

PORTER COUNTY COUNCIL
Regular Meeting
July 26, 2016

The Porter County Council met on Tuesday, July 28, 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, and Council Member Jeremy Rivas. Also present was Council Attorney Harold Harper, Auditor Vicki Urbanik, Chief Deputy Toni Downing and Council Administrative Assistant Joy Blakely.

Mr. Whitten, 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 July 26, 2016 at 5:30 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:

General Fund

Porter Superior Court 1	1000-1078-2430-78	Law Books	\$	11,500.00
Sheriff General	1000-1005-1130-05	Overtime	\$	<u>5,769.63</u>
			\$	17,269.63

Community Correction Fund

Community Corrections	1122-0000-1120-32	Hourly	\$	15,000.00
Community Corrections	1122-0000-1210-32	FICA	\$	1,148.00
Community Corrections	1122-0000-2110-32	Office Supplies	\$	120.00
Community Corrections	1122-0000-2230-32	Food and Groceries	\$	500.00
Community Corrections	1122-0000-2250-32	Other Supplies	\$	2,880.00
Community Corrections	1122-0000-3130-32	Training and Education	\$	1,250.00
Community Corrections	1122-0000-3930-32	Due and Subscriptions	\$	1,000.00
Community Corrections	1122-0000-3950-32	Contractual Services	\$	<u>135,852.00</u>
			\$	157,750.00

Motor Vehicle Highway Fund

MVH	1176-0000-2320-91	Garage and Motor Supplies	\$	25,000.00
MVH	1176-0000-3650-91	Vehicle Repair	\$	<u>25,000.00</u>
			\$	50,000.00

Cumulative Bridge Fund

Cumulative Bridge	1135-0000-3950-91	Contractual Services	\$	75,000.00
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SHF DEA Proceeds

Sheriff DEA Proceeds	8118-0000-3950-05	Contractual Services	\$	55,000.00
Sheriff DEA Proceeds	8118-0000-4540-05	Other Equipment	\$	<u>25,000.00</u>
			\$	80,000.00

Court Interpreter Grant Fund

Court Interpreter Grant	9108-0000-3170-78	Interpreter	\$	6,300.00
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JDAI Grant Fund			
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JDAI Grant	9125-0000-1120-80	Hourly	\$	27,002.00
JDAI Grant	9125-0000-1210-80	FICA	\$	2,832.00
JDAI Grant	9125-0000-2250-80	Other Supplies	\$	11,000.00
JDAI Grant	9125-0000-3210-80	Travel	\$	1,166.00
JDAI Grant	9125-0000-3950-80	Contractual Services	\$	<u>7,000.00</u>
			\$	59,000.00

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 July 15, 2016

Mr. Whitten, Thank you very much madam Auditor and for the minutes Councilman Jessen is now with us. Approval of the June 2016 minutes, I don't know if you guys have had a chance to look at them.

Mr. Biggs, Motion to approve.

Mr. Whitten, We have a motion is there a second?

Mr. Rivas, Second.

Mr. Whitten, Discussion? All in favor signify by saying I? Opposed? Minutes are approved.

Motion carried on a unanimous voice vote.

Commissioners

General Fund – Commissioners 1000-1030-30

Transfer \$39,000 from 1120 Hourly to 3430 Workmen's Comp. Reason: A shortage after the Workman's Compensation Audit.

Mr. Whitten, Transfer \$39,000 from hourly to workman's comp, a shortage after workman's comp audit. Councilwoman Blaney

Commissioner Blaney, Councilwoman?

Mr. Whitten, I mean Commissioner Blaney.

Mr. Poparad, I'll make the motion.

Ms. Graham, Second.

Mr. Whitten, I'm living in the past. We have a motion and a second on the floor is there any discussion?

Mr. Biggs, You had a senior moment.

Mr. Whitten, I almost demoted her.

Mr. Poparad, Laura is this because of payroll or the modifier? I had to be payroll.

Commissioner Blaney, It's not the modifier, it's because...

Mr. Poparad, Payroll?

Commissioner Blaney, It's because the third pod opening on the Jail so we added all those people.

Mr. Poparad, Ok, alright.

Mr. Whitten, Any other question? All in favor signify by saying I? Opposed? Transfer is approved.

Motion carried on a unanimous voice vote.

Commissioner Blaney, Thank you very much.

Mr. Whitten, Thank you.

Porter Superior Court 1

General Fund – General Courts 1000-1078-78

Additional \$11,500 to 2430 Law Books. Reason: Need to purchase Law Books.

Court Interpreter Grant Fund 9108-0000-78

Additional \$6,300 to 3170 Court Interpreter. Reason: Additional for Court Interpreter services per grant.

General Fund – Judge Bradford 1000-1082-82

Transfer \$400 from 3110 Legal to 3610 Maintenance Agreements. Reason: Needed for Maintenance Agreements. And Transfer \$400 from 3110 Legal to 3930 Dues and Subscriptions. Reason: Needed for Dues and Subscriptions.

Mr. Whitten, Porter Superior Courts, additional \$11,500 to 2430 Law Books. Additional \$6,300 to Court Interpreter. And \$400 transfer from Legal to Maintenance agreements. And \$400 transfer from Legal to Dues and Subscriptions. I did talk to Judge Bradford he had an unexpected death he needed to attend to. But about the Law Book request he indicated that this is to get him to the end of this year. They are necessary Law Books and he knows that this has been sort of a ongoing issue so in their Budget we will be dealing with this year for next year. He has moved some money around and encumbered to be able to deal with inside of his budget at this point forward.

Ms. Graham, Move to approve.

Mr. Poparad, Second.

Mr. Whitten, On both additional and transfers?

Ms. Graham, Yes.

Mr. Poparad, Yep.

Mr. Whitten, Any discussion? Roll call please.

Ms. Graham moved to approve the two additional and two transfers for the Porter Superior Courts. Seconded by Mr. Poparad.

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

Porter County Highway

Cumulative Bridge - 1135-0000-91

Additional \$75,000 to 3950 Contractual Services. Reason: Additional for Engineering Invoices for Bridge 62 over Kankakee River.

Motor Vehicle Highway - 1176-0000-91

Additional \$25,000 to 2320 Garage and Motor Supplies \$25,000 to 3650 Vehicle Repair. Reason: Additional needed now and through the end of year.

Mr. Whitten, Porter County Highway we've got a Cumulative Bridge additional \$75,000 to contractual additional for engineering invoices for bridge 62 over Kankakee river. Plus a motor vehicle \$25,000 to garage and motor supplies and \$25,000 to vehicle repair the additional needed now through the end of the year.

Ms. Conover, Move to approve.

Ms. Graham, Second.

Mr. Whitten, We have a couple of motions and a second. Discussion or questions? Hearing none 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

David James, Thank you.

Ms. Graham, Thank you

Emergency Management

General Fund - EMA 1000-1047-47

Transfer \$180 from 3930 Dues & Subscriptions to 3520 Water and Sewage. Reason: Since the EMA/ENV building was built we have been paying our water/sewage bills from LEPC funds. Per the LEPC Coordinator of IDHS effective immediately this is no longer an allowable expense.

Mr. Whitten, Emergency Management fund we have a transfer of \$180 from dues and subscriptions to water and sewage for all kinds of reasons.

Mr. Poparad, I'll make the motion.

Mr. Jessen, Second.

Mr. Whitten, We have a motion and a second on the floor, any discussion? All in favor signify by saying I? Opposed? Transfer is approved.

Motion carried on a unanimous voice vote.

Sheriff

General Fund – Sheriff 1000-1005-05

Additional \$5,769.63 to 1130 Overtime. Reason: Special Service overtime reimbursement.

DEA Fort Fund 8118-0000-05

Additional \$25,000 to 4540 Other Equipment and \$55,000 to 3950 Contractual Services. Reason: Body Cameras and License and storage for Body Cameras.

Mr. Whitten, We have a general fund request of \$5,769.63 to overtime for special service overtime reimbursement. Plus a DEA fort fund additional \$25,000 to other equipment and \$55,000 to contractual services for body cameras and license and storage for body cameras. What's your pleasure?

Ms. Conover, Move.

Mr. Biggs, Second.

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

Mr. Poparad, Yeah, the \$55,000 to contractual what's that?

Eddie Hahn, That's for the body cameras and part of that is housing.

Jeff Biggs, Storage.

Eddie Hahn, Storage.

Mr. Poparad, We're spending \$25,000 on the cameras? And we are spending \$55,000 on storage for the cameras?

Jeff Biggs, It's storage for the...it's called iCloud storage.

Eddie Hahn, Video.

Jeff Biggs, For video.

Eddie Hahn, For all the video that are being taken on the body camera.

Mr. Poparad, Oh you mean not physically, you're talking about the video.

Ms. Conover, Where you keep the video stored.

Eddie Hahn, On their server, yeah. Because we would have no way.

Mr. Poparad, Is that per year or...?

Eddie Hahn, That's per year. And plus it's a set-up fee also.

Mr. Whitten, This is not general fund money is it?

Mr. Poparad, No.

Eddie Hahn, Nope.

Mr. Poparad, Well, it's going to be because they will probably dole the grant out for the first year and then it will flip back to us.

Eddie Hahn, We will try not to do that.

Mr. Jessen, Do we know what part of that is the annual subscription if you will?

Eddie Hahn, I believe it's going to be \$50,000 we are going to house all the cameras...all the video.

Jeff Biggs, It's actually over a five year period for the storage. So that the first is more. (Do you have the breakdown?)

Eddie Hahn, (Inaudible)

Jeff Biggs, The first year is more for the storage because of the set-up fee. So I don't think the second, third or fourth year are as expensive as that.

Mr. Poparad, Eddie, you said that we are going to have the server?

Eddie Hahn, No we aren't. No we wouldn't be able to manage that.

Mr. Poparad, Well you said something about the server.

Eddie Hahn, Well it will be on their servers.

Mr. Poparad, Their servers, wherever that is.

Jeff Biggs, Yes.

Eddie Hahn, Yeah.

Jeff Biggs, Wherever the iCloud is.

Mr. Poparad, That's where the Russians can hack it.

Mr. Whitten, There it is, I was waiting for it. That special Poparad moment.

Mr. Rivas, Did he say Russians?

Ms. Conover, Yes he did.

Mr. Rivas, Is this all new then? Is this the first time you guys are doing this?

Jeff Biggs, Yes this is something that we are trying to get and this initial money is coming from the DEA forfeiture fund.

Mr. Rivas, You mean the money comes from that?

Jeff Biggs, Yes.

Mr. Poparad, How many cameras?

Jeff Biggs, How many cameras...it's like 45 I believe.

Mr. Poparad, So almost everybody will have one.

Jeff Biggs, All patrol officers, yeah.

Mr. Jessen, And we are saying that that will take care of the subscription for it for five years.

Eddie Hahn, Not for five years.

Jeff Biggs, This is for the first year.

Mr. Jessen, Ok, I'm confused on that, I thought that...

Eddie Hahn, Well it's a five year. Well we have been looking at two companies and the one company that we thought that we were going to go with it was a five year. But now they found another one that might possible be even better. The camera's will be even better..so this was just to get the money into there so when they do make the decision and we get the contracts through them and to the Commissioners and signed and everything beforehand.

Mr. Rivas, I think you're saying is that the \$55,000 is going to be annually but you don't think it's going to be this much. You are thinking a portion of that is the set-up fee.

Jeff Biggs, Yes.

Mr. Rivas, But there is going to be an annual contractual cost.

Eddie Hahn, And we are hoping to be able to fund it from that fund also.

Mr. Whitten, Ok, any other questions?

Mr. Biggs, The only thing that I would ask is if before you actually go into contract that's brought in front of the Board of Commissioners.

Eddie Hahn, That would have to be, yeah.

Mr. Biggs, And to also let the Council know...I just want to make sure that we're not or we don't end up with something \$75,000 a year or something like that.

Ms. Graham, Yeah.

Mr. Whitten, Yeah, and along those lines what's the time frame on getting the contract? Or are we talking about that?

Eddie Hahn, We just really...we found one company that we really liked and they were giving us a great deal and that's why this started. But then we found another one that might be even better so we're just...

Jeff Biggs, Yeah...

Mr. Whitten, Because our biggest concern obviously is how do we Budget for it.

Mr. Poparad, Going forward.

Mr. Whitten, So maybe what you can do is...as a matter fact you should do this is as you get a contract or potential contract for the Commissioners, perhaps you can get a contract to our attorney.

Ms. Graham, Right.

Mr. Whitten, So we know how to address it in the future.

Jeff Biggs, Sure.

Mr. Poparad, The \$25,000 is for the cameras themselves?

Jeff Biggs, Yes.

Mr. Poparad, So that's less than \$500 dollars a unit if you are getting 45.

Jeff Biggs, I think that's broke down isn't it?

Eddie Hahn, Yes.

Jeff Biggs, With a five year contract it's...you pay \$25,000 over a five year deal.

Mr. Poparad, So we are paying \$25,000 a year for five years?

Jeff Biggs, I believe that's what...

Mr. Poparad, I think we definitely need to see this deal before this goes forward. Because this is not, this grant money is going to die out.

Jeff Biggs, This isn't grant money this is the forfeiture fund this is seizure money.

Mr. Poparad, I understand that, but my point is I don't think any of us could sit here and say in three years this money is going to be given to us. So I think we're going to have to budget for it. Eventually the fund is going to dry up.

Mr. Biggs, Not necessarily.

Mr. Poparad, And I am not saying that it is a bad thing.

Mr. Whitten, Not necessarily.

Mr. Biggs, The only way the money is going to dry up is if we stop doing forfeitures.

Ms. Conover, Yeah.

Mr. Biggs, That's not likely to happen.

Mr. Poparad, If we win the war on drugs. So it's \$25,000 a year for five years for 45 cameras.

Jeff Biggs, I believe that's what it was.

Mr. Poparad, So now were looking at \$3,000 to \$4,000 dollars a camera.

Mr. Whitten, Right, that sounds a little more...

Eddie Hahn, No, I think the cameras are a onetime fee.

Mr. Whitten, Alright, so now...

Eddie Hahn, The cameras are a onetime fee.

Jeff Biggs, Would you rather see a breakdown first before we go...

Mr. Poparad, Yeah...

Mr. Whitten, Alright stop, let's just go ahead...

Jeff Biggs, Because initially we were going to do the Taser one which we was these numbers.

Mr. Whitten, Let's do this. Let's table this off to our next meeting. In the meantime maybe you guys could explore the contract that you want. So at least we have an idea of what we are obligating the County for. I mean you don't mind do you?

Jeff Biggs, No, this all kind of got delayed when the Sheriff went down to Sheriff Conference and saw that there was another company that could do it cheaper.

Mr. Whitten, Yeah, great I appreciate the due diligence at looking at all the options. If you could do that and just get it to us that would help...

Mr. Poparad, It would be video and audio?

Jeff Biggs, Yes.

Mr. Poparad, Ok.

Mr. Whitten, So, alright...

Mr. Biggs, I think we all understand the importance of having them.

Ms. Graham, Yes.

Mr. Biggs, I don't want to speak for anyone...I don't think it's a question of getting cold feet about paying for them.

Ms. Graham, Just as long as we see the contract.

Mr. Biggs, We just want to know what we are getting into.

Mr. Whitten, So let me get a motion to table the DEA Forfeiture Fund.

Ms. Graham, Moved to table.

Ms. Conover, Second.

Mr. Whitten, We have a motion and a second to table the DEA Forfeiture Fund request. All those in favor signify by saying I? Opposed?

Mr. Rivas, I.

Mr. Whitten, You don't want to table it?

Mr. Rivas, No, if there in front of us talking about this, there are other departments that don't give a darn about this. They put us in for millions and millions of dollars and they don't care. We're talking about body cameras and a Forfeiture Fund that has some money in it, so I don't know.

Mr. Whitten, Here's the thing I think we need to do it. I think it's necessary.

Ms. Conover, Yes, it's got to be done.

Ms. Graham, Yes, we all do.

Mr. Whitten, I think that the questions that the Council are asking about future years and the potential obligation...we just want to know. And they don't have a contract in hand yet and they need a little time to deal with that.

Mr. Biggs, It's just good planning, that's all. I don't think anybody up here is saying no.

Ms. Graham, Exactly.

Mr. Biggs, I think this is a responsible way to approach it so that we know exactly what we are getting into.

Mr. Rivas, It's good planning, but we are pushing this off but we have got other departments that will sit there and put us in for millions and millions of dollars for years and their not in front of us. They're in front of us and we're tabling.

Mr. Biggs, And Edie if you can give us a little history on this fund and what it's generated over the last three years.

Mr. Whitten, Not now.

Mr. Biggs, I think this will go a long way.

Edie Hahn, Yeah, I can do that.

Mr. Whitten, Let's move right along we still have the General Fund request for the Additional \$5,769.63 to 1130 overtime for Special Service overtime reimbursement. What's your pleasure with that?

Ms. Conover, Move.

Ms. Graham, Second.

Mr. Whitten, We have a motion and a second on the additional request any further discussion? Roll call please.

Ms. Conover motioned for the additional \$5,769.63 General Fund request for overtime for Special Service. Seconded by Ms. Graham.

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

Sheriff – Jail

Community Corrections Grant Fund 1122-0000-32

Additional \$15,000 to 1120 Hourly, \$1,148 to 1210 FICA, \$120 to 2110 Office Supplies, \$500 to 2230 Food and Groceries, \$2,880 to 2250 Other Supplies, \$1,250 to 3130 Training and Educational, \$1,000 to 3930 Dues and Subscriptions, \$135,852 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, Sheriff Jail, a bunch of additions reason New Community Corrections Grant. A form 144 hourly, one part-time case worker up to \$28 dollars per hour for a total of \$15,000. What's your request with that?

Mr. Biggs, Move.

Mr. Poparad, Just on the additional?

Mr. Whitten, The additional and the form 144.

Mr. Biggs, Yes.

Mr. Whitten, Or do you want to split them up?

Mr. Poparad, Oh no I didn't make the motion.

Mr. Whitten, Do we have a second on that?

Mr. Jessen, Second.

Mr. Whitten, We have a second, discussion? Hearing none roll call please.

Mr. Biggs made a motion on the Community Corrections Grant Fund additional and Form 144. Seconded by Mr. Jessen.

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

Inmate Processing (Booking) 4911-0000-32

Mr. Whitten, Transfer \$24,300 from 3950 Contractual to 6100 Inter-fund transfer for 2016 ICJI Grant Matching Funds inter-fund transfer. What's your request?

Ms. Graham, Moved to approve.

Mr. Whitten, We have a motion on the floor is there a second? I'll second it. Discussion? Hearing none all signify by saying I? Opposed? You are approved.

Jeff Biggs, Thank you.

Eddie Hahn, Just to let you know we are getting HITDA...how does that go?

Jeff Biggs, High Intensity Drug Trafficking Agency.

Eddie Hahn, They're going to possibly pay for some of those cameras also.

Mr. Whitten, Even better.

Ms. Conover, Wonderful.

Ms. Graham, That's great.

Mr. Biggs, They are going to pay for some of the cameras?

Eddie Hahn, Yeah, but we are still going to house them for our drug guys that work on the HITDA program.

Mr. Whitten, Great.

Eddie Hahn, But we are working on that and that kind of what stops them all together too.

Ms. Graham, Very good.

Eddie Hahn, Thank you.

Mr. Whitten, Thanks a lot guys have a good evening.

Juvenile Detention

DOC JDAI Grant – 9125-0000-80

Not heard, these additional were advertised but Director Alison Cox postponed this to next month's meeting.

Prosecutor

General Fund – Prosecutor 1000-0000-08

Transfer \$19,425 from 1110 Salaries to 1120 Hourly. Reason: We have a Deputy Prosecutor going on (10) ten month military leave beginning in August and we will need to hire a part-time professional in his absence. We will be transferring money from Full-time salary to a newly created part-time professional service line item to pay the part-time deputy prosecutor. Form 144 Hourly up to \$25 per hour.

Mr. Whitten, Prosecutor General Fund transfer \$19,425 from salaries to hourly. They've got a prosecutor going on a ten month military leave and the prosecutor's office contacted me about this and it seemed to me that this was the best approach too.

Prosecutor Brian Gensel, Just so that you know this is for this year. We've included the six months of next year when we come in front of you next year for next year's budget.

Mr. Whitten, Excellent. And then along that line there is a Form144 hourly up to \$25 dollars per hour. And speaking with the County Attorney and the Prosecutor's Office this seems to be the best approach and easiest and the simplest for you guy's. What's your pleasure?

Mr. Biggs, So moved.

Ms. Conover, Second.

Mr. Whitten, Motion and a second on the floor, is there any discussion? Hearing none let's get a roll call.

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

Mr. Whitten, Have a good evening.

Mr. Poparad, Dan, can I ask a question?

Mr. Whitten, Yes.

Mr. Poparad, Brian are you going to keep his slot open in the Budget for next year when he comes back?

Prosecutor Brian Gensel, He's coming back, so we are only going to modify next year's budget for the first six months.

Mr. Poparad, Ok, will have that at budget time.

Prosecutor Brian Gensel, It will already be in there.

Mr. Poparad, Thank you.

Mr. Whitten, Sounds good.

Expo Center

General Fund – Expo Center 4005-1008-66

Transfer \$8,000 from 3510 Power to 2350 Building Maintenance. Reason: Need to increase amount budgeted to cover everyday maintenance issues due to additional unforeseen issues.

Mr. Whitten, Back to the Expo Center. Transfer \$8,000 dollars from power to building maintenance.

Mr. Biggs, Motion to approve.

Ms. Graham, Second.

Mr. Whitten, Motion and a second on the floor, wow that was fast. Any discussion? All in favor signify by saying I? Opposed? Transfer is approved.

Lori Daly, Thank you.

Mr. Whitten, Have a good evening. Second reading please.

Mr. Rivas, I wanted to ask a question.

Mr. Whitten, She is still here Jeremy.

Mr. Rivas, Everyday maintenance, I sorry I tried Dan was moving us along.

Lori Daly, Oh, I'm sorry. I was so close...

Mr. Biggs, You should have just kept walking.

Mr. Rivas, Everyday maintenance issues due to unforeseen, what's the maintenance issues that you need the additional?

Lori Daly, Maybe, I shouldn't have used everyday we've have had a lot of goofy things going on this year. Water leaks, gates getting taken out, two lightning strikes knocking out the alarm system. So, a lot of fun things like that.

Mr. Whitten, It's not an additional it's a transfer.

Lori Daly, It's a transfer. Yeah, we had a very mild winter so I was able to move it without getting an additional.

Mr. Rivas, So, maintenance spend a lot of time out there then?

Lori Daly, No, this is mostly internal. The alarm system is Communications Company they're Siemens certified so we only have them work on the system, so it's pretty expensive.

Mr. Rivas, Oh so we have an alarm system there.

Mr. Poparad, We have one on the cow barn but not in the Court House.

(Laughter)

Lori Daly, It's a fire alarm system. We don't have an actual alarm...break in alarm.

Mr. Whitten, We don't really want to...

Mr. Rivas, We don't want to publicize that either.

Mr. Poparad, I think everybody knows Dan.

Mr. Biggs, We don't want to be saying that to loud.

Lori Daly, We have the Sheriff's department going through every hour.

Mr. Poparad, There you go.

Mr. Whitten, Any other questions Councilman Rivas?

Mr. Rivas, No, obviously there are a lot of issues going on out there.

Lori Daly, Yes, it's been a weird year.

Mr. Whitten, Tell me about it.

Lori Daly, Yeah, and for the most part we have be able to handle it on our own. The Commissioners have jumped in a couple of times when we have needed help with the big water leaks. There was a pretty big one.

Mr. Biggs, You know, and I don't mean anything against the past directors, but we have a director for the first time in a very long time that is very, very hands on. They are out there every day and they're acting instead of reacting. So it would seem logical that, that would increase.

Lori Daly, Thank you.

Mr. Rivas, Well I think it's going to be nice here shortly in the future when we are doing some sort of needs study on all of our facilities and we can begin to budget properly for that.

Mr. Whitten, That would be good. Alright thank you very much. Anything else Jeremy anything you want to say about that? Second reading please.

Second Reading

Auditor Vicki Urbanik,

Whereas it has been determined that it is now necessary to appropriate more money than 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.

General Fund				
Porter Superior Court 1	1000-1078-2430-78	Law Books	\$	11,500.00
Sheriff General	1000-1005-1130-05	Overtime	\$	<u>5,769.63</u>
			\$	17,269.63

Community Correction Fund				
Community Corrections	1122-0000-1120-32	Hourly	\$	15,000.00
Community Corrections	1122-0000-1210-32	FICA	\$	1,148.00
Community Corrections	1122-0000-2110-32	Office Supplies	\$	120.00
Community Corrections	1122-0000-2230-32	Food and Groceries	\$	500.00
Community Corrections	1122-0000-2250-32	Other Supplies	\$	2,880.00
Community Corrections	1122-0000-3130-32	Training and Education	\$	1,250.00
Community Corrections	1122-0000-3930-32	Due and Subscriptions	\$	1,000.00
Community Corrections	1122-0000-3950-32	Contractual Services	\$	135,852.00
			\$	157,750.00

Motor Vehicle Highway Fund				
MVH	1176-0000-2320-91	Garage and Motor Supplies	\$	25,000.00
MVH	1176-0000-3650-91	Vehicle Repair	\$	25,000.00
			\$	50,000.00

Cumulative Bridge Fund				
Cumulative Bridge	1135-0000-3950-91	Contractual Services	\$	75,000.00

Court Interpreter Grant Fund				
Court Interpreter Grant	9108-0000-3170-78	Interpreter	\$	6,300.00

And that concludes second reading.

Mr. Whitten, I am sorry Madame Auditor there was a lot of conversation going...

Mr. Rivas, Motion to approve.

Ms. Conover, Second.

Mr. Whitten, Motion and a second on the floor, any discussion? Hearing none give me a roll call please?

Mr. Rivas moved to approve second reading. Ms. Conover seconded the motion.

Auditor Vicki Urbanik,

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

Attorney's Report

Mr. Whitten, Harold do you have anything for us?

Attorney Harold Harper, The only thing that I wanted to raise was at the last meeting there was questions about the inmate care expenses and the contract that's up for renewal between the Jail and Correct Solutions. And I have done some research and gathered some of the documents that you have asked for and I will be providing that to everyone here on the Council here shortly. I wanted to let everybody know that I did check into that and I have the documents that were requested of me.

Mr. Whitten, Ok

Attorney Harold Harper, I think that there are some...it appears to me that one question that came up was, is Medicaid or Medicare responsible for paying expenses of those prisoners who are eligible Medicaid/Medicare recipients and they are not when they are incarcerated. Now, if they are in an inpatients facility outside of the Jail then they would be. But for outpatient services like dialysis or that kind of thing then the Jail is responsible. There is in the contract between Correct Care and the Jail does address some of those issues and there's...well it appears to me that there may be some things that we may be able to look at in the future. I have been in contact with the Sheriff as well about some of those. I wanted to let everybody know that I have looked into those and I am going to provide everybody with documentation that I have gathered so far.

Mr. Biggs, Well I'm surprised...

Mr. Whitten, Hold on a minute. Bob?

Mr. Poparad, I want to ask a question and Jim maybe you have more knowledge, if you are sentenced to two years in the state prison, now I may be off base on this, but if you are sentenced you never leave the County Jail.

Mr. Biggs, If your sentenced to?

Mr. Poparad, Two years in prison, I don't think you ever leave the County Jail.

Mr. Biggs, No I think it's a year.

Mr. Poparad, Is it a year?

Mr. Biggs, Yes.

Mr. Poparad, Ok, my second point is now that they have changed all this, you know that they are shoving the inmates back to us. I guess my question to you Harold is if the guy was sentenced to the State Prison he would get dialysis.

Attorney Harold Harper, My understanding of the Statue is if they are a ward of the DOC then the DOC would be responsible and the County is not.

Mr. Poparad, Correct. That's my point about the sentencing if you are sentenced to...ok maybe it's a year you never leave the Jail.

Mr. Whitten, Yeah, but what he is saying under those circumstances...

Mr. Poparad, But they are a ward of the DOC.

Mr. Whitten, Right.

Mr. Poparad, We're just housing them.

Mr. Whitten, Right. So DOC he is saying would be responsible for...

Mr. Poparad, Is that happening?

Attorney Harold Harper, My understanding is I would hope it is. I haven't done any sort of audit on that but the law does state that if they are a ward of the DOC then I would assume that regardless of whether they are at the local Jail or at the DOC facility that would...

Mr. Whitten, Vicki can you find that out for us if it's a Federal prisoner housed in our Jail...

Mr. Poparad, I didn't say anything about the Feds.

Ms. Conover, Yeah, that's different.

Mr. Whitten, Let's find out how those if there is different circumstances for being treated.

Auditor Vicki Urbanik, Ok.

Mr. Biggs, Yeah, because if we are picking up the medical expenses for Federal Prisoners that per diem rate that we're currently getting is not nearly as lucrative as we think.

Mr. Whitten, Well, surely it's not to include medical costs. Surely not.

Attorney Harold Harper, And the other thing is I would...

Mr. Whitten, I don't think because it's not in the contract. Go ahead Harold.

Attorney Harold Harper, You've got this distinction between the Indiana Department of Corrections inmates...

Mr. Whitten, Right.

Attorney Harold Harper, and Federal Prisoners. So in terms of the DOC...

Mr. Whitten, Yes, my request would be for both of those types of prisoners. Anything else Harold?

Attorney Harold Harper, No.

Mr. Biggs, That really good information, I mean that's incredible that if I am a Medicare recipient and I get arrested and I go to the Jail, and I need medications for a extended stay there, I am off their books.

Attorney Harold Harper, Medicaid and Medicare have exceptions to if your housed in a facility like the County Jail. Now there is an exception if you are inpatient in a facility outside of the Jail. Or there is potentially...there's issues about when you are released and that kind of thing, but both Medicaid and Medicare both have explicit exceptions to if your being housed.

Mr. Biggs, I guess my next question would be is there somebody internally on the Sheriff's department that's monitoring this.

Mr. Poparad, Watching this.

Ms. Graham, I think Edie is.

Attorney Harold Harper, It sounded to me in talking with the Sheriff and I believe it was Edie who provided a lot of the documentation to me. She very quickly got everything to me shortly after the last Council meeting and seemed to be pretty on top of it there. There were some questions that we still need to talk about, but they seem to be pretty on top of those issues.

Mr. Whitten, Ok, thank you Harold.

Ms. Graham, Just wanted to make one comment. I was at this meeting the other day and it was presented that the State is...they're moving legislation on Mental Health to make it a local issue and it's has seed money about \$60 million dollars to start it out.

Mr. Whitten, We'll take it.

Ms. Graham, Yeah, then it ours then.

Any other matter that may properly come before the Council.

Mr. Whitten, Alright. So the other thing that seems to be bounced around recently and it came up at our last meeting is the Hospital Ambulance contract and I just want to say a few words about that and get everyone kind of thinking about this. Here are some things that we know: We know that at the time the time the Ordinance was done at the sale of the Hospital that the cost of the Ambulance Contract would de facto come out the hospital principal and that's the way it's been done. We know that the Commissioners in 2014 apparently voted to extend the contract with Porter. And I am not quite clear on their vote but the net result was in 2016 the Commissioners and the Hospital Porter signed the extension that takes it through the end of 2020. In that contract, having looked at it now there is a 180 day cancelation clause if we decide to go in other directions. The Hospital Principal for the most part is no longer in existence with the exception of the \$10,000,000 dollar hold back that the Commissioners did at the time we moved the money into the Foundation. So the money in the Foundation is no longer Hospital Principal, its Foundation money for investing purposes. Now, we have a couple of paths that we can go down and I want to think about this in terms of budgeting. If we continue to decide that the Hospital contract should be paid for out of Hospital Principal, that train will leave the station at some point, because as you know we have \$10,000,000 million dollars and we have allocated some of that for the Animal Shelter. We talked about other capital projects and in those discussions; we hadn't discussed the Hospital Contract being paid out of that. But that is out there and needs to be addressed at some point. So as we look forward and let's just assume for a moment that we either use what remains of the \$10,000,000 million for the capital projects that we talked about, or if we decide not to do those capital projects because they are no longer or the time/priorities aren't right. I think we should be talking to the Commissioners about...instead of leaving \$8,000,000 million dollars sit there in perpetuity that lets the Hospital contract each year take down earning us one percent or less on the money. We might want to consider as a Council request that, that money be moved into the Foundation so that it can get us five or more percent on that money. We can allocate out of the investment returns, monies for the contract or whatever ambulance service we end up with in the future. What I don't want us to do is to leave the \$8,000,000 million dollars sit there and just let the Hospital contract eat away at that for the next 8 or 9 years, and earning next to no money...it doesn't make sense to do that. From a money standpoint it makes better sense as we move forward and just to let everybody know that up to five percent earnings come back into the General Fund. I am just going to call it miscellaneous revenue because the State Board of Accounts doesn't really know what to call it. And at that point we have as a Council the oversight of that money coming in. So that would be a pot of money that we could use to allocate for the ambulance contract.

Now one thing that I discussed some time ago, I mentioned it to the Commissioners and I mentioned it to you guys, is one possibility: I've asked that the Commissioners look at this and they have indicated that they will is the possibility, as we are looking at other options for the ambulance service is to look at...for lack of a better term ambulance districts, almost like there's fire districts. So I have been talking to the representatives of the Four Seasons Fire Department for example if someone lives just south of Lakes of the Four Seasons, but in an unincorporated area they have need of an ambulance who is coming? Well maybe Porter is first and then there is a secondary if Porter can't get there. But if we had ambulance districts and it wasn't cost prohibited, you know response time might be shortened substantially if we do those things. We could talk to somebody in the municipalities about extending their districts for ambulance service. It might be cheaper, it might be the same or it might be so astronomically expensive that that's not an option we can follow. But if it's nearly the same and we are cutting response times, that seems to be an option that we need to explore. But in any case the thought of it coming out of Hospital Principal in perpetuity is not going to be available because sooner or later that is not going to be there.

Mr. Biggs, Well the cost to provide ambulance service in porter county to Porter County Government...I mean the figure of this particular new contract is \$750,000 thousand dollars.

Mr. Whitten, Yes.

Mr. Biggs, I can tell you emphatically that that price is in excess of one million dollars (\$1,000,000). That's because we're providing ambulance service for the unincorporated areas. We're subsidizing ambulance service for the Town of Ogden Dunes and we are subsidizing ambulance service for I believe South Haven. We are doing everything from buying the striping on these ambulances, that are supposedly being owned by a private company, meaning Community Health. We are even buying EMS uniforms. I don't understand that. I don't get that, somebody needs to explain that. But that's what happens when...since this whole thing was first put together in the 1980's, it for the most part has not changed. It did not change up until 2007 when Community Health took it over and it has not changed since that time. If you don't bid it out...understand your options.

Mr. Whitten, Here's the thing, we have a philosophical question to start out with. I think Bob Poparad brought this up at one of our meetings. Is ambulance service a function of County Government? Or is that truly a function of Township Government?

Mr. Poparad, It is the function of Township Government.

Mr. Whitten, So we have that dilemma.

Mr. Poparad, The Commissioners need to decide if they want to be in the ambulance service.

Mr. Rivas, Are we certain, I know Fire Protection is.

Mr. Poparad, Fire Protection and the Ambulance Service run together. It's a Township function.

Mr. Whitten, But we as County Elected officials probably want to make sure that or definitely want to make sure that our constituency in this county have access to the best quality of ambulance service that can be provided.

Ms. Conover, Yes.

Mr. Poparad, Can I jump in Dan? Your Fire/Ambulance districts, is I think it needs to head into some forum like that or it turns into a township function. The Township Trustees, they can provide ambulance service if they want to, because South Haven does. I'm just saying I don't know if it's (inaudible)...

Mr. Biggs, Well, there are some options out there and there are people that are better informed than we are. We need to set that question in front of them and let them research it and get back to us with the research.

Mr. Poparad, Well I guess the first question that needs to be answered is...Does the Commissioners, because this really is in their wheelhouse. Do they want to stay in the ambulance business? If they do then follow your path Jim and if they don't then we follow a different path, that's all I'm saying. I'm not a Commissioner.

Mr. Biggs, It is a...I somewhat and this is coming from somebody that running for that office. I don't necessarily agree that it's a Commissioners issue. I think it's the county's issue because the Commissioner may sign that executive order but it is this body that ultimately has to find the funding.

Mr. Poparad, Yeah, the executive branch is what I was referring to.

Mr. Whitten, Yes, that is true and you are right Jim. But here's the thing, we both have a roll if the County is interested in maintaining its ambulance service. We both have a roll in that service. One is the Commissioners contract and the Council funds. So we as a Council have some interest in looking for the best quality and best

bang for the taxpayers buck in providing that service. All I was saying as we look at that as a County Council is that we talk about the budgeting of this in the future. There are other things to consider and that would be: The quality of the provider and the response time.

Mr. Biggs, Right.

Ms. Conover, Yes.

Mr. Whitten, So we do need to look at other options, we do need to look at all our options.

Mr. Biggs, And I believe that the majority of the Board of Commissioners at this point and time are wanting to do that as well.

Mr. Whitten, Yes.

Mr. Biggs, The only thing I say about that we should be looking into that sooner rather than later.

Mr. Poparad, But that answers the question are we staying in the ambulance business. But here's what I am hearing from that end of the table is we are.

Mr. Whitten, Wait a minute, what I think we should do is and this is just my thoughts. We are coming into a wonderful opportunity to discuss funding.

Mr. Poparad, Ok.

Mr. Whitten, And that would be our Budget sessions. And I think that, that has to be a big part of our budgets. At least with the Commissioners as we are talking about their overhead and I think those questions need to be asked. Do we want to stay in this business or...

Mr. Biggs, I think that the Board of Commissioners and their authority need to come to us and tell us whether if that's what they want to do and it's our responsibility to tell them whether we can afford it.

Mr. Poparad, Yes.

Mr. Whitten, There you go.

Mr. Poparad, Yeah.

Mr. Whitten, There it is budget sessions.

Mr. Rivas, Dan, I just think you are right in your statement too. If these Fire Departments out there want to do it. I mean you are looking at the Fire/Ambulance districts and if they are saying we could do it and we can set-up a territory where we can provide a better service. I mean they have to be in the conversation...

Mr. Poparad, I agree.

Ms. Conover, There probably many that could expand into other territories. And provide a wonderful service.

Mr. Biggs, It could very well be where we walk away saving a quarter of a million dollars or more a year. Because I am telling you right now it's more than a million dollars doing what we're doing.

Mr. Rivas, In total?

Mr. Whitten, Oh yeah.

Mr. Biggs, Oh yeah, easily.

Mr. Poparad, The first question is...the fundamental question is does the County want to stay in the ambulance business. That has to be answered first, if that's a yes or no that dictates what path we are going down.

Mr. Whitten, Let's talk to the Commissioner's at Budget time. Anything else?

Mr. Poparad, I make a motion to adjourn.

Mr. Whitten, I'll Second, all in favor, goodnight.

There being no further business, meeting was adjourned.

**PORTER COUNTY COUNCIL
PORTER COUNTY, INDIANA**

Jim Biggs

Karen Conover

Sylvia Graham

Mike Jessen

Bob Poparad

Jeremy Rivas

Dan Whitten

Attest: _____
Auditor Vicki Urbanik