



*LaPorte County Auditor
Joie Winski
555 Michigan Avenue, Suite 205
LaPorte, IN 46350-3490*

**MINUTES
LAPORTE COUNTY COUNCIL MEETING
May 27th, 2014**

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by President Mark Yagelski.

PLEDGE OF ALLEGIANCE

President Yagelski asked everyone to stand for the Pledge of Allegiance and asked the high school students in the audience to lead the pledge.

ROLL CALL

Roll call was taken by Auditor Winski.
Present: Matt Bernacchi, Earl Cunningham, Rich Mrozinski, Jeff Santana, Lois Sosinski, Mark Yagelski, Terry Garner
All members were noted present.

APPROVAL OF THE MAY 27, 2014 AGENDA

A request was made by Mr. Mrozinski to add Resolution 2014-5/Resolution Advocating Study of "New and Alternative Treatments for Indiana Veterans" to the agenda.

Motion to approve was made by Mr. Mrozinski and seconded by Mr. Bernacchi. Motion passed 7-0.

APPROVAL OF THE MEETING MINUTES OF April 28TH, 2014

The minutes were approved on a motion made by Mr. Mrozinski and seconded by Mr. Bernacchi.
Motion passed 7-0.

PUBLIC COMMENT

President Yagelski had a brief conversation with the students present.

No further public comment.

DEPARTMENT HEAD REPORTS

None

LIAISON REPORTS

Mrs. Sosinski reported that there are pending requests for employee reviews for the HR Committee and she is waiting for a date to meet.

Mr. Bernacchi had none at this time.

Mr. Mrozinski reported that the Park Department is coming before the Council tonight to request permission to fill a full time position that has become vacant. He also reported that the Park Department will be asking for permission to purchase a 72" commercial mower.

Mr. Garner reported that the Council along with State Representative Tom Dermody and State Senator Jim Arnold were the guests of the Purdue Extension Office for a light supper. The Extension Office discussed the many services they offer to the residents of the County.

Mr. Santana, the Liaison to Building and Maintenance, is speaking for Mr. Cooley who was unable to attend tonight's meeting. Mr. Cooley would like to take a part time employee and move them to full time status. Also, Amy Bluhm from EMA will be at next month's meeting to request the purchase of a siren. Currently the County rents the siren and the cost is very high.

Mr. Cunningham had nothing at this time.

NEW BUSINESS

Mr. Mrozinski asked the Council to support Resolution 2014-5 "Resolution Advocating Study of New and Alternative Treatments for Indiana Veterans". This will not cost the County any money, it is support for the care of Indiana veterans and alternative treatments for veterans returning from Iraq and Afghanistan.

The Resolution was read by title only by Auditor Winski. A short discussion took place.

A motion to pass was made by Mr. Mrozinski and supported by Jeff Santana. Motion passed 7-0.

OLD BUSINESS

Superior Court 3/Judge Koethe/Bob Gerometta Construction

Since Judge Koethe was at mandatory training, Judge Boklund spoke for her and explained to the Council why needed changes were being imposed on the county and court.

Mr. Yagelski said that the Council had hoped to have a report tonight since it is tied in with the County's study for energy cost savings.

Ameresco Update

Mike Vacullo, County Engineer, stepped to the microphone and explained the need for upgrading the Michigan City and LaPorte Court Houses. He said that the Energy Savings committee met several times and also had a joint workshop with the Council and Commissioners. Ameresco was retained to facilitate with prioritizing repairs needed. Out of the 21 county owned buildings, the repairs were narrowed down to the 2 court houses and the focus would be on the HVAC systems in both court houses, elevators in both, electrical service in the La Porte Court House, Building Control system in the Michigan City Court House, fire alarm panel in both, 2 elevators in the Complex building and Superior Court 3 renovations. Current conservative estimates are around \$8,000,000. This could be accomplished by a tax exempt lease purchase which seems to be the most cost effective. The committee

is asking the Council to allow Ameresco to put out an RFP and get some banks to propose their interest rates and financing for the project.

Bob Gerometta, the architect working on Superior Court 3 renovations, spoke to working with Ameresco, which would be more beneficial to renovate properly, not piece-meal. He estimated that this project (Superior Court 3) would be around \$720,000 + heating costs.

Mr. Yagelski asked if Mr. Gerometta brought drawing of the project.

Mr. Gerometta asked Mr. Eyrick to get the drawings and bring them back to the meeting.

Mr. Yagelski again stated that the Council was supposed to receive drawings of the project tonight and he does not feel the Council is comfortable voting on this issue without the information.

Mr. Gerometta asked that Mr. Yagelski allow Mr. Eyrick to retrieve the drawings. Mr. Yagelski stated that he would allow that and moved forward with the meeting while this happened.

Auditor Winski asked for clarification on the Budget Hearings request from Mitch Bishop, County Planner, for \$2,000 to be used for ADA improvements. What fund should this be taken from? On a motion by Mr. Cunningham and supported by Mr. Mrozinski, the Council voted 7 – 0 to pay from the Win Tax (4220).

Matt Reardon came to the microphone to give the Council a briefing on the Kingsbury Logistics project. He wanted to verify that the Council received the Statement of Benefits and all the appropriate paperwork needed. He stated that the company was investing \$3,000,000 in the structure, \$2,300,000 in wages and #2,800,000 in logistics equipment.

Mr. Garner told Mr. Reardon that the “word on the street” is that the other project in the KIP is dying.

Mr. Reardon responded that the group in Tampa is working diligently to get that project together. Also, the land owner in the KIP has another project he is working on. That’s all the information he has. He suggested that the County can always go back and seek damages – that how the contract was set up and there is ultimate accountability.

Mr. Mrozinski said he agrees with Terry, that he does not see any movement – the rail is rusting, and nothing has been done since the Alliance broke up. The Council loaned \$6,000,000 from the Major Moves money - \$5,700,000 for rail; \$300,000 for legal and engineering and then he heard that the Commissioner’s came back and took another \$100,000 from the \$5.7 million and that’s a lot of money. They gave \$800,000 for Hupp Road. Where did all that money go? He said he understands there had to be some concessions, like the sign, with a project this big that little plywood sign is not very nice, but he understands something had to be cut.

Mr. Reardon replied that Mr. Mrozinski’s remarks were not exactly accurate on what was agreed to as part of the concessions made by the new Commissioners. You, as the private sector, will contribute \$100,000 to the government. They will do the improvements to the park including way finding signs that need to be there. SEH had nothing to do with it. He told the Council that he would be happy to sit down with the Auditor and give the Council a complete accounting of the money spent.

Mr. Mrozinski stated as part of the Alliance he kept track of the money. After the current Commissioner’s came on board, everything stopped.

Mr. Reardon said the funds have been expended and if there are further questions please call him.

Superior Court 3/Judge Koethe/Bob Gerometta Construction

Mr. Gerometta again stepped to the podium and presented the drawings to the council. He met with the Energy Savings Committee a little over a week ago. The exact amount of the project would be \$785,000 plus a \$72,000 (\$857,000) contingency and the design and quality is similar to Judge King's renovation quality.

Mr. Yacullo again approached the Council stating that the Energy Committee actually would like the Council's permission to let Ameresco pursue the RFP to banks for financing and interest costs. A motion was made by Mrs. Sosinski to that effect with a second by Mr. Santana. Motion passed 7 – 0.

CORRESPONDENCE

Mr. Biege commented on a letter sent to the Council with regard to the Purdue North Central donation from the County. He spoke with Steve Turner and PNC is proceeding with their plans and will be breaking ground shortly.

A discussion took place regarding an email from Mr. Ken Purze. Since he could not be present, the email will be presented at the next meeting being tabled on a motion made by Mr. Cunningham and supported by Mr. Bernacchi. Motion passed 7 – 0.

ORDINANCES AND RESOLUTIONS

Ordinance No. 2014 – 6, MS 4 Funds Disbursements, Purpose and Procedures

Mr. Biege explained that this is a fund to hold the bonds that are held for projects. A discussion took place with Mr. Yagelski asking that the statement concerning the use of the bonds be taken out of the ordinance. Mr. Biege will correct and bring the ordinance back next month.

The ordinance was tabled on a motion by Mr. Mrozinski and supported by Mr. Garner. Motion passed 7 – 0. Mr. Biege will rewrite some of the language in the ordinance.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Superior Court 4 – Honorable Judge Boklund

Judge Boklund spoke to converting a position change from COMOT V TO PAT IV – a bailiff to a paralegal position – no extra money would be required. A discussion took place with Mrs. Sosinski asking if the Judge went through the HR committee. He responded that he was told to go straight to the Council. Mrs. Sosinski spoke to the normal protocol of changing a position.

Mr. Mrozinski made a motion to allow this change. It was supported by Mr. Bernacchi. Mr. Cunningham asked if Judge Boklund thought that the other courts would also be coming before the Council if this change passes and if it would cost the County more money in salaries. The Judge responded that it is not costing his court any more money and that he couldn't imagine that it would cost the other courts more either. Auditor Winski asked for clarification before the vote on the exact salary of the position for her record keeping. Mrs. Sosinski said she supports the concept but has a problem skirting around the policy. She asked that the motion be tabled for a month and asked if HR

has the position's description. The Judge responded that he had given it to HR. The roll was called. The motion failed 2 (Bernacchi, Mrozinski) – 5 (Sosinski, Yagelski, Cunningham, Santana, Garner)

The Judge asked where to go from here. Mrs. Sosinski stated that he should go back to HR and that she would call Ms. Mossman in the morning to make sure the request gets turned around quickly and can be on next month's agenda.

La Porte County Maintenance Department

Permission to hire one (1) full time position for maintenance position (already in Budget).

Mr. Santana spoke in favor of the request since Mr. Cooley could not attend the meeting. This would be moving one part time position to a full time status. He already has the money in the budget so there will be no additional cost. He will work in maintenance with janitor pay. A discussion took place.

Mr. Santana made a motion to approve the request adding that it will be moving a part time position to full time position in maintenance at the janitor's pay rate. The motion was supported by Mrs. Sosinski. The motion passed 4 (Yagelski, Sosinski, Garner, Santana) – 3 (Bernacchi, Cunningham, Mrozinski).

La Porte County MS 4

Requesting permission to spend MS 4 Non-Reverting for pipeline (\$6,116.25)

Mr. Rick Brown, MS 4 coordinator asked for permission to spend explaining that this is for Hydro Mulching on the Enbridge Pipeline easement at the roadways. This will stabilize the ground around the pipeline at intersections. They could not get a contractor to stabilize the road crossing on Mr. Brown's timeline.

Mr. Yagelski asked that Commissioner Decker come to the podium. Mr. Yagelski state that if Enbridge can't take care of the problem and we are hiring someone to do it and we are paying for this now, we need to get our money back. Mr. Decker responded that he thought that was what the bond was for. Mr. Biege clarified that Enbridge deposited \$945,500 in the account, after the request came in, a bond was also deposited in their account. I will probably be coming back to the board next month asking for another appropriation for the remainder of the bond. Mr. Yagelski said he understands but a company this large should be more responsible. Mr. Decker again commented on the bond money.

A motion was made by Mr. Garner to spend \$6,116.25 for Hydro Mulching. It was supported by Mr. Bernacchi. Motion passed 7 – 0.

Mr. Brown stated that all the MS 4 project will require bonds to be posted.

La Porte County Park Department

Requesting permission to fill one (1) full time position for maintenance and construction supervisor (already in budget).

A motion was made by Mr. Garner and supported by Mr. Mrozinski to fill the position. Motion passed 7 – 0.

Requesting an addition appropriation from the CCD (1138) or Win Tax (4220) for commercial mower.

Mr. Mrozinski made a motion to appropriate the additional funds from the CCD (1138) fund for \$19,850 for the purchase of a commercial mower. The motion was supported by Mr. Santana. The motion passed 7 – 0.

La Porte County Highway Department/Engineer

Requesting an additional appropriation of \$340,000 from the Major Moves (1172), Win Tax (4220) or Riverboat (1191) for intersection improvements on Johnson Road and CR 400 N. Mr. Yagelski stated that the improvements would not include a round-a-bout.

Mr. Santana made a motion to appropriate \$340,000 from Win Tax for the improvements to the intersection of Johnson Road and CR 400 N. The motion was supported by Mr. Garner and passed 7 – 0.

As a matter of record, Mr. Cunningham asked if the improvements would include the intersection of 700 W and 400 N. Mr. Yacullo responded that it would be included.

Requesting an additional appropriation of \$326,100 from Major Moves (1172) or TIF (4504) for road reconstruction of CR 950 W. Mr. Mrozinski made a motion to take the amount from the TIF fund and the motion was seconded by Mr. Bernacchi. Auditor Winski stated that the TIF fund only contained \$220,000. Mr. Mrozinski stated that if Major Moves is used, the Council traditionally expects it to be paid back. A discussion took place between Mr. Yacullo and the Council. Mr. Cunningham asked that the party who made the motion also include asking Attorney Biege draw up papers specifying that the amount loaned from the Major Moves be repaid with TIF funds as early as possible. **Mr. Mrozinski agreed to amend his motion but he would have liked to take this out of Riverboat or Win Tax, but will go with Major Moves. The motion was supported by Mr. Bernacchi.** Mr. Biege said that he would be happy to do this but it will need to be advertised as a loan. Mr. Biege would like to make sure that the loan needs to be advertised before taking any action tonight. Mr. Yacullo stated that he would like to have the entire amount voted on tonight so the project can begin. Mr. Yagelski said the he would have \$220,000 from TIF funds to start the project by next meeting they can appropriate the remainder of the money. Mr. Cunningham said \$326,000 was advertised so he wonders if they can vote today and just sign the papers tomorrow. The TIF will be voted on tonight. Mr. Yagelski said he feels it can be voted on tonight for the TIF money to be used and the loan can be voted on tonight. He then asked Mr. Biege if that would be okay and Mr. Biege responded yes. **Mr. Yagelski called for the vote which passed 7 -0.**

La Porte County Sheriff's Department

Requesting and additional appropriation or \$40,000 from Riverboat (1191) or Win Tax (4220) for Sheriff overtime (1000.10140.000.0105).

Sheriff Mollenauer explained that this is for the Merit Deputies for overtime worked. He also explained that this is also for mandatory training in March, April and May – 1 week in each month.

Mr. Cunningham asked if the Sheriff could prioritize his requests since he has 5 requests tonight in light of the financial situation the County is in.

A discussion took place between the Sheriff and the Council.

On a motion made by Mr. Santana and supported by Mrs. Sosinski the motion passed 5 (Yagelski, Bernacchi, Sosinski, Garner, Santana) – 2 (Mrozinski, Cunningham). The appropriation will be taken from Riverboat.

Requesting an additional appropriation of \$200,000 from Riverboat (1191) or Win Tax (4220) for Jail Food (1000.20039.000.0145).

Mr. Santana made a motion to allow the additional appropriation from Riverboat Funds. The motion was supported by Mr. Cunningham and passed 7 – 0.

The Sheriff then commented that there were 164,691 meals served and 8,330 of those were served to Community Corrections. A discussion took place concerning the meals served and the vending machines at the Community Corrections building. The Sheriff said this was a burden on the taxpayers. Mr. Garner asked the Sheriff if these inmates would be in the jail if they weren't on work release so the Sheriff would have to feed them anyway. The Sheriff said not necessarily and that he thought that was why the vending machines were located there. Mr. Yagelski asked if it was common practice in Indiana for the Sheriff to serve meals to the work release inmates. Mr. Bill Hackett, assistant director from the Community Corrections, stepped to the podium to explain that there was no way the figure for meals would ever be zero. There will always be those who are looking for jobs – work release inmates have 30 days to find employment – and in most cases they come back and have no money at the beginning of their employment to pay for food. He provided the council with some figures and facts. They have brought the number down and continues to drop but it will never get to zero.

Requesting an additional appropriation of \$140,000 from Riverboat (1191) or Win Tax (4220) for Jail Medical (1000.30085.000.0145).

Mr. Santana made a motion to allow the additional appropriation from Riverboat Funds. The motion was supported by Mr. Cunningham and passed 7 – 0.

Requesting an additional appropriation of \$108,595.24 from the CCD fund (1138) for the purchase of Sheriff's vehicles.

On a motion by Mr. Santana and supported by Mrs. Sosinski, the motion passed 4 (Santana, Sosinski, Bernacchi, Yagelski) – 3 (Garner, Cunningham, Mrozinski)

Mr. Cunningham read a letter from Magnuson into the record. Chief Sosinski responded.

Requesting an additional appropriation for upgrades to the Sheriff's computer system in the amount of \$259,126.19 from the Riverboat (1191) or Win Tax (4220).

Mr. Yagelski commented on the request and prioritized the list as he felt it should be. He'd like to see many of the requests phased in or looked at after the first of the year. He felt about \$150,000 would suffice at this time.

A motion to deny the request was made by Mr. Mrozinski and supported by Mr. Cunningham. The motion failed with Mr. Garner, Cunningham and Mrozinski voting in favor and the remainder of the council voting nay.

Mrs. Sosinski asked that Mr. Yagelski prioritize his list. He did so as follows:

Battery Backup, Software, SSL Certificate, Phase in Purchase of Laptops, Email upgrade.

A motion was made by Mr. Bernacchi and supported by Mr. Santana to spend up to \$150,000 from Riverboat Funds to purchase the prioritized list. Mr. Garner would like Ms. Hale to be involved with the purchase. The motion passed 4 (Sosinski, Bernacchi, Santana, Yagelski) – 3 (Garner, Cunningham, Mrozinski)

County Council/Attorney Comments

Mr. Yagelski asked if they could pass the MS 4 Ordinance with removing Section 6 tonight. A discussion took place. Mr. Biege said they could.

Mr. Yagelski asked for a motion on Ordinance 2014-5 to Create a Fund for Holding Bonds for LaPorte County MS 4.

Mr. Mrozinski made the motion supported by Mr. Santana and the motion passed 7 – 0.

Mr. Cunningham read a statement concerning the financial situation the County is in.

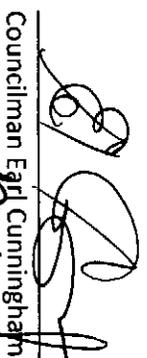
Adjournment

President Yagelski asked for a motion to adjourn. A motion to adjourn was made by Mr. Santana and seconded by Mrs. Sosinski. Motion passed 7-0.

EXAMINED & APPROVED BY THE LAPORTE COUNTY COUNCIL, dated this 27th day of May, 2014.


Councilman Matt Bernacchi


Councilman Terry Garner


Councilman Earl Cunningham


Councilman Mitch Mrozinski

Councilman Jeff Santana



Councilwoman Lois Sosinski



Councilman Mark Jagoski



Attest: Jolie Winski, Laporte County Au

