

**MINUTES**  
**MEETING OF THE LA PORTE COUNTY COUNCIL**  
**February 27th, 2023 at 6:00PM**

The Regular Meeting of the La Porte County Council was held on February 27<sup>th</sup>, 2023 at 6:00 p.m. (central time) in the Assembly Room of the La Porte County Government Complex, 809 State St., La Porte, IN 46350.

**CALL TO ORDER**

The meeting was called to order by Council President Mike Rosenbaum.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilman Yagelski, followed by a moment of silence for the recently deceased former Councilman Jeff Santana, as well as the recently deceased Aunt of Councilman Koronka.

**ROLL CALL**

Auditor Tim Stabosz called the roll: Councilman Cunningham, Councilman Yagelski, Councilman Kiel, Councilman Rosenbaum, Councilman Novak, and Councilman Mollenhauer were all physically present, while Councilman Koronka appeared electronically via Zoom.

**APPROVAL OF FEBRUARY 27<sup>TH</sup>, 2023 AGENDA**

Mr. Rosenbaum requested to adjust the following items on the agenda:

1. Under New Business: item no. 1 "La Porte County Parks Department – Chief Naturalist position and Recreation and Education programmer position," this is only one position being filled.
2. Under New Business: item no. 1 "La Porte County Prosecutor – IV-D Caseworker position," a second employee is being sought for a case worker position.
3. Under New Business: item no. 5, the Surveyor's request has been removed as it was addressed the month prior.
4. Under New Business: item no. 9 "Appointment to Alcoholic Beverage Commission," four candidates applied to be selected as the appointee of the Council: Hassan Dabagia,

Kevin Kozlowski, Mark Kendall, and John Stimley Sr. Mr. Cunningham asked if an application was received from Matthew Sikorski, which Mr. Rosenbaum noted that he could not locate one. Auditor Stabosz stated that he would look for the application before the vote to appoint a member to the Alcoholic Beverage Commission was made.

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Kiel.
- ii. All members voted in favor.

#### **APPROVAL OF JANUARY 23<sup>RD</sup>, 2023 REGULAR MEETING MINUTES**

- i. Motion to approve made by Novak and seconded by Mr. Kiel.
- ii. All members voted in favor.

#### **PUBLIC COMMENT**

##### **Steve Holifield - 6782 E. 100 S., Mill Creek**

Mr. Holifield voiced concerns over the recently elected Lincoln Township trustee removing all previously established volunteer firefighters from the Lincoln Township Volunteer Fire Department without making any attempt at notifying the township board. He noted that the trustee also did not inform the board who the replacement fire fighters would be or what their qualifications were. He explained that a meeting would be held on February 28th, 2023 at 6pm at the Fish Lake Community Center on 800 E. on the topic of the trustee's terminations, and if these terminations continued the Lincoln Township Board might approach the Council to look into what state statutes might have been violated. Mr. Novak confirmed with Mr. Holifield that the Lincoln Township Volunteer Fire Department was currently staffed, which Mr. Holifield confirmed that the fire department did have staff working.

Mr. Holifield provided the Council with paperwork indicating how a previously acquired FEMA grant was spent.

On January 13th, Mr. Holifield spoke with State of Indiana House Representatives Doug Miller and Jim Pressel, the SBOA, and the DLGF concerning the complaints he had regarding Lincoln Township, as well as to discuss House Bill 1355. He had offered them his services acting as a chair to attend meetings between the Township Trustees, Township Board Members, Volunteer Fire Departments, Council Members, and the Commissioners, so the state would not need to intervene with the County's and townships' operations.

**Rodney McCormick - 617 Union St., Michigan City**

Regarding House Bill 1355, Mr. McCormick noted that amendments were made to the bill that might exclude La Porte County from its consideration, which if this were so, would remove the Council's ability to approve integrating smaller townships into larger townships. He also stated that the citizens of La Porte County were trying to remove Rodney Washington from his elected position, however he kept getting reelected, and that taking shortcuts to disrespect the wishes of the La Porte County's voters was wrong. He noted his hopes that if La Porte County was in fact removed from House Bill 1355, that La Porte County's citizens would have a say, and that any actions taken wouldn't be made solely by Commissioner, or as an example, a board of three Republicans if any decisions were directed toward a township that had elected Democratic leadership. Regarding Council Resolution 2023-2B, Mr. McCormick noted that people shouldn't lose their jobs or be left out of opportunities offered by the County because of the color of their skin. He praised the Council for their bipartisan approach to trying to introduce diversity into the County's workforce.

**Brett Kelley Sr. - 330 N. Calumet Ave, Michigan City**

Mr. Kelley praised the County's officials for listening to his and the public's request for diversity in County government and emphasized the importance of diversity as a reflection of local demographics. He urged elected officials to diversify their hires, and hoped that the Resolution would move forward into its next phase.

**Warren Smith - 0783 S. 700 W., La Porte**

Mr. Smith presented the Council with documentation that listed the Coolspring Volunteer Fire Department's current spending and future expenditures and added that the Coolspring Volunteer Fire Department would still like to receive \$10,000 from the Council every year to allow funding for their various projects. Mr. Yagelski asked that, upon reporting on the financials of the Volunteer Fire Departments, that a collective report be presented that included the spending and expenditures of all the volunteer fire departments.

**Andy Snyder - 809 W. 18th St./Vice Chairman of the La Porte County Fire Chief's Association**

Mr. Snyder asked the Council to consider un-tabling the \$160,000 of funding during the meeting, and that the requested appropriation that was on the agenda for the current meeting included the submittal of a letter that was signed by all of the fire chiefs, which included the fire departments' intentions on how to spend their respective \$10,000 appropriations, if granted.

## **DEPARTMENT HEAD REPORTS**

### **Sean Fitzpatrick - La Porte County Facilities Director**

Mr. Fitzpatrick approached the Council to inform them that, in restructuring the facilities department, there was currently an open position for an Office Manager. He asked for permission to fill the position, which was already budgeted for, and was to replace an employee who was no longer in the position.

- i. Motion to approve made by Mr. Novak and seconded by Mr. Cunningham.
- ii. All members voted in favor.

### **Tim Stabosz - La Porte County Auditor**

Mr. Stabosz took a moment to introduce the new Chief Deputy Auditor, Rhonda Graves, and gave commendation to both her and the previous Chief Deputy Auditor, Vaughn Galloway, who moved onto another La Porte County position. He added that he located Matthew Sikorski's application for the Alcoholic Beverage Commission, which he forwarded to the Council, via both email and text.

## **LIAISON REPORTS**

**Councilman Cunningham:** Mr. Cunningham noted that the Juvenile Services Center's Department Head was taking a new position as a magistrate around early to mid-April, so a transition phase would occur around that time.

**Councilman Yagelski:** Mr. Yagelski informed the room that the meeting was not currently being aired on cable television. Regarding Data Board matters, Mr. Yagelski noted that while some ordinances and resolutions were not well documented in relation to the board's matters, the board served the County well in addressing data and technology-based issues, especially with ongoing and rapid changes in technology.

**Councilman Novak:** Mr. Novak noted that he had attended Animal Control Board, FMEC, and weekly Complex Flood Construction meetings. Additionally, he visited the Juvenile Services Center, met with the Highway Department, and also met with E-911 regarding the new equipment that was coming into the E-911 Center. He also spoke with the Health Department regarding the request for installation of AED devices in County buildings, and indicated that he had several conversations with Lincoln Township officials. Mr. Novak continued, stating that he also reached out to the Purdue Extension, Redevelopment Commission and Building Maintenance. He also reached out to several others regarding the spread of spongy moths. Mr. Novak also attended a Legislative Farm Bureau event in Union Mills, and also visited the Westville Public Library for a Boys & Girls Club of La Porte County presentation.

**Councilman Koronka:** Mr. Koronka met with the County Clerk at the Michigan City Courthouse for a tour of the new addition to the building. He also met with the Purdue Extension, as well as Soil & Water. He attended the monthly Drainage Board meeting, and also met with the Health

Department. Mr. Koronka participated in the Legislative Session at La Porte High School alongside Commissioner Joe Haney, Representative Jim Pressel, Senator Mike Bohacek, Mayor Tom Dermody, and La Porte City Councilman Tim Franke, in an event where the students were informed of the importance and roles of local government and its officials.

**Councilman Mollenhauer:** Mr. Mollenhauer attended the meeting of the La Porte County Board of Health, in addition to the Commissioners' Special, Redevelopment, and Regular meetings. He also attended the HAZMAT & EMA Advisory Board Meeting, in addition to the Association of Indiana Counties Legislative Conference, in which he expressed great interest in the mental health bills that were being considered and how it would affect the La Porte County Jail. Regarding local law enforcement, he commended the development of a Crisis Intervention Team and their training on managing mental health issues and emergency crises. Mr. Mollenhauer extended his condolences to the families of both Claudine Beaty and Mike Turner.

**Councilman Kiel:** Mr. Kiel explained that he had attended multiple meetings with various liaisons of his, and that he had also partaken in sit-down meetings with the sheriff, as well as the treasurer.

**Councilman Rosenbaum:** Mr. Rosenbaum attended multiple Redevelopment Commission meetings and met with leadership and employees of the Juvenile Services Center regarding salaries. He additionally met with the Health Department, and had another meeting planned with them for the upcoming Friday, and also attended a joint session with the Commissioners regarding the hiring of a permanent Human Resources Director. Mr. Rosenbaum was also part of a virtual meeting which involved discussion on the potential work that needed to be done on the La Porte County Courthouse due to rainwater runoff. He commended former Councilman and teacher Joe Mrozinske, who offered his La Porte High School students who attended the Special Session (attended by Mr. Koronka in Mr. Rosenbaum's place) extra credit. Mr. Rosenbaum attended several FMEC meetings, both executive and regular, and another meeting was scheduled for the upcoming Friday. He, Mr. Yagelski, and the Commissioners had begun discussions with Highway & Bridge and Marquiss Electric regarding developing a multi-year project plan to address lead time issues on parts for projects, which would require earlier planning to acquire said parts for various projects. For his final liaison, Mr. Rosenbaum met with the new head of the Purdue Extension.

## **CORRESPONDENCE**

**Pioneer Cemetery Annual Report:** Auditor Tim Stabosz noted that there was one piece of correspondence that had been forwarded to the Council. The correspondence, an annual report letter from the La Porte County Pioneer Cemetery Commission, contained the spending and expenditures of the Commission's 2022 activities, as well as the Commission's plans for the year 2023. Mr. Rosenbaum noted that the report was not a complete one as it did not contain a balance sheet of the amount of cash on hand that the La Porte County Pioneer Cemetery Commission had on hand. He noted that this report would need to be acquired at a later date.

## **ORDINANCES AND RESOLUTIONS**

### **Resolution No. 2023-2A – A Resolution approving Sheriff’s Commissary Fund expenditures**

- i. Motion to read by title only, with the addition of Exhibit A, made by Mr. Yagelski and seconded by Mr. Novak.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud the Resolution by title only, followed by the reading of Exhibit A.
- iv. Motion to approve made by Mr. Yagelski and seconded by Mr. Kiel and Mr. Novak.
- v. All members voted in favor.

### **Resolution No. 2023-2B – A Resolution Regarding Employee Diversity**

- i. Motion to read as presented and in its entirety made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud the resolution in its entirety.

Mr. Yagelski noted that hiring requirements, primarily educational requirements, might need to be loosened to ensure that some County positions could be made more available to the public, citing janitorial positions as an example.

Mr. Novak added that the Resolution could not be inherently enforced, however it would be a useful tool in bringing diversity into the County's workforce. He added that while minorities were present in the County's workforce, many of them were not public positions and instead back-of-house positions that were located at Community Corrections, the Juvenile Services Center, or the jail. Mr. Cunningham urged that more minorities needed to be represented in public offices, and elected officials needed to be encouraged to increase their departments' diversity.

- iv. Motion to approve made by Mr. Novak and seconded by Mr. Cunningham.
- v. All members voted in favor.

## **NEW BUSINESS**

### **1. Consider approval of Council President's authorization to hire replacement positions for:**

#### **a. La Porte County Parks Department – Chief Naturalist position and Recreation and Education programmer position**

- i. Motion to approve made by Mr. Novak and seconded by Mr. Cunningham.**
- ii. All members voted in favor.**

#### **b. La Porte County Clerk – Clerk Position**

- i. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.**
- ii. All members voted in favor.**

#### **c. La Porte County Highway Department – Mechanic position and Bridge Tender position**

- i. Motion to approve both positions made by Mr. Kiel and seconded by Mr. Mollenhauer.**
- ii. All members voted in favor.**

#### **d. La Porte County Prosecutor – Victim Advocate position and IV-D Caseworker position**

- i. Motion to approve both positions made by Mr. Koronka and seconded by Mr. Kiel.**
- ii. All members voted in favor.**

#### **e. La Porte County Soil and Water – Soil Conservationist position**

**Mr. Cunningham added that the position was offered the week prior, however he was unsure if the candidate officially accepted the position.**

- i. Motion to approve made by Mr. Koronka and seconded by Mr. Novak.**
- ii. All members voted in favor.**

#### **f. La Porte County Auditor – Clerk Position and Payroll Position**

Mr. Stabosz noted that a vacancy in his Payroll Department had been filled by one of the employees in the Auditor's Office, however there was still one position that needed to be filled in Payroll, as well as the new vacancy in the Auditor's Office that was caused by the employee who transferred to Payroll.

- i. Motion to approve both the Payroll Specialist and Accounts Payable Clerk positions made by Mr. Novak and seconded by Mr. Kiel
- ii. All members voted in favor.

**2. Consider authorization of County Council Attorney, Guy DiMartino, to perform professional services for the Board of Commissioners with regard to the flooding at the annex and insurance. (Any services performed for the Board of Commissioners would be paid for by the Board of Commissioners.)**

- i. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.

**3. Jackie Dermody – CASA**

Mrs. Dermody explained that during the August of 2022 budget hearings, the Council had set aside \$90,000 for Family Advocates, as they do annually. She noted that \$10,000 of these funds go towards their Community Advocate Program, and the remaining \$80,000 went towards their CASA program. In 2023, however, the State of Indiana would only be providing Family Advocates with \$53,765 in funding, as a result of reduced case numbers in 2021, which was caused by fewer CHINS petitions being filed due to the pandemic. Mrs. Dermody requested to submit a purchase order to use the entire \$90,000 that was set aside for Family Advocates.

- i. Motion to approve the transfer of \$90,000 made by Mr. Novak and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.

**4. La Porte County Sheriff**

- a. Permission to spend not-to-exceed \$3,000 from K-9 Donation account for miscellaneous equipment and training.



- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Cunningham.
  - ii. All members voted in favor.
- b. Permission to spend \$39,679 from the Commissary account to move the generator from the 8<sup>th</sup> street building to the Sheriff's maintenance garage.

Mr. Rosenbaum explained that the Commissioners gave permission for the moving of the generator. Mr. Yagelski asked why the cost to move the generator was so high, which Sheriff Ron Heeg explained that the cost was partially from the outright cost of moving the generator, and partially the required installation of a new transfer switch in the maintenance garage where the generator would be newly housed. Mr. Yagelski asked if the Highway Department might be able to move the generator to reduce the cost of the move, which Mr. Heeg noted that he would reach out to the Highway Department to see if they would be able to perform the move instead.

- i. Motion to approve, with the exception that the sheriff would reach out to the Highway Department to potentially move the generator first, made by Mr. Mollenhauer and seconded by Mr. Novak.
  - ii. All members voted in favor.
- 5. La Porte County Highway – Requesting a motion of Support, not-to-exceed \$2,000,000, for the purchase of new trucks.**

Highway Department Superintendent Allen Stevens explained that he was going to be purchasing five tandem axle vehicles and two single axle vehicles in the total of \$1,875,000. He noted that the lead time to receive the vehicles would be long, and if the vehicles were purchased in the first quarter of 2023, they arrival would be guaranteed in the first quarter of 2025. If the vehicles were purchased after the first quarter of 2023 however, there would be no guarantee as to when they would arrive.

Mr. Mollenhauer asked if any vehicles would be traded in, which Mr. Stevens explained that there would be no trade-ins and the new vehicles would simply be added into the current fleet, however as vehicles aged out in the fleet, they would be considered for a county (surplus) sale.

- i. Motion of support made by Mr. Yagelski and seconded by Mr. Koronka.
- ii. All members voted in favor.

**6. Matt Reardon – Discussion of KIP rail connectivity, CSX park connection, and repayment of agreement.**

Matt Reardon explained that CSX was requesting a short-term loan in the amount of \$550,000 that would be used to construct a rail switch. An agreement was already signed by JBC Rail and Kingsbury Elevator Inc. that if the funds from the new rail car service aren't enough to pay back the loan, the two entities would be financially responsible for paying back the County. The clock for the deadline would begin as soon as construction on the switch was completed. Mr. Yagelski voiced concerns over working with CSX, due to issues in conjunction with work they had previously done in Michigan City, in addition to shutting down a road for eight months with another one of their projects. Mr. Reardon noted that he would speak with CSX's representatives about Mr. Yagelski's concerns, and about having an assurance clause included in their contract. He reiterated that there should be enough rail traffic and new customers to pay the \$550,000 loan back, and that the rail park in which CSX was installing the spur and rail switch was for operating traffic only. Mr. Yagelski asked how the switch was going to be maintained and managed in the future, which Mr. Reardon explained that maintenance of the switch would fall entirely on CSX, and the county would not be required to maintain it whatsoever.

Mr. Cunningham asked what the length of the loan was, which Mr. Reardon answered it was three years. Mr. Mollenhauer inquired if the spur and rail switch were to connect the present rail line, which Mr. Reardon confirmed this was true, adding that the county, along with the IDEC, had created interim connections within the park, and this would be the outer part that brings CSX into the rail car park. He noted that the county itself did not own any switches coming into the park. Mr. Reardon added that the Indiana Economic Development Corporation was going throughout the state and identifying SSI sites and special sites for large projects, of which Kingsbury was considered one of these sites, which gave the county high priority with the IDEC for future site initiatives.

Mr. Rosenbaum emphasized the importance of economic development in the county, and by adding rail, more opportunities for growth were brought into the county, and gave landowners the opportunity to sell land that they may have been sitting on over a period of time.

- i. Motion of support made by Mr. Mollenhauer and seconded by Mr. Novak.
- ii. All members voted in favor.

**7. Appointment of Council Members to Property Damage Insurance Claim Committee.**

Mr. Rosenbaum explained that the county would be receiving money from its insurance company and the county would be responsible for dispersing those funds to the vendors who were making repairs on the Complex building that was flooded shortly after Christmas of 2022. He noted that the committee would be made up of two members from the Council, one member from the Commission, and the Auditor. He noted that himself, as well as Mr. Novak, would be assigned to the Council seats of this committee.

- i. Motion to approve made by Mr. Novak and seconded by Mr. Cunningham.
- ii. All members voted in favor.

**8. Request to add full-time position at Weights and Measures for a period of four months.**

Mr. Rosenbaum explained that Michael Quinn, the current inspector for the Weights and Measures Department, announced his plans to retire earlier in the year, and upon his announcement, would only be working for the County for six more months. While the position was traditionally advertised as part-time, to ensure that Mr. Quinn's replacement, Dakota Euler, could receive the proper state-required training that normally took one year to acquire, Weights and Measures was requesting that Mr. Euler be offered a temporary full-time position for four months so his training could be expedited before Mr. Quinn retired. The position would revert to part-time once the four months had passed, and there was enough funding available to ensure that Mr. Euler would be able to receive a full-time salary, in addition to being able to receive insurance benefits beginning on March 1st of 2023. When Mr. Mollenhauer asked if Mr. Euler would be going to Indianapolis to receive training, Mr. Rosenbaum explained that Mr. Quinn would be performing the training, as he was regarded one of the best trainers in the state.

- i. Motion to approve with the exception that Mr. Euler be recognized as a full-time employee beginning at the date that he started working in Weights and Measures made by Mr. Novak and seconded by Mr. Kiel.
- ii. Six members voted in favor (Mr. Cunningham, Mr. Yagelski, Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka) and one member vote not-in-favor (Mr. Mollenhauer).

**9. Appointment to Alcoholic Beverage Commission**

- i. Motion to appoint [sic] John Stimley Sr. made by Mr. Yagelski and seconded by Mr. Mollenhauer.
- ii. Motion to nominate Matthew Sikorski made by Mr. Cunningham and seconded by Mr. Koronka.

iii. Mr. Rosenbaum closed the nominations.

iv. A roll call was required, during which five members voted in favor of appointing Matthew Sikorski (Mr. Cunningham, Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka) and two members voted in favor of appointing John Stimley Sr. (Mr. Yagelski, Mr. Mollenhauer). Matthew Sikorski was thusly appointed to the Alcoholic Beverage Commission.

## **OLD BUSINESS**

### **1. Counsel's Report on the search for recruiting agency for Human Resources Director and Integritas contract**

Council Attorney Guy DiMartino reported that both boards gave himself and attorney Andrew Jones the task of reaching out to recruiting agencies that would assist with the hiring of a permanent Human Resources Director for the county. Both he and Mr. Jones recommended utilizing a recruiting agency known as Integritas, who would be willing to accept a one-time \$17,000 for their hiring services if a candidate was found. The company was based out of South Bend and specialized in human resources and accounting placements, and had worked with municipalities and school boards in the past. He added that the standard market range salary for the Human Resources Director position, with the requirements and government responsibilities that the Council sought, was roughly between \$90,000 and \$120,000 per year.

Mr. Kiel added that during his attendance at a three-hour human resources seminar at the AIC Conference in Indianapolis, he had asked the panelists of the seminar if the number of employees and the pay offered in La Porte County's Human Resources Department was considered normal, and was met with the panelists' surprise, implying that the county's Human Resources Department conditions were not nominal.

Mr. DiMartino emphasized that the Council needed to seriously discuss the position's salary before voting to spend the \$17,000, to ensure that the money would not go to waste. Citing his experience in working with a large company with roughly the same number of employees as the county, Mr. Koronka confirmed that the market range salary provided by Mr. DiMartino was what was generally offered for the position, and offering a lower salary might not turn up quality applicants. Mr. Rosenbaum recommended offering \$90,000 to \$110,000 as an annual salary offering, depending on the applicant's experience. Mr. Novak recommended establishing an executive session or workshop in which the Council and Commissioners could discuss an exact selection for the Human Resources Director Salary.

- i. Motion of support for the Commissioners to sign the Integritas contract for \$17,000 to come out of the Commissioners' Professional Services Account.
- ii. All members voted in favor.

**2. La Porte County Council**

Requesting Additional Appropriation from ARP (8950/8951) for: \$160,000  
Volunteer Fire Departments in La Porte County

- i. Motion to un-table made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.

Mr. Novak explained that the first round of \$10,000 ARP funds issued to La Porte County's volunteer fire departments did not have any restrictions on them, and the Council needed to clarify some of the regulations that came with the new \$10,000 ARP appropriations for 2023 funds, hence why the item was tabled during the previous month's Council meeting. The document that Mr. Snyder spoke about earlier was in relation to this particular round of ARP funds that were currently being presented, not the previously appropriated ARP funds given to the fire departments in 2022. Mr. DiMartino explained that he generated a document that highlighted what the ARP funding could and could not be used for, which allowed the fire departments to use their respective \$10,000 for training and equipment, however not for things like bonuses, pay, or retention. Mr. Kiel proposed adding an additional provision that the fire departments must report back to the Council with their spending, to ensure their compliance with the new regulation. Mr. Stabosz, noting that the fire departments did not have specific accounts in which the appropriated \$10,000 was held, explained how it could be difficult to discern exactly how the \$10,000 was spent amongst the fire departments' other expenses.

Mr. Cunningham stated that if the fire chiefs attest and the county-wide committee did not see any red flags, then there would be no reason for concern, and added that \$10,000 was a small amount of money anyway. Mr. Kiel rebuked that the public should be able to know how the funds were benefitting them as tax payers, while Mr. Stabosz explained that if these funds were required to be tracked, they may need to be distributed in the form of a grant program, and also agreed with Mr. Cunningham's statement, adding that \$10,000 was a small amount of funding, compared to the effort required in administering it as a grant.

Mr. Kiel explained that two townships, Hudson and Johnson, had contracts with fire departments that were outside of La Porte County, and were paying into La Porte County tax dollars but were not receiving the benefit of the distribution of the \$10,000 in ARP funds. Mr. Cunningham stated that any member of the public could reach out to the fire departments to inquire about how they spent the \$10,000, which Mr. Kiel corrected, stating that the La Crosse Volunteer Fire Department is an independent, non-reporting, non-profit station, with Mr. Novak adding that the Coolspring Volunteer Fire Department was also not affiliated with the township. Mr. Novak noted that any concerns about reporting would be mitigated with the current fire chief administration, who would certainly produce a report regarding the volunteer fire departments' spending of their respective \$10,000 in ARP funds.

Mr. DiMartino noted that the appropriation needed to be approved via roll call; Mr. Stabosz called the roll.

- i. All members voted in favor.
- ii. The motion passed unanimously.

### **3. La Porte County Public Defender**

Requesting to add an account to transfer funds to pay health insurance.  
(Tabled from January 23rd, 2023)

Chief Public Defender Craig Braje approached the Council to explain that he wanted to create a transfer of the Public Defender's Office insurance fund into its own category, as it was previously placed under the Professional Services category. He stated that the cost that was provided for health insurance was an estimate, however the he did not originally know exactly how many of his public defenders would be interested in partaking in the insurance program. At this time, 10 of the 23 public defenders in his office were now currently enrolled with the county's insurance, the funds for which were part of the Public Defender's Office reimbursement program, so for any of the public defenders who did not handle misdemeanor cases, that money would be returned 50% back to the county during quarterly submissions.

Mr. Rosenbaum asked if the insurance piece would be part of the reimbursement, which Mr. Braje confirmed was true, so as long as the program and the public defender qualifies under the case load requirements, it would be reimbursed back into the General Fund. Mr. Yagelski stated that he was uncomfortable on voting, as the employees in question were 1099-based contract workers, which would set a precedent for the Council. Mr. Braje stated that part-time employees had received insurance

through La Porte County in the past, which Mr. Novak confirmed that the Prosecutor's Office employees did in fact receive insurance. Mr. DiMartino clarified that the Prosecutor's employees were technically employees of the Prosecutor's Office and not employees of the county.

Mr. Braje explained that under the Public Defender Program in Indiana, the Public Defender's Office establishes a board, and then the board determines if the Public Defender's Office will have employees or contracted attorneys. The public defenders for La Porte County were on a contract basis, with 1 full-time employee and 22 part-time employees. Because they were contracted, they received no reimbursement for secretarial assistance, office space, stationary, postage, or other various expenses. Mr. Braje continued, stating that the year prior, the La Porte County Public Defender Board met to discuss difficulty in retaining staff. He added that Porter County added benefits for their contract part-time public defenders, however they were not required to fulfill a caseload requirement like La Porte County's public defenders were, and emphasized that the case load requirements added additional pressure onto his team of public defenders. He also explained that there had been confusion in the past regarding how the public defenders were to pay their portion of their health insurance premiums, and ultimately, it was decided that the public defenders would pay their portion of their premiums to the Auditor via check. Mr. Novak asked if it would be possible for the county to reclassify the public defenders, which Mr. Braje stated would not be possible due to ethics concerns, citing specifically if two attorneys were representing different parties involved in the same case, there would be a conflict of interest, which would require his office to hire another set of staff to address these conflicts.

Mr. Cunningham noted that, as the Public Defender's Office liaison, Mr. Braje had previously explained to him that he wanted to offer health insurance as a benefit over increasing pay as an incentive to retain staff. He added that this request was approved during budget hearings, however Mr. Novak clarified that insurance was not specifically brought up at the budget hearings, citing that "this is for insurance for the Public Defenders," which Mr. Stabosz concurred with. Mr. Novak recommended updating the policy for offering health insurance to part-time and contracted workers outright. Mr. DiMartino also noted that the Council would need to add money to the public defenders' contracts, as the county portion of their premiums was actually considered compensation, and of taxable benefit.

Mr. Kiel asked if the number of public defenders in the Public Defender's Office was fixed, which Mr. Braje noted that it was only determined by the budget that was appropriated to them by the Council. He explained that in his 29 years of public defender work, the office had fluctuated from 9 employees all the way up to 24, and the amount of appointments were increasing dramatically. Mr. Kiel asked what the

requirements were for the public defenders, and if they needed to work a set number of hours or work a set amount of cases. Mr. Braje explained that there was an experience requirement and a case load requirement, with public defenders in the Superior 1 and Circuit courts being permitted to handle upwards of 40 cases in one year, however they could not take more than 10 cases in one quarter, even if they had performed less than 10 cases in a previous quarter. Mr. Kiel asked how the 10 employees in the Public Defender's Office were able to acquire insurance if the transfer request sitting before the Council had not yet been approved. Mr. Braje stated that he thought the funds had already been appropriated for the health insurance, as he was informed that it was voted on during budget hearings, and he had simply been corresponding with the Auditor to ensure that his public defenders could make payments on their portions of their premiums, and ultimately, he was made aware by the Auditor that there were concerns regarding whether the public defenders had actually been approved to receive health insurance.

Mr. Novak noted that the Prosecutor's Office offered their part-time employees more money, as well as benefits, and the Public Defenders' Office staff received less money and no benefits, and from what he understood, the Supreme Court wanted to establish a closer equality in compensation to assuage the illusion that either office provided different quality in representation. Mr. Braje added that a pay parity provision was in place that the state-wide Public Defender Commission established, and that pay parity audits could potentially deny reimbursement if compensation requirements were not met, however these pay parity audits do not include secretary fees, salaries, copy machines, and various office supplies. Newly proposed legislation from the Public Defenders Commission could potentially lower the public defenders' caseloads as well. Mr. Yagelski reiterated that he did not want to vote on the item tonight as a policy for it had not yet been established. Mr. Novak asked if he could amend his motion to require a change in policy, however Mr. DiMartino noted that it would be much more involved than simply changing the motion, and stated that he did not feel as though the item could be voted on during the evening's meeting.

Mr. Kiel asked Mr. Braje how many cases his public defenders worked on every year, which Mr. Braje estimated between 1,500 and 1,800. Mr. Kiel also asked who selected the public defenders who worked in the office, which Mr. Braje confirmed that he himself did, under the supervision of the La Porte County Public Defender Board.

- i. Motion to table made by Mr. Yagelski and seconded by Mr. Kiel.
- ii. All members voted in favor.



Mr. Novak clarified that the 10 employees who currently did have insurance would be permitted to keep the insurance, so long as they continued paying their share of their premiums via check to the Auditor.

Mr. Stabosz, explaining why the public defenders were getting health insurance, noted that a discussion had been had around the turn of the year including several public officials, where the understanding was that the Professional Services money was fungible with being paid for health insurance, and this was the conclusion that had been reached at that time.

### **APPROPRIATIONS, TRANSFERS, AND REQUESTS**

Mr. Yagelski voiced concern over how the Council was going to appropriate funds for the items listed as a whole, and stated that they did not have enough funding to approve all of the items. Despite there being a running balance. Chief Deputy Auditor Rhonda Graves clarified that the fund balances on the February 17<sup>th</sup> date were accurate, and as viewable on the January 2023 funds balance, the previous Chief Deputy Auditor indicated that it was based on the 2022 budget, and it did not take into consideration any of the encumbrances or appropriations. She noted that, according to LOW, this will often happen in January, and affirmed that the amounts today, as of February 17<sup>th</sup>, were in fact correct. Mr. Stabosz added that since many of the appropriations were from LIT Public Safety or ARP funds, most if not all of the appropriations could be afforded, and the first appropriation request could be divided up to three ways if the Council wanted to ensure its funding this particular evening.

#### **La Porte County Planner**

Requesting Additional Appropriation from Wintax (4220) or LIT (1112) or Riverboat (1191) for:  
Community Crossings Grant \$16,000

Mr. Rosenbaum asked La Porte County Grant Writer Mitch Bishop how soon the money would need to be spent, which Mr. Bishop confirmed that the first payment would need to be paid for in May of 2023.

- i. Motion to table made by Mr. Cunningham and seconded by Mr. Novak.
- ii. All members voted in favor.

#### **La Porte County Auditor**

Requesting Additional Appropriations from LIT Public Safety (1170) for:

- |                           |              |
|---------------------------|--------------|
| 1. Two Probation officers | \$115,990.00 |
| 2. PERF                   | \$12,990.88  |
| 3. OASI                   | \$7,191.38   |
| 4. Medicare               | \$1,681.85   |

Chief Probation Officer Steve Eyrick appeared electronically via Zoom to explain that the two officers from Adult Probation had been previously paid out of the Probation Officers Administrative User Fees fund, however the fund would have been exhausted in January, so the two officers were converted to LIT Public Safety in January. It was his understanding that the two positions were to be funded from LIT Public Safety, however, no funding had been provided. Mr. Rosenbaum clarified that LIT Public Safety does not have its own budget, so all the items funded from it need to be appropriated. Mr. Rosenbaum explained that this appropriation would be paid over the course of the year in quarterly increments, and for the first quarter, the first appropriation would be roughly \$34,000.

- i. Motion to approve with the exception that the appropriations were not-to-exceed \$35,000 per quarter made by Mr. Novak and seconded by Mr. Cunningham.
- ii. All members voted in favor during the roll call.

**La Porte County Auditor**

Requesting Additional Appropriations from Riverboat (1191) or LIT (1112) for:

Overtime Pay \$3420.30

- i. Motion to deny made by Mr. Yagelski and seconded by Mr. Mollenhauer.

Mr. Stabosz clarified that the requested overtime was for his only two Payroll employees, who had incurred the overtime by trying to keep up with last-minute salary adjustments and applying county bonuses between the holiday season and January. He added that the new insurance company that the county selected also caused additional work for his payroll team that caused them to accumulate overtime. He added that the Payroll employees were so saturated with work that even if compensation time were offered to them, they would be unable to utilize it, especially taking into consideration the time crunch that was caused by the bi-weekly pay period. Mr. Cunningham confirmed with Mr. Stabosz that there were only two Payroll employees, and asked how the \$3,420.30 would be distributed between the two employees, which Mr. Stabosz noted that one employee would receive roughly 60% of the funds, and the other employee would receive roughly 40%. Mr. Stabosz clarified that he was not asking for the establishment of an overtime account, and had no intention of asking for one. Mr. Yagelski advised Mr. Stabosz to cross-train a few of the employees in the Auditor's Office to assist with the Payroll Department's workload, and emphasized that offering overtime was generally not embraced by the county.

Mr. Novak noted that he would support approving the appropriation, as one of the Payroll employees was transferring to another department, and the remaining senior employee would not have time to use compensation time while training a new employee. Mr. Rosenbaum added that cross-training for Payroll was different than cross-training for something like Accounts Payable.

- ii. During roll call, five members voted not in favor (Mr. Kiel, Mr. Cunningham, Mr. Rosenbaum, Mr. Novak, Mr. Koronka) and two members voted in favor (Mr. Yagelski and Mr. Mollenhauer). The motion did not carry.
- iii. Motion to approve not-to-exceed \$3,420.30, with the exception that this was a one-time appropriation, and that the Auditor would need to cross-train his employees, made by Mr. Novak and seconded by Mr. Kiel.
- iv. During roll call, six members voted in favor (Mr. Kiel, Mr. Cunningham, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and one member voted not in favor (Mr. Yagelski). The motion carried 6-1.

**La Porte County E-911**

Requesting Additional Appropriations from LIT Public Safety (1170) for:

1. Consoles, Carpet, 24/7 Chairs	\$472,676.90
2. Monitors, Keyboards, CPUs	\$37,808.15
3. Work Stations and Monitoring/Phones	\$4,362.50
4. Chairs	\$4,716.00
5. Air Purifiers	\$4,716.00
6. Display Port Adaptors	\$1,858.24

- i. Motion to approve all items for a total of \$605,693.21 made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor during the roll call.

**La Porte County Sheriff**

Requesting Additional Appropriation from LIT Public Safety (1170) for:

Patrol Vehicles	\$490,000
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- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Novak.
- ii. All members voted in favor during the roll call.

**LaPorte County EMS**

Requesting Additional Appropriations from ARP (8950/8951) or CCD (1138) or Riverboat (1191) or LIT (1112) or LIT Public Safety (1170) for:

1. Loose Equipment, Graphics, Emergency Lights and Siren	\$16,606
2. 2023 Chevy Tahoe	\$43,740

- i. Motion to approve out of LIT Public Safety (1170) made by Mr. Novak and seconded by Mr. Mollenhauer.
- ii. All members voted in favor during the roll call.

**La Porte County Health Department**

Requesting Additional Appropriation from ARP (8950/8951) or Riverboat (1191) or LIT (1112) for:

AEDs for County Buildings \$75,000

Mr. Novak explained that while a grant had been available from the Healthcare Foundation that could have given the county AEDs, multiple needy churches and schools, as well as volunteer fire departments applied for the grant, and the grant opened and closed before the county had an opportunity to apply. Mr. Yagelski stated that he felt the number of AEDs was excessive, and noted that the county's employees would need to be trained on how to use them. Mr. Novak explained that the La Porte City Fire Department was generally willing to train on CPR if anyone asked, so perhaps they would be willing to assist, and also recommended La Porte County EMS as a training source. Health Department Administrator Amanda Lahners informed the Council that the appropriation would provide 26 AEDs, not including the Sheriff's Department, all of which were compatible with EMS's equipment.

- i. Motion to approve out of ARP (8950/8951) made by Mr. Mollenhauer and seconded by Mr. Novak.
- ii. During roll call, six members voted in favor (Mr. Kiel, Mr. Cunningham, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and one member voted not in favor (Mr. Yagelski). The motion carried 6-1.

**La Porte County Juvenile Probation**

Requesting Additional Appropriation from ARP (8950/8951 or Riverboat (1191) or LIT (1112) for:

Computers \$18,179.80

- i. Motion not-to-exceed \$18,179.80 made by Mr. Yagelski and seconded by Mr. Kiel.

Mr. Rosenbaum advised Chief Probation Officer LaShawn O'Neal to expand his search for computers to various vendors, noting that he had located the exact models of the computer that Juvenile Probation wanted to order for less money; one model that Juvenile Probation was quoted for \$1,939, Mr. Rosenbaum was able to find for \$1,829, and another model that was quoted as \$1,475 he was able to locate for \$1,244. Mr. Rosenbaum also added that he wanted the Data Board to investigate why the Council needed to spend \$250 on Microsoft Office per employee when utilizing Microsoft 360 was free, and voiced frustration in the county having to pay retail prices for new licenses. Mr. Rosenbaum also advised looking into government contracts to pay for county technological equipment.

- ii. All members voted in favor during the roll call.

**La Porte County Highway Department**

Requesting Additional Appropriation from Major Bridge (1171) or ARP (8950/8951) for:  
Franklin Street Bridge Repairs \$478,322.50

Mr. Novak clarified that the appropriation was part of the \$1.5 million that received a motion of support the year prior, and this motion was to appropriate the funds.

- i. Motion to approve out of Major Bridge (1171) with the exception that the remainder of the appropriation be placed on the agenda for the April 24<sup>th</sup>, 2023 Council meeting made by Mr. Novak and seconded by Mr. Mollenhauer.
- ii. All members voted in favor during the roll call.

**La Porte County Commissioners**

Requesting Additional Appropriation from ARP (8950/8951 or Riverboat (1191) or LIT (1112) or Emergency Reserve (1186) for:  
County Liability Insurance \$514,119.46

Mr. Rosenbaum explained that this was for the liability insurance in 2022, and was not to pay 2023's premiums.

- i. Motion to approve out of ARP (8950/8951) made by Mr. Cunningham and seconded by Mr. Yagelski.
- ii. All members voted in favor during the roll call.

**COUNCIL/ATTORNEY COMMENTS**

Mr. Yagelski pressed the need for an executive session regarding insurance policies, which had been discussed two times in previous Council meetings. After confirming with Mr. DiMartino that an executive workshop would be applicable to insurance policies matters, Mr. Rosenbaum stated he had asked Commission Attorney Andrew Jones if he would be able to attend an executive session, which he confirmed he would be able to. Mr. Rosenbaum also asked that the Commissioners be reached out to so as to attend the executive session, which would be held on March 27<sup>th</sup>, 2023 at 5:15pm.

Mr. Yagelski also voiced his condolences regarding the recent death of former Council Member Jeff Santana; Mr. Novak voiced his condolences as well, and with Jeff Santana having been a career firefighter who passed away from cancer, highlighted the dangers that firefighters face in their line of duty, citing specifically the dangers of firefighting foam, which contains a carcinogen known as PFAS. Mr. Novak also noted that during the next Council meeting, he hoped to speak about the salaries for the Highway Department truck drivers and the Juvenile Services Center Staff.

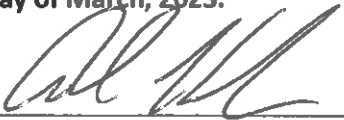
Mr. Rosenbaum noted that Human Resources would need to be reached out to before reclassifications could be considered. He added that he, Mr. Mollenhauer, and Mr. Kiel would begin having meetings on Friday with various departments regarding reclassifications, and that more prominent concerns for reclassification would be addressed first. He added that La Porte County was not the only county that experienced complications in reclassifying jobs that inadvertently resulted in salary increases across the board.

**ADJOURNMENT**

- i. Motion to adjourn made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.

Examined & Approved by the La Porte County Council this 27<sup>th</sup> day of March, 2023.

  
\_\_\_\_\_  
Councilman Earl Cunningham

  
\_\_\_\_\_  
Councilman Adam Koronka

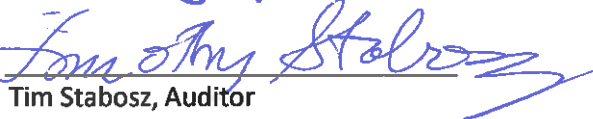
  
\_\_\_\_\_  
Councilman Justin Kiel

*attended via Zoom*  
\_\_\_\_\_  
Councilman Mike Mollenhauer

  
\_\_\_\_\_  
Councilman Randy Novak

  
\_\_\_\_\_  
Councilman Mike Rosenbaum

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

ATTEST:   
\_\_\_\_\_  
Tim Stabosz, Auditor