

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
JANUARY 29th, 2024

The Regular Meeting of the La Porte County Council was held on January 29th 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 Councilman 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 NOVEMBER 27TH, 2023 AGENDA

- i. Motion to approve with the following amendments made by Mr. Rosenbaum: Under Appropriations, Transfers, and Requests, removal of the second item under the La Porte County Prosecutor in the amount of \$9,482, removal of La Porte County Building Maintenance's appropriation request of \$1,011, and the removal of Community Corrections' appropriation request of \$126; seconded by Mr. Koronka.

Mr. Kiel asked Mr. Rosenbaum why he was requesting to remove these items from the agenda, which Mr. Rosenbaum explained that, specific to the Prosecutor's request, the county would have the entire year to designate funds and adjust payroll, and added that he felt as though removing the items was a better financial decision to preserve cash, especially if there was a resignation for a position that could help the county recover funds before the position was refilled by another employee. Chief Deputy Auditor Rhonda Graves clarified that if the

Prosecutor had hired an inspector, there were no payroll taxes that were currently appropriated for it. Mr. Novak asked if the payroll taxes were all in the General Fund and if the taxes were per employee, which Ms. Graves responded that the payroll taxes were per the funds that they came from, noting that the Prosecutor's Investigator was approved out of Public Safety LIT.

- ii. Motion to amend his original motion by re-implementing the Prosecutor's \$9,482 request made by Mr. Rosenbaum and seconded by Mr. Koronka.
- iii. All members voted in favor.

APPROVAL OF MINUTES

1. County Council Regular Meeting Minutes – November 27th 2023

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

2. County Council Special Meeting Minutes – December 11th, 2023

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

3. County Council Reorganizational Meeting Minutes – January 8th, 2024

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

PUBLIC COMMENT

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

Regarding the proposed solar farm project in Mill Creek, Mr. Holifield urged the Council to deny any of the farm owners' requests for a tax abatement, as the solar farm – whose owners did not reside in La Porte County – would not contribute to creating jobs for the local economy.

DEPARTMENT HEAD REPORTS

Connie Gramarossa – Board of Commissioners President

Mrs. Gramarossa questioned when a \$22,000 performance incentive pay bonus for 13 employees of the county's IV-D Department received approval from the Council for its distribution in December of 2023. Council Attorney Guy DiMartino explained that the incentive funds, which had a specific statute and regulation that stated that the Prosecutor could use the funds to offer bonuses to employees of IV-D when they collected more child support revenue, were federal and did not require the Council's approval for appropriation to be applied. Mrs. Gramarossa asked, if the incentive bonuses were approved to be paid out of the account, if the Maximus bill related to IV-D could also be paid out of the same account. Mr. DiMartino explained that both he and Prosecutor Sean Fagan were investigating whether Maximus could be paid out of the same account, noting that if the bill related entirely to IV-D purposes, that there could potentially be a way to meet the requirements of federal law to do so.

Sean Fagan – Prosecutor

Mr. Fagan clarified that he requested the incentive bonuses for the IV-D Department as they had both met and exceeded federal and state measures for child support, noting that specifically on the state level, La Porte County had been accumulating child support revenue numbers that had not been seen in 15-20 years. He added that on a case audit from the state, La Porte County's IV-D Department scored 100% on the cases that were selected for audit, and affirmed that in some areas, La Porte County's child support merits and numbers were outpacing those of larger surrounding counties. He emphasized the importance of child support enforcement's function to serve families in county.

LIAISON REPORTS

Councilman Cunningham: Mr. Cunningham waived his liaison report.

Councilman Yagelski: Mr. Yagelski waived his liaison report.

Councilman Rosenbaum: Mr. Rosenbaum reported that the Redevelopment Commission was focusing on the installation of the switching station located at the KIP rail park, with the completion of the station to be finished in mid-February. He emphasized that the switching station would potentially be able to provide the county with income in the form of user fees as well as providing local jobs, and that the station had already garnered the attention of another rail company that expressed additional interest in installing another switching station on the other side of the rail park.

Councilman Mollenhauer: Mr. Mollenhauer gave recognition to EMA's recently retired Fran Tibbett, and reported that he had also attended the Solid Waste District Meeting.

Councilman Kiel: Mr. Kiel waived his liaison report.

Councilman Koronka: Mr. Koronka waiver his liaison report.

Councilman Novak: Mr. Novak reported that the 5th floor of the La Porte County Complex Building was slated to be completed by the end of February of 2024, with the 4th and 3rd floors to be completed in each subsequent month. He attended the Purdue Extension Meeting, and additionally met with the Michigan City Coast Guard and Fire Department regarding staffing issues on the Michigan City coastline, and the prospect of acquiring grant money to pay for a fire boat to help patrol the area. Mr. Novak additionally attended the spongy moth workshop.

CORRESPONDENCE

There was no correspondence.

ORDINANCES AND RESOLUTIONS

- 1. Ordinance No. 2023-12 – An Ordinance Adopting County of La Porte, Indiana Salary Schedule and Compensation Policies**
 - i. Motion to read by title only made by Mr. Yagelski and seconded by Mr. Rosenbaum.
 - ii. All members voted in favor.
 - iii. Mr. Stabosz read aloud the ordinance by title only.
 - iv. Motion to adopt as read made by Mr. Yagelski and seconded by Mr. Mollenhauer.

Mr. Novak explained that the Facilities Director’s salary was dropped by \$10,000 because he would be receiving a \$10,000 supplement to his salary from the FMEC. Mr. Kiel stated that the ordinance needed to indicate what the salary for the position was with the \$10,000, as it was authorization for the amount to be paid and needed to reflect what Payroll would be preparing. Mr. DiMartino questioned if other employees may have payment situations similar to this that required review, to which Ms. Graves would later explain that employees who were in similar circumstances – such as those who received pay from grants – already had their salaries approved through their respective departments. Mr. Novak noted that the \$10,000

supplemental pay from the FMEC had been approved two years prior, and should have already been reflected in the directors' salary. Ms. Graves additionally explained that the Auditor's Office had not been informed that the \$10,000 was approved, so it had not been added into the salary ordinance. Once the Auditor's Office received notice of the approval of the \$10,000, it could adjust the payroll appropriately.

- i. Motion to amend the original motion with the salaries that are stated made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. Six members voted in favor (Mr. Cunningham, Mr. Yagelski, Mr. Novak, Mr. Koronka, Mr. Kiel, Mr. Mollenhauer) and one member voted not-in-favor (Mr. Rosenbaum).

Mr. DiMartino clarified that the amendment would include the \$10,000 supplement from the FMEC to the Facilities Director's salary, reflecting a \$77,000 salary in total.

2. Ordinance No. 2024-01 – An Ordinance Establishing Juvenile Services Nova Fund

- i. Motion to suspend the rules made by Mr. Rosenbaum and seconded by Mr. Yagelski.
- ii. All members voted in favor.
- iii. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Koronka.
- iv. All members voted in favor.
- v. Mr. Stabosz read aloud Ordinance No. 2024-01 by title only.
- vi. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Yagelski.
- vii. All members voted in favor.

OLD BUSINESS

1. Reconsider the following tabled item from a previous meeting:

La Porte County Regional Sewer Board

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

Hudson/Saugany Lake Projects \$1,500,000

- i. Motion to take off the table made by Mr. Rosenbaum and seconded by Mr. Yagelski.
- ii. All members voted in favor.
- iii. Motion to approve out of ARP (8950), under the condition that no dollar be spent unless matching funds are found, and if no other funds are found, that the funding be returned. Additionally, he specified that a deadline of October 31st, 2024 be set to utilize the funds made by Mr. Rosenbaum and seconded by Mr. Koronka.

- Mr. Yagelski stated that he would prefer to see efforts in the project that were similar to the Rolling Prairie sewage project that allowed for some monetary return to the county, and asked where the money for this request would go if it was not approved during the meeting. Mr. Cunningham clarified that the even though the ARP funds needed to be spent by the end of 2026, they required appropriation for the end of 2024, and given the current condition of the General Fund's finances, he felt unsure about spending \$1.5 million.

When Mr. Rosenbaum questioned if providing a loan instead of an appropriation would inhibit the receiving of grant funding for the project, Jones Petrie Rafinski President Kenneth Jones explained that one of the requirements of the grants that he was applying for required the acquisition of ARP funds to supplement it, adding that the \$1.5 million appropriation request would be used to bolster about \$5 million in grant funding. He added that he had no intention of approaching the Council for any additional appropriations on the project following the \$1.5 million appropriation that was currently on the table.

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

2. Confirm 2024 Council Meeting Dates

Mr. Novak noted that there was one change to the meeting dates: The Regular Council Meeting for the month of May would be moved to Wednesday, May 29th, 2024 in order to avoid planning the meeting on a holiday, and ensuring that a meeting room could be secured.

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

NEW BUSINESS

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

a. La Porte County Prosecutor – Investigator and Victim Advocate Position

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

b. La Porte County Highway – Administrative Specialist

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

c. La Porte County Community Service – Field Officer Position

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

2. Consider a Motion of Support Regarding Control of Spongy Moth

Mr. Novak explained that the request was for a motion of support in the amount of not-to-exceed \$40,000, which State Representative Jim Pressel would utilize to approach the state for grant funding to be used for combatting the spread of spongy moths.

- i. Motion of support for not-to-exceed \$40,000 made by Mr. Rosenbaum and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Kiel, Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham, Mr. Yagelski).

3. Consider Council Liaison Assignments

Mr. Novak clarified that there were two liaison assignments that needed to be amended: For the Insurance Committee, Randy Novak, Michael Rosenbaum, and Adam Koronka would be assigned; and for the Personnel Committee, Adam Koronka and Michael Rosenbaum would be assigned.

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

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Health Department

Requesting appropriations from County Health Department Fund (1159) for:

Personal Supplies – Sanitarians 10193 Budget Correction	\$50,140	
Personal Supplies – PERF 11017 Budget Correction	\$4,000	not-to-exceed \$54,140

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

Requesting appropriations to establish a budget for previously non-budgeted funds and grants:

1. Local Health Dept. Trust Fund 1206
2. Communicable Disease Fund 2704
3. Serv-Safe Non-Reverting Fund 2705
4. Health Department Donation Fund 4116
5. Water Lab Non-Reverting Fund 2711
6. Emergency Preparedness 22-24 Reimbursable Grant Fund 8255
7. IN Lake Michigan Beach Grant 8270
8. Health Environment Fund 9119
9. Fetal Infant Mortality Review Reimbursable Grant Fund 9199
10. Comm Testing Sites Fund 9183
11. Workforce Development Co-Ag Fund 8259
12. Local Health Department Maintenance Fund 9167

- i. Motion to approve items 1-12 made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

La Porte County EMA

Requesting an appropriation from SHSP Federal Grant (8247) for:

Services & Charges – Professional Services 30135 \$127,090

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

La Porte County Surveyor

Requesting appropriations to establish a budget for a previously non-budgeted fund:

Surveyor’s Corner Perpetuation Fund 1202

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

La Porte County Drainage Board

Requesting an appropriation from General Drain Improvement Fund (1158) for:

Services and Charges – Other Services and Charges 30120 not-to-exceed \$74,253

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

La Porte County Prosecutor

Requesting an additional appropriation from Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Equipment – Other Equipment 40112 for New Server not-to-exceed \$60,000

Mr. DiMartino explained that the new server would allow for the Prosecutor’s Office to have its own server for its employees. Mr. Fagan added that he planned to bolster the request for the appropriation by having the Prosecutor’s Office pay for its own postage, which could save the county as much as \$100,000-\$150,000 over the course of ten years.

- i. Motion to approve out of WinTax (4220) made by Mr. Rosenbaum and seconded by Mr. Koronka.
- ii. Five members voted in favor (Mr. Rosenbaum, Mr. Novak, Mr. Koronka, Mr. Kiel, Mr. Mollenhauer) and two members voted not-in-favor (Mr. Cunningham, Mr. Yagelski).

Requesting additional appropriations from LIT Public Safety (1170) for:

Payroll Deductions for Investigator Position
Personal Supplies – OASDI 11007 Budget Correction \$3,119

Personal Supplies – Medicare 11009 Budget Correction	\$730	
Personal Supplies – PERF 11017 Budget Correction	\$5,633	\$9,482

Mr. Fagan clarified that the position was budgeted for \$50,000 under LIT Public Safety, however incentive funds were going to be used to supplement the salary to ensure that a fully qualified candidate could be selected for it.

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

La Porte County Jail

Requesting an additional appropriation from LIT Public Safety (1170) for:
 Services and Charges – Medical-Hospital 30085 Budget Correction \$100,000

Requesting an additional appropriation from LIT Public Safety (1170) for:
 Services and Charges – Medical-Hospital 30085 Budget Correction (\$100,000)

Ms. Graves clarified that the item had been accidentally misprinted on the agenda, and that the original \$100,000 appropriation correction that was listed under the La Porte County Sheriff’s Department was intended to be listed under the La Porte County Jail, as the request was simply a book-keeping correction.

- i. Motion to approve the reversal and re-appropriation of the \$100,000 made by Mr. Koronka and seconded by Mr. Kiel.
- ii. All members voted in favor.

La Porte County Sheriff’s Department

Requesting appropriations to establish a budget for previously non-budgeted funds:

- 1. Marine Patrol Donation Fund 4105
- 2. Vehicle Inspection Fund 1208
- 3. Firearms Training Fund 1156
- 4. Sheriff’s Donation Fund 4106

- i. Motion to approve items 1-4 made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

Pioneer Cemetery

Requesting an additional appropriation from General Fund (1000) or Riverboat (1191) or WinTax (4220) or ARP (8951) for:

To Correct Fund 2300 \$15,340.75

Ms. Graves explained that the request for appropriation stemmed from the removal of levy funds a few years prior, and the \$15,340.75 was to correct fund 2300. She noted that \$95,000 had been put on the levy for 2024, so going forward, this request to correct the fund should not be seen again as long as the fund was monitored. Mr. Kiel asked what Pioneer Cemetery’s annual expenditures was, which Ms. Graves stated she believed was about \$22,000, which might need an adjustment with the new levy. Mr. Rosenbaum stated that he did not feel the need to apply money from a levy that was far higher than Pioneer Cemetery’s budget to fix a problem that would correct itself in a few months.

- i. Motion to deny made by Cunningham and seconded by Mr. Yagelski.
- ii. All members voted in favor; the request for appropriation was denied.

La Porte County E-911

Requesting additional appropriation from LIT Public Safety (1170) or Riverboat (1191) or WinTax (4220) or ARP (8951) for:

Services & Charges – Other Services & Charges 30120 \$388,138.60

- i. Motion to approve a 1-year contract in the amount of \$82,214 out of LIT Public Safety (1170) made by Mr. Rosenbaum and seconded by Mr. Koronka.

Mr. Kiel voiced concerns that approving the request out of LIT Public Safety would take up funding that the Council intended on directing towards the Sheriff’s pension in the future, which would ultimately set the LIT Public Safety account into the negative.

- ii. 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).

Requesting a motion of support from LIT Public Safety (1170) for:

Services & Charges – Annual Contract with Pulse Point \$10,000

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

La Porte County Community Corrections

Requesting appropriations from Project Income Fund (1122) for:

Capital Outlay – Vehicle 41002 \$12,475

Community Corrections Director Mericka Beaty clarified that her original request for appropriation was to cover the cost of five vehicles in the amount of \$110,000; however, the Commissioners denied her request and asked her to purchase American-made vehicles instead, which resulted in an increased price of \$12,475. Mr. Yagelski explained that even American car companies maintained non-domestic factories, with Ford producing cars out of Mexico, and added that he had spoken with the head of the Steel Worker’s Union, who endorsed the sale of any car as long as it was produced with American-manufactured steel. Mr. Koronka added that a Subaru plant was located as locally as Lafayette. Mr. Novak noted that he would reach out to the Commissioners with the Council’s concerns.

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

Requesting Transfer:

From 9106.11019.000.0584 (Health Insurance)		\$4,682.83
To 9106.31035.000.0584 (Professional Services)	\$4,682.83	

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

Requesting Transfer:

From 9107.20001.000.0584 (Office Supplies)		\$809
To 9107.10202.000.0584 (Residential Officer)	\$681	
9107.11007.000.0584 (OASDI)	\$42	
9107.11009.000.0584 (Medicare)	\$10	
9107.11017.000.0584 (PERF)	\$76	

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

La Porte County Courts

Requesting an additional appropriation from Riverboat (1191) or WinTax (4220) or ARP (8950/8951) for:

Services & Charges – Jury Fees 30166	\$50,000
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Noting that the Council had not directly appropriated funding for jury fees in prior years, Mr. Novak clarified that the current appropriation was to pay for jury fees that would accumulate in 2024. Ms. Graves added that, in the past, the bill had been paid by the Auditor’s

Office out of the General Fund following the submittal of a letter from the judge, which acted as an informal order from the courts.

- i. Motion to approve out of Riverboat (1191) with the condition that the item be budgeted for during budget season made by Mr. Kiel and seconded by Mr. Koronka.

Mr. Novak questioned whose budget the item would be attached to, to which Mr. DiMartino recommended reaching out to the various judges to see if they would agree to including it in their budgets, and informed the Council that recently increased filing fees for civil plenaries and torts would hopefully off-set some of the jury fees in the upcoming year. Ms. Graves noted that, either way, funding for the jury fees would still come out of the General Fund regardless of who oversaw the budget for them.

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

La Porte County LADS Program

Requesting additional appropriation from General Fund (1000) or Riverboat (1191) or WinTax (4220) or ARP (8951) for:

To Cover 2023 Budget for Fund 2502 \$100,590.60

Ms. Graves explained that as a result of LADS misinterpreting the statute associated with the 2502 Fund in the past, the Council budgeted the 2502 account, however no funds came into it except for user fees, and shortages in funds would need to be “fixed” with General Fund money. Instead, it should be used as a supplemental account – similar to the Jury Pay Fund – where General Fund monies were primarily used, and user fees were utilized supplementally.

Ms. Graves noted that interest that was recently deposited into the General Fund could pay for the appropriation, however the Council needed to anticipate paying an additional appropriation from whatever funds were available at the end of the year, and in the future, it would need to be budgeted for.

- i. Motion to approve from General Fund (1000) made by Mr. Kiel and seconded by Mr. Koronka.
- ii. During roll call, four members voted in favor (Mr. Novak, Mr. Kiel, Mr. Mollenhauer, Mr. Koronka) and three members voted not-in-favor (Mr. Rosenbaum, Mr. Yagelski, Mr. Cunningham). The motion passed.

REQUESTS TO ENCUMBER

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

COUNCIL/ATTORNEY COMMENTS

Mr. Kiel to research the original ordinance establishing the Council's Insurance Committee, if there was one, to ensure that the committee was set up and being overseen appropriately.

Mr. Mollenhauer offered his condolences to the family of the recently deceased retired Judge Paul Baldoni.

Mr. Cunningham thanked the audience for their patience and input throughout the evening, especially those who were not county employees.

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



Councilman Mike Mollenhauer



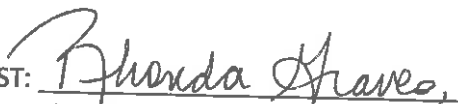
Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski

ATTEST: 
Timothy Stabosz, Auditor
Chief Deputy Auditor