

**PORTER COUNTY COUNCIL
Regular Council Meeting
February 25, 2020**

The Porter County Council will meet on Tuesday, February 25, 2020 at 5:30 p.m., in the County Administration Center, located at 155 Indiana Avenue – Room 205, Valparaiso, Indiana.

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

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

Minutes

Approval of Council minutes for January 28th, 2020.

Mr. Rivas, We have approval of the minutes for January 28th, 2020.

Mr. Whitten, I make a motion to approve the minutes.

Ms. Graham, Second.

Mr. Rivas, We have a motion and a second, any discussions? All in signify by saying Aye? All Opposed same sign?

Motion carries on a unanimous voice vote.

First Reading

Mr. Rivas, First reading?

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 Indiana 46383 on February 25, 2020 at 5:30 p.m. to consider the following appropriation adjustments to the county budgets for the year 2020 and to transact any further business which might come before the Council:

Recorders Perpetuation Fund

Recorders Perpetuation	1189-39500-000-0004	Contractual Services	\$ 676,694.79
Recorders Perpetuation	1189-44400-000-0004	Furniture/Fixtures over \$100	\$ 42,000.00
			\$ 718,694.79

Tax Sale Fee Fund

Tax Sale Fee Fund	1203-39500-000-0003	Contractual Services	\$ 30,000.00
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Juvenile Probation Admin Fees Fund

Juvenile Prob. Admin Fees	2050-11100-000-0273	Salaries	\$ (5,348.00)
Juvenile Prob. Admin Fees	2050-12100-000-0273	FICA	\$ (409.12)
Juvenile Prob. Admin Fees	2050-12300-000-0273	PERF	\$ (598.98)
			\$ (6,356.10)

Juvenile Probation User Fees Fund

Juvenile Prob. User Fees	2150-11100-000-0273	Salaries	\$ 5,348.00
Juvenile Prob. User Fees	2150-12100-000-0273	FICA	\$ 409.12
Juvenile Prob. User Fees	2150-12300-000-0273	PERF	<u>\$ 598.98</u>
			\$ 6,356.10

Drug Task Force Fund

Drug Task Force Fund	4010-31100-000-0005	Legal	\$ 20,000.00
Drug Task Force Fund	4010-50000-000-0005	Distributions	<u>\$ 60,000.00</u>
			\$ 80,000.00

Sheriff Donation Fund

Sheriff Donation Fund	4108-45400-000-0005	Other Equipment	\$ 8,000.00
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EMA Donation Fund

EMA Donation Fund	4114-45400-000-0360	Other Equipment	\$ 5,500.00
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Inmate Processing Fund

Inmate Processing Fund	4911-11100-000-0380	Salaries	\$ 1,784.00
Inmate Processing Fund	4911-12200-000-0380	Medical/Life Insurance	<u>\$ 20,534.70</u>
			\$ 22,318.70

DEA/Forfeiture Fund

DEA/Forfeiture Fund	8118-45400-000-0005	Other Equipment	\$ 49,500.00
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97.067 Homeland Security Grant Fund

97.067 Homeland Security	8157-45400-000-0005	Other Equipment	\$ 85,621.00
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Sunset Hill Farm Fund

Sunset Hill Farm Fund	8144-22500-000-0803	Other Supplies	\$ 207.15
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PK-Brincka Grant Fund

PK-Brincka Grant Fund	8150-22500-000-0803	Other Supplies	\$ 1,243.00
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11.419 PK-Lake Michigan Coastal Fund

11.419 PK-Lake Michigan	8500-41100-000-0803	Land Purchase	\$ 150,000.00
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Prosecutor General IV-D Incentive Fund

Prosecutor IV-D Incentive	8895-45100-000-0009	Data Processing Equipment	\$ 25,000.00
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IV-D Prosecutor Incentive Fund

IV-D Prosecutor Incentive	8897-11100-000-0009	Salaries	\$ 22,000.00
IV-D Prosecutor Incentive	8897-11200-000-0009	Hourly	\$ 800.00
IV-D Prosecutor Incentive	8897-12100-000-0009	FICA	\$ 1,606.00
IV-D Prosecutor Incentive	8897-12300-000-0009	PERF	<u>\$ 2,240.00</u>
			\$ 49,646.00

2012 Coastal Management Grant Fund

2012 Coastal Mgmt. Grant	9102-22500-000-0803	Other Supplies	\$ 2,439.00
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Park Community Foundation Grant Fund

PK Community Foundation	9140-22500-000-0803	Other Supplies	\$ 100.00
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Jail Community Corrections Grant Fund
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Jail CC Grant Fund	9162-11100-000-0380	Salaries	\$ 28,216.00
Jail CC Grant Fund	9162-12100-000-0380	FICA	\$ 735.30
Jail CC Grant Fund	9162-12300-000-0380	PERF	\$ 3,359.40
			\$ 32,310.70

PK-Conservation Fund

PK-Conservation Fund	9206-39500-000-0803	Contractual Services	\$ 25,600.00
PK-Conservation Fund	9206-41100-000-0803	Land Purchase	\$ 137,000.00
			\$ 162,600.00

Recycling and Waste Reduction Fund

Recycling & Waste	9993-11200-000-0000	Hourly	\$ 14,448.00
Recycling & Waste	9993-12100-000-0000	FICA	\$ 1,105.27
			\$ 15,553.27

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. Where applicable, 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 February 14, 2020

Auditor Vicki Urbanik, And that concludes first reading.

Mr. Rivas, Thank you Vicki.

Ordinance – Attorney Harold Harper

- Town of Porter Economic Development Commission

Mr. Rivas, If you guys don't mind we are going to go out of order just a little bit. The Town of Porter has an Economic Development Commission meeting tonight and they need to have a member seated. So you guys have this in your packets and for some reason it's under attorney's report for the Town of Porter nomination to the Town of Porter Economic Development Commission.

Mr. Whitten, They are recommending Rob Pomeroy? I'll make that motion.

Mr. Poparad, Second.

Mr. Rivas, We have a motion and a second to nominate Rob Pomeroy to the Porter Economic Development Commission. Any other nominations? Alright all in favor of Rob Pomeroy to the Porter Economic Development Commission signify by saying Aye? All Opposed same sign?

Motion carries on a unanimous voice vote.

Mr. Rivas, Alright there you go, Bob do you want to let them know that they can have their meeting tonight?

Mr. Poparad, Yes thank you.

Treasurer

Tax Sale Fee Fund - 1203-000-0003

Additional \$30,000 to 39500 Contractual Services. Reason: Tax Sale for the estimated fees for redemptions made in 2020.

Mr. Rivas, Alright guys thank you. Now we will go back to the regular order of business. Treasurer we have the Tax Sale Fee fund there is an additional in front of you of \$30,000 dollars to contractual services. The reason tax sale for the estimated fees for redemptions made in 2020.

Treasurer Michelle Clancy, It's just the regular we have every year.

Mr. Whitten, I'll make the motion.

Ms. Graham, Second.

Mr. Rivas, Motion and a second for the additional \$30,000 dollars to contractual services. Are there any questions? Vicki roll call?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes

Auditor Vicki Urbanik, 7 – 0

Prosecutor

Prosecutors General Fund - 1000-000-0009

Transfer \$300 from 24300 Law Books to 39300 Dues and Subscriptions. Reason: Transfer needed because of the increase in our dues to IPAC.

Prosecutors Deferral Fund - 2501-000-0009

Transfer \$1,500 from 39500 Contractual Services to 61000 Inter-fund transfer. Reason: Transfer needed to reimburse fund 9114 for an expenditure made last year not permitted by the grant.

Mr. Rivas, The Prosecutor is next up. In front of us we have the Prosecutors General fund.

Mr. Whitten, I make a motion on the \$300 dollar transfer and the \$1,500 dollar transfer from Contractual.

Mr. Larson, Second.

Mr. Rivas, There is a motion and second on the two transfers \$300 dollars from Law Books and the \$1,500 dollars from Contractual Services. Any discussion on those two transfers? All in favor signify by saying Aye? All Opposed same sign? Motion carries.

Motion carries on a unanimous voice vote.

Prosecutor Gary Germann, It's not always this easy I've noticed.

Mr. Rivas, Don't go too far it's not going to get easier. Well do you guys want to do this?

Mr. Whitten, No I think we should do his later because this is going to take some time.

Mr. Rivas, Ok so stick around.

Prosecutor Gary Germann, Ok.

Mr. Rivas, Stay close.

Prosecutor Gary Germann, Sure.

EMA

EMA Donation Fund - 4114-000-0360

Additional \$5,500 to 45400 Other Equipment. Reason: Additional needed to cover final expenses associated with installing video wall and purchase of a new generator.

Mr. Rivas, We'll go to EMA Donation fund.

Mr. Larson, Motion.

Mr. Rivas, There is \$5,500 dollars to Other Equipment.

Mr. Whitten, I'll second that motion to approve.

Mr. Rivas, Alright there is a motion and a second for an additional for and \$5,500 dollars to finish installing video wall and a purchase of a new generator.

EMA Director Lance Bella, Yes sir.

Mr. Simms, It looks good, it looks real good.

EMA Director Lance Bella, It's getting there.

Mr. Rivas, Any other discussion on the additional?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Whitten, We are going to get that lunch in before it's over.

Mr. Rivas, Yes.

EMA Director Lance Bella, Yes let me know

Mr. Rivas, We owe you lunch we'll give you a call and get together.

EMA Director Lance Bella, Thank you I appreciate it.

Recycling and Waste Reduction – Director Keri Marrs Barron

Recycling and Waste Reduction Fund - 9993-000-0000

Additional \$14,448 to 11200 Hourly
\$1,105.27 to 12100 FICA

Reason: Additional part-time office staff member needed to assist with daily office duties 21 hours per week up to \$16.

Form 144 \$0 to \$16 Hourly (Part-time Clerical)

Reason: Additional part-time office staff member to assist needed with daily office duties 21 hours per week up to \$16.

Mr. Rivas, Recycling and Waste Reduction it's not General fund.

Recycling and Waste Reduction Director Keri Marrs-Barron, Correct it is not the General fund.

Mr. Rivas, So there is an additional in front of us \$14,448 dollars to hourly and \$1,105.27 dollars to FICA the reason is additional part-time office staff member needed to assist with daily office duties 21 hours per week up to \$16 dollars.

Mr. Larson, I'll make a motion

Ms. Graham, Second.

Mr. Rivas, Should that be \$16.50 because the form 144 is asking for that?

Mr. Larson, \$16 or \$16.50?

Mr. Rivas, Do you see what I am saying?

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes.

Mr. Rivas, You are wanting to go up to \$16.50 but you are saying up to \$16 dollars is that right? Do you see what I am saying...am I missing something should that say up to \$16.50?

Recycling and Waste Reduction Director Keri Marrs-Barron, I see that.

Mr. Larson, I think there is a request for an additional part-time office staff member?

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes.

Mr. Rivas, Alright so there is an additional in front of us first for \$14,448 dollars and the \$1,105.27 dollars.

Mr. Poparad, Are you open for discussion?

Mr. Whitten, I make a motion on both.

Mr. Larson, I had the motion on both.

Ms. Graham, I thought we had a motion?

Mr. Rivas, Motion and a second on both? On the Form 144 also?

Mr. Larson, That's why I was hoping for discussion.

Mr. Rivas, Alright there is a motion and a second, discussion?

Mr. Poparad, Is this going to be a new part-time position?

Recycling and Waste Reduction Director Keri Marrs-Barron, Correct yes.

Mr. Poparad, What changed from last year?

Recycling and Waste Reduction Director Keri Marrs-Barron, We have not added an office staff in over twelve years.

Mr. Poparad, Ok

Recycling and Waste Reduction Director Keri Marrs-Barron, And so the reason is we've moved our recycling center and our household hazardous waste have increased, we've opened a third compost site so we are just taking a lot of office calls, a lot of office requirements of the staff, many increased participation so we are pretty stretched to the limits and our staff is very limited of what we can do at this time.

Mr. Jessen, Now is that new or different from when we go through the budget process last year in terms of need?

Recycling and Waste Reduction Director Keri Marrs-Barron, I just started in October so I'm not familiar of what you went through for the budget process. This would just be a new part-time office staff member.

Mr. Jessen, I guess I'm wondering when or how did we determine that there was a need or at what point?

Recycling and Waste Reduction Director Keri Marrs-Barron, At what point? Well in December our recycling containers located at Strack & Van Til grocery store which at this time we're not been any 24/7. They were moved up to our compost site and so everyday our phone calls have increased, we've had more traffic in our office and we've had a lot of foot traffic to all sites so at this time to handle and answer the calls on a quick turnaround. We've actually had a staff member go on FMLA leave so we have actually been short as well.

Mr. Larson, Your operational budget will sustain this position?

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes.

Ms. Graham, Absolutely.

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes.

Mr. Jessen, Is the person who is off on FMLA are they set to return at any particular time?

Recycling and Waste Reduction Director Keri Marrs-Barron, It's intermittent so it is on a limited amount of time and it could go on for a little bit longer...actually a few more months longer. So we figured by the time that they...

Mr. Whitten, Yes but it's not consecutive so if it's going a few months longer...

Recycling and Waste Reduction Director Keri Marrs-Barron, It's intermittent correct.

Mr. Whitten, A couple of days here a week there.

Recycling and Waste Reduction Director Keri Marrs-Barron, Correct...a half a day.

Mr. Whitten, Twelve weeks is twelve weeks but...

Mr. Rivas, And you say it's partly because you are inundated with phone calls because you have changed a few things. Do you anticipate that is just temporary once people are familiar with...

Recycling and Waste Reduction Director Keri Marrs-Barron, Well the dilemma is we are at a temporary location so the drop-off site is not a permanent location. We actually have a memorandum of understanding with the City of Valparaiso so those sites are going to probably be moved and they could be moved as well because they are not at permanent location.

Mr. Poparad, This is not General fund money right?

Recycling and Waste Reduction Director Keri Marrs-Barron, Correct.

Ms. Graham, That is correct.

Recycling and Waste Reduction Director Keri Marrs-Barron, We do have the money in our budget to sustain it as well.

Mr. Jessen, And the Board obviously is in support of the additional part-time person?

Ms. Graham, Absolutely.

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes, hence they recommended that I come to see you.

Mr. Rivas, You voted on this already Sylvia?

Ms. Graham, The Board did.

Mr. Poparad, This isn't going to morph into a full-time position next year isn't it?

Recycling and Waste Reduction Director Keri Marrs-Barron, Not that I know of at this time no.

Mr. Whitten, What do you think Sylvia you are on that Board?

Ms. Graham, Truthfully I understand what she is saying, they have been inundated with phone calls and confusion in the community because they lost the bins at Strack and Van Til's and they are getting a lot of calls from people and she just said it all.

Recycling and Waste Reduction Director Keri Marrs-Barron, I mean our first household hazardous waste doesn't kick off start till May 2nd and we already have people calling on a regular basis asking how do I drop my aerosols where do I go? When's the tire disposal?

Mr. Whitten, General fund or not I guess I am a little bit concerned that we are in February and we are adding somebody. And I know you weren't participating in the budget session because you weren't here but its February and we are adding somebody.

Recycling and Waste Reduction Director Keri Marrs-Barron, Sure.

Ms. Graham, Well you also mentioned that you did have somebody on medical leave that has come back.

Mr. Whitten, Well that's not forever leave.

Ms. Graham, Well I kind of understand the situation and I'm in favor of it.

Mr. Whitten, Well that's all I need to hear Sylvia you've won me over.

Mr. Poparad, The person on FMLA is she going to come back full-time then or you don't know?

Recycling and Waste Reduction Director Keri Marrs-Barron, We have every hope that she will but there is a potential she might not. So it's an unknown so in essence this part-time help is obviously will alleviate the number of phone calls. We get a lot of Adopt of County Road and a lot of our programs that we're hosting and handling we're not able to very promptly make a return phone call. You know what I mean somebody might not answer the phone every time it rings because you are being called in different directions.

Mr. Jessen, So I guess for clarification purposes on the \$16 to 16.50 is it \$16 or \$16.50?

Recycling and Waste Reduction Director Keri Marrs-Barron, It should be \$16 and I apologize if that's what came out on the form 144 it should be \$16 dollars.

Mr. Jessen, Ok.

Recycling and Waste Reduction Director Keri Marrs-Barron, At this time on the form 144 we do not even have a part-time office staff person at all on the 144.

Mr. Poparad, How many people work there on your staff in the office?

Recycling and Waste Reduction Director Keri Marrs-Barron, In my office we have a total of six full-time including myself. I have a Controller; Assistant; Educator who is out in the schools; Outreach Coordinator who is out with Adult Programs and maintaining our website as well. So in essence I have two people answering the phone.

Mr. Poparad, Do you answer the phone?

Recycling and Waste Reduction Director Keri Marrs-Barron, Yes I do. When my Controller is doing payroll I answer the phone because my staff would like to get their payroll done and we want our bills paid as well. I've answered the phone many, many times.

Mr. Whitten, Could we get that vote Mr. President?

Mr. Rivas, Any further discussion? Anybody else? Alright roll call on the additional and the form 144

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Larson	-	Yes
Mr. Poparad	-	No
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	No
Ms. Graham	-	Yes
Mr. Jessen	-	Yes

Auditor Vicki Urbanik, 5 – 2

Mr. Rivas, There you go.

Recycling and Waste Reduction Director Keri Marrs-Barron, Ok thank you very much.

Mr. Jessen, Have a good evening.

Juvenile Detention – Director Alison Cox

Juvenile Detention Center General Fund - 1000-000-0381

Form 144 \$42,212 to \$0 Shift Supervisor
 \$44,142 to \$46,142 Supervisor
 \$44,451 to \$48,451 Registered Nurse
 \$0 to 37,703 (13@\$37,703 to 14@\$37,703) Detention Officer
Reason: Restructuring Department and will reduce my General Fund by \$509.

Juvenile Detention Center CODES Fund - 4916-000-0381

Form 144 \$1,929 to \$0 Shift Supervisor
 \$0 to \$1,929 Education Case Manager
Reason: Restructuring Department

Mr. Rivas, Juvenile Detention Center General fund we have a form 144 it looks like the first part \$42,212 to \$0 for Shift Supervisor; \$44,142 to \$46,142 for Supervisor a increase there; \$44,451 to \$48,451 for Registered Nurse which is another increase and then \$0 to \$37,303 for Detention Officer the reason restructuring department and will reduce my General fund by \$509 dollars.

Juvenile Detention Center Director Allison Cox, Every bit counts doesn't it guys right?

Mr. Larson, I'll make a motion

Mr. Jessen, A reduction is a reduction right?

Mr. Rivas, Well I emphasized it for you.

Mr. Simms, In the spirit of cooperation absolutely.

Mr. Rivas, So that's the first form 144 in front of you.

Mr. Whitten, I believe there was a motion, was your motion on both 144's?

Mr. Larson, On both that's correct.

Mr. Rivas, There is a motion on both...

Mr. Larson, To get us to discussion yes.

Mr. Whitten, And I will second the motion on both.

Mr. Rivas, Alright there is a motion and a second on the two form 144's, discussion?

Mr. Jessen, Allison why don't you go ahead and present the proposal as you explained it.

Ms. Graham, Just like you did to us.

Juvenile Detention Center Director Allison Cox, Sure and this is pretty much the first phase of our restructuring of the department and I am hoping to come back during budget and actually restructure a little bit more and hopefully save a little bit more money.

Mr. Rivas, So you are going to wait for the rest till budget time?

Juvenile Detention Center Director Allison Cox, No probably no increases but we are talking probably to restructure a little bit maybe save some money and I just want to start with saying that the reason why I did not do this at budget season because I think that's all on your minds because I hear that a lot from all of you in regards to this. It's really hard for me to figure out what our needs are at budget season sometimes because we have to turn in our budgets to everybody around July

then we have our hearings in September – October and then during that time there are a lot changes that are made and that also gives us the opportunity to figure out that you know I might be able to figure out something different. So at the time when I submitted my budgets I had a Shift Supervisor he was in place and he left. So I did not fill that position at that time because I didn't have anybody at that time that could jump into that position. So it's a really difficult position to go into and I take that seriously when I fill that job. But some of us on the administrative team decided I wonder if we could just look at how we use that position because maybe we don't need it, maybe we are a little top heavy...quite honestly so we did not fill it. So a couple of months went by and everything seemed to be going well and we determined that we would be better suited with having a full-time Detention Officer frankly than a Shift Supervisor and then distribute the funds to other staff members who are doing some other additional duties. In the meantime what we could do is also save a little money so what I'd like to do is to cut that Shift Supervisor and then take \$37,703 dollars and create another Detention Officer which would be more helpful at this point for more supervision of the kids and then distribute the remaining money into other positions like for my nurse. My nurse is...she works every single day and she is on call 24/7 and as you can see what her salary is. I just want to bump her up a little bit more to be closer to the nurses in the Health Department to get a little parity there. The other Supervisor is already a supervisor I just want to increase him a little bit because reducing one of the supervisors I had to give some of the duties to somebody else, so I thought by maybe doing something like Senior Supervisor would be helpful because he's not only doing things in regards to the detention center but also our day reporting on our home detention programs. So that would be really helpful as well and then with doing that with the CODES fee that Shift Supervisor's supplemental salary is coming out of the CODES fees so I was hoping to move that over by turning that into a \$0 and then give that fund to our Education Case Manager which is the position that I share with Juvenile Probation. My Education Case Manager is not just working in detention but she is also has some increased duties in regards to our Truancy Diversion Program as well as working on the a lot of the Education Program for our daily reporting which is in addition to her duties in Detention. So that's in the nutshell what I liked to do and like I said it's our first phase of being able to restructure the department I am hoping to do some more this fall but again the opportunity wasn't there at the time because I actually had somebody in that position and once he left it gave me the opportunity to do some restructuring.

Mr. Whitten, Makes sense to me.

Mr. Larson, I have two questions for you.

Juvenile Detention Center Director Allison Cox, Sure.

Mr. Larson, How many employees currently do you have in that department?

Juvenile Detention Center Director Allison Cox, I have thirty-three (33) full-time and from any of given time we'll have fifteen (15) to twenty (20) part-time. Is there a State standard or Local standard that we currently meet in those positions that you are moving around? Is that something that we will need to re-address?

Juvenile Detention Center Director Allison Cox, No.

Mr. Rivas, When did you lose that Shift Supervisor?

Juvenile Detention Center Director Allison Cox, He resigned in mid July he had a little bit of time that still had to be used and so yes about mid July.

Ms. Graham, And it's like we discussed that just because you are doing some restructuring we don't want you coming back in a year or two and say now I need this guy back.

Juvenile Detention Center Director Allison Cox, Correct and I would not be asking for that.

Ms. Graham, That's right that is what you said.

Mr. Rivas, Well the good thing with all these form 144's we are not going to meet till August again after today...September or October maybe.

(Laughter)

Mr. Larson, Can you guarantee that?

Mr. Rivas, No I can't guarantee that.

(Laughter)

Juvenile Detention Center Director Allison Cox, Does that depend on how much snow we get?

Mr. Rivas, Are there any further questions?

Mr. Larson, What do you see your department looking like? You said Thirty-Three (33) and Fifteen (15) to Twenty (20) are we expecting maybe Thirty (30) full-time?

Juvenile Detention Center Director Allison Cox, I'm not sure at this time I guess I am just looking at everything I can at each juncture I am just not sure. This gave me the opportunity with that Shift Supervisor leaving to actually look at that position more.

Mr. Larson, I'm getting the stink eye by Dan over there I better stop asking questions.

Mr. Whitten, Those are good questions Commissioner...I mean Councilman Larson.

Mr. Larson, Thanks.

Juvenile Detention Center Director Allison Cox, There will be more to come

Mr. Rivas, Whoa...any further discussion on these form 144's and the restructuring with the savings of \$509 dollars to the General fund?

Mr. Larson, We have a motion and a second.

Mr. Rivas, There is already a motion and a second.

Mr. Poparad, I'm just astonished that we are giving raises again in February.

Mr. Rivas, There's about \$6,000 dollars...no there is more than that...

Mr. Whitten, He makes a good point we would be giving raises in February.

Mr. Rivas, There is a \$2,000 dollar raise and a \$4,000 dollar raise and looks like a \$1,929 dollar raise.

Juvenile Detention Center Director Allison Cox, Yes.

Mr. Rivas, So you've got about nearly \$8,000 dollars in raises in front of you.

Mr. Poparad, Well I admire her reshuffling the deck but she took all the cards and spread them around to the other players.

Mr. Rivas, Don't forget about the \$509 dollars though.

Mr. Poparad, Well we haven't even talked about the camera's which I was going to get to in a minute.

Ms. Graham, Yes the cameras.

Mr. Larson, Yes we have that discussion coming up.

Mr. Simms, Well you have more people doing a heavier load of a job so it's not like it's not justified giving some people an increase in pay.

Mr. Poparad, I don't disagree with that but this isn't budget time.

Ms. Graham, The way it was presented to me you found where this person had left and you are wanting to restructure there.

Juvenile Detention Center Director Allison Cox, Yes.

Ms. Graham, There are all these other departments coming before us to restructure and I looked it over and I'm not happy that we are having all of these form 144s that is for darn sure. A lot of time over the years we didn't even meet for a couple of months in the first part of the year.

Mr. Whitten, Those were the good old days Sylvia.

Ms. Graham, Yes you are right.

Mr. Whitten, February was our own.

Mr. Rivas, I really do appreciate that you are going to take a holistic look at this whole thing moving into budget session.

Mr. Larson, She had some budget exceptions the budget for you is really July (inaudible) so there is a little wiggle room there.

Mr. Rivas, Alright any further discussion on the two form 144's? Can we get a roll call Madame Auditor?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Poparad	-	No
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	No
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes

Auditor Vicki Urbanik, 5 – 2

Mr. Rivas, Alright there you go.

Mr. Poparad, Do you want to talk about the cameras?

Juvenile Detention Center Director Allison Cox, I do

Mr. Poparad, Wasn't it an emergency last month?

Juvenile Detention Center Director Allison Cox, Yes I do we did go to the Commissioners per your request. We did have three bids that were turned in and they were ranging from \$120,000 dollars to about \$300,000 dollars so one of the bids was accepted at that time by the Commissioners. I know that Don with IT was going to go back to his budget and look at his line items to see how much had in there so I can't speak to that, but we are moving forward getting some things moved and fixed.

Mr. Larson, Good.

Mr. Rivas, So we will be seeing you soon.

Juvenile Detention Center Director Allison Cox, Yes you will be seeing us soon I think you will be seeing Don soon. But he had to go back how much he had in his existing line items.

Mr. Larson, Thanks for getting right on that.

Mr. Rivas, Alright thank you.

Juvenile Detention Center Director Allison Cox, Thank you I appreciate this.

Juvenile Probation – Director Chris Buyer

Juvenile Probation Administration Fees Fund - 2050-000-0273

Reduction (\$5,348) to 11100 Salaries
(\$409.12) to 12100 FICA
(\$598.98) to 12300 PERF

Reason: Reducing the amount in the Juvenile Probation Administration Fees Fund for an existing employee and adding them to User Fees Fund.

Form 144 \$5,348 to \$0 Assistant Chief Probation Officer

Reason: \$5,348 reduction in salaries to the Juvenile Probation Administration Fees Fund for an existing employee and adding them to User Fees Fund.

Juvenile Probation User Fees Fund - 2150-000-0273

Additional \$5,348 to 11100 Salaries
\$409.12 to 12100 FICA
\$598.98 to 12300 PERF

Reason: Increasing the amount in Juvenile Probation User Fees Fund for an existing employee and decreasing amount to Administration Fees Fund.

Transfer \$4,000 from 31200 Consultants to 39500 Contractual Services.

Reason: Transfer needed to cover increased expenses.

Form 144 \$0 to \$5,348 Assistant Chief Probation Officer

Reason: \$5,348 additional in salaries in Juvenile Probation User Fees Fund and removing them from the Admin Fees Fund.

Mr. Rivas, Juvenile Probation Administrative Fee funds and User Fee funds so we have a reduction and an additional here. We have a reduction of \$5,348 to Salaries...

Mr. Whitten, I make a motion on all the requests.

Mr. Larson, Second.

Mr. Whitten, On all the requests.

Juvenile Probation Director Chris Buyer, Actually before you do this let me amend the reduction. I did it for the entire amount that was appropriated and we had already spent for that employee \$1,028 dollars so far for the pay period so the actual amount of the reduction out of the Administration fund would be \$4,319 dollars, the FICA would be \$330 dollars and the PERF would be \$483 dollars.

Mr. Whitten, And then logically then those would be the same for the additional?

Juvenile Probation Director Chris Buyer, Well we could do the amount of the request and then it would make it easier for me come budget time because I am going

to keep the same amount come budget time. So if we could do that now...they won't be receiving anymore pay or anything. Would that be appropriate?

Ms. Graham, What do you think Vicki?

Auditor Vicki Urbanik, That would work.

Ms. Graham, Ok.

Mr. Rivas, Ok so motion and a second agrees with those amounts? \$4,319 for the reduction and \$330 reduction in FICA and the \$483 reduction in PERF and the additional stays the same. So do you want to go over it real fast what you are doing? So you are just moving it from one fund to the other it looks like.

Juvenile Probation Director Chris Buyer, Absolutely we have the Administrative Fees we have some partial salaries paid out of that as well as some of our User Fees we do take some partial salaries out of that. And the Administration Fees when we were doing budgets it had been depleting slowly and it was my hope that I could get another year with that employee in there but it looks like its dropping and I don't want to cut it to close so I can switch him over to User Fees I have money in there that can handle that and it can sustain that and that will bring the Administrative Fee kind of balance sort to speak.

Mr. Rivas, So there is nothing going on just switching it over?

Juvenile Probation Director Chris Buyer, Absolutely.

Mr. Whitten, No one is getting a raise.

Juvenile Probation Director Chris Buyer, No absolutely not.

Mr. Whitten, Well there is a change of pace.

Mr. Rivas, Any discussion on this? Alright can we get a roll call please?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, Alright that's everything right?

Juvenile Probation Director Chris Buyer, Yes just the transfer.

Mr. Rivas, The transfer was included in the 144's right?

Mr. Whitten, The whole shebang.

Mr. Rivas, The transfer of \$4,000 dollars from consultants to contractual services?

Mr. Whitten, The whole shooting match.

Juvenile Probation Director Chris Buyer, Thank you very much.

Mr. Rivas, Alright you are the big winner getting out of here with a 7-0 vote.

Prosecutor IV-D - Laura Stafford

General IV-D Incentive Fund - 8895-000-0009

Additional \$25,000 to 45100 Data Processing Equipment. Reason: Additional needed to pay for Docuware upgrade.

Mr. Rivas, Prosecutor IV-D Incentive fund additional \$25,000 dollars to Data Processing Equipment the additional needed to pay for Docuware upgrade. That's the first addition in front of you. Do you want me to keep moving on? There is another additional...

Mr. Whitten, I make a motion on the first one.

Mr. Jessen, Second.

Mr. Rivas, Motion and a second on the first additional for the Docuware upgrade any discussion on the \$25,000 dollars?

Mr. Jessen, Can you just explain why this is necessary at this time?

Mr. Whitten, You don't actually have the Coronavirus or anything do you Jessen because I have to tell you that I'm getting a little worried?

Mr. Larson, He was in Beijing not too long ago.

Ms. Graham, Does anybody have a mask?

Mr. Jessen, I do travel but no.

Prosecutor IV-D Director Laura Stafford, It's just a creation of a line item in this fund. we had IT upgrade so that we are completely paperless so all of our stuff is stored in Docuware and because we're using a Federal grant program we have to follow certain regulations. So they update upgraded our server and they upgraded our licensing.

Mr. Jessen, So this is something that wasn't anticipated during the budget time?

Prosecutor IV-D Director Laura Stafford, Correct.

Mr. Rivas, This all just came about in January and February?

Prosecutor IV-D Director Laura Stafford, No it came about towards the end of last year but after budget time. This fund has \$350,000 dollars in it, we just needed to create this line item.

Mr. Rivas, You might want to keep that down.

Mr. Larson, You know the last time Bob heard there was a big fund...

Prosecutor IV-D Director Laura Stafford, You already did.

Prosecutor Gary Germann, Wait a minute do not tell them that.

Ms. Graham, You just did.

Mr. Rivas, Somebody just woke Bob up down there.

Mr. Larson, Yeah, Bob's like what? Money oh yeah....

Ms. Graham, He's smiling.

Mr. Poparad, Johnny gets a new pair of pants.

(Laughter)

Mr. Whitten, I mean this is kind of straight forward.

Mr. Rivas, Alright is there any further questions or discussions on this?

Mr. Larson, No

Mr. Rivas, Alright roll call on this additional \$25,000 dollars.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Poparad, Just setting this up for the next phase.

Mr. Rivas, We have six yeses and a of course so it passes.

IV-D Prosecutor Incentive Fund - 8897-000-0009

Additional	\$20,000 to 11100 Salaries
	\$ 800 to 11200 Hourly
	\$ 1,606 to 12100 FICA
	\$ 2,240 to 12300 PERF

Reason Salary Increases

Form 144	\$5,844 to \$10,844 Deputy Prosecutor IV-D
	\$0 to \$10,000 Deputy Prosecutor IV-D
	\$0 to \$ 5,000 Deputy Prosecutor IV-D
	\$16 to \$16.50 Hourly (Part-time Clerical)

Reason: \$20,000 total increase in salaries.

Mr. Rivas, Prosecutor Incentive fund so the next one in front of you for IV-D we have an additional \$20,000 dollars to Salaries, \$800 dollars to Hourly, \$1,606 to FICA, \$2,240 to PERF the reason is salary increase and the Form 144 to reflect that \$5,844 to \$10,844 dollars for Deputy Prosecutor IV-D, \$0 to \$10,000 dollars for the Deputy Prosecutor IV-D, then we have \$0 to \$5,000 dollars for Deputy Prosecutor IV-D these are the increases that equal \$20,000 dollars. And then hourly you want to move up from \$16 to \$16.50 for Part-time clerical the reason \$20,000 dollars total increase in salaries. Do you want to tell us what is going on here a little bit and give us a quick overview or sales pitch?

Prosecutor Gary Germann, It's a little more than a sales pitch I would say. The salary increases have been long overdue first of all. Secondly they were asked for at the budget time in August, September, October but they were removed and we never had a chance then to address that. The money is coming from an Incentive fund that's Federal money that's returned to us because of the great job that the lawyer's in the Child Support office do on a regular basis and they raise anywhere from \$2.4 to \$2.6 million dollars every year that they collect in child support money. The fund that it is coming from is not General fund money because as I've said its incentive money it actually cost's the County nothing. The fund is in well standing, it has typically at the

end of the year maybe \$60,000 dollars. I think from what Laura said was always in that account and there is no reason to think that the fund will be depleted in the future. So it's part of but not necessarily a restructuring but in a sense a restructuring of this because we are addressing the salaries. I know that we've had conversations with your lawyer about it and I don't want this as I have said before to turn into an adversarial proceeding but I think it's time for us to partner together to take care of all the clients that collectively that we all represent and there are actually 180,000 of them.

Mr. Rivas, Vicki is this the fund in front of us?

Auditor Vicki Urbanik, Yes.

Mr. Rivas, Alright. What's the balance now?

Auditor Vicki Urbanik, The balance is 158,365 dollars rounded up.

Mr. Rivas, What is budgeted out of it every year?

Auditor Vicki Urbanik, Well this year it's a \$190,405 dollars.

Mr. Rivas, Ok.

Prosecutor IV-D Director Laura Stafford, But that's not really...we don't spend that necessarily, those are just line items created in Training, Office Supplies and that kind of stuff...

Mr. Whitten, What did we start the year off with Vicki?

Auditor Vicki Urbanik, Ok that would be \$145,226 dollars.

Mr. Whitten, Do we know what we did...could we go back a year?

Auditor Vicki Urbanik, Sure.

Prosecutor IV-D Director Laura Stafford, It averages about \$93,000 dollars a year in income and we are spending about the same.

Mr. Whitten, Yes this will tell us.

Prosecutor IV-D Director Laura Stafford, So we've maintained a balance over at least 8 years of \$60,000 dollars we are bringing in what we are spending.

Mr. Rivas, But this now will begin to burn into it.

Prosecutor IV-D Director Laura Stafford, No there is always an appropriation for a caseworker in this fund that we don't use and this is actually less than that.

Mr. Poparad, So do we take the caseworker out of the budget?

Prosecutor IV-D Director Laura Stafford, That's fine.

Mr. Poparad, I mean did we?

Prosecutor Gary Germann, I don't think you did.

Mr. Poparad, Is the salary still in the budget for the caseworker that's not there?

Prosecutor IV-D Director Laura Stafford, Yes...but

Mr. Whitten, Since it's a non-general budget it's just been sitting there.

Prosecutor IV-D Director Laura Stafford, Correct.

Mr. Whitten, I mean it doesn't do us any good to take it out or not to.

Ms. Graham, Ok good point.

Prosecutor Gary Germann, Right the funds to not refer to you.

Mr. Jessen, Is there a reason Gary why we didn't look at this specific fund for these raises when we talked about it at budget time.

Prosecutor Gary Germann, Well that's a question you all will have to answer because we had it in there and then when it came time for us to come back the budget numbers had already been put back in the Form 144's or back in the ordinance and all of the raises had been removed. But it was not done by us it was done by...

Mr. Whitten, Yes but let's be clear here that's...

Prosecutor Gary Germann, I don't know if I am saying that correctly.

Mr. Whitten, Now that's true Gary but let's make sure we get the big picture here. So Gary is correct he did make the request for these raises at budget time along with other increases and they were rather large and I understand that but the more pressing issue with the Prosecutor's office as you know was trying to firm up those Deferral Funds because they were dwindling. So we took a gigantic hit to the General Fund for his department to shore that up so that kind of took center stage. So to answer your question that's what we dealt with his department the money hit to the General Fund to shore up those Deferrals.

Prosecutor Gary Germann, That's correct and I don't know when you looked at it that it was clear that these three raises for these three people were coming out of the Incentive Fund as opposed to a General Fund.

Mr. Rivas, So this was the exact request during budget session?

Prosecutor Gary Germann, Yes it was.

Mr. Rivas, And they were removed, what was the exact amount? What did we put into the General Fund \$150,000?

Mr. Whitten, What was it Vicki?

Auditor Vicki Urbanik, \$120,000

Mr. Rivas, What was it?

Auditor Vicki Urbanik, Yes \$120,000 dollars.

Mr. Rivas, \$120,000 dollars so with that it probably included some salaries and stuff we were probably budgeting stuff out of that and those funds started running down so we had to shift back to the General fund.

Prosecutor Gary Germann, Yes I've got to look at those numbers because that to a certain extent was almost a wash because when you put the money or started paying monies out of the General fund which I think we should do I zeroed out a bunch of the other accounts so that we could use our Infraction Deferral money or Pre-Trial Diversion money for our trial expenses like the expert fees, subpoena fees, deposition costs those kinds of things and those costs are on the increase.

Mr. Poparad, Did these people get a raise in January with everybody else?

Ms. Graham, Yes.

Mr. Larson, They did and we pulled all the raises for every department when we went into budget session because that is something that we took out initially, it wasn't just you guys we pulled them from every department.

Prosecutor Gary Germann, Yes right.

Mr. Poparad, Right but they went back in at the end.

Mr. Larson, No they didn't.

Prosecutor IV-D Director Laura Stafford, No.

Mr. Whitten, Not these but...

Mr. Jessen, They got the percentage raise.

Mr. Poparad, Percentage raise that's what I am saying they got a percentage raise.

Mr. Larson, Everybody got the percentage raise.

Mr. Poparad, Everybody got the percentage raise in January.

Mr. Larson, Right.

Mr. Rivas, You say that you didn't have a chance to address but I mean you were in front of us during second reading when we were debating back and forth about the \$120,000 dollars.

Prosecutor Gary Germann, I think the only thing we debated was addressed at the time that I was here in person was changing out Infraction Deferral money to General Fund money that was our discussion.

Mr. Rivas, These two funds we just skipped over and we didn't get into it?

Prosecutor Gary Germann, You did not.

Prosecutor IV-D Director Laura Stafford, Correct.

Prosecutor Gary Germann, We did not talk about them.

Mr. Jessen, Gary how does this affect it at all your desire for raises for the other Prosecutors?

Prosecutor Gary Germann, IV-D is so much different than what we do and there not anything that I would use to compare because really what I am trying to do is not compare the salaries that these lawyers are receiving to other lawyers in our county but to other salaries that other IV-D offices are paying their IV-D lawyers so that's the comparison.

Mr. Jessen, Alright I appreciate that and is it your expectation that over the next couple of months we'll see additional requests for raises for the other Prosecutors in the office?

Prosecutor Gary Germann, No the next raises that you will see from us will be when I'm prepared to address that at budget time for 2021 and I assure you that I am working on that already.

Prosecutor IV-D Director Laura Stafford, I did gather some information as to what the other Deputy Prosecutors in child support in comparable counties and for example Brittany back here is the lowest paid Deputy Prosecutor in the county she is paid less than a lot of other people.

Ms. Graham, I didn't hear what she is said.

Mr. Poparad, I can't hear you what did you say?

Prosecutor IV-D Director Laura Stafford, She is paid less than a lot of other people in the county and she has been an attorney in my office for three years. The average is \$65,000 dollars for Deputies and the average for Directors is \$90,000 dollars plus. In Hamilton, Allen, Lake, Elkhart, Kosciusko County, St. Joe County and Howard County.

Mr. Rivas, Can I ask why this wasn't presented last month with the other requests?

Prosecutor Gary Germann, I'm not sure I think we kind of talked about it but then once we talked about it the deadline for the request had passed so I was ok we'll do it in February.

Mr. Larson, Do you guys see other revenue streams supporting these increases? I mean are we increasing the fees that we are collecting to the amount that we can kind of offset some of these costs?

Prosecutor IV-D Director Laura Stafford, Well it doesn't work like that...that fund doesn't work like that it's based on performance.

Mr. Larson, I'm just saying overall, you know some of the departments generate more funds and they continue to help pay their employees...

Mr. Whitten, I don't think this works that way.

Prosecutor IV-D Director Laura Stafford, Yes we don't, it's not fund generating. It's based on performance.

Prosecutor Gary Germann, Yes overall performance of the entire office.

Prosecutor IV-D Director Laura Stafford, So the more tools we have the more money we collect that goes to kids. The more money the Feds give us to keep getting more money kids.

Mr. Larson, Right that's where I was going.

Prosecutor Gary Germann, No we have to meet performance guidelines which they have met every year.

Prosecutor IV-D Director Laura Stafford, Yes.

Mr. Jessen, As we look at what was attached to the request and I know that it is hard to see but you probably remember what it is so we are really just talking about the top three (3) and is this the new suggested total or is that before the adjustment?

Prosecutor IV-D Director Laura Stafford, I think that's before.

Prosecutor Gary Germann, I think that's before too.

Prosecutor IV-D Director Laura Stafford, Yes that's before.

Mr. Rivas, Out of the \$90,000 dollars that you are spending out of there roughly...that's what you said that you said about \$90,000 dollars out? How much of that was salaries now do you know?

Prosecutor IV-D Director Laura Stafford, \$5,000 dollars of it I think. That's the thing dedicated that needs to be spent out of there.

Mr. Larson, I'm going to make a motion that we at least move forward to accept it like it's written.

Mr. Simms, Second.

Mr. Rivas, There is a motion and a second on the floor for the additional and the Form 144...

Mr. Larson, At least we can have further discussion.

Mr. Rivas, for the \$20,000 do we have any further discussion? Any other questions?

Mr. Whitten, Well this is a tough one.

Ms. Graham, Yes it is.

Mr. Whitten, It's a tough one it's February and we are bumping raises it's not General Fund and they did ask for it at budget time but this department hit the General Fund pretty good already not IV-D but the Prosecutors Office. I don't know boy this is a hard one.

Mr. Larson, Gary do you feel that this will get us through the rest of the year without any additional?

Prosecutor Gary Germann, I absolutely do. Like I said I would be ready for you guys at the budget hearings...

Mr. Larson, And I know we addressed that we didn't get back to you guys and I know that as a fact because we did look at those salaries before budget session.

Ms. Graham, This is a \$10,000 dollar raise.

Mr. Whitten, And quite frankly I have said over the years it was always a head scratcher why your predecessor didn't do this before.

Prosecutor Gary Germann, Well...

Mr. Whitten, And there it is.

Prosecutor Gary Germann, I am kind of at the water under the bridge point.

Mr. Whitten, Yes but we're not.

Prosecutor Gary Germann, Right I know.

Mr. Whitten, So we are at the playing catch-up phase.

Prosecutor Gary Germann, I know but I want you to come with me though.

Mr. Whitten, Come on a virtual tour.

(Laughter)

Prosecutor Gary Germann, Your going to have to let some of this go.

(Laughter)

Prosecutor Gary Germann, I'm going to let it go so I would just encourage you to do the same thing and let's just move forward together. Let's partner up on this and fix some of these things.

Mr. Whitten, I am all about looking forward but I do like to have an idea of how we got so far behind.

Mr. Larson, Right.

Mr. Whitten, Let's just be clear about that. I will come with you on your journey.

(Laughter)

Prosecutor Gary Germann, I understand, I'm just saying...

Mr. Whitten, But I will cause trouble along the way.

Prosecutor Gary Germann, I know and I am familiar...

Mr. Rivas, That's a fact. So any further discussion on this?

Mr. Poparad, I just wish we would have picked this up at budget, she had the same math last year.

Ms. Graham, That is true.

Mr. Poparad, She got a 3% percent in January, now we are giving one person a \$10,000 dollar raise and the other two \$5,000 dollar raises. Which I am not saying that they don't deserve it I just think the timing is bad.

Mr. Rivas, Well we do open it up for all of the other departments and started handing these things out.

Ms. Graham, The thing of it is did we talk about these specific raises?

Prosecutor IV-D Director Laura Stafford, We did not.

Prosecutor Gary Germann, No you didn't not.

Ms. Graham, Ok and the money was there it's just now that...

Prosecutor IV-D Director Laura Stafford, Correct and I submitted the exact same figures at that time.

Ms. Graham, But you didn't ask for it at the budget time?

Prosecutor IV-D Director Laura Stafford, No I did ask for it at budget time.

Prosecutor Gary Germann, No we did.

Mr. Whitten, So here is what I don't want us to do, I don't want us to go down that slippery slope where the excuse is we asked for it at budget time. The whole purpose for us giving up our Septembers and Octobers is we don't say yes to every request and just because someone asks for it doesn't make it so.

Mr. Larson, Right that's correct.

Mr. Whitten, So let's be clear about that. Yes they did ask for it at that time we didn't vote for it and we are being asked to look at it now. I don't want us to get us to get caught up in that because every office holder in this county is going to come and say my goodness gracious I asked for this at budget time, oh my your right we had better give them the money

Ms. Graham, Yes they would good point.

Mr. Jessen, And to be clear the intension is to keep these additional raises coming out of the Incentive Fund?

Prosecutor Gary Germann, Absolutely

Prosecutor IV-D Director Laura Stafford, Oh yes.

Prosecutor Gary Germann, Yes.

Mr. Poparad, And the Incentive Fund will never run dry correct?

Ms. Graham, Is that right?

Prosecutor IV-D Director Laura Stafford, For the last eight years that I have been doing this it has not even gotten any lower. We've not spent more than we bring in.

Mr. Whitten, There you have it we pretty much beat this down with a stick.

Mr. Rivas, Well alright

Prosecutor Gary Germann, Is that me?

Mr. Rivas, Don't even go there.

Prosecutor Gary Germann, I am kind of used to it.

Mr. Rivas, Alright let's get a roll call?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Rivas	-	No
Ms. Graham	-	No
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	No
Mr. Simms	-	Yes
Mr. Whitten	-	Yes

Auditor Vicki Urbanik, 4 – 3

Mr. Rivas, Motion passes so look forward to seeing you...

Prosecutor Gary Germann, Oh I can't wait.

(Laughter)

Prosecutor Gary Germann, No I am totally serious about it I can't wait I will see you in September is that what they say?

(Laughter)

Prosecutor IV-D Director Laura Stafford, Thank you.

Prosecutor Gary Germann, Thank you.

Parks and Recreation

Parks Operating Fund - 1179-000-0803

Transfer \$34.36 from 22500 Other Supplies to 61000 Transfer of Funds. Reason: Transfer needed to bring Fund 8147 to \$0 balance.

Sunset Hill Farm Fund - 8144-000-0803

Additional \$207.15 to 22500 Other Supplies. Reason: Remaining balance from old grant fund. Will use to acquire program activities for Sunset Hill Farm.

Pk-Brincka Grant Fund - 8150-000-0803

Additional \$1,243 to 22500 Other Supplies. Reason: Supplies for pathways, shelters and signage.

11.419 Pk-Lake Michigan Coastal - 8500-000-0803

Additional \$150,000 to 41100 Land Purchase. Reason: Acquisition of Smith parcel

2012 Coastal Management Grant- 9102-000-0803

Additional \$2,439 to 22500 Other Supplies. Reason: Plant materials and supplies for pond and prairie maintenance.

Park Community Foundation Grant - 9140-000-0803

Additional \$100 to 22500 Other Supplies. Reason: Park Supplies

Pk-Conservation Fund - 9206-000-0803

Additional \$ 25,600 to 39500 Contractual Services
\$137,000 to 41100 Land Purchase

Reason: Restoration work on and acquisition of Smith parcel.

Mr. Rivas, Parks and Recreation alright there is a lot here in Parks Operating Fund there is a transfer of \$34.36 looks like you are trying to close that out. The Sunset Hill Farm Fund you have an additional of \$207.15...

Mr. Whitten, I make a motion on all these requests.

Ms. Graham, Second.

Mr. Rivas, There is a motion and a second on the transfer and all the additionals.

Mr. Larson, Can we pull those funds up?

Mr. Rivas, Walter is there anything you want to dive into on this stuff?

Parks Superintendent Walter Lenckos, I do not have a Form 144 with me so let's make it easy.

Mr. Whitten, That's good news.

Mr. Larson, Thank you.

Ms. Graham, Good that's excellent.

Mr. Rivas, I am probably going to vote for this.

Mr. Jessen, Tell us about the land acquisition.

Parks Superintendent Walter Lenckos, Sure the parcel that we are buying is 36 acres adjacent to the existing Brincka Cross Gardens. It is also adjacent to the National Lakeshore property so this is the continuation of acquiring the parcels around that. If you remember we acquired a few year ago the parcel to the last brother. There were two brothers that owned approximately 80 acres between them and we acquired the first Mr. Smiths with Coastal money and NIPSCO money I believe it was at the time and then this Coastal the conservation fund so we will own that whole area now. The exciting thing about this not that many people besides me get excited about it but there is a state rare tree (a fire cherry) that's on it so it's really cool. The DNR is very excited and this also comes with restoration money so we will be able to start doing natural area restoration removing the exotics and invasive up there so this is a really good project up there for us.

Ms. Graham, Sounds good.

Mr. Rivas, Alright let's get a roll call since there are some additional in there for all of it.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Larson, I was kind of waiting to see what was in those funds.

Auditor Vicki Urbanik, It's up there on your screen.

Mr. Rivas, Sorry Jeff what are you wanting to look at here?

Mr. Larson, Nothing I was just have them pull those funds up to make sure that we had the current fund and they were accurate today.

Auditor Vicki Urbanik, You want the fund balances right?

Mr. Larson, Yes.

Parks Superintendent Walter Lenckos, Yes the intent was all four of those, some of those are dollars that we failed to get a carryover appropriation for grants last year. Two of them are from older grants for whatever reason we just never got around to allocating \$100 dollars and Auditor Urbanik has been pretty insistent that we need to clean our stuff up.

Mr. Larson, Good.

Mr. Whitten, The kind of thing that you want from your Auditor

Parks Superintendent Walter Lenckos, Yes absolutely.

Mr. Larson, Alright.

Parks Superintendent Walter Lenckos, If there is anything else just let me know.

Mr. Larson, Alright thanks Walther I appreciate it.

Parks Superintendent Walter Lenckos, Thank you.

Porter County Sheriff & Jail

Sheriff

Drug Task Force Fund - 4010-000-0005

Additional \$20,000 to 31100 Legal
\$60,000 to 50000 Disbursement

Reason: Professional services provided by the Prosecutor's Office Attorney for services rendered on seized money. And to process payment to other agencies working with the Drug Task Force where seized money payments to other agencies working with the PC Drug Task Force and Porter County Highway Interdiction Team (HIT).

97.067 DHS Grant Fund (Department of Homeland Security) - 8157-000-0005

Additional \$85,621 to 45400 Other Equipment. Reason: Department of Homeland Security Grant Program covers the total cost of 2 Bomb suits with Equipment.

Sheriff Donation Fund - 4108-000-0005

Additional \$8,000 to 45400 Other Equipment. Reason: Porter County Substance Abuse Council Grant to purchase equipment for Crash Reconstruction.

DEA/Forfeiture Fund - 8118-000-0005

Additional \$49,500 to 45400 Other Equipment. Reason: To purchase equipment for Crash Reconstruction total cost \$57,258.14. Grant \$8,000. Balance \$49,500

Mr. Rivas, Alright Porter County Jail and Sheriff.

Mr. Whitten, How about Assessor?

Mr. Rivas, Did I miss something?

Ms. Graham, Yes.

Mr. Rivas, Where?

Ms. Graham, Assessor.

Mr. Whitten, At the top of the page.

Mr. Rivas, What am I looking at here, do I have a different one here?

Mr. Jessen, It must be a new one.

Mr. Rivas, Yes.

Mr. Poparad, They are already here now he's got a gun and they are already here.

Mr. Larson, That was last month's

Mr. Rivas, No wonder I'm not voting for it. The Assessor is going to have to wait. Alright we have Inmate Processing fees and...

Mr. Whitten, So all these Sheriff's requests not counting the Jail are all Non-General fund sort of grant/donation forfeiture stuff right?

Sheriff Comptroller Edie Hahn, Yes.

Mr. Whitten, I make a motion on all of it.

Mr. Larson, I'll second it.

Mr. Rivas, We have a motion and a second on all of it. There are some 144's in there you are taking a part-time to full-time?

Sheriff Comptroller Edie Hahn, Yes out of the grant...out of the DOC Grant.

Mr. Rivas, DOC (Department of Corrections) grant.

Sheriff Comptroller Edie Hahn, And part of it is going through one of our Non-Reverting which is the Inmate Processing to cover it.

Mr. Rivas, So you are using two funds to move somebody from Part-time to Full-time?

Sheriff Comptroller Edie Hahn, Yes.

Mr. Rivas, Are you covering all the FICA and PERF?

Sheriff Comptroller Edie Hahn, Yes.

Mr. Poparad, Are we talking about the Jail one too?

Mr. Rivas, It's the Jail where are you at?

Mr. Whitten, We are doing this one, I make a motion on these right here.

Mr. Rivas, Oh well I'm looking at the draft agenda.

Mr. Whitten, Get to this agenda.

Mr. Rivas, Alright.

Mr. Poparad, Was your motion on the Task Force, DHS Foundation, Donation and the Forfeiture?

Mr. Whitten, Yes.

Mr. Poparad, Alright the first four additional.

Mr. Rivas, Alright got you on those.

Ms. Graham, Right.

Mr. Rivas, Alright is there any questions on those?

Mr. Whitten, I have a question are you keeping up?

Mr. Rivas, I won't use my rough draft anymore with my notes on it.

Mr. Jessen, I'm with you Jeremy.

Mr. Rivas, Are we in the same place?

Mr. Jessen, I have the same issue.

Mr. Larson, Yes but you are foggy anyways.

Mr. Jessen, But on top of it as it turns out.

Mr. Rivas, Alright so the four additional is everybody good? We have a motion and a second we'll do a roll call on those if there is no further discussion.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes

Auditor Vicki Urbanik, 7 – 0

Jail

Inmate Processing Fund - 4911-000-0380

Additional \$1,784 to 11100 Salaries.

\$20,534.70 to 12200 Medical/Life Insurance

Reason: To cover difference from Jail Community Corrections fund.

Form 144 \$0 to \$1,784 Caseworker

Reason: Changing from part-time to full-time (Fund 4911 \$1,784 and Fund 9162 \$28,216 = \$30,000). The DOC grant approved moving the part-time caseworker to full-time

Jail Community Corrections Fund - 9162-000-380

Additional \$ 28,216 to 11100 Salaries

\$ 735.30 to 12100 FICA

\$ 3,359.40 to 12300 to PERF

Reason: Changing part-time to full-time (delete PT personal) add salaries and FICA total for year \$5,217.30 and PERF total for year \$7,638.40. The DOC grant approved moving the part-time caseworker to full-time

Form 144 \$0 to \$28,216 Caseworker

Remove part-time Case worker up to hourly \$13.25

Reason: Changing from part-time to full-time (Fund 4911 \$1,784 and Fund 9162 \$28,216 = \$30,000)

Mr. Rivas, Alright I will move to Jail now I am on the right one.

Mr. Whitten, You are.

Ms. Graham, Yes you are.

Mr. Rivas, Inmate Processing additional this is the one Salaries \$1,784...

Mr. Whitten, You have Jessen's virus.

Mr. Rivas, Oh no...

Mr. Simms, (Coughing)

Mr. Larson, You alright? We are going to have to cancel.

Mr. Rivas, So there is an additional \$1,784 to Salaries, \$20,534.70 to Medical/Life to cover difference from Jail Community Corrections fund. Form 144 \$0 to \$1,784 this is the Case worker from DOC grant approved moving the part-time caseworker to full-time. This continues on like she said they are using two funds the other additional is \$28,216 to Salaries, \$735.30 to FICA and \$3,359.40 to PERF this is the second part of changing the Part-time to Full-time.

Mr. Larson, I make a motion.

Mr. Poparad, I'll second it to get to discussion.

Mr. Rivas, Motion on both Inmate Processing Fees and the Jail Community Corrections fund and the 144?

Mr. Larson, Yes.

Mr. Rivas, Motion and a second any further discussion?

Mr. Poparad, What change to go from Part-time to Full-time?

Sheriff Comptroller Edie Hahn, Well we have a Part-time now and I brought Tammy O'Neal she's from the DOC (Department of Corrections) they gave us more

money to have her come Full-time. She is going to be doing extra duties and we're covering the rest of it out of the booking fee.

Mr. Poparad, So she's a County employee or DOC employee?

Sheriff Comptroller Edie Hahn, She's PACT – Tammy O'Neil.

PACT Director Tammy O'Neil, Who me?

Ms. Graham, She's what?

PACT Director Tammy O'Neil, Are you talking about me or the position (inaudible)?

Sheriff Comptroller Edie Hahn, Oh the position.

Ms. Graham, Yes the position.

Mr. Poparad, Yes.

Sheriff Comptroller Edie Hahn, She is through the grant but the difference to get her increase they gave us approximately \$239,000 dollars or something around that in order to run this program. So they gave us more but we had to help pay for it. They only covered so much.

Mr. Larson, So they requested that we move this person to Full-time?

PACT Director Tammy O'Neil, They did not.

Mr. Larson, They did not?

PACT Director Tammy O'Neil, They needed it locally. The Department of Corrections (DOC) would only pay for the Part-time. The intent was always to be Full-time.

Mr. Poparad, I can't hear her.

PACT Director Tammy O'Neil, I'm sorry the Department of Corrections (DOC) pays for the Part-time position but the position really needs to be Full-time due to the level of work and the Department of Corrections (DOC) does not have the funds to do that.

Sheriff Comptroller Edie Hahn, So that's why we are using the booking fee to cover it.

Mr. Poparad, How is that booking fee running? How is that doing? Vicki how does that booking fee look?

Ms. Graham, How many case workers are there? Two?

Sheriff Comptroller Edie Hahn, Yes,

Mr. Whitten, Vicki, they are using the booking fee to shore up that salary can you tell me how that fund looks?

Auditor Chief Deputy Toni Downing, Is that 4911?

Auditor Vicki Urbanik, Yes...cash balance is \$124,508 dollars.

Mr. Larson, Was that last year carry forward \$105,000 dollars?

Auditor Vicki Urbanik, Yes.

Mr. Larson, So we are generating more every year in that fund?

Sheriff Comptroller Edie Hahn, Yes.

Mr. Whitten, Does everybody get that DOC is paying for some of this and they are using the booking fee to pay the rest right?

Sheriff Comptroller Edie Hahn, Yes.

Mr. Rivas, I guess the question that everybody is going to ask is why didn't we address this a couple of months back?

Sheriff Comptroller Edie Hahn, Because I wasn't aware, it was just recent that they approved it.

PACT Director Tammy O'Neil, Right and the Sheriff did request full-time in the grant and they asked the Department of Correction to cover the rest of that. But they didn't approve that grant until after I believe you guys had the budgets.

Mr. Larson, So they weren't paying anything for this position they just...

Sheriff Comptroller Edie Hahn, They were paying her part-time position

PACT Director Tammy O'Neil, Right.

Mr. Rivas, The DOC was.

Mr. Larson, But they didn't increase that salary at all. You guys are covering it through the other fund.

Sheriff Comptroller Edie Hahn, Yes.

Mr. Poparad, But it was the County's choice to take this person full-time? If was not a DOC requirement correct?

Ms. Graham, She said it was.

Mr. Poparad, Pardon?

Ms. Graham, Did you say it was?

PACT Director Tammy O'Neil, Correct it's not required by the grant you are right.

Mr. Poparad, Ok. What happens if the grant goes away?

Sheriff Comptroller Edie Hahn, Then they do.

PACT Director Tammy O'Neil, This particular grant...the Community Corrections grant has been going in Porter County since Community Corrections started in the 1980's. Several years ago they expanded the Community Corrections grant to include things like Jail Services so as grants go this is a long standing grant.

Mr. Larson, Can you guys explain what the additional responsibilities are going to be that we would need to require them to go to full-time?

PACT Director Tammy O'Neil, The numbers that they are dealing with in case management and I don't have the exact number that this part-time working with but I believe that last year there were well over three hundred (300) that they worked with in case management, that's a lot for one (1) full-time and one (1) part-time. And as you know the Jail has made a lot of strides in programing and working with agencies like ours in the community and having those two (2) full-time case managers is critical in helping prepare so that people have successful re-entry when they are coming back into the community.

Sheriff Chief Deputy Tim Manteuffel, It also goes to the IRS program with the interview of all the inmates coming in and getting them out earlier.

PACT Director Tammy O'Neil, Correct.

Sheriff Chief Deputy Tim Manteuffel, All the programs helping them when they are going back out once they get out of jail.

PACT Director Tammy O'Neil, Right.

Sheriff Chief Deputy Tim Manteuffel, Find them jobs and helping them with applications and things like that.

Mr. Jessen, Are we still seeing a decrease in inmate population?

Sheriff Chief Deputy Tim Manteuffel, Were steady now we're just over three hundred (300) now. I think we were at Three hundred Fifty (350) to Three hundred Sixty (360) this week.

Mr. Jessen, Which is down from where it was?

Sheriff Chief Deputy Tim Manteuffel, We were around Four hundred Fifty (450) but once we start the pilot program it's been steadily decreasing.

Sheriff Comptroller Edie Hahn, For the last four years we've been getting from the DOC and they increase every single year they have increased and are put into this program. So every single year they have increased for the last four years.

Mr. Larson, Well you guys finished out with a pretty strong balance last year so it seems like the program growing.

Sheriff Chief Deputy Tim Manteuffel, We are one of three...not to toot our horn but I am going to toot our horn. There was an overcrowding through the state and the Governor put a committee together so we were one of three departments that they came to look at to see what were are doing right because we are not overcrowded and they are using us as part of a model to help other jails in the state.

Mr. Rivas, Any further discussion on this? So let's get a roll call on the additional and the Form 144?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes

Auditor Vicki Urbanik, 7 – 0

Sheriff Comptroller Edie Hahn, Thank you.

Sheriff Chief Deputy Tim Manteuffel, Thank you.

Mr. Jessen, Have a good evening.

Assessor

1188 Reassessment Fund - 1188-000-0008

Transfer \$2,000 from 36100 Maintenance Agreements to 22500 Other Supplies
\$2,000 from 36100 Maintenance Agreements to 31300 Training & Education
\$5,000 from 36100 Maintenance Agreements to 32100 Travel
\$3,000 from 36100 Maintenance Agreements to 44100 Office Equipment
over \$100
\$3,000 from 36100 Maintenance Agreements to 44100 Furniture/Fixtures
over \$100
\$20,000 from 36100 Maintenance Agreements to 31200 Consultants.

Reason: Please transfer the following from Maintenance agreements to various other line items that need to be increased.

Mr. Whitten, Can we finally get to the Assessor?

Mr. Rivas, I don't know I am kind of over it.

(Laughter)

Mr. Rivas, Reassessment fund transfer.

Assessor Jon Snyder, You guys know what they say about the last?

Mr. Whitten, They say a lot of things about the last...he not first for example.

(Laughter)

Mr. Rivas, \$2,000 from 36100 Maintenance Agreements to 22500 Other Supplies, \$2,000 from 36100 Maintenance Agreements to 31300 Training & Education, \$5,000 from 36100 Maintenance Agreements to 32100 Travel, \$3,000 from 36100 Maintenance Agreements to 44100 Office Equipment over \$100, \$3,000 from 36100 Maintenance Agreements to 44100 Furniture/Fixtures over \$100 and \$20,000 from 36100 Maintenance Agreements to 31200 Consultants.

Mr. Larson, I make a motion on these.

Mr. Whitten, Second.

Mr. Rivas, Basically a bunch of transfers the reason please transfer...please he asked please transfer...

Mr. Whitten, He had me at please.

Mr. Rivas, Please transfer the following from maintenance agreements to various other line items that need to be increased. So there is a motion and second any discussion?

Mr. Poparad, Yes your appropriation was \$550,000 dollars for the year...wait a minute pull that other screen back. You have \$243,000 dollars brought forward...

Mr. Larson, The year before.

Mr. Poparad, You have \$481,000 dollars sitting there now.

Auditor Vicki Urbanik, No the cash balance is \$175,634 dollars.

Mr. Poparad, Yes the unexpended balance of \$481,000 dollars?

Auditor Vicki Urbanik, That's his budget.

Auditor Chief Deputy Toni Downing, That's a function of the appropriation (inaudible) expenditures.

Assessor Jon Snyder, We talked about this last year it doesn't have the money in there the way you are looking at it.

Mr. Larson, Right.

Mr. Whitten, It's all smoke and mirrors.

Assessor Jon Snyder, That's right.

Mr. Whitten, It's part of the Assessor's game.

Assessor Jon Snyder, That's right.

(Laughter)

Mr. Rivas, Why all of the transfers right now?

Assessor Jon Snyder, We talked about doing this and I hate to bring it up and I don't mean to be disrespectful. We talked about doing this at budget time and everything went back to...

Mr. Whitten, Oh in that case if he asked at budget time we have to give it to him.

Ms. Graham, Yes.

Assessor Jon Snyder, It went back to the old budget and I didn't fight for it second or third reading.

Mr. Rivas, Why didn't you fight for it?

Assessor Jon Snyder, Well it was out of respect to this esteemed body.

Mr. Whitten, I mean he did say please.

Mr. Larson, Wow.

Assessor Jon Snyder, So we would like too these are changes we would like to make permanently at some point.

Mr. Rivas, Budget session is a great time.

Assessor Jon Snyder, Right.

Mr. Poparad, See you in August.

(Laughter)

Assessor Jon Snyder, I mean I would like to say though without shooting myself in the foot I hope that we have an increase for the need for appraisals in our big box store fight that continues on. So this move into consultants...

Mr. Rivas, That's a nightmare there.

Assessor Jon Snyder, is for appraisers and we've just started ordering some bigger appraisals on some properties in Portage and Valparaiso so it's going to be fun.

Mr. Whitten, Yes there is going to be some rough sledding ahead on that

Assessor Jon Snyder, Yes you are correct.

Mr. Rivas, Any other discussion on the transfers? No alright all in favor of the transfers signify by saying Aye? All opposed same sign? Your requests are approved.

Motion carries on a unanimous voice vote.

Mr. Jessen, Thanks Jon.

Assessor Jon Snyder, Thank you.

Second Reading

Mr. Rivas, I think that covers it all on that. Second reading Madame Auditor?

Mr. Poparad, Jeremy I though the Recorder was pulled?

Mr. Rivas, Excuse me Vicki did you say the Recorder? We didn't approve anything from the Recorder?

Auditor Vicki Urbanik, No

Auditor Chief Deputy Toni Downing, It was advertised.

Auditor Vicki Urbanik, It was advertised but you didn't approve anything.

Mr. Rivas, But we didn't approve it ok.

Mr. Whitten, Why do you want to bring it up and vote on it Jeremy?

Mr. Rivas, No.

Mr. Poparad, It was we voted on it at first reading. She read it first reading.

Auditor Vicki Urbanik, Yes.

Mr. Larson, I know that's what I was afraid of so I said something to Jeremy when it was read the first time around.

Mr. Poparad, You read it on first reading.

Auditor Vicki Urbanik, Yes because it was advertised but you didn't hear it.

Mr. Rivas, So we didn't hear it so it's not in second reading.

Auditor Vicki Urbanik, Correct.

Mr. Poparad, So you deducted it from second reading?

Auditor Vicki Urbanik, I'm not reading it on second reading.

Mr. Rivas, Do you know where you left off?

Auditor Vicki Urbanik, I skipped it already.

Mr. Poparad, The Tax Sale.

Auditor Vicki Urbanik, Yes

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 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

Tax Sale Fee Fund

Tax Sale Fee Fund	1203-39500-000-0003	Contractual Services	\$	30,000.00
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Juvenile Probation Admin Fees Fund

Juvenile Prob. Admin Fees	2050-11100-000-0273	Salaries	\$	(5,348.00)
Juvenile Prob. Admin Fees	2050-12100-000-0273	FICA	\$	(409.12)
Juvenile Prob. Admin Fees	2050-12300-000-0273	PERF	\$	<u>(598.98)</u>
			\$	(5,132.00)

Juvenile Probation User Fees Fund
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Juvenile Prob. User Fees	2150-11100-000-0273	Salaries	\$	4,319.00
Juvenile Prob. User Fees	2150-12100-000-0273	FICA	\$	330.00
Juvenile Prob. User Fees	2150-12300-000-0273	PERF	\$	<u>483.00</u>
			\$	5,132.00

Drug Task Force Fund

Drug Task Force Fund	4010-31100-000-0005	Legal	\$	20,000.00
Drug Task Force Fund	4010-50000-000-0005	Distributions	\$	<u>60,000.00</u>
			\$	80,000.00

Sheriff Donation Fund

Sheriff Donation Fund	4108-45400-000-0005	Other Equipment	\$	8,000.00
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EMA Donation Fund

EMA Donation Fund	4114-45400-000-0360	Other Equipment	\$	5,500.00
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Inmate Processing Fund

Inmate Processing Fund	4911-11100-000-0380	Salaries	\$	1,784.00
Inmate Processing Fund	4911-12200-000-0380	Medical/Life Insurance	\$	<u>20,534.70</u>
			\$	22,318.70

DEA/Forfeiture Fund

DEA/Forfeiture Fund	8118-45400-000-0005	Other Equipment	\$	49,500.00
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97.067 Homeland Security Grant Fund
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97.067 Homeland Security	8157-45400-000-0005	Other Equipment	\$	85,621.00
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Sunset Hill Farm Fund

Sunset Hill Farm Fund	8144-22500-000-0803	Other Supplies	\$	207.15
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PK-Brincka Grant Fund

PK-Brincka Grant Fund	8150-22500-000-0803	Other Supplies	\$	1,243.00
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11.419 PK-Lake Michigan Coastal Fund

11.419 PK-Lake Michigan	8500-41100-000-0803	Land Purchase	\$	150,000.00
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Prosecutor General IV-D Incentive Fund

Prosecutor IV-D Incentive	8895-45100-000-0009	Data Processing Equipment	\$	25,000.00
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IV-D Prosecutor Incentive Fund

IV-D Prosecutor Incentive	8897-11100-000-0009	Salaries	\$	22,000.00
IV-D Prosecutor Incentive	8897-11200-000-0009	Hourly	\$	800.00

IV-D Prosecutor Incentive	8897-12100-000-0009	FICA	\$	1,606.00
IV-D Prosecutor Incentive	8897-12300-000-0009	PERF	\$	<u>2,240.00</u>
			\$	24,646.00

2012 Coastal Management Grant Fund

2012 Coastal Mgmt. Grant	9102-22500-000-0803	Other Supplies	\$	2,439.00
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Park Community Foundation Grant Fund

PK Community Foundation	9140-22500-000-0803	Other Supplies	\$	100.00
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Jail Community Corrections Grant Fund

Jail CC Grant Fund	9162-11100-000-0380	Salaries	\$	28,216.00
Jail CC Grant Fund	9162-12100-000-0380	FICA	\$	735.30
Jail CC Grant Fund	9162-12300-000-0380	PERF	\$	<u>3,359.40</u>
			\$	32,310.70

PK-Conservation Fund

PK-Conservation Fund	9206-39500-000-0803	Contractual Services	\$	25,600.00
PK-Conservation Fund	9206-41100-000-0803	Land Purchase	\$	<u>137,000.00</u>
			\$	162,600.00

Recycling and Waste Reduction Fund

Recycling & Waste	9993-11200-000-0000	Hourly	\$	14,448.00
Recycling & Waste	9993-12100-000-0000	FICA	\$	<u>1,105.27</u>
			\$	15,553.27

Auditor Vicki Urbanik, And that concludes second reading

Mr. Rivas, There you have it.

Mr. Whitten, I make a motion.

Mr. Larson, Second.

Mr. Rivas, There is a motion and a second any discussion? Roll call Madame Auditor?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, Alright there you have it.

Attorney's Report

Attorney Harold Harper

- Nothing to report at this time.

Any other matter that may come properly before the Council

Tax Abatement

- Allen Law Group – Proposed Tax Abatement

Mr. Rivas, Last but not least we have the Allen Law Group for the proposed tax abatement. Harold do you want to kind of set the table for us on what's in front of us?

Council Attorney Harold Harper, Yes the Allen Law Group has made a request for tax abatement for some property that it owns over by the Porter Hospital, the new Porter Hospital well relatively new and the abatement statute in Indiana generally requires that before an abatement request can be approved that property has to be within an economic revitalization area. And back when Porter Hospital was built there had been an abatement request and I wasn't on the Council at that time so there other Council Members that could much more intelligently speak to this than me. But they had made a request for an abatement and ultimately through some various proceedings the abatement was granted there after then the Council set forth some procedures or policies whereby if someone wanted to request an abatement they had to take certain steps. And one of those is simply what the statute requires which is that the Council first has to determine whether it's an Economic Revitalization Areas first it's a threshold issue here. The abatement that was approved was for the footprint of the original hospital. Prior to that which is necessary the Council had approved that area as Economic Revitalization Area so the area there now is only...the Economic Revitalization Area there now is for the footprint only so ultimately as I said the threshold issue here for the Council is whether the proposal of the property that's being requested for the abatement meets the definition of the Economic Revitalization Area so that's setting the stage in terms of the specifics. Mr. Ferngren would be in a better position to answer any questions that the Council might have regarding that.

Mr. Rivas, So just real fast, the question in front of us immediately is whether this body believes that area should be designated as an ERA (Economic Revitalization Area)?

Council Attorney Harold Harper, Correct.

Mr. Rivas, That is the first step.

Council Attorney Harold Harper, That is the threshold issue.

Mr. Rivas, Ok. Alright proceed.

Allen Law Group representative Attorney William Ferngren, Ok thank you my name is Bill Ferngren from Ferngren Law Offices located at 570 Vale Park Road, Valparaiso Indiana. I'm here tonight on behalf of the Allen Law Group we filed our petition for tax abatement and I will kind of jump ahead a little bit in presentation regarding the process a little bit and we can touch base on that again later. But your attorney is correct the first step would be determining whether this is an Economic Revitalization Area or an ERA which is a little simpler to say and there is basically two parts to go along with that. First is what's called a preliminary resolution that the Council could adopt tonight or at a subsequent meeting. And then what would happen is you would have to publish notice and send out a public notice to all the taxing bodies and provide them a copy or preliminary resolution and set that for a public hearing at which time you could then adopt what's called a confirmatory resolution. As part of that confirmatory resolution that's typically where the schedule of the abatement is included whether that's a straight line declining depreciation for example ten percent each year, whether the abatement period is five years or three years but never the less that's when that process would occur.

Tonight's purpose is really what's called the preliminary resolution as Mr. Harper has identified. Hopefully you all have had an opportunity to take a look at the packet I delivered to Joy in your office and she thankfully handed that out to all of you either personally or by email. The property that we are talking about is located at 75 and 77 East US Highway 30. Right now the 77 East US Highway 30...

Mr. Poparad, Highway 30?

Ms. Graham, Highway 6

Allen Law Group representative Attorney William Ferngren, I sorry Highway 6 excuse me.

Mr. Poparad, I was going to say...

Allen Law Group representative Attorney William Ferngren, Yes 75 and 77 East US Highway 6. There was a single family home at 77 East US Highway 6, that home was demolished and that was the proposed site that was going to be a Family Express if you recall that project never really got off the ground and subsequently Mr. Allen brought the property from Family Express. Sometime a year or two later Mr. Allen purchased the immediate adjoining property owned by Diane Wallace. So he has assembled what amounts to about 5.37 acres at the northwest corner of the entrance to Porter Hospital, I believe the road is actually called Porter Regional drive. Its zoned commercial moderate, the sewer service is provided by and through the City of Valparaiso through the recent acquisition of the Damon Run Conservancy District Sewer Works and water service by and through the Damon Run Conservancy District.

So the project Mr. Allen proposes he's got law offices primarily in Porter County here in Valparaiso and Lake County which is technically in Hobart almost directly across from the Westfield Mall. He does have other offices – satellite offices down in Indianapolis and Chicago etcetera...but looking to kind of locate his central flagship office and he is looking at this particular location at this intersection. The project would include demolition of the existing single family home and within your packet there are drawings that show a three (3) story office building (see below) that is pretty dramatic and a nice looking building that would be located at that location.



It's about 27,000 square feet in round numbers 9,000 square feet per floor. The Allen Group would occupy the entire third floor of the premises and it's designed to accommodate up to about 115 people up there. The first and second floors would be available for lease for whomever that person might be who would like to be in that particular location. It would be tentatively called the Porter County Professional Center, that name of the building could change. It's a significant investment not just in the acquisition of the land in public records you could look up the Family Express former parcel the purchase price of that land alone was \$1,000,000 dollars. The home site the Wallace parcel was somewhere in the neighborhood of \$436,000 dollars I believe is what the actual purchase price, so between those two parcels the investment has already exceeded on million dollars. The building as you can see is rather significant and the constructions costs are in the several million dollar range depending on fits and finishes but as you can see it's a very nice looking building and

the goal would be to potentially even start construction in the spring of 2020 depending in part on how this process goes timing wise and so forth. You can see the building itself is very nice and it will take probably a year or longer for that building to be actually completed and ready for occupancy for sure by the Allen Law Group on that third floor. Employment that's always one of the important components of what you are looking for with the tax abatement because you are always trying to create jobs, retain jobs and have investment in your community.

Mr. Allen's group is growing, professional offices to have attorneys, paralegals and other related staff these are good high paying jobs. The current payroll is around \$4.7 million dollars and the average annual salary for employees within his firm is about \$183,000 dollars. Currently there are eighteen employees in Porter County and these are all Porter County residents and I think that's an important thing to note. Again the third floor where the Allen Law Group would be located is designed to accommodate up to one hundred and fifteen (115) people. I don't know when that number will eventually get there but it's designed to do that. Certainly the immediate impact at least based on information from my client the growth plan is immediate and there would be a growth plan up to thirty-eight (38) full-time employees that would include sixteen (16) attorneys and sixteen (16) paralegals and there would be two (2) supporting staff...I mean two (2) supervisors rather and then four (4) additional supporting staff.

Hiring because of construction of the building and timing they simply don't have the room for people and they are moving them around to find spots at this point and time. So hiring would generally start in the fall of 2021 when the building is getting closer to being finished. And then the completion of this initial hiring is anticipated to be completed sometime in spring/summer of 2022. Further growth is anticipated and as I indicated the building can certainly accommodate that.

So if we get back to the process Indiana Code 6-1.1-12 and those subsequent sections of the code we are here tonight basically to discuss what is the preliminary resolution so you would need to declare before any abatement could be considered that this particular property is an Economic Revitalization Area or an ERA. And again Mr. Harper eluded to this, the abatement is only effecting the improvements to the property and increase to the assessed value. There will be an increase obviously in the improvement to the land because the existing home will be demolished and a new building will be built but the abatement would not attach to the land that would be separate and that would continue to be taxed.

So why do you create an ERA? There is a number of different reasons and if you look at the code and in particular the definitions in section one, two of the items I have highlight and I think are very important is lack of development and cessation of growth. There could be a number of other reasons blight and that sort of thing but in this instance lack of development and cessation of growth immediately caught my attention and the reason that I say that is many years ago when Porter Hospital was looking at relocating somewhere in Porter County from their existing location on Laporte Avenue they asked me to help them with some of their acquisitions of their purchase of land so I actually with Community Healthcare Systems the parent company to assist them with the actual acquisition of their current location. That was a long time ago in excess of ten (10) years. There was a series of zoning matters that we went through with the Hospital to get that project approved and again that was ten (10) years ago. There was litigation regarding the zoning but one thing that was consistent all the way through is that people were really looking at this area and of Porter Hospital as being an immediate transformation of that area in Liberty Township in and along US Highway 6. That it would immediately drive this economic boom and there were a number of people including the developer to the immediate west St. Andrews acquired a very large track of land, subdivided that created a planned unit development in anticipation of seeing just growth, growth, growth just because of this hospital. You can take a quick drive out there anytime today or sometime in the last ten or fifteen years and recognize that just simply hasn't happened unfortunately. So the lack of development while there are roads there, there are lots there, there is nothing else there except for Mr. Claggie or St. Andrews PUD development. There is an assisted living facility and memory care facility that is very close to Porter Hospital a great location for that project and there is one other building that is located within

St. Andrew PUD and if you drove by there anytime recently you would notice that there are actually eight (8) tenant space available and there are only two (2) that are occupied and other than that there just simply isn't anything going on in that area. Another thing that is important to note is that the County participated financially in trying to create an economic driver in and around this area. A few years ago the Council appropriated money of \$700,000 to \$800,000 dollars for the extension of a sewer pipe to the property immediately north of the hospital parcel. That pipe to my understanding is there and that money was spent and I sat in this room and heard the discussion about this is really important we need to get something going out there we need to have an economic boom out here because we have this wonderful hospital and all this land how do we drive this to happen and the Council made a decision that how do we do that let's award \$700,000 to \$800,000 dollars which is the cost to run this sewer pipe. We sit here today and this is several years after that happened and again there is nothing out there so I would urge you to consider that if you look at the definition ERA what can establish that is lack of development and cessation of growth and clearly ten (10) to fifteen (15) years of a \$250,000,000 dollar hospital, an extension of a \$700,000 or \$800,000 sewer pipe along one of the bigger interstates in our community and still yet nothing is really there. But what you do have is an opportunity to provide somebody the incentive to be there and Mr. Allen owns this property is interested in building his structure there but also is interested in some kind of incentive in the form of a Tax Abatement to incentivize him to actually build this building in Porter County, house his employees here instead of in an alternative location.

So the Abatement schedule as I indicated previously tonight this is just establishment of the ERA what we decide what we agree upon or what you decide rather not me what's the schedule. What is the schedule? As I put together for you tonight I simply left it at a one hundred percent (100%) assumption or assessed estimate of what the taxes would potentially be on this parcel. I didn't identify for you any particular schedule I just wanted to demonstrate to you what the taxes that would be generated from this sort of a structure on this parcel could be and as part of the confirmatory resolution if we get to that point that information that schedule that proposal would need to be wrapped up within that second part of the step through this process. So if you would look to the second to last page or third to the last page there is a Porter County estimated tax calculation if you see that and this is really pretty simple math, the one thing that I do want to mention is...well Mr. Snyder has left I did briefly meet with Mr. Snyder to try and determine how are you going to assess a value on this building? I showed him the picture, I explained it to him and he just simply replied back on a high end professional office type building commercial structure that he thinks that's going to be about \$80 dollars a square foot so I simply did the math and that came out to about \$2.1 million dollars assessed value. I don't know what the assessed value will finally be because some of that's going to be a function of fit, finish what's this building going to ultimately look like because not all office buildings are the same but he generally came up with a number of \$80 dollars a square foot I think quite frankly that assessed value is probably going to be ultimately higher than that based on just simply looking at the building but never the less simply applying I just estimated \$3 million dollars as a round number just to give you an idea his number was many hundreds of thousands dollars lower than that. The Liberty Township tax rate for 2020 has been set and it's at 1.6532 so again land value though it's not assessed at a \$1,000,000 dollars that's the actual purchase price of the land so I left that in there but that is not subject to the abatement because land is not. The improvements I put at \$3,000,000 dollars for an estimate so the annual tax without any abatement at all is \$66,128 dollars per year on this building if there was absolutely no abatement granted whatsoever that includes land and improvements. Annual tax with the abatement and again this is at a hundred percent (100%) because we haven't got it into a schedule the \$16,532 dollars is simply the tax on the land itself so if you were to grant a hundred percent (100%) tax abatement you would see just short of \$50,000 dollar tax abatement on an annual basis. Again that's just at a hundred percent (100%) because we haven't driven into the details on a proposed schedule.

Then if you look at the next page the Damon Run Conservancy District estimated tax calculation I think this is a very important and while all of this is important certainly the Damon Run component is important as well. The Porter County Council doesn't

see many tax abatements and I believe the reason for that is because most abatements occur within the boundaries of Cities and Towns and the reason for that is because most of the time within Cities and Towns you actually have sewer and water service available. Development that occurs out in the County doesn't always have that now that doesn't mean that the jobs don't get created but more commonly those types of things happen close to Cities and Towns. This property is a little unique while it's not in Chesterton, it's not in Valparaiso it does actually have municipal grade sewer and water facilities so that's in part why we are here today the Damon Run Conservancy District is the reason for that. Recently Damon Run sold its sewer assets to the City of Valparaiso which is a great thing for the people in Damon Run it allowed their tax rate to be reduced for their sewer portion with an interest rate from north of six percent (6%) down to the high two percent (2%). So now on a \$4.5 to \$5 Million dollar debt their debt service rate is substantially reduced by about a four percent (4%) interest rate and that leaves Damon Run still with the infrastructure improvements for water. And we (Damon Run) was able to refinance its existing debt for the water services as well down from around a six point something percent (6.2%) to actually a lower interest rate than even Valparaiso gets on the remainder of the Damon Run bond which expires in 2030. So all said and done the Damon Run freeholders regular tax bill for just a homeowners sitting out there in one of those homes is going to go from somewhere in the neighborhood of probably \$2,600 dollars down to \$1,400 dollars just based on these current refinances in the sale of that sewer asset.

Now there are two parts to the Damon Run tax that are still in play there is the water portion which Damon Run still owns and the current tax rate based on our refinance is down to .2374 and again applying these same numbers \$1,000,000 dollars for land and \$3,000,000 dollars for the improvements and land get taxed. The annual without any abatement just for the water portion is about \$9,496 dollars that's what this building would pay just for water. Every penny of that goes to debt reduction for the freeholders in the Damon Run Conservancy District.

The next portion is the Valparaiso portion this is a little bit more complicated how they calculate that and that's based on what's called an EDU or an Equivalent Dwelling Unit the formula for Damon Run excuse me for Valparaiso how much does the debt service turn into or what is the tax for this building is based on how many equivalent dwelling units this property would encompass. I met with Abonmarch Engineering here in Valparaiso I showed them the building and said here is what it is, it's 27,000 square foot professional office building how many EDU's is this thing? I also met with Steve Poulos the City of Valparaiso Utility Director and I said here is the building its three stories what is this...how many EDU's? At full build out they were both estimating that this would be about 81.5 EDU's or Equivalent Dwelling Units and the monthly debt service for that would be just a little under \$5,000 dollars so the annual tax bill for debt service to Damon Run for the sewer portion would be just a little bit under \$60,000 dollars. Again that would go directly towards reducing the debt service of Damon Run for the sewer portion of their debt. Again that's based on full build out and use of this building so that number unless all of its leased out immediately the 81.5 EDU's probably won't be met immediately but as that building fills that is estimated with the engineers would think that the tax bill could be. So what does that mean for the people in Damon Run it means a lot. These people have been faced with these tax burdens out there for years. There is three hundred plus homeowners, the board for the Damon Run Conservancy District has worked very, very hard to get that number down and are super pleased that they were able to do that just before the end of the calendar year 2019. Timing wise was fantastic because it allowed those reductions in interest rate to take effect for this 2020 calendar year so it was very important but growth is critical for Damon Run. The higher the assessed valuation and the more building that occurs within Damon Run that increases the entire assessed value of all the property in Damon Run. What that does then is it reduces the tax rate for each owner and so for every home that's built for every commercial office building that's built, for every multi-family building that's built, the Assisted Living Facility all of that goes directly to the bottom line for Damon Run and benefits these three hundred plus property owners immediately, this is very important growth is absolutely critical for them. I do have a letter from the chairperson of the Damon Run Conservancy District John C. Barko I didn't get a chance to hand this out before the meeting if you don't mind if I approach so I can hand these copies to you I think I have enough. The letter is somewhat brief I will let you all take your time to read that

when you have a moment. But in essence it describes what I just explained to you that there is all these homeowners out there in the district and the board has been trying very, very hard to get their rate down. Again the water portion expires in 2030 the sewer portion expires in 2040 so their rates will be certainly cut in half regardless of what/if anything happens and this is based on current assessed value so these numbers as growth happens will further be reduced. So getting to the reasons of why would we do this again the Damon Run and I've just explained that on several occasions this allows for significant investment for what is really kind of a flagship location on a major thoroughfare in Porter County by one of our most important structures being Porter Regional Hospital. To me a lack of development in the area not through lack of effort but just lack of development because the investment hasn't occurred. A cessation of growth clearly that's happened because there is only two buildings other than the hospital that have been built in the last ten to fifteen years in spite of the hospital being there. I had an opportunity to speak with Commissioner Biggs yesterday today and I'll let him...

Mr. Rivas, Who was that?

Allen Law Group representative Attorney William Ferngren, Commissioner Biggs

Mr. Rivas, Ok.

Allen Law Group representative Attorney William Ferngren, I will let him speak for himself but I will just report to you that he is encouraged by the opportunity of growth of jobs in Porter County as I am sure all of you are and consider to be a boast to the area to allow some construction to occur this is to be new construction an expensive building costing \$7,000,000 dollars these would all be built by union employees at this location we think it's a great opportunity and I would be glad to answer any questions at this time or provide additional information at the appropriate time. Thank you

Mr. Rivas, Thank you.

Mr. Poparad, Is Damon Run granting you a tax abatement?

Allen Law Group representative Attorney William Ferngren, Damon Run cannot...they cannot.

Mr. Poparad, Oh ok.

Allen Law Group representative Attorney William Ferngren, By state law you can't abate a special benefits tax.

Mr. Poparad, Ok.

Mr. Larson, Do you feel Bill that Ken would not build this structure if this abatement wasn't there?

Allen Law Group representative Attorney William Ferngren, He indicated to me that this is a very important part of that I can personally tell you that I've met with not in the last couple of years because I have been working with Ken on acquiring the property. But the people in the Town of Hobart acquired there tax abatement form as well and I've seen building plans for a site over there but this is a very strong point of his...

Mr. Larson, Well I fully agree that you need to help the people in Damon Run because they have been getting fleeced for quite a while.

Mr. Poparad, We don't even want to go down that road.

Mr. Larson, They have been getting fleeced for quite a while but the reality of this is that is one of the most valuable pieces of property in Liberty Township. I mean I built that house that is sitting there in 1994 so I know the value of those properties

and I can't really believe that the original founders that decided to put that tax abatement in place for the Hospital wouldn't have granted all that property if they had thought that property was indeed entitled to that. That's the only thing I have in question is that why wasn't that property originally included in that first choice that they did with the Hospital. And I think because that frontage property is of some extreme value, I think that's probably going to be the debate for me is am I going to grant something that's so impressive and so wanted. I mean Gus would have already built that building there had we given him the approval process to through with that and then Family Express would have been functioning years ago on that location. So I think there is some debate as to whether that was the proper setting for that gas station but it would have been built if they would have given approval and I don't think he would have required a tax abatement for that. I don't think he was even asking at that time I could be mistake but I don't think so.

Mr. Poparad, I don't think Claggy asked for a tax abatement either.

Mr. Rivas, What was that?

Mr. Poparad, Claggy the guy that built in the back.

Mr. Larson, He did he was asking for some form of relief.

Mr. Poparad, He didn't get anything I don't think.

Mr. Larson, No he did not but he was asking for some form of relief.

Mr. Poparad, Is your annual tax bill going to be approximately \$66,000 dollars in round number? Is that what I am reading here?

Allen Law Group representative Attorney William Ferngren, That's...

Mr. Poparad, Estimated I know.

Allen Law Group representative Attorney William Ferngren, Well yes it's going to be a function...yes.

Mr. Poparad, So we are talking about based on the back page...

Mr. Larson, Well that's what I was going to ask you because it's \$9,650,000 dollars' worth of assessed value...

Mr. Poparad, Yes that's what I am looking at.

Mr. Larson, And then we only have about \$4,000,000 dollars when we are look at the other numbers...

Mr. Poparad, Yes.

Mr. Larson, Is that because Bill you believe the building wouldn't be worth as much after the structure was complete? Kind of like the Hospital was where...

Allen Law Group representative Attorney William Ferngren, I guess where I kind of go back to I posed the question to Mr. Snyder because actual construction costs isn't necessarily determinative of what something is assessed at and that's why I asked Mr. Snyder because ultimately whether it's this building or some other building somewhere else in the county...

Mr. Larson, Right.

Allen Law Group representative Attorney William Ferngren, That's going to fall in his lap for him to make a determination or his staff. So that's why I showed him the building and explained to him the project asking Mr. Snyder what are we looking at here from an assessed value standpoint. And if I could answer your question Mr. Larson I don't know why this property wasn't included previously.

Mr. Larson, Right.

Allen Law Group representative Attorney William Ferngren, The Hospital...

Mr. Poparad, I will tell you why because we were taking to many political bullets for giving the Hospital a tax abatement. You sat here we got screamed at so we weren't to inclined to extend the zone. I got hate mail.

Mr. Whitten, Yes but that was from me.

(Laughter)

Mr. Poparad, It was such a political firestorm it's not like it was the County Hospital it was a for profit agency.

Allen Law Group representative Attorney William Ferngren, And I understand and I appreciate that. And I think that's why they didn't at that time I don't know...Community Hospital perhaps wanted to be the solo project. I don't know the answer to why they didn't ask for more probably because the just wanted to go it alone.

Mr. Larson, Right.

Allen Law Group representative Attorney William Ferngren, I guess...but that's why we look at these things on a case by case basis because here we are in 2020 and the hospitals been there for all this time and if you look at the statue and what can qualify should you choose to do that the reasons being lack of development and cessation of growth. I guess when I look out there and I see all of this land and this big beautiful hospital over the last decade I don't see anything else and that tells me something. I do appreciate the fact that this is a nice piece of property, it's an expensive piece of property but even if you look behind the property there is nothing there and there is nothing to the north of the hospital in spite of the County spending \$700,000 to \$800,000 dollars to run a sewer pipe to property and still people are not doing it. So I think if you look at things on a case by case basis and say what is it that we need to do to get somebody to build something out there because this doesn't last forever. I mean at most it could go ten (10) years and it doesn't have to be one hundred percent but it could be something so what do we need to do to show that we are interested in this happening.

Mr. Whitten, I guess in theory someone comes in they want to build a new office, they want to build a big office, they want more room for their busting at the seams law practice or whatever the office is. They buy the land and they build the office that the want and need and they pay taxes because if the office catches on fire the fire department has to come and if there is an incident at the office the police department has to come...

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Whitten, Maybe the ambulance has to come so you are still getting services. So in theory that's the way it is supposed to work...right? That's the way in a perfect world how it goes. And for me historically with tax abatements and it's been hey guys I can't do this or I wouldn't be able to do this size of a project but for your tax abatement and by the way if you don't give me the tax abatement I don't know if I could do it or at best I can employ a hundred people. But with this tax abatement I can employ three hundred people but if you don't offer me this and if I can't get this help from the government I can't do it. It's just something that I can't do and I need your help. So that's one big threshold for me and there has not been very many of them that have come in front of us.

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Whitten, We have not had very many requests so we haven't had that many do deal with but...

Mr. Jessen, Other than the hospital have we had any other that anyone can recollect?

Mr. Whitten, Well Gus did his thing up on Hwy 49.

Allen Law Group representative Attorney William Ferngren, Family Express.

Mr. Whitten, Yes. So you know I get it but it's hard for me to get past that. I mean I have to believe as an attorney that you are going to build the law office that you want.

Mr. Larson, Ultimately want right.

Mr. Whitten, And that you need and that will function to your purpose. I can't imagine and again maybe I am skewed because I am a lawyer but I'm going to add ten more lawyers if I get this tax abatement. I guess I don't need them but by golly I have this tax abatement so now I can afford them. That just doesn't seem to fit for me, I'm having a hard time with that you know?

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Poparad, But I want to...I'm sorry Dan.

Mr. Whitten, No go ahead Bob.

Mr. Poparad, I've got to circle back to Damon Run.

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Poparad, If we give you a tax abatement then the twenty-three cents is based on what? Just the land?

Allen Law Group representative Attorney William Ferngren, The tax rate for the for the Damon Run Conservancy District...

Mr. Poparad, Right.

Allen Law Group representative Attorney William Ferngren, Now the .2374...

Mr. Poparad, Right.

Allen Law Group representative Attorney William Ferngren, That's for their water service because Damon Run still has water infrastructure.

Mr. Poparad, Ok.

Allen Law Group representative Attorney William Ferngren, Their debt service on there...

Mr. Poparad, So you are going to pay \$5,000 dollars a month to Damon Run based on what AV though because the tax rate or the AV generates the tax rate.

Mr. Larson, Right.

Mr. Poparad, So what's the AV toward the .2374 gets applied to if you get tax abatement?

Allen Law Group representative Attorney William Ferngren, The Damon Run page...that page I'm showing you that to show you that there would be a benefit to that.

Mr. Poparad, But what is the AV? What is this number based on?

Allen Law Group representative Attorney William Ferngren, You know I don't know the...

Mr. Poparad, Do you see what I am saying? How do you figure...

Mr. Larson, Yes...

Allen Law Group representative Attorney William Ferngren, I can tell you how the AV is determined.

Mr. Poparad, If you get a tax abatement you have no AV.

Allen Law Group representative Attorney William Ferngren, I'm not talking...no there will be assessed value (AV) on the properties that are in district that continues.

Mr. Larson, Yes but what I think the question is Bill is that you've given us that value on what you believe the structure or what the Assessor said the structure is going to be worth but...

Allen Law Group representative Attorney William Ferngren, Correct.

Mr. Larson, But what he is saying is if we reduce the value or reduce what the tax abatement the structure....

Mr. Poparad, You have no AV other than the land.

Mr. Whitten, Hold on Vicki?

Auditor Vicki Urbanik, Unless there is a provision I'm not aware with Damon Run most Conservancy District rates are based on the gross AV.

Allen Law Group representative Attorney William Ferngren, And that's correct.

Auditor Vicki Urbanik, The gross AV for Conservancy Districts.

Mr. Poparad, Ok, ok so it's based on if he had no tax abatement.

Allen Law Group representative Attorney William Ferngren, That's correct.

Auditor Vicki Urbanik, Correct.

Mr. Poparad, Ok so based on my simple math you are going to pay \$60,000 dollars to Damon Run because you can't get tax abatement but you won't pay \$66,000 dollars to the County because you want tax abatement?

Allen Law Group representative Attorney William Ferngren, Well I guess...I suppose you could characterize it that way.

Mr. Poparad, Which is one percent.

Allen Law Group representative Attorney William Ferngren, But what I am saying...

Mr. Poparad, But let me finish.

Allen Law Group representative Attorney William Ferngren, Ok

Mr. Poparad, That's one percent of what you are going to spend.

Allen Law Group representative Attorney William Ferngren, Ok.

Mr. Poparad, One percent...I will be right up front with you I am not in favor of this I'm not taking political bullets for one percent savings for the Allen Law Group. Well based on the back page you could spend \$9,000,000 dollars?

Allen Law Group representative Attorney William Ferngren, It could be we don't know the final construction costs.

Mr. Poparad, Right. Well let's say its \$6,000,000 dollars because I am using simple math so you are saving one percent of your total costs? I'm...

Allen Law Group representative Attorney William Ferngren, I understand your point Mr. Poparad but again I think if you look at and Dan this kind of goes to what you were mentioning or Mr. Whitten rather...

Mr. Whitten, Dan is fine.

Allen Law Group representative Attorney William Ferngren, Law school classmate.

Mr. Whitten, Yes we have known each other a while.

Mr. Poparad, Shocking.

Allen Law Group representative Attorney William Ferngren, It is like what you were mentioning Dan but there are different reasons to consider things as well. And there is more than saying would you build this building or not or what you look at the totality circumstances and the reason the legislature doesn't just define it as one thing is because there could be any number of things that would be a driver for people such as yourself to say this is important for us and why would we do this? So if you read the definitions it isn't just limited to one thing there's several things mentioned and it can be something whether you tie it directly to what Mr. Whitten had mentioned or not the County could take a position that it simply says we think this is important for our community to stop the cessation of growth to have development because we've already spent \$700,000 to \$800,000 dollars to run a sewer pipe because we thought that was really important and we have somebody willing to spend that and we think that's important too.

Mr. Poparad, When did he acquire the land?

Allen Law Group representative Attorney William Ferngren, The Wallace parcel was in May of 2019 and the former Family Express parcel was within 18 months to 2 years before that.

Mr. Poparad, So he spent \$1,000,000 dollars \$1.4 million dollars regardless of even addressing us?

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Poparad, So he thought it was that valuable?

Allen Law Group representative Attorney William Ferngren, That's what he paid for it.

Mr. Poparad, Ok.

Mr. Whitten, And I understand Bill, I understand and I've read the statue, I've argued the statue I've done all that stuff so I understand. I was speaking more in terms of I'm not a huge tax abatement guy...

Allen Law Group representative Attorney William Ferngren, Ok.

Mr. Whitten, So I was just sort of saying the big factors that maybe would win me over.

Allen Law Group representative Attorney William Ferngren, Sure.

Mr. Whitten, So I understand I'm not saying that you are not wrong and there is lots and lots of reasons that we could consider this but historically that's been the big threshold for me.

Allen Law Group representative Attorney William Ferngren, Sure I understand.

Ms. Graham, I'm concerned with what Harold said...you said that we were going to decide whether or not if that was in the actual footprint?

Mr. Whitten, It's not.

Council Attorney Harold Harper, No

Ms. Graham, Oh it's not.

Mr. Whitten, We have to widen the net.

Council Attorney Harold Harper, That's exactly it. Before an abatement request can be made or voted on the area has to be determined as an Economic Revitalization Area.

Ms. Graham, Right.

Council Attorney Harold Harper, It is not currently in an Economic Revitalization Area because it was not in the original footprint.

Ms. Graham, I do tend to agree with Mr. Whitten that it's not in the original footprint and I do feel the property is very valuable just by what he paid for it signifies that

Mr. Poparad, The problem is we are going to open the door on everybody else. All the other parcels are going to come in and ask for tax abatement. And we legitimately can give him one and not Dan's law office so he could relocate from Portage.

Ms. Graham, One of the main things though is that we are here to decide whether or it's in this footprint and I don't think it is.

Allen Law Group representative Attorney William Ferngren, Well it's certainly not within the footprint but...

Council Attorney Harold Harper, Whether it's in the Economic Revitalization Area.

Ms. Graham, Right the Economic Revitalization Area.

Allen Law Group representative Attorney William Ferngren, Just the Hospital is so...

Mr. Whitten, He's asking us to create a new footprint that's what we are here for tonight.

Allen Law Group representative Attorney William Ferngren, Yes to create a new one.

Ms. Graham, Ok.

Mr. Poparad, But if we are going to do that we might as well do the whole thing.

Ms. Graham, That's exactly right.

Mr. Rivas, Yes if we are going to look at one we should look at the whole thing but what struck me is I was trying to think back to when the hospital opened in 2009?

Allen Law Group representative Attorney William Ferngren, 2010

Mr. Rivas, 2009 – 2010...

Mr. Poparad, Close to 2010.

Mr. Rivas, It was right in the middle of a recession.

Ms. Graham, That right.

Mr. Poparad, Yes.

Mr. Rivas, We crawled our way out of that and that took a little while.

Mr. Poparad, That was 1500 jobs.

Mr. Rivas, So...

Mr. Poparad, They are the largest employer in the county and I think they still are.

Mr. Rivas, It's taken a little while in that great recession to come out of there and things haven't taken off exactly how they were but we just recently opened a new building out there that didn't request that. The memory care facility that you were speaking of so somebody did just develop out there recently. The other building I don't know is there are occupants or how many are in it or not.

Allen Law Group representative Attorney William Ferngren, Six units are empty.

Mr. Rivas, But somebody made the investment out there.

Allen Law Group representative Attorney William Ferngren, Yes.

Mr. Rivas, Without asking for a tax abatement.

Allen Law Group representative Attorney William Ferngren, I understand.

Mr. Rivas, So two recently have built out there without requesting the tax abatement and I thought that was a great point. That's a valuable property out there and these guys when they were up there they didn't decide to expand that because it was only the hospital because they believed it was valuable property. I think maybe as a whole if we don't think in the future it will but I think maybe we need to look at as a whole not just piece mailing it. But I don't believe that we are at that point and time but that's just me.

Mr. Larson, That is what I question is that corridor there has always been in question. We had paperwork done for that corridor twenty years ago how we were going to control development out there. Now we have Dollar Generals and stuff popping up all over Highway 6 which that is the first step looking at that property is what do we really want in those locations and are we giving the people the benefit of the doubt there without getting the tax breaks away. So that's what my question is and it has nothing to do with Kenneth because I like him and I don't think that his wealth or anything else has anything to do with it I just think that's a great piece of ground. I would have trouble saying that's not going to be developed at some without the tax break.

Allen Law Group representative Attorney William Ferngren, And I agree with you that it is a nice piece of property and it's a flagship entrance to the largest potential employer in Porter County. Again to me as I read the statue it isn't just for one reason.

Mr. Larson, Right.

Allen Law Group representative Attorney William Ferngren, You say what's important to the County? Is it important to have this kind of significant investment at that location in an area that you say is an economic corridor where the economics apparently just aren't paying out and here is an opportunity to have that happen with a significant investment.

Mr. Poparad, I guess my question to you Bill is if you don't get the tax abatement will he build this building? That's a yes or no answer.

Mr. Larson, He will.

Mr. Whitten, He can't speak for him he doesn't know.

Allen Law Group representative Attorney William Ferngren, I can't answer that question.

Mr. Whitten, He is his lawyer he can't give you that information.

(Laughter)

Mr. Poparad, I'm just asking.

Mr. Whitten, He can't give you his business plan.

Mr. Larson, He is not going to answer that question.

Mr. Rivas, Alright...

Allen Law Group representative Attorney William Ferngren, All I can tell you is this is an important part of his decision.

Mr. Poparad, He spent \$1.4 million dollars already he must be that important.

Mr. Whitten, And I guess not to keep on it, so for me a tax abatement has nothing to do with the kind of business I just merely used it as an example, but the point is there is going to be 1,000 jobs that would not otherwise be there. That's what gets me.

Allen Law Group representative Attorney William Ferngren, Ok.

Mr. Whitten, You know where this company in Germany is thinking of coming here and there is going to be 1,500 new jobs that's what sells me. Not that your argument isn't valid because it is but...that's just for me it takes a big thing like that to bring me into the fold.

Allen Law Group representative Attorney William Ferngren, Is there something else that I can get for you? I mean is there information short in the presentation either that I handed you in the paper packet? Or that I provided for you tonight because I can certainly do that.

Ms. Graham, I actually think you gave a good presentation. It's the idea and it's been said here before the amount of employees...like Bob said the hospital is one of the largest employers in the county and I don't see that amount of employees coming in.

Mr. Whitten, Mike you've got the City of Valpo they've acquired Damon Run what are your thoughts on this?

Mr. Jessen, I think knowing as the Economic Revitalization Area is defined I believe as it has been stated that's a valuable piece of property. I'm convinced at some point that area will be developed based on the property. So lack of development the fact that we haven't had development up till now or just a little bit without any sort of abatement but I think eventually that there is no doubt in my mind will be developed.

Cessation of growth I think that area will continue and will grow even though it hasn't up till now. So I think in order to create the Economic Revitalization Area there would have to be a compelling reason to convince us that if this isn't done that area will not develop.

Allen Law Group representative Attorney William Ferngren, Ok.

Mr. Jessen, And I don't think we are there at this particular point...

Allen Law Group representative Attorney William Ferngren, If I could and I understand your point Mr. Jessen I just...part of the reason the reason I believe the state legislature included lack of development and cessation of growth is to say we need this to kick start it. So what happens from this project and again the abatement the statue says you can go up to ten years, you can go a hundred percent...you could do five years, three years it's really your discretion to do that and so to me the important part is to say it's a valuable piece of property there is no disagreement about that but there is also a bunch of property sitting behind it that has been vacant for years and years and years and what is it that we as County can do to make people want to build back there. If somebody is driving up and down US Highway 6 and they see empty parcels un-mowed grass maybe they don't want to make the investment. But if they see a building like this sitting there at a flagship location they are going to say wow there is really something happening here and I want to be part of that. Regardless of what benefits those people might have been given I think this is a good spot to be with my business because look at building up at the front and look at that hospital sitting back there. So those are the reasons...

Mr. Poparad, You just made our argument Bill the hospital was the magnet. If the hospital wasn't there would you be building this office?

Allen Law Group representative Attorney William Ferngren, I can't answer that question.

Mr. Poparad, No because none of the other stuff would be there.

Allen Law Group representative Attorney William Ferngren, Well my point is that...

Mr. Poparad, So we did our duty by giving the hospital the abatement for being the magnet. You are coming there because of the hospital.

Allen Law Group representative Attorney William Ferngren, Well I guess my point Mr. Poparad is that how long and that's my point and maybe I didn't express it in that way. But you gave the hospital the tax abatement for whatever reasons that you did...you did but how long is it that you say well we gave the hospital this so somebody is going to want to build here but when? I mean when are they going to build there?

Mr. Poparad, Well there has been some building back there. There's been and I think everybody thought that it would be more medical related.

Allen Law Group representative Attorney William Ferngren, Exactly.

Ms. Graham, Or floral shops if I remember right. Candy stores things like small shops.

Mr. Larson, I don't need to remind us that the abatement didn't go so well when they reappraised the hospital.

Mr. Poparad Yes.

Mr. Larson, So that was kind of a difficult situation to begin with.

Allen Law Group representative Attorney William Ferngren, Now that was a little different set of circumstances. I know that some of you were sitting up here and

lived through that and I read that in the paper thankfully instead of being involved in that project.

Mr. Whitten, Yes.

Allen Law Group representative Attorney William Ferngren, At any rate I certainly appreciate your time I hope that what I said made sense tonight.

Ms. Graham, Definitely.

Mr. Poparad, Yes.

Mr. Larson, You did a great job Bill.

Mr. Poparad, You made a good argument Bill.

Allen Law Group representative Attorney William Ferngren, Thank you if there is anything else that I can get you before you make some sort of a determination that would be outstanding and I would be glad to do that.

Mr. Rivas, Alright I appreciate it and thank you very much so there is a request in front of us for an abatement which requires first that the area be designated as an ERA so can we have a vote on whether to designate this requested parcel to be a ERA?

Mr. Larson, Do we need to vote tonight is there more information that is required?

Council Attorney Harold Harper, I think there could be a motion to table it for additional information. I think there could be a motion tonight to designate or not designate the area as an ERA. I think ultimately the request is in front of the Council and the statute requires the Council consider that and so whether we do it tonight whether the Council does it on a different night I think ultimately there has to be a yes or nay as to whether it should be an Economic Revitalization Area.

Allen Law Group representative Attorney William Ferngren, And again the reason I'm asking if there is anything additional because I've heard some things tonight that maybe I could have answered perhaps better. So if I have the opportunity to visit with my client to maybe ask some questions and get some additional information I would be happy too.

Mr. Larson, I make a motion to table this for this evening.

Mr. Whitten, I will second that motion. I have a couple of follow-up questions that is going to take a little time.

Mr. Larson, I think it's worth the research I mean it is a valuable project and we do want development out there but I think we need some more information.

Mr. Rivas, There is a motion and a second to table the request any further discussion? No, Vicki do a roll call for us?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	No
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	No

Auditor Vicki Urbanik, 5 – 2 for the motion to table.

Mr. Jessen, Bill can I ask you a question?

Allen Law Group representative Attorney William Ferngren, Sure

Mr. Jessen, In your conversation with Commissioner Biggs was he in support of the project was he also in support of the tax abatement?

Allen Law Group representative Attorney William Ferngren, Well I guess that's why I wanted to let him speak for himself. I explained that I was coming here tonight requesting a tax abatement. I did not give him a presentation like I gave you this evening.

Mr. Whitten, So without the presentation Commissioner Biggs was for it?

Allen Law Group representative Attorney William Ferngren, He indicated that he supported...

Mr. Whitten, Without all of the information he was all on board?

Allen Law Group representative Attorney William Ferngren, No, no, no let me say...

Mr. Rivas, You felt comfortable to drop his name though.

Allen Law Group representative Attorney William Ferngren, He...

Mr. Poparad, Here it comes...

Mr. Larson, All you have to do is say yes Bill.

Mr. Whitten, I'm just kidding.

(Laughter)

Allen Law Group representative Attorney William Ferngren, He is interested in growth and jobs in Porter County.

Mr. Larson, So are we we're interested in growth in all areas.

Allen Law Group representative Attorney William Ferngren, Well thank you and I certainly encourage you and Joy has been most helpful to me and this process so if anybody has any questions I have given her my phone number and she has my email address and I have talked to Harold a bunch of time so feel free to request any additional information and ask questions.

Mr. Whitten, You have brought a couple of things up that have conjured up a couple of questions so I will be hitting you up.

Allen Law Group representative Attorney William Ferngren, Ok very good.

Mr. Larson, Thanks Bill.

Mr. Rivas, There you have it Bill thank you.

Allen Law Group representative Attorney William Ferngren, Alright safe travels home everyone.

Mr. Rivas, Harold do you have anything else?

Council Attorney Harold Harper, I do not.

Meeting Adjourned

Mr. Larson, Motion to adjourn.

Mr. Rivas, Alright there is a motion to adjourn.

Ms. Graham, Second.

Mr. Rivas, Motion to adjourn and a second. Signify by saying Aye? Opposed same sign?

Motion carries on a unanimous voice vote.

There being no further business, meeting was adjourned.

**PORTER COUNTY COUNCIL
PORTER COUNTY, INDIANA**

Dan Whitten

Jeff Larson

Sylvia Graham

Mike Jessen

Bob Poparad

Jeremy Rivas

Greg Simms

Attest: _____
Vicki Urbanik, Auditor