



**LA PORTE COUNTY
BOARD OF COMMISSIONERS**
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Dr. Vidya Kora,
President

Sheila Matias,
Vice President

Richard Mrozinski,
Member

LA PORTE COUNTY COMMISSIONERS MINUTES
Wednesday, May 15, 2019 La Porte County Complex Meeting Room #3 at 6:00 p.m.

President Vidya Kora called the meeting to order at 6:00 p.m. He then led us in the Pledge of Allegiance.

Executive Assistant Diane Gonzales called the roll: Commissioner Kora - Present; Commissioner Matias - Present; Commissioner Mrozinski - Absent. Quorum present therefore meeting commenced.

Considered the agenda. Commissioner Matias motioned to approve the agenda by adding under Old Business – Adult Protective Services change in dollar amount for purchasing a vehicle from Enterprise and a change in the Commissioners meeting date for July. Commissioner Kora seconded. Motion carried.

Considered approval of May 1, 2019 minutes. Commissioner Matias motioned to approve the minutes from May 1st. Commissioner Kora seconded. Motion carried.

Executive Assistant Diane Gonzales read the claims with Payroll ending 5/8/2019 - \$1,207,615.42 and miscellaneous claims of \$1,090,928.66. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried.

Public Comments:

Robert Cichon – 3516 W. Small Court – La Porte – Stated he was the Democrat appointment to the Absentee Voting Board during the Primary election. Robert had an Absentee application to vote by mail with him. Section #2 is for the ballot to go to that mailing address. At the May 1st meeting Rodney McCormick spoke about ballots requested to be sent to his address at 617 Union Street, Michigan City. Robert read the Indiana Code, Title 3, Article 14, Chapter 2, Section 16, and Sub-Section 10. The intent is for the ballot to be delivered to the registered voter, where they currently reside. A level 6 felony is committed when a person knowingly takes possession of the unmarked ballot which was meant for the voter. Robert said it was not voter suppression or discrimination that the ballots were not mailed to 617 Union Street.

John Galipeau – Warden of the Female Juvenile Correctional Facility in La Porte County – Honored Commissioner Sheila Matias with a “facility coin” for her support during Community Corrections week. Commissioner Matias toured the facility, spoke to the staff and residents.

Gene Yarkie – Vice President of Operations Reith-Riley Construction – Present for the meeting to answer any concerns pertaining to the 2019 paving program. Gene handed out documentation to the Commissioners. Commissioner Kora requested a summary of issues that have come up with INDOT. Gene stated he has worked for Reith-Riley since 1987, has always been in good standing with INDOT and has worked with the County every year, never having difficulties like the current one. In March of 2019 INDOT did an audit on the Reith-Riley lab in La Porte. The audit did not go well, missing documentations, poor diary or record keeping. As the mixtures are produced, the test results vary. When the test results vary enough there has to be action taken but that action taken has to be documented. In some cases the action was not documented. That is the reason for the poor audit. At this point the La Porte lab is suspended until it is lifted from running INDOT mix. This could be any time now through January 2020. Reith-Riley can get hot mix from their other 10 plants located in Indiana. Commissioner Matias asked Gene if any other the other plants have had similar issues in the past 5 years. He replied yes, they have had audit issues but none that have risen to this level. They have never had a suspension. Commissioner Kora asked if the contracts can be fulfilled using the certified plants located outside of La Porte. Gene said yes, there would be no problem fulfilling the current contracts. Reith-Riley offered to hire an outside firm to test the hot mix while it is prepared at their La Porte plant. Commissioner Kora asked who would chose the outside firm. Gene answered it would be up to the Commissioners. Commissioner Matias asked if the mix used in 2018 on our roads was not good. Gene said nothing in the audit said the mix was bad, it was strictly record keeping.

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Commissioner Matias motioned to take the information **Under Advisement**. Commissioner Kora seconded. Motion carried.

Morgen Roelke – 5788 W. Skyline Drive – Jongkind Park – La Porte – Reported he is having drainage issues on his residential property in Jongkind Park. Morgen stated there an urban drainage system in the park. He spoke to Mike Polan, Drainage Board, who suggested he come in front of the Commissioners. Any amount of rainfall has created flooding issues for him. There is a 4 foot difference from the lowest elevation to his house. It ponds up then goes out to the city drains. Commissioner Kora said the issue will be looked into and we will get back to Morgen. Attorney Shaw Friedman stated Surveyor Tony Hendricks needs to know as well since he has worked on a flood issue in the past in the subdivision.

Department Head Comments:

Bob Young – Superintendent County Highway – Informed the Commissioners on a Volkswagen Diesel Grant that is available. This is a replacement grant where vehicles are forfeited for money for the new ones. It is a 75/25 grant with the 75 being the county's part. Bob requested permission from the Commissioners to approach the Council for this grant. Commissioner Matias asked if it was one particular vehicle that would be replaced. Bob relied dump trucks and snow plows. He stated 80% of his fleet is in compliance of this grant. He put together a small package of 10 trucks for under 2 million dollars – million and a half from the county with a half million from the grant. Commissioner Kora asked if the vehicle in question are old. Bob said yes, 1992-2012 years. New emission rules apply. Commissioner Matias motioned to allow Bob to approach the Council. Commissioner Kora seconded. Motioned approved.

Bob then asked if an independent firm for the paving issue will be hired. Commissioner Kora said the paperwork from Reith-Riley will be looked at and discussions will take place.

Joe Golec – VSO – Reported on his office. Gave statistics comparing 2016 to 2017 year. VA expenditures were 34 million dollars spent in 2016 and 35.6 million spent in 2017. Part-time position began in Michigan City July 2017. Funds are given to Veterans in our county in one form or another. Veterans Administration is divided into 3 departments. VHA – Veterans Health Administration; VBA – Veterans Benefits Administration and NCA – National Cemetery Administration. VHA includes medical programs, prosthetic and sensory aids, mental health care, vocational and work assistance, long-term services, and non-VA or community care and caregiver programs. VBA include Service connected disabilities, voc-rehab, pension, education and training, home loan guarantees, life insurance, dependent and survivor benefits. The National Cemetery Association are simply for burial and memorial benefits. Joe stated in 2017 there were 948 interviews done to assistant veterans. In 2018 there were 1,451 interviews completed. Claims in 2017 were 407 then 2018 553. Information counseling done “in-house” 583 in 2017 and 1286 in 2018. He reminded everyone that Armed Forces Day will be Saturday, May 18th with Memorial Day following on the 27th honoring the fallen soldiers. Joe spoke on an article he wrote for the NewsDispatch on Charles R. Barnthouse. He died alone on October 5, 2018 in his apartment in Michigan City. County Coroner Bob Cutler diligently searched for family members to give him a proper burial. Neighbors stated he possibly served in the Armed Forces. Joe later discovered Charles Barnthouse was not an ordinary veteran. He was a “lifer” in the United States Navy, serving August 1985-July 2005. Among his awards and commendations were The Good Conduct Medal, National Defense Service Medal, Navy and Marine Corp Overseas Service Ribbon, Sea Service Deployment Ribbon, Southwest Asia Service Medal, Global War on Terrorism Service Medal and the Navy and Marine Corp Achievement Medal. No next of Kin was located. Joe contacted the VA's National cemetery for Mr. Barnthouse's cremains to be interim at the Abraham Lincoln National Cemetery in Elwood, Illinois as his final resting place. Coroner Bob Cutler and Veterans Service Officer Joe Golec transported Charles Barnthouse to the cemetery on March 29, 2019. A representative from the cemetery escorted them to the location where Veteran Charles R. Barnthouse had a service which included a recitation, a 21-gun salute, flag presentation and a bag pipe ceremony. Joe was presented the flag which he donated back to the cemetery to fly in honor of Charles R. Barnthouse. Joe stated Mr. Barnthouse died alone but was not forgotten. He thanked Root Funeral Home for the cremation at their own expense. Joe also thanked Diane Gonzales in the Commissioners' office for research on the civilian side of Charles R. Barnthouse. Joe shared a memo “Operation Stand Down” with the Commissioners. Commissioner Kora thanked Joe, Bob and Diane for their effort with Charles R. Barnthouse. Commissioner Matias thanked Joe for sharing information on what his office does on a daily basis.

Steve Alt – E911 Director – Reported a successful Dispatcher week. Thanked Blue Chip and Life Care among the supporters. Steve stated his office has reorganized training, thanked Porter County for their assistance. Implemented quality assurance. Currently have a FOIA request forms outside the door to 911 along with a box for the requests. Steve has created a facebook page with information for the public to view. **Steve requested permission to approach the Council to hire 2 full time employees.** Commissioner Matias motioned to approve. Commissioner Kora seconded. **Motion carried.** In 2018 his office received 166,000 calls.

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Requests:

Considered permission to approach the Council for matching FEMA Grant funds. Commissioner Kora asked Jay if this pertains to Bridge #34 which he answered yes. This item will also be taken **Under Advisement** until the next meeting.

Old Business:

Considered acceptance of low bid for Bridge #34 – Jay Sullivan. Commissioner Matias questioned as to what Reith-Riley would be doing on this project as low bidder. Jay replied this is a bridge on the La Porte County/St. Joseph County line. It was washed out last year and has been closed ever since that time. Currently working on a design change to alleviate the flooding issue on this bridge. Approximately 430 feet of asphalt will be laid by Reith-Riley. Commissioner Kora asked if there is any urgency that needs to be taken at this meeting due to the information that needs to be reviewed. Jay stated no, it has been closed for a year however he would like to see it completed this year so no FEMA Grant funding is lost which is about \$400,000. Commissioner Matias asked if a two week delay would be ok. Jay said yes.

Commissioner Matias motioned to take this item **Under Advisement** until the next meeting

Considered Figment contract - Barb Mossman. Random drug testing for county employees will begin once this contract is signed. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried.

Considered acceptance/signature of low bidder for Small Structure 2110 off of 150 N – Mitch Bishop. Mitch stated D & M Excavating was the low bidder. Project should start on July 1st with the road to be closed for 3-4 weeks.

Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried.

Considered approval for Adult Protective Services to pay an additional \$74.99 for the Ford Fusion being purchased from Enterprise. Commissioner Matias motioned to approve the additional amount. Commissioner Kora seconded. Motion carried.

New Business:

Considered approval of findings of fact and conclusion of law in regard to vacation petition of Steven M. Liskey and Natalie J. Chabot – Andrew Voeltz. No public comments. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried.

Consider Engagement of Ice Miller as Bond Counsel for Michigan City Courthouse Project bond financing – John Gregg, Pattie Zelmer, Ice Miller. Attorney Shaw Friedman stated the Council has given approval for the renovation of the Michigan City Courthouse to proceed. Joe Champion thanked the Commissioners for allowing Ice Miller to work on the project. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried.

Considered complaint/Request from Fred Hartsock and his attorney David Ambers regarding road in Hudson Lake. Dave Ambers handed out paperwork to Commissioners. Stated his client, Fred Hartsock, owns property which abuts to Sarah Lane in Hudson Lake. Sarah Lane was never improved. Mr. Hartsock wanted to access his property from Sarah Lane so he began clearing brush without permission from any county entity. Dave Ambers stated it is a legal public right-of-way. Neighbors David Czechowski, 8318 E. Aspen Landing; Scott Moser, 7763 N. Oriole Lane, and Diane Carvalho, 7736 N. Vaughn Blvd, all of New Carlisle, spoke against the improvement of Sarah Lane. Commissioner Kora asked if Mr. Hartsock could access his property through the back of his lot. Dave Ambers replied “not feasible.”

Attorney Shaw Friedman stated Commissioner Rich Mrozinski may want to weigh in on this subject so Commissioner Matias motioned to take this **Under Advisement**. Commissioner Kora seconded. Motion carried.

Considered releasing Rights of Reversion for 12 East Business Center LLC property to permit transfer and property to go back on the tax rolls – Attorney Jim Kaminski. Jim Kaminski stated the property previously owned by Josam on Highway 12 in Michigan City needed environmentally cleaned up and brought back to market. Josam filed for bankruptcy, owed back taxes and the County acquired the land. In 2000 (Commissioner Matias stated 1997) 12 East Business Center began work on the site. IDEM has since accepted and recorded a restrictive covenant that now allows transfer of the land under certain restrictions. Jim reported 2 acres of 10 owned by 12 East has been sold to Greenacres, LLC which is Pioneer Lumber who plans on expanding their business on the parcels. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried. Commissioner Matias thanked NIPSCO, IDEM, Brownfield Task Force, Tony Rodriguez, John Lloyd, Chuck Oberlie, Donna Ducharme, Kay Nelson, John Schafer, Diane Thalman with NIPSCO, Tom Edwards, Al Walus, Don Babcock, Jeff Jones and John Regetz.

Considered Resolution regarding ways to increase convenience and hassle-free access for voters. Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried. ***Resolution 2019-13

Considered Resolution to establish process for naming bridges in La Pore County for those who have demonstrated “service above and beyond.” Commissioner Matias motioned to approve. Commissioner Kora seconded. Motion carried. ***Resolution 2019-14

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Commissioner Comments:

Commissioner Matias reminded everyone to take the Rural Broadband Survey. Website proposal and Chat with the Commissioners which will include Department Heads.

Commissioner Kora Thanked Commissioner Matias for taking on the Broadband Task Force project. He reported on the recent Department Head meeting which was great. Promote La Porte County. Township Trustees meeting will be June 19th. Thanked Joe for the Veteran's story. Have a great Memorial Day weekend.

Commissioner Kora adjourn at 7:41p.m.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA

DATE 6-5-2019

[Signature]

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ATTEST: [Signature]

Auditor

LA PORTE COUNTY, INDIANA

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