

**PORTER COUNTY COUNCIL**  
**Regular Meeting**  
**September 27, 2016**

The Porter County Council met on Tuesday, September 27, 2016 at 5:30 p.m. in the County Administration Center, 155 Indiana-Suite 205, Valparaiso, Indiana.

Mr. Whitten called the meeting to order with the Pledge of Allegiance.

Members present were Council Member Dan Whitten, Council Member Karen Conover, Council Member Jim Biggs, Council Member Sylvia Graham, Council Member Mike Jessen, Council Member Bob Poparad, Council Member Jeremy Rivas Also present was Council Attorney Harold Harper, Auditor Vicki Urbanik, Auditor Chief Deputy Toni Downing and Council Administrative Assistant Joy Blakely.

Mr. Whitten, Thank you very much, first reading please.

Auditor Vicki Urbanik,

**NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS**

Notice is hereby given the taxpayers of Porter County, Indiana that the proper legal officers of Porter County, Indiana will meet in the Porter County Government Administration Building located at 155 Indiana Avenue, Valparaiso IN 46383 on September 27, 2016 at 5:00 p.m. to consider the following additional appropriations in excess of the county budgets for the year 2016 and to transact any further business which might come before the Council:

<b>General Fund</b>
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Sheriff General	1000-1005-1130-05	Overtime	\$ 2,916.25
Sheriff General	1000-1005-1230-05	PERF/Sheriff Pension	\$ 441,500.00
Information Technology	1000-1050-3610-50	Maintenance Agreements	<u>\$ 13,100.00</u>
			\$ 457,516.25

<b>Cumulative Bridge Fund</b>
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Cumulative Bridge	1135-0000-3950-91	Contractual Services	\$ 80,000.00
Cumulative Bridge	1135-0000-6100-9300	Interfund Transfer of Funds	<u>\$ 8,811.20</u>
			\$ 88,811.20

<b>Motor Vehicle Highway Fund</b>
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MVH	1176-0000-1111-91	Hourly – Full Time	\$ 45,000.00
MVH	1176-0000-1130-91	Overtime	<u>\$ 30,000.00</u>
			\$ 75,000.00

<b>Tax Sale Fees</b>
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Tax Sale Fees	1203-0000-3950-03	Contractual Services	\$ 10,875.00
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<b>LOIT Special Distribution Fund</b>
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LOIT Special Dist Fund	1228-0000-6100-9300	Interfund Transfer of Funds	\$ 1,331,387.69
LOIT Special Dist Fund	1228-0000-6100-9300	Interfund Transfer of Funds	<u>\$ 443,795.00</u>
			\$ 1,775,183.59

<b>Supplemental Juvenile Probation Fund</b>
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Supp Juvenile Probation	2150-2151-3210-79	Travel	\$ 5,000.00
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<b>Drain Reconstruction</b>
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Drain Reconstruction	2600-0000-3950-26	Contractual Services	\$ 219,977.27
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Drain Maintenance
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Drain Maintenance	2700-0000-3950-26	Contractual Services	\$ 1,921,668.11
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Memorial Opera House
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MOH Operating	4915-0000-4440-44	Furniture/Fixtures over 100	\$ 200.00
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Memorial Opera House – Anderson Foundation Grant
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MOH Anderson Grant	9300-0000-4540-44	Other Equipment	\$ 12,300.00
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Adult Community Corrections Grant Fund
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Adult Co Correction Grant	9162-0000-1120-32	Hourly	\$ 15,000.00
Adult Co Correction Grant	9162-0000-1210-32	FICA	\$ 1,148.00
Adult Co Correction Grant	9162-0000-2110-32	Office Supplies	\$ 120.00
Adult Co Correction Grant	9162-0000-2230-32	Food and Groceries	\$ 500.00
Adult Co Correction Grant	9162-0000-2250-32	Other Supplies	\$ 12,880.00
Adult Co Correction Grant	9162-0000-3130-32	Training and Education	\$ 1,250.00
Adult Co Correction Grant	9162-0000-3930-32	Dues and Subscriptions	\$ 1,000.00
Adult Co Correction Grant	9162-0000-3950-32	Contractual Services	\$ 125,852.00
			\$ 157,750.00

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations as finally made will be referred to the Indiana Department of Local Government Finance. The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a certified copy of the action taken.

Vicki Urbanik  
Auditor of Porter County

Publish September 16, 2016

**Approval of August 2016 minutes**

Mr. Whitten, Next thing we have on the agenda is the approval of our August 2016 minutes, I don't think we have them. But we are going to have them at our next meeting right?

Joy Blakely, Yes sir.

Mr. Whitten, Ok.

**Porter Superior Court - #3**

**Judge Jent General Fund – 1000-1038-38**

Transfer \$800 from 3170 Interpreter to 3130 Training & Education. Reason: Money is needed to fund Fall Judicial Conference.

Mr. Whitten, Porter Superior Court 3 General Fund transfer. Judge Jent texted me and asked if she need to come and I said no. We have a transfer of \$800 dollars from Interpreter to Training and Education the money is needed for fund Fall Judicial Conference.

Mr. Poparad, I'll make the move.

Ms. Graham, Second.

Mr. Whitten, Motion and a second, discussion? All in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

### **Commissioners**

#### **CCD (Cumulative Cap Development) 1138-0000-30**

Transfer \$45,000 from 4210 Buildings to 3520 Water and Sewage. Reason: Line item depleted.

Mr. Whitten, CCD Cumulative Cap Development transfer from Buildings to Water and Sewage line item depleted.

Mr. Poparad, I'll make the move.

Ms. Graham, Second.

Mr. Whitten, Motion and a second, discussion? All those in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

### **Memorial Opera House**

#### **Memorial Opera House - 9300-0000-44**

Additional \$12,300 to 4540 Other Equipment. Reason: Donation appropriation of funds from Anderson Foundation Grant received by MOH Foundation

#### **Memorial Opera House - 4915-0000-44**

Additional \$200 to 4440 Furniture/Fixtures over \$100. Reason: To purchase Art Work from local artist (\$200 for two pieces currently on display)

Mr. Whitten, Memorial Opera House Additional \$12,300 to Other Equipment donation appropriation of funds from Anderson Foundation receiver by MOH. Well done. Also Additional \$200 bucks...I don't know about that to Furniture/Fixtures over \$100 to purchase Art Work. What's your definition of Art Jeremy? From a local Artist in the amount \$200 dollars for two pieces...

Mr. Rivas, I think this is it.

Mr. Whitten, What's your pleasure with these two additional?

Mr. Jessen, So move.

Mr. Whitten, We have a motion on the floor.

Mr. Poparad, I'll second it, is this for both?

Ms. Graham, Yeah.

Mr. Whitten, Yes. Does the motion say it's for both?

Mr. Jessen, Yes.

Mr. Whitten, The motion says it's for both additional. Does the second concur?

Mr. Poparad, Yes.

Mr. Whitten, Discussion?

Mr. Rivas, Who is the Artist?

Ms. Graham, Yeah.

MOH Director Scot MacDonald, His name was Joseph Gonzales he was a member of the Pop-Up Valparaiso Art festival that occurred in July we hosted him at the Memorial Opera House and we really liked his work it works with the upstairs lounge that we recently renovated. We don't have an appropriation at this point to pay him out of, so it was determined by the Auditor that this would be the best place to take the money out of.

Mr. Rivas, From now on would you see Dan Whitten before coming before the Council.

MOH Director Scot MacDonald, Yes.

Mr. Rivas, His pockets are deep.

MOH Director Scot MacDonald, Sure.

Mr. Whitten, How many of these people have been in your show, let me just ask you?

MOH Director Scot MacDonald, One.

Mr. Whitten, Thank you very much Scot I appreciate that.

MOH Director Scot MacDonald, We have auditions this evening though, there are opportunities for all of them.

Mr. Whitten, Ok...

Mr. Poparad, We are all acting up here anyway, we audition every night here.

Mr. Whitten, That's true. You have Into the Woods going on right now, correct?

MOH Director Scot MacDonald, We do and it's going very, very well. Closing weekend is this weekend.

Mr. Whitten, Have they been selling out the shows how are we doing on that?

MOH Director Scot MacDonald, Into the Woods is doing very well, it has not sold out but it is selling very well it's broken even and we're actually in the black for that production.

Mr. Whitten, If the tickets need a little help, just let me know and I will get back on the stage.

MOH Director Scot MacDonald, Excellent come on down.

Mr. Rivas, We are actually starring in our own show here called the dysfunctionals.

(Laughter)

MOH Director Scot MacDonald, Rave reviews right.

Mr. Whitten, Will see...roll call please?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Biggs	-	Yes	Mr. Rivas	-	Yes
Ms. Graham	-	Yes	Mr. Whitten	-	Yes
Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes			

Auditor Vicki Urbanik, 7-0

Mr. Whitten, Thank you Scot.

MOH Director Scot MacDonald, Thank you very much.

### **Animal Shelter**

#### **Animal Shelter – General Fund 1000-1045-45**

Transfer \$1,100 from 3220 Telephone to 3630 Equipment Other than Vehicles.  
Reason: To cover repairs to washing machine, a new motor is required

Transfer \$15,000 from 3160 Vet Services to 1120 Hourly. Reason: To cover the cost of hourly employee payroll through the end of 2016.

Mr. Whitten, Animal Shelter transfer \$1,100 dollars from Telephone to Equipment other than Vehicles. The reason is to cover repairs for the washing machine a new motor is required.

Ms. Conover, Move.

Ms. Graham, Second.

Mr. Rivas, Second.

Mr. Whitten, And there is another transfer of \$15,000 dollars from Vet Services to Hourly to cover the cost of the hourly employee payroll through the end of 2016.

Ms. Conover, Move.

Ms. Graham, Second.

Mr. Whitten, Motion for both transfers?

Ms. Conover, Yes.

Mr. Whitten, Second concurs?

Ms. Graham, Yes.

Mr. Whitten, Discussion? All those in favor signify by saying aye? Opposed? The aye's have it. Transfers are approved.

Motion passed on a unanimous voice vote.

Animal Shelter Director Toni Bianchi, Thank you.

Mr. Whitten, Have a good evening.

## **Maintenance**

### **Building Maintenance - General Fund 1000-1030-30**

Transfer \$1,000 from 3630 Equipment Other than Vehicles to 2220 Uniforms and Clothing. Reason: To supply maintenance uniforms to the end of the year.

Mr. Whitten, Maintenance transfer \$1,000 dollars from Equipment other than Vehicles to Uniform and Clothing to supply maintenance uniforms to the end of the year.

Mr. Poparad, I'll make the motion.

Mr. Whitten, We have a motion.

Ms. Graham, Second.

Mr. Whitten, And a second on the floor, discussion? Hearing none all those in favor signify by saying aye? Opposed? The aye's have it. Transfers are approved.

Motion passed on a unanimous voice vote.

Mr. Rivas, Matt, how is it going, tell us about the buildings?

Facilities Director Matt Stechly, It's going very well actually. I thanked the Commissioners and I gave them an update at last month meeting. I thanked the entire Council as well it was a solid decision. We are about four or five months in with having the three additional techs and you know we went from being pretty much 100% outsourced to almost 95% to 99% of everything being done in-house and the only invoices I see now are materials at cost. So solid long term sustainable decision I think, and I thank you it's going very, very well.

Mr. Rivas, Thank you

Mr. Whitten, Thank you very much Matt.

## **Storm Water**

### **GDIF 2600-0000-26**

Additional \$219,997.27 to 3950 Contractual Services. Reason: To pay for Ditch Maintenance.

### **Ditch Fund 2700-0000-26**

Additional \$1,921,668.11 to 3950 Contractual Services. Reason: To pay for Ditch Maintenance.

### **Storm Water 1182-0000-24**

Transfer \$55,000 from 3950 Contractual Services to 3610 Maintenance Agreements. Reason: To pay for Office Equipment Maintenance and Ditch Maintenance.

Mr. Whitten, Stormwater, ok we have three things on here an Additional of \$219,997.27 to Contractual to pay for Ditch Maintenance. Then we have a Ditch Fund of an Additional of \$1,921,668.11 to Contractual to pay for Ditch Maintenance to maintain the Ditches. We have a Transfer of \$55,000 from Contractual to Maintenance Agreements to pay for Office Equipment Maintenance and Ditch Maintenance. What's your pleasure with these?

Mr. Jessen, So moved.

Mr. Poparad, Second.

Mr. Whitten, Motion and a second on the floor, discussion?

Mr. Poparad, All of them?

Mr. Jessen, All of them.

Mr. Poparad. Ok.

Mr. Whitten, No further discussion roll call please?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Graham	-	Yes	Mr. Whitten	-	Yes
Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes			

Auditor Vicki Urbanik, 7-0

Storm Water Director Bob Thompson, Thank you.

**Treasurer**

**Tax Sale Fees 1203-0000-03**

Additional \$10,875 to 3950 Contractual Services. Reason: To pay for 2016 Invoice Number 2016149 in the amount of \$4,875 and Invoice Number 2016226 in the amount of \$6,000 (Total \$10,875) for Tax Sale fees.

Mr. Whitten, Treasurer Additional \$10,875 to Contractual Services to pay invoices for Tax Sale Fees.

Ms. Graham, Move to approve.

Mr. Whitten, We have a motion on the floor.

Ms. Conover, Second.

Mr. Whitten, And a second, discussion? Let me ask you a question, I know we have had Tax sales and I know that there has been a little bit of discussion about the possibility of a Commissioner Sale. Do we have a lot of properties that are not selling at Tax Sale...or Treasurer's Sale?

Treasurer Michelle Clancy, I can check the numbers, I'm not sure that there are consistent ones. So some that have been year after year...

Mr. Whitten, Would you get, you know because I am just curious...would you get us a copy of those that have been on the Tax Sale a time or two that have not sold?

Treasurer Michelle Clancy, Sure.

Mr. Whitten, I'd like to know that.

Treasurer Michelle Clancy, Ok.

Mr. Whitten, Because the Commissioner's Sale may be right up our alley to get rid of those off the rolls.

Treasurer Michelle Clancy, Right.

Mr. Whitten, Ok, with that in mind, roll call please.

Mr. Poparad, Do you need a motion?

Mr. Whitten, I thought we had a motion on this.

Ms. Graham, We did.

Mr. Whitten, We did and a second.

Ms. Conover, Yes.

Mr. Whitten, And we had a discussion, but if you really, really like it we could have a second motion?

Mr. Poparad, No.

Mr. Whitten, Well alright then we are just going to go with the one motion and second. Could I get a roll call please?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes	Ms. Graham	-	Yes
Mr. Whitten	-	Yes			

Auditor Vicki Urbanik, 7-0

Mr. Whitten, Thank you very much have a good evening.

Treasurer Michelle Clancy, Thank you.

### **Highway Department**

#### **MVH (Motor Vehicle Highway) - 1176-0000-91**

Additional \$45,000 to 1110 Hourly. Reason: To complete Payroll (Full Time) to end of year.

Additional \$30,000 to 1130 Overtime. Reason: Additional needed to complete overtime payroll in case of weather related issues through the end of the year.

#### **Cumulative Bridge Fund - 1135-0000-91**

Additional \$80,000 to 3950 Contractual Services. Reason: The additional is needed for the Bridge Inspection invoices.

Mr. Whitten, Highway MVH Additional \$45,000 dollars to Hourly to complete payroll (full time) to the end of the year. Plus an additional \$30,000 dollars to overtime, additional needed to complete overtime payroll in case of weather related issues through the end of the year. Then there's the Cumulative Bridge fund for \$80,000 dollars needed for the Bridge Inspection invoices. What's your pleasure?

Ms. Graham, Move

Mr. Jessen, Second.

Mr. Whitten, Motion and a second on all of these I assume?

Ms. Graham, Yes.

Mr. Jessen, Yes.

Mr. Whitten, Discussion? Roll call.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes	Ms. Graham	-	Yes
Mr. Whitten	-	Yes	Mr. Jessen	-	Yes
Ms. Conover	-	Yes			

Auditor Vicki Urbanik, 7-0

Mr. Whitten, Thank you very much.

Andy McKay, Thank you.

**Juvenile Probation**

**Juvenile Probation User Fee - 2150-2151-79**

Additional \$5,000 to 3210 Travel. Reason: Requesting additional appropriation in the Travel line item to pay for mileage reimbursement costs for the remainder of the 2016 year.

Mr. Whitten, Juvenile Probation, Additional \$5,000 dollars to travel, requesting an additional appropriation in the Travel line item to pay for mileage reimbursement costs for the remainder of the 2016 year. It's a User Fee, what's your pleasure?

Ms. Conover, Motion

Mr. Jessen, Second.

Mr. Whitten, We have a motion and a second. Roll call please.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Rivas	-	Yes	Ms. Graham	-	Yes
Mr. Whitten	-	Yes	Mr. Jessen	-	Yes
Ms. Conover	-	Yes	Mr. Poparad	-	Yes
Mr. Biggs	-	Yes			

Auditor Vicki Urbanik, 7-0

Chief Probation Officer Chris Buyer, Thank you.

**Voters Registration**

**Voter Registration General Fund – 1000-1022-22**

Additional \$25,000 to 1130 Overtime (Tabled from 8/23/16). Reason: Additional funds needed for election expenses. Workload from this Election is more than anticipated, will be using more hours than previously anticipated.

Mr. Whitten, Voter's Registration, this is something that was tabled from our last meeting. This was a request for \$25,000 to overtime and I don't see Voter's here. No way no how are we voting on this without them here, unless of course you want to proceed without them.

Ms. Graham, They should be here.

Mr. Whitten, They indicated to us at the last meeting...or at least Sundae did that of the \$25,000 dollar request they believe \$15,000 dollars was necessary for their staff to get us through the Election. Do you want to entertain the \$15,000 of it? I think the question was for them two because they are exempt or do you want to just not...

Mr. Rivas, Unless of course Sylvia you don't want anybody working there?

Ms. Graham, I think that we need to go ahead and vote on...

Ms. Conover, Yeah, to meet in October over this would be too late.

Mr. Poparad, I'll make the motion for \$15,000 for overtime.

Ms. Graham, Right.

Mr. Whitten, We have a motion and a second on the floor, let me say this and then we are going to leave this subject very quickly, as quickly as we got to it. We have spent a lot of time over the last month, myself, our Attorney, the County Attorney and HR discussing this ad nauseam and here is the deal. The Fair Labor Standards Act says that an Exempt employee is not entitles in and of itself of paid overtime, nor are they entitle to comp time quite frankly. Absence some policy to the contrary, they are not getting paid overtime, the end. Alright, it also says interestingly enough that we can address comp time locally and we have a policy in place that says non-exempt salary people are entitled to comp time for over 35 hours up to 40 hours straight time accrual and over 40 hours time and a half comp time accrual. That is the policy that needs to be followed. So if our Auditor or anybody sees a payroll request that is outside that policy it is not to be paid. That's the end of the story.

Mr. Biggs, And just for the record there is not a single case where we are paying an exempt employee where we are compensating them in overtime pay. Not a single case.

Mr. Whitten, Well there is one single case...beyond these you mean?

Mr. Biggs, Yeah.

Mr. Whitten, So that's it. The discussion is over, that's the policy. That's the policy in place, that's the Federal law and we need to follow it, the end. Let's get a roll call.

Mr. Jessen, So this is...for clarification this motion is very specifically for the staff.

Mr. Whitten, For the staff...are we clear on that?

Mr. Biggs, And for \$15,000 not the \$45,000 requested.

Mr. Whitten, Not the \$25,000.

Mr. Biggs, Or the \$25,000 requested.

Mr. Whitten, They said they needed \$15,000 for their staff.

Mr. Biggs, Staff only.

Mr. Whitten, Staff only.

Auditor Vicki Urbanik, Not the exempt employees.

Mr. Whitten, Not the exempt employees. Them or anybody else for that matter. So if you see a request come by to pay overtime for an exempt employee don't pay it.

Auditor, Ok, very good.

Mr. Jessen, I'd like to know Vicki and if you know this answer if perhaps we...I know we have said that there is no others that are currently...

Mr. Whitten, Let me just stop you right there, I have already requested of HR to give us a printout or to give me a printout of all of our exempt employees...how they are occurring overtime, how they are occurring comp time and I will disseminate that to the body as soon as I get it. Because we need that for other reasons, not just this issue, but if we are working through budgets or we are talking throughout the year for additional requests for hourly to fill in blanks because they are needing more people. If those more people are going to fill-in because someone's on comp time that they are not entitled to we need to know that.

Mr. Jessen, No, I agree and I had also asked for that information at the last meeting.

Mr. Whitten, Right, well...

Mr. Jessen, But I am asking Vicki specifically if at this point if she knows of anyone else that has received overtime that shouldn't under those parameters that Dan mentioned. Is there anyone else that has received overtime and or comp time through that?

Auditor Vicki Urbanik, I believe that there are individuals that have accrued comp time, whether they have taken it and drawn it down I would have to research it a little bit more. But I am not aware of the overtime.

Mr. Jessen, And that should be part of this research into this as well.

Mr. Whitten, Oh yeah, absolutely.

Auditor Vicki Urbanik, I am not aware of anyone who is classified as exempt getting actual overtime payment.

Mr. Biggs, For clarification sake, even if this Board were to approve the overtime request as it was initially submitted, where those two positions were allowed to receive it, the Commissioners because of policy could refuse to pay it. And probably should refuse to pay it. So really our hands are tied here we shouldn't and we can't.

Mr. Whitten, So that's that. Roll call.

Auditor Vicki Urbanik, This is for \$15,000 additional.

Motion carried on the following roll call vote:

Mr. Whitten	-	Yes	Mr. Jessen	-	Yes
Ms. Conover	-	Yes	Mr. Poparad	-	Yes
Mr. Biggs	-	Yes	Mr. Rivas	-	Yes
Ms. Graham	-	Yes			

Auditor Vicki Urbanik, 7-0

### **EMA**

#### **EMA General Fund - 1000-1047-47**

Transfer \$13,356.63 from 3660 Siren Maintenance to 2350 Building Maintenance. Reason: Addition of keyless access system (with Videotec) and change of door locks - Pending

Mr. Whitten, EMA transfer \$13,356.63 from Siren Maintenance to Building Maintenance for the addition of keyless access system with Videotec and change of door locks, pending.

Mr. Poparad, I'll make the motion.

Ms. Graham, Second.

Mr. Whitten, Motion and second on the floor, discussion? All those in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

Director Russell Shirley, Thank you.

Mr. Whitten, Have a good evening.

### **Sheriff**

#### **Sheriff General Fund - 1000-1005-05**

Additional \$2,916.25 to 1130 Overtime. Reason: Special Service Overtime reimbursement.

Additional \$441,500 to 1230 Perf/Sheriff Pension. Reason: To cover Pension for the second half.

#### **Sheriff Fire Arms - 1156-0000-05**

Transfer \$7,500 from 3130 Training and Education to 2250 Other Supplies. Reason: To purchase new firearms.

#### **Sex & Violent Offender - 1192-0000-05**

Transfer \$500 from 1130 Overtime to 1120 Hourly. Reason: To pay part-time employee for Offender checks.

Mr. Whitten, Sheriff, General Fund additional \$2,916.25 to Overtime for Special Service Overtime reimbursement. Additional \$441,500 to PERF/Sheriff Pension to cover pension for the second half. Fire Arms Sheriff transfer \$7,500 dollars from Training and Ed to Other Supplies to purchase new firearms. Lastly but not least, Sex and Violent Offender transfer \$500 dollars from Overtime to Hourly to pay part-time employee for Offender checks. What's your pleasure?

Mr. Biggs, Motion to approve all three.

Mr. Rivas, Second.

Mr. Whitten, We have a motion and a second on the floor, roll call.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Conover	-	Yes	Mr. Poparad	-	Yes
Mr. Biggs	-	Yes	Mr. Rivas	-	Yes
Ms. Graham	-	Yes	Mr. Whitten	-	Yes
Mr. Jessen	-	Yes			

Auditor Vicki Urbanik, 7-0

**Sheriff – Jail**

**Jail General Fund – 1000-1032-32**

Transfer \$30,000 from 1110 Salaries to 1130 Overtime. Reason: To cover Jail Security Project switchover.

**Adult Community Corrections Grant Fund 9162-0000-32**

Additional: \$15,000 to 1120 Hourly; \$1,148 to 1210 FICA; \$120 to 2110 Office Supplies; \$500 to 2230 Food and Groceries; \$12,880 to 2250 Other Supplies; \$1,250 to 3130 Training and Educational; \$1,000 to 3930 Dues and Subscriptions; \$125,852 to 3950 Contractual Services. Reason: New Community Corrections Grant

**Form 144** Hourly 1 (Part-time Case Worker) up to \$28.00 per hour (\$15,000)

Mr. Whitten, Jail General Fund transfer \$30,000 dollars from Salaries to Overtime to cover Jail Security Project switchover. Also Adult Community Corrections Grant fund several additional the reason is a new Community Corrections Grant along with the 144 Hourly one part-time case worker up to \$28.00 dollars per hour \$15,000 dollars total all under the Adult Community Corrections Grant fund. What's your pleasure?

Ms. Conover, Move.

Ms. Graham, Second.

Mr. Whitten, We have a motion and a second on these, discussion?

Mr. Jessen, Could I have a bit of a clarification on the Jail Security Project switchover?

Sheriff Dave Reynolds, Well we declared a state of emergency last year. The Commissioners granted a 1.3 million dollar project and we are now in that phase. We had three days, I don't know if I want to tell everybody what was going on, but we have an issue with our locks for three days. We still have locks, we just have to use keys. So we have employed a lot of our Jailers to work over to monitor the halls and the pods. So they are constantly being monitored because we are in a little bit of a dilemma in a sense of that. But so far, we think it might be done by Thursday, so everything is really working out fine. And I offer to everyone to everyone when we are done to see to come and see what's been done. It's really going well.

Mr. Whitten, Ok excellent.

Mr. Jessen, Thank you.

Mr. Whitten, Any other questions, roll call.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Biggs	-	Yes	Mr. Rivas	-	Yes
Ms. Graham	-	Yes	Mr. Whitten	-	Yes
Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes			

Auditor Vicki Urbanik, 7-0

**Community Corrections - 1122-0000-32**

Transfer \$59,156.24 from 3950 Contractual Services to 6100 Interfund Transfer of Funds. Reason: To be transferred to new Community Corrections Grant 9162.

Mr. Whitten, Community Corrections transfer \$59,156.24 from Contractual to 6100 to be transferred to new Community Corrections Grant. What's your pleasure?

Mr. Poparad, I'll make the motion to get us to discussion.

Mr. Whitten, I'll second it. Discussion?

Mr. Poparad, Are they closing out Community Corrections? Is that why we are transferring this, or...

Edie Hahn, No when the Grant started I was told it could go into just the Community Grants. But because there is always money in there, it's too hard it's not clean. So I am putting all the money in...it will be transferred out of that and put into another fund.

Mr. Poparad, Ok.

Edie Hahn, So it'll be decreased by those amounts. It just keeps it cleaner and the DOC is happier that it's easier for them to track.

Mr. Whitten, Any other questions? All in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

Sheriff Dave Reynolds, Thank you.

Mr. Whitten, Have a good evening.

### **Extension Service**

#### **Extension Office - General Fund 1000-1023-23**

Transfer \$275 from 1120 Hourly to 3610 Maintenance Agreements. Reason: We had an increase in Copy Machine Rental.

Transfer \$500 from 1120 Hourly to 3930 Dues and Subscriptions. Reason: We had an increase in Dues

Transfer \$125 from 1120 Hourly to 3630 Equipment other than Vehicles. Reason: Clean Typewriter.

Mr. Whitten, Extension Service, General Fund Extension Office transfer \$275 dollars from Hourly to Maintenance Agreements for Copy Machine...the old pesky copy machine. \$500 from Hourly to Dues and Subscriptions for increase in dues. \$125 from Hourly to Equipment other than Vehicles to clean typewriter and actually typewriter is spelled wrong.

Mr. Poparad, Yeah...

Mr. Whitten, Ok, maybe fix typewriter.

Mr. Jessen, That's a new piece of equipment.

Mr. Poparad, I'll make the motion so we can move on.

Mr. Biggs, I am trying to figure out why are they still using a typewriter.

Ms. Graham, Second.

Mr. Whitten, We have a motion and a second on these transfers, any further discussion? All in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

**EXPO**

**Expo - 4005-0000-66**

Transfer \$11,500 from 3510 Power to 1120 Hourly. Reason: Our hourly payroll will be more than budgeted.

Transfer \$1,000 from 3510 Power to 1210 FICA. Reason: With the increase in hourly budget we also need to increase FICA and Medicare.

Mr. Whitten, Expo transfer \$11,500 dollars from Power to Hourly. Our hourly payroll will be more than budgeted. Oh that will bring up some conversation. Transfer \$1,000 dollars from Power to FICA for the same reason. What's your pleasure?

Mr. Biggs, Motion to approve.

Mr. Whitten, We have a motion.

Ms. Conover, Second.

Mr. Whitten, And a second, discussion? How are we over what was budgeted?

Director Lori Daly, We...every year it seems that we go over what we budgeted, based on the events we bring in. So of requesting an additional...I did the same thing last year I just do a transfer whether it's from power or water.

Mr. Whitten, I was just curious if something unexpected happened.

Director Lori Daly, No.

Mr. Whitten, No, totally expected as it turns out.

Director Lori Daly, All good.

Mr. Whitten, Ok are there any other questions or discussion? All in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

Director Lori Daly, Thank you.

**ITS**

**ITS General Fund – 1000-1050-50**

Additional \$13,100 to 3610 Maintenance Agreements. Reason: Line item depleted we have added more licensing for virtual devices.

**Form 144** Reorganizing Department  
Assistant Director/Network Engineer \$65,000 to \$0  
Server Administrator (2@\$54,000) to \$0  
Systems Support (2@\$50,000) to \$0  
Senior Network systems Engineer \$0 to \$60,000  
Senior Virtualization Engineer \$0 to \$55,000  
Senior Docuware Architect \$0 to \$55,000  
Senior Systems Administrator \$0 to \$55,000  
Systems Administrator \$0 to \$35,000

Mr. Whitten, ITS additional \$13,100 to Maintenance Agreements. Line item depleted we have added more licensing for virtual devices. And then there is a

reorganization form 144 with a whole host of things. Commissioner Blaney, is there something you want to throw in here?

Commissioner Laura Blaney, I am going to let Don do the talking because he has got the needs of the department nailed down.

Mr. Whitten, Alright.

Director Don Wellsand, Ok, on maintenance agreements we actually added over 150 virtual new devices last year. Each virtual device requires a license, so we are about \$9,000 short just for virtual devices.

Mr. Biggs, Can you define virtual?

Director Don Wellsand, It's a software desktop.

Mr. Biggs, And who uses that?

Director Don Wellsand, Almost every user in the County.

Mr. Whitten, Do you guys have a copy? I don't have a copy of his request.

Mr. Biggs, Here.

Mr. Whitten, Ok, thank you. Ok, go on...is that it?

Director Don Wellsand, Yes.

Mr. Whitten, Ok, any other questions?

Mr. Jessen, Do you want to talk about the restructure or the renaming the different positions?

Director Don Wellsand, Yes.

Mr. Whitten, I think Laura you were talking a little bit about this, right... Wanting to pull this out and do a reorganization of the department?

Commissioner Laura Blaney, Yeah, I called and talked to you about it.

Mr. Whitten, Yeah.

Commissioner Laura Blaney, I will let Don explain he is the day in day out guy.

Director Don Wellsand, Sharon, as you all know retired and I took over the department. So I wanted to restructure the positions to reflect what my engineers actually do.

Mr. Whitten, Right.

Director Don Wellsand, And when we did that we actually restructured some of the salaries also. But, we are staying with the same amount we are not adding.

Mr. Whitten, So it's not extra money to your budget?

Director Don Wellsand, Correct, we are not asking for extra money for the budget.

Mr. Jessen, Same number of people just with people in different positions?

Commissioner Laura Blaney, It's a little different, right?

Director Don Wellsand, Yeah, I have an open position now since Sharon left and since I moved up I am moving one of my guys to my position. And I am taking his salary which was \$50,000 dollars and I am going to split that into two different people. So I am going to actually hire a full time guy and a part-time person.

Mr. Biggs, Staying within your same budget amount.

Director Don Wellsand, Correct.

Mr. Biggs, Smart, motion to approve.

Ms. Conover, Second.

Mr. Whitten, Roll call?

Ms. Graham, Yes

Mr. Jessen, Yes

Mr. Poparad, Do we have time for a question?

Mr. Whitten, I don't understand, wait hold on. So are you asking a question or are you voting yes?

Mr. Poparad, Well I want to ask a question but I wasn't quick enough because you are moving to fast.

Mr. Whitten, You know what, dog gone it ask your question.

Mr. Poparad, Is anybody getting a raise with this restructure?

Director Don Wellsand, Yes.

Mr. Poparad, Are we going to allow that with Budgets or exclude them or include them?

Ms. Graham, They shouldn't get any....

Mr. Poparad, I'm just asking the question, I don't want to lose sight of it that's all I'm saying.

Director Don Wellsand, Can I clarify that? I'm actually reducing one guy \$5,000 dollars to spread the other \$5,000 dollars around.

Mr. Poparad, Ok, that's ok, but the question was asked is anybody getting a raised and the answer is yes.

Director Don Wellsand, I answered yes.

Mr. Poparad, Ok, I'll vote yes.

Mr. Whitten, It's fine, keep (inaudible)

Auditor Vicki Urbanik, Ok

Motion carried on the following roll call vote:

Ms. Graham	-	Yes	Mr. Whitten	-	Yes
Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes			

Auditor Vicki Urbanik, 7-0

Mr. Whitten, Ok that it.

Director Don Wellsand, Ok, thank you.

Mr. Rivas, That wasn't so bad.

Mr. Poparad, That wasn't so bad, Don.

**Auditor**

**LOIT Special Distribution Fund - 1128-0000-93**

Additional \$1,331,387.69 to 6100 Interfund Transfer of Funds. Reason: Appropriation needed to transfer monies between funds (LOIT Special Distribution fund to PC Highway Rainy Day Fund 1286)

Additional \$443,795.90 from 6100 Interfund Transfer of Funds. Reason: Appropriation needed to transfer monies between funds (LOIT Special Distribution fund to General Fund for Sheriff's Pension)

**Cumulative Bridge - 1135-0000-93**

Additional \$8,811.20 to 6100 Interfund Transfer of Funds. Reason: Grand funds received to Cumulative Bridge Fund. Fund for partial reimbursement of work done on area roadway. Work paid by Commissioners using CEDIT monies. Appropriation will allow the Auditor to transfer cash received, reimbursing CEDIT Fund

Mr. Whitten, Auditor \$1,331,387.69 to interfund transfer of funds. Appropriation need to transfer funds...this is our LOIT transfer. And addition to that is an additional for \$443,795.90 dollars for the same deal (LOIT). And then we had a third Cumulative Bridge additional of \$8,811.20 interfund transfer of funds for grant funds received for partial reimbursement for work done on area roadway etcetera...etcetera. What's your pleasure?

Ms. Graham, Move.

Mr. Whitten, Second, discussion?

Mr. Biggs, Vicki?

Auditor Vicki Urbanik, Yes.

Mr. Biggs, You are transferring \$443,795.90?

Auditor Vicki Urbanik, Yes.

Mr. Whitten, That's for Sheriff's pension.

Mr. Biggs, Ok for the Sheriff's pension and what roll is LOIT playing here?

Auditor Vicki Urbanik, Ok LOIT is the special distribution...

Mr. Whitten, We got that special distribution that we had to use a certain amount of it for Highway and the rest we have some discretion and that is our discretion. Go ahead Vicki.

Auditor Vicki Urbanik, Yes and it being called LOIT special distribution per the State. And keep in mind that CEDIT will no longer be known as CEDIT it is now going to be called Local Income Tax and that's Statewide.

Mr. Whitten, And how much was our total from the State on this?

Auditor Vicki Urbanik, On this special distribution?

Mr. Whitten, Yes.

Auditor Vicki Urbanik, It would be about 1.7 million.

Mr. Whitten, Ok.

Auditor Vicki Urbanik, Seventy-five percent must be used for Highway transportation related projects and twenty-five percent is totally discretionary.

Mr. Whitten, And we decided to discretion that to deal with the Sheriff's pension.

Mr. Biggs, I think that's smart...

Mr. Whitten, Of course you did because we did it.

Mr. Biggs, But I thought I heard that the State came down that was in this bill that changed the name, that a certain percentile had to go toward public safety issues?

Mr. Whitten, I don't this so.

Auditor Vicki Urbanik, Not public safety, but transportation related...also Airport is rolled into that. It could be used for the Grant for the new State Highway...

Mr. Biggs, Ok, alright.

Mr. Whitten, And by the way, because we had the matching funds...we are one of the few counties if not the only that was able to maximize this return. This special distribution happened because of our smart budgeting we were able to show the matching funds and that maximized this. I think we are paving 25.3 miles of roads this year.

Mr. Biggs, Over 4 million dollars worth of paving this year.

Mr. Whitten, Because of this.

Mr. Poparad, Major moves, we kept the major moves.

Mr. Whitten, Yep.

Mr. Biggs, Which, by the way is twice as much as most Counties are able to do at any given year.

Mr. Whitten, So not only are we the most solvent County in the State we are even better that the most solvent County of the State.

Mr. Biggs, Yes we are this year, right?

Mr. Whitten, Yes, roll call please.

Mr. Poparad, Are we doing all three additional?

Mr. Whitten, Yes.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes	Ms. Conover	-	Yes
Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes	Ms. Graham	-	Yes
Mr. Whitten	-	Yes			

Auditor Vicki Urbanik, 7-0

Mr. Whitten, Thank you Vicki.

Auditor Vicki Urbanik, Thank you, this was largely an accounting procedural issue but we have been in contact with the State...

Mr. Whitten, You had us at hello.

Auditor Vicki Urbanik, And this is the proper way of doing things.

Mr. Whitten, Very good, thank you Vicki once again you have exceeded our expectations.

Auditor Vicki Urbanik, By not talking so much.

## **Veterans**

### **General Fund – Veterans Affairs - 1000-1027-27**

Transfer \$750 from 3950 Contractual Services to 4410 Office Equipment over \$100. Reason: The transfer from 3130 to 3950 initially approved on August 23<sup>rd</sup>, 2016 needs to be transferred instead to 4410 to allow proper coding of expenditure.

Mr. Whitten, Veterans transfer \$750 dollars from Contractual to Office Equipment of \$100 dollars.

Mr. Poparad, I'll make the motion.

Mr. Whitten, Motion.

Ms. Graham, Second.

Mr. Whitten, Second, all in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

## **Council**

### **Council General Fund - 1000-0000-25**

Transfer \$170 from 1120 Hourly to 3991 Other Services. Reason: Account Transfer fee from Morgan Stanley (\$95) to Charles Schwab and Fifth Third (\$75) to Charles Schwab

Transfer \$1,000 from 3340 Advertising to 3110 Legal \$3,000 from 3320 Legal Notices to 3110 Legal. Reason: The line item has been depleted.

Mr. Whitten, Council transfer \$170 dollars from Hourly to Other Services for Fifth Third and Morgan Stanley to Charles Schwab. That has to do with our transferring of money. And then there's the transfer from Advertising to Legal and \$3,000 from Legal Notices to Legal. Reason the line item has been depleted.

Ms. Conover, Move.

Mr. Whitten, We have a motion.

Mr. Biggs, Second.

Mr. Whitten, And a second, discussion? All in favor signify by saying aye? Opposed? The aye's have it.

Motion passed on a unanimous voice vote.

Mr. Whitten, Second reading please.

**Second Reading**

Auditor Vicki Urbanik,

Whereas it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget. Therefore be it ordained resolved by the Porter County Council of Porter County Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified subject to the laws governing the same.

<b>General Fund</b>
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Sheriff General	1000-1005-1130-05	Overtime	\$ 2,916.25
Sheriff General	1000-1005-1230-05	PERF/Sheriff Pension	\$ 443,500.00
Information Technology	1000-1050-3610-50	Maintenance Agreements	\$ 13,100.00
Voters Registration	1000-1022-1130-22	Overtime	<u>\$ 15,000.00</u>
			\$ 472,516.25

<b>Cumulative Bridge Fund</b>
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Cumulative Bridge	1135-0000-3950-91	Contractual Services	\$ 80,000.00
Cumulative Bridge	1135-0000-6100-9300	Interfund Transfer of Funds	<u>\$ 8,811.20</u>
			\$ 88,811.20

<b>Motor Vehicle Highway Fund</b>
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MVH	1176-0000-1111-91	Hourly – Full Time	\$ 45,000.00
MVH	1176-0000-1130-91	Overtime	<u>\$ 30,000.00</u>
			\$ 75,000.00

<b>Tax Sale Fees</b>
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Tax Sale Fees	1203-0000-3950-03	Contractual Services	\$ 10,875.00
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<b>LOIT Special Distribution Fund</b>
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LOIT Special Dist Fund	1228-0000-6100-9300	Interfund Transfer of Funds	\$ 1,331,387.69
LOIT Special Dist Fund	1228-0000-6100-9300	Interfund Transfer of Funds	<u>\$ 443,795.00</u>
			\$ 1,775,183.59

<b>Supplemental Juvenile Probation Fund</b>
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Supp Juvenile Probation	2150-2151-3210-79	Travel	\$ 5,000.00
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<b>Drain Reconstruction</b>
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Drain Reconstruction	2600-0000-3950-26	Contractual Services	\$ 219,977.27
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<b>Drain Maintenance</b>
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Drain Maintenance	2700-0000-3950-26	Contractual Services	\$ 1,921,668.11
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<b>Memorial Opera House</b>
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MOH Operating	4915-0000-4440-44	Furniture/Fixtures over 100	\$ 200.00
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<b>Memorial Opera House – Anderson Foundation Grant</b>
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MOH Anderson Grant	9300-0000-4540-44	Other Equipment	\$ 12,300.00
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Adult Community Corrections Grant Fund
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Adult Co Correction Grant	9162-0000-1120-32	Hourly	\$	15,000.00
Adult Co Correction Grant	9162-0000-1210-32	FICA	\$	1,148.00
Adult Co Correction Grant	9162-0000-2110-32	Office Supplies	\$	120.00
Adult Co Correction Grant	9162-0000-2230-32	Food and Groceries	\$	500.00
Adult Co Correction Grant	9162-0000-2250-32	Other Supplies	\$	12,880.00
Adult Co Correction Grant	9162-0000-3130-32	Training and Education	\$	1,250.00
Adult Co Correction Grant	9162-0000-3930-32	Dues and Subscriptions	\$	1,000.00
Adult Co Correction Grant	9162-0000-3950-32	Contractual Services	\$	125,852.00
			\$	157,750.00

And that concludes second reading.

Mr. Whitten, Thank you and what's your pleasure for second reading?

Mr. Poparad, I'll make the motion.

Ms. Graham, Second.

Mr. Whitten, Motion and a second, roll call.

Mr. Poparad moved to approve second reading. Ms. Graham seconded the motion.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Poparad	-	Yes	Mr. Biggs	-	Yes
Mr. Rivas	-	Yes	Ms. Graham	-	Yes
Mr. Whitten	-	Yes	Mr. Jessen	-	Yes
Ms. Conover	-	Yes			

Mr. Whitten, Did you get an answer from everybody?

Auditor Vicki Urbanik, Yes, 7-0 sorry.

Mr. Whitten, Perfect, another unanimous vote. That's bipartisan at its best.

**Attorney's Report**

Mr. Whitten, Attorney's report?

Attorney Harold Harper, I have nothing to report, other than I would just reiterate exactly what President Whitten said in regards to the exempt issue, I think under the Fair Labor Standards Act and County Policy it's just not provided for and another thing I would like to point out and I know that President Whitten has talked to me about this as well. We don't want to open ourselves up to a challenge to the exempt classification as to the other employees by paying an exempt employee. I just think it's the smart and appropriate move.

Mr. Whitten, Alright, perfect this meeting is adjourned. Now we are going into our Budget session.

There being no further business, the regular Council meeting was adjourned.

**PORTER COUNTY COUNCIL  
PORTER COUNTY, INDIANA**

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Jim Biggs

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Karen Conover

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Sylvia Graham

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Mike Jessen

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Bob Poparad

---

Jeremy Rivas

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Dan Whitten

Attest: \_\_\_\_\_  
Auditor Vicki Urbanik