



*LaPorte County Auditor
Joie Winski
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LaPorte, IN 46350-3490*

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
FEBRUARY 25, 2019 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on February 25, 2019 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.

ROLL CALL

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

APPROVAL OF THE FEBRUARY 25, 2019 AGENDA

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

APPROVAL OF THE FEBRUARY 5, 2019 REGULAR MEETING MINUTES

Councilman Rosenbaum commented that he did not have the names of the people who were elected to NIRPC at last month's meeting. Therefore, he stated that Diane Knoll, the Clerk Treasurer of Wanatah, was elected as the Chairman of NIRPC, and Justin Kiel, the Lacrosse Council President, was elected as the Treasurer of NIRPC. A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Motion carried 6-0, with Councilman Santana abstaining.

PUBLIC COMMENT

Hearing or seeing no one, President Novak closed Public Comment.

DEPARTMENT HEAD REPORTS

Mike Schultz, La Porte County Assessor

Assessor Schultz said his office submitted the Ratio Study 8 days before it was due; the Ratio Study is the first step in getting tax bills out on time. He added that the Form 11s, or notice of assessments, will also go out on time and everything is going well in the office. President Novak asked if things are going well with the PTABOA. Assessor Schultz replied that it was recently discovered that Michigan Township has over 900 pending appeals, but his office has only about 30. He said approximately 7% of the appeals either get settled or are withdrawn. Of the rest, he has asked Michigan Township to double up on appeals that go to the PTABOA in order to reduce the amount of pending appeals. Councilman Santana asked if the 900 figure is abnormal and if it could be attributed to anything in particular. Assessor Schultz replied that in the four-year assessment cycle, it was Michigan Township's turn last year so that may contribute to increased amount of appeals. However, that was last March, so to still have so many appeals is unusual. He did say that is important to get the appeals completed so that accurate tax bills can be generated. Councilman Yagelski asked about what happened to the larger appeals of Blue Chip and Lighthouse, but Assessor Schultz said they were from years ago and were settled; they have not appealed recently. Councilman Yagelski then inquired into the Marquette Mall but Assessor Schultz said there are no large appeals for that out there right now. Councilman Garner asked if all assessments are done in house now and Assessor Schultz replied yes, but there is a technical advisor (Scott Potts from Jasper County) who assists when/if necessary. He added Mr. Potts is paid on an hourly basis and is not paid more than \$24,000.00 per year. In addition, the Form 11s are printed in-house and not outsourced.

Steve Alt, La Porte County E911 Director

Mr. Alt introduced himself and asked if there were any questions from the Council. The Council welcomed him.

Lynne Spevak, La Porte County Treasurer

Treasurer Spevak advised that the interest earned for the County in 2018 was \$1,391,900.29 and an additional \$173,000.00 from various departments, which is almost double from 2017.

Lois Sosinski, La Porte County Recorder

Recorder Sosinski said she decided on an electronic pay system which is used by EMS and Porter County. In addition, in 2018, the Recorder's Office took in \$595,697.30, which gets split up into different departments and accounts. Therefore, \$207,459 was put into the General Fund, \$15,024 was put into the Elected Official Training Fund, \$74,470.00 was put into the Surveyor's Corner Fund, and \$275,349.30 was put into the Recorder's Perpetuation Fund. Approximately 15,000 documents were processed in 2018.

LIAISON REPORTS

Councilman Rosenbaum attended a NIRPC meeting and was appointed to the Finance and Personnel Committee. He will attend a Parks Department meeting next Tuesday.

Councilman Sullivan said his report was already addressed by Recorder Sosinski.

Councilman Santana said a lot is going on with EMS. He is awaiting an update on EMS bases in Michigan City and Rolling Prairie. He stated he was appreciative that the Hazmat request was approved at the last meeting. He continued that he is the liaison for Paladin but has not yet spoken to the Director in 2019. Regarding the County Home, Councilman Santana is glad progress is moving forward. He added that he would like to see an appraisal of the 100 acres surrounding the County Home. He said that Larry Levendowski, the new Maintenance Director, has been keeping him updated. He also said that there is a

situation with EMA regarding the County's obligations with the warning sirens; it will be discussed with the Council attorney. Ken Purze asked not to be reassigned to the Drainage Board, but Councilman Santana still attends the meetings.

Councilman Garner said he spoke with Recorder Sosinski and she gave her report earlier. He also said he attended the Franklin Street Bridge meeting with other Councilmembers.

Councilman Mollenhauer attended Solid Waste District board and Redevelopment meetings in December. However, most of the meetings in January were cancelled or postponed due to weather. He will be attending Redevelopment and Health Department meetings in the upcoming week.

Councilman Yagelski attended the Franklin Street Bridge meeting, but said there is a misunderstanding of what is going on. He said a study was done to replace the bridge but due to various factors including its historical features, the bridge cannot simply be replaced. President Novak added that the price for replacement would be \$30 to \$50 million dollars, so outside funding would have to be explored. He also said that all the bridges in La Porte County, wherever they are located, are the responsibility of the County. Councilman Yagelski said alternative ways of preserving the bridge are being discussed.

President Novak attended Redevelopment, E911 Advisory Board, and Franklin Street Bridge meetings. He will be attending Animal Control and RDC meetings this Wednesday. He also expressed appreciation for the work that Ken Purze did with the Drainage Board. He added he believes it's the Council's priority to get the County Home reassigned so it doesn't continue to deteriorate. He also had several meetings with the four State Representatives and good and bad things are happening. He briefly discussed the Rural Broadband and said there is money budgeted for it in the form of a grant.

NEW BUSINESS

1. Retroactive Approval of Council President's Declaration of Emergency Repairs Needed for Franklin Street Bridge and Emergency Repair Cost Summarization

A motion to approve \$1.367 million was made by Councilman Garner and seconded by Councilman Santana. President Novak said there is a fantastic team and a bridge specialist was flown in from Pennsylvania. He added it is a very in-depth process and the bridge is scheduled to be open April 15th or hopefully sooner. Motion carried 7-0.

2. Consider Approval of Council President's Authorization to Hire Replacement for an Archivist Position in the La Porte County Recorder's Office

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

President Novak asked Auditor Winski to schedule a one-hour workshop with Lochner regarding the Franklin Street Bridge.

Councilman Garner reminded the Council about the \$125,000.00 that needs to be appropriated for the Fair Grounds. Attorney Guy Dimartino said it would have to be put on next month's agenda.

OLD BUSINESS

1. Prosecutor John Lake – Explanation of Transfers between Salary Accounts (Tabled from the February 5, 2019 Meeting)

Prosecutor Lake discussed the transfers and other aspects of his office. Key points included discontinuing the ICAC unit while still continuing to prosecute these crimes; the grant for the ICAC employees would also be ending in 2 years, so he didn't want his office left with salaries that would have to be made up from other funding sources. He said his office is fully staffed and has filed 100 more cases than the highest amount from the last four years. Another issue is repurposing the equipment from the ICAC unit. He added that La Porte County is the only county that has filed under the level one felony, which is when a drug dealer causes a death.

Pertaining to the salaries, he removed the ICAC designations and moved the money within the 100 accounts. President Novak said some of the ICAC employees were previously put into the General Fund, but this is just a restructuring. Prosecutor Lake said all of the attorneys are full time employees. In addition, the Chief Deputy's salary is not going to exceed that of any of the magistrates. President Novak said the salaries will again be addressed during this year's budget hearings. Prosecutor Lake added that cases are being examined to address the overcrowded jail population. He will also be meeting with the Sheriff to discuss the issue. President Novak added that cases are being expedited for those in the jail awaiting trial. President Novak asked when the equipment will be transferred to the Sheriff, but Prosecutor Lake said the State Board of Accounts is currently doing an audit on it so he doesn't have a specific date.

**2. Reconsideration of La Porte Superior #3 Request for 4 Weeks' Vacation Pay for LADS Director in an Amount Not to Exceed \$11,000.00
(Attorney Dimartino to Explain)**

Attorney Dimartino explained that this request was approved at a previous meeting by a majority of the Councilmembers in attendance. However, per IC code and legislation, the request must be approved by a majority of the Councilmembers, not just those in attendance at that particular meeting. Therefore, Judge Thorne's request has to be reheard. Councilman Yagelski asked who can vote, and Attorney Dimartino replied all of the Councilmembers. President Novak disagreed and said the dissenting side has to make a motion to reconsider. A motion to reconsider was made by Councilman Rosenbaum and seconded by Councilman Garner. Councilman Santana said he is the "what if" guy and questioned what if this employee decides to walk after only 8 weeks of training. He is concerned this will open a can of worms and set a precedent. If he was able to vote, he wouldn't vote affirmatively for this item. Councilman Yagelski said an employee's vacation or sick days' pay cannot be denied. He continued that these two items should have been requested separately; having them both in one request has caused the issue with approval. President Novak agreed and said there should have been a request for permission to hire and another for payment of accrued pay. Judge Thorne said there is some confusion and the training period is only 3 weeks since the new hire cannot start any sooner. He continued that this employee has to be certified to do the job and be supervised by someone is certified during the training. Councilman Yagelski discussed the possibility of this new hire being unable to stay in the position and what would happen. Judge Thorne said per state requirement, a person with certification would have to be found to train a new hire. He was questioned by the Council as to who this certified person would be, but Judge Thorne said he didn't know because he was never in that position. Ms. Roxanne Justus added that this office is the only one in the state of Indiana who only has a single certified person. Councilman Mollenhauer complimented the Council for questioning this process. He said the Council always encourages there to be cross training within the departments. Ms. Justus added that being the only certified person, she has taken her vacation sparingly

as to not overschedule appoints when she gets back. Motion carried 3-2, with Councilmen Garner and Yagelski voting Nay.

A motion to approve 4 weeks' vacation pay not to exceed \$5,500.00 out of Win Tax (4220) was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 7-0.

A motion to approve 3 weeks of training not to exceed \$5,500.00 from Win Tax (4220) was made by Councilman Rosenbaum and seconded by Councilman Sullivan. Councilman Rosenbaum said situations are looked at individually and he doesn't believe a precedent is being set. He feels this reflects specific skills to be certified per the state. He added if this is not addressed now, a consultant may have to be brought in which could come at an even higher cost. Councilman Santana said this is government and not the Councilmembers' personal money. He wondered why the person being hired did not already have the certification necessary for the job. President Novak believes this is a specialty job and three weeks of training is not out of the question. Councilman Garner asked how this will be rectified in the future so when this person leaves or vacations, there is another certified person to step into the position. President Novak suggested a current employee could be trained and certified if necessary. He added the cost of cross training would be taken care of by the Council. He said he'd be happy to sit down and try to work out this situation.

Motion carried 5-2, with Councilmen Mollenhauer and Santana voting Nay.

Councilman Mollenhauer asked if Judge Thorne has heard anything about the employee drug testing policy. Judge Thorne replied that it was sent down to the state, approved, and given to HR for implementation.

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

None

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Circuit Court

Requesting Permission to Transfer

From 1000-10175-000-0148 (Bailiff)

To 1000-10140-000-0148 (Overtime)

\$2,230.50

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

Judge Alevizos said there hasn't been a Bailiff for approximately 25 years. In addition, the power surge that occurred approximately 10 days ago knocked out the sound system in the Circuit Court. The sound and recording systems are together, but are old and replacement parts are no longer being made. He said it will eventually need to be replaced and the cost will come out of Probation User Fees. A motion of support for the replacement out of Probation User Fees was made by Councilman Garner and seconded by Councilman Rosenbaum. Motion carried 7-0.

President Novak suggested a surge protector be installed along with the new system. Judge Alevizos said he would get quotes prior to making a final decision. Councilman Garner cautioned about discussing it any further since the wiring was upgraded within the last year to year and a half.

La Porte County Commissioners

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

For the Office of Community and Economic Development

\$220,000.00

Commissioner Vidya Kora explained that this is the annual request for the Office of Community and Economic Development. He thanked the Council for its continued support of this office. Mr. Tony Rodriguez distributed information to the Council. Commissioner Kora explained that there is a carryover of \$110,000.00 from last year so the request is for an additional \$110,000.00. Auditor Winski confirmed there was a rollover of \$118,678.00, so the additional amount needed is \$101,322.00. Councilman Yagelski said the Council will ask Mr. Rodriguez to come back to the Council in 6 months to give an update and get the additional money. A motion of support of \$220,000.00 for 2019 was made by Councilman Yagelski and seconded by Councilman Sullivan. Auditor Winski said \$760.00 has been spent in 2019, so \$117,918.00 is unused. President Novak said the amounts will be based on what was available as of January 1, 2019. Councilman Santana asked if this would be discussed at budget hearings, since \$118,000.00 was carried over from last year; therefore, less should be put into the future budget. President Novak said the budgets would be reviewed line by line, as always, and if there is an excess it will be addressed. Auditor Winski interjected that Economic Development has always been funded by Riverboat in January of every year. It is not recognized as a department in the County structure, and is not funded with tax dollars as is the budget. Their budget can be reviewed during budget hearings, and the amount funded each January is negotiable. Attorney Friedman confirmed that the amount funded can be considered at budget hearings, but it is always funded in January. Motion carried 6-1, with Councilman Santana voting Nay.

Councilman Yagelski thanked the Commissioners for working with the Council, and he suggested that Mr. Rodriguez get together with Purdue Extension.

La Porte County Community Corrections

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

For Payout of Sick Days for Retiring Employee

\$4,500.00

President Novak said this is for the retirement of Dick Buell. A motion to approve out of Win Tax (4220) was made by Councilman Garner and seconded by Councilman Sullivan. Councilman Santana said the \$4,500 is for 60 days of sick time. He also expressed confusion as to where the money comes from when an employee retires. President Novak clarified that this is money that has already been budgeted and the employee is not getting additional pay for these days. Motion carried 7-0.

La Porte County Adult Probation

Requesting Permission to Spend

From Probation User Fees (2102)
For the Purchase of Laptop, Computer Equipment & Cameras **\$10,343.27**

Councilman Rosenbaum asked if this is in addition to last month's request, and Mr. Eyrick replied yes. He said some of the employees take the laptops home to access Odyssey and complete reports. In addition, one laptop is for Judge Stalbrink. A motion to approve was made by Councilman Santana and seconded by Councilman Sullivan. Motion carried 7-0.

La Porte County Sheriff
Requesting Permission to Spend
From K9 Donation Fund (4106)
For K9 Replacement, Training & Training Equipment **\$17,534.00**

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

COUNTY COUNCIL/ATTORNEY COMMENTS

President Novak acknowledged the students in the audience and told them to get their papers signed after the adjournment of the meeting.

Councilman Yagelski discussed the rate increase requested by NIPSCO. He said he spoke against the rate increases 18 years ago. He also went to Phoenix, Arizona 30 years ago and was introduced to technology in which meters could be turned on at certain times in order to reduce costs. Unfortunately, NIPSCO is unwilling to invest or implement this type of equipment. Therefore, a motion was made by Councilman Yagelski and seconded by Councilmen Santana and Sullivan to go on record to oppose the NIPSCO rate increase. Motion carried 7-0.

Councilman Santana congratulated the Lady Blazers who won the State championship for the second year in a row. He also gave congratulations on the tax sale to the Treasurer, Auditor, and a host of others.

Auditor Winski said \$250,000.00 was taken in on the sale of 186 parcels.

Councilman Rosenbaum said the Coroner will eventually be coming before the Council regarding a replacement vehicle. In addition, at the last Redevelopment meeting, Councilman Novak became President and Councilman Rosenbaum became Secretary. He added that the South County Coalition brought up US Highway 30 coalition at its last meeting, and he is trying to get more information. He also said he appreciated the workshop. He said he is very grateful to Councilmembers for their assistance.

Councilman Garner asked if money for the Circuit Court sound system can be obtained from the Public Defenders fund. Councilman Yagelski said there was a previous misappropriation, so there is not enough money in the fund.

President Novak commended the Michigan City High School boys swim team on how they performed at the state level. In addition, he commented on the US Highway 30 coalition and said his issue is that the County residents should be somehow involved in the process.

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

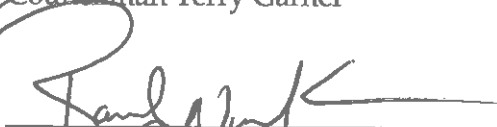
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this ~~25th of March~~ ^{8 April}, 2019.



Councilman Terry Garner



Councilman Mike Mollenhauer




Councilman Randy Novak



Councilman Mike Rosenbaum



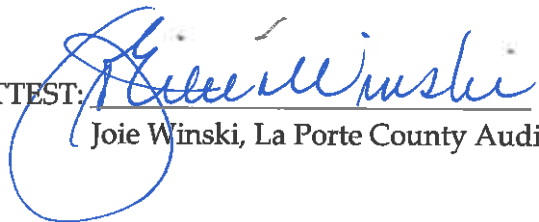
Councilman Jeff Santana



Councilman John Sullivan



Councilman Mark Yagelski

ATTEST: 

Joie Winski, La Porte County Auditor