

LaPorte County Auditor
Joie Winski
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LaPorte, IN 46350-3490

MINUTES
LAPORTE COUNTY COUNCIL REGULAR MEETING
JULY 28, 2014 at 6:30 P.M.

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on July 28, 2014 at 6:30 p.m. (CDT) in the Assembly Room #3 of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

President Yagelski asked everyone to stand for the Pledge of Allegiance.

Mr. Yagelski asked that everyone except emergency personnel please turn off their cell phone at this time.

ROLL CALL

Auditor Joie Winski called the roll. Council Members present were Mr. Bernacchi, Mr. Santana, Mr. Cunningham, Mr. Garner, Mr. Yagelski, and Mr. Mrozinski. Council Member Mrs. Sosinski was absent.

APPROVAL OF THE JUNE 28, 2014 AGENDA

Mr. Mrozinski made a motion to accept the agenda as printed. This motion was seconded by Mr. Santana and passed 6-0.

APPROVAL OF THE JUNE 23, 2014 MEETING MINUTES

A motion was made by Mr. Mrozinski and seconded by Mr. Bernacchi to accept the minutes as printed. Motion passed 6-0.

PUBLIC COMMENT

Coral Laun, Vice Chair of La Porte County Republican Party spoke on behalf of Chairman Mike Conder. Mr. Conder would appreciate if the La Porte County PTABOA board would represent both democrats and republicans as the statute requires. The Republican Party is prepared to make a republican recommendation for that board.

No additional public comment. Public Comment is closed.

DEPARTMENT HEAD REPORTS

Joie Winski, La Porte County Auditor mentioned having given the budget hearing schedule to this board-budget hearing packets will be available at noon this Thursday (July 31st).

Mike Mollenhauer, La Porte County Sheriff reported on the (2) new school resource officers to be utilized at South Central Community School Corp. and La Porte Community School Corp. Detective Jon Burger was chosen for La Porte Community Schools; Patrol Deputy Scott Lanoue was chosen to be placed at both the South Central & Westville Schools. Both officers will be attending a week-long class in Grand Rapids, Michigan for school resource training. Mike also mentioned an appropriation mix-up in regards to salaries- he will be requesting this at the August meeting. Councilman Yagelski stated that it was to his understanding that the schools had funding to pay for the two new officers. Councilman Santana asked how many years of service these officers held with the Department— Lanoue holds (3) and Burger holds (9).

No additional Department Head Reports. Department Head Comment is closed.

LIAISON REPORTS

Councilman Matt Bernacchi-nothing to comment on at this time.

Councilman Rich Mrozinski (Liaison to GLEDC) reported on the meeting to be held Thursday morning (July 31st)-nine new prospects interested in development in La Porte County.

Mr. Mrozinski also mentioned a meeting held to discuss the future of the County Home. Another meeting is scheduled for this Wednesday (July 30th).

He also mentioned a Resolution passed not long ago to encourage our state legislators to look at alternative methods of treating traumatic brain injuries of returning soldiers.

Councilman Terry Garner spoke with County Weights and Measures. Mr. Quinn stated he is fine with his current operating budget. Also, since taxes are now current, Auditor & Treasurer considering looking into a new computer program. Mr. Garner briefly mentioned the finance committee to better prepare for upcoming budget hearings. Mr. Garner stated being hopeful for a balanced budget at year-end.

Councilman Jeff Santana discussed EMA reporting siren tests to be conducted first Saturday of the month (August 2nd). Also, reading of a letter from county citizen-Mr. Santana sent out kudos to County Highway, County Surveyor, and *Rieth-Riley* for their quick response to a storm water/ditch issue.

Councilman Earl Cunningham briefly mentioned his attendance with regards to the finance committee to discuss budget hearings.

Councilman Mark Yagelski commended the fair board and all they do to put on a grand county fair for both local and surrounding county fair-goers!

NEW BUSINESS

Mr. Yagelski asked if all had received the draft letter from Mr. Cender (*Cender & Company*). Mr. Cunningham asked Auditor Winski if she had yet talked with anyone from *Cender* to discuss the financial figures-she stated she had spoken with Damon Tsouklis (sp?) and went over the county budget almost entirely line-by-line. That same day Mrs. Winski had spoken with Damon; our budget reflected a shortage (approx. \$15 million) in the General Fund. As of December 31st, the state will no longer allow start of the New Year with a negative balance. At year-end, county will have approximately \$7-9 million in deficit—these monies could come from the CAGIT Fund, CEDIT Fund, or “Rainy Day” Fund. It was recommendation from *Cender* that the aforementioned funds could be utilized to pay bills i.e. employee salaries. Mrs. Winski stated that the repercussion of not balancing our county budget may result in drastic budget cuts on a state level. Additionally, department heads have been meeting with Auditor Winski to see where the possibility is to reduce operating expenses in the individual departments. Councilman Santana inquired further on what the county deficit will be at year-end. Furthermore, Mr. Cunningham questioned as to what has been spent thus far this year-Mrs. Winski replied: approx. \$29 million (out of an approx. \$34 million operating budget). Attorney Friedman further discussed the county deficit as projected by *Cender* report-to be at or under \$1 million.

Further discussions occurred between Mr. Cunningham and Mr. Yagelski regarding remaining payroll(s) that will affect our county's deficit.

Councilman Bernacchi went on to discuss that aside from already cutting line items from department budgets, the next possibility would be to look at the employee numbers-his suggestion was employee cross-training as employees retire/vacate a position.

Councilman Garner-stated that we as a county cannot put our financial burden on the taxpayers anymore.

Councilman Santana-further commented on balancing of the county budget.

Councilman Cunningham- was not pleased that the *Cender* report was handed to council members at the last minute-Mr. Yagelski stated that this report was given for members to review prior to next week's budget hearings; it was not something to be voted on this evening.

Attorney Friedman-discussed authority received from the DLGF to conduct tax sales from '06 thru '08 (possibly '09).

OLD BUSINESS

President Yagelski-brought to his attention by Mr. Bernacchi that any further PTBOA board meetings postponed until resolution with the issue of the board's appointments.

Councilman Bernacchi (President, PTBOA Board) – discussion of Mr. Ken Purze (board appointee) asking for clarification of the political make-up of the board. Councilman Cunningham read a section from guide of Attorney General Greg Zoeller-“no person holding a lucrative office or appointment on the United States or under the state is eligible to a seat in general assembly and no person may hold more than one lucrative office at the same time except as especially permitted in the Constitution.” Mr. Cunningham further went on to mention that it is the responsibility of the executive body (County Commissioners) to balance this board by who they appoint.

Councilman Bernacchi- further discussed his motion to hold no more PTBOA hearings until political make-up is corrected. Attorney Friedman- mentioned his appearing in front of the Council this past February for recommendation of a certain board re-appointment (Ms. Gores) to fulfill the party affiliation requirement. Mr. Garner elaborated that the PTBOA board appointees *should* meet specific qualifications i.e. certified level assessor. President Yagelski- bottom line is that the PTBOA board make-up is not "in line"-thus we must correct this issue right away.

Attorney Biege-further discussion of the statute that governs appointees to this board--one's nomination shall be based on level certification and clearly not party affiliation.

Councilman Cunningham motioned for a moral vote of support for our appointees to the PTBOA board. Motion supported by Councilman Garner. Motion carried 6-0.

Phyllis Marks-gave a synopsis of what has taken place regarding preservation of historical barn located on County Home grounds. Further discussions of fundraisers to help preserve the barn-approximately \$20,000 raised to offset costs.

Councilman Bernacchi recommended that a joint workshop with Mr. Beige, Mr. Friedman, Amber Lapaich, and Commissioners to hash out issues with PTBOA board-so as to avoid litigation. Councilman Santana supported the motion/recommendation.

CORRESPONDENCE

Clay Turner (Solid Waste Director) discussed modifications to Solid Waste program i.e, a few items that they no longer accept in bi-weekly pickup.

Attorney Doug Biege read a letter regarding delinquent tax monies/state statutes (please see letter from tonight's meeting).

ORDINANCES/RESOLUTIONS

None.

APPROPRIATIONS, TRANSFERS, & REQUESTS

La Porte County

Requesting approval of \$8 million Tax-exempt Lease Financing to Accomplish Energy Efficiency modifications Of Heating, Plumbing, Electrical and Mechanical Equipments in both Courthouses per Recommendation of Joint Council/Commission \$8,000,000.00

Mike Yacullo, County Engineer stated that Ameresco had evaluated all county buildings- it was narrowed down to both courthouses needing the most energy modifications/upgrades. Councilman Bernacchi motioned this request be postponed for one month to see where county budget stands **after** the hearings on August 4 and 5. Councilman Mrozinski supported this motion. No further questions/comments. Motion carried 6-0.

La Porte County Highway Department
Requesting Permission to Fill Five (5) Full-Time Positions
for One Foreman, One Sign Crew Leader and Three Equipment Operators

Mr. Yagelski stated the Foreman position requesting to be filled is for the Hannah site. Request to fill the Sign Crew Leader position is due to an employee's retirement. Mr. Mrozinski made first motion to grant request; Mr. Garner seconded the motion. Further discussions occurred regarding all positions at County Highway requiring that one must hold a CDL (minimum class B) license. Mr. Santana held a discussion with Mr. Young as to the interviewing process for interested applicants. Mr. Santana asked if the Department could manage with hiring of just two (2) rather than the three (3) positions being requested. Mr. Garner stated that he had been receiving complaints that unqualified applicants are receiving interviews rather than those who are more highly qualified. Mr. Cunningham elaborated on Mr. Garner's comments.

Mr. Mrozinski motioned a final approval to fill four (4) positions: One Foreman, One Sign Crew Leader, and two (2) Equipment Operators. Mr. Santana supported this motion. Motion carried 6-0. (This motion included that all positions filled would require holding minimally a class B CDL).

La Porte County Auditor
Permission to Fill One (1) Full-Time Position for Real Estate

Joie Winski, County Auditor requested filling one full-time position due to Mary Ann Lestinsky's retirement. Mr. Mrozinski motioned approval of the request, supported by Mr. Santana. Mr. Bernacchi voiced his concern as to whether this position could be classified as part-time rather than full-time. Mr. Yagelski further discussed the idea that all employees be cross-trained in the Auditor's office. Mrs. Winski stated she already cross-trains her employees within the department. Motion carried 6-0.

La Porte County Sheriff
Permission to Pay Out Sick Days due
to Employee Retirement

\$4,500.00

Mr. Cunningham motioned to table this request, seconded by Mr. Bernacchi. Motion carried 6-0. (Request to table was due to not being presented to County Commissioners yet).

La Porte County EMS
Requesting an Additional Appropriation CCD (1138)
Riverboat (1191) or Win Tax (4220) for EMS base

\$100,000.00

Dr. Vidya Kora, County Commissioner stated importance of moving forward with design/construction of new EMS base. Mr. Bob Gerometa (project architect) discussed and went over the plans in regard to design of the new base; his discussions included the additional expenses that must be taken into consideration to complete this project. Discussions and concerns about the generator occurred between Mr. Yagelski and Mr. Yacullo. Councilman Bernacchi voiced his concerns over some storm water issues at the project site. Mr. Garner motioned approval for the request. Additional discussions occurred regarding granting a lesser amount than the \$100,000 originally requested. Mr. Garner than made a motion to approve \$75,000 (not \$100,000) to proceed with bidding of the project. Motion was supported by Mr. Santana. Motion carried 6-0.

La Porte County Haz-Mat

Requesting an Additional Appropriation CCD (1138), Riverboat (1191) or Win Tax (4220) for Fulfillment of Radio Grant for Equipment Licensing, etc.

\$29,131.00

Randy Novak, Chairman of La Porte County Fire Chief's Association & Jeff Hamilton, Haz-Mat Director discussed a grant regarding program related to community response time to fire calls. Mr. Novak requested monies to cover those shortfalls that the aforementioned grant could not fund. Mr. Garner motioned this request come from the CCD fund; Mr. Santana seconded this motion. Motion carried 6-0,

Purdue Extension Office

Request for an Additional Appropriation CCD (1138), Riverboat (1191) or Win Tax (4220) for a Copier

\$7,100.00

Hugh Tonagel, Extension Director discussed an e-mail sent prior to tonight's meeting (July 22nd) outlining reasons why the copier was needed-replacement of two older copiers to reduce maintenance costs. Mr. Cunningham and Mr. Yagelski suggested looking into obtaining of a copier from either the Westville or Calumet university location. Mr. Mrozinski motioned to table this request, supported by Mr. Santana. Motion carried 6-0.

La Porte County Highway Engineer

Requesting an Additional Appropriation Cumulative Bridge (1135) for Structure #2113

\$500,000.00

Mike Yacullo, County Engineer briefly mentioned the need for additional funds to cover bridge expenses. Mr. Yagelski briefly discussed reasoning for not granting the request-he asked that another council member motion for its removal entirely. Councilman Bernacchi motioned that the request be taken off the table; motion was supported by Mr. Mrozinski. Motion carried 6-0. Mr. Yagelski further voiced his concern that the need for these monies was not supported by strong figures; additionally he added that it would be best to see where county finances stood at year-end and to possibly revisit the request in 2015.

Mr. Yacullo also discussed a matter with the Rolling Prairie Sewer Project/IDEM.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Garner voiced his concern regarding hiring of new employees, especially if not within a department's budget.

Councilman Bernacchi suggested workshops be held regarding any future projects such as the new EMS base project. His concern was that monies are appropriated before a project even goes out for bid.

Councilman Yagelski further discussed the EMS base project.

Councilman Cunningham commended Lynne Spevak on bearing of the law to make an informed decision in a recent hearing.

No additional comments.

ADJOURN

A motion to adjourn was made by Councilman Mrozinski at 8:22 p.m. seconded by Councilman Santana. Motion carried 6-0.

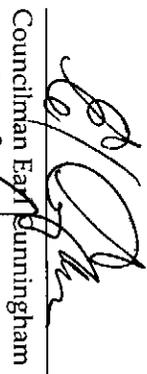
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 25th day of August, 2014.

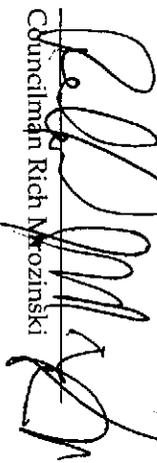

Councilman ~~Matt~~ Bernacchi


Councilman Terry Garner

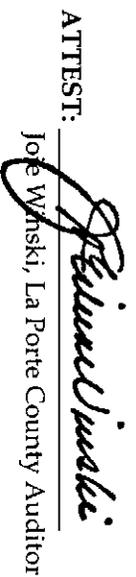

Absent - not present
Councilwoman Lois Sosinski


Councilman Mark Yagelski


Councilman Earl Cunningham


Councilman Rich Mrozinski


Councilman Jeff Santana

ATTEST: 
Joe Wninski, La Porte County Auditor