



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

**MINUTES  
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL  
AUGUST 27, 2018 AT 6:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Regular Meeting of the La Porte County Council was held on August 27, 2018 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 Randy Novak called the Meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

President Novak asked everyone to stand for the Pledge of Allegiance. President Novak asked that everyone, except emergency personnel, to please turn off their cell phones at this time. He also asked that everyone stay standing for a moment of silence in respect for Sylvester Yagelski (father of Councilman Yagelski), Joe Fragomeni (Structurepoint), and Senator John McCain, who all recently passed away.

**ROLL CALL**

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

**APPROVAL OF AUGUST 27, 2018 AGENDA**

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

**APPROVAL OF THE JULY 23, 2018 REGULAR MEETING MINUTES**

President Novak said there was a correction on page 3 of the minutes to change Criminal Rule 16 to Criminal Rule 26. A motion to approve with the correction was made by Councilman Mollenhauer and seconded by Councilman Sullivan. Motion carried 7-0.

**PUBLIC COMMENT**

*Ron Miller, 3033 Woodrow Avenue, Michigan City, IN 46360*

Mr. Miller expressed his disappointment in the manner in which an elected official and a department head were treated by the County Council. He continued to say that some of the events that occurred at the last Council meeting were unwarranted. He said he is a veteran who served in the Army and is saddened that the veterans are caught in the middle of this issue. He feels passionately that there should be a full-time VSO in Michigan City. If a person put his or her life on the line to serve this Country, the County should be doing all it can to insure that all veterans are receiving their benefits. Mr. Miller has even had two recent

personal experiences with veterans' spouses who were unaware of the Veteran's Service office and were able to receive assistance from the VSO for their individual needs. He noted that there are not only veterans in La Porte County that need assistance, but also members of their family. He added that the process of getting assistance from the Veterans' Administration can be daunting and take a long period of time. He confirmed that Porter County has a Veterans' Service office that has a staff of four people. He hopes that the Council will reconsider its vote and show support for the veterans of La Porte County.

*Bruce Baker, 224 Whispering Blvd, La Porte, IN 46350*

Mr. Baker is the Senior Vice-Commandant for the Michiana Marine Corps League #1348. After previously speaking before the Council on this issue, he is back again to ask that the Council to consider the needs of the veterans in La Porte County. He said that the process to secure disability benefits from the VA is an arduous process and, for him, took approximately three years and 15 to 20 visits to the Veterans' Service Office in St. Joseph County. He said the bureaucracy in the Veterans' Administration is extremely challenging and that veterans need guidance and assistance from the VSO to progress forward in obtaining benefits.

*Lisa Pierzakowski, Center Township Trustee*

Ms. Pierzakowski was in Racine Wisconsin recently where she visited a small village of veterans. The VSO checks in at the village at least once a month to assist the veterans. She shared a recent experience where a man had died alone in his apartment who she later learned was a veteran with mental health issues. She stated that her desire is to see a VSO go out into the communities and shelters to increase awareness of services available to veterans. She feels that the County is letting its veterans down if more services are not provided to them.

*Connie Gramarossa, La Porte County Commissioner*

As a daughter of a Vietnam veteran, Commissioner Gramarossa has spoken to members of the Council regarding the VSO. She believes that that the Council cares about the veterans of La Porte County, so she thanked them in advance because she knows they are going to do the right thing.

*David Biela, 3044 Ohio Street, Michigan City, IN 46360*

Mr. Biela explained that he has been a recipient of the assistance from a VSO and feels it would be very difficult to navigate the systems without help. He added that he understands that the VA in Indianapolis will only speak to a representative and not a layperson and finds it incomprehensible that one person could take care of all of the veterans in La Porte County

Hearing or seeing no additional public for comment, President Novak closed Public Comment.

## **DEPARTMENT HEAD REPORTS**

*Darlene Hale, La Porte County IT Director*

Ms. Hale gave a demonstration of the Franklin Street Bridge cameras and what the bridge tender is able to see. She added they have a pan/tilt/zoom to adjust their view. President Novak said he would like to speak with her further on the subject.

*Bob Cutler, La Porte County Coroner*

Mr. Cutler explained that he attended a conference which focused on synthetic drugs and the difficulty in detection of these drugs. In addition, the Coroner's office is now charging for autopsy, coroner, and toxicology reports. There is no charge to the family of a decedent, but if an outside party requests one of these reports, it is charged. The money collected goes into the General Fund and several hundred dollars

have been deposited to date. Lastly, all of the deputies are now trained with and carry Narcan at all times. He added that there is no cost for the Narcan due to a grant through the Health Department.

*Jeremy Sobecki, La Porte County Parks Department Superintendent*

Mr. Sobecki said his department recently received a donation of 15 acres of land from the Park Foundation at Luhr County Park. It will be part of the match for the grant that was just received. In addition to that, a \$70,000.00 donation from the Healthcare Foundation will assist with paying for the trails, shelter house, parking lots, and a restroom. Luhr County Park will now be 89 acres. September 22<sup>nd</sup> and 23<sup>rd</sup> will be the annual Pioneer Days event at Creek Ridge County Park from 10:00 a.m. to 4:00 p.m. each day. The cost is \$1.00 for seniors and kids and \$2.00 for adults.

Hearing or seeing no additional department heads, President Novak closed Department Head Reports.

## **LIAISON REPORTS**

Councilman Garner spoke with the Sheriff and said the inmate population is at capacity. He said some decisions on meals, overtime, and additional officers have to be made by the Council. He also spoke to the MS4 Coordinator who is also on the agenda this evening.

Councilman Mollenhauer attended an Open House at Arconic on August 1<sup>st</sup>. It was regarding the production and involvement for the government fighter jet F-35 Lightning II. He was also briefed on a quarterly health insurance meeting by Barb Mossman who stated that costs are slightly over budget at this time but hopes it will level off. He acknowledged the passing of Mel Shinn who was a major in the La Porte County Sheriff's Office with service of 25 years.

Councilman Kirkham said Purdue Extension is having some grant writing classes over at the NIRPSC building. He also attended last week's NIRPC meeting.

Councilman Santana said on August 21<sup>st</sup>, he visited Paladin and met with Bill Trowbridge. He said he's been updating the Council with the bathroom renovations being done there. He said they are also considering some additional improvements.

President Novak said he attended a meeting in Michigan City on August 1<sup>st</sup>, hosted by Economic Development, where site selectors were brought into the community. The Economic development team was there and a lot of information was learned. In August, there was a Criminal Rule 26 meeting that focuses on the restructuring of bonding after arrest. On August 22<sup>nd</sup>, he attended a Rail Committee and RDS meeting and on August 23<sup>rd</sup>, he attended a JDAI meeting. Some of his other liaisons are also on the meeting's agenda.

## **NEW BUSINESS**

### **1. Sheriff – Addendum to Pension Plan/3-Year Drop to a 5-Year Drop Program**

Sheriff Boyd explained that Drop is a Deferred Retirement Option Program which his office would like to change from a 3- to 5-year Drop. He said approval is required by the Sheriff, the Sheriff's Merit Commission, and the County Council of which he has already received approval by the Sheriff and the Merit Commission. Mr. Chris Dिल्ts distributed information to the Council. He explained that when the program was adopted by the Sheriff's Office approximately 13 years ago, a 5-year Drop was not available. It is now and most entities have changed to the 5-year Drop. He said none of the Drop language has been changed and that upon approval, an amendment would be requested and provided for signature. He

added that a person who has already signed up for a 3-year Drop is locked in and cannot change to a 5-year Drop. Councilman Yagelski said that the change in Drop does affect funding. There was a discussion between Councilman Yagelski and Mr. Dilts regarding the funding and it was agreed that because it is a positive cash flow, they are not short. Mr. Dilts added funding earlier in the year will always make the following year's contribution less than it would have been if it was funded late.

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

**2. Consider a Motion of Support for an Additional Appropriation of \$97,000.00 (to be appropriated at the September 24, 2018 Meeting) for Paving of the Juvenile Center Parking Lot**

Auditor Winski stated she attended a JDAI meeting where it was noted, per a survey/study, that the parking lot is in terrible condition. The current bid is \$97,000.00, so Auditor Winski is asking the Council to approve this tonight so it can be advertised and completed before weather declines. Councilman Yagelski asked if it includes the additional parking lot, but Auditor Winski replied it does not and that would be an additional \$67,000.00. Councilman Kirkham asked from which fund this is coming. Auditor Winski asked that it be approved and advertised but it could be taken from Riverboat, Win Tax, or CCD. Councilman Yagelski added that this price reflects it being the end of the year and it is lower than it would be at the beginning of the year.

A motion of support for \$97,000.00 was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 7-0.

**OLD BUSINESS**

**Consider La Porte County Prosecutor's Request for Permission to Transfer \$67,072.00 from the Unappropriated Pretrial Diversion/Deferral Account (2500-20200-000-0327) to the Victim Advocate Account (1000-10138-000-0550) for the 20% Match for the Victim Advocate Grant (Re-Advertised from Pretrial Diversion/Deferral Fund (2500)**

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

Councilman Yagelski asked if there was any progress on the County Home. Ms. Pierzakowski said it hasn't been 60 days yet, but she is working as hard as possible to find a resolution.

**CORRESPONDENCE**

Auditor Winski read a letter from the Construction Advancement Foundation in reference to the Responsible Bidder Ordinances by local governments.

President Novak read a letter from the Town of Hanna, the Hanna Lions Club, and Hanna Fest thanking the crew at the Hanna Highway Barn and Rick Webb for their assistance in making Hanna Fest a success.

**ORDINANCES AND RESOLUTIONS**

**Additional Appropriation Ordinance in Excess of the Budget for La Porte County Library in the Amount of \$1,212,500.00 (Second Reading)**

Ms. Fonda Owens, La Porte County Library Director, updated the Council and reminded them about the project at 807 Indiana Avenue. The building was donated in 2016 and the Library would like to remodel/renovate it. She said the Library has the money in its budget and this is not a tax increase or bond

issue. She is only following the DLGF procedure for an additional appropriation for the Library. She also stated that she did follow the Council's request to speak with the Board of Trustees regarding a Responsible Bidder Ordinance and developing criteria. There was a presentation at the last board meeting where a packet and draft resolution sample was given. Ms. Owens said she was directed by the Board to begin work on establishing procedures/policies for criteria for responsible bidding, so she will be working on it.

Councilman Yagelski asked if the Board made a finding, but Ms. Owens said that because of the timing of the meeting, they were only informed last Thursday. Councilman Yagelski asked for the Board's feedback and Ms. Owens said they are taking this issue seriously and they want to have transparency.

A motion to table until the next Council meeting was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 5-2, with Councilmen Garner and Kirkham voting Nay.

**APPROPRIATIONS, TRANSFERS, REQUESTS**

**La Porte County Sheriff's Department  
Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For Merit Overtime</b>	<b>\$ 60,000.00</b>
<b>For Food for Jail</b>	<b><u>\$210,000.00</u></b>
<b>Total</b>	<b><u>\$270,000.00</u></b>

Sheriff Boyd explained the need for additional overtime. He added that some transports by the Sheriff instead of ambulance are necessary because the individuals are so combative. However, these transports have decreased. Chief Deputy Heeg stated that he is coming before the Council earlier than usual this year regarding the food because the inmate population is so high; last year the highest was 339 and this year has been 394. However, they are still serving the inmates at \$1.19 per meal which is \$.02 below the state guideline.

Councilman Garner asked from which fund this would come and Auditor Winski replied Win Tax.

Councilman Mollenhauer asked if the Weights officer had been hired and Sheriff Boyd replied he or she would be hired on Wednesday. Councilman Mollenhauer said that the Sheriff was already given \$32,000 toward this officer and said he wouldn't need that much because it is later in the year. Auditor Winski explained that the money is not put into the budget until the person is hired, and it is based on the amount needed at that time with the remainder staying in the general fund. Auditor Winski also said he doesn't have any additional money in his funds and has \$496.00 in his overtime fund. Councilman Mollenhauer asked if there is a shortage on a particular day, is a replacement immediately called. Sheriff Boyd replied only if it falls beneath the shift minimum. He added that District 3 and 4 are combined and only have one officer.

A motion to approve \$60,000.00 for Merit Overtime out of Win Tax (4220) was made by Councilman Mollenhauer and seconded by Councilman Santana. Motion carried 6-1, with Councilman Kirkham voting Nay.

Councilman Mollenhauer said \$630,000 for meals seems excessive and he is concerned that the Director of Food Services is not trying to get the best price for food and he believes the \$1.19 per meal is incorrect. He said when he was Sheriff and the jail was well over capacity, he never had to ask for that much additional

money. Sheriff Boyd said he spoke with the Director and she confirmed through research that it is in fact \$1.19 per meal. He added that every Sheriff since 1990 has had to come back and ask for additional money for food. He also said that bills from November and December of the previous year are continually paid in the following year. Councilman Mollenhauer said that has always happened. He said there must have been something wrong with outstanding bills and/or waste of food. He said that Sheriff Boyd nor he are down there, but Sheriff Boyd reported that he is down there more than Councilman Mollenhauer. Sheriff Boyd invited Councilman Mollenhauer to have a meal with him to and see it for himself. Councilman Mollenhauer said he wants to insure that Sheriff Boyd and Chief Deputy Heeg are doing as much as possible to minimize costs.

Councilman Yagelski said that comes to 1,450 meals per day and asked if that sounds feasible. Chief Deputy Heeg said it is possible because some meals also go to Community Corrections and the Work Release Center. President Novak said that at a JDAI meeting it was discussed having the Sheriff provide the meals for them, as long as they pick up the meals. Sheriff Boyd agreed that could be absorbed by his office.

A motion to approve \$210,000.00 out of Win Tax for food for jail was made by Councilman Yagelski and seconded by Councilman Sullivan. Motion carried 6-1, with Councilman Kirkham voting Nay.

**La Porte County Superior Court #1**

**Requesting an Additional Appropriation**

**From Riverboat (1191), Win Tax (4220), or General (1000)**

**For Medical/Evaluations**

**\$20,000.00**

Judge Bergerson was unable to attend the meeting, so Auditor Winski explained that this is for both Superior Court #1 and #2.

A motion to approve \$20,000.00 out of Riverboat was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 6-1, with Councilman Kirkham voting Nay.

**La Porte County Commissioners**

**Requesting an Additional Appropriation**

**From Riverboat (1191) or Win Tax (4220)**

**For Part-Time Account**

**\$2,800.00**

Commissioner Kora said he is here on behalf of the Commissioners to request \$2,800.00 for a part-time VSO for two days in Michigan City for the remainder of the year. He added that he knows the members of the Council care deeply for the welfare of the veterans and that they want to complete it in a cost-effective manner, which is appreciated. He knows it was not adopted previously due to reasons surrounding the retirement of Mr. Watkins. Because Mr. Watkins could not attend, he wrote a letter which Commissioner Kora shared with the Council. He then read it aloud, which included a formal apology for any miscommunication surrounding his retirement and continuing to work. Commissioner Kora said it is very difficult to navigate the healthcare systems but even more the VA system. He added it would be in honor of Senator John McCain to adopt this and appropriate the additional money.

Councilman Mollenhauer thanked Commissioner Kora and Mr. Watkins but stated the apology has not come from the correct person, namely Commissioner Mrozinski. He went on to explain the history of the

issue. He did thank the current VSOs for consistently giving the Council updated information. However, he continues to feel the Council was deceived.

Councilman Yagelski said the VSO was always meant to travel. He also said that if department heads are allowed to dictate and override budgetary amounts of money, there is no purpose for the County Council. He also discussed some of the history of this issue and stated Commissioner Mrozinski undermined the County Council. Commissioner Kora said he feels it is time to move beyond this and that interactions between the Council and Commissioners will improve going forward. Councilman Santana discussed the history of the voting on this issue. He also stated the responsibility for this problem lies solely on the shoulders of Commissioner Mrozinski. As far as Councilman Santana is concerned, this year is over and no additional money should be appropriated. He did say that it could be reevaluated at the 100 Budget Hearings. He also said that the Commissioners should direct Mr. Golec in how many days he should spend in La Porte and Michigan City.

Councilman Garner said he had spoken to Auditor Winski before Mr. Watkins came before the Council and it was determined that there was no money left. Therefore, the Commissioners previously transferred money to cover wages for Mr. Watkins. Councilman Garner said that is what the Commissioners should be looking at now.

Councilman Kirkham said the VSO is needed. Most of the veterans in La Porte County have been responsible taxpayers and this is owed to them. So much money in the County is spent on simple things like office supplies and computers, so this money should be spent on the veterans. He also said he would break tradition and approve this out of Riverboat.

President Novak recognized Attorney Friedman, but Councilman Santana objected saying he was not asked a question. Attorney Friedman said for the first time in many years, a former department head went on the record and made an apology for any misunderstanding. He wants it on record and he understands the misgivings of the Council, but it has been asked that it not affect the appropriation for the balance of the year.

Councilman Santana said he has not asked for any apologies and this is strictly a business issue. He said emotions have been involved, but he feels that one person can handle the load. He said he's sorry that the veterans have had to come because they've been "roused up," but he has made his decision based on the figures provided off of the computer and the amount of phone calls coming into the office. He agrees that the VSO needs to get out of the office and inform veterans in the County of services that are available.

Councilman Yagelski said an amount of money was set for this person and it is a violation to go against the Council rules and that's all there is to it. He asked that facts are not misconstrued. He reiterated that this was the decision of one Commissioner. He clarified that the money was given but the Commissioners decided to do something else with it, and now must live with that decision. Councilman Mollenhauer asked if there was any money left in their budget and Auditor Winski replied \$1,004.00.

A motion to approve \$2,800.00 out of Riverboat (1191) was made by Councilman Kirkham and seconded by Councilman Sullivan. Motion failed 3-4, with Councilmen Garner, Mollenhauer, Santana and Yagelski voting Nay.

Commissioner Kora thanked the Council for the consideration and said he understands the concerns with the function of the Council. He felt that this was an important issue and hoped the problems could be put aside, but will come again in the future to revisit it.

**La Porte County EMS**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For Fuel</b>	<b>\$ 22,000.00</b>
<b>For Overtime</b>	<b>\$ 56,000.00</b>
<b>For Part-Time</b>	<b>\$ 10,000.00</b>
<b>For Maintenance Contracts</b>	<b><u>\$ 32,172.00</u></b>
<b>Total</b>	<b>\$120,172.00</b>

EMS Administrator Andrew McGuire said he is asking for additional appropriations due to budget shortages (fuel, overtime, part-time) and maintenance contracts outside of his operating budget for which he comes back every year. The maintenance contracts are for cardiac monitors and report writing software.

A motion to approve \$120,172.00 out of Win Tax was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Councilman Yagelski inquired as to the additional fuel amount. Mr. McGuire said it is due to increased call volume which translates to the additional use of fuel. Councilman Yagelski also inquired as to why the maintenance contracts are not included in his budget, but Mr. McGuire said he was told not to include them but to come back before the Council to ask for them when necessary.

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

Councilman Kirkham asked if there is any movement on the La Porte base and Mr. McGuire said it is still in negotiations and a site has not yet been selected.

**La Porte County Parks Department**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For Fuel</b>	<b>\$3,000.00</b>
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A motion to approve out of Riverboat (1191) was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 6-1, with Councilman Kirkham voting Nay.

**La Porte County Coroner**

**Requesting an Additional Appropriation  
From Riverboat (1191) or Win Tax (4220)**

<b>For Toxicology Lab</b>	<b>\$5,100.00</b>
<b>For Professional Services</b>	<b><u>\$4,100.00</u></b>
<b>Total</b>	<b>\$9,200.00</b>

A motion to approve \$9,200.00 out of Riverboat (1191) was made by Councilman Sullivan and seconded by Councilman Yagelski. Motion carried 6-1, with Councilman Kirkham voting Nay.



**La Porte County Circuit Court**  
**Requesting Permission to Spend**  
**From Adult Probation User Fees (2102)**  
**For Computer for Circuit Court Magistrate** **\$855.53**

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

**La Porte County Plan Commission**  
**Requesting Permission to Transfer**  
**From Contractor Registration Fees (2067)**  
**For Missed Step Increase** **\$55.46**

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

**La Porte County MS4**  
**Requesting Permission to Transfer**  
**From Professional Services (1000-30135-000-0161)**  
**To Part-Time/Extra Hire (1000-101303-000-0161)** **\$2,000.00**

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

**La Porte County Planner**  
**Requesting an Additional Appropriation**  
**From Riverboat (1191) or Win Tax (4220)**  
**For Grant Reimbursement** **\$75,200.00**

A motion to approve \$75,200.00 out of Win Tax was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 6-1, with Councilman Kirkham voting Nay.

#### **COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Garner thanked Mitch Bishop and others who insured the sidewalks were taken care of in time for Hanna Fest.

Councilman Yagelski said there has been some misinformation regarding the EMS building. He said there was no knowledge the hospital would change its mind in the future. It was not a bad judgement by the Council or Commissioners, but a decision made by the hospital. Also, it has been reported that the Council agreed to the homeless shelter/village/center but it never came through the Council. He also gave heartfelt thanks for support given for his father.

Councilman Kirkham asked if there has been any update regarding the money coming back to the County from Rolling Prairie toward the loan they are supposed to be repaying. Attorney Friedman said the latest indication is that with the acquisition of the water & sewer plant and Rolling Prairie Phase 2, the board is looking to approve \$50,000.00 for a good will repayment installment, which will be coming to the Council

soon. In addition, a monthly payment based on the number of users will also begin and will increase as users increase.

Councilman Kirkham commented on Councilman Sullivan's situation and hopes that the County Clerk finds a judge to resolve the situation swiftly, regardless of its conclusion. He does not want it to be swept under the rug, as in the situation of a previous Council member who was caught selling drugs. He also expressed disappointment that he was told by the Attorney not to comment on this issue but read a comment by one of the Council members in the newspaper. Attorney Friedman clarified that it actually pertained to the Council as a whole making a comment, but not to individual Council members who are personally able to comment.

Councilman Santana said the Council didn't receive their packets until Friday and said he didn't know about the Workshop until then. He asked that if they could be informed as soon as it's advertised and Auditor Winski replied affirmatively. He also asked what the Rail Construction Committee consists of and when it was formed. President Novak said that when the County took over the rail in KIP, the Redevelopment Commission was charged with that facility. A Rail Committee was formed by the Redevelopment Commission. Attorney Friedman said they are all public meetings and are held just before the regular Redevelopment Commission meeting. He also updated the Council on the acquisition by the Redevelopment Commission of the 16 acres underlying the County Rail spur. The Redevelopment Commission now has all of the rail access which will enhance development in that area.

Councilman Mollenhauer stated that before he made his comment in the newspaper, he did check with the Attorney who told him he could make the comment.

Councilman Yagelski said he does not defend Councilman Bernacchi who had a court hearing in La Porte County for the charges against him. However, as Council president, he spent numerous hours speaking with people about it, but was emphatic that nothing was swept under the rug.

Councilman Yagelski said he has read past minutes regarding Rolling Prairie and feels that \$50,000.00 is not a good faith payment. He said payments were not made and he would like to know what happened to the payments and the location of the money. Attorney Friedman said the terms of repayment are vague which is causing a problem. Councilman Yagelski said the minutes from the meetings clearly state that every hook up will have a fee to be paid back to the County. Attorney Friedman agreed and said both Auditor Winski and his office has communicated to the Board that some type of payment has to be made. It is his understanding that the Board has or will be approving some payment toward the arrears. President Novak said that a payment based on the hook ups is minimal because there are not many hooked up. Councilman Yagelski said they signed an agreement and have to make their payments. He added he is not satisfied with the \$50,000.00 payment. He would either like to oppose the \$50,000.00 payment or schedule a special meeting. Attorney Friedman said Representative Pressel was approached to try to get a restructuring of this deal through the Indiana Finance Authority, but they would not budge. Councilman Yagelski said this is not a windfall project, but a reimbursement of County money that was supposed to be paid back for other future projects. Attorney Friedman said they have limited resources, but Councilman Yagelski said they signed up for it and they didn't have to do it. Attorney Friedman said they have been told that this is a loan and a payment plan must be developed. President Novak said there is talk about a similar agreement with a guarantee to pay back, but he is now concerned to support another sewer project because the first one has not made an attempt to pay back its loan. Attorney Friedman said the agreement was written with loose language in terms of a guarantee, but Councilman Yagelski said there was a

guarantee to pay it back. This was a government agency formed by the County and the Council and he said it will be a fun time when they actually walk into a Council meeting.

A motion to adjourn was made by Councilman Garner and seconded by Councilman Mollenhauer. Motion carried 5-0, due to the early departures of Councilmen Kirkham and Santana.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 24<sup>th</sup> day of September, 2018.


  
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Councilman Terry Garner

  
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Councilman Cary Kirkham

  
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Councilman Mike Mollenhauer

  
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Councilman Randy Novak

  
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Councilman Jeff Santana

  
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Councilman John Sullivan

  
\_\_\_\_\_  
Councilman Mark Yagelski

ATTEST:   
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Joie Winski, La Porte County Auditor