

LAPORTE COUNTY COUNCIL MEETING JULY 27, 2009

The LaPorte County Council met in regular session on July 27, 2009 in the assembly room of the LaPorte County Council Government Complex, 809 State Street, LaPorte, Indiana 46350.

Meeting was called to order by Council President, Mark Yagelski.

Pledge of Allegiance was recited. Auditor Craig Hinchman had roll call and the following Council Members were present; Mr. Bernacchi, Mr. Cunningham, Mr. Ford, Mr. Garner, Mr. Mrozinski, Mrs. Sosinski and Mr. Yagelski. Also present were Council Attorney Don Baugher, Auditor Craig Hinchman and Chief Deputy Auditor, Mary Ray. Auditor Hinchman declared a quorum.

The Agenda was amended to include resolutions for short term loan to the general fund from the emergency fund and a resolution to be sent to the State to oppose the special election in November regarding the Rushed Regional Transportation District Referendum then the agenda was approved by all Council Members.

The minutes from the June 22, 2009 meeting was approved by all Council Members.

DEPARTMENT HEAD REPORTS

Sheriff Mike Mollenhauer thanked the Council for approving five new jailers allowing the jail to open 80 additional beds. He stated that over the July fourth week end there was a record number of inmates. If those beds would not have been available, he would have to transfer some to out of County facilities.

Commissioner Mike Bohacek addressed the flooding issues along Welnetz Road in Michigan City, he was given approval to obtain more information for the Council.

Recorder John Stimley reported on the Affordable Housing Ordinance that was passed previously. He reported not getting State Board of Account's approval on this because he was told that there could NOT be caps put on the fees. Council member Mrs. Sosinski agreed. Council Attorney Don Baugher said he didn't believe there were any provisions in the IC code regarding this. Council member Mr. Garner told Mr. Stimley that the Council approved this so just do it. After more discussion, it was decided to have the Attorney to do further checking.

LIAISON REPORTS

Mrs. Sosinski met with the Clerks office. She suggested that the County should try to recoup the \$28,000.00 cost of the special election for the Career Center from the Michigan City Area School Corp. She also met with the Recorder's Office and reported her concerns regarding the Affordable Housing fees.

Mr. Ford met with the Surveyor's Office regarding the storm water planning. He met with Court House Security regarding the maintenance and certification of the x-ray machine. He also met with EMS regarding overtime expenses and equipment.

Mr. Mrozinski reported meeting with the Veterans Office. They have had positive reports from Veterans regarding the move to the 555 Michigan Ave. location. The City of LaPorte has even added an extra handicap parking space to help with the parking situation.

Mr. Garner met with the Auditor's office regarding professional help for the upcoming budget. He did not think this was necessary even though no one in the office had ever fully been involved with the entire process. He also commended the Purdue Extension Office for a great County Fair.

Mr. Bernacchi met with the Planning Commission regarding Contractors Registration.

Mr. Cunningham met with Circuit Court Judge Tom Alevizos on several matters and met with the Juvenile Services Office.

Mr. Yegalski reported that the Fair Board did an excellent job this year and voiced concerns and changes in the budget process this year.

PUBLIC COMMENTS

Keith Harris voiced his opinion against hiring outside help to prepare this year's budget. Said the Auditor should do the job, not farm it out. Since the budget is one of the duties that the Auditor was elected to do, he should be capable of doing it himself.

Walter Kutzberg spoke out against the Springville Regional Sewer District. Said the Renaissance Academy was putting in the sewer line to hook up with the Michigan City sewer system at a cost of \$134,000.00 to the school. If other residents want to hook up he stated huge costs would be involved.

Mike Kobos also spoke out against the Sewer District. He also spoke out against the extra recording fees connected with the affordable housing ordinance. He also agreed that we should try to get money back from the Michigan City School Corp. for the special election. He also spoke out against the special election regarding the Regional Transportation. He stated that budgets are usually ignored; departments come back to the Council for more money during the year so why even have a budget.

Dennis Metheny strongly disagreed with Keith Harris. Auditor Hinchman is trying to do the right thing for the tax payers in requesting professional help stated that the Council gives the Assessor, Carol McDaniel's millions to fund "unapproved contracts". He spoke out against giving ten year abatements, suggested to only give five year abatements. He stated that he was against the payment of overtime for the PRM Fest, stated that the tax payers should not have to pay for a private agreement. He questioned the need for additional computer and scanning equipment in the Planning Department, he also recommended that departments stick to their budgets and not keep asking for money during the year.

NEW BUSINESS

An ordinance was introduced for a short term loan from the emergency fund to the general fund for one million dollars. (Ordinance # 2009-05) First reading was read by title only. The motion was then amended to read not to exceed one million dollars.

Voice vote taken

All members voted in favor

Motion approved.

Since an emergency existed, a motion was made to suspend the rules so that this ordinance could pass on one reading only. (#2009-05)

Voice vote taken

All members voted in favor

Motion approved

Motion to adopt the ordinance # 2009-05 for an emergency loan from the emergency fund to the General fund of LaPorte County. Ordinance read by title only.

Voice vote taken

All members voted in favor

Motion approved.

A motion was made to sign a Resolution to oppose the Rushed Regional Transportation District Referendum to be held in November, 2009 and send to the State of Indiana. It was discussed that it could cost the County in excess of \$100,000.00 to hold this special election for the referendum. At this time, the County can not afford this.

Voice vote taken

All members voted in favor

Motion approved

A motion was made to have the Council Attorney take legal action against the Michigan City Area School Corp. to recover \$28,000.00 that it cost the County to hold the special election for the referendum concerning the Career Center.

Voice vote taken

All members voted in favor

Motion approved

Matt Reardon appeared on behalf of LaPorte Cancer Center, LLC and Holladay Properties asking for declaration of Economic Revitalization area and gave notice of a public hearing scheduled in August, 2009 and asking for ten year tax abatement.

Motion was made to approve

Voice vote taken

Mrs. Sosinski voted against,

Mr. Ford, Mr. Mrozinski, Mr. Yagelski, Mr. Cunningham, Mr. Bernacchi and Mr. Garner voted in favor

Motion approved

APPROPRIATIONS-TRANSFERS OR REQUESTS

LAPORTE COUNTY HIGHWAY DEPARTMENT

Motion to take off the table from the June 22, 2009 meeting.

Voice vote taken

All members voted in favor

Motion approved

Requested \$75,000.00 from #272-30135-200-272 (Riverboat Admissions) to continue environmental work at the Rolling Prairie L.U.S.T. site. Motion was amended to request only \$20,000.00.

Voice vote taken

Mr. Garner voted against

Mr. Ford, Mr. Mrozinski, Mr. Yagelski, Mr. Cunningham, Mr. Bernacchi and Mrs. Sosinski voted in favor

Motion approved

LAPORTE COUNTY SHERIFF (Tabled from June 22, 2009)

Requested from the following funds:

#272-20200-105-272 (Riverboat Admission)

Or

#216-20200-105-216 (County Cumulative Capital Development)

Video Recording System for LaPorte County Jail

Miner Electronics \$326,297.59

Or

Communication Company of South Bend \$273,230.00

Motion to take off the table

Voice vote taken

All Members voted in favor

Motion approved

After more discussion a motion to table again

Voice vote taken

All members voted in favor

Motion approved

LAPORTE COUNTY SHERIFF (Tabled from June 22, 2009)

#100-10140-000-105 (overtime)

Requested funds to pay overtime worked at the RPM Fest. \$24,360.00

Motion to take off the table

Voice vote taken

All members voted in favor

Motion approved

After a lengthy discussion, there was a motion to approve payment

Motion died for lack of second

Motion denied

LAPORTE COUNTY EMS (Tabled from June 22, 2009)

#100-10140-000-140 (overtime)

Requested funds to pay overtime worked at the RPM Fest \$6,937.50

Motion to take off the table

Voice vote taken

All members voted in favor

Motion approved

There was a motion to approve payment

Motion died for lack of second

Motion denied

LAPORTE CIRCUIT COURT

#100-10113-000-101(Payroll Acct.)

Requested funds to pay 53 unused sick days to retiree
Cora Smith \$3,975.00

Motion to approve

All members voted in favor

Motion approved

#100-20009-000-101 (Forms/Receipts)

Requested additional funds for forms/receipts
For Superior #3 and #4 \$3,435.00

Motion to approve

All members voted in favor

Motion approved

LAPORTE COUNTY HIGHWAY DEPARTMENT

Requested from either of the following funds:

Riverboat Admissions (#272-20200-204-272)

OR

Riverboat Win Tax (257-30070-204-257)

For Gas, Fuel & Oil

\$200,000.00

Motion to approve payment from the Riverboat Admissions Fund (#272-20200-204-272)

Voice vote taken

All members voted in favor

Motion approved

LAPORTE COUNTY SHERIFF

Requested payment of 36 sick days to pay

Retiree Glenn Wallace

#100-10119-000-182 (Payroll Acct.)

\$2,700.00

Motion to approve payment

Voice vote taken

All members voted in favor

Motion approved

Requested funds from either

Riverboat Admissions (272-20200-145-272)

OR

County Cumulative Capital Development (216-20200-145-216)

FOR

Extra Hire

\$50,000.00

Food

\$185,000.00

Shift Differential

\$14,000.00

Motion was made for payment of the three requests from the Riverboat Admission (272-20200-145-272)

Voice vote taken

All members voted in favor

Motion approved

LAPORTE COUNTY EMS

Requested additional appropriation from the General Fund

TO

#100-10140-000-140 (Overtime Acct.)

\$55,000.00

Motion was made to approve payment

Voice vote taken

All members voted in favor

Motion approved

Requested additional appropriation from the General Fund
For Medical Equipment \$10,500.00
Died for lack of motion

LAPORTE COUNTY PLAN COMMISSION

Requested additional appropriation
#246-71009-134-246 (Contractors Registration Fund)
Blue Prince Acct.
Software and services balance due \$3,000.00

Requested additional appropriation
#246-71009134-246 (Contractors Registration Fund)\
For Laserfisch Software
New scanning Program \$5,400.00

Requested additional appropriation
#246-30007-000-246 (Contractors Registration Fund)
Yearly Maintenance Fee \$1,225.00

Motion was made to approve the three requests for payment
Voice vote taken
All members voted in favor
Motion approved

LAPORTE COUNTY BUILDING MAINTENANCE DEPT.

Requested funds from either:
#272-20200-142-272 (Riverboat Admissions)
OR
#216-20200-142-216 (County Cumulative Capital Development)
For the remodeling of the Health Department on the
Fourth floor of the County Complex \$40,000.00
Motion was made to approve the request to be paid from the
Riverboat Admissions (#272-20200-142-272)
Voice vote taken
All members voted in favor
Motion approved

LAPORTE CIRCUIT COURT

Requested additional appropriation into
#100-10174-000-148 (Payroll) \$3,101.00
To clarify misunderstanding of classification
After discussion a Motion was made to table
The request.
Voice vote taken
All Members voted in favor
Motion approved

LAPORTE COUNTY AUDITOR

Requested additional appropriation for
Cender & Company to perform the non-binding
Review for the 2010 budgets
#257-20200-144-257 (Riverboat Win Tax)

Not to exceed \$20,000.00

Died for lack of motion

Requested additional appropriation for
Cender & Company to perform the budget
Consulting Services for 2010 Budget
#257-20200-144-257 (Riverboat Win Tax)

Not to exceed \$13,000.00

After a lengthy discussion a Motion was made to
Approve the request.

Roll Call taken

Mrs. Sosinski, Mr. Ford, Mr. Cunningham and Mr. Bernacchi voted

In favor

Mr. Mrozinski, Mr. Yagelski and Mr. Garner voted against

Motion Approved

OLD BUSINESS

211 CENTER

Further discussion on the 211 Center. Transferring the service
From the Lake County Service Center to the St. Joseph County
Service Center

#257-71001-143-257 (Riverboat Win Tax Fund) \$100,000.00

Motion to table this until money is returned from
The Lake County Service Center

Voice vote taken

All members voted in favor

Motion approved

COMMENTS BY COUNCIL MEMBERS

Mr. Yagelski requested that the budget reviews be put on the agenda for the
Next Council meeting. He also requested that Indiana Melting be notified by the Auditor
that if requirements are not met regarding their tax abatement, it will be rescinded.

SPECIAL NOTICE

The September meeting of the LaPorte County Council will be changed to
September 21, 2009

Meeting was adjourned at approximately 9:00 pm

