

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL
April 22nd, 2024

The Regular Meeting of the La Porte County Council was held on April 22nd, 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 Cunningham, followed by a moment of silence for the recently deceased former Sheriff's Department Captain, Robert Devereaux.

ROLL CALL

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

APPROVAL OF THE APRIL 22ND, 2024 AGENDA

- i. Motion to approve made by Mr. Kiel with one amendment to the agenda: Under New Business, the addition of line item no. 2 "Consider the creation of a committee to study the restructuring of the Insurance Committee," seconded by Mr. Rosenbaum with two other amendments: Under New business, under line item no. 1, the addition of item "c. La Porte County Surveyor's Office Drainage Board – Trainer," and the removal of the La Porte County Juvenile Services Center's request for additional appropriation for overtime under Appropriations, Transfers, and Requests.
- ii. All members voted in favor.

APPROVAL OF MINUTES

Approval of the March 25th, 2024 Regular Council Meeting Minutes

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

Approval of the April 1st, 2024 Special Meeting Minutes

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

PUBLIC COMMENT

Dean White – 3066 N. US Hwy 35, La Porte

Mr. White approached the Council to follow up on his previous request for a motion of support regarding a beautification project near Soldiers Memorial Park, and thanked them for their correspondence with the Commissioners. Mr. White read aloud a petition that urged for the approval of the project - which was addressed to and would be presented to the Commissioners - and informed the room that the petition would be available for the public to sign.

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

Mr. Holifield informed the room that the Plan Commission would be holding a special meeting regarding the potential development of a solar farm in La Porte County on April 23rd, 2024 at 5pm central time.

Brett Kessler – 4981 W. State Rd. 2, La Porte

Mr. Kessler thanked the La Porte County Ag Association for a donation that would allow for the building of a new ticket booth at the front entrance of the La Porte County Fairgrounds, and additionally thanked Mike Eaton of Delta III Inc. for assisting with the first phase of the installation of sewer lines at the fairgrounds. He added that the show arena would be receiving an update following the 2024 fair season, and confirmed with Mr. Novak that he would be formally approaching the Commission for permission to begin this project.

DEPARTMENT HEAD REPORTS

Joie Winski – La Porte Treasurer

Ms. Winski approached the Council to provide an update on the Treasurer's ongoing reconciliations, and assuaged any concerns regarding a shortage of funding by clarifying that in 2019, \$5 million worth of funding had directed from the Treasurer to a southern Indiana bank with the intended outcome being the installation of an ATM at the Annex building. Ms. Winski clarified that the SBOA had denied this request, and the investment had been made without informing the Auditor or asking for their permission, resulting in the \$5 million being unrecorded at the time. Ms. Winski added that the error had only been discovered when she had taken office as Treasurer in 2021, however the SBOA confirmed that no funding was missing at that time.

Ms. Winski also reported that the 2019, 2020, and 2021 cash reconciliations were complete, with the 2022 reconciliation to be submitted the following day. She noted that the 2022 reconciliation had only one \$615.50 discrepancy, which was identified and located, however could not be input into the reconciliation. She explained that the SBOA informed her that she would need to approach the Council on how to address the right-side entries of the ledger, and stated that the 2023 reconciliation would be starting soon. She emphasized that the Treasurer's Office was certain that there was no shortage of funds, as they had utilized a Financial Versus Funds Ledger in their calculation process.

Mr. Cunningham asked Ms. Winski if the \$615.50 discrepancy was a result of a settlement, which Ms. Winski confirmed that the discrepancy was located on the Wills Township settlement sheet, and could potentially be the direct result of a glitch.

Mr. Yagelski noted that both Lake County and St. Joseph County had ATMs on their premises, so having ATMs on county government property was not unusual. He then asked Ms. Winski who filled the ATM, which she replied that she had not even known that an ATM was located at the Complex building in the past, however she questioned if a different bank supplied funds to the machine. Mr. Kiel recommended that the Treasurer draft a quarterly investment report to ensure that the Council was aware of all of the Treasurer's Office investments, to which Ms. Winski responded that all of these investments were tracked in the LOW system.

Ms. Winski additionally reported that the Treasurer's Office had collected \$9 million in property taxes in ten days, and that the spring tax payments were due by May 10th. Ms. Winski also stated that the Assessor's Office had loaned one of their employees to the Treasurer to assist with the tax season, as the Treasurer's Office was currently understaffed. She added that there was a glitch inhibiting the distribution of some tax bills to homeowners, and that any homeowner who had not received their tax bill could reach out to the Treasurer's Office to have the bill reissued.

Mike Schultz – La Porte County Assessor

Mr. Schultz reported that the SBOA would probably be in support of La Porte County having an ATM on the premises so as long as it had an ordinance to support it. He noted that Form 11s were coming along and would be mailed out around May 1st, 2024, and added that the Assessor's Office had received a bulk-rate stamp, to which he intended on reporting how much savings it brought at a later date. He additionally reported that there was no longer a GIS employee working in the Assessor's Office, however there were currently other departments working to create a new GIS position. Mr. Cunningham thanked Mr. Schultz for loaning one of his employees to the Treasurer, and voiced his support in cross-training employees so they could be distributed where help was needed to meet demand.

Heather Stevens – La Porte County Clerk

Mrs. Stevens thanked the Council for their help with her postage machine concerns.

John Jones – Michiana Insurance

Mr. Jones reported that a company known as Key Risk had been selected as La Porte County's workman's compensation vendor. Crystal Gorney of Key Risk appeared electronically via Zoom to explain that Key Risk's goal to save the county money was to get employees back into work as soon as possible following an accident, which would include the implementation of a Transitional Duty Program which would allow for participating employees to be directed to less physically demanding tasks until they recovered and could perform the full scope of their duties once more. The program would firstly be directed towards departments that were driving the most claims, and would eventually be applied county-wide. She added that the physical demands of job descriptions would need to be updated, and department specific task lists would need to be drafted to outline tasks that could be performed by employees who were on light duty until they could return to full duty status. She informed the room that she would be hosting a worker's compensation meeting sometime during the week of May 13th, which all department heads were invited to. Mr. Jones added that an additional Zoom meeting was scheduled for the upcoming Friday as well.

Mr. Jones additionally reported on the county's signage at county-owned dog parks, and whether the signage currently in place reduced the county's liability. He stated that he reached out to Mark Enniss of Bliss McKnight, who provided Mr. Jones with sample rules and warning for dog park signage, and advised that the county may want to require an annual access pass or permit for dog owners who utilized these parks. Mr. Novak clarified that concerns regarding dog park signage were spurred on by the ongoing development of the Bethany Lutheran Church dog water park, and noted the importance of proper signage for the park to ensure that children did not utilize the facilities.

Ela Bilderback – La Porte County Recorder

Ms. Bilderback reported that following her attendance at the State Code Conference, some minor code changes would be implemented in the Recorder’s Office, including a new form that indicated the department’s completion of employee training, which would need to be submitted annually to Gateway, per the SBOA.

Lynn Swanson – La Porte County Coroner

Ms. Swanson reported that the Coroner’s Office investigated 88 year-to-date deaths compared to 89 at the same time the year prior, with the primary difference being a reduction in overdose deaths and a steady increase in suicides. She explained that she was working with the Health Department to secure a grant that would allow for the hiring of a deputy who would perform psychological autopsies and work closely with the families of suicide victims. She additionally reported that the total calls that the Coroner responded to in 2023 was 379, with 27 suicides and 31 overdoses. Mr. Cunningham questioned if the reduction in overdoses may have been a direct result of increased availability and use of Narcan, to which Ms. Swanson responded that she could not report on this, as she did not accompany EMS or Fire Departments on their calls.

Micky Webb – Program Director of La Porte County Drug Free Partnership

Mrs. Webb reported that she would be returning to the Council the following month regarding the potential development of a recovery residence in La Porte County, noting that La Porte did not have any recovery residences, while Porter County had four, emphasizing the lack of mental healthcare providers in La Porte.

LIAISON REPORTS

Councilman Cunningham: Mr. Cunningham reported attending the Michigan City Fire Department’s “Firefighter for a Day” event.

Councilman Yagelski: Mr. Yagelski informed the room that, in the past, the GIS Director position had been overseen by multiple departments over the course of about 22-23 years, including the Commissioners, Real Estate, and Assessor’s Office. He urged the importance of filling the position once more, and researching which department would be best to oversee the position, as the GIS Director offered services utilized by many different departments.

Councilman Rosenbaum: Mr. Rosenbaum attended the Volunteer Fire Department Meeting to thank the county’s 16 volunteer fire departments, as well as to distribute the \$10,000 bonus checks to each one. He added that the volunteer fire departments would soon be submitting forms indicating what the bonus funds would be spent on. Mr. Rosenbaum also attended the “Firefighter for a Day” event, and praised the Michigan City Fire Department for their swift call to action when a live call occurred during the demonstration. Mr. Rosenbaum additionally reported that the Human Resources Department was working closely with the Auditor’s Office

to close a gap with Payroll to ensure that employees' insurance information was correct. Mr. Rosenbaum also attended a meeting with Waggoner, Irwin & Scheele regarding the structure of the county's pay grid, and potential solutions to pay groups who were in need of assistance. He additionally attended the Redevelopment Commission Meeting and met with Matt Reardon of the Office of Economic Development.

Councilman Mollenhauer: Mr. Mollenhauer attended the Zoom meeting for the Committee to Review and Implement Security Procedure at the Michigan City Courthouse, Sheriff's Merit Board Meeting, Solid Waste Board Meeting, and was present at the Annual Blue Walk for child abuse awareness. He also attended the firefighter operations demonstration, and spoke with EMS Director Eric Fenstermaker regarding EMS's request that was listed on the evening's agenda. Mr. Mollenhauer thanked Mr. Novak for the moment of silence that was dedicated toward the recently deceased retired Captain Robert Deveraux.

Councilman Kiel: Mr. Kiel attended the Volunteer Fire Department Meeting and check presentation, Solid Waste Distribution Joint Meeting, as well as several US 30 Coalition meetings and sessions to discuss the most recent part of an environmental linkages study that was released. He additionally attended the NIRPC Full Commission Meeting and Board of Health Meeting, and also noted that he had been working with Health Department Administrator Amanda Lahners regarding the creation of a fee structure and potential inflation indexing feature to allow the fees to increase automatically without the need to review them every decade.

Councilman Koronka: Mr. Koronka reported that he also attended the fire operations demonstration, and praised the Michigan City Fire Department for offering a first-hand example of what fire-fighters experienced every day. He noted that he would be reaching out to other first-responder departments to ensure that the Council was staying in touch with what it was continuing to support.

Councilman Novak: Mr. Novak attended the FMEC, Redevelopment Commission, Health Insurance, Animal Control, and Complex Flood meetings. He also attended the Fire Operations course, the LEAP legislative session, and the EMS 50-year dedication ceremony, while also reporting that the Fairground Comprehensive Plan meetings were moving along. Mr. Novak gave recognition to Maria Fruth of the Health Foundation of La Porte, whose retirement celebration Mr. Novak also attended.

CORRESPONDENCE

There was no correspondence.

ORDINANCES AND RESOLUTIONS

1. Resolution No. 2024-04 – A Resolution to Declare an Economic Revitalization Area for Spina Enterprises (Real and Personal Property)

- i. Motion to read by title only made by Mr. Koronka and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.
- iii. Mr. Stabosz read aloud the resolution by title only.
- iv. Motion to approve by Mr. Koronka and seconded by Mr. Yagelski.
- 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 E-911 Center – Network Administrator
 - i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Koronka.
 - ii. All members voted in favor.
- b. La Porte County Building Maintenance – Maintenance & Janitor
 - i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Koronka.
 - ii. All members voted in favor.
- c. La Porte County Surveyor’s Office Drainage Board – Trainer

Mr. Novak clarified that the new hire in question would be replacing the current employee who would be retiring, however they would need an overlapping training period to ensure that they were ready to take on the senior employee's duties.

- i. Motion to approve with a 30-day training period made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

La Porte County Pioneer Cemetery

Requesting a Transfer from the Pioneer Cemetery Fund (2300) account 20200 (Miscellaneous Claims) to account 30135 (Professional Services) for:

To Cover Invoice for Services and Charges \$100

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

La Porte County Drug Free Partnership, Inc.

Requesting an Appropriation from County Drug Free Community Fund (1148) for:

Distribution of Funds to Other Entities \$57,555.41

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

La Porte County Coroner

Requesting an Appropriation from Coroner Non-Reverting Fund (2053) for:

Hotel Rooms for Educational Classes \$700

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

La Porte County Prosecutor

Requesting an Appropriation from County User Fee Fund (2500) to be disbursed and appropriated to Pre-Trial & Deferral Fund (2501) for:

Office Furniture	\$10,000	
Law Enforcement Training	\$10,000	
Law Enforcement Equipment	<u>\$10,000</u>	\$30,000

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

La Porte County Adult Probation

Requesting an Appropriation from Problem Solving Court Fund (2701) for:

Other Supplies	\$1,000.00
Other Services & Charges	\$37,871.74

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

Requesting an Appropriation from Veterans Treatment Court Fund (2460) for:

Other Supplies	\$1,000.00
Other Services & Charges	\$12,337.97

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

La Porte County EMS

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

Training Reimbursement for Paramedic	\$6,500
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- i. Motion to approve out of LIT Public Safety (1170) made by Mr. Mollenhauer and seconded by Mr. Rosenbaum.
- ii. All members voted in favor.

Overtime \$130,000

Mr. Rosenbaum asked how long the \$130,000 appropriation would sustain the EMS Department for, to which EMS Assistant Administrator Brian Beach responded that he hoped it would assist with at least the next quarter, but hopefully longer - relative to the staffing concerns of the department.

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

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

Requesting an Appropriation from EMS Donation Fund (4103) for:

Supplies for EMS Week Activities in May \$5,000

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

Requesting an Appropriation from EMS Public Outreach Fund (4114) for:

PR Supplies for Summer Events \$7,500

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

La Porte County Economic Development Department

Requesting an Additional Appropriation from LIT Economic Development (1112) for:

Funding of the Veterans Memorial Trail \$4,000

Matt Reardon of the Office of Economic Development reported that the appropriation would be the county's contribution toward a memorial that would honor LaPorte County's nine fallen veterans who served in Middle Eastern wars.

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

La Porte County Sheriff's Office

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

Overtime \$160,000

La Porte County Sheriff Ron Heeg clarified with the Council that he hoped the \$160,000 appropriation would accommodate the Sheriff Department's overtime needs through the rest of the year.

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

Mr. Kiel questioned if the Sheriff's Department might have any funds that could be directed towards the cost of overtime, to which Mr. Heeg responded that the Sheriff's Department made their best effort to direct any unused salary pay towards these costs, however it was not likely that \$160,000 in unused salary pay would become available to combat the appropriation request.

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

Requesting an Appropriation from Misdemeanant Fund (1175) for:

Labor and Material for electrical Work

\$5,142

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

Requesting a Transfer from Asset Forfeiture Fund (4003, formerly 7109) account 30120 Other Services and Charges to 40112 Other Capital Purchases for:

To cover an Invoice for a Capital Purchase

\$80,418

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

La Porte County Commissioners

Requesting an Appropriation from MC Courthouse Renovation Bond Fund (4260) for:

IT Work Completed

\$4,289.46

Server Room

\$11,160.00

Additional Work for Above Sash Window Replacement

\$4,297.00

- i. Motion to approve all three items made by Mr. Rosenbaum and seconded by Mr. Yagelski.

Mr. Kiel questioned why there was still \$1.5 million available in the Michigan City Courthouse Renovation Bond Fund, which Mr. Novak explained that this was so because the project had come in under budget. Council attorney Guy DiMartino questioned if any additional projects were expected that would require money from the fund, to which Mr. Novak noted that a previous gate issue and rooftop leak issue had already been fixed and paid for. Mr. Kiel asked what would happen to the money in the fund if it was not all utilized, which Mr. DiMartino clarified that the money would return to the Rainy Day Fund.

- ii. All members voted in favor.

La Porte County Council

Requesting a Fund Transfer from Riverboat (1191) to Rainy Day Fund (1186) for:
Half of the Riverboat Deposit from January 2024

\$159,272.15

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

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

Training for Personnel Committee

not-to-exceed \$4,000

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

COUNCIL/ATTORNEY COMMENTS


Citing ongoing disputes between the Board of Commissioners and the Auditor regarding the Auditor's request for appropriations to pay for his litigation bills between himself and the Commissioners' former attorney, Mr. DiMartino informed that Council that he had reached out to the SBOA, who informed him that some counties – Porter and the city of Portage, as examples – had budgets designated specifically for their Auditors' legal counsel needs. He asked that the Council discuss considering this change and reporting back to him, and advised that the Council give him authority to prepare an ordinance establishing a new fund, and appropriating the fund to pay for legal fees for the Auditor's Office while enabling the Council to serve as arbiters to oversee whether the Auditor's legal fees should be paid out of this budget as opposed to the Commissioners' budget. Mr. Koronka confirmed with Mr. DiMartino that it was more common for Auditors' Offices to have this accommodation in comparison to other departments, with Mr. DiMartino clarifying that Councils and Commissions already had access to their own appointed attorneys, however Auditors often did not have unfettered access to legal council to go to for advice.

Mr. Cunningham took a moment to recognize the death of the spouse of former La Porte County employee Deb Gayheart and gave his condolences to her and her family.

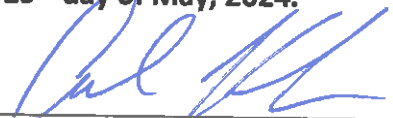
ADJOURNMENT

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

Examined & Approved by the La Porte County Council this 29th day of May, 2024.



Councilman Earl Cunningham




Councilman Adam Koronka



Councilman Justin Kiel

ABSENT

Councilman Mike Mollenhauer



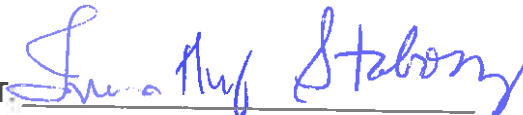
Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski

ATTEST: 

Timothy Stabosz, Auditor