

**LAPORTE COUNTY
COUNTY COUNCIL MEETING
FEBRUARY 20, 2007**

The LaPorte County Council met in regular session the 20th day of February, 2007, in the assembly room of the LaPorte County Government Complex. The meeting was called to order at 6:30 P.M. by President Jones, Council President.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance. President Cooley asked that roll call be taken:

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| Mrs. Shuter: | Councilman Cooley: | Present |
| | Councilman Cunningham: | Present |
| | Councilman Garner: | Present |
| | Councilman Jones: | Present |
| | Councilman Ludlow: | Present |
| | Councilman Mrozinski: | Present |
| | Councilman Yagelski: | Present |

Mrs. Shuter stated, "You have a quorum, sir."

ADOPTION OF AGENDA: Mr. Cunningham made a motion to add the Commissioners' 18th Street project to the agenda under Department Heads and Mr. Garner seconded. Motion carried unanimously by voice vote.

MINUTES: Mr. Yagelski asked if Mrs. Sosinski had received a copy of the minutes from 2006? Mrs. Shuter answered that she was sent the minutes but we hadn't heard anything back from her. Mr. Yagelski then made a motion to approve the minutes of the Reorganization Meeting held on January 8, 2007, the Executive Session held on August 28, 2006, the Regular Council Meeting held on August 28, 2006, the Budget Hearing held on September 7, 2006, the Special Meeting held on September 7, 2006 and the minutes of the Regular Meeting held on January 22, 2007. Mr. Ludlow seconded. The motion carried unanimously by voice vote.

LIAISON COMMITTEE REPORTS:

SHERIFF'S DEPARTMENT:

Mr. Jones reported that he met with the newly elected Sheriff, Mike Mollenhauer, and he and his Chief Deputy have been working long hours to come up to speed on their new policies and procedures. Mr. Jones commented that he was pleased with the reports given and the progress being made in the Sheriff's Department. He referred to an item to come up later on the agenda regarding moving the Return of Fugitive line item, historically in the Commissioners' Budget, back to the Sheriff's budget. Mr. Jones stated that the reason for the request of \$20,000.00 is because this was one of the recommendations from the State Board of Accounts. The State Board of Accounts directed that the County should not pay from un-appropriated funds as had been done in the past for the extradition of prisoners.

EMERGENCY MEDICAL SERVICES:

Mr. Jones also referred to a request by Emergency Medical Services for new furnishings for the bases. Mr. Jones reported that EMS Director, Pat Pease, has been off work due to personal reasons and, therefore, has sent Donna McClay, Assistant Administrator, to speak on her behalf. Mr. Jones commented that Mrs. Pease has presented pricing off of the Internet and the reason solid quotes are not presented with the packet received by the Council is because of the personal time she has had to take off. He asked that the Council Members be considerate of this tonight when the request is addressed. Mr. Jones visited the bases and feels that the request is in line. He stated that these are high volume bases running sometimes twenty-five (25) calls in a 24-hour period. Forty-four (44) employees are rotated through the bases and Mr. Jones feels that a basic level of comfort is needed.

COMMUNITY CORRECTIONS:

Mr. Cunningham reported that he had visited with Eric Yandt and Phil Dabagia at Community Corrections. Mr. Cunningham stated that Mr. Ludlow is still serving as an Advisory Board Member and liaison. Mr. Cunningham will serve as proxy at the meetings Mr. Ludlow cannot attend.

VETERANS' ADVISORY COMMITTEE:

Mr. Mrozinski reported that he met with the LaPorte County Veterans' Advisory Committee on February 12th and there is another presentation of the LaPorte County Veterans' Appreciation Medal being planned for Saturday, April 14th in the County Complex.

SECURITY:

Mr. Mrozinski also met with the Courthouse Security Officers and they reported that their machine for making County I.D. cards has been broken since before the first of the year. The machine has been taken out for repair and there is no word yet on the cost of repair or when the machine will be coming back.

ANIMAL CONTROL BOARD:

Mr. Mrozinski met with the Animal Control Board on January 30th. He reported that they are in need of a new pickup truck for transporting animals. They are the fourth (4th) owners of the van they are currently using and it has been deemed by the vehicle supervisors that it unsafe for road usage and unworthy of any further repair dollars. Three bids have been received for a new vehicle. The Commissioners approved purchase of a vehicle at their meeting this a.m. and the Council will be addressing this matter at the next meeting. Mr. Mrozinski hopes that the vehicle will still be there since the reason we got such a good price is because the vehicle is already on the car lot.

COUNTY HOME ADVISORY BOARD:

Mr. Mrozinski also met twice with the County Home Advisory Board. He reported that they are also in need of some new vehicles. The original request was for a 4x4 pickup with a snow blade for clearing snow around the building which could also be used to haul various items. Mr. Mrozinski commented that it was decided by the Commissioners this morning that the County Home will get a new van instead. Mr. Mrozinski reported that also requested by the Advisory Board was a small tractor with a loader bucket and mower attachment. He stated that the County Highway comes through and cleans the road but they can't get close enough to the building. Mr. Mrozinski stated that all ten (10) acres of grass are being cut with one lawn

mower and one push mower which takes 3 ½ to 4 days a week to get this job done. Bids were received from John Deere, since they have a bid assistance program, for a mower with a loader bucket and a 62" mower deck. Mr. Mrozinski reported that this morning the Commissioners brought in a bid for a Kabota. Mr. Mrozinski stated that the John Deere bid was approximately \$11,500.00 and the Kabota is about \$15,500.00 but it doesn't have a mower. Mr. Mrozinski commented that this matter will be discussed further at the next meeting.

AUDITOR'S OFFICE:

Mr. Garner commented that he met with Mrs. Shuter. The position of Karol Dettweiler, Draftsman, was discussed. Mr. Garner reported that an assistant has been hired, Donna Bell, and he and Mrs. Shuter discussed tying this person in with G.I.S. as a backup. Mr. Garner commented that this person would most likely be capable of handling either position in the absence of Mr. Dettweiler or Melissa Mischke. He reported that Mrs. Shuter will probably come before the Council in the future as more money may be needed for part-time help.

TREASURER'S OFFICE:

Mr. Garner also met with Treasurer Ken Layton. Short-term investments were discussed. Mr. Garner stated that Mr. Layton does a good job of keeping our money invested. Mr. Garner commented that there is confusion and a lot of people think the County has a lot of money we aren't using but there is money coming in on a regular basis that is turned over and invested.

COOPERATIVE EXTENSION:

Mr. Garner and Walt Sell, Extension Director, discussed the on-going space problem. Possible places to move permanently were discussed. After the approval of the rent money by the Council at the last meeting, the next day Mr. Sell was told by the landlord, Mr. Magnuson, that the building is in the process of being sold but with the lease agreement, everything would basically stay the same.

CENTER TOWNSHIP ASSESSOR:

Mr. Garner met with Mike Schultz, Center Township Assessor. He commented that Mr. Schultz doesn't have too many concerns but the one concern he has is that the Assessors and Trustees were asked to sign a trending contract a couple of years ago. Mr. Schultz commented that the County Assessor wants to cut his trending amount substantially which Mr. Schultz feels isn't justified. Mr. Schultz may come before the Council in the future to voice his concerns.

COOLSPRING TOWNSHIP ASSESSOR:

Mr. Garner talked to Pam Kieft, Coolspring Township Assessor, regarding the proposed tax abatement in her district on 300 N just off of Hwy 421. She did express some concerns which Mr. Garner hopes will be answered tonight.

ILLIANA EXPRESSWAY:

Mr. Garner attended the meeting at the Civic Auditorium regarding the proposed Illiana Expressway. Mr. Garner stated that the Governor did send representatives to point out his concerns and to address the people's concerns. He stated that a study was requested to see if this is really what this area needs. Mr. Garner commented that he has to agree that we have to look to the future and we can't sit back and wait. We also have to understand that things just don't happen overnight.

HOMELAND SECURITY:

Mr. Cooley was invited to attend a meeting by the Director of Homeland Security. There was an opportunity to talk about future budgets of Homeland Security. Mr. Cooley stated that there was a group from Texas in attendance and Texas had been promised money after the hurricanes and they still haven't been paid. Mr. Cooley commented that the duties of Emergency Management with all of the training and all of grants required, will be full-time positions because of responsibilities to the community. Mr. Cooley has discussed this with Mr. Jones and this is the feeling he has also. This matter will probably be discussed further sometime this year. The budget proposed with Congress today has a lot of opportunity for counties to receive a lot of the grant dollars but the Emergency Management person will have to be there and be on top of things as what is required will be quite extensive.

REPORTS BY DEPARTMENT HEADS:

COMMISSIONER BOHACEK/18TH STREET PROJECT:

Commissioner Mike Bohacek presented a slide presentation regarding the extension of the 18th Street Sewer and Water Project. He stated that the Commissioners are requesting appropriation for engineering and survey work in the amount of \$269,500.00, and are before the Council before beginning a project to present information as has been requested in the past. Mr. Bohacek reported that the master plan is to connect the City of La Porte sewers on 18th Street to the Fairgrounds and the County Home to provide an opportunity for additional development in the corridor west of La Porte on Hwy 2.

Mr. Bohacek stated that there has been discussion about significant economic development. He commented that without the availability of water and sewer, each additional site would require utilizing their own solutions such as septic and a well. Mr. Bohacek stated that acreage with access to public utilities is generally much more attractive to developers, both residential and commercial.

Mr. Bohacek reported that this project is a partnership between the City of La Porte and the County. He stated that right now the City has the responsibility on 18th Street to continue the water line to Route 39 and the County would pick it up from Route 39 to the Fairgrounds. The City will provide the wastewater treatment and the water. Mr. Bohacek commented that this project will take some inter-local agreements but before proceeding, the Commissioners want to make sure that they have the support of the Council. He reported that the Commissioners plan to get the public involved on the front end as it will be a major project and 18th Street is a very busy road with several connector roads. Mr. Bohacek stated that maintaining access and trying to minimize the inconvenience is primary but there will still be significant levels of inconvenience.

Mr. Bohacek reported that one of the considerations will be to have the correct size and the correct depth as a line too big would be a waste of money and impossible to maintain. A sewer line, in order to function properly and have longevity, has to have a certain amount of flow.

It was reported by Mr. Bohacek that the homeowners will have some options regarding the mature maple trees and the activity required along with right-of-way acquisition. As many trees will be saved as possible. He stated that something unique is that when the homeowners are connecting to the sewer line, which is called a lateral, they will receive a stake to put in

their front yard where they want the lateral to come out so as not to disrupt a flower garden or perhaps a special tree that had been planted.

Mr. Bohacek stated that the Commissioners' main goal is to get the project started and completed before winter. He commented that there is a fine balance between trying to keep everyone along the route happy and being cost-effective. Mr. Bohacek stated the consultant is committed to finding the right balance.

Who is going to handle the billing and what the rates are going to be needs to be determined. Mr. Bohacek stated that since the County owns the sewer lines, there should be an agreement that memorializes this effort through a Memorandum of Understanding or an Inter-local Agreement so that future generations don't run into conflict regarding who owns the sewer and water lines.

Currently the County does not have a set of specifications for water and sewer construction and the City indicated that their specifications aren't that accurate. This project will give us the opportunity to work on the specifications to benefit both parties.

Mr. Yagelski commented that if there is public water, the two sources of water required by the County Home or a hospital, wouldn't have to exist. Mr. Bohacek responded that there is a contract with a local water provider for an emergency source which is the way it is handled now. Mr. Yagelski stated that residents couldn't have both lines and they would be asked to abandon their wells and hookup to the water and sewer lines. Mr. Bohacek commented that this would be the desire since the pipe will be sized for future expansion and development and the flow for the pipe is needed from the homeowners.

Mr. Cooley stated that \$269,500.00 is advertised in the Major Moves Fund and also the River Boat Admissions Tax Fund. Mr. Jones made a motion to approve \$269,500.00 as advertised in the Major Moves Fund as there is an estimated cost for the project of \$3,000,000.00 and this project meets the criteria of Major Moves. Mr. Yagelski stated that the Commissioners agreed in the workshop prior to the meeting to look into selling un-utilized County assets as a source of funding. Mr. Yagelski commented that the purpose of the plan is to make the land valuable enough that there will be a reward and will help with future projects.

Mr. Ludlow asked which consultant is being used? Mr. Bohacek replied that the County is using American Structure Point which was formerly American Consulting. Mr. Bohacek commented that the Commissioners are engaging some new consultants to provide some better ideas and it seems to be paying some dividends. He reported that a local architect firm was engaged for design of the 911 Center and there have been some creative ideas at a cost savings.

Mr. Cunningham asked how many acres the County owns on the south side of Hwy. 2? Mr. Bohacek stated that he wasn't prepared to answer the question. Mr. Jones commented that he believes there are between 100 and 110 acres tillable.

Roll call was taken.

Mrs. Shuter: Councilman Yagelski: Aye
Councilman Cooley: Aye
Councilman Cunningham: Aye
Councilman Garner: Aye
Councilman Mrozinski: Aye
Councilman Ludlow: Aye
Councilman Jones: Aye

Motion carried 7 – 0.

Mr. Bohacek stated that it is the desire of the Commission to continue to present projects in this fashion and any suggestions would be appreciated.

JUDGE BALDONI/LADS POSITION:

Judge Paul J. Baldoni, Superior Court No. 3, asked that the classification of Brenda Enamorado, the Office Manager of the LADS program, be changed from an unclassified position to a COMOT V based upon the duties as listed. Judge Baldoni proposed a salary of \$32,267.00. He stated that Ms. Enamorado speaks Spanish fluently. She teaches those in the LADS program, where necessary, in Spanish along with interpreting for the Probation and Sheriff's Departments. Ms. Enamorado is also responsible for collecting and reporting the fees each month. Judge Baldoni commented that Roxann Justus is in attendance to answer any further questions.

Mr. Ludlow asked if Ms. Enamorado receives additional pay to teach the LADS courses? Ms. Justus responded that she does not; it is part of her salary.

This matter will be included on the agenda for next month. It was asked if this request for a change in classification would go before the Personnel Committee. Judge Baldoni responded that these positions are outside of the Personnel Committee.

PUBLIC COMMENT: There was no comment from the public.

TRANSFERS/ADDITIONAL APPROPRIATIONS/AUDITOR: Mrs. Shuter stated that most of the items are changes in order to reflect the budget revisions made at the last meeting.

Mr. Ludlow made a motion to approve the following transfers and appropriations as presented.

The transfer of \$25,998.39 from the Auditor's Budget, 2nd Deputy, to the Commissioners' Budget, Secretary.

The transfer of \$1,000.00 from MC Circuit Court Probation, Extra Hire, to Circuit Court, Secretary, and the transfer of \$1,200.00 from MC Circuit Court Probation, Motor Vehicles, to Circuit Court, Secretary. Also, the transfer of \$20,665.00 from MC Circuit Court Probation, Probation Officer, to Circuit Court, Secretary. Appropriation of \$3,329.00 in MC Circuit Court Juvenile Probation User Fees, Claims, and the transfer of \$3,329.00 from MC Circuit Court Juvenile Probation Fees/Claims to Circuit Court, Secretary.

Appropriation in the County General Fund, Prosecuting Attorney's Budget, of \$3,196.00 for the Clerk and \$3,071.00 for the Program Supervisor.

Appropriation in the County General Fund, Commissioners' Budget, of \$3,071.00 for the Secretary and \$1,000.00 for the Retirement Award.

Appropriation in the County General Fund, Council Budget, of \$20,000.00 for Waggoner, Irwin, Scheele.

Appropriation of \$21,120.00 in the Alcohol & Drug Service Fee Fund for the Program Coordinator.

Appropriation in the Reassessment Fund of \$568.00 for the Clerk.

Mr. Garner seconded. Roll call was taken.

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| Mrs. Shuter: | Councilman Garner: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Cooley: | Aye |
| | Councilman Cunningham: | Aye |
| | Councilman Yagelski: | Aye |
| | Councilman Ludlow: | Aye |
| | Councilman Mrozinski: | Aye |

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/SHERIFF: Sheriff Mike Mollenhauer stated that the request of \$20,000.00 from the County General Fund, Sheriff's Budget, is for Return of Fugitives as referred to earlier by Mr. Jones. He reported that last year the extradition costs were \$11,600.00, which he understands is pretty lucky since the services of Transcor weren't needed very much. So far this year there are approximately \$3,000.00 in extradition bills that need to be paid. Mr. Yagelski made a motion to approve \$20,000.00 as requested and Mr. Cunningham seconded. Roll call was taken.

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| Mrs. Shuter: | Councilman Cunningham: | Aye |
| | Councilman Cooley: | Aye |
| | Councilman Yagelski: | Aye |
| | Councilman Garner: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Mrozinski: | Aye |
| | Councilman Ludlow: | Aye |

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/EMERGENCY RESERVE:

Sheriff Mollenhauer commented that the Civil Process fees generate the majority of the pension. As discussed last month, the fee has been raised from \$13.00 to \$26.00 and is deposited in the County General Fund. Mr. Ludlow asked if the money from the fees would be repaid to the Emergency Reserve Fund or would they remain in the County General Fund. Mrs. Shuter responded that she and Attorney Baugher had discussed this matter and they

agreed that the Emergency Reserve can be used to pay for the pension and the fees can remain in the County General Fund. Mr. Ludlow stated that next year we should know what the increased Civil Process fees will bring in. Sheriff Mollenhauer reported that \$41,000.00 was generated from Civil Process fees in January. He commented that any pending cases would be under the old fee of \$13.00 which will eventually be phased out.

Mr. Ludlow made a motion to approve \$600,000.00 as advertised from the Emergency Reserve Fund and Mr. Cunningham seconded. Roll call was taken.

Mrs. Shuter: Councilman Yagelski: Aye
Councilman Cooley: Aye
Councilman Mrozinski: Aye
Councilman Cunningham: Aye
Councilman Garner: Aye
Councilman Jones: Aye
Councilman Ludlow: Aye

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/HUDSON TOWNSHIP: Richard Gray, newly elected Hudson Township Trustee/Assessor, stated that his predecessor did not ask for any money for mileage and very little for postage. Therefore, he is requesting \$555.00 for Postage and \$900.00 for Mileage. Mr. Ludlow reported that he talked to Mrs. Shuter and these requests are reasonably in line with what the townships containing approximately the same number of parcels are getting. Mr. Ludlow made a motion to approve the amounts as advertised and requested in the County General Fund, Hudson Township Budget. Mr. Yagelski seconded. Roll call was taken.

Mrs. Shuter: Councilman Jones: Aye
Councilman Ludlow: Aye
Councilman Garner: Aye
Councilman Cunningham: Aye
Councilman Cooley: Aye
Councilman Mrozinski: Aye
Councilman Yagelski: Aye

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/COMMISSIONERS: Commissioner Barb Huston explained that the request for additional appropriation in the amount of \$44,848.71 is for a change order that actually occurred last year for the walkway constructed by Larson-Danielson Construction Company. She stated that \$40,526.43 is to extend snowmelt to the east ramps, including upgrade of the boilers, and \$4,322.28 is for concrete removal and replacement including a new landscaping wall and setting of stored knee walls on the southwest.

Mr. Jones asked if the walkway is working correctly? Mrs. Huston replied that it is not. She commented that the company that actually put it in went out of business and it wasn't working correctly. Then someone else came in to look at it and informed Al Ott that it was hooked up

incorrectly so there would be an additional cost to hook it up correctly for it to eventually work. Mrs. Huston stated that the heating element only goes down the ramps and stops at the bottom so all of the water rolls downhill and freezes at the bottom which causes a problem.

Mr. Yagleski stated that this issue was discussed last year when introduced by Mr. Harmon. He stated that a workshop was held and there were to be no more increases as all of the details were discussed and the price was to include the items in the change order. Mr. Yagleski asked how they have become additional at this point. Mrs. Huston responded that she and Mr. Hager do not know. They were under the impression that everything was included and they will stand by that.

Mr. Yagleski commented that there was a lot of discussion when the project was about halfway completed between the Council and Commissioners regarding the lack of expansion joints and the inadequacy of the membrane over the walkway. Mr. Yagleski noted that the letter to the Council states that the hairline cracks will not be repaired at this time but watched to determine if they expand or cause leakage. Mr. Yagleski doesn't understand. He asked if the thoughts of the Council were being conveyed to the company. Mrs. Huston replied that they were and the Commissioners had conversation with Larson-Danielson who had conversation with the company actually putting in the heating system. Mr. Yagleski stated that Larson-Danielson has been on the County's case saying they weren't getting projects and then when they did get a project, he doesn't believe they came through with honoring any part of their contract.

Mr. Hager stated that he and Mrs. Huston made the agreement and told "them" not to pay them but all of a sudden they got paid. He commented that evidently Mr. Szilagyι took the invoice down to the Auditor's Office and told them to pay the bill and hold back \$44,000.00. Mr. Hager doesn't think they should have been paid a penny because the County will get stuck with it. Mr. Yagleski stated that it was obvious to those who don't do a lot of contract work that there is no way you can pour that amount of concrete and not have those type of cracks develop. Mr. Yagleski commented that the membrane was brought up numerous times. Mr. Yagleski stated that he can't commend Larson-Danielson on the type of work they have done on this project.

Mr. Hager understands that the membrane was supposed to be a layer process but the next thing he knew they were putting it on and he doesn't know who gave permission to put it down. Mrs. Huston commented that rebar was not used in the ramps, which was also addressed at the time. Mr. Cooley asked how much is being held back on retainage. Mrs. Huston responded that the amount is \$41,571.00.

Mr. Yagleski made a motion NOT to approve \$44,848.71 and Mr. Mrozinski seconded.

Mr. Jones asked if this money is still outstanding? Mrs. Huston replied that this is additional money and an outstanding change order. Mr. Jones commented that change orders happen when there is something unforeseen. He asked if this is a correction fee for the business that went out of business. Mrs. Huston responded that DLZ said they were saving the County money by not putting heat in the ramps but the Commissioners said it was supposed to be put in. She stated that the Commissioners thought the matter was resolved but then they were told the heat wasn't put in. The Commissioners have had some heated words with DLZ and Larson-Danielson. Mrs. Huston stated that she can't prove that the Commissioners did tell

them and they can't prove that the Commissioners didn't. Mr. Jones commented that we have to start taking people to task and what the motion will do is, instead of asking our attorneys to take them to task, is to ask them to come to us to see who is in the right.

Mr. Cunningham asked if he understood correctly that Mrs. Huston and Mr. Hager asked that the bill not be paid and then the attorney went to the Auditor's Office and paid it. Mrs. Huston commented that the outstanding balance of \$231,689.09 was not to be paid. They wanted to hold that amount back as the Commissioners weren't happy with the job. Mrs. Huston stated that Mr. Szilagyi went to the Auditor's Office and said to pay it. Mr. Cunningham said if two of the three Commissioners say not to pay the bill, how does it get paid by the attorney who works for them? Mrs. Huston replied that they didn't know the attorney did it so she can't answer the question.

Mrs. Shuter stated that the Auditor's Office believed that Mr. Szilagyi was being directed by the Commissioners. She reported that the original project started at approximately \$331,000.00 and the only change order approved by the Council was for \$14,500.00 for the west ramp replacement, including snowmelt surface, and filling of the void against the tunnel wall. It was noticed on the claim submitted that the contract sum was around \$390,000.00. Mrs. Shuter stated that Mr. Szilagyi told the Auditor's Office that we were to pay the claim immediately and only withhold \$41,000.00. She commented that when doing the math, it was realized that the amount of \$44,848.71 in change orders hadn't been approved by the Council so actually Larson-Danielson wants around \$85,000.00 right now.

Mr. Yagelski asked that his motion to deny stand but it be amended to include letters being sent to DLZ and Larson-Danielson. Mr. Garner asked if anyone signed the change order since anytime anything is added there should be signatures. Attorney Baugher stated that he hasn't seen the construction contract but most documents are typical AIA documents and change orders and bills need to be approved in public meetings. It was noted that there were no Commissioners' signatures on the copy of the change order presented with the claim.

Roll call was taken on the motion to deny the request.

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| Mrs. Shuter: | Councilman Cooley: | Aye |
| | Councilman Cunningham: | Aye |
| | Councilman Yagelski: | Aye |
| | Councilman Mrozinski: | Aye |
| | Councilman Garner: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Ludlow: | Aye |

Motion to deny carried 7 – 0.

ADDITIONAL APPROPRIATION/EMERGENCY MANAGEMENT: Mr. Jones stated that Paul Young, Director of Emergency Management, is in Florida. Therefore, as liaison, and Mr. Jones feels that the letter sent with the packet is self-explanatory, Mr. Jones made a motion to approve \$14,700.00 from the CCD Fund for purchase of a new vehicle, an Impala from Pine Chevrolet. Mr. Yagelski seconded. Roll call was taken.

Mrs. Shuter: Councilman Cunningham: Aye
Councilman Garner: Nay
Councilman Jones: Aye
Councilman Ludlow: Nay
Councilman Mrozinski: Aye
Councilman Yagelski: Aye
Councilman Cooley: Aye

Motion to approve carried 5 – 2. Mr. Yagelski asked if the car would be put back into the lot or traded. Mr. Cooley replied that it would be traded.

ADDITIONAL APPROPRIATIONS/EMS: Mr. Jones reminded that the list contains ballpark figures due to the untimely absence of the Director. Mrs. Pease doesn't think she will use the entire amount requested and she assured Mr. Jones that the remaining amount would be returned. Therefore, Mr. Jones made a motion to approve \$7,600.00 for Furniture and \$3,900.00 for Equipment from the Win Tax Fund/Riverboat. Mr. Ludlow seconded. Roll call was taken.

Mrs. Shuter: Councilman Ludlow: Aye
Councilman Mrozinski: Aye
Councilman Yagelski: Aye
Councilman Cooley: Aye
Councilman Cunningham: Nay
Councilman Garner: Aye
Councilman Jones: Aye

Motion to approve carried 6 – 1.

ADDITIONAL APPROPRIATIONS/EXTENSION OFFICE: Mr. Cooley commented that \$45,000.00 was advertised for Claims/4-H Funding in the Win Tax Fund/Riverboat but only \$40,000.00 was approved by the Commissioners at their meeting this morning. Walt Sell, County Extension Director, introduced Hugh Tonagel who is one of two Extension Educators that coordinate the 4-H program in the Extension office and is here to answer any questions that Mr. Sell cannot. Mr. Sell distributed information providing an overview of the 4-H Program and 4-H in general.

Mr. Yagelski stated that he believes that the appropriation a few years ago was \$20,000.00 and then there was \$20,000.00 added a couple of years ago. Even though Mr. Yagelski feels that the 4-H programs are worthy, the amount has been doubled within the last couple of years. Therefore, Mr. Yagelski made a motion to approve \$40,000.00. Mr. Cunningham seconded.

Mr. Ludlow asked if now would be the time to consider doing away with premiums? Mr. Tonagel replied that this matter has been put before the 4-H Council and it hasn't met with good reception. He reported that in some cases kids are getting anywhere from \$3.00 for some of their projects to \$70.00 to \$80.00 for other projects. Mr. Tonagel stated that premiums have historically been paid and he believes that the by-laws may state that there will be premiums paid to those who exhibit. He stated that this is not to say it can't be changed in the future.

Mr. Tonagel would rather see the money spent on some other things even though this isn't something a lot of the 4-H leaders agree with. Mr. Ludlow commented that it is his personal opinion that it is time to start compensating those people who do the volunteer work and put a lot of miles on their cars to do this for the kids.

Mr. Ludlow asked if the annual scholarship given to 4-H members comes out of this money? Mr. Tonagel answered that there are a number of scholarships that Purdue gives but the Fair Board scholarship doesn't have anything to do with the funding request before the Council.

Mr. Jones stated that a fantastic job is done with the 4-H programs provided. He stated that along the lines of Mr. Yagelski's comments, is the \$45,000.00 needed? Mr. Yagelski stated that he was happy that the Commissioners reduced the amount to \$40,000.00 since the money was doubled in the last couple of years and that is why his motion is for the amount approved by the Commissioners. Mr. Sell stated that the amounts provided are budgeted projections. He commented that last year they received \$40,000.00 and the additional expenses were picked up by the Fair Board. Mr. Sell stated that if this is the case this year, the same thing would happen.

Mr. Jones stated that he has never waived in his support of this program, but as Mr. Yagelski referred to, in the past and for many years, there was always a standardized \$20,000.00. Mr. Jones asked if the commitment of the Fair Board has dropped off or is the Fair Board also putting money towards ribbons, programs etc. like they used to and at what point did the changing of the baton come to the Council? Mr. Sell stated that prior to 2004 the money was appropriated by the Commissioners for the LaPorte County Ag Association to utilize to take care of the expense. Mr. Sell commented that the State Board of Accounts had an issue with the paper trail and, at that time, the Extension Office met with a committee of Council Members and discussed this matter. It was decided that the best thing to do was to make the request yearly from the Win Tax Fund. The bills are paid through the Fair Board Treasurer and then the Extension Office runs the claim through in County claims for reimbursement to the Fair Board. Mr. Sell stated that the original request in 2004 was for \$35,000.00 and last year the request was for \$40,000.00, which was granted, and this year the amount requested is for \$45,000.00 to cover the items listed on the handout. Mr. Sell commented that some of the expenses have been shifted from the Fair Board to the County.

Mr. Garner stated that as long as the Fair Board could show that the money was being used strictly for 4-H, which is shown in the detail provided, there was a mutual agreement between the Fair Board and the Commissioners regarding funding. He commented that each year, as prices go up, Mr. Sell is providing true figures of the cost of 4-H.

Mr. Cooley asked if the true expenses are about \$28,700.00 as listed on the handout. Mr. Sell explained that this amount is from donations from individuals, businesses and service clubs. He stated that in addition to the amount requested of the Commissioners and Council there is sponsorship of an additional \$28,700.00 for activities. Mr. Sell said that one of the Council Members had asked for this information.

Mr. Cunningham stated that as a former teacher he is amazed at the ratio of adult volunteers and he concurs with Mr. Ludlow's comment that maybe we should get away from some of the \$3.00 checks and help the volunteers but he believes that the volunteers would rather see ten

(10) kids get \$3.00 checks than the volunteers get \$30.00 in gas reimbursement. Mr. Cunningham feels that the number of volunteers is a tribute to the community and the contribution of \$40,000.00 is a way of saying thank you to 321 adult volunteers.

Mr. Mrozinski asked about the Boys Camp. Mr. Tonagel responded that this camp is held every year for three days at Camp Alexander Mack. The kids pay around \$80.00 for the camp. There are some scholarships provided by Gleaners, etc. to help the kids who can't afford to pay this amount.

Mr. Jones asked that Mr. Yagelski amend his motion to include \$45,000.00 for the kids. Mr. Yagelski commented that the 4-Her's are doing a good job but the amount has been increased from \$20,000.00 to \$40,000.00 and, at this point, he would like to keep his motion as it stands.

Roll call was taken.

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| Mrs. Shuter: | Councilman Cunningham: | Aye |
| | Councilman Garner: | Nay |
| | Councilman Jones: | Nay |
| | Councilman Ludlow: | Nay |
| | Councilman Mrozinski: | Nay |
| | Councilman Yagelski: | Aye |
| | Councilman Cooley: | Aye |

Motion failed 4 – 3.

Mr. Jones made a motion to appropriate \$45,000.00. Mr. Ludlow seconded. Mr. Cooley commented that he doesn't mind giving to the kids but he has to say that there has been a lot of money given in extending the lease, for example, and there a lot of other things that the Council needs to appropriate money for. He stated that the 4-H kids need to raise more dollars just like the Cub Scouts, Girl Scouts, etc. Mr. Cooley commented that next year the amount would most likely go up another \$5,000.00. Roll call was taken.

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| Mrs. Shuter: | Councilman Cooley: | Nay |
| | Councilman Cunningham: | Aye |
| | Councilman Garner: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Ludlow: | Aye |
| | Councilman Mrozinski: | Aye |
| | Councilman Yagelski: | Nay |

Motion to approve carried 5 – 2.

ADDITIONAL APPROPRIATION/DEMOLITION OF 4TH STREET FIRE STATION:

Mr. Yagelski made a motion to approve \$110,193.00 from the River Boat Admissions Fund. Mr. Ludlow seconded but asked Mr. Hager if the demolition was bid out? Mr. Hager replied that this project was bid out around October. He reported that there were three (3) bids and the lowest bid was accepted.

Mr. Cunningham asked if he is correct that this was a governmental transfer and we didn't pay for the building? Mr. Hager responded that Michigan City donated the building to the County as it was in too bad of shape for them to do anything with it so they gave it to the County to demolish and turn into a parking lot. Mr. Cunningham commented that this property is adjacent to the Michigan City Courthouse and can be used for parking that is badly needed.

Mr. Garner asked how many properties in Michigan City are we going to take on and then tear down the building? He commented that money was lost on one building, and he realizes that this one is going to be a parking lot, but previously it was said too much money is given to the kids but there is a lot of money given to help Michigan City, too. Mr. Garner stated that we should look at it equally in proportion to the County. Mr. Cooley commented that he had asked the Commissioners to put the Extension Office in this building since we are renting space and there is space available. Mr. Yagelski stated that this property is needed because this is for the County and not for the City. He stated that we don't want to deprive children but parking is needed around our facility and this property is a land-locked area.

Roll call was taken.

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| Mrs. Shuter: | Councilman Garner: | Nay |
| | Councilman Cunningham: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Cooley: | Nay |
| | Councilman Ludlow: | Aye |
| | Councilman Mrozinski: | Aye |
| | Councilman Yagelski: | Aye |

Motion to approve carried 5 – 2.

ADDITIONAL APPROPRIATION/SUP. CT. NO. 4: Mrs. Shuter stated that this request is for appropriation of User Fees. Mr. Yagelski made a motion to approve the requested amount of \$153,044.65 in the Sup. Ct. No. 4 Adult Supplemental Fund and \$7,480.00 as advertised in the Sup. Ct. No. 4 Probation Road Crew Fund. Mr. Jones and Mr. Ludlow seconded. Roll call was taken.

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| Mrs. Shuter: | Councilman Yagelski: | Aye |
| | Councilman Mrozinski: | Aye |
| | Councilman Cunningham: | Aye |
| | Councilman Ludlow: | Aye |
| | Councilman Garner: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Cooley: | Aye |

Motion to approve carried 7 – 0.

ADDITIONAL APPROPRIATION/EMS DONATIONS: Mr. Jones made a motion to approve \$7,000.00 for Uniforms as requested in the EMS Donation Fund and Mr. Ludlow seconded. Roll call was taken.

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| Mrs. Shuter: | Councilman Cooley: | Aye |
| | Councilman Jones: | Aye |
| | Councilman Cunningham: | Aye |
| | Councilman Garner: | Aye |
| | Councilman Yagelski: | Aye |
| | Councilman Ludlow: | Aye |
| | Councilman Mrozinski: | Aye |

Motion to approve carried 7 – 0.

OLD BUSINESS: Mr. Cooley stated that he has talked to Attorney Baugher regarding the Human Resource Ordinance and the Human Resources Work Plan. Attorney Baugher commented that he has had one meeting with Mr. Szilagyi and they are looking at two or three different versions. Mr. Yagelski made a motion to table Ordinance No. 2007-01. Mr. Cunningham seconded. The motion carried 7 – 0 by voice vote.

NEW BUSINESS: Matt Reardon, Project Manager for the La Porte County Economic Development Commission, spoke on behalf of Vanair Manufacturing and their petition for an Economic Revitalization Area and tax abatement for their facility to be located in Coolspring Township.

Mr. Reardon stated that the total project investment is close to \$2.7 million. There will be 45 current jobs at the facility with 21 of those filled by La Porte County residents. The property currently generates \$208.00 per acre. Vanair is requesting a ten-year tax abatement on the facility as well as the manufacturing equipment. Mr. Reardon reported that the estimated property tax benefit to the County over a ten-year period, based upon the Statement of Benefits form, is slightly over \$160,000.00 of new property tax generated.

Mr. Reardon recommended that the Council consider approval of the ERA designation and ten-year tax abatement on both real and personal property provided that Vanair remain in compliance with their Statement of Benefits and provide, on an annual basis to the Council, job information or other information as required. Mr. Reardon stated that the Council would have the ability to rescind the tax abatement if Vanair is found non-compliant.

In regards to the utilization of the \$90,000.00 loan program, Mr. Reardon stated that this is a forgivable loan based upon performance as established by the project, the job creation and the investment. If the company does not meet the requirements, the loan will not become forgivable and the funds will be repaid. Mr. Reardon reported that the company has also agreed that when public utilities are made available to the site, they agree to tap into those utilities at no cost to the taxpayers. The company has also agreed to adhere to common construction wages for the project and to hire La Porte County residents as jobs become available.

Mr. Reardon stated that there are also four (4) incentives that the State of Indiana is putting on the table along with what is proposed at the County level to entice this company to come here.

Attorney Jerrold Winski stated that the public hearing on designation of the Economic Revitalization Area would most likely be scheduled for the Council's next meeting in March. He stated that at that time public comment will be taken and the resolution can be re-confirmed.

Mr. Ludlow asked when the amount of \$90,000.00 would be acted upon? Mr. Reardon replied that they would ask that this amount be part of the resolution as ultimately approved subject to development of the loan agreement.

Attorney Baugher stated that actually three (3) decisions are being made over a period of two (2) meetings. The area should be declared as an Economic Development Area and a determination needs to be made regarding tax abatement. Tonight, only Resolution 2007-01 needs to be adopted.

Mr. Garner asked Mr. Reardon if it is common practice to discuss tax abatement with the Township Assessor since he had talked to Pam Kieft and she knew very little about it and has some concerns. Mr. Reardon replied that he is not representing the company but is working with the County. He would be open to discussing any tax abatement requests with the Township Assessors in the future.

Mr. Yagelski made a motion to approve Resolution 2007-01 to include the Council President's signature. Mr. Jones seconded.

Mr. Mrozinski asked about common construction wages? Mr. Reardon replied that this means that there is fair and equitable wages being paid to those working on the project which is, essentially, a higher wage. Mr. Mrozinski asked if the employees are represented by a union? The answer was "no."

Mr. Garner asked if the employees are coming from the existing company at this time. Mr. Reardon responded that this is correct.

Mr. Cunningham asked if he understood correctly that there are presently forty-five (45) employees and it is anticipated that this number will increase to fifty-seven (57) in three years? Mr. Reardon stated that this was correct.

Mr. Ludlow asked if the problem was resolved regarding two different zonings on the same parcel of land? Mr. Winski replied that substantially all of the twenty (20) acres is zoned general business which allows what Vanair intends to do. He stated that there is a two-hundred (200) foot strip at the rear which is an industrial reserve. Mr. Winski stated that if Vanair decides to use that strip, they will have to come before the BZA for a special exception permit.

Roll call was taken on the motion to adopt the resolution and declare the property an Economic Revitalization Area.

Mrs. Shuter: Councilman Ludlow: Aye
Councilman Mrozinski: Aye
Councilman Cooley: Aye
Councilman Cunningham: Aye
Councilman Yagelski: Aye
Councilman Garner: Aye
Councilman Jones: Aye

Motion to approve carried 7 – 0.

Mr. Cooley reported that Mr. Reardon is working with the two cities on a standardized process for tax abatement request procedures showing the process required.

Mr. Ludlow thanked the Commissioners for the workshop regarding the priority list. He stated that last month he was pretty hard on them regarding the \$2 million. There will be a workshop at 5:00 p.m. before the March 26th meeting. The public hearing on the request by Vanair for designation of an Economic Revitalization Area was set for 6:00 p.m. on March 26th.

Mr. Cunningham reported that he and Mr. Jones attended an introductory meeting regarding 211. Secondly, he thanked Mr. Mrozinski and John Wantuch, Veteran's Officer, for organizing the workshop to be put on next Monday in Michigan City at the Public Library for veterans sponsored by the NAACP.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

