the Franchise Fees \$98,000
1000.02065.000.0100

Auditor Winski explained that the Commissioners approved a new contract with ALCO and the Council approved the increase at their budget hearings last year. The stipend will be paid from franchise fees generated from Comcast over the year. Taxpayer dollars will not be used.

Councilman Novak made a Motion to approve paying the \$98,000 from franchise fees with the stipulation that the Council and ALCO will sit down to discuss public use of the station. Motion was supported by Councilman Sullivan. Motion passed 5-0.

A 5 minute break was taken.

La Porte County Recorder

Requesting Permission to Spend
From the Perpetuation Fund (1189) for Office Desk \$1,102.64

A Motion was made by Councilman Yagelski and supported by Councilman Novak to approve \$1,102.64 for a desk. Motion passed 5-0.

La Porte County Sheriff

Requests Permission to Spend
From Merit Overtime Not to Exceed
For Benefits not Allowed in Grant \$5,000.00

Councilman Yagelski made a Motion to approve the request not to exceed \$5,000 from Merit Overtime for benefits not allowed in the Grant. Motion supported by Mr. Sullivan. Motion passed 5-0.

La Porte County Sheriff

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For Laptop Computers and Docking Station for Patrol Vehicles

Sheriff Boyd explained that this is a request for 10 rugged laptops to be used in the patrol cars. The computers are certified and have the capabilities of being locked to prevent theft of critical information being stolen. This will be on a 4-year rotation and ten more will be asked for next year. A 3-year life is expected.

Councilman Novak made a Motion to approve the additional appropriation of \$26,702.30 from Riverboat Funds. Motion was supported by Councilman Kirkham and passed on a vote of 5-0.

La Porte County Sheriff/Jail

Requests Permission to Spend
From Misdemeanant Fund

For Software Change Intercom Station/Crossover Door \$1,840.00

Councilman Novak made a Motion to approve the request for \$1,840.00 from the Misdemeanant Fund and Councilman Sullivan supported. Motion passed 5-0.

La Porte County Surveyor

Permission to Spend

From Corner Perpetuation (1202)

For Equipment, Supplies and Service Contract Not to Exceed \$30,000.00

This is an annual request and is down from the previous year.

A Motion was made by Councilman Novak and supported by Councilman Kirkham to approve an amount not to exceed \$30,000 from the Corner Perpetuation Fund (1202). Motion passed 5-0.

La Porte County Adult Probation

Requesting Permission to Spend

From Probation User Fees (2102)

For Two (2) Samsung Monitors

\$958.00

For Two Surface Computers, Peripherals and Software

\$3,703.52

Councilman Yagelski made a Motion to approve the \$958 for the monitors and \$3,703.52 for the computers, peripherals and software from Probation User Fees. The Motion was supported by Councilman Sullivan and passed 5-0.

Councilman Novak asked that Mr. Eyrick give the Council an updated list of computers in his Department.

La Porte County Commissioners

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

for New Hire/Full-Time Economic Development Coordinator

\$27,000.00

for Operating Funds for Economic Development

\$100,000.00

County Attorney Doug Biege representing the Board of Commissioners approached the Council to ask for the above appropriation. He explained that the Commissioners are taking a new approach to Economic Development this year. They would like to hire a full-time person to be in the office daily to answer and field calls and represent the County in Economic Development issues. They are requesting \$25,000 for this purpose. They are also looking at hiring a Consultant for Economic Development and intend to bring a proposal to the Council in the near future. The Commissioners are very much interested in working together with the Council on this. He asked that the Council approve 6 months' salary and if necessary hold a Workshop within 6 months to discuss this further.

Councilman Novak made a Motion to hire a full-time person for Economic Development for 6 months at \$15,000 and fund the Office of Economic Development with an appropriation of \$50,000 with the condition that the Commission and Council come together to discuss future plans. Both appropriations will be

renewable upon the 6-month review. Funds to be taken from the Riverboat Fund (1191). Councilman Kirkham supported the Motion that passed 4–1 with Councilman Yagelski voting nay.

A Workshop will be scheduled in the future.

La Porte County EMS

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
for Report Writing Software and Tablets

\$66,000.00

Director of EMS, Andrew McGuire approached the Council and explained the need for the upgrade. A discussion took place.

A Motion was made by Councilman Sullivan and supported by Councilman Novak to approve the \$66,000 for State mandated software and tablets. Motion passed 5–0.

La Porte County Highway Department

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
for Eight (8) Side Mount and Two (2) Boom Mowers

\$832,838.00

Bob Young, Highway Superintendent explained the request for mowers. A discussion amongst Council Members took place.

On a Motion made by Councilman Novak and supported by Councilman Yagelski, the Council approved the purchase of 5 side mowers and 1 boom mower from Riverboat Funds (1191). Motion passed 5–0.

La Porte County Public Defender

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
for Salary Increases

\$167,025.00

Craig Braje, director of the Public Defender program in La Porte County approached the Council to ask for the additional appropriation for parity in the Public Defender salaries in comparison to Deputy Prosecutors. He reminded the Council that Public Defenders are reimbursed at 40% back to the County. A discussion took place.

Judge Thorne joined in the discussion and gave his opinion on the request and said he felt there would be an increase in Public Defender requests in the future and that he supported the request.

A Motion to accept the request for \$167,025 from the Riverboat Fund was made by Councilman Yagelski and supported by Councilman Novak. Motion passed 5–0.

Swanson Center

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
for Growth Quotient Increase of 3.8%

Auditor Winski spoke to the request and explained that the correct growth quotient was not used but should have been.

A Motion was made by Councilman Sullivan and supported by Councilman Kirkham to correct the allocation (\$23,535) for the Swanson Center to bring it into compliance with the 3.8% growth quotient for 2017. Motion passed 4-0 with Councilman Yagelski abstaining as he is on the Board.

COUNTY COUNCIL/ATTORNEY COMMENTS

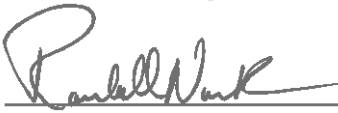
Councilman Kirkham asked that Attorney Friedman look into the possibility of the County EMS doing transfers as the private companies do. *

ADJOURNMENT

Meeting was adjourned at 9:07 p.m.

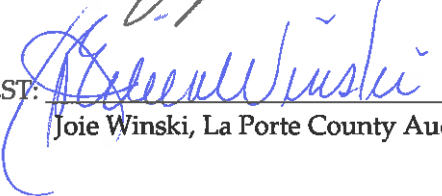
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 27th day of March, 2017.

Councilman Terry Garner


Vice-President Randy Novak


N/A
Councilman Mike Mollenhauer


Councilman Mark Yagelski

ATTEST: 
Joie Winski, La Porte County Auditor


Councilman Cary Kirkham


President Jeff Santana


Councilman John Sullivan