



**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, August 7, 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. Pledge of Allegiance was led by Roan and Harper Crosslin, grandsons of Councilman Mike Mollenhauer. There was a moment of silence for the gun violence in El Paso, Texas, Dayton, Ohio and Gilroy, California.

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

**Considered** the amended agenda. Commissioner Mrozinski motioned to accept the amended agenda. Commissioner Matias seconded. Motion carried.

**Considered** approval of July 17, 2019 minutes. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

**Auditor Joie Winski** read the claims with Payroll ending 7/19/2019 - \$1,227,966.49 and 8/2/2019 - \$1,254,216.09. Miscellaneous claims of \$2,293,121.13. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

**Public Comments:**

**Jeanette Raymond – 0632 W. Nowak Drive La Porte** – Requested to be placed on the August 21<sup>st</sup> agenda. Stated residents affected by the flooding issues in the Meadowview Estates subdivision will be attending the evening meeting. President Kora said a meeting was held with the surveyor and highway department. A plan for potential remedies was discussed. President Kora said another meeting will take place then Executive Assistant Diane Gonzales will notify Ms. Raymond if the topic will be on the agenda. Attorney Shaw Friedman suggested a separate workshop be done for this issue with both Department Heads and residents present. Commissioner Mrozinski said the next Drainage Board meeting will be Tuesday, August 13<sup>th</sup>.

**Dave Renz – Door Village Harvest Festival** – Requested road closures for the event September 7-8, 2019. Also requested items from the highway department: 18 road cones, 6 handicap signs, 4 stop signs, 2 road barricades and 2 – 20 mph speed limit signs. Commissioner Matias motioned to accept the road closures. Commissioner Mrozinski seconded. Motion carried.

**Phyllis Marks – 118 Sagamore Parkway La Porte** – Indiana Barn Foundation will be in our county in September. Phyllis thanked Larry Levendowski for work that has been done on the outside of the barn. Phyllis questioned the wrought iron fence that surrounded the county home. Where did it go? Approximately 20 pieces. President Kora replied it will be looked into and will get back to her. Commissioner Mrozinski stated he thought it was at the highway department. Mike Mollenhauer, Council member, responded he checked on the fencing with Bob Young, Highway Superintendent. No police report was made after the fence was missing. About 8 pieces are currently at the highway department however Mike said they were used for an animal pen on the county home property. The original wrought iron fence surrounding the County Home grounds had 20-30 pieces. Mike stated he talked to Sheriff John Boyd, Prosecutor John Lake and Detective Pat Cicero. A report was then submitted for the missing fencing. Mike thanked the Commission for allowing his grandsons to lead the Pledge of Allegiance.

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### **Requests:**

**Judge Tom Alevizos** publicly thanked the Commissioners overwhelming support for the Juvenile Detention and Alternatives Initiative. One of the elements of JDAI is not just reforming conditions of confinement but one of the 8 areas is the problem of disproportionate minority contact. Training is offered and the travel request for the National Underground Railroad Freedom Center Education Experience in Cincinnati, Ohio is one of them. Only cost is gas for the van.

**Considered travel request for Caroline Maslankowski to Cincinnati, Ohio.** Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

### **Public Comments continued:**

**Valerie McCline – 5255 W. 800 N. Michigan City** – Stated she is following up on her flooding issue. She does not want to file a lawsuit, she just wants the ditch cleaned in front of her residence. President Kora said she had retained counsel. Valerie replied she did retain counsel after being instructed by the county. President Kora said there is more than one jurisdiction involved – the state and the county. Attorney Friedman stated instead of filing a suit she should file a notice of tort claim which is different. It will bring INDOT's attention to it for their participation. Highway Department has been on-site. A report was generated. Attorney Friedman urged Valerie to have her attorney file a notice of tort claim.

### **Department Head Comments:**

**Amanda Lahners – Health Department and Larry Levendowski – Director of Facilities** – Reported on several employees being ill with an upper respiratory infection in one of the buildings. Board of Commissioners and the Health Department contacted a firm to come in for testing from Louisville, Kentucky. The individuals that became ill had symptoms in the early part of July. No new cases have been reported. President Kora thanked both Amanda and Larry for escorting the company around that took samples. Results will be back next Wednesday. Commissioner Matias thanked both Amanda and Larry for the rapid response from their offices, great team approach. Experts said the county was doing everything correctly, the building did not need to be shut down. Attorney Shaw Friedman stated the experts identified the source occurred around the 5<sup>th</sup> of July or early July.

**Larry Levendowski – Director of Facilities** – Gave an update on an incident that happened on July 29<sup>th</sup>. Superior Construction, while working on the bridge, had a piece of concrete fall which took out the electric to the Complex building. Backup generators kicked on. A power surge took out areas in the kitchen of the jail and computers.

**Darlene Hale – IT Director** – Reported a full recovery from the Ransomware attack. Training will be required for employees.

**Keri Teller Jakubowski – County Museum Director** – Month of July had 695 people come through the museum. Car show was successful with 203 attendees. The museum is currently a member of the Blue Star Museums, one of 2000 in the US that offers Active Duty members free admission Memorial Day through Labor Day. Nine free days throughout the year as well are offered free admission for the veterans and active duty military. Currently exhibiting artwork through October. Indiana Historical Society will be showcasing exhibits in September and October. December 20<sup>th</sup> from 5:00-7:00 pm will be a unique visit of the Giese Church. La Porte County Historical Society Museum "A Christmas to Remember." It will be Prancer's 30<sup>th</sup> year anniversary, a movie that was filmed in La Porte County in 1989.

**Jeremy Sobecki – Parks Department** – Reported that Luhr Park will be getting a new shelter through a grant. La Porte High School building trades will be participating with the project. A new parking lot and resurfacing the existing parking lot is included with the grant. Creek Ridge DNR Grant will be in soon, it is an 80/20 grant. This will be addressing some drainage issues in the parking lot which drains into a ditch then into Trail Creek. President Kora thanked Jeremy for his continuing work with the grants for the upkeep of the parks.

### **Old Business:**

**Consider payment of \$31,250.00 local share of Transit Triangle from "Professional Services" and Consider authorizing signature on 2019-2022 Interlocal Agreement.** Attorney Shaw Friedman stated the Council approves funding through the 2020 year but past that time frame further negotiations may have to take place. There is a split among the Council members as to fund the Transit Triangle beyond 2020. President Kora said a workshop took place on the topic and the amount of usage was questioned. Commissioner Matias suggested a signature one year agreement versus the 3 year. Sheila said it is a great concept but the ridership is low. Commissioner Mrozinski motioned to approve payment for this year only, through May 2020. Commissioner Matias seconded. Motion carried.

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**New Business:**

**Considered Ordinance to increase Auditor's Real Estate office fees.** Auditor Joie Winski reported this will bring her office into compliance by state law which raised Auditor fees. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried. \*\*\***Ordinance 2019-13**

**Considered issuing public notice regarding hearing on disposition of county property – the La Porte County Home and adjacent five acres excluding the County Barn.** Attorney Shaw Friedman said by direction from both the Board of Commissioners and the County Council the County Home with 5 acres will be put up for auction. Shaw thanked Surveyor Tony Hendricks for providing a clear aerial view of the property **excluding the Barn**. There is a process by statute that will be followed. Alex Bruggenschmidt will assist in the sale. Authorization is requested to issue notice of a hearing by each, the Council and the Commission, on disposition of public property. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

**Considered vacating a portion of Beach Drive in La Porte by 111 Maples, LLC.** Attorney Chris Willoughby stated there has been unanimous approval by the Plan Commission to vacate portion of a public street commonly known as Beach Drive located to the rear of 111 Maple Drive, Center Township, La Porte. Consent was from both neighbors and there were no remonstrators. Commissioner Mrozinski motioned to approve first reading. Commissioner Matias seconded. Motion carried. Commissioner Matias motioned to waive the rules and accept on second reading. Commissioner Mrozinski seconded. Motion carried. No public comment was heard. \*\*\***Ordinance 2019-14**

**Considered rezoning parcel in Pleasant Township M1 to B1 – La Porte SR 104 BTS Retail, LLC and Emory Investments.** President Kora read into the minutes that on July 23, 2019, the La Porte County Plan Commission gave a favorable recommendation for the rezoning of a 1.267-acre portion of a parcel to B-1, Neighborhood Commercial District, commonly known as 3522 SR 104, Pleasant Township, La Porte, and currently zoned M1. The petitioners are La Porte SR 104 BTS Retail, LLC and Emory Investments. Whitney Pizzala, AR Engineering, Kalamazoo, Michigan and Tom Cowen, Developer with Zaremba Group, Lakewood, Ohio, were present for any questions pertaining to the Dollar General Store. Commissioner Mrozinski motioned to approve on first reading only. Commissioner Matias seconded. Motion carried. Will be heard at the next meeting on August 21, 2019 at 6:00 pm. for second/final reading in an Ordinance form.

**Considered First Addendum to Professional Services Agreement between Assessor/TMA and Considered Beacon Schneider Group for training.** Assessor Mike Schultz stated these are two separate items. TMA is a contract with a company that does personal property audits. In the State of Indiana personal property is a self-assessment. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried. **Considered** Beacon Schneider Group which is a training program for classification of agriculture on soil types. Two employees will attend the training. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

**Considered 2020 year maintenance contracts – Director of Facilities.** Larry thanked Phyllis Marks for her kind words. He reported to the Commissioners he would like to continue service with all but two vendors for the 2020-2021 year. He will not be using Ryan fire protection and Cintas. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

**Considered approving settlement in the matter of Thomas Smith and Theresa Smith v. LPCO Highway et al. – Attorney Douglas Biege.** Doug stated a highway employee driving a snowplow ran a stop sign and t-boned a resident. Liability is clear, all facts have been investigated. Resident sustained significant injuries. Mrs. Smith is partially disabled and relied on her husband to care for her but due to the accident that is now limited. Both filed suit but settled on \$750,000 with \$500,000 from the County and Travelers insurance paying \$250,000. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried. Attorney Shaw Friedman said due to the size of the settlement it will now go to the Council.

**Considered request of J. Schoffner to move emergency siren from former Westville City Hall to new location – Attorney David Ambers.** On behalf of Industrial Development Corporation, owner J. Schoffner, Attorney David Ambers distributed a handout of Town Council minutes to the Commissioners showing a vote was taken to relocate the siren. Mr. Schoffner purchased the former Police Station in the town of Westville which has a siren on the parcel. No easement for the siren was on the title work. Attorney Ambers said they would like to have an open discussion on getting the siren moved off the property. Auditor Joie Winski stated it was brought to their attention in the Auditor's office that

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this was a private sale. Auditor Winski said the County was not responsible for moving the siren. The Town of Westville should move it. Attorney Friedman said it should have been in the condition of the sale. Jeff Wiatrowski, EMA, responded yes, during the sale the EMA office was aware the purchaser wanted the siren moved. The property sold belonged to the Town of Westville, they should move it. A new location was provided for the siren at the park. Jeff said the cost to move the siren is what changed the Town of Westville's mind in paying for the relocation. Auditor Winski stated there are sirens located on private property in our county. President Kora asked who owns the siren and it was said the County owns it. The County owns and maintains all the sirens in the county. President Kora asked Jeff if the cost of moving the siren should be on the new property owner and Jeff said yes. Attorney Friedman asked what is the cost to move it but Jeff said he was not part of that – he didn't know. President Kora told Attorney Ambers his client will be responsible for moving the siren.

**Commissioner Comments:**

**Commissioner Matias** reported on the La Porte County Broadband Task Force, after five meetings have decided to drop the name "Rural" from the title. Task Force has developed four sub-committees: Communication; Mapping and data; Influencers; and Digital inclusion each with no less than 5 volunteer experts in those fields. Mission statement: "Division is equitable deployment and utilization of adequate broadband infrastructure to improve the quality of life and competitiveness for every resident, business and organization in La Porte County. Our mission statement is to ensure La Porte County plans for, transitions to and prospers in the digital age through a transformation into a human centered digitally inclusive technology ready ecosystem." Secondly she gave an update on the county website. Surveys are still available to take on the county website. A group of "Super Users" will be gathering data and information the next 10 days to see what people would like on the website.

**Commissioner Mrozinski** attended the Veterans Foreign Wars National Convention in Orlando, Florida. He is serving as the Indiana Department Chief of Staff as well as appointed for the ninth time to National Legislative Committee. He will be traveling to Washington, DC next month to meet with the congressmen. He was appointed to a new committee, National Security & Foreign Affairs, which continues their efforts to account for our country's Prison of War and Missing in Action – POW/MIA – servicemen. US Army Master Sargent Charles Lindewald, 29 years old, missing since 1968 but found in 2003 from La Porte County. Michigan City native, Donald J. Trampski, still remains missing in action since 1969. Commissioner Mrozinski said he serves on the Selective Service Board.

**Commissioner Kora** visited Normandy last weekend and thought about the Heroism of the greatest nation that liberated Europe. President Kora will be attending a meeting at the White House in a few weeks, his point of contact is Nick Barbknecht, former La Porte County resident.

**President Kora adjourn at 11:11 a.m.**

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

DATE 8-27-2019

[Signature]  
[Signature]  
[Signature]

ATTEST: [Signature]  
Auditor

LA PORTE COUNTY, INDIANA

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