



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

**MINUTES  
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL  
MARCH 21, 2016 AT 6:30 P.M.**

*(Please Turn Off All Cell Phones)*

The Regular Meeting of the La Porte County Council was held on March 21, 2016 at 6:30 p.m. (local time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

**CALL TO ORDER**

La Porte County Council President Terry Garner called the Meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

President Garner asked everyone to stand for the Pledge of Allegiance. President Garner asked that everyone, except emergency personnel, to please turn off their cell phones at this time.

There was a moment of silence for fallen officer, Deputy Carl Koontz, from Howard County.

President Garner asked that Public Comment stay at the 3-minute limit and follow the Agenda.

**ROLL CALL**

Auditor Winski took the Roll Call. Council Members present were Councilmen Bernacchi, Garner, Kirkham, Novak, Santana and Yagelski and Councilwoman Sosinski. A quorum was noted.

**APPROVAL OF THE MARCH 21, 2016 AGENDA**

A Motion was made by Councilman Novak and seconded by Councilman Kirkham to approve the March 21, 2016 Agenda. Motion carried 7-0.

Auditor Winski asked that the presentation from the Fair Board be added to the Agenda. A Motion was made by Councilman Novak to approve the amended Agenda to include the item. Motion carried 7-0.

**APPROVAL OF THE FEBRUARY 22, 2016 REGULAR MEETING MINUTES**

A Motion was made by Councilman Yagelski and seconded by Councilman Santana to approve. Motion carried 7-0.

**APPROVAL OF THE MARCH 7, 2016 SPECIAL MEETING MINUTES**

A Motion was made by Councilman and seconded by Councilman to approve. President Garner and Councilwoman Sosinski abstained, as they did not attend the Meeting. Motion carried 7-0.

## **PUBLIC COMMENT**

*Dennis Metheny, 6757 W 450 N, Michigan City, IN 46360*

Mr. Metheny brought up the Mary Ray fraud investigation. He stated that he has been friends with her for a long time and believes she has done nothing wrong. Mr. Metheny abruptly stopped speaking to ask President Garner to pay attention to him, as he always pays attention when he is talking. Councilman Santana responded that just because a person is not looking at him doesn't mean he/she is not listening. He reminded Mr. Metheny to keep the Meetings Citizen friendly.

Mr. Metheny questioned why the County has not filed with the insurance company for the missing money regarding Mary Ray. He added he would like to hear Mr. Friedman's response and a better excuse for not filing a claim. He asked if anyone on the Council knows the insurance company for the County. Auditor Winski replied yes, it is Chubb Insurance, and the claim was filed immediately. Mr. Metheny asked if it had been paid yet, but Auditor Winski said additional information was requested from the insurance company and that they were waiting for the trial to be over. Mr. Metheny added that he feels it is a violation of his constitutional rights to only talk about what's on the Agenda and not being able to speak.

*Randall Veatch, 4177 W Schultz Rd, La Porte, IN 46350*

Mr. Veatch expressed frustration over not being able to speak or ask questions about items that are not on the Agenda. He asked for the hierarchy in the Meeting room. Attorney Biege replied that Councilman Garner is the President and the other members comprise the Council. He added that they decide the fiscal matters for the County. Mr. Veatch discussed items that were addressed at the Workshop, which was held immediately prior to the County Council Meeting. He said there is too much time spent pointing fingers and the citizens want to be able to ask questions and get answers. He asked why everything in the County is studied to death.

Attorney Biege added that the purpose of a Workshop is for the County Council and County Commissioners to discuss projects and ask questions of those participating. Mr. Veatch responded that is exactly the purpose of the open microphone – to ask questions and determine what is going on.

President Garner explained that the Commissioners are part of the day-to-day process of the projects and the Council determines the proper procedure to fund the projects.

Attorney Biege said no decisions are made at a Workshop. There has to be a public vote and public comment. President Garner added that the proper procedure would be to go to the Commissioners first and then to the Council when it gets to them.

Councilwoman Sosinski said the purpose of the Workshop is to let the public know what is going on. She added that the public can contact any of the Commissioners or Council members, as their email addresses and phone numbers are published. She explained that Commissioner Kora spoke at the Workshop because he had necessary information/expertise to add. She said the Commissioners are the policy makers who bring projects to the Council where they are then funded.

Councilman Novak added that if a citizen would like something added to the Agenda, he/she can contact him and he will forward it to President Garner, who will determine if it will be added to the Agenda.

Attorney Biege stated that the Meetings follow the Robert's Rules of Order. Indiana Code determines the Commissioners' authority; the Commissioners determine the structure of the County; the Council makes

the financial decisions; Public Comment has to be rationally related to the Agenda and there has to be a minimal framework for Public Meetings or nothing can get done.

*Donna Swain, 406 Fox St, Apt. 416, La Porte, IN 46350*

Ms. Swain asked if the County Home could be used for Drug Abuse or Drug Rehabilitation facility. President Garner replied that, at this time, there are no grants available for that type of facility. The current grants that had been applied for are for Senior Living and Veterans. He added that it may be put up for sale. Councilman Santana added that the Grant Writer has exhausted all avenues, but that the future of the County Home is unknown at this time. Alternative grants may become available, or the County Home may be put up for sale, but he doesn't believe the taxpayers want to pay for any of it.

*D.E. Sonshine Troche, President, Worthy Recovery*

Ms. Troche stated the Worthy Recovery will be opening in approximately 5 weeks. She thanked all of the Emergency personnel at the Meeting. She said that we have to work together and not just come to Meetings to complain. She said that she came before the Council to request money, but was denied because she wouldn't remove Christ from her Mission Statement. However, she followed proper channels and the Council always treated her with fairness. She also thanked the Community for their support of her project and said if anyone has \$10,000,000.00, they can call her at 219-405-7006.

*Earl Cunningham, 6311 W Shiva Dr, La Porte, IN 46350*

Mr. Cunningham referenced an email and said the Council routinely gives \$500,000.00 to \$600,000.00 to the Swanson Center. He questioned the appropriateness of the County giving money to the Swanson Center, who sends some of it to law firm in Indianapolis. The law firm then recycles it and sends it here in support of candidates chosen by the President of the Swanson Center. He said he doesn't believe this is an appropriate practice and thinks the taxpayers deserve to know whether or not the Council thinks it's appropriate.

Hearing or seeing no additional Public Comment, President Garner closed Public Comment.

## **DEPARTMENT HEAD REPORTS**

*Jerry Cooley, La Porte County Building Maintenance*

Mr. Cooley said that the issue of the camera angle during the last Commissioners' Meeting is being addressed and resolved.

*John Boyd, La Porte County Sheriff*

Sheriff Boyd thanked the Council for taking the moment of silence for Deputy Carl Koontz. He added that earlier this morning, there was a moment of silence at the La Porte County Complex, at the request of Deputy Koontz's widow. He said it was emotional, but that Sergeant Jordan Buckley, who was also wounded, was released from the hospital and is doing much better than initially anticipated. Sheriff Boyd also said that he has reached out to the Howard County Sheriff's department and offered the services of the La Porte County. However, he added that the surrounding Counties are assisting at this time.

Sheriff Boyd said the first Town Hall Meeting of the year will be held on Tuesday, March 22<sup>nd</sup> at the United Methodist Church located at 101 W. Hopper Street in Hanna. The doors will be open at 5:30 p.m. and there will be ribs and refreshments. The Meeting will start at 6:00 p.m. and all community members are invited to attend. The style of the Meeting will be question and answer and issues specific to that community will be addressed.

Sheriff Boyd explained that Attorney Biege has drafted a Resolution, similar to last year's Resolution, concerning the approval of Sheriff's Commissary Fund expenditures. The current amount in the Commissary Fund is \$27,061.00.

Attorney Biege said he has the Resolution ready is there is a Motion. A Motion was made by Councilman Novak and seconded by Councilman Bernacchi for approval of the Resolution. Motion carried 7-0.

*Andrew McGuire, Administrator, La Porte County EMS*

Mr. McGuire had packets distributed to each of the Council members. It included the year-end report, budget breakdown and information to be discussed later in the Meeting. He reported that a Medicaid reimbursement of \$271,190.00 was received for 2011 and 2012. For 2013, a reimbursement of \$157,311.00 was received. He included the year-end report so the Council members can review it and contact him with any questions. He added that, regarding the out-of-town transfers, it shows zero, but that is inaccurate because that data was not collected. It will begin to be collected for future information. The budget breakdown is used to calculate the actual budget. He said the Department is 109% self-sufficient and it has returned \$224,797.00 to the General Fund in 2015.

*John Dudek, Director, La Porte County E-911 Communications Center*

Mr. Dudek reported that the InterAct system will be going live on March 22, 2016. He briefly explained that InterAct is a computer aided dispatch system that was purchased through a grant several years ago. It gives the dispatchers recommendations on which departments to send, and can assist with statistics for law enforcement reporting. Councilman Novak added it was a \$1.2 million grant received through the Sheriff's Department.

*Robert Young, Superintendent, La Porte County Highway Department*

Mr. Young asked for clarification on the proper way to handle the CEDIT money. Auditor Winski stated that the DLGF asked that a budget be added for the CEDIT fund, which was voted upon by the Council in October 2105. She added that the money doesn't have to be appropriated and that she can provide a full ledger on how the money is spent out of the CEDIT fund.

*Clay Turner, Executive Director, La Porte County Recycling*

Mr. Turner announced that, due to an infusion of cash from on time billing by the Auditor's Office and the Commissioner's sale, the Board determined that the User Fees could be lowered from \$5.50 to \$4.00 per month for residential, and from \$3.50 to \$3.00 per month for multiple units over 4. He believes that fee can be maintained for at least 2 years and hopes it can continue to be reduced.

President Garner asked about the pile of debris out by the Fairgrounds. Mr. Turner said that it may look like a mess, but there is a method to the madness. He said they are working on the berm, so some of product will be going to that. Also, the vendor will be coming to pick up some usable items that can be used in some farm field, filler or firewood. He added, as of now, as much is being brought in as is going out. Councilman Yagelski said the area has done its purpose and keeps people from dumping on the sides of the roads.

Hearing or seeing no additional Department Heads, President Garner closed Department Head Reports.

#### **LIAISON REPORTS**

Councilman Bernacchi said his only item on the Agenda is the new hire for the Building Department. He commented that the money given to the Swanson Center is mandated by the State per population and none

of the Council is against giving that funding. However, if that money is being incorrectly, it is not the intended use for those funds. He also discussed a handout he distributed regarding heroin and methamphetamine addiction. He stated that there is a petition to keep the County Home from being demolished so it can be used for a drug rehabilitation center. He added that the elected officials, department heads and/or prosecutor need to get together, have more workshops and discussions, so there is more communication, mistakes are not repeated and a better game plan can be devised.

Councilman Novak said he attended the Finance Meeting earlier in the month. He also said he toured the Michigan City Courthouse and looked at its needs. He attended the Ethics Summit in Merrillville and also the On Local Government program presented by Purdue Extension, where the laws and changes are discussed. He also met with LADS in regards to their space and to where they are moving, and an E-911 Meeting. He added there needs to be a comprehensive plan to insure adequate space and building maintenance, including follow through, instead of having a knee-jerk reaction.

Councilman Santana discussed Meeting with the various departments to which he is the liaison who are also on the Meeting's Agenda. He added that he, also, toured the Michigan City Courthouse and said that something needs to be done for those working in the basement. He reminded the Council about keeping an eye on Coolspring & Franklin. There may be some options with St. Anthony's, but it's going down big time and something needs to be done.

Councilman Kirkham attended an OCRA Meeting, which stands for Office of the Community and Rural Affairs. A lot of good information was given about preservations and grants. He also toured the Michigan City Courthouse. He is concerned about the people working in the basement and that there is no exit if the elevator is out of order. At Creek Ridge Park, a solar powered gate closer was obtained that is timed so no one has to be there to close the gate.

Councilwoman Sosinski had a Meeting with President Garner, Councilman Yagelski and Bob Young regarding the Utility Inspector position and the scope of the job. The redevelopment of that job description is in progress so a more complete package can be presented to the Council. She also toured the basement of the Michigan City Courthouse and she is concerned about the employees working there. She addressed past studies and said that past packages that were purchased may not have been used effectively. If a study cannot be used and funded properly, then it is just a waste of money.

Councilman Yagelski met with NICTD and said free rides to Chicago are being offered, as well as bikes on trains, to get more people to take advantage of train transportation.

President Garner went with Jerry Cooley to review some of the Commissioners' projects that will need to be addressed in the next year or two. One was the museum on Highway 35, which has some large columns that are deteriorating. Also viewed was the Rolling Prairie Highway Department. No money can be put into those buildings, but something needs to be put into that area. It was discussed that EMS could have a bay there, but the area has been slighted because of the contaminated water. He also toured the Michigan City Courthouse and said the conditions in which the people are working cannot be explained unless it has been visited. In addition, the EMS base at Coolspring and Franklin needs to be addressed. He met with the Finance Committee regarding recommendations for the 800 MHz radios. Purdue Extension's Meeting is March 30<sup>th</sup> at the Silver Palace.

**NEW BUSINESS**

*Judge Richard Stalbrink – Fairground Presentation*

Judge Stalbrink said many improvements have been made at the Fairgrounds over the last 10 years. He explained that a sewer line was added several years ago, which he believed was at a cost of approximately \$250,000.00, and was a gift or present. He is asking that the \$250,000.00 obligation owed to the County be waived. It has not been able for additional improvements to be made due to lack of funds. Attorney Biege said the configuration of the funds has to be researched before he can give a recommendation to the Council. Councilman Yagelski said he believed that the loan was to be repaid from the revenue of the RV area. Judge Stalbrink said, although they have tried to bring in big names, the seats have not been filled so no profit has been made. PGI (Pyrotechnics Guild International) is coming back this year and is a big draw that brings people from all over the United States. Attorney Biege said that it is not a requirement that the Fair Board comes back, but that it can be researched and put back onto the Agenda for next month and then he can give a recommendation to the Council on how to proceed. Councilman Santana asked if payments from the Fair Board are being made. Judge Stalbrink said that a few payments have been made, but he would prefer to use any money to improve the facilities at the Fairground.

**OLD BUSINESS**

*Attorney Friedman – Follow Up Mary Ray Fraud Investigation*

Attorney Friedman distributed information to the Council. He then addressed the issue of the Swanson Center that was previously discussed during the Liaison Report part of the Meeting. He continued that Councilman Yagelski and he are on the Board of the Swanson Center and said it would be a violation of State and Federal law that any money that comes through the Swanson Center be donated to a State or Local campaign. He expressed confusion as to where the previous Council member received his information. He said that the Swanson Center is audited and has just come through a clean audit and enjoys a good working relationship with the County.

Attorney Friedman then updated the Council on the Mary Ray fraud investigation. Because the report is a retrospective, it is not being billed to the taxpayers and is being submitted as a public service by his law firm. His letter to the Council and any supporting documentation, are attached as Exhibit A.

Councilman Kirkham asked Attorney Friedman about a radio ad that refers to his law firm. Attorney Friedman replied that his firm pays for the radio ads. He commented on the NIPSCO rate case and commended the citizens of the County for all of the letters that were sent in support of the case. He added that over half of them came from La Porte County residents.

**CORRESPONDENCE**

*None.*

**ORDINANCES AND RESOLUTIONS**

*None.*

**APPROPRIATIONS, TRANSFERS, REQUESTS**

La Porte Superior Court No. 3 Clerk

Requesting an Additional Appropriation  
from RIVERBOAT (1191) or WIN TAX (4220)  
for Window Film Superior Court No. 3

\$1,625.00

Lynne Spevak explained that the west side of the Courthouse receives the afternoon sun, therefore, window tinting needs to be added to the windows. She added, to preserve the wood around the windows, shades would not be an option. Councilman Kirkham asked if there would be an advantage in the winters by having the tint. Ms. Spevak said that was not yet determined.

Mr. Cooley said the film would cut down the rays from the sun and is guaranteed for 20 years.

A Motion was made by Councilman Yagelski and seconded by Councilwoman Sosinski to approve out of RIVERBOAT (1191). Councilman Santana confirmed that the amount included installation. Motion carried 7-0.

La Porte Superior Court No. 3

Requesting Permission to Spend  
from Probation User Fees (2102)  
for Copier

\$2,000.00

Steve Eyrick explained that when the Court has to make copies, it is necessary to leave the Courtroom. A Motion was made by Councilman Novak and seconded by Councilman Santana to approve. Councilwoman Sosinski asked if this could be included in the Maintenance Contract, but Mr. Eyrick replied it is only printers that are included.

Councilman Yagelski inquired as to the inconvenience of going into another room. He added that the goal is to designate a central location for copies to be made. Mr. Eyrick explained that the copies would not be tied to a PC and would only be used for copies. In addition, he said the person would have to walk through the entire gallery into the next room. When the courtroom is full, it can be a daunting task.

President Garner said that Kemps completed a study, but this printer was not included. Attorney Biege added that not having a printer in closer proximity delays the docket. Motion carried 6-1, with Councilman Yagelski voting Nay.

La Porte County Surveyor

Requesting Permission to Spend  
from Corner Perpetuation (1202)  
for Equipment, Supplies and Service Contract

\$30,000.00

Anthony Hendricks this is a yearly request and reflects as similar breakdown as last year. He added that his office always tries to be thrifty and frugal. However, there might be a need for a vehicle in the future.

Councilman Yagelski asked the amount that is currently in the fund. Mr. Hendricks replied approximately \$43,000 and approximately \$1,200 to \$1,500 is generated per month, depending on recording fees. A Motion was made by Councilman Novak and seconded Councilman Kirkham to approve. Motion carried 7-0. President Garner asked for an explanation of the Corner Perpetuation Fund. Mr. Hendricks explained that there were 2,100 corners in La Porte County. He also explained the process of surveying the corners and said he is required to do 100 corners per year. He added that, because some of the corners were made of wood, they have been difficult to find. However, the digital world and GPS have helped to locate some of the lost corners. He said this information is so important that he has donated over \$21,000 of access through the Trimble system. Moving forward, this will have a direct impact between the citizens and their local Surveyors. It is the charge of the County Surveyor to keep the corners where they were originally placed.

La Porte County Community Corrections

Requesting Permission to Spend  
from CTP (9105)

for Computers  
for Vehicles

\$4,598.98  
\$30,000.00

The computers are being requested so that the offenders can complete job applications within the facility and possibly continue/help with their education. The other computer is for the Counselor. The vehicles are 2015 Chevy Impalas. All of the money to be used is grant money. The vehicles will replace those of a Field Officer and the Assistant Director. A Motion was made by Councilman Novak and seconded by Councilman Santana to approve. President Garner asked the age of the vehicles being replaced and they are 2005 Chevy Malibu's. The Motion carried 7-0.

La Porte County MS-4

Requesting Permission to Spend  
from Non-Reverting (9001)

for Plaza 618 Project

\$15,000.00

A Motion was made by Councilman Yagelski and seconded by Councilman Kirkham to approve. Motion carried 7-0.

Pet waste bags are available at the City, and where utility bills are paid, and are free.

La Porte County Building and Planning

Requesting Permission to Hire Building Inspector

One of the Building Inspectors is retiring and needs to be replaced. He is retiring April 1<sup>st</sup>. A Motion was made by Councilman Novak and seconded by Councilwoman Sosinski to approve. Councilman Novak congratulated Charlie Thomas on his retirement and wished him well. Motion carried 7-0.

La Porte County Public Safety

Requesting an Additional Appropriation  
from Emergency Reserve (1186)

for 800 MHz Radio

\$8,000,000.00

Mr. Larry Butcher explained that the Finance Committee is aware of what is being worked on and he would like to create some closure and move forward with the programs.

President Garner said the Finance Committee met and the recommendation was to use the money out of the Emergency Reserve fund, or Rainy Day Fund, as a one-time lump sum instead of paying interest. It would take approximately 2 years to pay this amount back. Two or three years ago, \$9,000,000 dollars was used from this fund due to tax issues. It was paid back in two years. Currently, there is approximately \$2,000,000 in this fund.

Councilman Novak said the completion of the project will take approximately one year. He said the 5 payments are paid out over the period of a year. As soon as the first payment is made, the money will start to be replenished back into the fund.

Attorney Biege made the Council aware that a new House and Senate bill that passed, which provides for matching funds for road improvements. It designates that the money come out of the Rainy Day fund. In addition, money can be transferred from other funds into this fund. It is important to be cognizant that money needs to be left in the fund, or money needs to be added to the fund, to match any road money that might be received. When the fund was established, it was called the Emergency Reserve Fund, which was prior to Indiana statute forming the Rainy Day Fund. He suggested that the Council get the nomenclature correct because, in order to take the money out of the Emergency Reserve Fund, there must be a 5-2 vote and a declaration that there is an emergency. None of that is necessary in the Rainy Day statute. However, for tonight, there would have to be a 5-2 vote and the declaration of an emergency.

Councilwoman Sosinski stated that when the fund was initially established by the Council, it was to protect the integrity of the fund. It was intended for a super majority to be necessary to tap the fund. She asked if the intention is to change the name of the fund or the number of people it would take to tap the fund. Attorney Biege replied that the Council can keep the majority vote, but using the word *emergency* is not necessary and calling it a Rainy Day fund will be consistent with Indiana statute. He added that there is nothing in the statute that requires a super majority to withdraw from the fund, but there is also nothing precluding it. Councilwoman Sosinski asked if there were alternatives to using this fund, as there are other items for which it may need to be used.

Auditor Winski explained that she was not able to provide more information to the Council regarding this item, as she was working on the Abstract and attending a seminar. Also, as of July, there will be new rules regarding the CAGIT fund and may not be able to be used for this item. The RIVERBOAT fund may be needed for additional items throughout the year. She provided information on expenditures and fund balances and explained the worksheet. She did not include tonight's expenditures. In addition, if these funds were used, it wasn't advertised that way. Attorney Biege said funds could be transferred into the Rainy Day fund at a later date. After this item, there would still be \$2,000,000 left in the fund.

Councilwoman Sosinski expressed concern about unforeseen circumstances that may arise in the future.

Councilman Novak added that there is a \$350,000.00 incentive in place if the contract is signed, regardless of the financing, by the end of the month.

President Garner said that most of the time money has been taken from the fund, it was a much higher amount. Attorney Biege added that \$500,000.00 can be moved from each CEDIT and CAGIT if it is paid in a lump sum. However, that can be done next month after it's been advertised. President Garner said the CEDIT fund was basically established for highways and roads.

Auditor Winski discussed the Major Moves fund and said it is to be used for infrastructure. She added that it is possible that the towers could be interpreted as infrastructure. Major Moves fund has approximately \$7,000,000.00 in it.

Councilman Yagelski said the problem is the tax revenue is decreasing and Auditor Winski agreed and added the Circuit Breakers are also an influence. He said that for tonight's projects alone, the costs equal approximately \$10,000,000.00, so he is reluctant to want to use the Rainy Day fund because he doesn't know the tax structure for the next year. He added, since there is no pre-penalty, he would prefer to wait another year to pay it off.

Councilman Santana stated his feelings mirror Councilman Yagelski's and Councilwoman Sosinski's. He added that he would like to take only \$4,000,000.00 out of the fund, and since there is no penalty for prepayment, pay the rest off as quickly as possible. He is also concerned about using the majority of the fund and then having other emergencies arise. He asked what the interest would be if only \$4,000,000.00 was used.

Auditor Winski said the following options are available: Option 1: 5 years at 2.52% with a yearly payment of \$807,368.71; Option 2: 7 years at 2.7% with a yearly payment of \$594,911.67; Option 3: 10 years at 3.01% with a yearly payment of \$439,690.76. The down payment would be \$3,748,737.00, but there is no breakdown as to specifically how much interest would be paid.

Councilman Yagelski said there is a revenue base to put the money back into RIVERBOAT, but Auditor Winski said no more than \$2,000,000.00 is received in RIVERBOAT per year. She added that there was an overage in the Emergency Reserve Fund that was put into RIVERBOAT this year. Councilman Yagelski clarified that he wanted to know how much was put back in the last time money was used from that fund. Auditor Winski said approximately \$3,000,000.00 was put back between both RIVERBOAT and WIN-TAX. She added that she doesn't know if payments can be taken from the Emergency Reserve fund because that would not constitute an emergency. Councilman Yagelski said that payments were taken out for the Jail. Auditor Winski replied that no payments for the Jail bond were taken from the Emergency Reserve fund.

Councilwoman Sosinski stated that if Option 1 was chosen, it could be paid back out of RIVERBOAT within two years. However, Auditor Winski said that approximately \$800,000.00 of RIVERBOAT is committed to the Sheriff's Department. Councilwoman Sosinski said that the remainder could be used.

Councilman Bernacchi said the Finance Committee studied this issue and came to the conclusion that it was not fiscally responsible to pay interest when there is money available to make the full payment. He said there is no reason to pay interest unless there was no other choice.

Councilwoman Sosinski said she would see the options because it's such a big decision.

Auditor Winski said that, last year, a little over \$1.9 million is received into RIVERBOAT and a little over \$2 million was spent.

Attorney Biege added it is adjustable rate interest. The rates Auditor Winski gave were today's rates, however, the Federal Reserve report shows a margin of 3.6% multiplied by .64 for Option 1; 3.17% multiplied by .64 for Option 2; and 3.45% multiplied by .64 for Option 3.

Councilman Santana said he is uncomfortable not having a reserve and is reluctant to approve the full amount.

Councilman Yagelski asked the representatives of Motorola if a fixed rate loan was possible, and the response was that when the rate is given, it is good for 30 days and then locked in for the term of the loan.

Councilman Yagelski asked how the money was paid back the first two times it was used out of the Emergency Reserve fund. Chief Deputy Smith replied that draws from RIVERBOAT replenished the fund. Auditor Winski added that she is the Chief Financial Officer for the County and it is her job to make sure money is spent correctly and wisely. She doesn't see another way to finance the project than to pay the lump sum and replenish from the RIVERBOAT fund.

Attorney Biege said the Council has to approve this before it goes to the Commissioners. He added it is difficult to get the governmental bodies together in a timely manner. The representative from Motorola said that the \$350,000.00 discount cannot be extended any further.

Councilwoman Sosinski asked if Auditor Winski knew the rate of return on the \$8,000,000. She replied she doesn't know because that is the job of the Treasurer.

There was a discussion regarding the different payment scenarios. However, Auditor Winski asked how the yearly payments will be made and the Emergency Reserve Fund could not be used for payments. Attorney Biege added that the statutory Rainy Day fund didn't exist when the Emergency Reserve Fund was created by the Council and now that there is a legislative tool that can be used, so the Council should take advantage of it. He said that for tonight's Meeting, an emergency would have to be declared to approve the item, but arrangements could be made to make the payments out of the Rainy Day fund.

A Motion was made by Councilman Yagelski and seconded by Councilman Kirkham to approve \$8,000,000.00 out of the Emergency Reserve fund. Motion passed 6-1, with Councilman Santana voting Nay. A Motion was made by Councilman Yagelski and seconded by Councilman Novak to declare emergency funding. Motion carried 7-0.

Councilman Kirkham asked Mr. Butcher what the cons are of this system. Mr. Butcher replied that no system 100% problem free, but the coverage is going to triple. The life expectancy of the equipment is 21 years with upgrades every two years and one full hardware refreshments as the state deems necessary. After 15 years, it will be determined what the County will use for the next 35 years.

La Porte County Sheriff

Requesting an Additional Appropriation  
from RIVERBOAT (1191) or WIN TAX (4220)

for Pension	\$320,000.00
for Floor Tile	\$6,743.00
for Vehicles (used)	\$32,000.00

Sheriff Boyd said that the trade-in value of the 8 vehicles was \$31,320.00, which he divided by 8 to get the approximately trade-in value for one vehicle. After the last Meeting when it was asked that one of the Tahoe vehicles be held back, the trade in amount was reduced to \$12,000.00. However, Sheriff Boyd said the \$32,000.00 appropriation isn't necessary since the cost of the vehicles was already approved under the previous appropriation.

Councilman Santana asked if the EMA Impala was going to be one of the trade-in vehicles because he understood that it was going to be used for EMA. Auditor Winski said the Commissioners voted to include it for trade in and to give Mr. Butcher the Tahoe that was held back. Councilman Santana said it didn't matter which vehicle was held back for EMA, just as long as they had one. President Garner suggested that Councilman Santana speak to the Commissioners to see if they will reverse the vote to include the Impala.

Councilman Santana said he said to repurpose the Tahoe and hold back the Impala, but Auditor Winski disagreed but said it was a moot point because the Commissioners already agreed to trade in the Impala. Councilman Santana asked if there is another vehicle that can be used for EMA. Sheriff Boyd replied that

the only vehicle held back was the Tahoe. Councilman Santana asked if the Impala was part of the trade-in, but Sheriff Boyd said no. Auditor Winski stated that the Commissioners voted to give Mr. Butcher the Tahoe. Councilman Santana argued that trading in the Impala was not in his presentation to keep back the Tahoe. Auditor Winski told Councilman Santana he should have attended the Meeting.

A Motion was made by Councilman Bernacchi and seconded by Councilman Kirkham to approve \$320,000.00 for Pension out of RIVERBOAT (1191). Motion carried 7-0.

A Motion was made by Councilman Yagelski and seconded by Councilman Novak to approve \$6,743.00 for Floor Tile out of RIVERBOAT (1191). Motion carried 7-0.

La Porte County EMS

Requesting an Additional Appropriation  
from RIVERBOAT (1191) or WIN TAX (4220)  
for Ambulances

\$322,000.00

A Motion was made by Councilman Yagelski and seconded by Councilman Santana to approve out of RIVERBOAT (1191). Motion carried 7-0.

La Porte County Highway

Requesting an Additional Appropriation  
from RIVERBOAT (1191) or WIN TAX (4220)  
for 13 Pick-Up Trucks

Not to Exceed  
\$350,000.00

Mr. Young said that there is position available in Rolling Prairie for a full-time Truck Driver/Equipment Operator. A Motion was made by Councilman Yagelski and seconded by Councilman Novak to approve the hire. Motion carried 7-0.

Mr. Young said there are 11 vehicles and not 13. He said he hasn't been before the Council since 2008 to buy support vehicles. He said the vehicles are quite old and have high mileage. These vehicles will be passed down to the mechanics. The request is for 7 pick-ups and two 1 tons. They are work trucks with rubber flooring and power windows. They will not have heated seats.

Councilman Novak asked for the status of the bids. Mr. Young said the bid is local and is for \$348,210.00 for the 11 trucks. Cost for the plows and hitches is \$29,604.00 for a total of \$377,814.00.

Councilman Yagelski asked Attorney Biege if a bid can be chosen because it is local. Attorney Biege said he would have to investigate it.

Mr. Young said the local bid is Chevys and the lowest bid are Dodges.

Councilman Bernacchi asked how the list of needed cars was generated. Mr. Young said he created it and discussed it with two of the Commissioners. He added that these size vehicles are necessary. The specifics were discussed and Mr. Young explained that there will not be leather seats in any of the vehicles.

Councilman Bernacchi asked for verification of the truck sizes and Mr. Young said they are all ¾ ton pickups.

President Garner said he needs to be assured that the Engineer will not be receiving one of these vehicles. A Motion was made by Councilman Yagelski and seconded by Councilman Santana to approve 10 vehicles out of WIN-TAX (4220), not to exceed \$350,000.00, excluding a vehicle for the Engineer. The Motion carried 7-0.

La Porte County Prosecutor

Requesting an Additional Appropriation  
from RIVERBOAT (1191) or WIN TAX (4220)  
for Prosecutor/ICAC – Furniture \$25,136.00  
for Prosecutor/ICAC Equipment, Training, Software \$39,018.75

Prosecutor Espar thanked all for coming to see the conditions at the Michigan City Courthouse. He had previously come before the Council to request money and \$150,000.00 was returned. He also acquired a grant for \$240,000.00.

A Motion was made by Councilman Novak and seconded by Councilman Santana to approve both items out of RIVERBOAT (1191).

Councilman Kirkham asked why the Investigator needs a weapon and Prosecutor Espar said that person needs to protect himself/herself from harm when performing his/her job. Motion carried 7-0.

La Porte County Auditor

Requesting an Additional Appropriation  
from CAGIT (1110)  
for GIS Computer \$2,000.00

A Motion was made by Councilman Novak and seconded by Councilwoman Sosinski to approve. Motion carried 7-0.

**COUNTY COUNCIL/ATTORNEY COMMENTS**

Councilman Santana stated that he was in support of the 800 MHz radios, but he would have liked to see them financed in an alternative manner. He added he is concerned with public safety, but he had to vote with his conscience.

Councilman Bernacchi said he would like to see a proposal on the alarm system for the County Home that was discussed in the Workshop.

President Garner asked if confirmation to end funding of the County Home needs to be communicated to the Commissioners regarding its closure. Attorney Biege said he can send a letter of confirmation to the Commissioners. Councilman Kirkham asked if there was a specific date and President Garner said there had to be a 90-day warning to the residents.

Councilman Bernacchi suggested that the County Home be winterized while it is shut down so no additional money is spent.

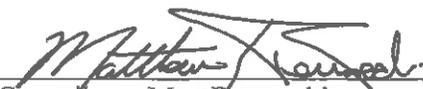
Councilman Yagelski expressed disappointment in the way the State handled the Sunday liquor sales.

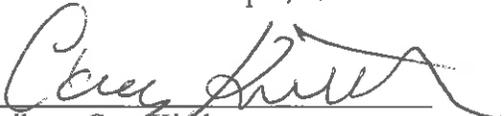
Councilman Novak commended Mr. Butcher, EMA and all who worked hard for the 800 MHz radios.

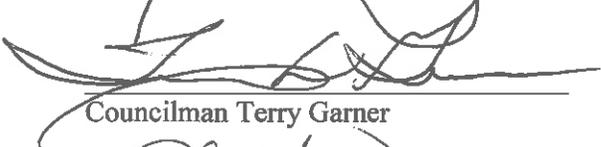
**ADJOURNMENT**

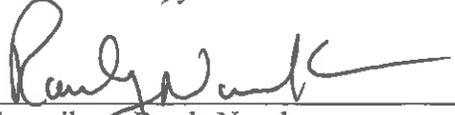
A Motion was made by Councilman Santana and seconded by Councilwoman Sosinski to adjourn the Meeting. Motion passed 7-0.

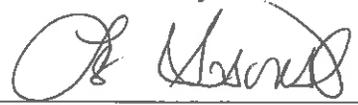
EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 25<sup>th</sup> of April, 2016.

  
\_\_\_\_\_  
Councilman Matt Bernacchi

  
\_\_\_\_\_  
Councilman Cary Kirkham

  
\_\_\_\_\_  
Councilman Terry Garner

  
\_\_\_\_\_  
Councilman Randy Novak

  
\_\_\_\_\_  
Councilwoman Lois Sosinski

  
\_\_\_\_\_  
Councilman Jeff Santana

  
\_\_\_\_\_  
Councilman Mark Yagelski

ATTEST:   
\_\_\_\_\_  
Joie Winski, La Porte County Auditor