

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

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
AUGUST 26, 2019 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on August 26, 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 AUGUST 26, 2019 AGENDA

President Novak asked to add a Permission to Hire for the Building Maintenance Secretary position. The current employee resigned effective immediately. A motion to approve with the amendment was made by Councilman Sullivan and seconded by Councilman Rosenbaum. Motion carried 7-0.

APPROVAL OF THE JULY 22, 2019 REGULAR MEETING MINUTES

Councilman Mollenhauer questioned the number of vehicles held back by the Sheriff's office, but it was confirmed that there were two. A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. Motion carried 7-0.

PUBLIC COMMENT

Louis Spear, 6434 S 3rd Line Rd, La Porte, IN 46350

Mr. Spear stated he attended the last Drainage Board meeting and gave a presentation about the effects of the drainage being put in by the City. He explained that there are millions of gallons of water being discharged which are directly affecting the Spear farm. He detailed the specific effects and said he has been battling with the City about this issue for over 40 years. The Drainage Board voted unanimously to get an emergency stop work order or injunction, however nothing happened and Mr. Spear was told any action was called off by the County Attorney. He expressed perplexity as to how it was possible to override a decision made by the Drainage Board. Mr. Spear then read excerpts from a letter he wrote to the Drainage

Board. He also described communication he has had with Attorney Shaw Friedman and additional specifics. He ended by asking for an answer and that the drainage needs to be stopped immediately.

President Novak acknowledged students from South Central High School and asked them to come up after the meeting to get signatures on their papers.

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

DEPARTMENT HEAD REPORTS

John Boyd, La Porte County Sheriff

Sheriff Boyd explained that one of the Sheriff's vehicles was totaled on August 7th through no fault of the officer. Fortunately, the other driver was fully insured so his office received a check for \$14,000.00 for replacement of the 2017 Ford Fusion. He said that if his office can commit to the purchase of a replacement vehicle that was found by September 3rd, there will be a savings of \$5,000.00 at the dealership. He would then re-approach the Council at the September meeting and request the difference between the actual cost of the vehicle and the amount of the settlement check.

A motion of support was made by Councilman Yagelski and seconded by Councilman Mollenhauer. Motion carried 7-0.

Sheriff Boyd announced that on September 8th, all of La Porte County law enforcement and the Sheriff's Office is teaming with Franciscan Health and the Play for Jake Foundation for a 5K Fundraiser to be held in Washington Park. The purpose is to raise enough money to equip every patrol car in La Porte County with a defibrillator since they are typically the first responders to a cardiac episode. There are currently three in the Sheriff's Office patrol cars, so he is looking to offset the cost of the additional defibrillators. He added he hopes to make this an annual event to pay for warranties, parts, upgrades, and all the continuing maintenance costs. He said it is a family event and there are various packages for purchase from Individual to Family/Group and a Play for Jake package. He said information could be found at www.boltfortheheart.com and stated that 100% of the funds raised stay in La Porte County. Councilman Santana said he thought of this idea approximately 7 years ago and is ecstatic that it has come to fruition. He added that seconds matter during a cardiac episode.

Jeremy Sobecki, La Porte County Parks Superintendent

Mr. Sobecki said Pioneer Days will be held on September 28th and 29th from 11:00 a.m. to 4:00 p.m. at Creek Ridge County Park. Something new this year is a dry erase board on which the kids can write/color. The price is \$2.00 for adults and \$1.00 for kids and there will be a variety of activities for everyone. He also mentioned that there was a lightning strike at Luhr Park that did pretty severe damage. He said most of the repairs have been completed using his non-reverting fund, but the trail will still need to be fixed. Councilman Yagelski asked if there was insurance to cover the damage, but Mr. Sobecki replied that the cost wasn't prohibitive, and he felt it was better taking care of it instead of having to pay a deductible.

Tony Rodriguez, Director, Office of Community and Economic Development

He said he distributed a 6-month report to the Council and discussed some highlights. He said the County website redesign is a large undertaking and will take a lot of participation to complete. Over the next few weeks, many entities will be contacted for input and information, so he wanted Department Heads to be prepared. He also spoke about the County Rural Broadband Task Force and said the County was not selected in the unserved portion of the grant awards. In the next grant cycle, the underserved portion will be submitted. He asked that the public contact his office or complete a survey on the La Porte County

website so they can be connected with service providers. He added that the level of activity for new business is very steady and his office is currently working with three companies.

Hearing or seeing no one, President Novak closed Department Head Reports.

LIAISON REPORTS

Councilman Rosenbaum attended the Redevelopment Commission meeting in July and will be attending the next one on Wednesday at 3:00 p.m. He attended the Park & Recreation meeting and they are on tonight's agenda for a truck. He also attended NIRPC, Finance Committee and the Full Executive meetings. He will be attending the annual Public Defenders' meeting. He has had meetings with Department Heads and is learning everyone's names.

Councilman Sullivan had nothing to report.

Councilman Santana said there is an item under Old Business for EMA and some other items on the agenda for EMS. Things are progressing to move EMS to their new base. President Novak and he met with Bill Trowbridge and Erin Mooneyhan from Paladin to discuss funding from the County. They suggested alternative ways for Paladin to obtain funding and did not rule out assistance from the County, but not on a consistent basis. He did not attend the Drainage Board meeting but watched it and understands Mr. Spear's concerns.

Councilman Garner attended a Finance meeting with President Novak, Councilman Yagelski and the Auditor regarding the budget and other issues. He spoke with the Sheriff about the vehicles and other concerns. He also spoke with Rick Brown from MS-4.

Councilman Mollenhauer attended the Redevelopment Committee meeting on July 31st. He also attended the Commissioners' meeting on August 7th and the joint Commission and Council meeting on August 12th.

Councilman Yagelski said the Council was criticized several years ago for getting a study on the Franklin Street Bridge. However, the study is very comprehensive and detailed in all aspects of the bridge, so it will be of significant assistance in the future. He said the Council and Commissioners should be proud of the work.

President Novak attended the Redevelopment Commission meeting and the Problem Solving Court graduation. He encouraged the Council, Commissioners and public to attend one of the graduations because it is amazing to see how the individuals have turned their lives around. He added that there are some ongoing things with the Franklin Street Bridge.

NEW BUSINESS

1. Consider Retroactive Approval of Council President's Authorization to Hire a Replacement Position for an IV-D Employee in the County Prosecutor's Office

Prosecutor John Lake said the employee left to attend graduate school. He said it has already been advertised and there are approximately 250 applicants.

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

2. Requesting Permission to Hire for Family Recovery Court Grant – Circuit Court

Judge Thomas Alevizos said he isn't hiring anyone so was confused as to why he was on the agenda. He said Circuit Court was approached by DCS and the folks in Indianapolis about this item because they wanted it expanded to more counties. A grant was applied for and received and all services are paid for by DCS. The grant was to get bodies in to run the program. People were contracted to provide the services and were not hired through the County and there is no County money that is a part of this. Auditor Winski said there is a hiring ordinance in the County and the State Board of Accounts demands that any hires must be brought before the Council. Judge Alevizos retorted that he find that hard to believe because the Council is neither the legislative body nor the executive branch and believes the executive branch is comprised of the Commissioners. He said Attorney Guy DiMartino should research it. He explained that the situation is that the money is being received from the Supreme Court and DCS and he is contracting for someone to provide the services for his end of the contract. He added that if he has to go before anyone to do that, as a completely separate but equal branch of government, then someone needs to go back to Civics class. President Novak asked Judge Alevizos to address the Council and not Auditor Winski.

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

3. Requesting Permission to Combine Circuit Court Juvenile Probation Fees into one Fund – Requesting all Fees be Deposited into Fund 2511

President Novak said this is basically a housekeeping item.

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

4. Requesting Permission to Hire Replacement Position for County Clerk's Office

Circuit Court Clerk Kathy Chroback said this is to replace someone who resigned at the end of 2018. She currently has a part-time employee she would like to put into this full-time position.

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

Councilman Santana asked if the part-time position will be replaced. Clerk Chroback replied that she currently has several part-time positions in her budget and will be looking to hire for those in the future for scanning. IT Director Darlene Hale stated that prior to the scanning firm coming in, there would have to be some organization that would need to be done. The firm would take the files, scan them and put them on microfilm per State statute. The files could then be shredded. Ms. Hale added that the proposal she provided to the Council included all of La Porte and then Michigan City would be looked at next. Councilman Yagelski said he understands that this is not labor-intensive for the County. He said the firm does the majority of the work and many part-time employees will not be needed.

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

Permission to Hire Replacement for Building Maintenance Secretary

President Novak said this item was added at the beginning of the meeting. The resignation of the Building Secretary was received the same day of the Council meeting.

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

OLD BUSINESS

Reconsider Request an Additional Appropriation from Riverboat (1191) or Win Tax (4220) in an Amount Not to Exceed \$30,000.00 for a Replacement Vehicle for La Porte County EMA

Councilman Rosenbaum explained that there was a motion of support approved in June 2019. There was a change in the amount that was advertised so it had to re-advertised.

A motion to approve Not to Exceed \$30,000.00 out of Riverboat (1191) was made by Councilman Rosenbaum and seconded by Councilman Santana.

Councilman Santana said Councilman Rosenbaum mentioned a 2019 vehicle, however, the vehicle listed in the packet given to the Council is for a 2020 model. He asked if that is going to pose a problem. The motion was then amended by Councilman Rosenbaum to approve a "comparable vehicle."

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

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

None

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County IT

**Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For Microsoft 365 E1**

**Not to Exceed
\$65,000.00**

IT Director Darlene Hale said this is to move email to Microsoft 365. She said she hasn't yet proposed any contracts, is still waiting to get numbers back, and is looking into an alternative to Microsoft 365 but both would be cloud-based. She added that this is a license fee and a yearly cost. It may be less in future years because conversion costs are included in this amount.

Councilman Yagelski said he wants to have one collective IT department and not have various departments/entities come to request money for different systems. He added that the Commissioners concur with this idea and a special meeting should be scheduled with them to discuss this matter.

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

La Porte County Assessor

Requesting Permission to Spend

From Sales Disclosure Fund (1131)

For Purchase of a Printer and 2 Scanners

\$1,288.15

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

Assessor Mike Schultz said there is approximately \$92,000.00 in this fund, so he is trying to find ways to use it to offset some other expenses.

La Porte County Superior Court #2

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

For Court Supervised Visits

\$12,500.00

A motion to approve out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Santana. Councilman Yagelski said he hopes this is a one-time request because it should be paid by the grant money. He said there is a dispute going on with the State about this and he feels it is unfair and the visits should not be affected by it.

Motion carried 7-0.

La Porte County Superior Court #4

Requesting Permission to Spend

From Probation User Fees (2102)

For the Purchase of Video Conferencing Equipment

\$5,865.80

Chief Probation Officer Steve Eyrick explained that it was becoming difficult for the Judges to hear and see the inmates communicating from the jail. He added it is one of the original video conference systems that was brought in and it is starting to fall apart. President Novak asked if this will be compatible with any systems/equipment that exist or will go in at Michigan City and Mr. Eyrick replied affirmatively.

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

La Porte County Adult Probation

Requesting Permission to Spend

From Probation User Fees (2102)

For the Purchase of Two Computers, 2 Monitors and an iPad Pro

\$4,500.00

A motion to approve was made by Councilman Santana and seconded by Councilman Rosenbaum. Mr. Eyrick said it was determined that two additional computers are needed, so he asked that this amount be increased to not to exceed \$7,100.00. Motion carried 7-0.

La Porte County Parks & Recreation

Requesting an Additional Appropriation

From Riverboat (1191) or Win Tax (4220)

\$18,330.00

And Permission to Spend from Non-Reverting Fund (2052)	<u>\$25,000.00</u>
For the Purchase of Dump Truck Totaling	\$43,330.00

A motion to approve out of Riverboat (1191) was made by Councilman Mollenhauer and seconded by Councilman Rosenbaum. Parks Superintendent Jeremy Sobecki said the \$18,330.00 would be reduced by the trade-in of the current vehicle. Therefore, the requested amount from Riverboat or Win Tax would be lowered to \$15,537.00, so the total amount of the request would also be reduced to \$40,537.00.

Motion carried 7-0.

La Porte County EMS

Requesting Permission to Transfer	
From Paramedics Account (10148)	
To Other Supplies (20021)	\$10,000.00
Gas, Fuel, Oil (20025)	\$33,000.00
Corporate Compliance (30161)	<u>\$25,000.00</u>
Total	\$68,000.00

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

La Porte County Clerk

Requesting an Additional Appropriation	
From Riverboat (1191) or Win Tax (4220)	
For Repayment of Overpaid Child Support Funds from Previous Years	\$38,748.28
Requesting Permission to Spend	
From Clerk and Election Board Budgeted Funds	
For Purchase of Printer	\$844.00

A motion to approve \$38,748.28 out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Garner. Circuit Court Clerk Kathy Chrobak stated that her office has a yearly quality assurance review by the Indiana Department of Child Services. Per this review, it was discovered that her office was using incentive program money for uses other than approved and very specific purposes. She explained the process in detail and said it has been straightened out in her office. She added that a company has been hired to track the incentive program to insure the money is being spent for the appropriate reasons. Ms. Chrobak said there are still additional items coming in the future.

Motion carried 7-0.

A motion to approve \$844.00 out of Clerk and Election Board Budgeted Funds for purchase of a printer was made by Councilman Sullivan and seconded by Councilman Santana. Councilman Yagelski clarified this would also take care of the leased printer discussed during budget hearings.

Motion carried 7-0.

La Porte County Planner

Requesting Permission to Spend	
From Local Roads & Streets (1169) Road Sign Account	

For Match on Countywide Sign Grant

\$19,375.00

La Porte County Planner Mitch Bishop said he received a grant in May to finish up all the warning replacement signs in the County for reflectivity. He explained that grant ran out with 8 townships remaining, but he received another grant which he was able to negotiate to a 90/10 split. He said this grant will replace approximately 5,000 warning and regulatory signs.

A motion to approve was made by Councilman Santana and seconded by Councilman Rosenbaum. Councilman Yagelski added that because there will be less signs to buy, this will also affect the County Highway budget in the future.

Motion carried 7-0.

La Porte County Commissioners

Requesting Permission to Spend

From General Fund (1000) EMS Base Hospital Payment

For Temporary EMS Base Modifications

\$12,800.00

EMS Administrator Andrew McGuire said this is for EMS to function out of its new facility. He stated that \$4,500.00 is for data fiber so EMS can function with its data and reports, etc. It will be approximately \$3,000.00 to bring in the radio and alert system and construction costs will be approximately \$3,200.00. The additional \$2,000.00 is for contingency costs. He added that the lease of the House of Fara building is \$1.00 per month and said the family agreed to all of the modifications.

A motion to approve was made by Councilman Santana and seconded by Councilman Sullivan. Councilman Yagelski said the money which is going to be received from the building that is going into the General Fund will be used for this, so it is just an exchange of money. Auditor JoEileen Winski stated the money put into the General Fund is specified for this purpose. Councilman Mollenhauer said he originally thought using a Fire Department for this was a possibility, but realized it wasn't feasible so he ultimately agreed.

Motion carried 7-0.

Requesting an Additional Appropriation

From Cumulative Bridge Fund (1135)

For Bridge Repairs/Upgrades on the Franklin Street Bridge

\$750,000.00

A motion to approve was made by Councilman Santana and seconded by Councilman Yagelski. Councilman Santana said it is his understanding that the amount came in a lot lower than \$750,000.00. Building Maintenance Director Larry Levendowski explained part of the pricing is for tuck pointing and window replacement on the outside of the tower. In addition, bathroom facilities, wall repair, and leakage issues are being addressed. IT Director Darlene Hale added that a camera has been replaced and said it uses motion detection. She also said one of the poles is being replaced. President Novak said that the camera system is being changed from wireless to hard-wired, and may use a lesser amount of higher quality cameras versus a larger amount of lower quality cameras. Andy Skwiat from Marquiss Electric said the costs of repair from the vehicle accident are also included in this amount. He added the bridge will be closed for the repairs on September 9th from approximately 9:00 a.m. to 5:00 p.m. Although the price may come in lower than \$750,000.00, it is unknown at this time.

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

Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For the County Liability Fund – Lawsuit Settlement **\$500,000.00**

Auditor Winski clarified that this was advertised to come out of the General Fund (1000). Attorney Doug Biege explained that this was due to when a plow driver t-boned a citizen. He said it has been carefully reviewed and the liability is clear. He added the injury to the citizen is severe and permanent. The total settlement is \$750,000.00, but the County's liability is \$500,000.00 and Travelers picks up the rest.

A motion to approve out of the General Fund (1000) was made by Councilman Santana and seconded by Councilman Sullivan. Motion approved 6-1, with Councilman Garner voting Nay.

La Porte County Sheriff
Requesting an Additional Appropriation
From Riverboat (1191) or Win Tax (4220)
For Food for the Jail **\$210,000.00**

A motion to approve out of Win Tax (4220) was made by Councilman Yagelski and seconded by Councilman Santana. Motion carried 7-0.

Requesting Permission to Spend
From Firearms Training Fund (1156) **Not to Exceed**
For a New Mover for the Jail Community Work Program **\$600.00**

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

Requesting Permission to Spend
From the Commissary Account (\$16,000.00)
And Continuing Education Account (\$16,000.00) **Not to Exceed**
For Scales for the Truck Enforcement Position **\$32,000.00**

Councilman Santana said this has been anticipated and that he understands that Sheriff Boyd has found a candidate for this position. A motion to approve was made by Councilman Santana and seconded by Councilmen Mollenhauer and Rosenbaum. Motion carried 7-0.

Requesting Permission to Spend
From Donation Fund (4106) **Not to Exceed**
For K-9 Training **\$1,300.00**

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

Sheriff Boyd explained that this is for the explosives dog. He said the K-9 dogs participated in the K-9 Olympics held near Peru, Indiana and that this particular explosives dog placed first out of 30 dogs in

explosives detection. The dog is approximately 3 years old and his handler is Bobby Greer. He added this is coming out of the K-9 Donation Account which has approximately \$56,000.00 in it. He shared that a young girl from Wanatah, who had a lemonade stand for one day, earned \$1,500.00 to support the Sheriff's K-9 program. He said very few, if any, taxpayer dollars go toward this program.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Santana congratulated all who were inducted into the Michigan City Football Hall of Fame, one of which is John Wilcher who works for the Sheriff's department. He also acknowledged Joe Shinn and Jack Phillips. He thanked Michigan City Transportation department for putting together a song and video about safety as far as stopping for school buses. He said it can be found at the MCAS website.

ADJOURNMENT

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

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23rd of September 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