

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
October 2nd, 2023

The Regular Meeting of the La Porte County Council was held on October 2nd at 6:57 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 THE OCTOBER 2ND, 2023 AGENDA

- i. Mr. Koronka made a motion to make three changes to the agenda: the removal of item no. 3 under New Business, the removal of the "Legal Fees" request under Appropriations, Transfers and Requests, and the removal of the approval of the September 18th 2023 Council Budget Workshop Minutes and August 28th 2023 Regular Council Meeting Minutes, to allow for the documents' further review by the Council, seconded by Mr. Cunningham.
- ii. All members voted in favor.

PUBLIC COMMENT

Deb Varnak – Previous Interim Director of Stepping Stone Shelter

Ron Heeg – Board President of Stepping Stone Shelter

Mrs. Varnak thanked the Council for their support over the past year, and noted that October was Domestic Violence Awareness Month. She reported that the shelter housed an average of 28 clients daily over the past fiscal year, with 55% of those clients being children. Stepping Stone Shelter served 6,492 healthy meals, expanded support programs, and hired an executive director. Mr. Heeg emphasized that without the county's ARP support, the shelter would potentially have needed to shut its doors, and praised Mrs. Varnak's work.

DEPARTMENT HEAD REPORTS

Rob Sabie – EMA Director

Mr. Sabie reported that FEMA would be doing a nationwide alerting test on October 4th, 2023 around 1:20pm-1:30pm CST. It would affect telephones, televisions, and radio, however sirens would not be involved in the test. It had been about three years since the previous FEMA alert test. He additionally reported that on October 11th, the National Weather Service would be hosting a weather spotter training class at Purdue University at the Westville campus at 6pm CST, which would be open to the public.

Mr. Sabie informed the room that there would be a solar eclipse on October 14th that would be partially viewable from Indiana. Additionally, there would be a solar eclipse the following year on April 8th, 2024 which would be 90%-95% visible from La Porte County. He noted that the eclipse could bring increased tourism to the area in the amount of roughly half a million persons, and added that first responders were being trained on what to expect with the influx of travelers.

Finally, Mr. Sabie reported that a full-scale training exercise that would simulate a HAZMAT incident would be held on October 19th at 8am CST for first responders, and would be held out near American Licorice, followed by a meal sponsored by the Healthcare Foundation.

LIAISON REPORTS

Councilman Mollenhauer: Mr. Mollenhauer reported that he attended a Solid Waste District Board Meeting, the September 18th Council Budget Workshop, and the La Porte County Sheriff Officers' Fallen Officers Memorial Ceremony, which honored fallen patrolman Neil Thompson, who fell in the line of duty on September 21st, 1980. He additionally attended Pioneer Days, the AIC Conference in French Lick, and the first committee meeting with Judge Richard Stalbrink and courthouse security regarding a written security protocol for the courthouse.

Mr. Mollenhauer proposed establishing an honorary memorial, perhaps a bench or plaque, for Dick Reel, as recognition for his years of dedicated work with Pioneer Days and Pioneer Land. Mr. Cunningham recommended reaching out to the Eagle Scouts, who may be able to assist with the project. Mr. Novak advised that Mr. Mollenhauer should head up a committee for the project, and he would be happy to assist, however no formal motion was made on this.

Councilman Koronka: Mr. Koronka waived his liaison report.

Councilman Novak: Mr. Novak praised Rolling Prairie Elementary School, which was one of eleven schools in the state to receive the prestigious Blue Ribbon Designation by the Department of Education. He attended a meeting of Vibrant Communities, a meeting with Code Enforcement, a meeting with the FMEC, a meeting the RDC, the Complex Flood meeting, an open house at the Carpenters' Union, and along with Commissioner Rich Mrozinski and a few other individuals, met with United States Congressman Rudy Yakym's staff regarding a sewer project that was on the evening's agenda.

He also attended the Siren Study and Economic Development get-together, a meeting with La Porte County Planner Mitch Bishop and the Highway Department regarding a drainage issue, a meeting with the Animal Shelter regarding the possible creation of a dog water park, and a hand sanitizer meeting regarding an issue with the company that oversaw maintenance of the county's hand sanitizer dispensers. He informed the room that the Plan Commission would be having a meeting the following night at 6pm CST, and encouraged anyone with questions to attend. He praised the work of Problem Solving Court during the previous week. He additionally attended an ordinance meeting at Bass Lake regarding a new law that would allow volunteer firefighters to utilize Public Safety LIT funds, and also attended the groundbreaking ceremony for the new Emergency Services building in Long Beach.

Councilman Kiel: Mr. Kiel attended the Commissioners' Meeting, as well as multiple meetings with Baker Tilly alongside Mr. Rosenbaum. He additionally attended the Door Village Festival, Scarecrow Fest, and Pumpkin Fest, as well as the Solid Waste District Joint Board meeting, County Siren Committee meetings, and a NIRPC meeting.

Councilman Yagelski: Mr. Yagelski waived his liaison report.

Councilman Cunningham: Mr. Cunningham waived his liaison report.

Councilman Rosenbaum: Mr. Rosenbaum reported that he and Mr. Novak attended the meeting for the Indiana Volunteer Firefighters Association, the topic of which applied primarily to Starke County, regarding the passing of a law for volunteer fire departments to utilize Public Safety LIT funding. He also attended Pioneer Days, and gave praise to Rolling Prairie Elementary for their Blue Ribbon Designation.

CORRESPONDENCE

The Auditor reported no correspondence.

ORDINANCES AND RESOLUTIONS

Resolution No. 2023-10 – Declaratory Resolution for KIP Elevator 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. 2023-10 by title only.
- iv. Motion to approve made by Mr. Novak and seconded by Mr. Koronka.

Matt Reardon of the Office of Economic Development informed the room that the request, made by Kingsbury Elevator, would allow the company to make continuing investments in rail by adding a canola operation. The current anticipated investment was roughly \$2 million, with \$1.56 million of that amount being anticipated to be for total real estate, and the remaining balance to be used for equipment. He requested that the Council set a public hearing at the next regular Council Meeting for consideration of the confirmatory resolution.

- v. All members voted in favor.

OLD BUSINESS

- 1. Reconsider the following tabled item from the previous Council Meeting:

La Porte County Community Corrections

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

Policy Revision and Updates via Lexipro \$38,888

- i. Motion to take off the table made by Mr. Novak and seconded by Mr. Koronka.

- ii. All members voted in favor.

Community Corrections Director Mericka Beaty explained that the policies and procedures manual for Community Corrections had not been updated since 2005, and the Department of Corrections had been asking for updates to the manual for the past three years. Since there was nobody at Community Corrections who was legally versed to draft the manual, she was requesting appropriation to allow for the hiring of Lexipro to update the policies and procedures, as Lexipro had done work for other law enforcement agencies and bodies throughout the county and Indiana. She emphasized that the manual needed to be made compliant soon so as not to risk losing the grant money that Community Corrections received from the Department of Corrections.

Mr. Cunningham asked for clarification on whether Community Corrections' grant money had been straightened out, which Mrs. Beaty noted that everything finance related with the Department of Corrections had concluded, and Community Corrections received zero exceptions on their last audit. Mr. Yagelski asked if Community Corrections had money coming in for 2024, which Mrs. Beatty affirmed that they got approved for the exact budget that they had the year prior, so Community Corrections could not increase its budget for the GPS monitoring systems. She did note, however, that collections for these devices had improved with roughly \$1 million collected in the year prior. Mr. Novak noted that the Council expected a shortfall in Community Corrections' budget as a result of not all participants paying for their GPS monitoring devices, however Mrs. Beaty reassured the Council that collections had considerably improved. Mr. Kiel asked how much the shortfall was, which Mrs. Beaty clarified was about \$160,000, to which Mr. Kiel asked if Community Corrections would be returning to the Council for appropriation to cover this shortfall, which Mrs. Beaty confirmed that she would be returning for this appropriation at the next regular Council Meeting.

- iii. All members voted in favor.

NEW BUSINESS

1. La Porte County Regional Water & Sewer District – Hudson/Saugany Lake Projects

Ken Jones, President/CEO of JPR (Jones Petrie Rafinski) approached the Council to inform them of a utility project that would target the Hudson Lake and Saugany Lake area. He explained that the community that they were looking to service had about 3,000 persons and 1113 homes and businesses, and reported that 70% of the sites in the area were below the county standard that would allow for a septic system and a well to exist side-by-side, and about 30% of those being under 10,000 sq. ft., which was causing concern regarding what sanitary systems could exist in the area, primarily noting that many homes would not be able to support both a well and a

septic system. He explained that only 100 sites overall of the 1113 sites had documented septic systems while the other sites did not, and the documented systems were over 20 years old and reaching the end of their lifespans, which was generally 20-25 years old.

He added that the local Health Department advised that the current condition was not sustainable. The water table depths were between 5-25 feet, which was a concerning isolation zone between surface installed septic systems and the water table. JPR's goal was to mitigate human exposure to wastewater and reduce the impact to the surface water resource. It would bring about a permanent solution to allow these sites to have access to a safe wastewater system, and create 500-600 temporary jobs, with the potential to create full-time jobs. The project would take approximately 4-5 years to build with 100% of the project's direct stimulus to be spent out over 5 years, making the project an economic impact project as well. He noted that he expected to see collateral economic development. Mr. Jones explained that when he had met with the Board of Commissioners, the ask was \$1.5 million from ARP, which would help the Regional Sewer District in leveraging additional funds from other resources, including the State Revolving Loan Fund and the USDA through their Rural Development Program, which would allow bids to begin so construction could start in spring of 2024. He added that he was preparing a grant application to the US Department of Commerce's EDA program, and also discussed the program with the Northwest Indiana Forum, which had a one-to-one match. A gap of \$9-\$12 million needed to be closed for the project. Mr. Jones clarified that since JPR's request had not been advertised, it would likely need to be placed on the agenda of the next Regular Council Meeting. If approved, it would allow JPR to apply for the grants from the USDA, EDA, U.S. Department of Commerce, and the State Revolving Loan Funds, which would cover the gap.

Mr. Yagelski asked how much residents and business owners would have to pay in hook-up fees, noting that when Rolling Prairie had a similar project, residents were willing to pay back to the county, and noted that 4-5 surrounding communities might ask for the same amount of funding for utility projects. He stated that in Hudson Lake, roads and boundaries were not accurate, and advised ensuring that sites were accurately surveyed before the sewer project began, and implied that this would be a lofty task due to the area's residents and their unawareness of their true property lines. Mr. Jones assuaged Mr. Yagelski's concerns, stating that issues with roads and property lines had already been taken into consideration, and added that it was not an unusual problem for a rural utility project of this scope. Mr. Yagelski noted that if it weren't for lake rates, the project would be even more difficult to survey than the average rural utility project. Mr. Jones clarified that most of the projects that JPR worked on involved water-front communities, and added that they were currently in the process of engaging with the property owners of the community to ensure that JPR had the right of way and easement, otherwise the project could not be built. Mr. Yagelski emphasized that property disputes would still continue with home and business owners if the project commenced. Mr. Novak asked how JPR was researching and acquiring their right of way, which Mr. Jones

explained that with every one of their projects, JPR had to develop and certify a Right of Way Report, which was developed by JPR's license surveying staff by doing research with every record that was made available to them, which in this case, even included a Commissioners' record. He added that there were a surprising number of verifiable records available for this project in particular. Mr. Yagelski summoned La Porte County Surveyor Anthony Hendricks to the podium to give his opinion on how difficult he thought the project might be, to which Mr. Hendricks stated that clearing the right of way for the area's old roads may pose a challenge, but that JPR would likely be able to get the project done sooner rather than later with their experience and with proper research.

Regarding building a system that would accommodate future housing growth, Mr. Kiel asked what the capacity for this growth would be. Mr. Jones noted that this was not fully determined yet; however, current estimates indicated that upwards of another 500-600 homes could be accommodated for, with the limiting factor being the wastewater treatment facility. Once the rate of housing growth was determined, another project at the wastewater treatment facility would likely need to be done. The \$1.5 million that JPR was requesting would be targeting one component: a connection from the wastewater treatment facility at the South Travel Plaza at the Indiana Toll Road to Saugany Lake. Another component from Saugany Lake to Hudson Lake would follow, however the funds provided by the county would strictly fund only the connection from the wastewater treatment facility to Saugany Lake. Mr. Kiel asked Mr. Jones if JPR intended to approach the Council for additional appropriation to fund any other components of the project following the initially requested \$1.5 million, which Mr. Jones responded that JPR was doing everything it could to close every financial gap with other resources, and JPR never considered asking for more than the original \$1.5 million to get the project initiated. Mr. Kiel questioned why the county should direct its taxpayer dollars - many of which were paid for by taxpayers who already currently had access to utilities - to a community that would not be paying back the funds directed toward their utility project. Mr. Jones noted that the project would prolong the longevity of the housing stock in the project's area. JPR's research indicated that the communities that the project targeted were threatened as a result of the wastewater issue. The difference between the utility work done in other areas was that JPR's proposed project was being built from zero to operational, and was a brand-new utility, whereas other communities began building their utilities 40-50 years prior. Mr. Jones added that inflation and supply chains also played a negative role.

Mr. Yagelski explained that only \$7 million was currently available in ARP funds, and the funds were likely to drain quickly, especially if other communities made utility project requests, and without the community paying back to the county as was done with the Rolling Prairie project, the county would not see the benefit to giving other communities this money. Mr. Kiel agreed, noting that he would rather have something like a revolving loan fund as opposed to a one-time payment that would not be seen again. Mr. Kiel asked Mr. Jones when he needed a commitment from the county, as not to miss out on JPR's various grant opportunities.

Mr. Jones answered that the latest deadline for the county's commitment would be within the next 60 days. Mr. Kiel noted that a current structural deficit with the county's General Fund would potentially make JPR's request a difficult one. Mr. Novak asked if ARP funds could be utilized toward a project that had a pay-back tied to it, which Council Attorney Guy DiMartino stated that he did not believe there was a reason that the county could not do this. Mr. Kiel added that it was worth noting, at this point, all of the county's remaining ARP funds were considered lost revenue, so the county had more flexibility with it than if it was the more restrictive uses at the beginning of the process. Mr. DiMartino asked what would happen if the project didn't go forward with the county's \$1.5 million appropriation, which Mr. Jones stated that JPR had much work left to do in funding procurement, and the \$1.5 million was only part of the process. Mr. Novak asked when JPR would need the funds by, to which Mr. Jones replied that, at the absolute latest, not until the project was bid out in spring of 2024. He reiterated that JPR's goal was to bid the project out during winter, and have construction begin in spring of 2024; construction which would take an estimated 3 years to complete. He emphasized that the State Revolving Loan Fund and the USDA both inquired if ARP funds had been acquired for the project, however he was unsure if this was required to apply for the grants. Mr. Rosenbaum informed the room that ARP was designed to accommodate sewer and water utility projects such as this one, but that the county was not restricted to use those funds for this. With only \$7 million left in ARP funds, the county would need to verify how much of the ARP funds were currently encumbered.

Mr. Rosenbaum added that there were other communities that needed help with their sewage who have not yet taken steps towards asking for assistance, and noted that 500-600 new homes would bring in more residents to the county who would in turn support La Porte County's tax base. Mr. Jones responded that, in Rolling Prairie, the county must have enabled their utility project at some point, as there was no possibility that the project could have been completed without the county's financial assistance, funds for which were likely loaned from the Major Moves Program. He added that the Rolling Prairie project had been recognized by the State of Indiana when the second phase of it began, to the extent that the state offered a wastewater facility at the travel plaza, as well as paying over \$1 million to bring it up to a standard that the district would accept if it were to take ownership of the facility. The facility took ownership with a permanent customer who paid 100% of its operational expenses. In addition to that, the State Revolving Loan Fund provided 90% of funding for the balance of that project, leaving rate-payers with a 2.1% interest rate loan for about \$200,000.

Regarding the \$1.5 million request for appropriation, Mr. Kiel asked if certain stipulations could be made for the funds, such as only being able to direct the funds toward buying down-rates for people who had homestead deductions, so as to benefit local residents who did not have additional housing elsewhere, or his previously proposed suggestion for doing something like a revolving loan fund. Mr. Koronka stated the county's 17% investment would help bridge the financial gap by improving conditions in these communities. Mr. Novak agreed with

Mr. Koronka, citing that a sewer project that was engaged at 421 & 300 N in the past was done with the intention that it would spread growth in an underserved area, and that doing this utility project in the Hudson Lake and Saugany Lake areas could revitalize the communities. Mr. Rosenbaum noted that the appropriation request would be added to the agenda of the next Regular Council Meeting.

2. Update Legal Services Contract for the County Council

- i. Motion to approve the updated contract with Council Attorney Guy DiMartino made by Mr. Novak and seconded by Mr. Cunningham.
- ii. All members voted in favor.

3. Dates for Public Hearing on Approval of the Budget

To allow for enough time to review information regarding the budget, the Public Hearing for Approval of the Budget was preliminarily set for Thursday, October 19th, 2023 at 6pm CST. Additionally, the Regular Council Meeting was rescheduled from October 23rd, 2023 to October 30th, 2023. Approval of the budget would take place at 5:45pm CST, and the Regular Council Meeting would take place directly after at 6pm CST, and would utilize the same Zoom link as the approval of the budget.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Auditor

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

Pole Raises Approved during last year's Budget Hearings	not-to-exceed \$284,894.80
Sheriff's Merit Program	\$1,000,000.00

- i. Motion to approve out of by LIT Public Safety (1170) made by Mr. Yagelski and seconded by Mr. Koronka.
- ii. All members voted in favor.

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

Part-Time Pay	not-to-exceed \$9,000
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Chief Deputy Auditor Rhonda Graves explained that Payroll noticed that the Auditor's Office part-time account came up with a negative balance, which Ms. Graves questioned if the county

had sought to increase it a few years prior, but as normal, keep it low and come back later for an additional appropriation. Once she saw it was negative, she moved money out of the Deputies Account. The money now needed to be put back in, as it was money that was needed, but she didn't want it to be zero. Ms. Graves investigated how much money the part-time employee would need for the remainder of 2023, as well as the cost for the production of the Council's meeting minutes, which had been increasing in length and thusly cost due to the extended time of the meetings themselves. Auditor Tim Stabosz added that the additional workshop meeting minutes contributed an additional cost.

- i. Motion to approve out of Riverboat (1191) made by Mr. Mollenhauer and seconded by Mr. Koronka.
- ii. Six members voted in favor (Mr. Yagelski, Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Cunningham).

Professional Fees – Baker Tilly

not-to-exceed \$50,000

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

Mr. Novak noted that at the last meeting, he had requested that a workshop be scheduled so other Council members could be informed on the current status of the county's budgets, however there was a scheduling issue and the meeting had not yet happened. Mr. Rosenbaum responded that the scheduling of the workshop would be looked into in the near future.

- ii. During roll call, four members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Koronka, Mr. Mollenhauer) and three members voted not-in-favor (Mr. Cunningham, Mr. Yagelski, and Mr. Novak). The motion passed.

La Porte County Council

Requesting Additional Appropriation from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Lubeznik Center for the Arts

\$50,000

Janet Bloch, Executive Director of the Lubeznik Center for the Arts, explained that the Lubeznik Center was requesting \$50,000 to assist with financial losses that had begun accumulating at the beginning of the Covid-19 outbreak a few years prior. The center served both the La Porte and Michigan City areas with free programming, and if the request was approved, the funds would be used to support field trips for area schools, as well as camps. Mr. Yagelski asked if the Michigan City Council was offering a matching amount, which Mrs. Bloch noted that the Michigan City Council gave the center \$30,000 the year prior, and the center had applied for \$25,000 in 2023. Mr. Kiel asked if this was leveraging additional funds, which Mrs. Bloch stated

that it wasn't directly, however many of the programs that were free were difficult to sustain and keep open, so in some ways, this was leveraging the funds, as local foundations and corporations that donated funds as well wanted to keep these free programs – which included the creation of murals and neighborhood pop-ups – open. Mr. Koronka inquired if the Lubeznik Center would be able to hold off on their request until the October 30th Regular Council Meeting, given the county's current financial situation. Mrs. Bloch responded that the center would likely have enough funds to run the programs until that time. When Mr. Novak proposed the idea of a motion to take the funds from LIT Economic Development, Mr. Stabosz stated that appropriation for funds to go to an arts-based request would be better suited coming out of ARP.

- i. Motion to hold off the item until the October 30th, 2023 Regular Council Meeting made by Mr. Koronka and seconded by Mr. Kiel.
- ii. Five members voted in favor (Mr. Cunningham, Mr. Yagelski, Mr. Kiel, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Rosenbaum and Mr. Novak).

La Porte County E-911

Requesting Additional Appropriation from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:
Maintenance Agreement for 800MHz Equipment
\$93,659

Mr. Novak questioned why LIT Public Safety had not been considered for the item. E-911 Director Barb Huston explained that the bill's payment was due at the end of the month, which Mr. DiMartino noted that the next Regular Council Meeting would occur before the month's end, so E-911 could return with the request and reappropriate it so LIT Public Safety could be advertised as an account for the funds to be taken from.

- i. Motion to hold off the item until the October 30th, 2023 Regular Council Meeting and reappropriate it with LIT Public Safety an appropriate fund made by Mr. Novak and seconded by Mr. Kiel.
- ii. All members voted in favor.

La Porte County Building Maintenance

Requesting Additional Appropriation from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:
Sewer Repair at Fairgrounds not-to-exceed \$35,000

- i. Motion to approve out of LIT Economic Development (1112) made by Mr. Novak and seconded by Mr. Mollenhauer.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

La Porte County MS4

Requesting a Transfer of Funds from Program Supervisor Account (10195) to Professional Services Account (30135) for:

Cover Expenses \$26,863.75

- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Novak.

MS4 Administration Manager Chris Havens explained that when he was brought into the program on August 1st, 2023, it was discovered that the Professional Services account was overdrawn due to consultants being paid, going as far back as January 1st, 2023. He wanted to transfer funds from the Program Supervisor Fund, which had been sitting unused and would still have money to spend in it after this particular transfer. Mr. Koronka asked if MS4 would be returning for appropriation to address another unpaid invoice, which Mr. Havens confirmed that MS4 would return regarding appropriation for a different \$10,000 unpaid invoice at a later date.

- ii. All members voted in favor.

La Porte County Sheriff's Maintenance Garage

Requesting Additional Appropriation from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Maintenance and Equipment \$30,000

Sheriff Ron Heeg explained that the request for appropriation was due to inflation that was affecting many of the maintenance garage's regular types of equipment and inventory, including tires for officers' patrol vehicles. Mr. Novak questioned if the request could be taken out of LIT Economic Development, as the patrol vehicles and the tires might be considered a highway item, which Mr. Stabosz and Mr. DiMartino clarified that this request did not fall under the Highway Department. Mr. Kiel asked why this item was not listed under LIT Public Safety. Mr. Heeg explained that the item could wait until the end of the month if the Council wanted it reappropriated for the next meeting.

- i. Motion to hold off the item until the October 30th, 2023 Regular Council Meeting and reappropriate it with LIT Public Safety an appropriate fund made by Mr. Yagelski and seconded by Mr. Mollenhauer.

- ii. All members voted in favor.

La Porte County Sheriff's Office

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

Jail Overtime	\$90,000
Bullet Proof Vests	\$31,000

Mr. Heeg explained that the increase in overtime was a result of officers needing to perform guard duty for inmates who were hospitalized, and backfill as a result of a few employees who were on FMLA.

- i. Motion to approve both items out of LIT Public Safety (1170) made by Mr. Novak and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

Requesting Additional Appropriation from Misdemeanant Fund (1175) for:

New Dryer for Jail	\$9,554
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- i. Motion to approve made by Mr. Mollenhauer and seconded by Mr. Cunningham.
- ii. All members voted in favor.

Requesting Permission to Spend from Commissary Account for:

Taser Replacement Program	\$27,767
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- i. Motion to approve made by Mr. Mollenhauer and seconded by Mr. Yagelski.
- ii. All members voted in favor.

La Porte County Complex Flood Renovations

Requesting Additional Appropriations from Rainy Day Fund (1186) for:

HVAC	not-to-exceed \$1,690,000	
Mechanical Piping	not-to-exceed \$524,000	
		not-to-exceed \$2,300,000

Mr. Koronka noted that the total for the two lines items did not match the final total, which Ms. Graves explained that this was so because when the request was submitted to her, there were multiple vendor quotes that were provided, however the requester did not select which particular quote they wanted appropriation for. She noted that she was advised to list the appropriation for not-to-exceed \$2,300,000, and she listed the quote for the more expensive vendor of the two as to ensure that appropriation could be made regardless of which vendor the requester asked for. Mr. Rosenbaum stated that the appropriation could now be changed to not-to-exceed \$2,214,000 for the two items. Mr. Novak reported that great progress was being made on the fifth, fourth, and third floors of the building, while Mr. DiMartino reported that only a very small amount of money had come in from the insurance company, in an estimated amount of about \$300,000.

- i. Motion to approve not-to-exceed \$2,214,000 made by Mr. Koronka and seconded by Mr. Kiel.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

La Porte County Surveyor’s Office

Requesting Additional Appropriation from Surveyor’s Corner Perpetuation Fund (1202) for:
 Purchase of New Plotter and Office Equipment \$17,500

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Cunningham.

Mr. Hendricks clarified that the previous plotter had been left in the Hiler building for the Recorder’s Office to use, since the Surveyor’s Office had been relocated to the second floor of the La Porte County Courthouse. As far as he was aware, he stated that this move was to allow for the Election Board or Voter Registration to move into a building where the public would not need to go through the courthouse’s security to get to the office.

- ii. All members voted in favor.

La Porte County EMS

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

Computer Replacement	not-to-exceed \$22,000
Fuel	not-to-exceed \$10,000
Household Supplies	not-to-exceed \$2,500

- i. Motion to approve out of LIT Public Safety (1170) made by Mr. Koronka and seconded by Mr. Novak.

Mr. Kiel asked EMS Administrator Andrew McGuire if he had received multiple quotes for the computer replacements, which Mr. McGuire answered that he had not, as the IT Department had advised him to purchase the computers off Amazon so as to receive the best prices. Mr. Kiel advised him that, if he needed to shop for computers again, to try looking for rates around Black Friday to secure even cheaper prices.

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

La Porte County Clerk

Requesting Additional Appropriations from Clerk’s Record Perpetuation Fund (1119) for:

Part-Time Help	\$29,400
OASDI	\$1,600
Medicare	\$400
Claims	\$8,600

- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Koronka.

La Porte County Clerk Heather Stevens informed the Council that around about 2021, she had asked the Council for appropriation to pay for her part-time scanners. At that point, she had learned that she could use her Perpetuation Fund to pay for these scanners, however at the beginning of 2023, she did not realize that this money needed to be moved into a different account, and that she should have returned to the Council at the beginning of the year to remedy the issue and reimburse the account.

- ii. All members voted in favor.

La Porte County Hazmat

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

Non-PFAS Firefighting Foam
\$69,901

Mr. Novak explained that PFAS Firefighting Foam had been discovered to be cancerous, and the State of Indiana, in a good-will effort, was going around to each fire department and volunteer fire department to collect the cancerous PFAS foam. He added that he had been in contact with state representatives regarding getting reimbursement for the foam that was being removed.

Hazmat Director Jeff Hamilton informed the Council that the request was to replace the PFAS foam that was removed from the county and replace it with non-PFAS foam, as well as purchasing five gallon buckets. He noted that Hazmat would be keeping only half of the foam on hand as it did before, in the event that advances in technology replaced the current non-PFAS foam.

- i. Motion to approve out of LIT Public Safety (1170) made by Mr. Novak and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

La Porte Superior Court No. 4

Requesting Additional Appropriations from Riverboat (1191) or Opioid Unrestricted Fund (1238) or WinTax (4220) or ARP (8950/8951) for:

Psychological Evaluations \$4,500

- i. Motion to approve out of Opioid Unrestricted Fund (1238) made by Mr. Yagelski and seconded by Mr. Koronka.
- ii. Six members voted in favor (Mr. Yagelski, Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and one member voted not-in-favor (Mr. Cunningham).

La Porte County Coroner

Requesting Additional Appropriations from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Professional Services for Deputy Pay \$25,000
Autopsies \$15,000

Mr. Koronka explained that this particular cost for autopsies was a result of when a person who was injured in La Porte County was transferred to another county, and upon passing away, was autopsied in the differing county. Coroner Lynn Swanson noted that she had only just recently received a bill for autopsies done in St. Joseph County in April, and clarified that she had reached out to them to ask that the bills be expedited to they could be paid on time. Regarding the professional services pay, Ms. Swanson clarified that this was for the pay of her deputies, who were paid by the amount of calls they tended to. She explained that her original budget was \$30,000 and she was now down to \$1,000. She emphasized that, because the deputies were paid by call, it was difficult to estimate how much money she would need to pay them before the end of the year, and deaths at this time of year had already surpassed the number of

deaths to date in 2022. Mr. Novak proposed offering the Coroner \$15,000 instead, which Ms. Swanson responded that she would try and work with this amount. When Mr. Novak asked if LIT Public Safety could be considered an account to pay the request out of, Ms. Graves clarified that the statute was not compliant with the Coroner's request, and therefore could not be utilized.

- i. Motion to approve \$15,000 for Autopsies and \$15,000 for Professional Services for Deputy Pay out of Riverboat (1191) made by Mr. Koronka and seconded by Mr. Novak.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

La Porte County Animal Shelter

Requesting Additional Appropriation from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Part-Time Pay \$32,000

Mr. Novak explained that the animal shelter usually paid for these fees out of their Donation Fund, however the fund was depleted due to a permanent veterinarian not being present at the shelter.

- i. Motion to approve out of Riverboat (1191) made by Mr. Mollenhauer and seconded by Mr. Novak.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski)

Animal Shelter Director Eric Hayes requested a \$1,500 transfer from his Food & Supplies Account (2039) to his Hospital & Veterinarian Account (3105).

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

La Porte County EMA

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

Long Beach Siren not-to-exceed \$12,000

EMA Interim Director Rob Sabie reported that he received two quotes out of the four vendors that he had reached out to regarding installing a siren pole. Mr. Novak noted that Long Beach would be supplying the new pole, while Mr. Sabie added that the pole was going to now be located by the Community Center so it could be attached to the backup generator that was onsite.

- i. Motion to approve out of LIT Public Safety made by Mr. Kiel and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski)

La Porte County Redevelopment Commission

Requesting Additional Appropriations from LIT Economic Development (1112) or Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Additional Appropriations to Cover Remaining D&M Contract not-to-exceed \$287,682.87

Mr. Novak explained that these were monies that were not encumbered from the year prior, and the purpose of the item was to reappropriate the money that the Council appropriated last year, in the same dollar amount that was originally appropriated, which was done so out of ARP.

- i. Motion to approve out of ARP (8950/8951) made by Mr. Novak and seconded by Mr. Kiel.
- ii. Five members voted in favor (Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka and Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham and Mr. Yagelski).

COUNCIL/ATTORNEY COMMENTS

Mr. Cunningham informed the room that his “nay” votes were directed towards requests that were asking for additional appropriations, while his “aye” votes were directed to requests for transfers between accounts. Mr. Yagelski stated that he voted in the same manner.

Regarding the decorum of the previous Regular Council Meeting, Mr. Yagelski stated that he felt it was unprofessional how the Council acted in the presence of students, who had come to the meeting to learn about government and politics, and stated that if the meeting could not be

civil in the future, he wouldn't want to attend them, as he felt as though the behavior was disrespectful.

Though he was in support of the recently amended parental leave policy passed by the Commissioners, Mr. Kiel felt as though the policy should have been affirmed by the Council, as there was an additional cost beyond what the county paid with its previous parental leave policy. The previous policy had been that new parents would take FMLA, which they did not receive payment for, however now, new parents would receive two weeks of paid leave, which may also increase overtime costs due to other employees potentially needing to take on the tasks of the new parents who were on leave. He clarified that this would be applicable to both female and male employees. He felt as though the Council should set a precedent that, when the Council believes there would be fiscal cost to a newly implemented policy, that the county affirms this impact through a vote.

Mr. DiMartino asked the Council if he wanted to correspond with the Commissioners' attorney regarding the matter, which Mr. Novak added that he wanted him to reach out to the attorney regarding the issue of the Commissioners wanting to change an employee classification without statutory authority. Mr. Kiel stated that, if this was regarding the Commissioner Executive Secretary position, that he had attended this meeting, and the reclassification in question seemed more as though it was a recommendation, and he felt as though the Commissioners did not overstep their authority, despite getting close to doing so. Mr. Novak clarified that his concerns were regarding an item on the Commissioners' meeting agenda, listed as "Consider changing Highway Department Superintendent Position from Annual Appointment to Hired Classification," which Mr. DiMartino noted that such a request would need to come before the Council, however it was complicated, because under the statute, the Commission appointed that position and set the rate of pay and designated whether they were exempt or non-exempt. For this position, it was different than the Executive Secretary position, however Mr. DiMartino stated that there should be greater communication regarding these line items. Mr. Novak explained that he didn't disagree with the program, however found it unfair that these appointed employees – whether they worked for the county for one year or twenty – could potentially lose their jobs any year that a new Board of Commissioners was elected. Mr. DiMartino noted that this policy might need to be changed in the future, to which Mr. Kiel added that this policy change should require Council involvement. Mr. Yagelski stated his concerns that any changes made would likely be changed by future Commissioners and Councils, and explained that the current policy for appointing employees was used by the entire state of Indiana. Mr. Cunningham added that when Monique Thomas was appointed as Interim Human Resources Director, a provision was made that should she not be given the permanent Human Resources Director position, her job would still be protected.

Mr. Novak took a moment to recognize retired Michigan City firefighter Brian Kubath, who tragically died during a surgical procedure.

Returning to concerns about the parental leave policy, Mr. Kiel asked if a motion should be made. Mr. DiMartino advised that an estimate of how much the policy could potentially cost the county could be calculated by looking back at the FMLA applications that were placed for pregnant employees, and having Human Resources appear at the next meeting to break down the potential cost of the policy. Mr. Rosenbaum noted that Human Resources would be reached out to so they could appear at the next meeting.

Mr. Koronka noted that he agreed with Mr. Yagelski regarding the Council's decorum in the previous meeting, and informed the room that October was Breast Cancer Awareness Month.

Regarding employee health insurance, Mr. Rosenbaum explained that employees in private sectors paid roughly 27%-30% of their portion of health insurance, while La Porte County employees paid 15%-30% and questioned if a 1%-2% increase on the employee's contribution should be instituted. He clarified that this was not 1% of the employees' salaries, just their health insurance contribution, and encouraged that a discussion should be held about it during the next Regular Council Meeting. Mr. Kiel suggested a joint meeting between the Council and Insurance Committee. Mr. Stabosz stated that he felt as though the proposition was bold, and something that added to the mix of considerations to the county dealing with its General Fund issue, and added that one of the issue is that people often didn't realize what the county was paying towards insurance on their behalf. When Mr. Rosenbaum stated that this was listed on employees' W-2s, Mr. Stabosz clarified that he was speaking about the share paid by the county.

Mr. Rosenbaum apologized for any overlap or confusion regarding corresponding with speakers who appeared electronically via Zoom.

ADJOURNMENT

- i. Motion to adjourn made by Mr. Koronka and seconded by Mr. Novak.
- ii. Six members voted in favor (Mr. Yagelski, Mr. Kiel, Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Cunningham).


Examined & Approved by the La Porte County Council this 30th day of October 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