

**LAPORTE COUNTY  
COUNTY COUNCIL MEETING  
OCTOBER 22, 2007**

The LaPorte County Council met in regular session the 22nd day of October, 2007, in the assembly room of the LaPorte County Government Complex. The meeting was called to order at 6:30 p.m. by President Jerry Cooley.

**ROLL CALL AND PLEDGE OF ALLEGIANCE:**

Sheriff Mike Mollenhauer led those present in the Pledge of Allegiance. Roll call followed.

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

Mrs. Shuter: "All members are present, sir."

**ADOPTION OF AGENDA:** Mr. Yagelski made a motion to move Paul Trost, Administrator of the Health Department, to a position just before Department Heads on the agenda. Mr. Cunningham seconded. Voice vote carried 7 – 0.

**MINUTES:** Mr. Ludlow made a motion to approve the minutes of the Regular Meeting held on August 27, 2007, and the Regular Meeting held on September 17, 2007, as presented. Mr. Garner seconded and the motion carried by voice vote 7 – 0.

**ADDITIONAL APPROPRIATION/COMMUNICABLE DISEASE FUND:** Paul Trost, Health Department Administrator, reported that flu shots will be offered to County employees this Wednesday from 9:00 – 11:00 a.m. and from 1:00 – 3:00 p.m. He commented that there were only about 150 participants last year and he would like to see that number increase. He encouraged the Council to come in also.

Regarding the Emergency Preparedness Coordinator's position established three (3) years ago, Mr. Trost stated that the stipulation had been made by the Council that if the grant from the State Department of Health dried up then the position would be eliminated or a place could be found for the person in the department if possible; he reported that the grant ceases at the end of the month. He commented that we will continue to get other funding but not for the Coordinator. Mr. Trost reported that there is an opening in the environmental section of the Health Department and the person who held the Coordinator's position is filling this vacant position. There will be no change in payroll status.

Mr. Jones made a motion to approve \$25,000.00 as advertised in the Communicable Disease Fund and Mr. Ludlow seconded. Motion carried 7 – 0 by roll call vote.

## **REPORTS BY DEPARTMENT HEADS:**

### ***EMERGENCY MEDICAL SERVICES:***

Pat Pease, Administrator of Emergency Medical Services, reported that the FEMA grant, through the Department of Homeland Security, she applied for this past April has been awarded in the amount of \$88,000.00 and will be used for exhaust removal systems at all three (3) bases and approval has also been given to install natural gas generators as backup at the two outlying bases, Wanatah and Michigan City. She stated that \$17,600.00 has been set aside for the local match. The money must be expended by December, 2008. Mrs. Shuter stated that the match could be advertised for appropriation in January, 2008.

As the liaison for EMS, Mr. Jones complimented Mrs. Pease on obtaining this grant as it is the first one she has applied for and he commented that the projects are long overdue and needed. Mr. Jones then made a motion to show Council support for the grant which was seconded by Mark Ludlow. Motion carried by voice vote 7 – 0.

### ***COMMISSIONERS:***

Commissioner Bill Hager reported that he and Mr. Cooley have been working on the idea of the lease purchase of a building to house the Purdue Extension, Solid Waste and Soil & Water offices. The County would provide a “chunk” of land just big enough for the building to set on which the contractor would purchase and then a building could be built, which would be brick, and the County would lease it with an option to purchase. Mr. Hager stated that this proposal has been discussed with Tonn & Blank and Larson-Danielson but Tonn & Blank doesn't get into this type of project.

Mr. Hager commented that Purdue Extension has \$75,000.00, and they could possibly get \$50,000 to \$100,000 more from the Prosecutor, and Solid Waste now pays \$30,000.00 per year and would be glad to lease from the County as would Soil & Water. Mr. Hager stated that the Jail will be paid for in three (3) to four (4) years so the money that would come in after that could pay off this building. Mrs. Shuter stated that the Jail would be paid for in 2010. Mr. Hager reported that as soon as the attorneys, Mr. Szilagyi and Mr. Baugher, come up with a plan, the Commissioners will come back to the Council regarding this matter.

### ***AUDITOR:***

Mrs. Shuter provided a fund report to the Council. The Cumulative Capital Development (CCD) Fund has an uncommitted balance of \$503,764.45, the Major Moves Fund has an uncommitted balance of \$15,759,941.80, the Win Tax Fund/Riverboat has an uncommitted balance of \$418,579.00, the River Boat Admissions Tax has an uncommitted balance of \$3,871,508.66 and the Emergency Reserve Fund has an uncommitted balance of \$1 million with an outstanding loan to the General Fund of \$9 million.

Mrs. Shuter reported that she may be bringing back another short term loan in November. She also reported that official word has been received by Assessor Carol McDaniel that the compliancy issue with the DLGF has been resolved.

Mr. Yagelski asked about the loan. Mrs. Shuter responded that there is a short term loan of \$9,000,000.00 from the Emergency Reserve Fund and she may ask for another \$5 million. She commented that the last time we had late tax distribution we gave ourselves a cash advance draw but there is no money to do so this time.

### **LIAISON AND COMMITTEE REPORTS:**

#### ***HUMAN RESOURCE DIRECTOR:***

Mr. Jones commented that he is pleased and thrilled to announce the new Human Resources (HR) Director after a long search using the services of Joan Chesterton, Professor Emeritus at Purdue University North Central. He stated that of the forty-five (45) applicants, three (3) were brought before himself, Earl Cunningham, Rich Mrozinski and Barbara Huston on October 15<sup>th</sup>. Ms. Chesterton summarized the process which began on August 17<sup>th</sup> and stated that she has enjoyed the cooperation and courtesy from the Council and Commissioners.

Mr. Jones introduced Joyce Leon as the new HR Director. Mrs. Leon expressed her appreciation for the opportunity and stated that the Council and Commissioners will not be disappointed.

Mr. Cooley stated that there was a good committee and Mr. Jones did a great job as Chairman. He commented that this is a necessary position to protect employees and he is pleased with the results and he appreciates Mrs. Chesterton's work.

Mr. Cunningham reported that Mrs. Leon will begin work on November 1<sup>st</sup>.

#### ***E-911 FEE:***

Mr. Jones stated that he has been to several meetings with the 911 Advisory Board that has representation throughout the County. To enhance public safety and in order to merge the Michigan City Police Dispatchers into the new 911 County Dispatch Center, user fees will be used. Mr. Jones reported that the fee is \$.74 per line currently and there has not been an increase since in the 1990's; we are one of only two counties that charge the lowest fee. He commented that the new 911 Center, which should be completed November 19<sup>th</sup>, marks only the second upgrade since the inception of 911 in LaPorte County so we are overdue, and there has been good longevity, but it is time to make a move. He stated that our neighboring counties have changed their technology out more than three times. Mr. Jones commented that there will be several meetings to accommodate the concerns of the Michigan City employees and taking them in as County employees. Mr. Jones stated that April 1<sup>st</sup> is the target date to bring the Michigan City Police Dispatchers onboard and he feels it is the right decision to make in regards to public safety.

Mr. Cunningham made a motion to move the ordinance to increase the E-911 fees up on the agenda to right after Public Comments. Mr. Garner seconded and the motion carried unanimously.

#### ***AMPLIFIER DAMAGE:***

Mr. Ludlow pointed out that the amplifier that gives us the in-house feed has been damaged and even though the microphones don't seem to be working, the meeting is being covered on TV.

***ANIMAL SHELTER TRUCK:***

Mr. Mrozinski reported that the truck hit by a deer has 98,000 miles on it, repairs are over \$5,000.00 and there is a \$5,000.00 deductible. In going back over the bids, Sauers has come up with the best offer and will give us \$2,100.00 for the wrecked truck to put towards the new truck. He commented that the wrecked truck is not worth fixing; \$25,000.00 is advertised for the replacement truck and cab which will be addressed later on in the agenda.

***PURDUE EXTENSION:***

Mr. Garner stated that he met with Walt Sell and the Purdue Extension Board regarding concerns about rent since, after discussion, they don't want to move back as they don't feel there is space to offer them and they would like the chance to come back and ask that any building project be reconsidered or move somewhere else other than the Complex. Since that discussion, Mr. Hager has come up with the plan previously discussed and Purdue Extension has been told a little bit about it. Mr. Garner hopes that Mr. Hager will come back to the Council next month with a plan so that after five or six years of paying rent, this would at least give Mr. Yagelski and Mr. Garner some confidence that we are moving forward. Mr. Garner would like to think that we could give them one more year of rent in their existing space.

***BRIDGE PROJECT:***

Mr. Yagelski referred to federal dollars and the 200, 300 bridge project which should be completed the middle of 2009. It has been about four years ago since he and Mr. Ludlow attended the meeting.

***NON-SMOKING POLICY:***

He also met with the Health Department and, at the end of the meeting, would like a voice resolution regarding the smoking policy being addressed by the Commissioners. Mr. Yagelski stated that it is time that the Commissioners understand how the Council feels and with the consideration of the Council, they may change their minds.

***VENDING MACHINES:***

Mr. Cooley stated that money from vending machines will go into a special account to use for employee Christmas parties and flowers, not in someone's drawer, and the Council will approve how the money will be spent and can be appropriated as needed.

***PURDUE EXTENSION RENT:***

Mr. Cooley commented that when Mr. Sell asked when they should come before the Council to ask for rent, he told him as soon as the attorneys tell them if they can do what is planned.

***LOGISTICS CONFERENCE:***

Mr. Cooley had the great opportunity to attend a logistics conference a few weeks ago. He commented that people wonder why we go to Indianapolis; we try to learn what we can from people that are a lot smarter. He stated that the logistics conferences tell us what is happening in the world and how it is affecting us. Mr. Cooley commented that there are seventeen (17) ethanol plants to come online in Indiana. Mr. Cooley referred to the World Market and widening of the Panama Canal and commented that the idea is to go on the open market, not to lower prices.

**PUBLIC COMMENT:** There was none.

**ENHANCED EMERGENCY TELEPHONE SYSTEM COUNTY-WIDE FEE:**

E-911 Director, Brent Soller, stated that the 911 fee has been \$.74 per month since 1994 and in order to maintain standards, it is necessary to increase the fee to the maximum of \$2.21 per line per month. Mr. Jones stated that the fee attached to the monthly telephone bill is to maintain the 911 Center and will move us closer to funding the 911 Center and the new merger with Michigan City. It is also an important public safety issue. Mr. Jones asked Mr. Soller if the fee is \$2.27 as indicated in the ordinance or \$2.21. Mr. Soller responded that it should be \$2.21.

Mr. Jones stated that the surcharge is a fee charged statutorily and attached to the monthly phone bill to pay for the ongoing maintenance and upkeep of a 911 Dispatch Center. He commented that 911 has been partially funded through the surcharge from the inception but we will move closer to not only funding the merger but also trying to fund more of the 911 Dispatch Center taking more of that away from the General Fund and off of the tax rolls.

Mr. Cunningham asked about duplication of services. Mr. Soller stated that Michigan City 911 calls, cell phone and land line, are answered first by the County and then transferred to the Michigan City Police Department which could result in a time delay. Mr. Cunningham commented that the person calling in then has to repeat the same information a second time. Mr. Soller stated that people do get upset when they have already provided the information and are told they have to be transferred and then they must repeat everything.

Michigan City Police Chief, Ben Neitzel, stated that he recognized the duplication of services and he is bothered by the lapse of time which could mean the difference between life and death. He stated that it has come to a time when merging makes sense from many different angles.

Dave Lamb, Michigan City Fire Chief, concurs with Chief Neitzel, and stated that 30 seconds can mean a lot. This is a very important issue and he would appreciate the Council's support.

Sheriff Mollenhauer agrees with everything has been said and he also encouraged support as seconds mean lives. He commented that this is something that probably should have been done in 1990 but it is better late than never.

Mayor of Michigan City, Chuck Oberlie, commented that technology should streamline government and merging Michigan City Police Dispatchers with the County seems to be the logical step. He urged the Council to take the proper action.

Pat Pease commented that there is a time delay and merging the two should have been done in 1990. The City of LaPorte is already on the County 911 system.

Mr. Cunningham made a motion to amend Ordinance No. 2007-10 from \$2.27 to \$2.21 and to read the ordinance by title only. Mr. Yagelski seconded.

Mr. Yagelski made a motion to suspend the rules and to have the second reading by title only. Mr. Jones seconded and the motion carried by unanimous consent 7 – 0 by voice vote.

Mr. Cunningham made a motion to adopt Ordinance No. 2007-10 and Mr. Mrozinski seconded. Motion carried by roll call vote 7 – 0.

**TRANSFERS:**

***SUPERIOR COURT NO. 1:***

Judge Kathleen Lang requested the transfer of \$5,178.00 from Superior Court No. 1, Transcripts, to the Public Defender Budget, Litigation Expenses, since the Public Defender receives reimbursement (40%) and the County would be saved money.

Mr. Cunningham made a motion to approve the transfer as requested and Mr. Ludlow seconded. Motion carried by roll call vote 7 – 0.

***EMERGENCY MANAGEMENT:***

Mr. Jones made a motion to approve the transfer of \$1,000.00 in the Emergency Management Budget from Repair/Equipment to Travel. Mr. Cunningham seconded and the motion to approve carried 7 – 0 by voice vote.

***E-911 EMERGENCY SERVICES:***

Mr. Yagelski made a motion to approve the transfer of \$10,000.00 in the E-911 Emergency Services Budget from Communications Officer to Extra Hire/Part-Time/Seasonal. Mr. Garner seconded and the motion carried 7 – 0 by voice vote.

***COMMISSIONERS:***

The Board of Commissioners requested an appropriation of \$227,121.35 from the River Boat Fund or the Emergency Reserve Fund and approval to transfer this appropriated amount to the Economic Development Fund. There was discussion regarding the purchase of land and lay-out of a sewer in the vicinity of 950 West. Mr. Hager stated that Michigan City is putting in the water and we're putting in the sewer. There are outstanding invoices from Beam, Longest & Neff for engineering on this project. Also, the Council and Commission have committed \$90,000.00 for Palatek and \$60,000.00 to VanAir for loan agreements to be paid from the Economic Development Fund.

Mr. Ludlow asked about the cost on the 950 West project. Matt Reardon responded that Beam, Longest & Neff is developing the final construction costs for development of all four (4) corners of the interchange. Mr. Reardon stated that part of the duties of Redevelopment Commission is that when the economic development plan was developed and the allocation area, TIF bonds were to pay for the majority, or share in the cost of, the extension of utilities and in doing so, also give the private sector, who will be investing in the area, an opportunity to purchase or guarantee a portion of the bonds. Mr. Reardon commented that Michigan City is a partner and will pay for their costs related to the water. Mr. Reardon stated that he will be more than happy to report back once they have the finalized costs for the water and sewer extension. He commented that this is not related to the Kever project.

Mr. Hager reported that tomorrow night the Planning Commission will address a large subdivision to be located south of I-94. He commented that sewer and water will have to be available in order for the subdivision to be approved.

Mr. Yagelski made a motion to approve \$227,121.35 from River Boat Admissions Tax. Mr. Cunningham and Mr. Ludlow seconded. The motion to approve carried 7 – 0 by roll call vote.

**REASSESSMENT/ASSESSOR:**

Mr. Jones made a motion to approve all three transfers as requested: \$1,160.00 from Assessor Form to Other Contractual Services, \$7,124.10 from Networking to Equipment and \$8,726.41 from Extra Hire to Clerk. The motion died for lack of a second.

Mr. Garner stated that we have just hired a Human Resources Director, and are we going to allow that person to interview who to hire.

Mr. Garner made a motion to approve the transfer of \$1,160.00 from Assessor Forms to Other Contractual Services. Mr. Jones seconded. Mr. Ludlow asked if this is the total cost of the move. Mrs. McDaniel answered that it is. Mr. Cooley commented that when he read the article in the newspaper and then talked to Barbara Dean, Recorder, she lost a few thousand dollars in the transfer of her equipment because of using prisoners, etc. and this is why Mrs. McDaniel doesn't want to use them, is that correct. Mrs. McDaniel answered that it is. Mr. Cunningham commented that the equipment was damaged and not stolen. The motion to approve the transfer of \$1,160.00 carried 6 – 1 by voice vote with Mr. Ludlow voting “nay.”

Mr. Jones made a motion to approve the transfer of \$7,124.10 from Networking to Equipment. Mrs. McDaniel commented that she doesn't have a line item to pay for cameras and computers. Mr. Cunningham seconded. Mr. Ludlow asked if Mrs. McDaniel would have needed this equipment if she would have stayed where she was. Mrs. McDaniel responded “Yes, sir.” The motion to approve carried by voice vote 7 – 0.

Mrs. McDaniel commented that since she has money in Extra Hire, she would like to hire someone to get the process going. Mr. Garner stated that with the new Human Resource Director hired, is Mrs. McDaniel trying to beat that person by hiring someone. Mrs. McDaniel responded that the new position was approved starting January and with the sales disclosures piling up, she can't wait much longer since that is where we had a problem with compliancy this time.

Mr. Jones stated that he isn't slighting Mr. Garner regarding his comments about the HR Director, but he has heard several times about the HR Director and we aren't hiring a President of LaPorte County, we hired an HR Director who helps with the process. Mr. Jones stated that it is still up to the department to hire who they want to hire.

Mr. Cunningham responded that he understands what Mr. Jones is saying but he also thinks that Mr. Garner's point is well-taken and it would seem that the HR Director should at least have some input into the quality and qualifications to make sure that certain guidelines are being followed within the County. Mr. Cunningham is going to vote in favor of this due to the time guidelines and for the fact that Mrs. Leon won't be here for another two weeks. Mrs. McDaniel commented that she doesn't mind working with the HR Director; she would just like to get started.

Mr. Cooley asked how far behind we are on sales disclosures. Mrs. McDaniel responded that she hasn't verified any this year.

Mr. Yagelski made a motion to approve the transfer of \$8,726.41 and Mr. Cunningham seconded. Mr. Ludlow asked how much is salary and how much is benefits. Mrs. McDaniel responded that she has a breakdown, but she didn't bring it with her. Mr. Ludlow asked how

much is left in the Reassessment Fund. Mrs. Shuter replied, "About \$2.5 million." Mr. Ludlow asked when the next Reassessment is. Mrs. McDaniel responded that it would start next year. Mr. Ludlow asked how much the reassessment cost us. Mrs. McDaniel responded that she would have to set down and figure the dollar amount. Mr. Ludlow's concern is that we keep spending the money out of reassessment like we're never going to have another reassessment and we're going to get caught in a reassessment that we can't afford; we make it sound like it's not tax dollars and it is as there is a tax rate in reassessment.

Mrs. McDaniel stated that the way trending is going from the DLGF, this should be our last reassessment. Mrs. Shuter commented that the State sets the levy for reassessment and we are going to levy for 2008 right around \$375,000.00 and we have about a \$900,000.00 budget going in for 2008.

Mr. Cooley asked what happens to this new position if this dries up. Mrs. McDaniel responded that we eliminate her or she gets transferred.

The motion to approve the transfer of \$8,726.41 carried by voice vote 6 – 1 with Mr. Ludlow voting 'Nay.'

**ADDITIONAL APPROPRIATIONS/CCD FUND/WEIGHTS & MEASURES:** Mr. Cooley had talked to Mr. Quinn and the request in the amount of \$2,000.00 is for equipment he is required to have to do his job. Mr. Cunningham made a motion to approve the amount as requested and Mr. Ludlow seconded. Motion carried by voice vote 7 – 0.

**ADDITIONAL APPROPRIATIONS/CCD FUND/EMS:** Pat Pease stated that she is requesting \$5,100.00 for three (3) computers since the laptops she has now were purchased around 2000, are out-dated and do not keep up with the programs of today. Mr. Mrozinski made a motion to approve this request and Mr. Jones seconded. Motion carried by voice vote 7 – 0.

**ADDITIONAL APPROPRIATION/CCD FUND/ANIMAL SHELTER:** Mr. Mrozinski made a motion to approve \$25,000.00 for a truck for the Animal Shelter and Mr. Jones seconded. Mr. Ludlow asked why a 4-wheel drive was needed. Debbie Vliestra, Assistant Director, responded that it is needed because of the roads and driveways traveled. Mr. Ludlow asked if the other truck the Animal Shelter has is 4-wheel drive and they need two. Mrs. Vliestra replied, "Yes." The motion to approve this request carried by roll call vote 7 – 0.

**ADDITIONAL APPROPRIATION/REASSESSMENT FUND/CENTER TWP.** Mr. Ludlow made a motion to approve \$925.00 as requested for a scanner and Mr. Garner seconded. Mr. Yagelski asked how many scanners are available in the County. Mrs. Shuter responded that the Auditor's Office just got a scanner from the IT Department and she can't speak for the rest of the County.

Mr. Yagelski asked Mike Schultz, Center Township Assessor, how often they would use a scanner. Mr. Schultz replied that they are trying to scan thirty-six (36) stuffed file cabinets. Mr. Yagelski asked if this would be a one-time project. Mr. Schultz responded that it would not be as the documents would be scanned on a daily basis. Mr. Yagelski asked what documents? Mr. Schultz commented that if the Council doesn't want to give him the scanner, that's fine but someplace will be needed to put all of the file cabinets whether the office stays, depending on whomever you listen to down-state.

Mr. Ludlow stated that what is being asked is “what are you scanning.” Mr. Schultz responded that there are 12,500 files and it’s not the property record cards but it’s the evidence such as building permits and anything that has been added or subtracted from the home. He stated that, for instance, the other day a business came in and the date it was in for was 1979 but in checking what year it was really built ended up being 1949. This adds a lot of depreciation to the building and the evidence was in the file when they looked at it. Mr. Schultz stated that they are just trying to do away with the paperwork and go to a paperless office. He commented that the only hard copy that will need to be kept is personal property as some of the forms are confidential; they will probably have to keep around eight (8) or nine (9) file cabinets since personal property records are required to be kept for five (5) years.

Mr. Cunningham asked if Mr. Schultz would be coming back at the next meeting to ask for another employee to scan on a daily basis. Mr. Schultz replied, “No.” He commented that his office is pretty much caught up now and could schedule some time to scan. Mr. Yagelski stated that approval of the scanner would be duplication of equipment and one could be brought in on temporary basis as we have enough copiers and printers out there already. Mr. Schultz commented that maybe Mrs. McDaniel could give him one of hers as she has two. Mr. Schultz stated that the Council has recommended trying to go paper-less, the file cabinets are very heavy on the floor and no matter what happens to the office the file cabinets take up about one-fifth of the area.

Mr. Mrozinski commented that the Council has been trying to work on consolidation and everyone doesn’t have to every machine that there is and from what he is hearing there are at least three (3) scanners in the building and he doesn’t think that anybody is using them 24 hours a day; why the machines be shared. Mr. Mrozinski stated that the Council isn’t picking on Mr. Schultz, but this is the way things will be done in the future. Mr. Schultz responded that as far as he knows, he may be the only one that would have a scanner in the Complex and there are a couple over in the Hiler Building.

Mr. Cunningham asked Mrs. McDaniel if her office was using the two (2) scanners eight hours a day. She stated that Mr. Schultz could borrow one. Mr. Schultz commented that the sales disclosures in his office are validated and they are waiting for the next process to roll them into Proval. Mr. Cunningham commented that this seems to be a convenience issue for Mr. Schultz to reduce the number of file cabinets in his office. Mr. Schultz stated that it wouldn’t be a problem to borrow one of Mrs. McDaniel’s scanners.

The motion to approve this request failed by voice vote 2 – 5 with Mr. Ludlow and Mr. Garner voting “Aye” and Mr. Cooley, Mr. Cunningham, Mr. Jones, Mr. Mrozinski and Mr. Yagelski voting “Nay.”

Mrs. McDaniel will work with Mr. Schultz regarding use of a scanner.

**ADDITIONAL APPROPRIATION/EMERGENCY RESERVE/SHERIFF:** \$260,000.00 is the amount requested for the pension for the remainder of the year. Sheriff Mollenhauer commented that the amount requested is smaller due to the Civil Process Fees which have increased from \$13.00 to \$26.00. Mr. Cooley asked if the fees would be raised every year. Sheriff Mollenhauer responded that the fee was doubled last year and there is no intention by the

legislators to raise it in the near future. Mr. Yagelski commented that Sheriff James Arnold kept requesting the fee increase but it was turned down until recently.

Mr. Yagelski made a motion to approve this request and Mr. Mrozinski seconded. Mr. Ludlow stated that a fund was setup to deposit these fees into for the Sheriff's Pension and how much is being generated? Mr. Ludlow thought we funded the pension the first of the year at \$800,000.00. Chief Deputy Jim Sosinski responded that the amount was \$600,000.00 at the first of the year. Chief Deputy Sosinski reported that last month \$44,751.00 was brought in and in August \$48,600.00 was brought in. He commented that there are still Cause Numbers that were issued under the \$13.00 fee and once those are gone and we are collecting \$26.00 totally we should see around \$50,000.00 per month.

Mrs. Shuter stated that the amount requested is the amount that we will be short. The fund created at the Budget Hearings, which was established August 29<sup>th</sup>, contains \$48,250.00 right now. Mr. Ludlow asked how the amount can be short since McCready & Keene provides an exact amount every year that has to be put in. Chief Deputy Sosinski responded that only \$600,000.00 was requested early in the year as they didn't know what the actuary was going to be at that time but it was just an educated guess.

The motion to approve \$260,000.00 carried by roll call vote 7 – 0.

**ADDITIONAL APPROPRIATION/RECORDER:** Barbara Dean, Recorder, wasn't present to address the request from the County Identification Security Protection Fund in the amount of \$26,250.00. Therefore, Mr. Cunningham made a motion to table this request and to request the Recorder to be present at the next meeting or send a representative to address this request. Mr. Ludlow seconded. The motion carried 7 – 0 by voice vote.

**OLD BUSINESS:** AN ORDINANCE REGARDING THE REQUIREMENT OF ELECTED OFFICIALS/DEPARTMENT HEADS TO COME BEFORE THE COUNTY COUNCIL WHEN A POSITION VACATES IN ORDER TO RE-EVALUATE THE POSITION AND DETERMINE IF IT SHOULD BE FILLED as tabled by unanimous consent until the next meeting.

**NEW BUSINESS:**

***ORDINANCE FOR GIS NON-REVERTING FUND:***

Mr. Cooley reported that he and Mrs. Shuter had talked today about non-reverting funds. Mr. Cooley suggested a workshop on the effect of non-reverting funds on the General Fund or it could be discussed this evening. Mrs. Shuter stated that her concern, when during some of the Personnel Committee Meetings and Budget Hearings, some of the comments were made and a lot of departments are coming to the Council for non-reverting funds.

Mrs. Shuter showed Mr. Cooley all of the revenue statements and forms that are prepared for the State. Based upon the revenue received for the first six (6) months of the year, projections are made for the next eighteen (18) months for revenue to come into the General Fund. Mrs. Shuter stated that if a budget is funded from the General Fund, and the money that typically would come back to the General Fund to off-set that money fronted for the budget is diverted to a non-reverting fund, the revenue has to be backed out of the General Fund revenue statement prepared for the State. One of the examples Mrs. Shuter gave to Mr. Cooley involved the Sheriff's Fees

since we took three (3) different General Fund accounts that we had been receipting money into and now the money has been moved to a non-reverting fund. Mrs. Shuter reported that the conservative estimate for these accounts was \$120,000.00. She asked that it be kept in mind that income moved to a non-reverting fund hurts the General Fund.

Mr. Yagelski asked if there was an easier way for GIS to show the income. Mrs. Shuter responded that if the money is fronted from the General Fund, then any revenue generated from copies should go back into the General Fund. Melissa Mischke stated that the paper she uses runs anywhere from \$80.00 for a roll of paper up to \$120.00 and she just spent \$285.00 for pink toner for the plotter which above and beyond the normal copying costs. Mrs. Shuter asked Ms. Mischke if she had any idea what kind of income she might generate. Ms. Mischke answered that she has taken in approximately \$70.00 since the last of August when the ordinance was passed but she really hasn't been out there marketing what can be provided. Mrs. Shuter doesn't believe that enough money will be generated to cover the GIS Budget of \$70,000 - \$80,000.

Ms. Mischke commented that she is trying to get the non-reverting fund setup so they can start paying for some of the costs out of her office instead of the Council assuming all of the costs from the General Fund to minimize the amount of money from the General Fund. Mr. Jones agreed with Mr. Cooley and Mrs. Shuter that it would be better to explore this matter in a workshop as suggested; he stated that it would be helpful to furnish the Council with a copy of the Commissioners' Ordinance 2007-15. Mr. Cooley suggested that the matter of non-reverting funds be further discussed at the workshop to be held this coming Monday, October 29<sup>th</sup> starting at 4:00 p.m.; IKON will give their presentation followed by discussion on the impact of non-reverting funds.

Mr. Ludlow made a motion to hear Ordinance No. 2007-11 on first reading by title only. Mrs. Shuter read, "Ordinance No. 2007-11, Ordinance Creating GIS Non-Reverting Fund."

### **COMMENTS BY THE COUNCIL:**

#### ***NON-SMOKING POLICY:***

Mr. Yagelski made a motion that the Council support the non-smoking policy introduced by Mr. Hager that failed to pass. Mr. Jones seconded the motion as he supports Mr. Yagelski and thinks that eventually the whole County will be non-smoking. Mr. Yagelski stated that he appreciates Mr. Hager's help regarding this policy. Mr. Hager responded that he has tried and has made the motion twice but can't get a second on it. The motion carried 6 – 1 with Mr. Ludlow voting "Nay." Mr. Ludlow commented that he doesn't have the non-smoking ordinance in front of him and he believes that there is a tremendous amount of wasted employee time by making them go out and walk around the block to smoke a cigarette; you aren't going to get them to quit.

#### ***INTERMODAL:***

Mr. Yagelski commented that there was an article in the newspaper about the Intermodal and the idea of raising up to \$100,000.00; this was never brought to the Council's attention and he totally disagrees with the concept and idea of throwing money away like that. Mr. Yagelski wants the public to know that the statement was never supported to his knowledge. He compared this request to the Riverboat.

Mr. Cunningham commented that Ruth Minick and Hugh Glasgow are in the audience and both have expressed concern regarding the request for money. Mr. Cunningham stated that there is

nothing for the Council to act on unless the Commissioners come to us. The Commissioners are the ones who setup the Intermodal Taskforce. Regarding the other part of Mr. Yagelski's statement regarding the Riverboat, the difference between the Riverboat and the Intermodal is that we knew where the Riverboat would be. Right now we don't have a proposal or know who the developer is on the Intermodal.

Mr. Cunningham commented that the original intent was to set up funds for the Committee to take a trip to Elwood, Illinois, and also to pay for secretarial help for recording and processing the minutes. Mr. Cunningham asked Matt Reardon if this is the same secretary being used for economic development and is the secretary for the Taskforce able to be paid for the remainder of the year out of his funds. Mr. Reardon commented that he doesn't believe that additional funds have been appropriated and the secretary works for the Redevelopment Commission. Mr. Cunningham asked if there are sufficient funds out of economic development, since it seems that the Intermodal comes under that broad scope, to pay the secretary for November and December. Mr. Reardon will check on this.

Mr. Yagelski stated that he has never said he was in favor or was not in favor of the Intermodal and he believes that there will be some bus trips, etc. but he is strictly talking about the \$100,000.00 figure. Mr. Cunningham commented that \$80,000.00 of the \$97,000.00 was purely speculative in the event expert witnesses would be needed. Mr. Cunningham stated that the headline accurately reflected what the Committee asked for but it would have to go to the Commissioners and the Commissioners would need to come to the Council.

Mr. Mrozinski commented that on this subject, since he is bombarded everywhere he goes because people want to know what is going on, and people have their opinions about this, he pointed out that LaPorte County has not received any proposals for an Intermodal or any other large-scale project. He stated so far there are only land speculators wanting to buy up land within a few locations in the County; he and Mr. Glasgow were in a Leadership LaPorte class and when the real estate people asked Mr. Glasgow what they planned to do with his land, they had no answer.

Mr. Mrozinski stated that Mr. Friedman has stated publicly several times that there are no secret negotiations going on. Mr. Mrozinski reported that in 1910 the Chicago Stockyards wanted to buy land in Union Mills to relocate there. How do we know that this may be the intention of the real estate people. Mr. Mrozinski commented that this Committee was formed to examine issues that could be raised if a large-scale development expressed an interest in coming to our County so he calls this the "What If Committee." He stated that the Committee is made up of people who volunteered to serve on the Committee and now they think they need a huge amount of money to justify their existence but he wants to remind everybody that just a couple of months ago, the County had to take \$9 million out of the Emergency Fund just to run the County through the end of the year, the draws from the Riverboat Funds continue to shrink and, as yet, we haven't sent out property tax bills let alone received any money, we're operating in the red and now it's important tonight that we borrow probably another \$6 million.

Mr. Mrozinski commented that the "What If Committee" now wants the taxpayers of LaPorte County to fund the sight-seeing trip to Elwood, Illinois, and \$5,000.00 is mentioned. Mr. Mrozinski doesn't know what kind of limousine they think they will need or what we should provide them to eat for this trip but he doesn't feel that the taxpayers should have to fund it and

we really don't have that kind of money anyway. Mr. Mrozinski suggested that the twenty (20) people on the Committee do what most of our taxpayers do; there are 20 of them, five (5) to a car which is four (4) cars and everyone could kick in a few bucks for the gas and if they want something to eat on the trip, do what the taxpayers do and pack a lunch. Mr. Mrozinski stated that it is not a matter of whether or not you are for or against whatever this project is that is in the County's future but a matter of people wanting to spend money that we don't have and money that belongs to the taxpayers of the County.

Mr. Cunningham commented that he takes exception to Mr. Mrozinski's statement. He stated that using the analogy that this might be the biggest potential economic development in the history of LaPorte County, even using the figure of \$100,000.00, it amounts to \$1.00 per citizen of the County to do some research. Mr. Cunningham isn't in favor of \$100,000.00 either but extrapolating that out there are 100,000 citizens. As was just said, there is a big difference between the Intermodal and Chicago stockyards or an ethanol plant and none of us know for sure what this development might be; he would certainly hope that we don't say "no" to any future development in LaPorte County because we're not willing to spend \$1.00 per citizen to explore those avenues. Mr. Cunningham stated that certainly if no proposal comes before us, there will be no need for any expenditure so he would disagree with Mr. Mrozinski as he would prefer we get ahead of the "snowball" and at least have the Taskforce take a trip to Elwood so they could speak more intelligently about what the Intermodal is and the effect on the area and to speak with some of the leaders of the community. He stated that we are speculating about \$100,000.00 as the Commissioners haven't asked for it and the Committee hasn't formally gone in front of the Commissioners to ask them. Mr. Cunningham reported that Mr. Glasgow had told him that there was potentially \$100 million set aside just for land acquisition; if a developer is coming into the County willing to spend \$100 million then he thinks we should look at \$15,000 - \$40,000.00 to get some questions answered before we give them the go ahead.

***HEALTH INSURANCE:***

Mr. Cunningham commented that earlier this month he addressed the Commissioners and thanked them for the insurance package but he does have a concern that at no point in time did he ever see from the Commissioners a Request for Proposals. He stated that we ended up with an Indianapolis insurance firm, and maybe could only get insurance from this firm, but it would seem to Mr. Cunningham that we should at least give our local insurers an opportunity to bid it out and to be able to explain to them why we had to go to Indianapolis to get the insurance.

**ADJOURNMENT:** There being no further business, Mr. Ludlow made a motion to adjourn at 8:25 p.m. and Mr. Garner seconded. Motion carried unanimously by voice vote 7 – 0.