

*LaPorte County Auditor
Joie Winski
555 Michigan Avenue, Suite 205
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**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
MAY 23, 2016 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on May 23, 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 and that everyone, except emergency personnel, to please turn off their cell phones at this time.

President Garner asked the students in the audience to approach the Council and invited them to stay for the entire Meeting.

ROLL CALL

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

APPROVAL OF THE MAY 23, 2016 AGENDA

A Motion was made by Councilman Novak and seconded by Councilman Kirkham to approve the May 23, 2016 Agenda.

A Motion was made by Councilman Novak and seconded by Councilwoman Sosinski to approve. Motion carried 5-0.

APPROVAL OF THE APRIL 25, 2016 REGULAR MEETING MINUTES

A Motion was made by Councilman Yagelski and seconded by Councilman Novak to approve the April 25, 2016 Regular Meeting Minutes. Motion carried 5-0.

PUBLIC COMMENT

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

DEPARTMENT HEAD REPORTS

Richard Buell, Director of La Porte County Community Corrections

Mr. Buell announced that the Department was given an additional \$123,000.00 in grant funds for a Case Manager and a Residential Officer. The amount increased from \$489,264.00 to \$612,264.00 and is effective as of July 1, 2016. In addition, two people in the Department are being replaced due to retirement/resignation.

Councilman Yagelski asked if the employee can only keep his/her job if the grant is still in place. Mr. Buell replied that the grants from the DOC do not traditionally dry up. However, Councilman Yagelski added that if, in fact, the grant money dries up, there will be no job.

Councilwoman Sosinski asked if benefits were included and Mr. Buell confirmed that they are part of the package. He added that when the grant was applied for, everything was included.

President Garner inquired as to how many employees are in the Department. Mr. Buell said there will be 32 when the two positions are filled. President Garner thanked Mr. Buell for the great job he is doing.

Joie Winski, La Porte County Auditor

Auditor Winski gave an update with the spring property tax collection. She stated that \$72,000,000.00 has been collected and the County will receive approximately \$18,000,000.00. She added that collections are not complete, but wanted to provide this information to the Council.

Councilman Yagelski asked for the collection from the County tax sale. Auditor Winski replied she didn't have an exact figure, but estimated it to be less than \$2,000,000.00. She added that it was positive that taxpayers are still redeeming their properties.

John Boyd, La Porte County Sheriff

Sheriff Boyd explained that, per Indiana Code, Indiana Sheriffs are responsible to maintain and administer the Sex and Violent Offender Registry. In addition, it states that the Sheriff's Department can set up a fund for this and create revenue. The Department has set up a Sex Offender Registry fund that collects money from registered offenders for various registration fees. Currently, the fund has in excess of \$20,000.00 in it. Sheriff Boyd is coming before the Council, as a courtesy, to inform that he will be using Offender Watch in order to notify members of the community of an offender in their area. This will be done by postcards, as not all people have access to email. The cost will be several thousand dollars a year, but will be well worth it to protect the community.

A Motion was made by Councilman Novak and seconded by Councilman to support the request. Motion carried 5-0.

Barb Mossman, La Porte County Director of Human Resources

Ms. Mossman informed the Council that there are three County Home employees who will be unemployed as of May 24, 2016. She added that they are full-time LTC-1 positions and two Departments have put in requests for each of these employees. She also stated that there are 14 employees of the County who fall

under the new Department of Labor minimum wage and overtime standards. She said she will be putting together numbers to determine if the salaries should be increased or the employees should qualify for overtime.

Larry Butcher, La Porte County EMA Director

Mr. Butcher stated he wanted approval to hire one of the County Home employees until Budget Hearings. Councilwoman Sosinski said approval was needed from both the Council and Commissioners. She added that she understood that the three employees were going to be assigned to the Maintenance Department. President Garner said he also understood it that way. Auditor Winski added that placing an employee in EMA would necessitate creating a new position, but Maintenance already has open positions.

Councilman Yagelski explained that he would like to utilize the three employees for scanning and entering the information that is stored in the basements of La Porte and Michigan City courthouses. President Garner agreed and added it would also address the Fire Code.

Auditor Winski informed the Council that the shredder located in the basement is broken and she is investigating replacement needs and prices. In addition, pooling funds from other Departments who use the shredder, such as Auditor, Assessor, Clerk and Probation, and purchasing an industrial shredder, may eliminate the need for hiring an outside company for this task. The price would be approximately \$15,000.00 and would take approximately 3-4 weeks for delivery.

Auditor Winski and Attorney Biege agreed that, per the Workshop with the Commissioners, there should be an approval by the Council for the placement of the three employees from the County Home.

A Motion was made by Councilman Yagelski and seconded by Councilman Kirkham to assign the three employees to Maintenance, effective immediately, and use them to do whatever needs to be done (scanning, recording, shredding, etc.) to clean up the basements. Once the basements are brought up to Fire Code, the employees could be used elsewhere.

Councilwoman Sosinski asked Attorney Biege if it was necessary to specify that the positions are until December 31, 2016. Attorney Biege said it was not necessary unless the Council wanted to specify it in that way. He clarified that the money being used to pay for the employees is coming out of the Budget from the County Home. Councilman Yagelski amended the Motion to include the end date of December 31, 2016. In addition, the assignment of the employees would have to be approved by the Commissioners.

Councilman Novak said that the request of the EMA Director has not been addressed and questioned if it is something that would be discussed at a later date. President Garner said it would be discussed at Budget hearings and it should be determined if a temporary or permanent position would need to be created for EMA. Councilwoman Sosinski said it has been discussed by the Personnel Committee and she would address it during Liaison Reports.

Councilman Novak asked if Maintenance employees are authorized to shred confidential information. Auditor Winski explained that there are guidelines set by the State regarding confidential document shredding. For example, the Auditor's office has confidential payroll records that cannot be shredded. Councilman Yagelski said that the confidentiality ends at the end of the date specified by the established guidelines. In addition, the state requires keeping the records for a specified period of time. Barb Mossman approached and explained that when employees are hired, they sign a Confidentiality Agreement. She added that she could also meet with these employees and explain the confidentiality aspect, but believed

that their focus would be more on shredding efficiency. President Garner asked Ms. Mossman to email each Councilmember a copy of the confidentiality agreement.

Darlene Hale, La Porte County IT Director

Ms. Hale said Probation has a locked container and has a company shred their documents due to confidentiality. In addition, Ms. Spevak has her employees shred the Clerk's office confidential documents. Unfortunately, a multitude of documents were stored instead of shredded, including those from as far back as 1978.

Motion carried 4-1, with Councilman Novak voting Nay.

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

LIAISON REPORTS

Councilman Kirkham said that the DNR approved the Parks Department MasterPlan, which will allow them to apply for grants and federal funding. At last week's NIRPC Meeting, it was announced that La Porte County received money for Michiana Resources, Mental Health and Parents and Friends. He also said he has been appointed to a Surface Transportation Committee, but there have not been any meetings yet. President Garner stated that at a previous meeting, a representative from NIRPC said the County would be receiving additional money. Councilman Kirkham said that, at this time, a majority of the NIRPC money is going to the I-65 Highway.

Councilman Sosinski said Kay Felton, Director of the County Home, put together a list of items to be used in various other County Departments. She attended an Insurance Committee Meeting, where they discussed financial savings for both the County and the employees. Barb Mossman said a service called Vital Smart Shopper is being used, and when utilized by the employee, there will be savings for both the County and the employee. For example, under the current health plan, there is no cost to the employee for a mammogram. However, if the employee goes to one of the providers under the Vital Smart Shopper, she will receive \$50.00. In the same Meeting, it was determined that claim status is a little bit higher this year. She also had HR Meetings/phone calls with Barb Mossman and said a job evaluation was completed for the new position to be created for EMA. The position would have to be approved for funding, but the evaluation for a full-time Deputy Director came out as a PAT-2. The duties would be similar to the current administrative position, which is a COMOT V. The PAT-2 salary would actually be approximately \$600.00 to \$800.00 less than the COMOT V salary. She also distributed to the Council the job description for the Utility and Driveway Inspector, which is currently under the Highway Department and is part-time. Previously, the position was not eligible for benefits, but would be if the employee works over 28 hours per week.

Councilman Yagelski understands that the job has changed because the laws of changed, but a specific skill-set is needed for this position and he would like the Council to consider making the position full-time/part-time so the employee could receive some benefits. When the position moved from the Highway Department, the pay for the employee decreased. Attorney Biege stated that Planning Commission has instructed him to look at a code enforcement mechanism in the County. He believes that the combination of these two positions may be a solution. The current salary for the Utility and Driveway Inspector is approximately \$21,000.00, which will be reduced to approximately \$15,000.00 per year. With some type of benefits, the position may become more desirable.

Councilwoman Sosinski said this occurred because the employee's method of pay had to be changed from a 1099. She also said that if one part-time employee receives benefits, then they all should. Councilman Yagelski said that part-time/full-time is a different classification. Councilman Novak suggested that the employee stay at his current pay, since it has already been budgeted, and address the issue during Budget hearings. Auditor Winski said that the best course would be to leave the employee at his current pay and discuss it at Budget Hearings. This would also give the Finance Committee time to do research.

Councilwoman Sosinski said she attended an informational Meeting on what is provided to the citizens of La Porte by Purdue Extension.

Auditor Winski confirmed that the Utility and Driveway Inspector made \$20,252.00 last year and will be making \$16,000.00 this year.

Councilman Yagelski said that INDOT will be hosting local funding meetings. Governor Pence signed a bill boosting Indiana roads funding, and if a County has a bridge project, it may be bumped higher up the ladder. The meetings will be held at the La Porte INDOT office at 315 Boyd Blvd. on May 31st from 10:00 a.m. to 11:30 a.m. and 1:00 p.m. to 2:30 p.m.

Councilman Yagelski gave an update on Swanson Center Mental Health. He then discussed the quality of life issues of the citizens of La Porte County. He said a previous study rated the quality of life at a D. He said small changes could make big differences. Therefore, he would like to see grant funding to be researched and used to improve the quality of life and raise the rating from a D. President Garner thought that Councilman Yagelski was only on the Board to the Swanson Center and not a liaison, but Councilman Yagelski said he has been the liaison for 10 years. He added that he is also on the board of NICTD, and is also its liaison.

Councilman Novak said that Alcohol and Drug Services is on the Agenda for tonight's Meeting to request permission to spend grant funds. He attended a meeting for the EMS awards and Purdue Extension before the Meeting. He commended the Sheriff's Department for the Police Memorial held in conjunction with Michigan City. It was held at La Porte High School and the Sheriff's Department did a fantastic job. He added that the EMS awards did an outstanding job of recognizing their employees.

Councilman Yagelski commended the Sheriff's Department for using the inmates for outside work projects. He feels that it will give the prisoners a sense of self-worth.

President Garner attended the County Home Workshop, a meeting at Purdue Extension and met with Sheriff Boyd about his item on tonight's Agenda. He recognized the great jobs Sheriff Boyd and Chief Deputy Heeg have done for keeping the Council well-informed.

NEW BUSINESS

Accomplishments of the Fire Science Students at the AK Smith Career Center

Michigan City Fire Marshall Kyle Kazmierczak stated he is the Instructor at AK Smith for the Fire Science Program. Students in the program have completed 640 hours of both bookwork and practical work. The students will receive Certifications from the State of Indiana in Firefighter I/II, Hazardous Material and operations, and seven different levels of technical rescue at the awareness level. Although the students were required to maintain a minimum of 70% on written tests, the students achieved nothing less than an average of 90%. The students also assisted in various Fire Fighter events throughout the County. Seven of

the current students are volunteers at various Fire Departments. The 10 students in the class represented La Porte, Michigan City, Westville and LaCrosse. He thanked those individuals that assisted with time and donations of equipment. The students also receive credit from Ivy Tech for attending this class. Next year approximately 27 students will be in the program.

Councilman Novak added that the students that graduate this year will return to AK Smith Center next year to complete an EMT course. He also said that when the students graduate from high school, they will have the exact same certification as any career or volunteer firefighter and be able to go to any department and take that with them.

OLD BUSINESS

Sheriff Boyd gave an update on the delivery of the vehicles for his department. He said delivery of the process server cars will be in approximately three weeks. The order for the 2016 police interceptor models could not be fulfilled, therefore, they will be replaced with 2017 models at the 2016 price. Delivery of these vehicles is anticipated for mid-August. It was also clarified that one of the current Sheriff's Department Tahoe vehicles will be given to EMA upon receipt of the new police interceptor vehicles. In addition, a light burst can stay on the vehicle, but due to Indiana code, the red/blue lights must be removed. The EMA Director's old vehicle will then be put into the County pool of vehicles.

A Motion was made by Councilman Yagelski and seconded by Councilwoman Sosinski to put the replaced EMA vehicle into the County pool of vehicles, and to use the vehicle for County business only. Motion carried 5-0.

CORRESPONDENCE

None.

ORDINANCES AND RESOLUTIONS

None.

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Assessor

Requesting Permission to Spend
from Sales Disclosure (1131)
for Scanners

\$1,780.00

A Motion to table was made by Councilman Novak and seconded by Councilwoman Sosinski, due to the fact no one was present from the Assessor's office to address this item. Motion carried 5-0.

La Porte Superior Court No. 4

Requesting Permission to Spend/Transfer
from 1000-20001-000-0152 to 1000-41001-000-0152
for Laptop

\$1,974.00

A Motion to approve was made by Councilman Novak and seconded by Councilwoman Sosinski. Motion carried 5-0.

La Porte County Alcohol and Drug Services
Requesting Permission to Spend/Transfer
from 2502-30135-000-0242 to 9175-20200-000-0844
for Equipment in Grant

\$595.39

Councilman Novak explained that he spoke with LADS and the request is self-explanatory. A Motion to approve was made by Councilman Novak and seconded by Councilman Yagelski. Motion carried 5-0.

La Porte County Auditor
Requesting Permission to Spend
from DLGF Dual Homestead Database (7110)
for Printer

\$382.06

A Motion to approve was made by Councilman Yagelski and seconded by Councilman Kirkham. Motion carried 5-0.

La Porte County Sheriff
Requesting an Additional Appropriation
from RIVERBOAT (1191) or WIN-TAX (4220)
for Inmate Food

\$210,000.00

A Motion to approve out of RIVERBOAT (1191) was made by Councilman Yagelski and seconded by Councilman Novak. Motion carried 5-0.

La Porte County MS-4
Requesting an Additional Appropriation
from RIVERBOAT (1191) or WIN-TAX (4220)
for Computer Upgrade

\$1,794.00

Councilman Yagelski stated that Darlene has recommended replacement of the computer. A Motion to approve out of RIVERBOAT (1191) was made by Councilwoman Sosinski and seconded by Councilman Kirkham. Motion carried 5-0.

La Porte County Maintenance
Requesting an Additional Appropriation
from RIVERBOAT(1191) or WIN-TAX (4220)
for Storage Racks

\$10,000.00

A Motion to approve out of WIN-TAX (4220) was made by Councilman Yagelski and seconded by Councilman Novak. Motion carried 5-0.

La Porte County
Requesting an Additional Appropriation
from RIVERBOAT (1191) or WIN TAX (4220)
for Wage and Salary Analysis

\$25,000.00

Councilwoman Sosinski questioned the purpose of the study. She explained that this was something she wanted to have done before the raises. She is concerned that the study will find that salaries may come out higher or lower than what was already decided, so she is unsure of the purpose of the study.

Auditor Winski explained that in previous years, the Council did not want to complete the study. Councilwoman Sosinski said that a smaller version was completed in 2011 and she didn't previously believe another study should be done again so soon. Auditor Winski added that the price has decreased from approximately \$56,000.00 to \$25,000.00. She also stated she believes it would be purposeful to do the study to insure all of the positions are at the correct levels. She continued that she thinks that some of the COMOTs should be PATs. In addition, due to the fact that there are very few clerical workers, the word COMOT should be changed.

Councilwoman Sosinski that the proposal does not include changing anyone's job description. She also referred to her previous comment about the position that will be changing from a COMOT to a PAT. She clarified that because someone is a PAT instead of a COMOT, doesn't mean the salary will be higher.

Auditor Winski said some positions in the County that are technical should not be paid under COMOT. Councilwoman Sosinski said that, if a Department Head believed there was an employee that needed to be adjusted, to make an appointment with HR and fill out the necessary paperwork. However, that is not included in the proposal.

Councilman Yagelski said he believes that, by using technology within a current job does not constitute a pay increase. However, if 4 employees could complete the same amount of work as 5, then an increase could be considered. He added that the Council declined doing the study a few years ago because there were no raises that year and the study would have had no value. Therefore, he doesn't see the purpose of the study.

Councilman Novak said his issue is there are non-exempt employees who cannot get overtime. Barb Mossman explained that, if a department doesn't have money for overtime, the employee gets comp time. She added that as a public sector, comp time can be awarded in lieu of overtime and it meets federal law.

Darlene Hale said that her assistant, Craig, is an exempt employee and does not qualify for overtime and was not included in the previous raises. Barb Mossman said that his position will be evaluated as to whether he will get a raise to the federal minimum or if he will be made non-exempt and be eligible for overtime. She added that, since the federal law goes into effect as of December 1, 2016, she will compile the information within the next month and get it to the Council before Budget hearings. She said there are currently 14 individuals that will need to be evaluated. Any evaluations need to be completed in June.

A Motion to table was made by Councilman Yagelski and seconded by Councilwoman Sosinski. Motion carried 5-0.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Novak inquired about the pipeline. Attorney Biege replied that a bond has been put into place for MS-4 and MS-4 is surface, water and drainage. He added there is currently not a road bond ordinance in place, but it is necessary to get one into place. He believes nothing has been done to this point due to the complexity of the specific purposes of each department. Also, it requires the coordination of the Council and Commissioners, so action needs to be taken by one of the bodies.

Councilman Novak asked Auditor Winski to provide the financial information on the shredder. Auditor Winski clarified that Probation hires a company to do their shredding, but Maintenance did shredding with a 22-year old shredder.

Councilman Kirkham asked about the name change for the Rainy Day Fund. Attorney Biege said he has a draft and will be providing it to the Council. He also reminded that the purpose is to ensure that the language in the ordinance matches the State Statute.

Auditor Winski said that when the Council decides what to do with the \$2.2 million in the Rainy Day Fund 75% must be used for infrastructure.

A Motion to deposit 100% of the money into the Rainy Day Fund was made by Councilman Yagelski and seconded by Councilman Novak.

Councilman Kirkham asked for an explanation of the fund and Auditor Winski said it is an excess of LOIT (local option income tax) funds. The State distributes them to the Counties.

Motion carried 5-0.

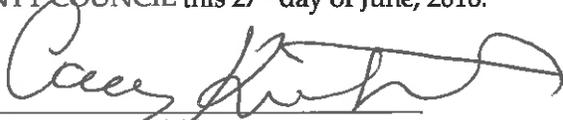
ADJOURNMENT

A Motion was made by President Garner and seconded by Councilwoman Sosinski to adjourn the Meeting. Motion passed 5-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 27th day of June, 2016.



Councilman Matt Bernacchi



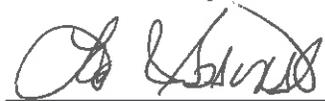
Councilman Cary Kirkham



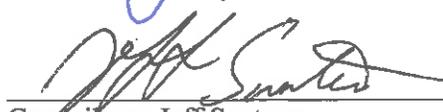
Councilman Terry Garner



Councilman Randy Novak



Councilwoman Lois Sosinski



Councilman Jeff Santana



Councilman Mark Yagelski

ATTEST: 

Joie Winski, La Porte County Auditor