



LA PORTE COUNTY BOARD OF COMMISSIONERS

555 Michigan Avenue, Suite 202
La Porte, IN 46350-3400
Phone: (219) 326-6808 ext. 2229

Dr. Vidya Kora,
President

Sheila Matias,
Vice President

Richard Mrozinski,
Member

LA PORTE COUNTY COMMISSIONERS MINUTES

Wednesday, June 5, 2019 La Porte County Complex Meeting Room #3 at 10:00 a.m.

President Vidya Kora called the meeting to order at 10:00 a.m. He then asked former Speaker of the House John Gregg to lead the Pledge of Allegiance followed by a moment of silence remembering the 75th anniversary of D-Day.

Auditor Joie Winski called the roll: Commissioner Matias - Present; Commissioner Kora - Present; Commissioner Mrozinski - Present. Quorum present therefore meeting commenced.

Considered the agenda. Commissioner Matias motioned to approve the agenda. Commissioner Mrozinski seconded. Motion carried.

Considered approval of May 15, 2019 minutes. Commissioner Matias motioned to approve the minutes. Commissioner Mrozinski seconded. Motion carried.

Auditor Joie Winski read the claims with Payroll ending 5/22/2019 - \$1,234,299.30 and miscellaneous claims of \$944,293.13. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Public Comments:

Phyllis Marks - 118 Sagamore Parkway, La Porte - Indiana Barn Association will be conducting a Dairy Barn tour the end of September. Phyllis asked if the Building Maintenance Department would clean the outside of the Barn in front of the County Home. Weeds have grown up and there is "junk" laying around that needs to be picked up. President Kora instructed Phyllis to give a list of what needs to be done at the Barn to the Commissioners' office.

Gerald Biller - 4985 W. 150 N., La Porte - Stated he attended a BZA meeting last month for a church that was asking for a variance on 500 West. Jerry said there were a lot of remonstrators in attendance with concerns for traffic issues. The intersections of Johnson Road, 250 North and 500 West is one issue and the other is at the Toll Road, 500 West and 150 North, both are dangerous intersections due to the site lines. Possibly the highway department could do an assessment for improvements and the engineer could way in. Gerald said he is available to both entities if needed.

Department Head Comments:

Barb Mossman - Human Resources Department - Reported her office was established by the county in 2007 and is under both the Commissioners and Council. HR manages the planning development, implementation, promotion and administration of personnel programs and activities for 750 employees. Barb stated this also includes advertising, interviewing and hiring for all positions, helping departments wherever they may have issues with policy and procedures. Working in conjunction with the Commissioners and Legal Counsel on new policies as well. There are two full time employees in the Human Resources department which includes the Director and an assistant. Upcoming events include a Blood Drive with the American Red Cross in association with the Sheriff's Department in honor of Fallen Officers. The Blood Drive is scheduled for June 14th at the Complex 10:00 am - 4:00 pm. Commissioner Matias asked Barb to explain the process of applying for a county job. Once the position becomes available to the public it is posted on www.laportecounty.org, Work One and Indeed.com. Published in the News Dispatch and Herald Argus. Interviews are then scheduled for those qualifying for the positions. Recommendations are made to the Departments for a second interview with the Department Head and they make the final decision for the position.

Lois Sosinski - Recorder - Supplied a one page agency service agreement to the Commissioners for her office to accept debit and credit cards for payment. Lois chose PayGov.US, LLC which is currently used with the County's EMS department. There will be no cost to the county. The user will be charged a \$1 courtesy fee up to \$33.00. If the amount

ORIGINAL

exceeds \$33 then 3% will be added to the amount. Lois is requesting the Commissioners to ratify the agreement. Counsel Attorney Shaw Friedman recommended it be on the June 19th agenda so the Commissioners may review it.

Larry Levendowski – Director of Facilities – Reported to the Commissioners he is aware of the outside of the Barn at the County Home. Rain has been a factor in getting the job completed. Larry also gave an update on In House Printing. His office has been keeping up with the orders. Commissioner Matias thanked Larry for handling the work.

Darlene Hale – IT Director – Stated she is working with Commissioner Matias and Economic Development for updating the current county website. Darlene also said her department has installed a monitor outside the complex room to advertise all meetings. Working on court calendars going digital. Fiber Task Force has been moving forward, survey has been removed from the county website and analyzing the data. Video conferencing is in the works for Community Corrections. Darlene stated her office serves 22 buildings in the county. President Kora requested Darlene to remind the public how to sign up for RAVE alerts. EMA manages the program.

Requests:

Considered travel permission for Deputy Prosecuting Attorney Barbara Stooksbury to attend conference in Maryland. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered LPCCVB event promotion fund of \$500 for Westville Tri Kappa – Pumpkin Fest. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered La Porte County Family YMCA road closures for 40th annual Triathlon. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered permission to pay retiring County House Security Deputy – John Boyd. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered permission for Voter Registration office to be closed during the week of the Fair. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Old Business:

Considered contract amendment with StructurePoint regarding Plan C design work for Michigan City Courthouse renovation. Attorney Shaw Friedman stated Commissioners approved Plan C and County Council agreed to fund it at 22.495 million. Bakertilly will help with the financing and Ice Miller as Bond Counsel on the project. Commissioner Matias reported for the Public's benefit that changes were made to the original drawing to lower the cost of construction by 2.5 – 3 million dollars. The cost for this amendment is \$125,000.00 for the design change. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Considered approval of second reading in regard to vacation petition of Steven M. Liskey and Natalie J. Chabot – Andrew Voeltz. Second and Final reading. No public comments. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried. *****Ordinance 2019-12**

Considered FMEC and Fair Lease agreement. Anthony Novak, representing the Fair Board, stated the Blue Ribbon Committee was formed by the County with the intent to assist the Fair. Fair Board was told many things, they could keep storage and the community building. As time went by the Fair Board (Ag Association) was told the opposite. Commissioner Matias stated the tax payers have invested \$375,000 into the fairgrounds. Dennis Weiss, 11814 S. 600 W., Union Mills, was Fair Board President when the process started. Dennis was a member of the Blue Ribbon Committee. He thanked the Commissioners for their support. He thanked Keith Swanson for using the tax payers' resources to upgrade the fairgrounds. Dennis stated the Fair Board has only a few sources for income, entertainment being a large portion. Rental of the Community building. Vacant ground was rented out. Storage is a solid income as well as the rental of the farmland across the road. The Fair is very "weather dependent." All sources of revenue are being taken away by the FMEC. The La Porte County Fair has been active for 174 years. Current Fair Board President Brett Kessler, 6881 N. 300 E., La Porte, thanked the Commissioners for improvements done at the fairgrounds. Attorney Shaw Friedman recommended a "Workgroup" be formed to finalize the Lease Agreement. The Group will consist of Attorney Shaw Friedman, Commissioner Sheila Matias, FMEC Attorney Doug Biege, Fair Board Attorney Anthony Novak, Council President Randy Novak and a member of the Fair Board.

Considered permission to approach the Council for matching FEMA Grant funds – Jay Sullivan. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered acceptance of low bid for Bridge #34 – Jay Sullivan. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered complaint/Request from Fred Hartsock and his attorney David Ambers regarding road in Hudson Lake. Neither Attorney Ambers nor Fred Hartsock attended the meeting. Commissioner Rich Mrozinski thanked Commissioners Kora and Matias for holding this topic over to the current meeting in order for him to state what he knew about the situation. Commissioner Mrozinski said he received phone calls from neighbors of Fred Hartsock's describing

ORIGINAL

late night bulldozing on an unimproved County right-of-way on Sarah Lane. Fred Hartsock told neighbors and the Sheriff Deputies that came out to the property after they were called that he had permits from the Recorder's office, Highway Department and the Plan Commission. Rich said he asked the Highway Department to put No Trespassing signs up so no access would be allowed to clear the unimproved Sarah Lane which led Fred to contacting Commissioner Mrozinski. Commissioner Mrozinski talked to Fred in his office with County Planner Mitch Bishop present. They explained there are certain steps to be taken if you want to improve a County owned right-of-way. A petition to Vacate would be filed which allows all property owners to "share" the road and it would be opened to the public. Talk to the neighbors. Mr. Hartsock did not go through the proper procedures. County Surveyor Tony Hendricks addressed the Commissioners on the issue. Tony said if property owners want to "improve" county owned right-of-ways that have been platted they first go the Board of Commissioners for approval. The Highway Department, County Engineer and County Planner decide what improvements can be made. Tony has yet to see anyone being allowed to do improvements without permission first due to road control issues. Tony also said Commissioner Mrozinski was correct in explaining the steps he took to stop Fred Hartsock from continuing to clear Sarah Lane on his own. Safety is an issue. Police, Fire and Ambulance must be able to access the road safely. The improved road will then be added to the County Highway list to be maintained by that department. Tony also said the Board of Commissioners own and control the right-of-ways. Attorney Shaw Friedman said there are two options when a property owner seeks to operate in a roadway either with waivers or "hold harmless" agreements from the County or go in front of the Plan Commission for a vacate approval. The cost is usually \$200 per foot and each property owner would "own" the portion adjacent to them. Fred is not cutoff from his property, he can access the back two lots from his lot that faces N. Vaughn Blvd. Attorney Anthony Novak said he represents the concerned neighbors that reached out to Commissioners' office. Attorney Dave Ambers commented at the previous meeting there was a law allowing Fred to clear this right-a-way without permission. Anthony requested the law permitting this and a meeting for discussion but no word was received back from either Attorney Ambers or Fred Hartsock. Anthony said Fred has access to his property on Sarah Lane via Willow Lane. A petition to vacate will be filed on behalf of the neighbors. Scott Moser stated twice they have called the Sheriff's department while Fred was clearing the land without permission and the Deputies said they had no instructions from the Commissioners to tell him he could not clear the property. Attorney Shaw Friedman will notify the Sheriff's Department that Fred is not allowed to trespass on County property.

Considered approaching the Council for additional appropriation for funding Transit Triangle. Tom McClennan, Director of Public Transportation for the City of La Porte and President of the Transit Triangle Oversight Board, handed brochures out to the Commissioners. Tom stated there are representatives from all four entities that fund the Transit Triangle, City of Michigan City, City of La Porte, La Porte County and Purdue Northwest. Transit Triangle was formed in 2015, was funded through a Grant with 80% federal money and 20% local match which was 5%. When the original grant ran out of funds, the match went to 50/50 which increased the amount from each entity to 12 and ½%. The budget has decreased significantly. Changes have been made over time. The brochures reflect updated routes and schedules. The buses require drivers to have a CDL. Michigan City runs the full drive route from 6:00 a.m. to 6:40 p.m. Students attending both Purdue Northwest and Ivy Tech rely on the Transit Triangle. Commissioner Matias said it is a great program. Comments have been made as to low ridership and advertising. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried. ***Attorney Shaw Friedman recommended a workshop between the Commissioners and the Council on funding the County's portion of the Transit Triangle agreement.

New Business:

Considered approval of 2019 Fair Contract for Sheriff's Department – Sheriff John Boyd. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered 20 year lease agreement for parking with La Porte Hospital to accommodate needed parking to service staff at new EMS base parcel. Attorney Shaw Friedman stated the transaction closed this week for the sale of the EMS location to La Porte Hospital for 1.055 million dollars. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Considered Settlement approval for accident on Highway 20 and Bootjack Road. This was a property damage claim involving a county snow plow truck. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered acceptance of five year warranty plan offered on roads constructed by Reith-Riley in La Porte County/Considered other testing protocols put in place to ensure asphalt quality-representatives of Reith-Riley. Commissioner Mrozinski motioned to approve. Commissioner Matias summarized what had been previously covered after a workshop was held with Reith-Riley Construction. Reith-Riley was awarded the 2019 paving contract with La Porte County. Keith Rose, President and CEO of Reith-Riley, stated he is confident in the quality of paving done in 2018. He stated with the current INDOT suspension of the La Porte plant with the shortcoming of paperwork done

ORIGINAL

through an audit which was verified, they felt compelled to put together a 5 year materials and workmanship warranty for the work done in 2018. Keith said the warranty will be administered by the County's staff in conjunction with Reith-Riley. In addition to that it was agreed to do some destructive testing by the County's request on 2018 work and Reith-Riley will pay for the testing. President Kora thanked Mr. Rose for attending both the workshop and today's meeting to answer any questions. Commissioner Matias thanked Keith as well, said Reith-Riley has been in business for at least 60-70 years in La Porte County and has been a provider for jobs in our region. Commissioner Matias seconded. Motion carried.

Considered formal agreement of Bakertilly as Financial Advisor for Lease Financing associated with Michigan City Courthouse Renovation Project – Jason Semler, Principal. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Commissioner Comments:

Commissioner Matias returned to the Fair issue on the Ag land across the road which is leased out by the Fair Management and Events Corporation. Tax payers have invested \$375,000 in upgrading the electric, sewer and water on the fairgrounds which is county owned property. January 1, 2020 the County will take over the maintenance of the property. Assets are being protected.

Commissioner Mrozinski stated he attended the Parks Board meeting. Rain has been an issue as it has been throughout the county. He attended the Open House at the Purdue Extension office. Commissioner Mrozinski also attended VFW state convention in Indianapolis. He asked Attorney Friedman to look into an Ordinance prohibiting semi-trucks from traveling on Severs Road, Fail Road and Johnson Road. Damage is being caused by the heavy trucks. Attorney Friedman suggested starting with the Plan Commission for the Ordinance.

Commissioner Kora attended the Community Corrections meeting. He said the Transit Triangle is important to our area for transportation of students as well as others that need it. He thanked the Mayors of both Michigan City and La Porte for their support.

Commissioner Kora adjourn at 11:22 a.m.

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

DATE 10-18-2019

[Signature]

[Signature]

[Signature]

ATTEST: [Signature]

Auditor

LA PORTE COUNTY, INDIANA

ORIGINAL