

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
FEBRUARY 26th, 2024

The Regular Meeting of the La Porte County Council was held on February 26th 2024, 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 Randy Novak.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Yagelski, followed by a moment of silence for the recently deceased MaryAnn Lestinsky, a long-time employee of the La Porte County Clerk's Office.

ROLL CALL

Chief Deputy Auditor Rhonda Graves 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 FEBRUARY 26TH, 2024 AGENDA

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Rosenbaum with one correction: Under New Business, item no. 1, the addition of line item "c. La Porte County Surveyor – Instrument Carrier."
- ii. All members voted in favor.

APPROVAL OF THE JANUARY 29TH, 2024 REGULAR MEETING MINUTES

- i. Motion to approve made by Mr. Rosenbaum with one correction: On page seven, under the motion for item no. 2, removal of the line "and seconded by Mr. Rosenbaum"; seconded by Mr. Koronka
- ii. All members voted in favor.

PUBLIC COMMENT

Steve Holifield – 6782 E. 100 S., Mill Creek

Noting La Porte County residents' concerns about the proposed RWE Renewables solar farm, Mr. Holifield asked the Council to lobby the Plan Commission and the Board of Zoning Appeals about strengthening the La Porte County soil ordinance if they could do so, as roughly 5,000 acres of farmland could be lost to the project, and if the project was approved, it would only produce four jobs that might not even be county residents. He stated that the project should not warrant a tax abatement, and could devalue local properties. He added that he would be coordinating another meeting about the solar farm, and the Council would be welcome to attend.

DEPARTMENT HEAD REPORTS

Ela Bilderback – La Porte County Recorder

La Porte County Recorder Ela Bilderback reported that, of the \$608,219.05 that the Recorder's Office collected in 2023, \$195,140 was directed to the General Fund, \$13,739 went to the Security Protection Fund, \$196,000 was deposited into the Recorder's Perpetuation Fund, \$112,000 was directed to the Enhance Access Fund, the Surveyor's Corner Fund received \$68,695, \$13,739 was deposited into the Elected Official Training Fund, and the State Mortgage Recording Fund received \$8,137. Ms. Bilderback added that certain factors, including interest rates, resulted in 2023's collections being lower, however the Recorder's Perpetuation Fund was still healthy, and the Recorder's Office was roughly 80% self-sufficient on their own funding, with only her own salary and her Chief Deputy's salary being paid for out of the General Fund. Ms. Bilderback additionally reported that 50 deed books had been de-acidified, with 25 being in the process of de-acidification, and that 5 of the oldest plat books had been restored. She added that approximately 400,000 documents had been back-indexed by the Recorder's Office, which potentially saved La Porte County \$600,000 by performing the back-indexing in-house instead of reaching out to a vendor to do so.

Eric Fenstermaker – La Porte County EMS Administrator

La Porte County EMS Administrator Eric Fenstermaker reported that the EMS Department would be approaching the Council in the near future to request additional appropriations for overtime, as the department had already spent roughly 50% of its annual overtime budget due to four employees being out on workers comp and FMLA. Mr. Yagelski stated that he wanted to meet with the Commissioners to address the rules regarding overtime budgeting, which Mr. Novak noted that an executive session would be scheduled.

Mr. Fenstermaker also noted that EMS would be approaching the Council in the near future to request the appropriation of funds out of their donation account to pay for equipment and events

related to EMS week in May, and added that La Porte County EMS would be celebrating its 50th anniversary in 2024.

LIAISON REPORTS

Councilman Cunningham: Mr. Cunningham waived his liaison report.

Councilman Yagelski: Mr. Yagelski waived his liaison report.

Councilman Rosenbaum: Mr. Rosenbaum stated that new had no new liaison information to report at this time.

Councilman Mollenhauer: Mr. Mollenhauer reported that he attended the EMA Advisory Board Meeting, as well as the public meeting on solar farms. Mr. Mollenhauer additionally noted that he had been in contact with La Porte County Parks & Recreation Superintendent Jeremy Sobecki regarding his prior request to the Council to have a memorial established for the late Dick Reel, which Mr. Cunningham additionally recommended potentially establishing a memorial at the Fairgrounds, or reaching out to the Eagle Scouts to see if they would assist with the memorial.

Councilman Kiel: Mr. Kiel attended a demonstration meeting about new software for the Building Department, the Board of Finance Meeting, and attended the National Association of Counties Legislative Conference in Washington D.C., where he notably attended a session regarding earmarks and grants for the Inflation Reduction Act. He then attended the National Association of Regional Councils Conference, where he moderated a session with the Federal Railroad Administrator. Mr. Kiel additionally attended the South County Community Coalition Meeting, and met with consultants who were working with the Northwestern Indiana Forum regarding a project to improve the business environment in rural communities. He reported that Weights & Measures week would take place from March 1st-7th.

Councilman Koronka: Mr. Koronka reported that he attended the Redevelopment Commission Meeting and coordinated with Building Maintenance regarding incoming quotes for the upcoming sewer line replacement underneath the Annex building. He additionally worked with the county Clerk, Commission President Connie Gramarossa, and Building Maintenance regarding storage for incoming election hardware that would be used in the May 2024 Primary. He thanked the La Crosse Volunteer Fire Department for reaching out to him to participate in their CPR & AED certification program.

Councilman Novak: Mr. Novak reported that he attended the Complex Construction Meeting, and reported that the 5th floor's construction was nearly completed, with the 4th floor looking well, and the 3rd floor scheduled to be completed in roughly two months. He reported that the

Redevelopment Commission would hopefully soon have a report on the rail switch installation at the Kingsbury rail park, and added that the FMEC was in the process of developing comprehensive 5-year, 10-year, 15-year, and 20-year plans for the La Porte County Fairgrounds.

CORRESPONDENCE

There was no correspondence.

ORDINANCES AND RESOLUTIONS

1. Ordinance No. 2024-02 – An Ordinance to Establish a Petty Cash Fund for Adult Probation

La Porte County Probation’s Deputy Chief Probation Officer Robert Schuster explained that the account would be used to pay for bus passes for indigent probation participants who had no mean of travel to their appointments and drug tests – noting that the bus passes in question could only be paid for with cash. Mr. Rosenbaum clarified that the current request was for a sum of \$300.

Mr. DiMartino requested that the Council only suspend the rules for two readings for ordinances that were time sensitive, and as this was not a time-sensitive request, he advised the Council to do a single reading of the Ordinance now, and perform a second reading at the next regular Council meeting.

- i. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Koronka. No vote was called for after the motion was made.
- ii. Ms. Graves read aloud the ordinance by title only.
- iii. Motion to approve by Mr. Rosenbaum and seconded by Mr. Cunningham.
- iv. All members voted in favor.

2. Resolution No. 2024-00 – A Resolution to Record Outstanding Encumbrances from 2023 Carried Forward to 2024

- i. Motion to read by title only made by Mr. Koronka and seconded by Mr. Cunningham.
- ii. All members voted in favor.

- iii. Ms. Graves read aloud the resolution by title only
- iv. Motion to approve made by Mr. Yagelski and seconded by Mr. Koronka.
- v. All members voted in favor.

OLD BUSINESS

There was no old business.

NEW BUSINESS

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

- a. La Porte County Auditor – Roll Book Clerk
- b. La Porte County Prosecutor – Victim Advocate
- c. La Porte County Surveyor – Instrument Carrier

- i. Motion to approve all three items made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
- ii. All members voted in favor.

2. Discussion on Funds for La Porte County Volunteer Fire Departments

Mr. Novak clarified that the item was regarding the \$10,000 bonus funds (\$160,000 in total) that was approved for each of the county's 16 volunteer fire departments in 2023. Mr. Kiel recommended adding two modifications to the program: one being the requirement of a simple explanation as to how the previous year's bonus funds were utilized by each fire department, and the other being that the fire departments attest that they are current on their IRS 990 forms and Indiana E-1 submissions. Mr. Novak noted his apprehension about policing the IRS filings of fire departments that were operated entirely by volunteers, while Mr. Yagelski recommended that La Porte City Fire Chief Andy Snyder oversee the compliance to take pressure off of the individual fire departments. When Mr. Kiel noted that anywhere between 2 to 5 volunteer fire departments were not compliant with their IRS 990 forms and E-1 submissions, to which Mr. Rosenbaum responded that it would be difficult to truly say which fire departments were compliant at this time, as the IRS 990's had a filing deadline of 15th. Mr. Novak added that if the forms should be required, he would prefer that the fire departments be given more notice, and to preferably enact the requirement to be compliant with the IRS 990's and E-1's in the following year.

- i. Mr. Kiel motioned to approve the \$10,000 for each of La Porte County's 16 Volunteer Fire Departments, with the stipulation that the funding should be only used for equipment, education, and training purposes, and as part of the signed agreement, each fire department would provide a simple description of what the funding was used for the prior year, and that the fire departments that are not run by a township government must attest that they acknowledge that in the future they will need to be current on their IRS Form 990 and Indiana E-1 submissions, seconded by Mr. Cunningham.
- ii. All members voted in favor.

3. Sheriff's Semi-Annual Commissary Report

Mr. Novak explained that the report was entirely for informational purposes, and if the Council had any questions, they could reach out to the Sheriff for any additional questions.

4. Annual Report of the La Porte County Pioneer Cemetery Commission

Mr. Novak explained that the Pioneer Cemetery Commission's report was also just for informational purposes.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Recorder

Requesting appropriations in the Elected Officials Training Fund (1217) for:

Miscellaneous Claims 20200	\$2,000
Services & Charges – Educational Inst. Training 30027	\$8,000

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

La Porte County EMS

Requesting Permission for and an Appropriation in EMS Donation Fund (4103) for:

Food for Manager Meeting – Food 20039	\$496.25
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- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. All members voted in favor.

La Porte County Planner

Requesting Additional Appropriation from LIT Economic Development (1112) for:
Community Crossings Grant Matching Funds \$1,500,000

County Planner Mitch Bishop explained that the grant would be used to service 46 road segments in the Fish Lake area, noting that this area had the largest amount of road segments in the state of Indiana. He added that letters would be sent to residents to inform them about the planned construction and its schedule.

- i. Motion to approve not-to-exceed \$1,500,000 made by Mr. Yagelski and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.

La Porte County Redevelopment Commission

Requesting Additional Appropriation from LIT Economic Development (1112) for:
County Planner Salary Stipend \$10,000

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

La Porte County Haz-Mat

Requesting Budget Appropriations in Local Emergency Planning and Right to Know Fund (1152) for:
Other Supplies 20021 \$10,000
Other Services & Charges 30120 \$30,000

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

La Porte County Sheriff

Requesting Additional Appropriation from LIT Public Safety (1170) or Riverboat (1191) or WinTax (4220) or ARP (8950) for
Vehicles \$685,000

Following the most recent auction of used Sheriff vehicles, Sheriff Ron Heeg requested that in the future, the Sheriff's Department be permitted to trade-in their used vehicles, as the county did not receive the net value expected from the sale at auction. He reported that the vehicles that were purchased would be delivered around fall of 2024.

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

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

Requesting Budget Appropriations in the Sheriff Continuing Education Fund (4929) for:

Other Supplies 20021	\$2,000	
Other Services & Charges 30120	\$11,000	\$13,000

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

La Porte County Building Maintenance and FMEC

Requesting an Appropriation from the General Fund (1000) for:

Building Maintenance Director Stipend from FMEC – Director 10111		\$10,000
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- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Cunningham, Mr. Novak, Mr. Koronka, Mr. Kiel, Mr. Mollenhauer) and two members voted not-in-favor (Mr. Yagelski, Mr. Rosenbaum).

Juvenile Services Center and Circuit Court

Requesting Budget Appropriations in the Nova Fund (4910) for:

Uniforms 20015	\$2,500.00	
Other Supplies 20051	\$68,502.00	
Food 20039	\$273.13	
Clothing 20040	\$2,500.00	
Other Services & Charges 30120	\$151,580.00	
Other Capital Purchases 40112	<u>\$28,000.00</u>	\$253,355.13

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

La Porte County Circuit Court

Requesting Budget Appropriations in the 24-26 Juvenile Diversion Grant (9174) for:

Office Supplies 20001	\$793.75	
Travel 30003	\$5,537.50	
Professional Consultants 30135	\$12,468.75	
Equipment 41007	<u>\$1,200.00</u>	\$20,000

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

Requesting Budget Appropriations in the JV Audio Grant 24 (9201) for:		
Professional Consultants 30135	\$30,465.00	
Equipment 41007	<u>\$31,893.06</u>	\$62,358.06

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

La Porte County Adult Probation

Requesting Appropriations from Adult Probation Supplemental Fund (2102) for:		
Court Computers, Copier, and Probation PC – Equipment 41007		\$11,100
Probation Replacement Computers and Programs – Equipment 41007		\$8,900

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

Requesting an Additional Appropriation from Opioid Unrestricted Fund (1238) or Adult Probation Supplemental Fund (2102) for:

Petty Cash Fund – Other Services & Charges 30120	\$300
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Due to the Petty Cash Fund’s ordinance only going through one reading earlier in the meeting, the Council concluded that the request for appropriation could not be voted on and would need to be held over until the following Regular Council Meeting.

La Porte County Election Board

Requesting Transfer from Board Members 10136 to Professional Services 30135 for:	
Microvote Contract Invoice	\$13,000

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

La Porte County Clerk

Requesting an Appropriation in Clerk’s Record Perpetuation fund (1119) for:	
Part-Time Scanner Employee 10130 and pay roll deductions	not-to-exceed \$15,000

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

La Porte County Highway Department

Requesting Additional Appropriations from LIT Economic Development (1112) or Major Moves (1172) for:

Dump Truck (single axle) – Equipment 41007	\$86,721
Bucket Truck – Equipment 41007	\$134,922
Generator – Equipment 41007	\$50,000
Fork Lift – Equipment 41007	\$30,000

Mr. Yagelski noted that in the past, the county had received a generator from the federal government, and questioned Highway Superintendent Charity Glaser if she knew the whereabouts of the generator and if she could use it instead of purchasing a new one, to which Ms. Glaser answered that she was unaware of a spare generator. Mr. Yagelski stated that he would reach out to the La Porte County Planner to see if he might be aware of the location and status of the generator.

- i. Motion to approve out of LIT Economic Development (1112) made by Mr. Yagelski, with the stipulation that the Highway Department would investigate the previously acquired generator to see if it could be used first before purchasing another generator, and seconded by Mr. Rosenbaum.

When Mr. Kiel asked Ms. Glaser about the two quotes for generators that were provided, she explained that she had requested a \$50,000 appropriation in the event that that the more expensive generator was selected. Mr. Kiel then asked her if there would be any issues if he were to motion for the cheaper of the two generators, to which Ms. Glaser answered that this would not be a problem.

- ii. Motion to amend Mr. Yagelski’s original motion to appropriate not-to-exceed \$36,000 for the Generator line-item, made by Mr. Kiel and seconded by Mr. Yagelski and Mr. Rosenbaum.
- iii. All members voted in favor.

Upon reaching out to the County Planner, Mr. Koronka reported that the generator the county had received from the federal government had been auctioned off the previous October, as it had faulty turbo.

La Porte County Highway Department

Requesting an Appropriation to LIT Economic Development Other Services & Charges (1112.30120.00200.0208) for:

Reimbursement of INDOT Funds for 1000 South	\$146,886.65
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- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.

Requesting an Appropriation to LIT Economic Development Equipment
(1112.41007.00200.0208) for:

Insurance Settlement for Truck to be used towards Purchase of Replacement \$163,279

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

Requesting a Transfer from Highway LIT Economic Development Budget
(1112.20200.00200.0208) to Equipment (1112.41007.00200.0208) for:

Dump Trucks (5 tandem axle, 2 single axle) \$2,000,000

Ms. Glaser informed the Council that, at the current moment, the trucks would likely be delivered in 2025, with a small chance of some trucks being delivered in fall of 2024. She noted that the Highway Department was currently on a waitlist for the trucks, and payment for the trucks was due when the vehicles were delivered. Mr. Novak advised Ms. Glaser to return to the Council for appropriation once the vehicles could be purchased.

- i. Motion of Support for the purchase of the 5 tandem axle dump trucks and 2 single axle dump trucks, with the Highway Department to return to the Council for appropriation once the vehicles were delivered, made by Mr. Yagelski and seconded by Mr. Koronka.
- ii. All members voted in favor.

Requesting Additional Appropriations from Local Road & Street (1169) for:

Boom Mowers – Equipment 41007 \$666,780.03

Road Mowers – Equipment 41007 \$507,080.97

Ms. Glaser reported that two of the road mowers were immediately available for purchase at a price of \$277,695 per mower, with the remaining mowers available to be purchased in 2025. She added that one of the machines that the Highway Department wanted to purchase – a John Deere mangler – was also immediately available for purchase at the price of \$222,260.01.

- i. Motion to approve not-to-exceed \$800,000 for the two mowers and one mangler, with the Highway Department to return for appropriation for the two remaining mowers once they were available for purchase, made by Mr. Yagelski and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.
- iii. Motion of support for the Highway Department to purchase 2 additional mowers in 2025 for not-to-exceed \$350,000 made by Mr. Yagelski and seconded by Mr. Rosenbaum.

- iv. All members voted in favor.

SALARY ORDINANCE AMENDMENT

Mr. Rosenbaum asked Ms. Graves to review the amendment to ensure that the Clerk's \$15,000 for Scanners was coming out of the Clerk's Perpetuation Fund, and not the General Fund.

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

COUNCIL/ATTORNEY COMMENTS

There were no council member or attorney comments.

ADJOURNMENT

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

Examined & Approved by the La Porte County Council this 26th day of February 2024.



Councilman Earl Cunningham



Councilman Adam Koronka



Councilman Justin Kiel

(voted yes via zoom)

Councilman Mike Mollenhauer



Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski

ATTEST: 

Timothy Stabosz, Auditor