

**PORTER COUNTY COUNCIL
Regular Council Meeting
January 28, 2020**

The Porter County Council will meet on Tuesday, January 28, 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.

Approval of Minutes

Approval of Council minutes for reorganizational meeting on January 6th, 2020.

Mr. Rivas, We have the minutes for January 6th, 2020 has everybody looked over the minutes?

Ms. Graham, Motion to approve.

Mr. Jessen, Second.

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

Motion carries on a unanimous voice vote.

First Reading

Mr. Rivas, First reading Vicki?

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 January 28, 2020 at 5:30 p.m. to consider the following appropriation adjustments affecting county budgets for the year 2020 and to transact any further business which might come before the Council:

General Fund				
Prosecutor General Fund	1000-11100-000-0009	Salaries	\$	10,877.15
Clerk's Perpetuation Fund				
Clerk's Perpetuation	1119-11200-000-0001	Hourly	\$	25,000.00
Clerk's Perpetuation	1119-12100-000-0001	FICA	\$	4,913.00
Clerk's Perpetuation	1119-12200-000-0001	Medical/Life Insurance	\$	17,380.00
Clerk's Perpetuation	1119-12300-000-0001	PERF	\$	4,392.00
			\$	51,685.00
Storm Water Fund				
Storm Water Fund	1182-37300-000-0079	Lease Purchase	\$	65,000.00

Ineligible Homestead Fund

Ineligible Homestead Fund	1216-11100-000-0002	Salaries	\$ 52,765.00
Ineligible Homestead Fund	1216-12200-000-0002	Medical/Life Insurance	\$ 17,380.00
Ineligible Homestead Fund	1216-12300-000-0002	PERF	<u>\$ 5,909.00</u>
			\$ 76,054.00

Adult Probation Supplemental User Fees Fund

Adult Probation Supp. User	2101-11100-000-0274	Salaries	\$ 15,804.00
----------------------------	---------------------	----------	--------------

Adult Probation Pre-Trial Services Fund

Adult Probation Pre-Trial	2103-11100-000-0274	Salaries	\$ (45,126.00)
---------------------------	---------------------	----------	----------------

Animal Shelter Supplemental Fund

Animal Shelter Supplemental	4008-11200-000-0626	Hourly	\$ 21,510.00
-----------------------------	---------------------	--------	--------------

Adult Probation Community Corrections PTS Grant Fund

Adult Prob. CC PTS Grant	9164-11100-000-0274	Salaries	\$ 45,126.00
Adult Prob. CC PTS Grant	9164-12100-000-0274	FICA	\$ 3,452.00
Adult Prob. CC PTS Grant	9164-12300-000-0274	PERF	<u>\$ 5,055.00</u>
			\$ 53,633.00

Public Health Preparedness Grant Fund

Public Health Preparedness	8119-39500-000-0610	Contractual Services	\$ 176,594.36
----------------------------	---------------------	----------------------	---------------

93.268 Health IIC Immunization Grant Fund

Health IIC Immunization	8205-11200-000-0610	Hourly	\$ 54,666.00
Health IIC Immunization	8205-12100-000-0610	FICA	\$ 4,184.82
Health IIC Immunization	8205-21100-000-0610	Office Supplies	\$ 413.00
Health IIC Immunization	8205-24100-000-0610	Medical and Dental Supplies	\$ 1,369.62
Health IIC Immunization	8205-31300-000-0610	Training and Education	\$ 43,122.17
Health IIC Immunization	8205-32300-000-0610	Postage	\$ 3,590.00
Health IIC Immunization	8205-36100-000-0610	Maintenance Agreement	\$ 2,250.00
Health IIC Immunization	8205-45400-000-0610	Other Equipment	<u>\$ 12,525.00</u>
			\$ 122,120.61

Prosecutor General IV-D Incentive Fund

Prosecutor IV-D Incentive	8895-11100-000-0009	Salaries	\$ 21,695.00
Prosecutor IV-D Incentive	8895-12100-000-0009	FICA	\$ 4,660.00
Prosecutor IV-D Incentive	8895-12300-000-0009	PERF	<u>\$ 6,824.00</u>
			\$ 33,179.00

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations as finally made will be referred to the Indiana Department of Local Government Finance. 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 January 17, 2020

Auditor Vicki Urbanik, And that concludes first reading.

Mr. Rivas, Thank you Vicki. That is a lot of additional for January.

Commissioners

LIT (previously CEDIT) Fund - 1112-000-0068

Form 144 \$33,000 to 45,000 Facility Administrative Assistant

Reason: Increase of \$12,000 and change job title from Facilities Administrative Assistant to Facility Coordinator.

Mr. Rivas, Next we have the LIT fund. So we have in front of us a Form 144 which is an increase in the LIT budget for a Facility Administrative Assistant from \$33,000 dollars to \$45,000 dollars. The reason is an increase of \$12,000 dollars and to change job title from Facilities Administrative Assistant to Facility Coordinator. Do you want to speak on it real fast?

Facility Director Ray Cloyd, Yes I would just like you guys to really understand what I am dealing with on this. When this position was changed to full-time my understanding that there was never an increase on this salary. So I have been fighting this ever since I came here and became employed with the County we are paying someone pretty much a part-time salary. You guys did raise it \$5,000 last year before the end of the year for the beginning of the year but I find the disparity where we have a lot of people still making a lot more than her like custodian staff and some of the other people that I have mentioned in my letter to you guys and I tried to compare the job descriptions and I think the workload is justified for the amount of money.

Mr. Jessen, Alright now the recommendation is to have that funded from the LIT fund? Is that what the plan would be beyond 2020? Would that be continuously coming out of LIT?

Facility Director Ray Cloyd, I would believe so.

Mr. Rivas, You believe so?

Ms. Graham, Well we have to know what you plan.

County Attorney Scott McClure, It would.

Facility Director Ray Cloyd, Ok it would.

Ms. Graham, Oh it would.

Mr. Rivas, There is your answer. So I have a question on what you ended with there that you think this salary brings you in line with the roles. I think I quickly looked at the minutes from the budget hearing and your proposal was \$38,000 dollars.

Facility Director Ray Cloyd, Yes.

Mr. Rivas, So a few months back you said that \$38,000 dollars brought you in line with the position. So now all of the sudden it's \$7,000 dollars more in three months brings you in line?

Facility Director Ray Cloyd, Well honestly I was going over this so when I brought this up to you guys before at \$38,000 dollars I was just going off of what I felt like and didn't have any numbers in front of me and then when I saw the salary ordinances that came out after 2020 was passed I felt like it really needs to be fair and right to what everybody else is, I feel it is kind of comparable of the job descriptions.

Mr. Whitten, I understand that but I guess the concern that I have generally speaking is you go through the whole process of the budget sessions that we go through in September and October you review things and you look at the requests that the departments have and you look at our available funds, I mean that's our job being the fiscal body for the County. We go through that whole process and we are not even a month into the budget year and you want a 33% percent increase for a

staff member and I understand you asked for an increase at budget time but not this big of one but that's when we do it. That's when we look at the whole picture so I think it's problematic to start the year with I want more.

Facility Director Ray Cloyd, I understand that but I also feel like I came into this position with this problem and to get someone at a full-time rate and is way less than the custodians like I said it doesn't make sense and I just felt like this was right.

Mr. Simms, Well I ran the numbers too and the average is just over \$43,000 dollars for...well if you look at the job description of what your assistance is doing and what others are she does a little bit more than some of the others that are getting paid a lot more than her right now. So when you look at the notion of fairness it just seems in my opinion is that it seems appropriate to kind of put them all in line or else we have issues that we don't want a negative environment. We have a great working environment here and unfortunately we do know that sometimes people that are making less and doing more can cause some ill feelings and it's a wonderful county to be in and I just want to try and do the right thing. I looked at the whole thing and we talked and I've talked to other administrative assistants and I must have spent 3 to 4 hours last week alone looking into that to see where everything is right in-line with this proposals so I have got to throw that out there so I did the due diligence on that regard and it just seems right if we want to do the right thing.

Mr. Whitten, I don't disagree with that except for that's a strong statement that if we don't give the raise it's the wrong thing to do.

Ms. Graham, Yes.

Mr. Whitten, I don't know that's necessarily...

Mr. Simms, That's not quite my words.

Mr. Whitten, Well I am finishing the paragraph maybe...I don't know but philosophically speaking the time to look at all of our available funds whether be it LIT or other available revenues that come in the time we really need to do that is at our budget sessions because we get the big picture. That's when we prioritize that's when we try to parody that's when we try to do all those things. I'm just concerned that when we start the year off with going back and starting to make drastic changes to the particular salaries is we are starting down a slippery slope. I'm not disagreeing with what you are saying Greg quite frankly I understand that we want to pay people a fair wage for a fair days work and we want to be fair so I don't disagree with that my concern was just that here are in January and we are looking at this.

Mr. Poparad, How long has Tracy been there?

Facility Director Ray Cloyd, She has been since April 1st.

Ms. Graham, Of last year?

Mr. Poparad, Almost a year?

Facility Director Ray Cloyd, Yes.

Mr. Poparad, And when you changed the title from Assistant to Facility Coordinator did her work change?

Facility Director Ray Cloyd, Some of the duties did. I believe that I definitely put a lot more duties on her than my predecessor did.

Mr. Poparad, Ok.

Mr. Whitten, Have you put more on and this is an honest question...when you were looking at the \$38,000 dollars you had it in your mind what you thought the job function would be have you added more on since that? I mean has that changed or are you still kind of at the same...honestly?

Facility Director Ray Cloyd, Same...the same. Yes I didn't know what the salaries were throughout the government until that ordinance came out. It really opened my eyes...wow I have an employee that really...

Mr. Whitten, That is underpaid?

Facility Director Ray Cloyd, Yes. And I'm not looking at this as an employee I mean Tracy is awesome I hope to retire with her but I am looking at this as a position. I already had one person leave when I first started here because the pay wasn't right and she still works in the county but she went to a higher wage that's right around this figure and I am not saying that Tracy is going to do that I can't foresee the future but I'd like to say that it won't happen...I am in the position where I have a fair market for the position.

Mr. Simms, And Ray when you walk over to the court house and she is here and you are comfortable with people walking in asking for things because you're confident in her abilities to help out the people you don't have to be there and do that correct?

Facility Director Ray Cloyd, Absolutely.

Mr. Simms, Because I know that I do see you at the Court House quite a bit and that is awesome too by the way.

Mr. Jessen, Ray I appreciate your concern for your employees that is absolutely essential and also reflecting on the parody between your department and other departments throughout county government and there are varying salaries and that's the reality as it stands today. I also can appreciate the timing from a budgeting standpoint with us just recently passing the Budget/Salary Wage Ordinance time period it's a little bit difficult to take what I would view as a significant step because it's a big percentage increase. So I would propose and make a motion to increase the facilities administrative assistant and this gets back a bit to what Jeremy was saying to what you originally requested but didn't get during the wage discussion. So I motion to take that salary to \$38,392 dollars.

Mr. Poparad, I'll second it.

Mr. Rivas, There is a motion and a second on the floor to change the salary to \$38,392 dollars.

Mr. Larson, Jeremy can we have some discussion on that?

Mr. Rivas, Sure so there is a motion on the floor for \$38,392 any further discussion?

Mr. Larson, We have an office coordinator in Parks, we have an administrative assistant in the IV-D court. Parks is at \$40,706 dollars, the administrative assistant which is essentially the same title as he has given in the IV-D Court and that is \$40,941...

Mr. Whitten, Say it again Jeff what was it?

Mr. Larson, Well in the IV-D Court the administrative assistant which is the same label that he has applied here is at \$40,941 dollars and we have an office coordinator which is in charge of the entire office is at \$40,706 dollars so those are real close in figures if we were comparing salaries. I would hope that we could at least get that close if that's what we were looking at as an increase.

Mr. Whitten, I think Mike's motion is just shy of \$39,000 dollars so that is pretty close.

Ms. Graham, That's right.

Mr. Rivas, It's not that far off. \$38,392 dollars Mike is that what it was?

Mr. Jessen, Yes \$38,392 dollars.

Mr. Rivas, Any other discussion? No alright you can vote it down if you don't like it and try to get it to \$40,000 dollars so we will see what happens. Can we get a roll call on that Madam Auditor on \$38,392 dollars for the Facilities Coordinator?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

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

Auditor Vicki Urbanik, 5 – 2

Mr. Rivas, She is at what you requested during budget session so maybe you can revisit it during next budget session.

Facility Director Ray Cloyd, Alright thank you.

Health Department

Bioterrorism Grant Fund - 8119-000-0610

Additional \$176,594.36 to 39500 Contractual Services. Reason: Reestablish Grant appropriation for 2020.

93.268 Health IIC Grant Fund - 8205-000-0610

Additional \$54,666.00 to 11200 Hourly
\$ 4,184.82 to 12100 FICA
\$ 413.00 to 21100 Office Supplies
\$ 1,369.62 to 24100 Medical and Dental
\$43,122.17 to 31300 Training and Education
\$ 3,590.00 to 32300 to Postage
\$ 2,250.00 to 36100 Maintenance Agreements
\$12,525.00 to 45400 Other Equipment

Reason: Reestablish appropriation for 2020.

Mr. Rivas, Health Department

Mr. Whitten, We have a bunch of Grants here Mr. Chairman so I make a motion on Bioterrorism Grant Fund and the Health IIC Grant Fund on all the additional.

Mr. Rivas, So everything...the Bioterrorism Grant and the Health IIC Grant so there is a motion on the floor for the additional...

Mr. Poparad, I'll second it.

Mr. Rivas, And there is a second, any questions on these?

Mr. Whitten, Anything that you want to tell us? It sounds very scary
Bioterrorism

Health Department Director of Nursing Connie Rudd, That's so it doesn't
have to be scary.

Mr. Whitten, Oh ok.

Health Department Director of Nursing Connie Rudd, That's why we are
paying this person a contractor so that it doesn't have to be scary.

Mr. Larson, What is our security blanket look like for this Corona Virus?

Health Department Director of Nursing Connie Rudd, The security blanket is
that the Health Department gets notified if they have any kind of potential or a
person under investigation and then we do what we do best which is contact
investigation and surveillance and containment. So that's what happens with it so
the important thing is let the public know what they are looking at which is really if
you have not traveled to China the Influenza piece is really more important for a
local persons instead of Corona Virus but if you have traveled to China well then
that's a different story.

Mr. Larson, So we supposedly have a case reported here that's under
investigation currently?

Health Department Director of Nursing Connie Rudd, Yes that is true.

Mr. Larson, And if that comes to fruition and we have to start quarantine or
actually checking people do we have the resources to do that and how are we
equipped for that?

Health Department Director of Nursing Connie Rudd, What happens with
this case is and you are correct the correctly term is "person under investigation"
and that is coined by CDC and the State Department of Health. This person is
isolated under medical supervision, it is just like a respiratory infection so as long as
she is symptomatic this person is not going anywhere.

Mr. Larson, Right.

Health Department Director of Nursing Connie Rudd, So they are not out
there infecting anyone else and if they were then we would be talking to those
people, where this person has traveled and where they have come from.

Mr. Whitten, So they are not here tonight?

Health Department Director of Nursing Connie Rudd, There not here tonight
unless you haven't told me something that I should know.

(Laughter)

Mr. Whitten, Whew! Thank goodness. I think we should have led with that
question.

Mr. Rivas, So these are new grants they are re-established grants?

Health Department Director of Nursing Connie Rudd, They are actually.

Mr. Rivas, So they are new?

Health Department Director of Nursing Connie Rudd, They are not new they
are re-established.

Ms. Graham, Move to approve.

Mr. Jessen, Second.

Mr. Whitten, I already made the motion on all of them.

Ms. Graham, Oh thanks.

Mr. Whitten, I moved on all of them with one fell swoop.

Ms. Graham, Sound good, did anyone second it?

Mr. Whitten, Oh yeah time is money.

Mr. Rivas, Yes first and second.

Ms. Graham, Good.

Health Department Director of Nursing Connie Rudd, These grants actually are mid-year they are kind of a pain in the kiester because they start July 1st, 2020 and go through June 30th, 2021. So we had to come to you in August of last year to get the last six months appropriated and the numbers that you see here are actually January 1st through June 30th, 2020 and then the Auditors office asked us to do a hypothetical amount to get us through the end of the year. The Immunization grant will be re-submitted February, that's trough Indiana Immunization Coalition and then we find out and write for the grant and then we find out what is awarded to us usually in July. They were a little late last year because it was supposed to start July 1st. 2019 but that's the numbers that you see here.

Mr. Rivas, Any other questions then? No further questions can I have a roll call on all 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. Rivas, Thank you and have a good evening.

Health Department Director of Nursing Connie Rudd, We did want to tell you to that there too that there is a public service announcement that just was sent out this afternoon so we want people to know that the Health Department is on it and we are trying to make people aware...

Health Department Director Letty Zepeda, All the media has been contacted the media channels NBC, ABC all the channels have been contacted. We decided to go ahead and get the information out before it goes out as a rumor from someone else.

Health Department Director of Nursing Connie Rudd, Right.

Health Department Director Letty Zepeda, That way we can have a handle on it.

Health Department Director of Nursing Connie Rudd, Good news travels fast, bad news travels faster.

Mr. Whitten, Yes it does.

Mr. Rivas, Alright thank you.

Development & Storm Water Management

Storm Water Fund - 1182-000-0079

Additional \$65,000 to 37300 Lease Purchase. Reason: Annual lease payment for Storm Water vector truck.

Mr. Rivas, Development and Storm Water Management.

Mr. Whitten, I'll make a motion on the additional \$65,000 dollars to lease purchase.

Mr. Larson, Second.

Mr. Rivas, Storm Water fund additional \$65,000 dollars to lease purchase. Discussion?

Ms. Graham, I have one question?

Mr. Rivas, Yes.

Ms. Graham, What's a Vector truck?

Mr. Poparad, A sucker truck.

Ms. Graham, Oh ok.

Mr. Rivas, Ok motion and a second on the floor. Did you get it?

Ms. Graham, I've got it.

Mr. Rivas, I guess my only question is why? Did we forget this in the budget?

Development & Storm Water Director Bob Thompson, Yes I forgot it.

Mr. Rivas, Perfect.

Development & Storm Water Director Bob Thompson, My bad.

Mr. Rivas, Make a note of that and mark it right next to his name.

(Laughter)

Mr. Whitten, Strick a line through it.

Mr. Rivas, Any further questions?

Mr. Jessen, Is that an annual lease payment?

Development & Storm Water Director Bob Thompson, It is an annual lease payment we received the vehicle or I should say the Highway department received the vehicle last year. We made a payment on it last year and we got the invoice and it was kind of oh no...

Mr. Whitten, Let me just tell you Vector truck are not cheap.

Development & Storm Water Director Bob Thompson, No they are not.

Mr. Whitten, How many times have we said that? Only once actually.

0

Mr. Rivas, Alright any further questions?

Mr. Poparad, I am assuming this is a lease purchase?

Development & Storm Water Director Bob Thompson, It is a lease purchase.

Mr. Poparad, Thank you.

Mr. Whitten, Well it says right there lease/purchase.

Development & Storm Water Director Bob Thompson, Yes it's a five year.

Mr. Whitten, It's a good assumption on that.

Mr. Poparad, Yes.

Mr. Rivas, Any further questions or comments Mr. Whitten?

Mr. Larson, Is there anything at the end of that Bob?

Development & Storm Water Director Bob Thompson, I'm sorry?

Mr. Larson, Is there anything at the end of that lease purchase are we going to have a balloon payment?

Development & Storm Water Director Bob Thompson, \$150,000 dollars over the backend to a new Vactor truck at the end of this five year lease. Which beats the little \$20,000 dollars we got from the old vactor truck that they owned outright.

Mr. Poparad, Wait a minute...

Development & Storm Water Director Bob Thompson, They owned a Vactor truck...

Mr. Poparad, No, no forget that. You've already made a trade in deal and they have guaranteed you value?

Development & Storm Water Director Bob Thompson, Yes

Mr. Poparad, Under certain conditions?

Development & Storm Water Director Bob Thompson, Under certain conditions they did tell us that. Rich Sexton worked this out with the Highway Department through the Commissioners and yes they have told them...

Mr. Poparad, Did they list the hours and miles?

Development & Storm Water Director Bob Thompson, That you would have to ask Mr. Sexton he's the one with the lease on it. We have a memorandum of understanding with the Highway Department that we would pay the majority of the lease agreement as long as they staffed it. Because we do a significant amount of work with the Storm Water with the Vactor truck.

Mr. Poparad, I'm assuming they delaminate the hours of service at the trade-in time?

Development & Storm Water Director Bob Thompson, I'm assuming they did.

Mr. Whitten, Well we still have to make the lease payment.

Mr. Poparad, Oh I agree I'm just getting clarification.

Mr. Whitten, All good questions Bob.

Development & Storm Water Director Bob Thompson, I will find this out for you.

Mr. Poparad, Sometimes the conditions at the end will surprise you.

Mr. Whitten, The devil is in the details.

Mr. Poparad, They are.

Ms. Graham, Always.

Mr. Poparad, Tires, brakes, seat torn, dent's in the fender...

Mr. Rivas, I'm certain that Attorney McClure read the fine details on the lease purchase right?

County Attorney Scott McClure, Excuse me?

Mr. Whitten, I will take that as a yes.

Mr. Rivas, You might want to give Bob those details.

Mr. Poparad, I'm done.

Mr. Whitten, They were talking Vactor trucks and Vactor truck leases.

County Attorney Scott McClure, Alright what would you like to know?

Mr. Whitten, Nothing I think we are there.

County Attorney Scott McClure, Excellent.

Mr. Rivas, Will you get Bob that information?

Development & Storm Water Director Bob Thompson, Will do.

Mr. Rivas, He has got a little background on it.

Mr. Whitten, I'd like to call the question Mr. Chairman.

Ms. Graham, Yes.

Mr. Rivas, Can we have roll call Madam Auditor?

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

Mr. Rivas, Thank you.

Mr. Poparad, Is this five years?

Development & Storm Water Director Bob Thompson, Yes it's five years.

Prosecutor

Prosecutors General Fund - 1000-000-0009

Additional \$10,877.15 to 11100 Salaries. Reason: Pay increase for 2020 to account for the status change of Employee from Non-Exempt to Exempt.

Mr. Rivas, Prosecutor General Fund request. We have in front of us an additional \$10,877.15 dollars to salaries the reason is pay increase for 2020 to account for the status change of employee from non-exempt to exempt. As for the status change the person is exempt currently though?

Ms. Graham, Right.

Prosecutor Gary Germann, She was exempted some time I think in March of 2019.

Mr. Whitten, So I'd like to just lay a couple of historical thoughts for us to consider. So back under the prior Prosecutor you may recall we had some issues with the person that was then in this position racking up a substantial comp time hours at that time we were advised by the Commissioners that they recommended that we pay out the comp-time because of that individuals status at that time through negotiations apparently between the Commissioners and the then Prosecutor it was decided that this position would become exempt so that we wouldn't have that issue again. Unfortunately it didn't get brought back to us until March I asked the Commissioners at that time or the County Attorney at that time when making the status change did you consult the Prosecutor on this? The answer was yes and I think that the miscommunication was they had consulted with the prior Prosecutor during the time that the hours became an issue. They had apparently not consulted with the current Prosecutor who had just taken office so that was a little bit of a miscommunication. So when Mr. Germann became aware of what had happened he reached out with obvious questions about the status change about his employee so we started having some discussions with him about that.

Mr. Larson, Does this satisfy all the hours that are left over?

Mr. Whitten, So as you may recall we in a prior meeting dealt with paying out the hours that were accrued prior to that status change and then after that status change as an exempt employee the hours were no longer on the table because of the change. The Prosecutor has met with myself and Chairman Rivas at the end of last year to try to get this worked out because his employee is working a lot of hours. So what we recommended to him at that time was kind of go back and take a look at the hours that Sheila was working and come back to us with a proposal in January that he felt at least addressed the hours that she was working or if he was going to request that we change her status back from exempt that we have some justiciable or predictable way in which we would handle the hours again like we had with the prior Prosecutor. So that is sort of the history of it which is why Gary is in front of us here in January because we have asked him to do that so that is what I wanted to say so you are up to speed.

Mr. Rivas, So this is in front of you and this isn't a general fund request.

Prosecutor Gary Germann, And I can tell you that the number that the number that we ultimately came up with takes into account the best efforts that we've made to take some of the responsibilities off of the Officer Manager and spread those out to a couple of the other assistants and it really is still a drain on the staff but we have been able to do that. It is also less than the amount of money that she would have been paid had she been totally non-exempt from last year, we figured that to be somewhere around \$62,000 to \$63,000 dollars and I think the prior Office Manager was even more than that. So I have to take that into account and sort of give you the best guess if you will especially with the kind of hours that she is working managing a staff with over forty (40) people. The other thing that I will tell you I did try to find money for you we canceled an excess books that we were getting that we just didn't need anymore. It was just kind of a standard contract that we

kept getting so we went over budget and eliminated that it was about \$2,400 dollars. As you may recall we had a pretty serious murder case that took place it was the Dillard murder case from Chesterton and we were able to find a separate source to pay about \$8,700 dollars of our expert witness fees in that case. So I just want you to know that we are doing what we think that we can to save money that would otherwise would not be there in our budget and if we don't spend it, it drops back into hopefully one of your accounts.

Mr. Whitten, You said it was a serious murder case aren't they all serious?

Prosecutor Gary Germann, Yes this one was particularly serious.

Mr. Whitten, This was really, really, really serious.

Prosecutor Gary Germann, Yes.

Mr. Whitten, I am just trying to get a handle on the comparison of the murder cases...

Prosecutor Gary Germann, Yes I can make that comparison for you.

Mr. Jessen, Can you speak to the...just to give or you mentioned and I apologize but can you give us an idea of the number of hours she was working when she wasn't exempt versus how many hours that she is working now as an exempt employee?

Prosecutor Gary Germann, It's about the same.

Mr. Jessen, Which is how many?

Prosecutor Gary Germann, That's a good question I think over the year it was in excess of around 450 to 475 overtime hours.

Ms. Graham, For the year?

Mr. Jessen, How about you just give me the amount on a weekly basis?

Prosecutor Gary Germann, Yes over a year. I'm sorry you were saying?

Mr. Jessen, On an average week how many overtime hours?

Prosecutor Gary Germann, I'm going to say we work a 35 hour week so I'm saying it's 45 hours.

Ms. Graham, Ten.

Prosecutor Gary Germann, It's more during payroll period because of the way the payroll works and the way she has to come in to start that process. The payroll ends like at 4:45 p.m. on a Friday and Sheila will typically come in or just stay through on a Friday night and work to get that ready for what she has to do on Monday. That's just one of the many things that she and I have to take care of.

Mr. Jessen, And how did we arrive at that \$59,900 dollars?

Prosecutor Gary Germann, What I did was I took what I thought she should really make and reduced it and \$59,900 divides evenly by 52.

Mr. Larson, Exactly because I thought it was going to be more like \$61,900 dollars isn't it with the \$12,000 dollars?

Mr. Whitten, I have sort of a general question Gary?

Prosecutor Gary Germann, Yes

Mr. Whitten, And I know that I asked you this but I am going to ask you again now so that we have it. You don't think it's an issue that your administrative assistant will be making more than a pretty good chunk of your lawyers?

Prosecutor Gary Germann, No I don't think so because I plan to address that with you all at the next budget session.

Mr. Rivas, So you are setting us up for next Fall?

Ms. Graham, Yes.

Mr. Rivas, That's what I just heard.

Prosecutor Gary Germann, Well no I just want you to take a look fairly at what everybody else does. Which by the way Jeremy I don't think that it has been done in a long time.

Mr. Whitten, So here the...let me jump in there for a second. I want to make sure that this is very clear, it may not have been done in a long time but the fact of the matter is it's because it wasn't asked to be so your predecessor made no effort to generally across the board bring his staff up other than an occasional pick and choose.

Prosecutor Gary Germann, Yes I understand.

Mr. Whitten, I want to be clear to everyone that is listening to that comment that it's not that this Council has ignored requests they simply haven't been made.

Prosecutor Gary Germann, No.

Mr. Whitten, The second thing I want to say now that you have got me fired up.

Prosecutor Gary Germann, Ok good I'm ready to go too.

(Laughter)

Mr. Whitten, So and I hear what you are saying Gary and I do think that you do need to come back to us at budget time with kind of like what the Sheriff did some years ago with a comparative study of what's going with other departments in the area to give us a real understanding of how far behind or not your positions have lagged.

Prosecutor Gary Germann, Ok

Mr. Whitten, It's something that we need to address.

Prosecutor Gary Germann, Well...

Mr. Whitten, There is no doubt it's been not addressed for a long time even though...even though every year it was asked to be addressed. So I want to be clear about that so it's overdue.

Prosecutor Gary Germann, Yes and I have already started that process. For example I've gone back to 2000 and there has not been a staff member added since 2000. So I will have a lot of information for you...

Mr. Rivas, Except for last year.

Prosecutor Gary Germann, Yes since last year...since I asked for one.

Mr. Whitten, I think at one point we went down or something did we not?

Auditor Vicki Urbanik, Yes.

Mr. Whitten, And that was part of your predecessors reorganization where was a reduction...there was actually a reduction.

Prosecutor Gary Germann, Yes so no I will have all that for you and I really...and here is what I have been talking about and I would really like us together to take a look at the vision for our community and I don't mean just looking at next year. But let's take a look at where we are going to be in five or ten years and what kind of effective law enforcement we are going to provide for the people who live here now and for the people that are moving in and that is a substantial amount of people.

Mr. Whitten, I think I might keep that speech because it's a good one for the...

Mr. Poparad, Election.

(Laughter)

Mr. Whitten, For the budget session because we do need to have a look because it has been so long and your office does need to be brought up to the here and now, whatever that means. We need a good well thought, well drafted comparison.

Prosecutor Gary Germann, And I will have it.

Mr. Rivas, If I could interject here?

Prosecutor Gary Germann, Sure I'm sorry.

Mr. Rivas, Bob I think you had a question.

Mr. Poparad, Yes at budget time you asked for a raise of roughly \$9,200 dollars and obviously that didn't work. Now you come back with \$10,800 dollars.

Prosecutor Gary Germann, Well that includes the FICA and the PERF.

Mr. Poparad, For the same raise to take it to \$59,900 dollars?

Prosecutor Gary Germann, Yes just about.

Mr. Poparad, Ok.

Prosecutor Gary Germann, But the \$10,000 the way I was told to put it into the request was to include the PERF and the FICA.

Mr. Poparad, No they are shaking they head no over there.

Mr. Larson, Do we actually have the actual dollar amounts so that we know what we are talking about? Because I've heard a couple of different figures.

Prosecutor Gary Germann, Ok that's what it's meant to convey.

Mr. Whitten, So let me ask you this Vicki is in your humble opinion he has the change of salary up to \$59,900 and over here we've got the request of \$10,877.15 dollars and in your humble opinion does that include then the other things?

Auditor Vicki Urbanik, No, no the proposal is in the General Fund and general fund positions FICA and PERF are paid for through the Commissioners budget. We don't put FICA and PERF into individual budgets in the general fund.

Mr. Whitten, So really what he is really asking for is less than...well maybe \$9,000...ish dollars. \$9,200 dollars...\$9,100 dollars something like that.

Prosecutor Gary Germann, Yes its...

Mr. Whitten, \$9,152 dollars something like that.

Prosecutor Gary Germann, \$9,152 dollars.

Mr. Whitten, Ok.

Prosecutor Gary Germann, I'm sorry I didn't understand that?

Auditor Vicki Urbanik, We would have gone by the form 144 anyway and not the additional.

Mr. Rivas, You said you looked at the other funds? You looked at both deferral funds?

Prosecutor Gary Germann, I looked at both deferral funds like I said before and one is really low, we are trying to build that up now. The other one we are still paying some salaries out of it.

Mr. Rivas, Anybody with any further questions or comments?

Mr. Poparad, Was this employee exempt at budget time?

Auditor Vicki Urbanik, No.

Mr. Poparad, When did all that transition occur?

Mr. Whitten, It happened in March.

Mr. Poparad, Almost a year ago.

Mr. Whitten, Almost a year ago.

Auditor Vicki Urbanik, Correct.

Mr. Whitten, And Gary was not brought into the loop on that. He found out later.

Mr. Poparad, Well I am assuming the employee knew?

Mr. Whitten, No I don't think anybody knew it has been changed.

Mr. Poparad, That their status was changed?

Mr. Whitten, When she hired in it was under a position that was non-exempt. It became exempt three months after she hired in.

Mr. Poparad, Ok nobody told her?

Mr. Jessen, But she knew it...she knew it.

Mr. Simms, She had to know it.

Mr. Whitten, Well I think she knew it later.

Prosecutor Gary Germann, Because she found out when she tried to put her overtime hours in and the clock wouldn't let her do it.

Mr. Poparad, I was going to say the moment that she submitted an overtime claim it would have been rejected.

Prosecutor Gary Germann, She was like I wonder what happened.

Mr. Poparad, So that would have happened March or April whatever analogy you want to use.

Mr. Whitten, But I think there was some confusion...again and I'm not the agent for the prosecutor's office but I do think that there was some confusion at that time and it took a little while to figure it out. Because I was under the assumption that the Prosecutor was involved in that decision but in fact it was the prior Prosecutor. I assumed that Gary knew. I assumed that he had been in those discussions which in a sense would have meant that his staff was involved in those discussions.

Mr. Poparad, Well his staff knew.

Mr. Whitten, Later.

Mr. Poparad, Well wait a minute...wait a minute the moment that she turned in an overtime claim and it was rejected correct? So that would have been April at the latest...ok let's say May so it shouldn't have been a big surprise at budget that she was exempt.

Mr. Whitten, That's correct.

Mr. Poparad, But we didn't address it at budget because...?

Ms. Graham, We did address it and turned it down.

Mr. Whitten, Well...

Prosecutor Gary Germann, Well I tried to.

Mr. Whitten, Yes he did.

Prosecutor Gary Germann, I did address it.

Mr. Whitten, So at budget time there was that's kind of when we figured everything and again for a couple of months I assumed Gary had been involved in it as we all did. So I didn't really understand necessarily or any of us understand why he was saying what happened. It took us a little while to figure out what happened and then when we figured that out we then asked Gary to go back make a decision whether he or what would be a fair number as the elected official for her to be exempt. I think that discussion should have happened when it was decided to make her exempt but he wasn't in those discussions.

Mr. Poparad, Who made her exempt then?

Mr. Whitten, That decision was made to do that under the prior administration so it didn't get done then for some reason it didn't get to us until March. No fault to the Prosecutor's office but for some reason it just fell off the radar somewhere and it found its way to us in March. I'm not saying that you should vote for this or not I'm just saying that's what happened.

Mr. Rivas, So I am just going back to the numbers and I do have a little bit of an issue paying your executive administrative assistant more than some of your attorneys in your office and I am voting for it and we are definitely making the argument for you in the fall in my opinion anyway to increase everybody above her on all the attorneys. So it almost like if you approve this you are close to approving raises to get some of your attorneys above this.

Ms. Graham, Right.

Prosecutor Gary Germann, That's still going to be something that we would have I'm hopeful of a direct conversation about that. The one thing I want to add is I've said this to you all before, I invite you all to come up and visit us you can stop in

anytime you want we are not going to make special arrangements to do something we wouldn't ordinarily do during the day...

Mr. Whitten, Well in that case I am not coming.

Prosecutor Gary Germann, Oh well you are the exception.

(Laughter)

Mr. Jessen, I believe that is absolutely true.

Mr. Poparad, There is absolutely no question that he is the exception.

Mr. Jessen, Truer words never spoken.

Prosecutor Gary Germann, Seriously if you could just come up and see what we are doing on a daily basis and what we do.

Mr. Whitten, Gary listen to be honest and to be fair when we look at and when you come to us at budget time and you look at what you think or what your request is for us to look at your attorneys salaries compared to other things that are happening around the state. This administrative assistant's salary is going to have no bearing on whether or not to give your staff a raise. I'm not going to so if someone said to me we need to give the lawyers a raise because your administrative assistant makes more than them I don't care about that. That's Gary's decision he is the department head and he's got to deal with moral what I'm going to be concerned about is are we competitive in our prosecutors office as compared to other prosecutors office because it's the same kind of discussion that we had with the Sheriff. Are we bringing in the best and brightest and are we retaining the best and brightest and the way that you do that is you become competitive and you stay competitive. So that's going to be at least my concern if you come back to us at budget time which I suspect you probably will. I believe that's going to be the discussion not Sheila's salary.

Prosecutor Gary Germann, That will be the analysis that I will have for you honestly.

Mr. Jessen, And I view that separate from this request and tell me if I'm reading it right Gary? You are basically saying there is an employee who has been working effectively 10 hours of overtime because she is exempt and if she wasn't exempt it would be overtime?

Prosecutor Gary Germann, Correct.

Mr. Jessen, So she's been working instead of 35 hours per week she is working 45 hours per week and you are saying that in order to pay her for that time that's basically the point of your request?

Prosecutor Gary Germann, Exactly it's actually less but it's a number that I thought that we could all live within our office.

Mr. Jessen, And up till now she's not getting or banking hours and we are not keeping track or anything like that because she is exempt?

Prosecutor Gary Germann, She is exempt.

Mr. Jessen, Alright.

Mr. Simms, I've got a question and I haven't be out there and I apologize because I've been just about everywhere else but...

Prosecutor Gary Germann, That's ok come on up.

Mr. Simms, I've got to ask what does she do above and beyond from our other administrative assistants in the other departments? I mean we just shot down somebody on their salary a little bit for saying she is not worthy of it. We are trying to argue...

Mr. Whitten, Whoa. I didn't say that.

Mr. Simms, Oh I was just paraphrasing.

(Laughter)

Mr. Whitten, Ok.

Mr. Simms, I hope you understand what I am saying because this is a lot of money for this if this is a similar kind of that the others are doing I have a hard time figuring out why are we giving her more?

Prosecutor Gary Germann, Well first of all someone wrote a job description right?

Mr. Simms, Is it in here?

Prosecutor Gary Germann, Which we have never seen.

Mr. Simms, Well maybe if we saw that it would give me a good idea.

Prosecutor Gary Germann, You should have...I should have it, I know that I don't. To tell you what she does on a weekly or monthly basis would amaze you. Payroll is just the beginning of it. Of managing a law office she is the account department, she is the personnel department. She is handling all kinds of my work as close as I can get to an administrative assistant which is doing all of my scheduling. If I have a trial she is helping me with that and the last trial I had in October I had three of my assistants working on the trial preparing all of my notes and getting me ready to try the case the way that it needed to be tried. She is in there at 8:00 a.m. and there are times that she doesn't leave until 6:00 p.m. and it's managing and she is dealing with the Indiana Prosecuting Attorney's Association, she is dealing with our budget, she is dealing with the Auditor's office, she is dealing with personnel issues. When there is a problem in the office among the people she has got to be out there and help solve that. She is running interference when victims come in she is really good with helping calm those people down when they are coming into the office. She is the face of the prosecutor's office because she works so closely with me and I could go on and on.

Mr. Simms, But...

Prosecutor Gary Germann, And that takes time.

Mr. Simms, A lot of other department head will say the same thing about their assistants.

Prosecutor Gary Germann, Ok but you asked me....

Mr. Simms, Yes.

Prosecutor Gary Germann, The thing about it is this is a law office and no offense but I'm not sure that comparing us to the street department is fair.

Mr. Simms, Does she have a law degree?

Prosecutor Gary Germann, She does not.

Mr. Simms, Oh then...

Prosecutor Gary Germann, No she has been my assistant for thirty years.

Mr. Simms, But she is not a lawyer so...

Prosecutor Gary Germann, No she all but has...

Mr. Simms, But again the others...

Prosecutor Gary Germann, No she all but has a law degree.

Mr. Simms, But she doesn't.

Prosecutor Gary Germann, No she does not have a law degree.

Mr. Rivas, Ok Vicki I have got a question there was not a form 144 on this what do we do with that? What's the procedure? Was there not a form 144 submitted?

Mr. Larson, Yes there is.

Auditor Vicki Urbanik, No after your office submitted the paperwork to the Council I did inform the Prosecutor that we need a form 144 and he did submit one and it is in your packets so he did submit it to me but I forwarded it to the Council's Office.

Prosecutor Gary Germann, Oh ok thank you.

Mr. Rivas, Alright so there has been plenty of discussion...

Mr. Larson, I mean the hourly rate is like \$23.96 if we go with that \$59,900 dollars considering the overtime that we had in the past and adjusting the hours it's a hard pill to swallow so I agree with a lot of this plus I agree with Jeremy that I'm not going to evaluate every attorney on the same basis but that's a pretty big increase and it's not at budget time. Is there an idea that we could since you are going to come back to us again could we reduce this a little bit Gary and then work towards that goal? I mean is there something that...I don't think the Council wants to be not amicable to what's going on here but...

Prosecutor Gary Germann, Well I think two things is that one she really wasn't paid for the hours that she put in because she worked from March until December for starters and as I said I found \$11,000 dollars for you, I mean that already is in your pocket and it came from me to you because we are doing what we can to be sensitive to what we actually need in our office from a monetary standpoint and she is doing work.

Mr. Whitten, We appreciate you...I appreciate you finding the money Gary but in all fairness you have to recognize the fact that we did take a pretty substantial hit to the general fund through the budget process to accommodate the diminishing general fund so we weren't...we took a pretty big thing for that. For whatever reason those funds were dried up or drying up.

Prosecutor Gary Germann, The only comparison I have for her job are in two counties Elkhart County and Tippecanoe County. And in Elkhart County there are actually three assistants that do her job it's a larger staff of seventy or excuse me eighty. In Tippecanoe County I think the executive administrative assistant is paid around \$70,000 dollars and that too is a larger staff, although we are very comparable in size and caseloads to Tippecanoe County that's our best comparison. But that's the only comparison I have that's actually to me viable if you wanted to compare an apple to an apple in terms of what that person does.

Mr. Rivas, Alright so I think you got an answer there Jeff it seems like it is all or nothing from the Prosecutor.

Ms. Graham, It sounds like he is going to be coming back at budget time for revamping the whole office is that what I am hearing?

Prosecutor Gary Germann, Yes Sylvia I think it's time after 20 years...at least 20 years to take a new fresh look at it and like I said I don't want us to look at it just on what it's going to be like next year but I want to look well into the future of where we are headed and I am working on that right now.

Ms. Graham, Well please keep in mind that the state tell us what we can do.

Prosecutor Gary Germann, I get that and I know.

Mr. Poparad, I guess that I am a little concerned...I guess I want to question that this lady worked from March of last year to present with no overtime?

Mr. Whitten, (Inaudible)

Mr. Poparad, I know but I got to go back to budget time why wasn't this addressed at budget time she was exempt then? I'm sorry...

Prosecutor Gary Germann, I tried to do it I had it built into my proposal and by the time it came to me it had already been taken out.

Mr. Whitten, So here is the problem lets kind of look at the big picture here. He did have it in his budget at budget time but frankly the whole budget was overshadowed by the most pressing issue for at least our budgets but not the most pressing issue for his employee but for our budgets was that we were faced with a fairly large shortfall that we had to address with the general fund money. So yes he did address this at budget time but honestly we were taking such a hit with the general fund in kind of correcting the non-general fund numbers that it got back-burnered.

Mr. Rivas, I think we have spent enough time on this...

Mr. Larson, I like to say a \$5,000 dollar increase on this at this time...

Mr. Rivas, Is that a motion?

Mr. Larson, I like to make a motion to increase it by \$5,000 dollars.

Mr. Rivas, There is a motion to increase the position by \$5,000 dollars.

Mr. Jessen, Second.

Mr. Rivas, There is a second any further discussion? I can't imagine there would be too much...

Mr. Poparad, How close is that?

Mr. Jessen, \$47,056 I think.

Mr. Rivas, Is that it?

Ms. Graham, Yes.

Mr. Rivas, Alright no further discussion let's have roll call Madam Auditor.

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

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

Mr. Jessen - Yes
Mr. Larson - Yes

Auditor Vicki Urbanik, And the vote is 6 – 1

Mr. Poparad, Did we do a form 144 and do we need to do a form 144?

Mr. Rivas, It's in there it just wasn't on the agenda.

Mr. Poparad, Ok.

Ms. Graham, This is for her?

Mr. Whitten, Our vote was for the form 144.

Mr. Rivas, It was for the form 144 increasing that by \$5,000 dollars.

Auditor Vicki Urbanik, Increasing the form 144 by \$5,000 dollars.

Mr. Poparad, Did we do the additional then with the same vote?

Mr. Whitten, So I will make the motion then I guess...

Mr. Rivas, Because it's not on there...

Mr. Whitten, A \$5,000 dollar increase to the General fund to salaries.

Mr. Jessen, Second.

Mr. Rivas, There is a motion and second to do the additional \$5,000 dollars to salaries the first motion was to the form 144 just to clear up the confusion because it wasn't on the agenda.

Ms. Graham, To clear things up.

Mr. Rivas, Don't know why exactly so we have a first and a second any further discussion? Vicki can we have roll call?

Mr. Whitten, I want to make sure of what we are doing here so our first vote was for the form 144 right?

Mr. Larson, Right.

Mr. Whitten, And so now we are doing it for the actual additional?

Auditor Vicki Urbanik, An additional

Mr. Whitten, Isn't that kind of (Inaudible) Alright.

Mr. Rivas, Is it the same? Can it be encompassed in the first one?

Auditor Vicki Urbanik, Well you advertised for the additional for the first one but...

County Attorney Scott McClure, Was it advertised? If it was advertised then you are fine.

Auditor Vicki Urbanik, It was advertised.

Mr. Whitten, Ok that was my last and final question.

Mr. Rivas, But what Vicki?

Auditor Vicki Urbanik, I just wondering if we could do a transfer instead but that would be up to the Prosecutor because it's \$5,000 dollars.

Ms. Graham, I can't hear what she is saying.

Auditor Vicki Urbanik, We can do the additional.

Mr. Whitten, Well hold on before we get to the big show here what do you mean by that? You are saying to transfer from some other place....

Auditor Vicki Urbanik, Instead of an additional appropriation of \$5,000 in the general fund is there some place in his general fund that he could transfer \$5,000 dollars? That's all I am suggesting.

Mr. Whitten, He has indicated that he's...

Auditor Vicki Urbanik, Because with the additional we will have to submit it to the State and we will have to wait awhile to get the approval (inaudible)

Mr. Whitten, So he has indicated that he's cut something.

Mr. Larson, Right so he probably has some money there in the general fund.

Prosecutor Gary Germann, Well that was in the 2019 line items for the budget so we didn't pay a library legal fee for our 2019 and the trial expenses would have become due in 2019 also.

Mr. Whitten, Do you understand what Vicki is saying?

Prosecutor Gary Germann, No.

Mr. Whitten, Additional take a little bit of a delay because it has to be approved by the State so if there was a way that we could transfer we could do it now.

Prosecutor Gary Germann, Ok.

Mr. Whitten, We wouldn't have to wait for the additional to be approved.

Prosecutor Gary Germann, Transfer from what line item?

Mr. Rivas, Well can..

Mr. Whitten, That my friend is up to you.

Mr. Rivas, Vicki can you pull up his general fund budget?

Auditor Vicki Urbanik, We could just go with the additional just ignore what I said.

Mr. Whitten, What's the delay? When will the State

Auditor Chief Deputy Toni Downing, There is only law books...

Auditor Vicki Urbanik, There is not a lot of room to maneuver.

Mr. Whitten, Ok.

Auditor Vicki Urbanik, Let's just do it.

Ms. Graham, Scott wants to say something.

Mr. Rivas, Scott?

County Attorney Scott McClure, If any delay in additional from the State is not going to be affecting the salary line item because you really don't need the money technically until November or December.

Mr. Whitten, That's correct.

Mr. Rivas, Yes.

County Attorney Scott McClure, So you won't have a problem with this issue.

Ms. Graham, Thank you Scott.

Mr. Whitten, That's right.

Mr. Rivas, I think Vicki was thinking just to...

Auditor Vicki Urbanik, Just to make it a little bit more efficient.

Mr. Rivas, make the paperwork a little more simpler.

Auditor Vicki Urbanik, Exactly.

Mr. Rivas, So are we good with the original motion passing? I mean it was advertised so do we need to make the second one?

Auditor Vicki Urbanik, No its fine.

Mr. Rivas, Alright we're good.

Prosecutor Gary Germann, Ok so I am good to go?

Mr. Rivas, You are good to go.

Prosecutor Gary Germann, Alright so please come and visit I would love to see you. Thank you.

Mr. Whitten, I usually bring a little ray of sunshine to your office.

Prosecutor Gary Germann, Yes

Auditor Vicki Urbanik, But you still need to vote on the additional.

Mr. Rivas, That what I was asking.

Auditor Vicki Urbanik, Oh I thought you asked if it was advertised properly.

Mr. Rivas, No do you think we need to do the second roll call?

Mr. Whitten, There is a motion and a second on the floor let's have a roll call.

Mr. Rivas, Alright let's have a roll call

Auditor Vicki Urbanik, For the additional?

Mr. Rivas, For the additional.

Auditor Vicki Urbanik, Alright

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 it passes.

Adult Probation

Adult Probation Pre-Trial Services Fund - 2103-000-0274

Reduction (\$45,126) to 11100 Salaries. Reason: Reducing the amount in the Pre-Trial Services Fund by \$1,962 per pay for 23 pays.

Form 144 \$44,631 to \$27,627 Probation Officer
\$50,000 to \$32,996 Probation Officer
\$42,246 to \$25,242 Probation Officer

Reason: \$45,126 reduction in salaries in Pre-Trial Services Fund.

Adult Probation Comm. Corrections Pre-Trial Services Grant - 9164-000-0274

Additional \$45,126 to 11100 Salaries.
\$3,452 to 12100 FICA
\$5,055 to 12300 PERF

Reason: Money transferred back to PTS Community Corrections from a different Community Corrections fund in the amount of \$20,000 in addition to leftover funds at the end of 2019. And FICA and PERF needed to cover \$45,126 in salaries for the PTS Community Corrections Grant for 2020.

Form 144 \$0 to \$17,004 Probation Officer
\$0 to \$17,004 Probation Officer
\$0 to \$17,004 Probation Officer

Reason: Money transferred back to PTS Community corrections from a different Community Corrections fund in the amount of \$20,000 in additional to leftover funds at the end of 2019.

Mr. Rivas, Adult Probation Pre-Trial and Community Services Pre-Trial Grant funds we have some reductions and additional \$45,126 to salaries the reason money transferred back to PTS from a different Community Corrections fund in the amount of \$20,000 dollars in addition to leftover fund at the end of 2019 the other additional is \$3,452 dollars to FICA and \$5,055 dollars to PERF reason the amount of FICA and PERF needed to cover the \$45,126 dollars in salaries for the PTS Community grants for 2020 so there is some additional and form 144...

Mr. Whitten, Mr. Chairman I like to make a motion that we approve the reductions and the form 144 in the Pre-Trial Services fund and the additional and the form 144 on the Community Corrections.

Mr. Larson, Second.

Mr. Rivas, The reductions and additional and form 144's?

Mr. Whitten, The whole shebang.

Mr. Rivas, The whole shooting match?

Mr. Whitten, Yes

Mr. Rivas, There is a motion and a second any questions on the request?

Ms. Graham, Yes is there anybody getting a raise out of all of this?

Adult Probation Melanie Golumbeck, No we're just changing the funds from which the salaries are drawn.

Ms. Graham, Thank you

Adult Probation Melanie Golumbeck, You're welcome.

Mr. Rivas, Alright any further questions on this one? Roll call?

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, I've got one question on the reduction of salaries for the Pre-Trial Services fund is that going to get you through the rest of the year?

Adult Probation Melanie Golumbeck, No so this is the grant not unlike the Health Department grant that goes July 1st to...

Mr. Poparad, Ok I'm fine I just want to make sure. Ok Jeremy I am sorry Mr. President.

Mr. Rivas, No so this is all complete?

Mr. Larson, Yes now we are going onto the Clerk.

Mr. Rivas, Alright.

Adult Probation Melanie Golumbeck, Thank you.

Mr. Jessen, Thank you and have a good evening.

Porter County Clerk

Clerk General Fund - 1000-000-0001

Transfer \$36,429 from 11100 Salaries to 11200 Hourly. Reason: To hire some part-time help.

Mr. Rivas, Alright Porter County Clerk general fund transfer \$36,429 from salaries to hourly to hire some part-time help

Mr. Whitten, Moved to approve

Mr. Larson, Second

Mr. Rivas, Motion and a second, discussion?

Mr. Whitten, Is there money to support this transfer? She is not going to shortfall herself later?

Mr. Poparad, Is this for the expanded early voting or just the in general?

Clerk Jessica Bailey, No this is for the Clerks department.

Mr. Poparad, I'm sorry.

Ms. Graham, What is this for?

Clerk Jessica Bailey, The Clerks office. I have multiple things on there this time.

Mr. Poparad, Yes we'll get to that part.

Mr. Rivas, Any other questions?

Ms. Graham, No.

Mr. Rivas, All in favor of the transfer signify by saying Aye? All Opposed same sign? Motion carries.

Motion carries on a unanimous voice vote.

Mr. Larson, Do you need more information (inaudible)?

Auditor Vicki Urbanik, We need to establish an up to is usually how we do hourly?

Clerk Jessica Bailey, I had an up to rate already on there before that depleted doesn't it say?

Mr. Whitten, Don't we already have an up to on there?

Auditor Vicki Urbanik, This is out of General fund.

Clerk Jessica Bailey, I thought it...

Auditor Vicki Urbanik, In Perpetuation you have up to \$16.50.

Clerk Jessica Bailey, {Inaudible} yes

Auditor Vicki Urbanik, Ok

Mr. Whitten, So that's my motion...I make a motion up to \$16.50.

Mr. Larson, Second.

Mr. Rivas, Motion and a second for hourly up to \$16.50 is that what you said?

Ms. Graham, Yes.

Mr. Rivas, Any discussion? All in favor of the transfer signify by saying Aye? All Opposed same sign? Motion carries.

Motion carries on a unanimous voice vote.

Board of Elections & Registration

Board of Elections & Registration General Fund - 1000-000-0062

Transfer \$70,000 from 13401 Polling Place Boards to 44200 Motor Vehicles.
Reason: Purchase of Utility Vehicle.

Mr. Rivas, Board of Elections & Registration general fund transfer \$70,000 dollars from Polling Place Boards to Motor Vehicles the reason to purchase a utility vehicle.

Mr. Larson, Motion.

Mr. Rivas, Motion on the floor.

Mr. Whitten, Second.

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

Mr. Poparad, I see you expanded the early voting?

Clerk Jessica Bailey, Yes.

Mr. Poparad, You expanded Tuesdays and Thursdays?

Clerk Jessica Bailey, Yes.

Mr. Poparad, How come not the other days?

Clerk Jessica Bailey, Mondays are low volume or Fridays are low volume turnout to begin with. So we picked two days Wednesdays are usually high Church days and a lot of people have things to do so we picked two days that normally go together so it's usually Monday, Wednesday, Friday or Tuesday, Thursday when people have things going on so we picked Tuesday and Thursday.

Mr. Poparad, Did you do anything with the Saturday hours?

Clerk Jessica Bailey, We are still open the last two Saturdays.

Mr. Poparad, Not every Saturday?

Clerk Jessica Bailey, Not every Saturday.

Mr. Poparad, Why?

Clerk Jessica Bailey, We don't really have high, high turnout and we are hoping to use this vehicle to supplement and add additional Saturdays, because we would be going to places that aren't already serviced.

Mr. Poparad, Well that's my point you're going to be driving this vehicle to I believe Lakeland Park, Sunset Hills and South County on a Saturday?

Clerk Jessica Bailey, Yes and those are additional locations.

Mr. Poparad, What about the rest of the week is there a schedule or do you have a plan or what?

Clerk Jessica Bailey, Nothing has been approved, the Election Board didn't want to approve anything prior to having the entire vehicle approved. But yes I would like to have it out more often than the three locations.

Mr. Whitten, Anything from prohibits you in your mind from having the other Saturdays?

Clerk Jessica Bailey, Well one of them is the Saturday before Easter and so we don't think we are going to get a whole lot of volume on that day and the first Saturday in April we can't because it's before early voting starts. Also we are planning on having one additional and then the two before but I think so, I don't have a calendar but I think...

Mr. Whitten, So you thinking you got that.

Clerk Jessica Bailey, Yes.

Mr. Poparad, I think I was referring more to the General Election which I think we all think it's going to be pretty hectic that day this year.

Mr. Whitten, I know there are some big names on that ballot this year.

Mr. Poparad, Yes.

Clerk Jessica Bailey, We have to use the same locations in the General that we do in the Primary.

Ms. Graham, Oh that's right.

Mr. Poparad, Ok but I guess I'm...well first of all I'm going to vote no on this just so that we are clear.

Clerk Jessica Bailey, We've talked

Mr. Rivas, We haven't even called roll yet.

Mr. Poparad, I know

Mr. Rivas, and you just voted.

Mr. Poparad, I just thought expanding early voting I think would have a way bigger impact than driving that van into Burns Harbors park on a Saturday when you match dollar for dollar.

Clerk Jessica Bailey, And again the locations haven't been set but this is in addition to the early vote.

Mr. Poparad, No I mean...

Clerk Jessica Bailey, So all the satellite locations will still be open the last two.

Mr. Poparad, No I mean if early voting expanded to every night not just two nights a week.

Clerk Jessica Bailey, That's an awful lot of money because if you have one of the early vote sites open you have to have all five of them.

Mr. Poparad, Ok.

Clerk Jessica Bailey, We are already looking at extremely low volume at Hebron and most likely low volume at Union Township.

Mr. Poparad, Ok.

Clerk Jessica Bailey, So were not...so in order to use this vehicle we want to go to places that are not already serviced by the early voting locations which is why those locations were thrown out. There is a Chesterton early voting site but for the community of Burns Harbor to walk to a location they are not going to walk to the Town Hall in Chesterton.

Mr. Poparad, Well they are not going to walk to the Park either.

Clerk Jessica Bailey, It was a suggestion because...

Mr. Whitten, Can you find out who they are going to vote for before we bring the van?

(Laughter)

Clerk Jessica Bailey, It was specifically asked to stay on public property and staying on public property restricts.

Mr. Poparad, I guess I'm just questioning the costs per vote. I mean have we ever done an analysis?

Mr. Whitten, You can't put a price on the power of votes. Peoples vote you can't put a price on it.

Mr. Poparad, Correct that why I'd love to spend this money on expanding early voting.

Mr. Simms, This is much more versatile...

Mr. Poparad, Oh yeah.

Mr. Simms, Extremely more versatile.

Mr. Poparad, Oh yeah we are going to drive it to Burns Harbor.

Mr. Simms, There are three other places that they have trailers in the United States.

Mr. Poparad, Yes.

Mr. Simms, And they work tremendously well and they were super excited and would love to have what we are proposing here or what's being proposed with the van because their trailer is not adequate as they would like to be...a lot of them are jealous of our opportunity and we get this thing going and you go into the community...

Mr. Poparad, I was being told that this was never done in the United States.

Mr. Simms, With a van.

Clerk Jessica Bailey, No, no...with a van. Typically it's a single wide trailer.

Mr. Whitten, With this particular van? It's new isn't it?

(Laughter)

Clerk Jessica Bailey, It is its brand new. Typically it's done with a single wide trailer which means you also need a vehicle with a hitch and somebody who is available to drive that. This vehicle can be used for other things besides early voting and that's what Councilman Simms was talking about it has more versatility.

Mr. Poparad, Ok well that's great it's what makes America it's called opinions.

Clerk Jessica Bailey, Ok.

Mr. Poparad, I have to be honest I asked all ten people in my office would they vote in a van and they said absolutely not.

Mr. Simms, But if you go out to the community and ask a thousand people they will have a different answer. I have talked to tons of people and I know that Jessica has talked to tons of people this is a very positive thing.

Mr. Poparad, Absolutely

Mr. Simms, And I've even asked people if we allocate this money is it money well spent? I have not one person that has said no.

Mr. Poparad, Ok good.

Mr. Simms, So these are the voters, these are the constituents, these are the community...

Mr. Poparad, So who do you think I talked to Greg?

Mr. Simms, You said your office workers.

Mr. Poparad, Yes.

Mr. Simms, All you say is your office workers.

Mr. Poparad, They all live here.

Mr. Jessen, Point of order.

Mr. Whitten, It seems to me that Simms called you a liar Bob.

Mr. Simms, No, no I just said he's got a limited reach on who he talked to versus what I've done.

Mr. Rivas, That's not necessarily true so let's...

Mr. Jessen, Mr. Chairman?

Mr. Rivas, Yes.

Mr. Jessen, Jessica it's my understanding that the three early voting sites for the use of this vans have not been determined yet?

Clerk Jessica Bailey, No.

Mr. Jessen, So that's to be determined?

Clerk Jessica Bailey, Yes.

Mr. Jessen, But that's to be determined by unanimous vote of the Election Board?

Clerk Jessica Bailey, Correct.

Mr. Jessen, And it is also my understanding that the Election Board has unanimously in support of this project?

Clerk Jessica Bailey, We had a new member that joined us in January and he abstained but beside that yes it was unanimous.

Mr. Jessen, Ok so all in an effort to increase voter registration, increase the exposure out there of the importance of voting and also ultimately and time will tell but the goal is to ultimately increase the vote and we all know that in Porter County we are woefully inadequate in terms of the turnout for vote and so in an effort like this is something that certainly is worth consideration. And I'd like to say I appreciate your effort in terms of the original presentation and obviously there were some questions and a little bit of push back and you at least to my satisfaction when out and got those questions answered in terms of what we needed to do to make a decision based on that information. So I applaud the Election Board and your office and your initiative in terms of trying to make this happen.

Clerk Jessica Bailey, Thank you.

Mr. Whitten, So I guess from my thoughts and I haven't really weighed in a ton because I haven't really thought it through completely but I did talk to our Clerk who gave me the answers to my questions. There are a couple of things one is it

seems to me that there is nothing wrong with thinking outside the box and trying to take things to the next level if no-one every did that then things would never move forward so I appreciate that. Also we have an office holder who has taken an office that was an absolute disaster and made it into something that we don't find ourselves on Cable TV in Dallas Texas talking about us. So I think we have to kind of give her some deference to her thoughts and her research and her opinions with respect with trying to move this office further.

Mr. Rivas, Ok thank you hold-on Sylvia?

Ms. Graham, I would like to say that you said you were also going to use is for transporting equipment and so it isn't limited to just what they are talking about here?

Clerk Jessica Bailey, Correct it's a multipurpose

Mr. Larson, Well Sylvia if you look at this back page she has an explanation of all the dates and times.

Ms. Graham, I just wanted to point that out is that ok?

Mr. Rivas, She is just clarifying.

Mr. Larson, No I'm just saying...

Mr. Whitten, Is that ok Jeff? Is that ok if Sylvia has an opportunity to ask some questions?

Mr. Larson, Yes perfect.

Ms. Graham, That's all that I have to say.

Mr. Rivas, So Jessica for the multiple uses of the utility vehicle?

Clerk Jessica Bailey, Yes it will be multiple uses part of it will be equipment delivery; part of it will be voters registration drive; part of it will be collecting absentee ballots; mobile voting as well is a component of it.

Ms. Graham, I am voting for it.

Mr. Rivas, Jeff you wanted to say something?

Mr. Larson, You've got several things on here using the vehicle for but where will the vehicle reside when it's not in use and what will be left in the vehicle? Will there be anything left in the vehicle?

Clerk Jessica Bailey, It will reside at the Porter County Highway department behind the locked gates and there may be equipment left in it overnight but that would be if we were transporting it back and forth between different places.

Mr. Larson, And the vehicle will be serviced by our county garage?

Clerk Jessica Bailey, Yes.

Mr. Larson, And those arrangements are all made?

Clerk Jessica Bailey, Yes.

Mr. Larson, Ok.

Mr. Rivas, Alright is there any further questions? Well we might as well get a roll call just for fun.

Mr. Whitten, Well and also because it's legally required.

Mr. Rivas, It's a transfer.

Mr. Whitten, Oh smack.

(Laughter)

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

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

Auditor Vicki Urbanik, 6 – 1

Clerk Jessica Bailey, Thank you.

Mr. Rivas, There you go good luck.

Auditor Vicki Urbanik
Clerk/Adult Probation/Animal Shelter/Prosecutor/Auditor

- The following adopted 2020 budgets exceeded advertised amounts requiring additional appropriations

Clerk Perpetuation Fund - 1119-000-0001

Additional \$25,000 to 11200 Hourly
 \$ 4,913 to 12100 FICA
 \$17,380 to 12200 Medical/Life Insurance
 \$ 4,392 to 12300 PERF

Adult Probation Supplemental User Fees - 2101-000-0274

Additional \$15,804 to 11100 Salaries

Animal Shelter Supplemental - 4008-000-0626

Additional \$21,510 to 11200 Hourly

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

Additional \$21,695 to 11100 Salaries
 \$ 4,660 to 12100 FICA
 \$ 6,824 to 12300 PERF

Ineligible Homestead Fund - 1216-000-0002

Additional \$52,765 to 11100 Salaries
 \$ 5,909 to 12300 PERF
 \$17,380 to 12200 Medical/Life Insurance

Mr. Rivas, Alright Auditor Vicki Urbanik you have Clerk, Adult Probation, Animal Shelter, Prosecutor and Auditor these adopted 2020 budgets exceeded advertised amounts requiring additional appropriations.

Mr. Whitten, I am going to make a motion on all of them.

Mr. Rivas, There is a motion on all of the additional appropriations.

Mr. Larson, Second.

Mr. Rivas, There is a second any discussion on what's in front of us?

Mr. Whitten, None of these are general fund hits it's all just housekeeping.

Mr. Rivas, Do you want to give a quick synopsis?

Auditor Vicki Urbanik, They are in keeping with your adopted budget amounts.

Mr. Rivas, Ok perfect, any further discussion? Bob are you good?

Mr. Poparad, Yes I'm fine.

Mr. Rivas, Roll call Madam Auditor?

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

Second Reading

Mr. Rivas, Second reading.

Auditor Vicki Urbanik,

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

General Fund

Prosecutor General Fund	1000-11100-000-0009	Salaries	\$	5,000.00
-------------------------	---------------------	----------	----	----------

Clerk's Perpetuation Fund

Clerk's Perpetuation	1119-11200-000-0001	Hourly	\$	25,000.00
Clerk's Perpetuation	1119-12100-000-0001	FICA	\$	4,913.00
Clerk's Perpetuation	1119-12200-000-0001	Medical/Life Insurance	\$	17,380.00
Clerk's Perpetuation	1119-12300-000-0001	PERF	\$	<u>4,392.00</u>
			\$	51,685.00

Storm Water Fund

Storm Water Fund	1182-37300-000-0079	Lease Purchase	\$	65,000.00
------------------	---------------------	----------------	----	-----------

Ineligible Homestead Fund

Ineligible Homestead Fund	1216-11100-000-0002	Salaries	\$	52,765.00
Ineligible Homestead Fund	1216-12200-000-0002	Medical/Life Insurance	\$	17,380.00
Ineligible Homestead Fund	1216-12300-000-0002	PERF	\$	<u>5,909.00</u>
			\$	76,054.00

Adult Probation Supplemental User Fees Fund
--

Adult Probation Supp. User	2101-11100-000-0274	Salaries	\$	15,804.00
----------------------------	---------------------	----------	----	-----------

Adult Probation Pre-Trial Services Fund
--

Adult Probation Pre-Trial	2103-11100-000-0274	Salaries	\$	(45,126.00)
---------------------------	---------------------	----------	----	-------------

Animal Shelter Supplemental Fund

Animal Shelter Supplemental	4008-11200-000-0626	Hourly	\$	21,510.00
-----------------------------	---------------------	--------	----	-----------

Adult Probation Community Corrections PTS Grant Fund

Adult Prob. CC PTS Grant	9164-11100-000-0274	Salaries	\$	45,126.00
Adult Prob. CC PTS Grant	9164-12100-000-0274	FICA	\$	3,452.00
Adult Prob. CC PTS Grant	9164-12300-000-0274	PERF	\$	5,055.00
			\$	53,633.00

Public Health Preparedness Grant Fund
--

Public Health Preparedness	8119-39500-000-0610	Contractual Services	\$	176,594.36
----------------------------	---------------------	----------------------	----	------------

93.268 Health IIC Immunization Grant Fund
--

Health IIC Immunization	8205-11200-000-0610	Hourly	\$	54,666.00
Health IIC Immunization	8205-12100-000-0610	FICA	\$	4,184.82
Health IIC Immunization	8205-21100-000-0610	Office Supplies	\$	413.00
Health IIC Immunization	8205-24100-000-0610	Medical and Dental Supplies	\$	1,369.62
Health IIC Immunization	8205-31300-000-0610	Training and Education	\$	43,122.17
Health IIC Immunization	8205-32300-000-0610	Postage	\$	3,590.00
Health IIC Immunization	8205-36100-000-0610	Maintenance Agreement	\$	2,250.00
Health IIC Immunization	8205-45400-000-0610	Other Equipment	\$	12,525.00
			\$	122,120.61

Prosecutor General IV-D Incentive Fund

Prosecutor IV-D Incentive	8895-11100-000-0009	Salaries	\$	21,695.00
Prosecutor IV-D Incentive	8895-12100-000-0009	FICA	\$	4,660.00
Prosecutor IV-D Incentive	8895-12300-000-0009	PERF	\$	6,824.00
			\$	33,179.00

And that concludes second reading.

Mr. Whitten, I make the motion to approve second reading Mr. Chairman.

Mr. Larson, Second.

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

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

Attorney's Report

Ordinance – Attorney Harold Harper

- Ordinance No 20-01 – An Ordinance Authorizing the Purchase of a Blanket Bond Covering County Court Reporters

Mr. Rivas, Alright attorney's report from our fine attorney Harold Harper.

Council Attorney Harold Harper, I'm sorry I just put a piece of candy in my mouth.

(Laughter)

Mr. Rivas, Well thank you we'll move on

Mr. Whitten, We'll all wait.

Council Attorney Harold Harper, I apologize.

Mr. Rivas, We waited for one attorney tonight we'll wait for the other.

Council Attorney Harold Harper, The only issue that we have to address in the attorney's part of the meeting is the Blanket Bond Draft Ordinance that I circulated to everyone. The County already as a part of the insurance policy pays for as a part of the policy a premium for employee dishonesty and it's already been paid for it came up and Attorney McClure had talked to me several months ago and there was an opportunity for the County to save some money in regards to the Court Reporters. All the Court Reporters in the County which is ten plus (10+) are required by stature to have an individual bond and the blanket bond allows the County if the fiscal body approves it to pay for those bonds through the policy that we already have. Attorney McClure had talked to the Court Services in Indianapolis and they have given us the written go ahead that would suffice for purposes of that particular statue and hence the Ordinance that I drafted which simply the Council has to approve if it's going to happen providing for that bond to cover the Court Reporters. It saves about \$10,000 dollars a year.

Mr. Poparad, I'll make the motion.

Ms. Graham, Second.

Mr. Poparad, Do you need to suspend the rules to do this?

Mr. Whitten, Well we have the roll call first and then we'll have a motion to suspend.

Mr. Rivas, So there is a motion and a second on Ordinance 20-01 any further discussion? Roll call on the Ordinance Madam Auditor?

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

ORDINANCE NO. 20-01
AN ORDINANCE AUTHORIZING THE PURCHASE OF A
BLANKET BOND COVERING COUNTY COURT REPORTERS

WHEREAS, the Porter County Council ("Council") is the fiscal body of Porter County Government.

WHEREAS, Ind. Code 33-41-1-6 requires that "[e]very official circuit, superior, criminal, probate, and juvenile court reporter... [b]efore performing any official duty... must provide a bond as is required for notaries public..."¹

WHEREAS, Ind. Code 5-4-1-18(b) further requires that *inter alia* county court reporters... shall file and maintain in place an individual surety bond during each year that the individual serves as an officer, employee, or contractor..."

WHEREAS, Ind. Code 5-4-1-18 provides that "[t]he fiscal body of a city, town, county, or township may by ordinance authorize the purchase of a blanket bond that:

- (1) is endorsed to include faithful performance to cover the faithful performance of; and
- (2) includes aggregate coverage sufficient to provide coverage amounts specified for all employees, commission members, and persons acting on behalf of the local government unit..." (Ind. Code Ann. § 5-4-1-18).

WHEREAS, the Indiana Office of Court Services has determined that such a blanket bond, if adopted by the county's fiscal body, satisfies the court reporter bonding requirements of Ind. Code 33-41-1-6.

WHEREAS, the purchase of a blanket bond (versus purchasing individual court reporter bonds) provides a cost savings to the County.

WHEREAS, the Council hereby authorizes the purchase of such a blanket bond.

All of which is hereby RESOLVED BY ORDINANCE, by vote taken on the 28th day of JANUARY 2020.

Passed and adopted this 28th day of JANUARY, 2020.

¹ See also: "An applicant applying for a commission as a notary public or reapplying for a subsequent commission shall... obtain an assurance in the amount of twenty-five thousand dollars (\$25,000)..." (Ind. Code § 33-42-12-1).

Ordinance No 20-01

Mr. Whitten, I make the motion to suspend the rules and have the second reading Mr. Chairman.

Mr. Poparad, Second.

Mr. Rivas, There is a motion and a second to suspend the rules for the second reading. Any further discussion? Roll call Madam 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. Whitten, Mr. Chairman I make a motion to approve the Ordinance on second reading.

Mr. Poparad, Second.

Mr. Rivas, There is a motion and a second to approve Ordinance 20-01 that authorizes the purchase of a Blanket Bond Covering County Court Reporters, any further discussion? Madam Auditor roll call?

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 anything else from Attorney Harper?

Council Attorney Harold Harper, There is not.

Any other matter that may come properly before the Council

Citizen Appointment

- Convention, Recreation and Visitor Board (CRV)

Mr. Rivas, Alright we will move on we have in front of us the Citizens Appointment for the Convention, Recreation and Visitor Board that we did not act upon at the last meeting.

Mr. Jessen, I move that we appoint Mitch Peters as our Tourism Board citizen appointment.

Mr. Simms, Second.

Mr. Rivas, There is a motion and a second to appoint Mitch Peters to the Tourism Board.

Mr. Larson, Was there a question on that last time? Do we want to address that Harold?

Mr. Rivas, Well I think the question might have been if I may because he is running for office as a Judge.

Council Attorney Harold Harper, And I looked at the Judicial Canons and they don't prohibit him from serving on the board. Matt Soliday is also on the board and he is running for Judge Bradford's position. The Canons don't in my read of them don't prohibit him from serving they would prohibit him from blatantly politicking which he wouldn't be doing as a part of the board.

Ms. Graham, He wouldn't be doing what?

Council Attorney Harold Harper, Blatantly politicking.

Mr. Poparad, If they win they have to come off right?

Council Attorney Harold Harper, Essentially yes and in terms of this Dan had mentioned at the last the question of the composition and the statue simply requires that a simple majority of the board can't be of more than one party and according to what I have been told today that appointment is not going to upset that balance if the Council decides to do so.

Mr. Larson, I will say that Lorelei fully endorsed Mitch coming back on the board.

Mr. Simms, Big time.

Mr. Whitten, And I don't have a problem with that I get it. I generally have just a knee jerk problem with sending candidates to serve on these boards. I mean we just had that experience but we didn't know that he was going to be a candidate we just appointed someone to the Park Board and it just seems like these boards on their face are supposed to be non-political and we are sending candidates and that is just a general concern.

Mr. Rivas, I agree with that.

Council Attorney Harold Harper, Possibly what we could do for our future appointments is include some sort of qualifying question. I don't think legally it's required but I don't think it would be prohibited but that is a good point Dan.

Mr. Whitten, It just seems like it's discourteous and this doesn't really relate to Mitch because we knew he was running for Judge like five years ago when he apparently announced.

Mr. Jessen, And he's been on the Tourism Board for ten years.

Mr. Whitten, Right. But I'm concerned when we have an appointment and we appoint someone to a board that they can't serve on this body and be on that board and they don't have the common courtesy to tell us that they are going to be running for office four days after we appoint them. That seems disingenuous to me but I guess that's just the way it is.

Mr. Larson, I would agree with that sentiment.

Mr. Rivas, I would agree with that.

Ms. Graham, I think that we had a good interest this time on newcomers joining or wanting to be on the boards and we should I think look at all the people. It's a way of getting people involved in politics by getting them onto boards and serving. And I would like to say that Mitch has done a great job on Tourism but he is also running for Judge and he will come off if he is elected. Isn't that what you said?

Mr. Rivas, Sylvia...yes he would have to come off.

Council Attorney Harold Harper, He would have to come off.

Mr. Rivas, Sylvia that's a great point is we have great candidates that are applying for these boards and then we have people that turn around two weeks later or four days later and they are running for office and they know they can't sit on these and maybe it would be a good opportunity to appoint somebody else that we weren't aware of. The points are valid and I don't know if there is something that we could put on the application like do you intend to seek office? I don't know how you would phrase that or maybe something like are you going to seek office that would prohibit you from sitting on this board?

Council Attorney Harold Harper, Well particularly...

Mr. Jessen, We could just ask them.

Council Attorney Harold Harper, Yes and I know with the Park Board because of the change in the Park Board Ordinance there was the statue authorizing or enabling that explicitly prohibited a member of the Council or Commissioners from serving on that and so I think it's an legitimate question just to ask if you are intending to run for the Council or the Commissioners please let us know because we may be appointing someone who is ineligible.

Mr. Simms. But on the other side if he's the best qualified candidate and he loses the election you still have got a qualified great person on there as opposed to someone else.

Mr. Whitten, True.

Mr. Simms, So you have to think about that because there is no guarantee that whoever runs for office is going to win.

Mr. Whitten, No but I think that again and I get what you are saying but again wouldn't you think that if you are asking a body to appoint you to a board that you ought to let them know...

Mr. Larson, Disclose it.

Mr. Whitten, Yes. That you are trying to get on a board and you are going to be filing for office within a week for an office that would prohibit you. Don't you think that we should have known that? It seems like that's something that we should have known because then with all of the things remaining equal if there were other...let's just say that person wins they are off of the Park Board maybe we would have wanted somebody that we know is going to be on there for four years, that we want to invest the time.

Mr. Larson, To build a future.

Mr. Whitten, I see what you are saying it's not...

Mr. Simms, You want to get a quality person on there..

Mr. Whitten, Yes.

Mr. Simms, And I don't know...

Mr. Rivas, I think the applicants were both qualified. I think there was an applicant that was equally qualified.

Mr. Larson, There was.

Ms. Graham, Yes there was.

Mr. Rivas, So we choose to stick with our current appointment and it seemed like the other candidate was very qualified. So if we knew this person was going to run for office four days later I might of voted the other way. So there is a motion to appoint Mitch Peters to Tourism.

Mr. Simms, And a second.

Mr. Rivas, All in favor of Mitch Peters to serve on Tourism once again signify by saying Aye? All opposed same sign? That's taken care of so let's...

Motion carries on a unanimous voice vote.

Mr. Whitten, Well it's a good thing we reappointed him because I think they made him President of that board so that would be a little embarrassing.

Ms. Graham, Yes.

(Laughter)

Juvenile Detention Center

Alison M. Cox – JDC Director

Donald Wellsand – ITS Director

- Security Upgrade Discussion

Mr. Rivas, Alright Juvenile Detention Center we've got some discussion here about the security upgrades.

Ms. Graham, Long time no see.

Mr. Rivas, Allison and Don.

Ms. Graham, Hi Don.

Mr. Rivas, Do you want to come up and tell us what is going on.

Juvenile Detention Director Allison Cox, Oh I don't think you are going to want to hear it. Ok I just want to apologize ahead of time I am a psychology major not an IT person. Don is with me...

Mr. Larson, So what did you decide about our Council analyzing us from back there

Juvenile Detention Director Allison Cox, Well I am hoping that you all can help me because we are having some big issues with our security systems in the Juvenile Services Center.

Mr. Whitten, We are having issues all over the county with IT.

Juvenile Detention Director Allison Cox, Well I'm going to add to it and I'm sorry. So I apologize because I am going to read from this because I wrote some things down Don and I worked on this together because there is a lot.

Mr. Rivas, How many pages is that?

Juvenile Detention Director Allison Cox, Just one...it's just one.

Mr. Rivas, Ok.

Juvenile Detention Director Allison Cox, I had some more notes on the back...no it's 9 font but...no it's mainly our security system our server is failing. In late fall our entire system failed we did not have access to any security systems which means we couldn't access doors, intercoms, control boards, resident lighting, alarms, cameras. I couldn't perform guard...well I could perform visual guard tours but I couldn't do the computer guard tours that when you press the button it actually keeps track of that in our database. So we had to revert to doing more paperwork to keep track of it. We were checking on our kids every fifteen minutes like we are supposed to. IT responded immediately Don and his group has been absolutely amazing for the last few months with us. Helping us through this process and was able to patch the system however this is temporary and it's not going to last. If the server fails completely the building will be paralyzed. Since this time the control board freezes up a few times a month when we need to revert to keys door access guard tour ability...

Mr. Whitten, No of this stuff has been hit by hackers right?

Juvenile Detention Director Allison Cox, No

Mr. Whitten, We are not opening the doors...

Mr. Rivas, Just you right now Dan.

Mr. Whitten, Ok good go on.

Juvenile Detention Director Allison Cox, No hackers or hecklers

Mr. Whitten, Not hecklers its hackers.

(Laughter)

Juvenile Detention Director Allison Cox, But when the board freezes up we don't have door access we have to revert back to do it physical and paper guard tours and instead of having things backed up on our computer system. Intercom access because the video systems freeze. Recording of building movement ceases so we have no video recording of that time so if any incidents happen during that time we're not recording them.

Mr. Larson, So what is working at the building because it sounds like we have a list of don'ts and what's the solution? How far along are we getting here is it something that we are looking at major dollars in repairs?

Juvenile Detention Director Allison Cox, We are looking at some major dollars. So I mean I could keep on going...

Mr. Larson, Well it just seem like a total system failure.

Ms. Graham, Where is the money coming from?

Mr. Rivas, I think we...

Juvenile Detention Director Allison Cox, Well that what I want to ask you all so we're looking at several bids right now to figure out how we can do this. It is going to be an overhaul of our system. We are looking at probably \$175,000 dollars to do this for the building that's going to update us for our security system. It's going to update our intercoms and to look at a few cameras that we are getting they are analogue...I don't understand this whole thing with analog they need to be IP...I don't know what that means

ITS Director Don Wellsand, She has a bunch of analogue cameras that we want to switch to IP cameras.

Mr. Larson, Is there money outside coming to us available for this?

Juvenile Detention Director Allison Cox, I'm not aware of any.

Mr. Rivas, So have you talked to the Commissioners recently?

Juvenile Detention Director Allison Cox, I have not.

Mr. Rivas, Nobody has talked to the Commissioners about this? We definitely need to do that immediately. I know that I spoke briefly with Attorney McClure and forwarded your email I didn't know if he had followed up in your direction or if you guys went in his direction?

Juvenile Detention Director Allison Cox, No.

Mr. Rivas, Can I ask also we did this IT assessment a couple of years ago and maybe Dan...or maybe it was you that tried to explain why was this not included in the IT assessment?

ITS Director Don Wellsand, The IT department has never been or had anything to do with the JDC access controls.

Mr. Rivas, Why?

Juvenile Detention Director Allison Cox, Historically it just never happened. I don't know why it was before me.

Mr. Jessen, Well who took care of it then?

Juvenile Detention Director Allison Cox, Who took care of it?

Ms. Graham, You did.

Juvenile Detention Director Allison Cox, We did...and Stanley.

ITS Director Don Wellsand, Well and Stanley and DLZ and Stanley put it in in 2012.

Juvenile Detention Director Allison Cox, Yes.

ITS Director Don Wellsand, There was a warranty for I don't know probably a three year warranty.

Juvenile Detention Director Allison Cox, Three years yes.

ITS Director Don Wellsand, And after that they had a maintenance agreement with Stanley who is out of Indianapolis. I don't know why but that maintenance agreement never got renewed. So in the meantime they had an issue and they called the IT department and we go out there and do whatever we could to try and help them but none of my guys are trained on any of this.

Mr. Rivas, Do why when we did this assessment why didn't we direct that company over there to also look at JDC? When we did this assessment two years ago they looked at all of our fourteen buildings it said and the Jail so why didn't we direct them over there if we knew we had something going on?

ITS Director Don Wellsand, I can't answer that.

Ms. Graham, Better yet is there any other department?

Mr. Whitten, And furthermore when we were talking about the assessment I think we had specific conversations where we said we wanted it all under one roof.

Ms. Graham, Right.

Mr. Whitten, We wanted a one stop shop. We don't want to piecemeal this later, we want you to go out there and give us an assessment for all of it. So that is a head scratcher here.

Ms. Graham, Are you aware of any county departments that were not covered?

ITS Director Don Wellsand, Well the departments are well covered on everything but we just have never done access control in the IT department.

Mr. Larson, So was it your assumption that the maintenance agreement was still active?

ITS Director Don Wellsand, That's what we thought in the beginning until we started getting the phone calls to come out and help.

Mr. Whitten, When did that start?

ITS Director Don Wellsand, Two years ago.

Mr. Whitten, About the time that we were asking you to do that.

Mr. Poparad, I think the mood on this side of the table is you get this fixed...

Mr. Larson, Right.

Mr. Poparad, Because if no video recorded and they have an incidents...

Mr. Larson, Right.

Mr. Poparad, The lawsuit is going to way outweigh the \$175,000 dollars.

Juvenile Detention Director Allison Cox, That is my concern.

Mr. Larson, Right way more than that.

Juvenile Detention Director Allison Cox, That's my biggest concern too

Mr. Larson, Can we get you guys to put together a solid figure together and approach the Commissioners?

Juvenile Detention Director Allison Cox, We are working on bids right now.

ITS Director Don Wellsand, We turned the prints into three different vendors today.

Mr. Larson, Ok.

ITS Director Don Wellsand, And we've asked them to get back with us with quotes within three weeks.

Mr. Larson, Who sporadic is this system currently?

Juvenile Detention Director Allison Cox, It just depends like this morning a few of our doors were not working. Sometimes we have some days that are showing the doors are open on our control board and they are not and so we have to take staff off of the floor to go over there to make sure the doors are shut. Because of course we have to make sure the doors are shut. You know some of our video if I have to go and look back at our CCTV it freezes up on us sometimes and we have to reboot the system. If the board goes down I'll go down there and I'll have to reboot a system and I'm a psych major.

Mr. Larson, Is it dire enough that we need...

Juvenile Detention Director Allison Cox, So I'm trying to reboot a system and figure this out so I call Don and his team is fantastic and responds immediately I want you guys to know that they are amazing and come immediately.

Mr. Larson, Yes but is it dire enough that we need additional personnel in there?

Juvenile Detention Director Allison Cox, No

Mr. Larson, Are we going exposing juveniles to injury?

Juvenile Detention Director Allison Cox, No we just go back to old school. I'll just be honest with you we just go back to old school, we go back to pen and paper and we go back to keys. We always do visual tours it's just really nice for us because we have a system that when you go to each of the doors and checking on kids when they are in their rooms you hit a button and when you hit that button it directly goes into our system to keep track of it incase somebody questions whether

we did that. But when we don't have that system we go back to what we did before and we just wrote it down that we did visual checks at these times.

Mr. Larson, I guess my question is that is so piecemeal how are we sure that we are covered on all those bases? Because if we all did paper and we just did paper all the time I could see that would be a much better track record. But if we are going through the system and then back to paper and then the system...

Juvenile Detention Director Allison Cox, Yes.

Mr. Larson, How is that functioning in that environment?

Ms. Graham, Well you are getting bids though now...the bad news is...

Juvenile Detention Director Allison Cox, We're getting bids it's not optimal but we are doing it. I mean we have to but we do have the staff in regards to making sure that we are watching the kids appropriately.

Mr. Larson, That's what I am saying if we need additional staffing I don't want to have a four million dollar lawsuit facing us.

Juvenile Detention Director Allison Cox, No we are fine, we are definitely fine.

Mr. Rivas, Mike?

Mr. Jessen, Alison when the server fails and like you said you have no access how long of a period of time was that?

Juvenile Detention Director Allison Cox, Oh gosh...

Mr. Jessen, How long and how often do we experience that?

Juvenile Detention Director Allison Cox, Well when the server went down before when we had the issue in the fall it was several hours that we were down. But they were able to piece it back together.

Mr. Jessen, Ok.

Mr. Whitten, So we definitely need an upgrade. We definitely need to get up to this century.

Juvenile Detention Director Allison Cox, We need an upgrade I'm just coming to you all I wanted to make sure you guys knew because if we have to ask you guys for money then we are asking you, if we are asking the Commissioners we are asking for money.

Mr. Whitten, So we need to talk to with the Commissioners we need to figure out a funding source that is palatable and we need to get the bids you requested. We need to get some real numbers and we need to get things rolling.

Mr. Rivas, Can we immediately reach out to the Commissioners tomorrow?

Juvenile Detention Director Allison Cox, Yes.

Mr. Rivas, Don or Allison both together?

Juvenile Detention Director Allison Cox, Oh definitely.

Mr. Rivas, Then once this upgrade happens it will be under your control at this point and time? We are not going to leave JDC out there by themselves anymore?

ITS Director Don Wellsand, Correct.

Mr. Poparad, Can I make a comment?

Mr. Rivas, Yes.

Mr. Poparad, If this was the Jail we would declare an emergency and fix it tomorrow.

Mr. Larson, That's exactly right.

Mr. Poparad, This is kiddie jail.

Mr. Larson, That's why I'm concerned.

Mr. Whitten, Yes I don't know that we should go much further down that road at a public meeting.

Mr. Poparad, Jail?

Mr. Rivas, Please immediately talk to the Commissioners.

Juvenile Detention Director Allison Cox, We have the staff and we have adequate staffing.

Mr. Whitten, Talking about losses and liabilities.

Mr. Poparad, Well it's out there.

Mr. Larson, I know but the reality of it is it's there.

Ms. Graham, She is telling us she has staffing.

Juvenile Detention Director Allison Cox, We have adequate staffing.

Mr. Whitten, Yes so that sounds great and thanks for the update, it's fantastic and it's all great news.

Mr. Larson, Dan is avoiding a lawsuit.

Juvenile Detention Director Allison Cox, We have adequate staffing and our kids are safe. We're fine.

Mr. Rivas, Keep us informed when you talk to the Commissioners.

Juvenile Detention Director Allison Cox, We just wanted to give you a heads up because we didn't want to drop this on your lap and say hey here are some bids and we need some money.

Mr. Whitten, Thank you Allison we appreciate it.

Juvenile Detention Director Allison Cox, No problem.

Mr. Whitten, Don you might want to stay there for a second we've got a couple of questions for you.

Mr. Rivas, Thank you Allison.

Mr. Jessen, Thank you Allison

Mr. Rivas, So Don and I spoke with you briefly earlier today. We had an issue recently in the County I don't know when was it? Help me out? Last Friday...last Thursday...last?

ITS Director Don Wellsand, It was on a Wednesday.

Mr. Rivas, So we had an issue and something went on in the County with our system and you took care of it but for me you don't have to go into it out loud to us right now but I would definitely like the Council to know maybe if you could put an email together on what happened? How you fixed it and how you communicated this out and what's going to change going forward? Kind of a report that this Council can understand completely what happened. If you could do that for us please?

ITS Director Don Wellsand, Yes I can get my two engineers that were on staff that night.

Mr. Whitten, So that's great but while we're here though as you know we received a fairly pointed letter and also a response to that letter was sent and it was problematic to say the least. I wasn't there so I don't know all that happened but our Recorder who penned that letter is here and I think that my question for you just generally speaking is it appeared at least from the restitution that we got from the Recorder that there was a communication breakdown or delay in communication that caused them to have wasted effort in the work that they were doing and had they been told that there was a problem they would have ceased that is that true?

ITS Director Don Wellsand, That's correct.

Mr. Whitten, Why was there a delay in communications?

ITS Director Don Wellsand, I just didn't get around to getting it done.

Mr. Whitten, Do you think that's a good answer?

ITS Director Don Wellsand, No. We have things in place now so that does not happen again.

Mr. Whitten, So Chuck you are here you wrote this letter and it was pretty heavy hitting what are your thoughts on that?

Mr. Rivas, Dan if I may before you are going to have him respond you should come up here. I'm not going to have you respond from the back of the room if you are going to respond at all. But there was a response from Don and it was my understanding that there has also been a response from the Commissioners.

Ms. Graham, Right.

Mr. Whitten, Chuck could you come up here? You sent us a pretty heavy letter and asked us and told us and I like to get at least an idea of where we're at now and the only reason I say this is because the letter sort of ended with this is what we are doing from this point forward and I want to make sure we all understand what that means and if that is still the case? So Don you've indicated there was at least a delay in communication. Chuck where is the Recorder's Office at this point?

Recorder Chuck Harris, We're still doing repair work we have not had any assistance from IT on this. Would you say that is accurate?

ITS Director Don Wellsand, No one has asked us yet. When did you ask me?

Recorder Chuck Harris, When I came down to your office and I still haven't been contacted. I'm not done yet, I came down to your office and asked if there was anything that you could do to restore that information and you said..you can answer what you said.

ITS Director Don Wellsand, I told him no that the data for that day was gone.

Recorder Chuck Harris, I don't know what else you could do to help me I mean it's a back-up.

Mr. Rivas, You just asked if he could help and now you are saying what could you do to help so I don't know where this is going to go but I'm not going to have you guys going back and forth right here. I mean there does seem to be a lack of communication that day Don, it appears to be that way. You did address it and you had no problem putting an email out letting everybody know about planned outage in off hours but you weren't able to do this during something that affected everybody. I would definitely ask you to have a better line of communication when something like this goes on...

Mr. Whitten, Yes but more over Jeremy, I mean here is why I'm asking this to be handled right here so that we know what is happening from this point forward. And I only say that because I don't even know that this is necessarily the tribunal. But this is the tribunal that we drug them in here from the Recorder Office and this is the tribunal where we leveraged and had them through negotiations come back and report to us how this was going to work in the future. So it seems to me that since we made ourselves a stakeholder and a party to this that we really need to know where we are at now and where we are going. I don't want to leave it with a letter that says were doing it internally from now on the end. I won't recite the previous part but I want to know where we are at now and what we are going to do now looking forward?

Recorder Chuck Harris, I haven't heard any thoughts on how that's going to be fixed in the future going forward. I mean I've got ideas on how my office would like to do it, we've got several options but I haven't heard anything about this problem being fixed.

Mr. Whitten, So here's what I would ask and I echo what you said to Don I'd like to have something in writing for myself too that says this is what happened, this was the time delay and this is how I am going to address it. But I would also like to know for our next meeting what happened from then to our next meeting? Where are we at? Are we still we're not going to be under the County IT well what does that mean? Or I've addressed all the problems that came up and this is what went wrong and it won't happen again because? We brought them in here, we made them get into a room...we encouraged and at points leveraged them to come up with a plan. The plan at least from the Recorders perspective didn't work. The communications perspective from Dons perspective wasn't there. I want to know looking forward what are plan is and what assurances do we have from both sides as to problems not happening or how they will be address in the future.

Mr. Rivas, So you I believe received an email from the Commissioners today?

Recorder Chuck Harris, Oh yes.

Mr. Rivas, Kind of showing the direction of where things are going to go and I don't know if there is a meeting planned out?

Recorder Chuck Harris, They stated that they would like to have a meeting with me.

Mr. Rivas, And Don I believe the Commissioners said what Dan is talking about right now to get everybody on the same page and fix any communication gaps?

ITS Director Don Wellsand, Yes.

Recorder Chuck Harris, I am more that welcome to talk to anybody. I guess probably the biggest problem for me is just not ever being advised that there was a problem. We found it out on our own and we had to call our software vendor who said there was a tragic error...

Mr. Rivas, So we got the email and I think that we are addressing it. There is obviously a gap in communication.

Recorder Chuck Harris, Ok.

Mr. Rivas, The Commissioners have agreed to that

Recorder Chuck Harris, That's fine.

Mr. Rivas, So we really need something a report to this Council because Dan you are right we have pulled this in this direction we helped facilitate is so we want to know what happened and we will definitely communicate with the Commissioners how we are moving forward.

Mr. Whitten, I wish the Commissioners were still here because I really would like to hear what their plan is to address this as well they were recipients of that letter.

Mr. Rivas, I think from now on I'm am going to send an email out if you have a request we need a Commissioner here. I mean if they have a request we need somebody here so does anybody else have anything?

Mr. Whitten, So as we sit here today are we at least back on even footing were we can at least operate and data entries are going in and not lost in the abyss?

Recorder Chuck Harris, We are hoping that tomorrow we have all or at least most of our information put back together.

Mr. Whitten, And Don as you sit here do you feel like the system is back on track and running?

ITS Director Don Wellsand, There servers are up and running fine.

Mr. Whitten, Ok.

ITS Director Don Wellsand, With good performance and the back-ups are working fantastic.

Mr. Larson, How is it that we lost all that information because a lot of those programs automatically back-up? So how is it that it got all dumped?

ITS Director Don Wellsand, Are particular back-ups don't start till 4:30 to 5:00 p.m. at night.

Mr. Larson, So they don't do every five minutes or...

ITS Director Don Wellsand, No.

Mr. Larson, every four?

ITS Director Don Wellsand, We don't have the storage capabilities to do that.

Mr. Larson, Would that ever be an issue? I mean how often is that done in others because I've worked in businesses and they just provide for the storage so is that something that we just won't have the ability to do? Or we don't have the funding for that?

ITS Director Don Wellsand, No we could always add more storage we are running into several problems in the data center now with power and air conditioning. The Commissioners did approve the new air conditioner so hopefully within four to six weeks that will get installed. But as far as being able to take a snapshot at noon or take a snapshot every hour we are talking about probably forty different servers that we are talking about here so we are talking a lot of storage.

Mr. Larson, Is there a way to prioritize some of those?

ITS Director Don Wellsand, We've been looking at...

Mr. Larson, I mean some of that information I mean all of that information we deal with is critical but some of it is more critical than others. Is there a way we could prioritize that so that we can allow for some more storage?

ITS Director Don Wellsand, Yes.

Mr. Larson, Because I know that Bob and I are business owners, Dan's a business owner...I would hate to think that I am in the middle of my day working and lose all my files or have those disappear that would be a nightmare.

Mr. Rivas, Harold is a business owner also.

Mr. Larson, Oh yes Harold too.

Mr. Rivas, Harper, Harper, Harper & Harper

(Laughter)

Mr. Larson, I mean...

Mr. Rivas, No it's a good question it is...it definitely is.

Mr. Larson, I mean we are doing this to assure Chuck and Jon that we would be moving in the right direction I would hope that we would consider at least rectifying that.

Mr. Rivas, And I asked Don earlier when I had talked to him briefly today too and the Jail you've got full control of the Jail underneath you now and we've got some upgrades that you've got to do there. So I think maybe we can get a heads up and do you think you have everything in your budget for that though?

ITS Director Don Wellsand, For the upgrades?

Mr. Rivas, Yes.

ITS Director Don Wellsand, Yes and I'm not going to ask for any more than what you've given me for the year.

Mr. Rivas, So now you've got the Jail underneath you? You are going to bring JDC underneath so we're going to have everything under one roof and that my position I'm not going to change on that. That every department in this County should be under one IT.

Ms. Graham, But if you do need more money come before us and ask because we are wanting it to work it has to.

Mr. Rivas, Bob do you have something?

Mr. Poparad, Don do we do an offsite backup?

ITS Director Don Wellsand, We have the data stored here at the Administration Center. All back-ups are backed up to the Court House at night between 4 p.m. and 9 p.m. starting with after the back-ups are finished at the Court House I am dumping all the data from the Court House down to my DR site in Hebron. So physically I have three different sites where the data resides.

Mr. Larson, How often do we upload or save that to some other system or is it just constantly floating around in our back-ups?

ITS Director Don Wellsand, Well we only have like three or four weeks of back-ups. What it does once it gets to the three to four weeks it overwrites itself.

Mr. Larson, All the departments know that though correct?

ITS Director Don Wellsand, Not that I'm aware of.

Mr. Jessen, To satisfy my curiosity was this brought up at the Commissioners meeting this morning?

ITS Director Don Wellsand, No.

Mr. Jessen, In any shape or form or fashion?

Recorder Chuck Harris, Not that I am aware of.

Mr. Rivas, Alright anything else?

Mr. Larson, Well I just hope these two can get back here and work this thing out.

Ms. Graham, They have to.

Mr. Rivas, Yes Sylvia I think you are correct I don't think they have a choice.

Mr. Larson, I think there is no other direction the County has to continue to function and whatever we need to rectify this we've got to get it fixed.

Mr. Whitten, It seems to me like that and I have high hope these guys are going to work it out.

Recorder Chuck Harris, High hopes.

Mr. Whitten, Just look at them.

Mr. Larson, We have a bundle of energy sitting out there.

Mr. Rivas, Alright thank you, thank you Don, thank you Chuck.

Recorder Chuck Harris, Absolutely thank you very much.

Meeting Adjourned

Mr. Poparad, Do we need a motion to adjourn? 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. Electrician

**PORTER COUNTY COUNCIL
PORTER COUNTY, INDIANA**

Dan Whitten

Jeff Larson

Sylvia Graham

Mike Jessen

Bob Poparad

Jeremy Rivas

Greg Simms

Attest: _____
Vicki Urbanik, Auditor