

**MINUTES**  
**REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL**  
**NOVEMBER 23, 2020 AT 6:30 P.M.**

The Regular Meeting of the La Porte County Council was held on November 23, 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.

**ROLL CALL**

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

Councilman Yagelski asked that the agenda be amended to move #4 from New Business to the start of the meeting, as it is the continuation of discussion from budget hearings. A motion to reopen the public hearing for the budget hearing was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 6-0.

President Novak opened the floor to the Council to discuss setting the salaries for the 100 accounts. Councilman Yagelski said, per previous discussions, he would like to see the health insurance premiums split between the County and Employee change from the 86.33%/13.67% to 85%/15%. President Novak said he had some numbers to share but would do so after the other Council members spoke. The other Council members agreed with Councilman Yagelski.

President Novak calculated yearly increases by using the current year's rates and one of the average health plans. He determined that the increases using the 85%/15% split would be as follows: individual - \$192.36; employee and spouse - \$384.72; employee and children - \$344.40; and employee and family - \$547.68.

Councilman Yagelski explained that the Council needs to change the fiscal year for insurance to July so the Council's budgeting and employee's decision of health insurance is not such a last-minute item. He said he will not be able to support next year's budget unless the fiscal year is changed.

Human Resources Director Barb Mossman explained that the County is currently part of the Captive program with other employers and it only allows the fiscal year to stay as it is now. The County would have to withdraw from the program to change its fiscal year. Councilman Yagelski understood that but reiterated that the current health insurance fiscal year is ineffectual for the County and needs to be adjusted. President Novak added that it would be prudent to discuss the change with the other employers because it might be beneficial to them as well. He also agreed with Councilman Yagelski that this should be investigated, and that not knowing about the insurance makes it very difficult to have constructive discussions about raises. Ms. Mossman said she will reach out to the current insurance provider for a solution.

Commissioner Vidya Kora said, as a member of the Insurance Committee, the projected rate increase is just under 3%. He also wanted to make the Council was aware that the County receives pharmaceutical and stop loss rebates that, as of September, exceed \$700,000.00. Councilman Yagelski said no one is criticizing the Committee's work, but the Council as a fiscal body is unable to do its work with the current fiscal year. President Novak agreed and said it would be advantageous to have the numbers before the end of the calendar year. Commissioner Kora added that any significant claims would be covered by the stop loss program and feels the County's health insurance is a beautifully structured program.

Councilman Santana said the rebates can fluctuate and inquired as to how they are calculated. Commissioner Kora replied that by using generic instead of brand name drugs contributes to the pharmaceutical rebate. The captive rebate is based on the number of claims, so there is some fluctuation year to year. Councilman Santana said that as a fiscal body, the Council needs to be prepared for the higher end of costs.

A motion to approve a 2% salary increase and \$500.00 bonus to be paid in January for those on the County's insurance (50% to part-time employees) was made by Councilman Yagelski and seconded by Councilman Garner. Councilman Santana said it will be difficult for him to vote on this without knowing the amount of the County/employee insurance split. Councilman Rosenbaum said he will be making a motion for the insurance split to be 85%/15% and Councilman Santana said he would second that. Councilman Mollenhauer asked for clarification on the \$500.00 to be paid in January and Councilman Yagelski said he said the one-time payment of \$500.00 is to supersede the cost of the increase in the health insurance and would only happen this year.

Motion carried 6-0.

A motion to approve the County/employee health insurance cost split of 85%/15% was made by Councilman Rosenbaum and seconded by Councilman Santana. President Novak restated the increases. Councilman Yagelski said there needs to be immediate feedback on changing the fiscal date.

Motion carried 6-0.

A motion to close the 2020 budget hearings was made by Councilman Yagelski and seconded by Councilman Garner. Councilman Rosenbaum asked if there should have been any public comment in this section and Councilman Yagelski said yes and withdrew his motion. President Novak opened public comment. EMA Director Larry Butcher questioned whether or not the \$500.00 bonus applies to part-time employees without insurance, and IT Director Darlene Hale asked the same question about full-time employees. Councilman Yagelski replied no to both inquiries. LPC Animal Shelter Director Jane Bernard asked if those employees without County health insurance would get the 2% raise, and Councilman

Yagelski said that raise applies to all full-time employees but the \$500.00 bonus is contingent on whether or not the employee has the County health insurance.

President Novak closed public comment. A motion to close the 2020 budget hearings was made by Councilman Yagelski and seconded by Councilman Garner.

Motion carried 6-0.

#### **APPROVAL OF THE NOVEMBER 23, 2020 AGENDA**

A motion to approve the amended agenda was made by Councilman Rosenbaum and seconded by Councilman Santana. Motion carried 6-0.

#### **APPROVAL OF THE OCTOBER 26, 2020 REGULAR MEETING MINUTES**

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

#### **PUBLIC COMMENT**

Director Larry Butcher said he needs urgently needs some PPE supplies so President Novak asked him to forward the list to Auditor Winski, and then attend a conference call on it first thing in the morning with the COVID Committee.

Hearing or seeing no additional people who wanted to speak, President Novak closed public comment.

#### **DEPARTMENT HEAD REPORTS**

911 Director Steve Alt asked the Council for permission to rename the position of Training Supervisor to Lead Supervisor. He is requesting that the Training Supervisor salary of \$39,661.00 also be switched and he would like to add \$2,000.00 to it from extra disbursement of 911 funds and the training that is now being paid for by the State. The salary would then be \$41,663.00 and he did bring this change before the 911 Advisory Board. He said he said it was submitted to HR, but Ms. Mossman said it wasn't brought before the Job Evaluation Committee because they don't have the requirements to do evaluations for POLE positions.

Councilman Yagelski said POLE positions have been evaluated in the past and asked when the last time the Training Supervisor position was filled. Mr. Alt said there has not been a Training Supervisor since 2018. Councilman Yagelski asked that this be postponed until the next meeting so he has time to gather more information. Councilman Santana said in these uncertain times, he feels it may be more sensible to hold off on filling the position and reassessing at a later time. President Novak clarified that this position is paid for out of the 911 User Fees. Mr. Alt explained that the Deputy Director is currently performing duties of this position and her regular position and is overwhelmed. He also stated that this would not be an additional person in the department, it would be an existing employee that would be moved into this position.

Councilman Yagelski said he would like the opportunity to look further into this, so a motion to review and then discuss at the next scheduled meeting was made by Councilman Yagelski and seconded by Councilmen Garner and Rosenbaum. Mr. Alt asked if he could at least fill the existing training supervisor position. Councilman Yagelski replied he could do as he pleases but said he should wait out of respect for the Council.

Motion carried 6-0. President Novak said it will be added to the agenda for the next regular meeting.

Director Butcher explained that during the onset of COVID, one of his part-time employees worked approximately the same hours as a full-time employee. Since there is now an uptick in COVID cases in La Porte County, she may be needed in that capacity again. Therefore, he wants to insure she is able to work the additional hours and he is able to pay her accordingly. Councilman Santana said he believes this would qualify as COVID related but would defer to Auditor Winski as to how this would be accomplished. Auditor Winski said COVID funds cannot be used for salaries so EMA funds would have to be used for the additional pay. However, as to whether or not she could work more than the designated part-time hours would have to be answered by Ms. Mossman. Ms. Mossman said a part-time employee can work over the 28 hours in certain circumstances as long as their yearly pay does not exceed that of a part-time employee. Councilman Santana expressed confusion over uses of the COVID funds because he thought it could be used for salaries. Auditor Winski explained it could only be used for overtime and because this employee is part-time, she doesn't qualify for overtime. Ms. Mossman said she would evaluate this employee's hours to make sure she is not exceeding the yearly part-time pay.

Councilman Yagelski stated that he does not believe there has been a huge uptick in the County government buildings, but Mr. Butcher said he is notified when a new County employee case is reported and he has received at least one email daily. Accordingly, he does believe there is an uptick among County employees. Councilman Yagelski said that caution needs to be used when talking about COVID case increases without factual information to back it up.

Office of Community & Economic Development Director Tony Rodriguez stated the 40 local businesses have been approved for the Action Fund grant and he hopes to get those checks expedited to them after the public hearing on November 24<sup>th</sup>. In addition, 550 jobs and 60 businesses have been impacted by Phases 1 and 2 of the OCRA grant. For any business that may need assistance, Mr. Rodriguez asked them to visit the County website and follow the link to the Restart Fund. He said he also circulated a more in-depth report to the Council.

Auditor Winski said the fall settlement collection hit \$70,000,000.00, which is the most the County has collected in years. The tax collection for 2020 was \$132,000,000.00 which exceeds last year's collection of \$124,000,000.00. In addition, \$500,000.00 was made on the tax sale and she thanked the Treasurer's and Auditor's staff members for their hard work. She also said she was very proud of her staff for keeping the Auditor's office open since COVID began.

She then explained that the Dual Homestead fund has \$277,230.00 that has to be spent in the Auditor's office or turned over to the General Fund by the end of the year. Therefore, approximately \$160,000.00 will be put in the General Fund, and she would like to ask the Council's permission to spend \$17,000.00 on new computers for the new Auditor and his Chief Deputy. She would like to discuss what will be done with the remainder if there is a meeting in December.

A motion to approve \$17,000.00 out of the Dual Homestead Fund was made by Councilman Mollenhauer and seconded by Councilman Rosenbaum. Councilman Rosenbaum asked if this could be done without advertising it, but Attorney DiMartino said no as long as it is permission to spend. Councilman Santana said he will not be supporting spending for a lot of various items at the end of the year therefore, he will not support this motion. Councilman Rosenbaum said this request represents a positive transfer of power between the Auditors and since the request would be made at some point, it seems reasonable to do it now.

Councilman Santana expressed disappointment that one would be so naïve to believe there is a smooth transition of power when that has not yet been established.

Councilman Yagelski said everyone did a great job with the tax sale and he congratulated the Commissioners for allowing these sales to happen. He said he would like to see a remedy to the taxes being forgiven on the properties that continually go up for tax sale.

Motion carried 4-2, with Councilmen Santana and Yagelski voting nay.

La Porte County Parks' Superintendent Jeremy Sobecki said one of his Maintenance Technicians is retiring December 8<sup>th</sup> and wanted permission to start advertising for that. A motion to approve was made by Councilman Garner and seconded by Councilman Mollenhauer. Councilman Santana asked if two part-time employees would be more beneficial than one full-time employee. Mr. Sobecki said it is very difficult to find people who want a part-time position. Councilman Santana said the Parks staff does a great job.

Motion carried 6-0.

Hearing of seeing no additional department heads, President Novak closed Department Head reports.

#### **LIAISON REPORTS**

Councilman Rosenbaum attended the Redevelopment Commission meeting and participated in several Zoom meetings.

Councilman Mollenhauer attended several Zoom meetings and on November 20<sup>th</sup> attended an informational update meeting regarding the rail service for KIP. He said they are doing an incredible job on the project which should be completed by next week. Regarding the workshop that was held on November 18<sup>th</sup>, he expressed disappointment that the discussed projects won't be implemented until 2021.

Councilman Yagelski said construction on the Michigan City Courthouse is going well and Patrick Landers has been taking great pictures of the progress being made. He said he would like to propose to the Commissioners to have some history put into the laying the cornerstone. He would also like to get some participation from the public and businesses. President Novak said a time capsule has been discussed.

Councilman Garner met with the Finance Committee and he attended the workshop on November 18<sup>th</sup>. He also attended two FMEC meetings.

Councilman Santana said although he was preparing a report on his liaisons, he feels that the Council pretty much knows what the departments are doing. When it comes to the Cares Act money, he is grateful that the County will be able to take it's time making decisions on spending.

President Novak said things are progressing out at the Fairgrounds. Sera Solutions was hired for some branding and the logo, and great things are being planned for when the vaccine is available to all and places open back up. He also gave kudos to Tony Rodriguez and Matt Reardon for all of progress being made in the County. He also attended a weekly conference call regarding the Michigan City Courthouse. He asked that Joie pick out some of the photographs to share with the Council. He added that everything is on schedule but no one from the public is allowed to visit the building during COVID.

## NEW BUSINESS

- 1. Consider Commitment of matching funds for Bridge 512 and Bridge 104 (funding to be requested when grant is awarded) – Mitch Bishop**

LPC Planner Mitch Bishop identified two different grant applications for the two bridges. Between the two grants, roughly \$4,000,000.00 in Federal funds will be made available which covers 80% of the cost. 20% local match is required and would be covered by the Cumulative Bridge funds. If the applications are approved, he would come back before the Council to request the 20% match appropriation.

A motion to approve was made by Councilman Santana and seconded by Councilman Rosenbaum. Councilman Yagelski asked if Bridge 512 is a major bridge and Mr. Bishop replied no. Motion carried 6-0.

- 2. Consider 2021 Health Insurance Premiums – Barb Mossman**

This item was previously discussed in the meeting.

- 3. Consider request to transfer unused budgeted accounts (108) to a 400 account for the purchase of office furniture, laptop and computers in an amount not to exceed \$16,000.00 – request to spend \$3,000.00 from IV-D Incentive Funds for furniture for the Child Support Division and approval of Investigator position – Prosecutor John Lake**

After not being able to hear Prosecutor Lake, there was a brief discussion between the Council, Auditor and Chief Deputy Auditor to determine if anyone had information about this item, Ms. Mossman said she had some regarding the Investigator position. She explained that the person in the Investigator position wanted to move to Victim Advocate which would leave an opening. She understood Prosecutor Lake was coming before the Council at the last meeting but President Novak said that did not happen.

Prosecutor Lake joined the meeting and explained the need for the computers and furniture. Councilman Yagelski said the computers should be purchased through IT and used for those County employees who work remotely when necessary. When that is no longer mandatory, the computers can then be returned to IT. Prosecutor Lake said they need their own laptops and computers to replace some of the aging hardware. Councilman Yagelski reiterated that they should be purchased through IT and Prosecutor Lake then said he needs at least one new desktop computer. President Novak said that Prosecutor Lake wants to purchase the items with his funds but if they are purchased with IT funds, it would be an additional appropriation and would have to be advertised first.

It was agreed that a pool of laptops is beneficial, so President Novak asked if the money could be transferred from the Prosecutor's fund to IT's fund. Prosecutor Lake said he didn't want to do that and Auditor Winski said money cannot be transferred between two departmental funds. Councilman Santana asked Prosecutor Lake if he would be willing to purchase the computers with his funds and then share them with other departments that may need them at a later date. Auditor Winski said that if the Prosecutor buys them, they stay with his department. She feels that he has the money available so it seems reasonable to approve the

money. Prosecutor Lake said they are necessary for his staff work remotely because they only have desktop computers at this time.

President Novak asked Prosecutor Lake to explain the office furniture being requested with the \$16,000.00. Prosecutor Lake said it is to replace seating in his office and for a conference table to replace one being moved to the Brown Mackie building. He said the conference table would then be used in the new building when construction is completed.

A motion to approve not to exceed \$16,000.00 for office furniture, computers and laptops was made by Councilman Santana and seconded by Councilmen Mollenhauer and Rosenbaum. Motion carried 5-1, with Councilman Yagelski voting nay.

A motion to approve \$3,000.00 from IV-D Incentive Funds for furniture for the Child Support Division was made by Councilman Santana and seconded by Councilmen Mollenhauer Rosenbaum. Prosecutor Lake said the meeting room is now empty and the Child Support Division needs some furniture and seating for meetings with individuals. Councilman Rosenbaum asked that Building Maintenance be consulted to see if they have any office furniture in storage. President Novak asked Prosecutor Lake to contact Larry Levendowski to see if there is any furniture being stored at the Fairgrounds.

Motion carried 6-0.

Prosecutor Lake explained that the Council had previously authorized him to be able to advertise for the position, and he discussed the process he went through to find a new Investigator.

A motion to approve permission to hire a replacement for the Investigator position was made by Councilman Mollenhauer and seconded by Councilman Rosenbaum. Several Councilmen asked whether or not this is a new hire. It was explained that the current Investigator would move into the vacant Victim Advocate position and a newly hired employee would fill the Investigator position.

Motion carried 6-0.

Prosecutor Lake praised Maintenance for doing such a great job with the Brown Mackie building.

#### **4. 2021 Salary Discussion and Vote**

This item was previously discussed in the meeting.

#### **OLD BUSINESS**

None

#### **CORRESPONDENCE**

None

#### **ORDINANCES AND RESOLUTIONS**

None

## APPROPRIATIONS, TRANSFERS, REQUESTS

### LaPorte County Parks

**Requesting Permission to hire for vacated LTC II Position  
For vacated LTC II position**

This item was previously discussed in the meeting.

### La Porte County Commissioners

**Requesting an Additional Appropriation  
From Riverboat (1191) or General (1000)  
For Liability Claims Fund (4701)**

**\$350,000.00**

Auditor Winski said the Liability fund is used to pay claims for lawsuits brought against the County and the insurance for County buildings. Councilman Santana asked for the beginning budget and Chief Deputy Kristie Deckard replied \$1.1 million is budgeted each year but as of today's date, \$1.2 million has already been paid for insurance. She added that there was an additional appropriation of \$800,000.00 for this fund in July 2019.

Councilman Santana said he was unaware that this amount had risen so high by November of this year and feels it is a disconnect between the Commissioners and Council. Councilman Rosenbaum said that the Finance Committee should be looking at this on a quarterly basis so it doesn't come as such a surprise next year. Councilman Garner agreed. Councilman Mollenhauer asked for a breakdown of the insurance per building and President Novak interjected that the Brown Mackie building is also being insured which contributes to the increase.

Attorney DiMartino stated that there was a large settlement last year due to an automobile accident. Councilman Yagelski asked Auditor Winski to separate the insurance and claims in order to clarify the expenses. She said that could be accomplished. He also said that there had previously been communication from the Commissioners regarding lawsuit claims.

A motion to approve out of the General fund (1000) was made by Councilman Rosenbaum and seconded by Councilman Garner. Motion carried 5-1, with Councilman Santana voting nay.

### La Porte County Sheriff

**Requesting an Additional Appropriation  
From Riverboat (1191) or General (1000)**

**For jail food**

**\$65,000.00**

**For fuel**

**\$20,000.00**

**Total**

**\$85,000.00**

A motion to approve out of the General fund (1000) was made by Councilman Santana and seconded by Councilman Garner. Councilman Mollenhauer feels that \$515,000.00/year for jail food is excessive, although he understands the jail may be full due to various factors. However, he thought some of the staff adjustments and Criminal Rule 26 would have had a more significant effect on the food costs.

Councilman Santana said there is no criticism of the Sheriff, but he is puzzled this much is still being spent. Motion carried 6-0.

**La Porte Superior Court #4**  
**Requesting an Additional Appropriation**  
**From Riverboat (1191) or General Fund (1000)**  
**For psychological evaluations**

**\$5,000.00**

A motion to approve out of Riverboat (1191) was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Councilman Santana asked if this is an ongoing expense. Attorney DiMartino explained that these evaluations are to determine if a person is competent to stand trial and the cost could fluctuate year to year.

Motion carried 6-0.

**La Porte County 911/EMA**  
**Requesting an Additional Appropriation**  
**From Emergency Reserve Fund (1186)**  
**For Motorola invoices/800MHZ project**

**\$259,360.00**

Auditor Winski said this appropriation is for the radios that were to be supplied to all of the units and this is what is still due. Councilman Yagelski disagreed and said this was not to be paid by the County. Director Butcher said this is for the maintenance of the consoles that each department bought. Councilman Yagelski said this was not to be an ongoing expense and he asked to which departments is Mr. Butcher is referring. Mr. Butcher replied every department in the County. After continued discussion on whether or not this is a County expense, Mr. Butcher said he would have to refer to Attorney Shaw Friedman or Auditor Winski. Councilman Yagelski said these types of expenses are budgeted and this was not. President Novak asked if it could be paid out of the 911 User Fees and Ms. Winski replied she wasn't sure at this time. Councilman Yagelski asked if this invoice is past-due and Auditor Winski replied it is 2 years past due and it was just brought to her attention. President Novak said this should be tabled and more information gathered.

A motion to table was made by Councilman Yagelski and seconded by Councilman Rosenbaum. Motion carried 6-0. President Novak asked Auditor Winski to get additional information out to the Council as soon as possible.

**La Porte County EMA**  
**Requesting Permission to Transfer**  
**From Account 30027 – Educational Training**  
**To Account 10130 – Part Time**

**\$1,250.00**

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

**La Porte County Adult Probation**  
**Requesting Permission to Spend**  
**From Probation User Fees (2102)**  
**For 4 computers and a laptop**

**\$6,904.95**

A motion to approve was made by Councilman Santana and seconded Councilman Rosenbaum. Councilman Rosenbaum asked how many computers have been purchased by Adult Probation and Mr. Eyrick replied at least three.

Motion carried 6-0.

Councilman Santana asked if there was any resolution to the insurance for the Brown Mackie building and whether it ended up being the renter's insurance. Auditor Winski said the County got a good rate and she would email it to the Council.

**COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Yagelski said something needs to be advertised to the general public on how to use Zoom to attend the public meetings. Auditor Winski said the Zoom links are on the County website. Attorney DiMartino said he prepared a two-page instructional guide and will share it with Auditor Winski to post on the website and disburse to various news formats. Tony Rodriguez suggested it be shared on YouTube.

Councilman Santana said he will miss the members of the Council but he will be back. He also wished everyone a happy holiday season.

**ADJOURNMENT**

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

**EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 25<sup>th</sup> of January 2021.**

*(abstained)*

Councilman Earl Cunningham

*not in attendance*

*[Signature]*

Councilwoman Connie Gramarossa

*Randy Novak*

Councilman Randy Novak

*Mark Yagelski*

Councilman Mark Yagelski

*Terry Garner*

Councilman Terry Garner

*Mike Mollenhauer*

Councilman Mike Mollenhauer

*Mike Rosenbaum*

Councilman Mike Rosenbaum

ATTEST:

*Timothy Stabsz*

Timothy Stabsz, La Porte County Auditor