



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

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

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on May 30, 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 Jeff Santana called the Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

President Santana asked everyone to stand for the Pledge of Allegiance. President Santana asked that everyone, except emergency personnel, to please turn off their cell phones at this time. He asked that attendees remain standing for a moment of silence in memory of Dan Bollinger and all fallen veterans who died for our freedom.

ROLL CALL

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

APPROVAL OF THE MAY 30, 2017 AGENDA

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

APPROVAL OF THE APRIL 24, 2017 REGULAR MEETING MINUTES

A Motion was made by Councilman Sullivan and seconded by Councilman Mollenhauer to approve. Motion carried 7-0.

PUBLIC COMMENT

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

Mr. Metheny asked that the Council deny approval of funds to St. Anthony's/Franciscan Alliance. He reminded the Council that he is speaking as a public citizen of the County. He asked the Council to find

out the cost of County permits versus Michigan City permits. He expressed his disappointment that a private ambulance company is being used at St. Anthony's instead of the County's EMS. He also believes the cost of building the new hospital would have been less if it had been built in Michigan City. He continued and expressed his dismay over the services provided to non-profit organizations. Councilman Novak stated that a user fee concept is being considered in Michigan City. Mr. Metheny agrees with the fair board idea brought up at the previous Meetings, but would like to see the non-profits pay their fair share.

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

DEPARTMENT HEAD REPORTS

Joie Winski, La Porte County Auditor

Auditor Winski announced that Chief Deputy Andrea Smith will be leaving to take another position in Michigan City. She then introduced Kristie Deckard as her new Chief Deputy, who has been with the Auditor's Office for approximately 7 years. She stated that although Chief Deputy Smith will be deeply missed, she is confident Ms. Deckard will do a great job.

Auditor Winski explained that this occurrence has left an open position in the Auditor's Office, she requested permission to hire someone to fill it. She added that Kristie's position is a COMOT V, but she may hire someone at a lower rate. She also stated that she has two open positions since Lisa Parrett Hock was never replaced, but is only looking to fill one at this time.

A Motion to approve the COMOT V position with the possibility of lowering it to a COMOT IV was made by Councilman Yagelski and seconded by Councilman Novak. Motion carried 7-0.

Robert Young, Superintendent, La Porte County Highway Department

Mr. Young explained that he recently received the resignation from one of his employees in the Hanna District. Since June 7th will be the employee's last day, Mr. Young requested permission to hire a replacement.

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

Richard Mrozinski, President, La Porte County Commissioners

He began by thanking President Santana for recognizing the fallen veterans. He stated that people may not agree with all aspects of the hospital construction, but believes it will be a magnet for development. He added that there has been sufficient discussion on the double track, but believes it will be a legacy for the Council and Commissioners and bring more people, a bigger tax base, and will put La Porte County on the map.

George Watkins, La Porte County Veterans' Service Officer

Mr. Watkins gave a reminder that there is a ceremony at 2:00 p.m. on Saturday at the Walkway of Honor at Soldier's Memorial Park. He would like to see more bricks there but there are more than 1,500 bricks laid. However, there are over 10,000 veterans in the County, so he asked that more veterans submit their applications. For next year's presentation, the applications are due January 1, 2018. Applications are available at the Mayor's Office, all Veterans' organizations in the County, and at the Veterans' Service Office at 555 Michigan Avenue, Suite 105.

Councilman Kirkham inquired into the status of Mr. Watkins' replacement. Mr. Watkins explained that a person has been hired and will soon be completing training with the DAV and the Department of Veterans' Affairs. He added that beginning June 16th, a Veterans' Service Office will be open every Friday in Michigan City so veterans in that area do not have to travel to La Porte County when they need assistance. Additional days may be added if necessary.

Councilman Garner stated that he believed Mr. Watkins' replacement was to full take over as of June 2017. Mr. Watkins explained that clearly informed the Commissioners his last day would be December 29, 2017. Councilman Garner stated that Mr. Watkins' department in in the red, and Mr. Watkins replied that he doesn't have a budget and to talk to his superiors.

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

LIAISON REPORTS

Councilman Garner stated he met with Councilmen Santana and Novak at the Auditor's Office.

Councilman Mollenhauer attended the General Assembly Legislative Update in Plymouth presented by the AIC. On May 8th, he met with Michael Nolan, President and CEO of South Shore Railroad for an update on the double track. On May 11th, he attended the Sheriff's Merit Board and Pension Board Meeting. On May 17th, he attended the La Porte County Government Quarterly Review Meeting with Anthem for an Employee Performance report. On May 18th and May 30th, he met with the Job Evaluation Meeting, with recommendations and/or changes forthcoming during the budget hearings. May 31st, he will be attending the INDOT office to attend the Community Crossing grant update meeting.

Councilman Yagelski stated his updates are addressed during tonight's Meeting.

Councilman Kirkham said he was at the Animal Shelter today and that the lobby construction is completed and is working well. There is also an Animal Shelter Meeting on May 31st at 4:00 p.m. The Government Affairs' breakfast is on June 9th at Christos. Issues/requests relating to the Park Department and Coroner will be addressed at tonight's Meeting.

Councilman Sullivan had no updates.

Councilman Novak attended the Problem-Solving Court and EMS events and said they were fantastic events and commended those who received awards. He was appointed to the Rail Board at the Redevelopment Commission which will oversee the railroad at KIP. He also attended a fundraiser at Dunebrook where Prosecutor Espar received the Les Radke Award for his work with child abuse, specifically the ICAC unit.

President Santana stated EMS Ordinance 2017-4 is up for second and final reading tonight and looks forward to passage of it. He said that the EMA trailer that was purchased with a grant has been received is being made available to all first responder department heads. It can act as a warming and cooling station during any incidents. The District Hospital Group has committed to upgrading and repairing all EMA audio and visual equipment in Michigan City. He also met with Richard Gramarossa of Building Maintenance who insured the quick repair of a damaged gutter at the County Home. He thanked Bob Young and his staff for their efficient work over the years. He added that he received a complaint in the Otis area and asked that it be addressed.

NEW BUSINESS

Jeremy Sobecki, Park Superintendent – Land and Water Conservation Grant and Improvements to Luhr Park

Mr. Sobecki explained that this is a 50% matched, federally funded grant and the Indiana DNR decides who receives the money. There is a 15-acre piece of property already owned by the Park Foundation which they are willing to donate as part of the 50% match. The improvements would be an additional ½ mile of paved trail, a new picnic shelter, parking lot improvements, additional restrooms, and other smaller items. The grant is \$400,000.00, \$200,000.00 of which is the match. He said he has \$65,000.00 for the land and an additional \$50,000.00 from the Park foundation; \$5,000.00 from in-kind labor from the Park Department; and \$10,150.00 from non-reverting capital fund from tree sales which equals approximately \$130,000.00. The grant must be submitted by May 31st and if it is received, construction will begin in the fall. He is not asking for any money now and hopes to attain the balance through alternative sources.

OLD BUSINESS

Reconsider Additional Appropriation for Bridge No. 186 (Fund 1171) and Repairs to 13 Bridges (Fund 1135)

Attorney Friedman explained that a Council member who was on the prevailing side of the vote can place a Motion to reconsider at the next ensuing meeting.

Councilman Yagelski explained that the Bridge is currently at a 65 rating and when it gets to a rating of 50, the federal government will pay for ½ of its repair. He added that repairs had been done 8 to 9 years ago, and the bridge has been determined to be structurally sound so he is asking that the funds previously approved be withdrawn. Regarding Fund 1135, he explained that none of these Bridges are in an emergency state so he would like to bring these two items back to the table and defund the projects. Councilman Yagelski affirmed that the highest bridge rating would be 100 and will give information on bridge locations to the Council.

A Motion to reopen this item to withdraw the previously approved funds was made by Councilman Garner and seconded by Councilman Novak. Councilman Yagelski stated that Structure Point is a good firm, but Councilman Kirkham asked if the information requested from them by the Council has ever been received. Auditor Winski replied yes, that there has been a committee meeting with them and an update will be given to the County on June 12th.

Motion carried 7-0.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2017-4 Second and Final Reading Establishing EMS Public Outreach and Community Non-Reverting Fund

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

Ordinance No. 2017-5 First Reading of the La Porte County Council Amending the Composition of the Job Evaluation Committee

A Motion to read by title only was made by Councilman Yagelski and seconded by Councilman Kirkham. Auditor Winski read the ordinance by title only, *"This is Ordinance 2017-5 of the La Porte County Council amending the composition of the Job Evaluation Committee."*

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Garner.

Councilman Mollenhauer asked why this amendment was being addressed at this Meeting. Attorney Friedman replied that it was determined that it was necessary that this committee be comprised of diverse group that included members from both the County Council and County Commissioners. Councilman Mollenhauer stated that he feels the committee is running efficiently so was confused as to why it needed to be amended. Attorney Friedman explained that the purpose was to diversify the members on the committee. He also commended the Council and Commissioners on the non-partisan way this has been handled.

President Santana added that through the process of determining appointments to the committee, things were learned and, therefore, adjustments needed to be made. Attorney Friedman stated that in this ordinance approval of committee appointments must be approved by the majority. Councilman Yagelski said he believes that per Robert's Rules of Order, the President has ultimate authority. Councilman Novak stated that the terms of the ordinance will determine how appointments are approved. Attorney Friedman added that in the absence of statute or ordinance, Robert's Rules would govern, however when the ordinance is passed, it will trump the Robert's Rules on appointment designation.

Motion carried 7-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Adult Probation

Requesting Permission to Hire
for COMOT V

Steve Eyrick stated that the Probation Secretary in the La Porte Office is resigning so there will be an open position.

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

Mr. Eyrick added that he needs permission to spend out of Probation, not to exceed \$1,900.00, for a laptop for Magistrate Gettinger. She needs access to the docket when she is away from Court.

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 7-0.

La Porte County Park Department
Requesting Permission to Hire
for Maintenance Foreman Position

Jeremy Sobecki stated that the person previously in this position has left and it is an LTC III position.

A Motion to approve was made by Councilman Garner and seconded by Councilman Mollenhauer.

President Santana confirmed that the hiring process would run through HR. Motion carried 7-0.

La Porte County Circuit Court
Requesting Permission to Transfer
from 1000-30074-000-0148 to 1000-10211-000-0148
for Salary Increase

\$3,500.00

Judge Alevizos explained it is not salary increase but must be presented this way for IRS purposes. Because CHINS (Children in Need of Services) cases have increased, the grant money has been depleted so money needs to be spent out of this account for the salary of one of the facilitators. This facilitator does work that exceeds the 37.5 hours at the County and because of IRS requirements, this additional money must be put into his wages.

Councilman Yagelski asked what a new employee would be paid if this person left his position. Judge Alevizos replied that it would be at the same amount as the current employee. He added that a new employee may or may not do the additional work over the 37.5 hours.

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

Judge Alevizos added that he wanted to echo the comments made regarding Joyce Leon and Barb Mossman. He stated that they have done great work and he is grateful for all the assistance he has received from them over the years.

La Porte Sheriff's Department
Requesting Permission to Spend
from Accident Reports (1101)
for Laptop Computer for Accident Reconstruction

\$1,335.71

Chief Deputy Ron Heeg explained that this has been reviewed by Darlene Hale, is specifically designed for the designated use, and has Auditor approval for use out of this specific fund.

A Motion to approve was made by Councilman Sullivan and seconded by Councilman Kirkham. Motion carried 7-0.

La Porte County Sheriff's Department
Requesting Permission to Spend
from Commissary Account
for Replacement and Upgrade of Email Server

\$24,851.84

Mr. Heeg explained that the email server is 10 years old and has failed several times this year. Councilman Yagelski said that previously, the Sheriff's Department IT person serviced the email server but this request will bring in an outside servicing agent. He continued that this request will generate a yearly additional appropriation. Mr. Heeg said that the IT issue would need to be addressed by the Council. However, this request was researched and reviewed by Darlene Hal and it was determined it was the best choice.

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

Councilman Garner repeated that Sheriff's Department will be required to come before the Council to request the yearly \$14,000.00 maintenance fee. Mr. Heeg said that the request will most likely be out of the Commissary Fund.

Darlene Hale said the server will not only cover email but other applications.

Motion carried 6-1, with Councilman Garner voting Nay.

La Porte County Sheriff's Department

Requesting an Additional Appropriation
from Riverboat (1191) or Win Tax (4220)
for Inmate Food

\$210,000.00

Mr. Heeg said this is a yearly request. Councilman Novak asked if Mr. Heeg anticipates coming back to the Council for additional money. Mr. Heeg replied that he believes he will, but the inmate population is down right now so if it stays low, an additional request may not be necessary.

A Motion to approve from Riverboat (1191) was made by Councilman Garner and seconded by Councilman Sullivan. Motion carried 7-0.

La Porte County IT Department

Requesting Permission to Spend
from Riverboat (1191), Win Tax (4220) or CAGIT (1135)
for Replacement and Upgrade of Two Servers

Not to Exceed
\$30,000.00

These servers will provide the ability to upgrade approximately 10 servers. This request also includes the cost for last week's expense incurred because of the virus.

A Motion to approve from CAGIT (1135) was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Motion carried 7-0.

La Porte County Coroner

Requesting an Additional Appropriation
from Riverboat (1191) or Win Tax (4220)
for Autopsies

\$75,000.00

Coroner Cutler insured that all Council members had received his information. Councilman Novak asked if the reimbursement of autopsies from the DOC was reflected in the paperwork. Coroner Cutler explained that if a prisoner dies in a state institution, the autopsy is paid for through Indiana State Prison; the bill is submitted to them. Currently, \$5,500.00 has been received for two autopsies.

Councilman Sullivan asked requested the amount of the original budget. Coroner Cutler believed it to be \$75,000.00. Councilman Yagelski stated that he understands Mr. Cutler is new to the position, but it is vital to work within the approved budget. He feels strongly that budgets should not be indiscriminately changed.

Councilman Garner asked what changes occurred that affected the budget. Coroner Cutler explained he is not changing the policy of completing autopsies on people over 50. However, if that same person died under suspicious circumstances, an autopsy will be done.

Councilman Kirkham asked if the policy on autopsies needs to be amended. Councilman Yagelski stated if there is currently money for a budget item, there should not be an additional request until the money is depleted.

Auditor Winski explained that there was over \$40,000.00 of bills from the previous year that had to be paid by this Coroner. Councilman Yagelski stated that occurs yearly. Coroner Cutler said he continues to receive delinquent bills that must be paid. He continued that ½ of his autopsy budget was diminished by February before he completed one autopsy. Auditor Winski added that the original budget was \$75,000.00 but money was transferred to different Coroner's Office funds as needed.

A Motion to approve \$30,000.00 from Win Tax (4220) was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 6-1, with Councilman Garner voting Nay.

La Porte County Coroner

Requesting an Additional Appropriation
from Riverboat (1191) or Win Tax (4220)
for Toxicology Lab

\$20,000.00

Councilman Yagelski stated there is currently \$3,000.00 in this account, but Coroner Cutler said that since he submitted this information 15 days ago, that money has been used.

A Motion to approve \$10,000.00 from Win Tax (4220) was made by Councilman Novak and seconded by Councilman Mollenhauer. Motion carried 6-1, with Councilman Kirkham voting Nay.

La Porte County Coroner

Requesting an Additional Appropriation
from Riverboat (1191) or Win Tax (4220)
for Professional Services

\$10,000.00

Coroner Cutler explained this request is for the independent Deputy Coroners that are hired who are not salaried. He continued that the number of calls have increased, especially those that are drug related.

A Motion to approve \$10,000.00 from Win Tax (4220) was made by Councilman Garner and seconded by Councilman Kirkham. Motion carried 6-1, with Councilman Yagelski voting Nay.

La Porte County Coroner

Requesting an Additional Appropriation
from Riverboat (1191) or Win Tax (4220)
for Uniform Budget

\$300.00

A Motion to approve from Win Tax (4220) was made by Councilman Mollenhauer and seconded by Councilman Garner.

Councilman Yagelski expressed his concern over not staying with the allotted budget. Coroner Cutler explained that the original budget was for \$250.00 for 15 employees and additional money is needed. He added that he will also receive a discount if all shirts are ordered at the same time.

Motion carried 6-1, with Councilman Yagelski voting Nay.

Coroner Cutler stated that because of the increase in drug use, the toxicology needs have also increased. It is also necessary to know what drugs are being used. The cost of each report is between \$350.00 to \$800.00. In addition to because of the number of synthetic drugs, the samples must be sent out instead of being done locally.

Attorney Friedman discussed the idea of implementing a toxicology lab within the County to avoid contracting with others. The spike in drug overdoses has increased that this is something that should be considered. Coroner Cutler said that he has contacted St. Joseph County and their attorney will be sending a draft of a plan for the Counties to work together.

La Porte County

Requesting an Additional Appropriation
from Major Bridge (1171)
from Emergency Reserve (1186)
for Double Track Project

\$5,000,000.00
\$1,200,000.00
\$6,200,000.00

Attorney Friedman noted that a minor change was made to resolution 2017-5.1, in section 2, to clarify it is the special LIT distribution and not the LOIT distribution.

A Motion to approve \$5,000,000.00 from Major Bridge (1171) and \$1,083,333.33 from Emergency Reserve (1186) was made by Councilman Yagelski and seconded by Councilman Novak. Motion carried 7-0.

A Motion to read 2017-5.1 by title only was made by Councilman Yagelski and seconded by Councilman Novak. Auditor Winski read, "A resolution of the La Porte County Council making La Porte County a financial participant in the Northern Indiana Commuter Transportation District's main line double tracking project."

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

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Kirkham discussed that businesses that may come to the County because of the new hospital. However, he also said that Franciscan Alliance or IU Health often take over these health businesses but because they are non-profit, additional money would not be received by the County.

Councilman Yagelski stated that he did not appreciate the comments made at the Commissioners' Meeting and one governing body should not publicly criticize another. President Santana added that the Council is always approachable.

Councilman Garner said that members of the Council are not voted in by only people in one specific group, but the constituents of the entire County, and if everyone doesn't work together, the County will suffer.

Councilman Novak thanked Chief Deputy Andrea Smith for all the dedication and hard work she gave to the County and wished her luck in her new position. He also welcomed Kristie Deckard as the new Chief Deputy. Councilman Novak also congratulated Chief Deputy Sheriff Ron Heeg for participating in the *Dancing Like a Star* event. Mr. Heeg stated that over \$71,000.00 was raised for the YMCA and he was proud to be a part of it.

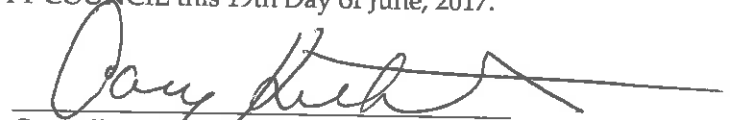
President Santana stated he will miss Chief Deputy Smith because she was an incredible resource and he had many memorable dialogues with her. He also welcomed Kristie Deckard and said she should expect to receive many calls from him. He reminded everyone that the next Meeting is June 19th and the next workshop is with Purdue Extension. Auditor Winski said she would send out information on it. The Redevelopment Commission Meeting will be July 24th. It was decided that the Salary Workshop will be done on the same day at 5:00 p.m., with the RDC Workshop at 6:00 p.m.


ADJOURNMENT


A Motion was made by Councilman Kirkham and seconded by Councilman Yagelski to adjourn the Meeting. Motion passed 6-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 19th Day of June, 2017.

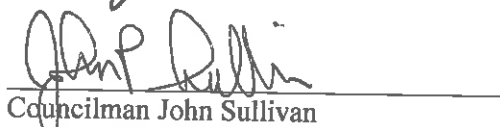

Councilman Terry Garner


Councilman Cary Kirkham


Councilman Mike Mollenhauer


Councilman Randy Novak


President Jeff Santana


Councilman John Sullivan


Councilman Mark Yagelski

ATTEST: 
Joie Winski, La Porte County Auditor