

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
July 24th, 2023

The Regular Meeting of the La Porte County Council was held on July 24th at 6:00 p.m. (central time) in the Assembly Room of the La Porte County Government Complex, 809 State Street, 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 Mr. Rosenbaum.

ROLL CALL

Auditor Tim Stabosz called the roll: Councilman Cunningham, Councilman Novak, Councilman Kiel, Councilman Rosenbaum, Councilman Mollenhauer, Councilman Koronka and Councilman Yagelski were all physically present for the meeting.

APPROVAL OF JULY 24TH, 2023 AGENDA

- i. Mr. Koronka requested two changes to the agenda: the removal of items 1 & 2 under Old Business, and the removal of La Porte County Building Maintenance's first request (in the amount of \$38,250) under Appropriations, Transfers, and Requests. Mr. Yagelski requested to add a new item under New Business, item no. 3: Economic Development. Mr. Novak requested to add a new item under New Business, item no. 4: Sewer Repair at Fairgrounds. Mr. DiMartino requested the correction of a typo on the first line of the agenda, denoting that the meeting was held on July 24th, 2023; not June 26th, 2023.
- ii. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.
- iii. All members voted in favor.

APPROVAL OF JULY 26TH, 2023 REGULAR MEETING MINUTES

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

PUBLIC COMMENT

George Callas – 708 Toronado Dr., La Porte IN

Mr. Callas praised the Council on the quick construction of the new restrooms at the La Porte County Fairgrounds, as well as County Clerk Heather Stevens' work on converting La Porte County to a vote center county. He felt as though the county's late payment on insurance bills was unacceptable, and urged the county to scrutinize appropriation requests more thoroughly, and to be more frugal in approving requests. Mr. Callas also noted that the La Porte County Treasurer brought in roughly \$140 million in tax revenue per year, and advised directing those funds towards investments, which could earn upwards of \$7 million per year at 5% interest. Mr. Cunningham informed Mr. Callas that the county's tax income was not technically county income, as it was to be distributed across different agencies and townships across the county.

Following Mr. Callas' public comment, Mr. Cunningham requested a moment of silence for the father of Council Attorney Guy DiMartino, who had recently passed away.

DEPARTMENT HEAD REPORTS

Lynn Swanson – La Porte County Coroner

Ms. Swanson reported that she had hired three new deputies who would begin school on September 8th. Additionally, she had hired a coroner from Washington County to work as a Deputy Coroner for La Porte County.

Ms. Swanson reported on the deaths that had been investigated as of the end of the June, 2023: 185 deaths had been investigated, which was 30 more deaths than in 2022 at this time. 6 suicides were reported, along with 21 overdose deaths, 141 natural deaths, 13 motor vehicle accidents that resulted in death, 1 homicide, 1 accidental death by fire, 1 death as a result of a dog bite, and 1 accidental death by asphyxiation. In July, there were 18 deaths thus far, bringing the county deaths investigated by the Coroner to just over 200.

Following difficulty in trying to ask for permission to spend, Ms. Swanson asked for an explanation as to how she could utilize the Coroner's Non-Reverting Fund, as she had been given differing advice on how to ask for appropriation using the fund. Chief Deputy Auditor Rhonda Graves clarified that any amount of funds that were not appropriated needed to be

appropriated, unless the statute for a fund indicated otherwise, however the Coroner's Non-Reverting fund was not a fund that the statute permitted spending without appropriation, and while it may not have been appropriated in the past, it should have been. Mrs. Graves added that the Council would need to advertise the appropriation each month in the newspaper in advance and noted that Mr. DiMartino would meet with Ms. Swanson to further clarify how to utilize the Coroner's Non-Reverting Fund, while Mr. Rosenbaum asked Ms. Swanson to reach out to the Council with the requested amount for appropriation that she had originally requested so it could be advertised. Auditor Tim Stabosz informed the room that the advertising of appropriation requests was sent to the media 13 days before each regularly scheduled Council Meeting.

Later in the meeting, Mr. DiMartino informed Ms. Swanson that per Ordinance No. 2019-02, utilizing the Coroner's Non-Reverting Fund would require appropriation, and the funding could only be used for specific items, such as body bags, supplies, transportation, gas mileage, and additional items that were described in the ordinance, and emphasized the need to advertise the request.

Connie Gramarossa – Board of Commissioners President
Mike Polan – La Porte County Building Commissioner

Regarding an MS4 position that was previously filled by a single employee, Board of Commissioners President Connie Gramarossa proposed having three currently employed county employees split the duties of the MS4 position. Building Commissioner Mike Polan explained that he had selected two employees from the Soil & Water Conservation District to fulfill the roles, in addition to himself as the third role, to carry out the duties of what was once a single MS4 position. One Soil & Water employee would fulfill the administration, financial, management, permitting software, and depositing and returning of bonds, while another would be the field inspector, who would also manage complaints and construction sites. Mr. Polan would oversee the program, work with outside agencies, and serve as an operator. Mr. Cunningham noted that he would support the request on a trial basis for the rest of the year beginning August 1st, 2023. Mr. Polan additionally asked that one member of the Council serve on a board specifically for the MS4 program, oversee it, and be a part of the decision-making process alongside one Commissioner and one qualified department head.

Mr. Kiel asked if the additional MS4 workload would overburden the workload of the county employees, which Mr. Polan noted that, with his own experience in working an MS4 position in the past, there was the potential for the county employees to feel overburdened. Mrs. Gramarossa noted that the Soil & Water employees who were being considered were informed that they may need to work overtime, in addition to Saturdays, in order to fulfill MS4 tasks, and additionally, these employees were not permitted to work on MS4 duties while working their Soil & Water shifts, so they would therefore be receiving additional part-time hours. Mr. Koronka added that he had spoken with one of the Soil & Water employees, who was currently part-time with the county, who had informed Mr. Koronka that he had planned on relinquishing one of his part-time side-jobs to allow for accommodating the needs of the MS4 position.

- i. Motion of support to divide the MS4 duties between the three county employees for a trial period through the end of 2023 made by Mr. Cunningham and seconded by Mr. Novak.

Mr. Rosenbaum requested that a three-month review be added to the motion, while Mr. Cunningham stated that he would be willing to serve on the MS4 Board of Directors.

- ii. All members voted in favor to the motion of support and to appointing Councilman Cunningham to the MS4 Board of Directors.

Mr. Yagelski asked how the employees in question were going to be paid if they already worked full-time, 40-hour weeks for La Porte County. Mr. Kiel added that hourly employees would need to receive overtime for any additional hours worked over their scheduled 40 hours, however overtime would not need to be paid employees who were being paid salaries. Mr. DiMartino noted that some positions were considered hourly-exempt, and any hourly employees' job classifications would need to be looked into to confirm this. Mrs. Gramarossa explained that only one of the three employees was hourly, as he was a part-time employee, and although half of his salary was currently being covered by a grant, there was no promise that the grant would always be available in the future.

Heather Stevens – La Porte County Clerk

Mrs. Stevens asked Mrs. Graves if the Clerk's Perpetuation Fund had the same appropriation and publishing requirements as the Coroner's Non-Reverting Fund, which Mrs. Graves confirmed that the Clerk's Perpetuation Fund needed to follow the same regulations as those of the Coroner's Non-Reverting Fund.

Dakota Euler – La Porte County Weights & Measures Inspector

Mr. Euler thanked former Weights & Measures Inspector Mike Quinn for his training and his dedication to promoting equity between buyers and sellers in the marketplace, as well as his service to the residents of La Porte County over the past eighteen years.

LIAISON REPORTS

Councilman Mollenhauer: Mr. Mollenhauer waived his liaison report.

Councilman Koronka: Mr. Koronka attended the Soil & Water District Legislative Breakfast on July 12th, 2023.

Councilman Novak: Mr. Novak informed the room that the La Porte County Fair had been held since 1845, and praised those who worked hard to prepare for the 2023 fair season, which was reported to have record attendance. He added that 4-H was seeing increased attendance, and the Purdue Extension's operations were running smoothly.

Councilman Kiel: Mr. Kiel attended a Redevelopment Commission Meeting, and noted that another meeting was going to be held the upcoming Wednesday at 4pm, in addition to a Rail Committee Meeting which would be held 3pm. He attended the Soil & Water District Legislative Breakfast, a NIRPC Full Commission Meeting, and had reached out to his assigned liaisons to discuss their budgets.

Mr. Kiel took a moment to discuss the Shared Ethics Advisory Commission (SEAC), which the county currently did not have an appointee for, and added that ethics training had only been given to one or two of La Porte County's employees, whereas in Gary, hundreds of ethics handbooks had been distributed, and in East Chicago, SEAC had been identifying new staff members to become ethics trainers for their respective departments. He noted that the County Council could not direct employees to receive ethics training, however it could encourage Commissioners to appoint individuals to SEAC to set up ethics training, and urged the Council to make good on their own ethics pledge they made by signing on with SEAC during their campaigns.

Mr. Kiel asked for a motion of support asking the Commissioners to address the matter of SEAC ethics training at their next meeting.

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

Councilman Yagelski: Mr. Yagelski stated that the county had not had a scrap sale since 2017, and with the rising prices of scrap, he recommended that another sale be held soon, as he believed the sale of the scrap could yield upwards of millions of dollars for the county. He added that he would communicate with Mr. DiMartino to see what could be done to have another sale.

Councilman Cunningham: Mr. Cunningham praised the importance of the 4-H program, especially its role in creating long-lasting relationships, and its importance to the La Porte County Fair.

Councilman Rosenbaum: Mr. Rosenbaum attended a Redevelopment Commission Meeting, the FMEC Meeting, and attended the fair on multiple days.

CORRESPONDENCE

The Auditor reported no correspondence, while Mr. Rosenbaum reported that he had been receiving correspondence in support of the fairgrounds sewer project.

ORDINANCES AND RESOLUTIONS

1. Ordinance No. 2023-7 – An Ordinance Converting the La Porte County Emergency Reserve Fund into the La Porte County Rainy Day Fund

Mr. DiMartino explained that the Rainy Day Fund was similar to the Emergency Reserve Fund, and La Porte County was the only county in the surrounding area that had an Emergency Reserve Fund as opposed to a Rainy Day Fund. The primary issue with the Emergency Reserve Fund was that 50% of Riverboat funding was deposited into the account, which was not compliant with statutory caps that ranged between 10%-15% depending on the year. The proposed statute would prompt the Auditor's Office to ensure that the 10% or 15% cap was not exceeded, without a two-thirds Council vote. He urged that before funds in the account be utilized in the future, that it receives a financial analysis so the county knows how long it would take to replenish the account back up to \$15 million. Once the fund was in place, the Council would be able to finally appropriate money for the Complex Building's flood repairs. Mr. Yagelski added that the county had a Rainy Day Fund in the past, however it had at one point been prompted to switch over to an Emergency Reserve Fund.

- i. Motion to suspend the rules made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.
- iii. Motion to read by title only made by Mr. Novak and seconded by Mr. Koronka.
- iv. All members voted in favor.
- v. Mr. Stabosz read aloud Ordinance No. 2023-7 by title only.
- vi. Motion to approve made by Mr. Novak and seconded by Mr. Yagelski.

Mr. Novak noted that, regarding the sentence in Section 3 of the Ordinance, "Furthermore, the Council directs the Auditor's Office to prepare and present an estimate no later than December 1st of each year determining what remaining county funds are available to be transferred into the Rainy Day Fund," the Council oftentimes did not hold regular meetings in December, and asked if the date should be modified. Mr. DiMartino recommended potentially amending the language to state that the Auditor must report on the status of the Rainy Day Fund on the last Council Meeting of the calendar year. Mr. Stabosz asked if the December 1st deadline required any action from the Council or if he just needed to inform the Council on the status of the fund by December 1st, which Mr. DiMartino clarified that no Council action would need to be taken and that the Auditor would simply need to inform the Council of the status of the Rainy Day Fund no later than December 1st. If this was done, the deadline could stay December 1st,

although the status of the account could also be reported prior to the deadline if desired. Mr. DiMartino reminded the Council that should they want to amend the deadline, a motion would need to be made. No motion to amend was made.

- vii. All members voted in favor.
- viii. Motion to read by title only for the second time made by Mr. Novak and seconded by Mr. Kiel.
- ix. All members voted in favor.
- x. Mr. Stabosz read aloud Ordinance No. 2023-7 by title only for the second time.
- xi. Motion to approve made by Mr. Novak and seconded by Mr. Yagelski.
- xii. All members voted in favor.

2. Resolution No. 2023-7A – A Resolution Approving the Designation of La Porte County as a Vote Center County

- i. Motion to read by title only made by Mr. Novak and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud Resolution No. 2023-7A by title only.
- iv. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.
- v. All members voted in favor.

3. Resolution No. 2023-7B – Declaratory Resolution for S&G Partners LLC (for real estate) and Sammann Company, Inc. d/b/a Peepers by Peeperspecs – Economic Revitalization Area

- i. Motion to read by title only made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud Resolution No. 2023-7B by title only.

Redevelopment Commission Coordinator Matt Reardon explained that Peepers had requested a tax abatement a couple of years prior, which had since ended, and recreating an economic revitalization area would allow for keeping all parties honest, while also allowing Peepers to make updates to their property.

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

NEW BUSINESS

1. Consider approval of Council President’s authorization to hire replacement positions for:

- i. Community Corrections – Field Officer
- ii. La Porte County Health Department - Nurse

- i. Motion to approve both items made by Mr. Koronka and seconded by Mr. Novak.

- ii. All members voted in favor.

2. Discuss recent changes at Purdue University Northwest – Westville Campus – Councilman Mark Yagelski

Reporting on his correspondence with Purdue University Northwest’s Office of the Chancellor, Mr. Yagelski explained that PNW had reduced the number of their 4-year programs by two-thirds over the past ten years, which he argued resulted in fewer students enrolling at the school. He added that the college’s increased spending on Purdue’s campus redirected funds away from Purdue Northwest, and that the Schwartz Building was also slated to be demolished. Mr. Yagelski added that the Chancellor stated that he would be willing to meet with the Board of Commissioners and Council regarding their concerns with PNW. Mr. Yagelski added that he had advised more aggressively advertising Purdue’s more affordable \$35,000 4-year programs, and additionally recommended that PNW work with smaller, more local businesses. Mr. Rosenbaum noted that the Board of Commissioners would also need to correspond with PNW before the Council took any action themselves.

3. Economic Development

Mr. Yagelski explained that a few years prior, the county had subcontracted their Economic Development department, which had always been funded with two \$110,000 appropriations that were asked for in January and July, and was paid for through the Board of Commissioners’ budget. Now, however, no money had been appropriated, and Economic Development could

not be paid. Mrs. Graves noted that due to fund accounting, the two payments of \$110,000 were not statutorily permitted. Mr. DiMartino added that it had been permitted in the past, and that Economic Development LIT did apply to Economic Development, however he had not seen the rule authority that stated that it could not be done, so going by the steps as advised by the Auditor's Office was advisable. Mrs. Graves clarified that the funds just needed to be appropriated out of Economic Development LIT, and could be budgeted for every year, which would allow for spending from the account.

- i. Motion of support to have \$220,000 (for the year) put on the agenda for Economic Development's budget hearings, and for Mrs. Graves and Mr. DiMartino to investigate the statutes that would allow for the budgeting and application of the funding made by Mr. Novak and seconded by Mr. Cunningham.

Mr. Novak clarified that the funding had not been provided for Economic Development as it had not been requested by any interested parties. Mr. Rosenbaum recommended putting the \$220,000 annual appropriation within Economic Development's annual budget hearings every year.

- ii. All members voted in favor.

Regarding the topic of the county's late payment of insurance bills, Mr. DiMartino noted that the county should be aware of the exact total of premiums, and should be able to budget for these premiums to avoid shortfalls. Mr. Rosenbaum added that a schedule of the insurance premiums was received, and although they may change the following year, the county now knew that the premiums were over \$2 million. Mr. DiMartino asked why it could not be remedied at this time, to which Mr. Rosenbaum explained that it was being handled, however when purchase orders were being created, the wrong account had been utilized, rendering ARP funds that had been appropriated in March of 2023 for these insurance premiums as unused. Mr. Stabosz added that, near the end of 2022, the previous Board of Commissioners Assistant approached the Council to ask for appropriation to pay these bills, however the appropriation was reduced, which made these fees for the premiums particularly problematic.

Mr. DiMartino asked if there was an issue created by the county not renewing its property & casualty insurance at the right time of the year, and questioned if the current renewal date just didn't work with the county's budgetary cycle. He additionally inquired as to why Human Resources was not involved with insurance other than employees' health insurance, to which Mr. Yagelski clarified that the Board of Commissioners had always presided over the property & casualty insurance, while Mr. Novak questioned if the Board of Commissioners were only receiving late payment notifications. Mr. DiMartino proposed that another party should act as a "point-person" to receive the invoices from the insurance company and manage them, which Mr. Novak noted that it would also be helpful if the insurance company sent notice to the

Auditor's Office as well. When Mr. Yagelski indicated that he wanted to make a motion to address the concerns regarding workers compensation payout with the Board of Commissioners, Mr. Rosenbaum informed Mr. Yagelski and he would be meeting with the Board of Commissioners President later that week, and would make the Council's concerns known at that time.

- i. Motion to study the facts of the matter regarding the late payment status of the insurance payments, and to have these facts studied so that changes could be made to avoid late payment in the future made by Mr. Kiel and seconded by Mr. Cunningham.
- ii. All members voted in favor.

4. Sewer Repair at Fairgrounds

Mr. Novak clarified that the request was for a motion of support for \$35,000 to be directed to the La Porte County Fairgrounds for the repair of a sewer line which had collapsed. He explained that a main line had collapsed near the Community Building, and while it was being repaired, the vendor working on the repairs noticed that the sewer line had also collapsed in several other areas, and these areas would need to be repaired as well. When Mr. Yagelski proposed potentially declaring the item as an emergency, Mr. DiMartino questioned if \$35,000 was available from the accounts of any of the departments involved to allow for the outright payment of the request, and asked what the FMEC's involvement with the repairs might be.

Mr. Kiel noted his concerns in overutilizing last-minute motions of support, as they could result in the county making commitments without giving the Council time to research the requests or repairs in question. Mr. Stabosz added that, in his corresponding with Auditors from other counties, utilizing motions of support was relatively unheard of, and most counties distributed additional funds strictly through appropriation.

- i. Motion to declare the collapsed sewer lines at the La Porte County Fairgrounds an emergency made by Mr. Novak and seconded by Mr. Yagelski.

Mr. Kiel debated as to whether the item was truly an emergency, stating that an emergency would indicate imminent risk to life or property. Mr. Cunningham urged the importance of repairing the sewer line to ensure that activities and rentals in the Community Center would be able to continue, while Mr. Yagelski stated that an open sewer line would contribute to health issues.

Mr. DiMartino explained that for the item to be declared an emergency, a dual declaration from both the Council and Board of Commissioners needed to be made. He affirmed that, while motions of support had caused some issues in the past, if Mr. Novak felt confident with a motion of support and received four out of seven votes from the Council, the item would still be approved, and work could continue on the sewer lines at the fairgrounds.

- ii. Mr. Novak repealed his motion to declare an emergency, seconded by Mr. Yagelski.
- iii. Motion of support not-to-exceed \$35,000 for the fairgrounds sewer line repair made by Mr. Novak and seconded by Mr. Cunningham.
- iv. Six members voted in favor (Mr. Cunningham, Mr. Yagelski, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Kiel). The motion passed.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Superior Court No. 4

Requesting Additional Appropriation from Opioid Restricted (1237) or Opioid Unrestricted (1238) for:

Budget for Drug Court \$29,161.44

- i. Motion to approve out of Opioid Restricted (1237) made by Mr. Koronka and seconded by Mr. Novak.
- ii. All members voted in favor.

La Porte County Auditor

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

Pole Raises Approved during last year’s Budget Hearings \$400,000
 Sheriff’s Merit Program \$100,000

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

La Porte County Auditor

Requesting Additional Appropriation from Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Legal Fees \$10,739.16

Mr. Yagelski noted that since the Auditor’s case was still ongoing, the Auditor would likely accrue additional legal fees as the case continued, and as such, if he requested appropriation for future fees, he would need to approach the Council for a separate appropriation. Mr. Stabosz clarified that a ruling had been received that related to whether or not the Auditor was being sued in his personal or professional capacity, and while it was relatively inconclusive, item number nine in the ruling stated that when reviewing relevant statutes and case law pertaining

to the plaintiff suing a government employee, Mr. Stabosz was acting as the Auditor of La Porte County when he decided not to pay the invoice claims submitted by the plaintiff for the work the plaintiff had performed, and every claim the plaintiff makes in his complaint against Mr. Stabosz flows from Mr. Stabosz's authority or abuse of his authority as the Auditor. Mr. Stabosz went on to say that the judge's ruling in the case stated that it would appear logical that because of the facts, the Plaintiff would have to comply with the Indiana Tort Claims Act, and at this time, the case was neither dismissed, nor had summary judgment been given for either party in the case. Mr. DiMartino summarized the judge's statement, stating that, since a dismissal or judgement was not made, additional court actions such as discoveries, depositions, and potentially summary judgements might additionally need to occur, and that no definitive finding of whether Mr. Stabosz was acting in his role as Auditor was defined, and advised paying the Auditor's bill. Later, if Mr. Stabosz was deemed to be sued for acting in his personal capacity and not his professional capacity, Mr. Stabosz's repayment of the bill could be considered.

- i. Motion to approve \$10,739 out of Riverboat (1191), with the exception that a running bill for the attorney's fees be given to the Council monthly, and if Mr. Stabosz was later discovered as being sued in his personal capacity, that he repays the appropriation, made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. Five members voted in favor (Mr. Cunningham, Mr. Yagelski, Mr. Rosenbaum, Mr. Koronka) and two members voted not-in-favor (Mr. Novak, Mr. Mollenhauer). The motion passed.

Mr. Mollenhauer clarified that this bill was the second attorney bill and that the first bill had been previously paid. Mr. Stabosz added that Shaw Friedman had been paid all his non-disputed billings.

La Porte County Treasurer

Requesting Additional Appropriations from Riverboat (1191) or WinTax (4220) or APR (8950/8951) for:

Part-Time Staff	\$7,500
Overtime	\$5,000

Treasurer Joie Winski informed the Council that she was requesting the appropriation to help pay for the overtime associated with the completion of the bank reconciliations from 2020 to current.

- i. Motion to approve out of Riverboat (1191), with the exception that at least two additional persons be assigned to assist the Treasurer with the reconciliation for the remainder of 2023, made by Mr. Mollenhauer and seconded by Mr. Yagelski.

Mr. Kiel inquired as to why Ms. Winski was requesting overtime pay for the reconciliations when the Treasurer staff occasionally left the office early, notably on July 3rd, when the Treasurer's Office closed four hours early. Ms. Winski elaborated that on July 3rd, both of her offices were understaffed, with only one employee working in the Michigan City office and two employees working in the La Porte office. Mr. Kiel asked if the individuals who did work that day were unable to do any work while they were there for the remaining four hours. Ms. Winski noted that they could not work on the reconciliation, as at least two people were required to do so, to which Mr. Kiel additionally asked if there had been any other tasks that the employees could have worked on. Ms. Winski answered that there were work duties that could have been done, to which Mr. Kiel questioned why she had opted to close the office instead. Ms. Winski rebuked that her employees arrived at 7am daily to prepare for each day, and that the Michigan City Treasurer's Office had to close at 3pm every day to count and store their monies safely for the following day, as there was no security in the building. Mr. Kiel questioned why the employees were unable to work until 4pm when they were able to come in at 7am each day, which Ms. Winski added that it was uncommon for the employees of the Treasurer's Office to leave before 4pm, and if so, it was usually only by a few minutes. Mr. Novak recommended that Mr. Kiel, as the Treasurer's liaison, meet with Ms. Winski to discuss any additional concerns with the Treasurer's office schedule.

- ii. All members voted in favor.

La Porte County Coroner

Requesting Additional Appropriation from Riverboat (1191) or WinTax (4220)
or ARP (8950/8951) for:

Autopsies \$30,000

- i. Motion to approve out of Riverboat (1191) made by Mr. Yagelski and seconded by Mr. Koronka.

Mr. Yagelski stated that the courts did not offer enough funding for services such as autopsies, especially when he felt as though not all cases required them. Ms. Swanson agreed, noting that it was the county prosecutor who requested an autopsy for every overdose, which took a large amount of money out of her own budget. Mr. Novak asked how much money an autopsy cost, which Ms. Swanson stated that it was currently around \$2,500 for the autopsy itself, in addition to \$234-\$500 for toxicology tests, relative to what kind of tests were requested. She added that she did have a small amount of funding in her budget to pay for some of the autopsies, but she wanted to replenish the fund to ensure that she could pay for more autopsies.

- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham, Mr. Yagelski). The motion passed.

La Porte County Alcohol & Drug Services

Requesting Additional Appropriation from Opioid Restricted (1237) or Opioid Unrestricted (1238) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Copier – Amount Unpaid by Grant \$1,399.99

- i. Motion to approve out of Opioid Restricted (1237), with the exception that the Opioid Unrestricted (1238) be utilized if Opioid Restricted (1237) was not applicable, made by Mr. Koronka and seconded by Mr. Cunningham.
- ii. All members voted in favor.

La Porte County Building Maintenance

Requesting Additional Appropriation from Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Concession Row Street Lighting	\$10,146	
Bathroom Sink Replacement	\$5,390	
Poultry Building Pole Repair	\$4,978	
Campground Fence Material	\$8,092	
Pioneer Village Electric Repair	\$26,902	
Petting Zoo Water Line	<u>\$3,539</u>	\$38,250

- i. Motion to approve all items out of Riverboat (1191) made by Mr. Koronka and seconded by Mr. Novak.
- ii. All members voted in favor.

Awnings – Hiler Building	\$9,700	
LP Court Room – Painting	<u>\$23,500</u>	\$33,200

- i. Motion to approve out of Wintax (4220) made by Mr. Yagelski and seconded by Mr. Mollenhauer.

Mr. Yagelski confirmed with La Porte County Director of Facilities Sean Fitzpatrick that the Circuit Courtroom was the courtroom that would receive painting. Mr. Yagelski additionally asked if Probation User Fees could be utilized to help pay for the painting of the courtroom, to which Mr. DiMartino explained that Probation User Fees could not be arbitrarily used, while Mr. Novak added that Chief Probation Officer Stephen Eyrick had a limit on the amount of

funding that he could approve out of Probation User Fees, and that this amount of fees would likely be too much for Mr. Eyrick to approve. Mr. Yagelski asked if the courtroom was already painted, which Mr. Fitzpatrick noted that the courtroom had in fact already been painted and that he was seeking the appropriation to replenish the account that had been used to pay for the painting, as he could only get into the courtroom to paint on a strict schedule when none of the court staff was using it.

- ii. Mr. Yagelski changed his motion to approve only \$9,700 out of Wintax (4220) for the Hiler Building Awnings, seconded by Mr. Mollenhauer.
- iii. All members voted in favor.

Mr. Kiel emphasized the importance of advertising appropriations correctly, as asking for appropriation to replenish an account was different than asking for appropriation to allow for work or a service to be performed.

- iv. Motion to table the La Porte Court Room – Painting item, in the amount \$23,500, so that it could be investigated if the courts could dedicate funding to the project, made by Mr. Yagelski and seconded by Mr. Kiel.
- v. Five members voted in favor (Mr. Yagelski, Mr. Kiel, Mr. Rosenbaum, Mr. Koronka, Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham, Mr. Novak). The motion passed.

La Porte County Sheriff’s Department

Requesting Additional Appropriations from LIT Public Safety (1170) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Gasoline	\$175,000
Merit Overtime	\$60,000
Payment of Unused Sick Time for Retiring Employee	\$4,500

- i. Motion to approve \$100,000 out of LIT Public Safety (1170) and \$75,000 out of Riverboat (1191) for Gasoline, \$60,000 out of LIT Public Safety (1170) for Merit Overtime, and \$4,500 out of LIT Public Safety (1170) for payment of unused sick time made by Mr. Novak and seconded by Mr. Yagelski.

On the topic of employees who held gas cards with the county, Mr. Kiel asked Sheriff Ron Heeg if he knew how much public safety officers spent in gas as opposed to non-public safety officers, which Mr. Heeg responded that about 90%-95% of the gasoline spending was directly used by the Sheriff’s office, with the remainder being non-public safety officers.

- ii. Mr. Novak amended his motion to approve, instead motioning to take \$150,000 out of LIT Public Safety (1170) and \$25,000 out of Riverboat (1191) for gasoline, with the motion for Merit Overtime and Payment of Unused Sick Time for Retiring Employee remaining unamended, seconded by Mr. Yagelski.
- iii. All members voted in favor of the amendment.

Mr. Mollenhauer asked if the county still received a gas tax rebate, which Mr. Heeg noted that the county had not received this rebate for years. The rebate, however, had been the reason that other departments' gasoline needs were pooled into the Sheriff's gasoline budget to get the most value out of the rebate that the county could when the rebate was active. Mr. DiMartino noted that, with the gas tax rebate no longer being active, if it would be considerable for the Sheriff to remove other departments from his gasoline budget, so that his entire gasoline budget may be appropriated through LIT Public Safety (1170) in the future. Mr. Heeg noted that this could be done, however, only about \$10,000 of his total gasoline budget went toward non-Sheriff's Department gasoline spending. Mr. Rosenbaum explained that he had a meeting scheduled with Mr. Heeg the following day, and that the removal of non-public safety officer gas spending could be discussed at that time. Mr. Mollenhauer recommended sending a member of La Porte County law enforcement to this meeting so they may discuss the purpose of the need for autopsies.

- iv. The question was then called for, and all members voted in favor.

La Porte County E-911

Requesting Additional Appropriation from LIT Public Safety (1170) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Nutanix Five-Year Contract Renewal	\$156,550
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- i. Motion to approve out of LIT Public Safety (1170) made by Mr. Yagelski and seconded by Mr. Koronka.
- ii. All members voted in favor.

La Porte County Recorder

Requesting Additional Appropriation from County Elected Official Training Fund (1217) for: Training/Continuing Education for the Recorder, Clerk, Treasurer, Auditor,

Surveyor, and County Council	not-to-exceed \$10,000
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- i. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.
- ii. All members voted in favor.

COUNCIL/ATTORNEY COMMENTS

Mr. Kiel explained that the reason that item numbers 1 and 2 under Old Business were removed was because training and scoring had not yet happened.

Mr. Novak thanked George Callas for attending the meeting in its entirety.

ADJOURNMENT

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

Examined & Approved by the La Porte County Council this 28th day of August 2023.



Councilman Earl Cunningham




Councilman Adam Koronka



Councilman Justin Kiel



Councilman Mike Mollenhauer



Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski

ATTEST: 

Timothy Stabosz, Auditor