



*LaPorte County Auditor
Joie Winski
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**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
FEBRUARY 24, 2020 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on February 24, 2020 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 for a moment of silence.

ROLL CALL

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

APPROVAL OF THE FEBRUARY 24, 2020 AGENDA

President Novak asked that a Permission to Hire for the Clerk's Office be added to New Business as #4B. He also said that #3 under New Business be removed from the Agenda. A motion to with these amendments was made by Councilman Yagelski and seconded by Councilman Quinn. Motion carried 6-0.

APPROVAL OF THE JANUARY 27, 2020 REGULAR MEETING MINUTES

Under Nominations for Council President, Councilman Quinn made a motion to change *Councilman is participating in the meeting* to *Councilman Garner is participating in the meeting*. The motion was seconded by Councilman Santana and carried 6-0.

PUBLIC COMMENT

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

DEPARTMENT HEAD REPORTS

Larry Levendowski, Building Maintenance Director of Facilities and Darlene Hale, IT Director

Mr. Levendowski explained that Ms. Hale and he met with Clerk Kathy Chroback regarding scanning of the documents and books. There are currently three employees working on scanning of the RJO (Records of Judgements and Orders) books. There are hundreds, but approximately 100 have been completed in a

week. Once scanned, the books will be secured in an area in the lower part of the Complex. The retention schedule for these books is permanent. Mr. Levendowski said the current books being scanned are from the 2nd floor of the Courthouse. He added that 5-6 books are being scanned per day. Councilman Yagelski asked the attorneys in attendance if they have any knowledge about having to permanently keep the books and Attorney Guy DiMartino replied he had not. The previous Clerk, Lynne Spevak, approached to explain that the Supreme Court directed that the RJO books must be permanently retained. She said they when she was Clerk, those records were backed up to microfilm, but Ms. Hale said the books are now being scanned in to PDF files. President Novak added that it would seem plausible that the microfilm would also have to eventually be converted to something more durable. Attorney Shaw Friedman said that there must be a permanent copy of the Circuit Court judgement docket. Therefore, he questioned whether or not the PDF file would be considered a permanent copy. He added that electronic filings are done all of the time, and the State Court Administration has emphasized electronic discovery. He said he will be sure to inform the Council of a formal opinion on this issue.

Ms. Hale said that Kasey Foreman will start training to scanning files into Odyssey. President Novak said Clerk Chroback may hire up to four part-time people to assist with this process. Mr. Levendowski added that shredding will be done every Thursday and Friday. He said that there are also some file cabinets that are holding scanned documents and it is being researched whether or not those documents can be shredded. Approximately 18 cabinets contain shredded documents and can be moved when possible. He added that after the books are scanned, they will be stored on shelves in chronological order organized by type. Ms. Hale hoped that in the future, a document department could be created to oversee managing and storage of all documents in the County. Councilman Quinn asked for the plan after the RJO books are scanned. Ms. Hale said the focus has been on scanning the books so a plan has not yet been constructed. She added that the files will be scanned into Odyssey. Councilman Rosenbaum asked if the employees doing the scanning will be paid through the Clerk's Office. He said he understands about doing service during busy times, but feels this is one sided. President Novak reiterated that Clerk Chroback will be hiring employees for this and the part-time employees currently working on this will go back to their regular departments. He added that Clerk Chroback has been cooperative and believes there was a misunderstanding at the last meeting. Councilman Rosenbaum expressed frustration that Clerk Chroback has not given the Council a plan, after being asked since last November.

Councilman Yagelski briefly discussed no longer having in-house printing and asked Mr. Levendowski to give an update on the status of paper in the County. Mr. Levendowski said he was able to save the County approximately \$12,000.00 by buying a semi of copy paper and is able to store it in a designated area. In this way, the Maintenance department can keep a detailed record of paper usage. Ms. Hale said she may have to ask for additional scanning equipment if necessary.

Steve Eyrick, Chief Probation Officer

Mr. Eyrick gave an update on Criminal Rule 26. He stated that currently there are 155 individuals under Pre-Trail supervision. Of those, 77 have come under supervision since January 1st. 8 of those have completed satisfactory; 4 were revoked for being arrested on a new offense; and 3 were terminated for technical violations. He said the staff is getting stretched thin and some comp time has accrued. He added that the Sheriff Boyd and the jail staff have helped tremendously. The jail population as of February 24 was 353.

Lynne Spevak, Treasurer

Treasurer Spevak said the interested collected last year from all accounts was \$1,825,620.52 and was put into the General fund. There was also interest of approximately \$200,000.00 from investments of Major

Bridge, Cumulative Bridge and Reassessment funds which went back into the respective funds. Councilman Yagelski how much money was received for the money accumulating in the 10-year investment fund (Emergency Reserve fund) for the Riverboat. He said there is documentation stating that any interest made on the fund should go back into the account until it reaches 10 million dollars. Auditor JoEileen Winski said the fund that doesn't accrue interest but can be set up differently. Councilman Yagelski said he wants it to be set up as determined when it was set up. Auditor Winski said all of the funds collectively are invested together. President Novak expressed confusion as to why the Emergency Reserve fund is not in an interest bearing account. Treasurer Spevak said that could be changed and set up differently. President Novak said the Board of Finance, by statute, consists of the Treasurer and the Commissioners.

Bob Cutler, Coroner

Mr. Cutler said La Porte County has previously signed a Mutual Aid Agreement with St. Joseph County. If a mass catastrophe should occur, the counties would give each other assistance. This agreement has been extended to Kosciusko, Marshall, Fulton, and possibly Elkhart counties. The group has been named County of One and will share vehicles, equipment and intellect. Everyone is volunteering their time and will be able to help within minutes instead of hours.

JoEileen Winski, Auditor

Auditor JoEileen Winski said the County Home sold today for \$50,000.00, which was the minimum bid. She clarified that it was advertised according to State statute. She also reminded everyone that the Commissioners' Certificate Sale will be held on March 12th at 809 State Street, La Porte, with doors opening at 8:30 a.m.

Auditor Winski said the Tax Sale attorney auctioned off the County Home property. Councilman Yagelski said he thought the sale of the County Home was going to be combined with the Certificate sale. Auditor Winski stated that it was, but the Council and Commissioners expressed they wanted the County Home sold as soon as possible. She stated that there were two interested parties, but only one attended the auction. She did attempt to contact the other party to no avail. Councilman Santana asked how the minimum bid was determined and Auditor Winski replied that it was based on the appraisals. She added that it will transfer to the buyer upon receipt of payment and issuance of a deed. Councilman Santana asked if the buyer has inferred what he may do with the property. Auditor Winski replied she was unsure but the buyer mentioned something about hospitality. President Novak added that the buyer said he will work on the exterior of the building and then move on to the interior.

Mr. Al Walus has been working in recent weeks with La Porte County Surveyor Tony Hendricks on the flooding ground water issue in Meadowview Estates. He appeared before the Commissioners at last Wednesday's meeting and wanted to also update the Council. He distributed information to the Council. He explained each page of the handout and the summary reports from Christopher Burke Engineering. He then reported the two steps being recommended based on the reports and the information that was gathered. Moving forward, Mr. Walus said that the Commissioners approved a motion for him to appear before the Council and work with County staff to request an appropriation for engineering work. He is not asking for any funds immediately, but wanted to keep the Council up to speed on this process. The vision is to install 5 wells in late March or early April to capture the rain, observe how the ground water reacts in May, June and July, complete modeling over the summer, and ultimately present a formal plan for construction to the County.

Councilman Yagelski inquired about the status of the legal action against the Nowak subdivision that was previously discussed with the Commissioners. Mr. Walus said he was unaware of the status. Councilman Yagelski said there was a similar situation in a subdivision in Michigan City, but after completing improvements nothing changed. He feels that the subdivision and not the County is responsible for any repairs/adjustments since they sold the properties and made the profits.

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

LIAISON REPORTS

Councilmen Rosenbaum and Santana had nothing to report.

Councilman Garner spoke to the Recorder about her office improvements/cleaning and also spoke to the Auditor and Sheriff. He also attended the FMEC meeting last Thursday.

Councilman Quinn and President Novak met with the Clerk regarding the scanning and storage of documents. Councilman Quinn was pleased to hear the report from Mr. Levendowski and Ms. Hale about how the scanning project is moving forward.

Councilman Yagelski discussed the communications that occurred with Clerk Kathy Chrobak during the last two Council meetings. He said money was requested by the Clerk and approved by the Council and it was up to the Clerk whether or not she was going to spend it. He added that he was questioned about how the interaction with Clerk Chrobak got so ugly at the last meeting, and he responded that although he agrees that it is her department to handle as she pleases, the Council has the responsibility of insuring that areas are cleaned up and organized, especially in Michigan City. He also discussed the Community Crossings grant and the 32,000 tons of slag that will be used around the County. He said it is a good idea and good savings for the County. He also said it will be used to enhance the berms on the roads in the County. He commended the Highway Department for going to the State and buying several vehicles for discounted prices. For example, regularly priced \$150,000.00 trucks were purchased for \$6,500.00 each, and regularly priced \$8,000.00 vehicles were purchased for \$500.00 each.

President Novak attended the FMEC meeting last Thursday, met with the Clerk, attended the Redevelopment Commission meeting last month and will be attending another one on the upcoming Wednesday. He also attended a Courthouse meeting, the Commissioners' meeting, a Board of Finance meeting, a JDAI meeting on February 20th, and a meeting with 911 on February 13th. He gave kudos to the Farm Bureau event in Union Mills, and attended the County Home auction.

NEW BUSINESS

1. Consider Appointments for La Porte County Regional Sewer & Water District – Gene Jonas, Joyce Forbes, John Carr, Mark Danielson

A motion to approve John Carr and Mark Danielson was made by Councilman Yagelski and seconded by Councilman Garner. Motion carried 6-0.

2. Consider Approval to Transfer Funds for EMS Base Projects – Facilities Director, Larry Levendowski

Mr. Levendowski explained that the budget for the Michigan City EMS Base has been analyzed and after getting pricing and completing some redesigning, he is requesting that \$26,412.00 be transferred from the

La Porte project to the Michigan City project. After the transfer and additional costs of the LP project, there would still be approximately \$17,000.00 left in LP project fund. He said the addition will cost \$40,300.00 and \$53,000.00 for roofing, siding, fascia and soffit. Councilman Yagelski asked Commissioner Vidya Kora to approach and give his insight into the possibility of locating the ambulance base out of the old hospital. Initially, there was some thought of having the base out of the new hospital but the public thought it was too far. He said there was discussion of locating the ambulance base in the area of the ER at the old hospital but it would take money to make improvements, even more than what is being spent on the current location for the base. He added that once the current location was chosen for the EMS base, there was no further discussion of having it elsewhere.

President Novak asked for the long-term plan for the EMS base. Mr. Levendowski said there will be improvements to accommodate those staying there and Commissioner Kora added that it will suffice for at least the next five years.

A motion to approve the transfer of \$26,412.00 from the LP project to the MC project was made by Councilman Santana and seconded by Councilman Yagelski. Motion carried 6-0.

3. Consider Approval of an Additional Appropriation from the General Fund (1000 – Franchise Fees) for a Not to Exceed Amount of \$5,000.00 for wiring and speakers for the Complex Meeting Room - ALCO

This item was removed from the agenda at the beginning of the meeting.

4A. Consider Permission to Hire for Vacated Position in the County Assessor's Office

4B. Permission to Hire Vacated Position in the Clerk's Office

A motion to approve items 4A and 4B was made by Councilman Yagelski and seconded by Councilman Garner. Motion carried 5-1, with Councilman Rosenbaum voting Nay.

OLD BUSINESS

1. Consider Appointment to PTABOA Board – Jamal Agemy and Sherri Ritter-Banic

A motion to approve Sherri Ritter-Banic was made by Councilman Garner and seconded by Councilman Rosenbaum. Assessor Mike Schultz explained that each of these candidates would serve a specific purpose for the areas of La Porte and Michigan City. A motion to approve Jamal Agemy was made by Councilman Santana and seconded by Councilman Quinn. A vote was taken and Jamal Agemy was approved as the appointment to the PTABOA Board by 4-2, with Councilmen Garner and Rosenbaum voting for Ms. Banic.

2. Discussion on Liaison Assignments for 2020

A motion to approve the 2020 liaison assignments was made by Councilman Santana and seconded by Councilman Quinn. Motion carried 6-0

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

Resolution No. 2020-02 – Honoring Eagle Scout Beau Hunter Brasseur

A motion to approve Resolution No. 2020-02 was made by Councilman Rosenbaum and seconded by Councilman Garner. After Councilman Rosenbaum read the resolution, the motion carried 6-0.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County IT

**Requesting an Additional Appropriation
From Riverboat (1191) or General (1000)
For Multi-Factor Authentication**

**Not to Exceed
\$20,000.00**

Ms. Hale said this is to buy Duo Software for Multi-Factor Authentication. She would like to buy 50 for the County and 50 for Sheriff/911. The cost came in at \$15,300.00. A motion to approve not to exceed \$15,300.00 from Riverboat (1191) was made by Councilman Rosenbaum and seconded by Councilman Garner. Councilman Santana asked if this was a one-time cost, but Ms. Hale said that it is yearly. He asked if it could come out of the General fund but Auditor Winski she prefers it come out of Riverboat. Ms. Hale said she would add this cost to her next year's budget. Motion carried 5-1, with Councilman Santana voting Nay.

La Porte County Sheriff

**Requesting Permission to Spend
From Sex Offender Fee Fund (1192)
For Conference and Travel**

**Not to Exceed
\$1,500.00**

A motion to approve was made by Councilman Garner and seconded by Councilman Santana. Motion carried 6-0.

La Porte County Community Corrections

**Requesting Permission to Spend
From Commissary Account
For Parenting Program Implementation**

\$3,500.00

A motion to approve was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 6-0.

La Porte County Adult Probation/Superior Court #3

**Requesting Permission to Spend
From Probation User Fees (2102)
For Replacement Printer in Superior Court #3 Traffic Division**

\$619.99

A motion to approve was made by Councilman Garner and seconded by Councilman Rosenbaum. Motion carried 6-0.

**Requesting Permission to Spend
From Probation User Fees (2102)
For Two Computers**

\$2,500.00

Mr. Eyrick explained this is for two computers and Microsoft Office software for each. He added that he conferred with Ms. Hale. A motion to approve was made by Councilman Garner and seconded by Councilman Santana. Motion carried 6-0.

La Porte County Commissioners

**Requesting an Additional Appropriation
From Riverboat (1191) or General (1000)
For the Office of Economic Development**

\$220,000.00

A motion to approve out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilmen Quinn. Councilman Santana said that the Council usually approves ½ of the request at this time of the year and ½ at a later time. Councilman Yagelski adjusted his motion to approve \$110,000.00 now and have the Commissioners come back at a later date for the remainder. Councilman Quinn agreed to the adjustment to the motion. Motion carried 6-0.

La Porte County Planner

**Requesting an Additional Appropriation
From CEDIT Fund (1112)
For Local Match for Union Mills Sidewalk Project Grant**

\$127,150.00

Planner Mitch Bishop explained that this is a follow up to the commitment letter given by the Council in December that if the County was to receive the grant, he would come back before the Council. He announced that actually two grants were received, so he is requesting \$127,150.00 for the Union Mills Sidewalk Project Grant and \$200,000.00 for the Bridge #97 Grant.

A motion to approve the match for the Union Mills Sidewalk Project Grant was made by Councilman Rosenbaum and seconded by Councilman Santana. Councilman Santana asked how much each is being received for each grant and Mr. Bishop replied \$508,000.00 for the Sidewalk Grant and \$800,000.00 for the Bridge Grant. Councilman Rosenbaum amended his motion to include both grants and Councilman Santana agreed. Motion carried 6-0.

**Requesting an Additional Appropriation
From Cumulative Bridge Fund (1135)
For Local Match for Bridge #97 Grant**

\$200,000.00

This item was approved with the previous item.

La Porte County 911

**Requesting an Additional Appropriation
From Riverboat (1191) or General (1000)
For the Purchase of New Chairs for the 911 Center**

\$17,221.68

President Novak said he was at the 911 Center and the chairs are in poor condition. 911 Director Steve Alt said he has done some research on the Iron Horse chairs and that will come with a 10-year warranty on the frame, 5-year warranty on the structural components, and 3-year warranty on the covers, foam and armrests. President Novak added that they are designed as 24/7 chairs, designed to be sat in for extended periods of time. Councilman Yagelski asked why this cannot be taken out of the State fund. Auditor Winski replied that the purchase of chairs is not allowed. Councilman Yagelski said that chairs were

purchased when the 911 Center was implemented. Auditor Winski said she believes chairs were able to be purchased then because it was an initial start-up purchase, but that she will verify this information and update the Council. She added that previous 911 Director also requested chairs out of 1222, but was also denied. She reiterated that she will verify the information for the Council.

A motion to approve out of Riverboat (1191) pending it cannot be taken out of (1222) was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Councilman Santana clarified that there are 8 leather chairs, 3 from the 4000 Series and 5 from the 3000 Series. Novak added that Mr. Alt did not opt for a new chair because his is fine. Motion carried 6-0.

Mr. Alt stated that the 911 Operators are recognized as Public Safety Officials. He said that project was started in La Porte County by Senator Michael Bohacek and they are now being recognized as First Responders. He was congratulated by the Council.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Yagelski asked the Commissioner Kora and Attorney Friedman to approach the podium. He discussed the issue with the property in Rolling Prairie that has been going on for over 20 years. He said there needs to be legal input to come to a resolution before another administration comes in and the process has to start all over again. Attorney Friedman said IDEM has been pressed to put the least restrictive items on the title so it can be sold. Councilman Yagelski said the individual is holding off on that. There was a brief discussion of the Rolling Prairie EMS base.

Councilman Santana said this week is EMA Week, and he takes it upon himself to do something for the staff. Other departments such as Sheriff and 911 also have recognition weeks, so he suggested that others do the same and pick a day during the week to recognize them.

ADJOURNMENT

A motion to adjourn the meeting was made by Councilman Rosenbaum and seconded by Councilman Garner. Motion carried 6-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23rd of March, 2020.

Councilman Terry Garner



Councilman Mike Mollenhauer



Councilman Randy Novak

Councilman Sean Quinn



Councilman Mike Rosenbaum

Councilman Jeff Santana



Councilman Mark Jagelski

ATTEST: _____
Joie Winski, La Porte County Auditor