



**LA PORTE COUNTY
BOARD OF COMMISSIONERS**

555 Michigan Avenue, Suite 202

La Porte, IN 46350-3400

Phone: (219) 326-6808 ext. 2229

**Sheila Matias,
President**

**Dr. Vidya Kora,
Vice President**

**Richard Mrozinski,
Member**

LA PORTE COUNTY COMMISSIONERS MEETING MINUTES
Wednesday, February 19, 2020 La Porte County Complex Meeting Room #3 at 6:00 p.m.

President Sheila Matias called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

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

Considered the agenda. Commissioner Kora motioned to remove item "9 b" travel request for Community Corrections but added under New Business "11 b" Consider right-of-way grant approval for 150 North and Bid award on 1000 North; added "11 e" Consider a boundary survey for the county home and adjacent 5.39 acres and "11 f" EMA Proclamation to the agenda. Commissioner Matias seconded. Motion carried. Commissioner Kora motioned to accept the amended agenda. Commissioner Matias seconded. Motion carried.

Considered approval of February 5, 2020 minutes. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Auditor Joie Winski read the claims of Payroll ending 2/14/2020 - \$1,244,785.38 and Miscellaneous claims - \$2,182,381.94. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Commissioner Matias stated anyone here for a certain item on the agenda will be allowed to make a public comment when the Commissioners get to that topic on the agenda. Any general comments may be made now.

Public Comment

Alena Ursida - 125 E. Harrison Street, Michigan City - Bought property at 4 S. Westfield in Stillwell. Requested help from the Commissioners to keep a 16 x 20 conex box which is currently on their property on an easement in the Rodman Ditch. Alena and her husband Joseph are making improvements to the property. Alena attended a Drainage Board meeting and was told the conex box was ok to leave there for now just as long as the drainage board members had access to the Rodman Ditch. A variance was filed in December with the BZA to have the conex on the property. Commissioner Matias said she reviewed a letter from the BZA dated January 31st stating what was required. Alena replied she felt she was on a different page than the Building Commissioner. She said the conex box is only temporary, not meant to be permanent and is used as storage due to several break-ins in the house. Commissioner Matias asked Attorney Shaw Friedman for advice on facilitating conversation between the Ursidas and the BZA. Attorney Friedman replied there is a process for a homeowner that is aggrieved by a decision of the Building Commissioner that the homeowner can file an appeal with the Board of Zoning Appeals. Alena stated she was informed she only had 15 days after the decision to appeal. Attorney Friedman advised her to have an attorney help her with the process. She requested recommendation of an attorney which Shaw replied call his office and they will give her names of three attorneys who do "land use and property issues."

ORIGINAL

Department Head Comments

Bob Young – Highway Superintendent – Reported on an auction at the Toll Road – Goshen/Elkhart district. Bob called Auditor Joie Winski inquiring on how to purchase equipment from an auction. He then took a team, Duane Werner, Assistant Superintendent; Steve Cox, Garage Foreman; Andrew Simmermeyer, Bridge Foreman and Dusty Hicks, Weld Shop fabricator, to the auction. Interested in used snow plows – just the plows themselves. Forty trucks were in the inventory at the auction. The group purchased 5 trucks and 12 plows for \$47,000. Four 2007 single axle freight liner trucks, one 4-wheel drive Oshkosh truck. Commissioner Matias asked Bob was there a need to buy this equipment. Bob said yes, over the years the current equipment has been damaged. Repairs can only be made for so long on the trucks. A slide show was presented to the Commissioners showing the purchased equipment. Commissioner Kora thanked Bob and his team. Commissioner Matias asked Bob on the “de-icers” that will be used prior to inclement weather on the roads. Buying these trucks will allow a few of the other trucks to be used with “totes” or “sprayers” to apply the de-icer to the roads. May cost approximately \$10,000 per truck to attach a spray bar behind the trucks while using a remote control to apply the de-icer through the sprayers. Bob said he is hoping to get at least 3 trucks together for this process.

Bob gave a report on the Community Crossing Project scheduled on 1000 North, over 15 miles for this project. There will be approximately 32,000 - 37,000 tons of millings from this job. Four dumping sites have been designated throughout the county to hold the millings. Three sites are near town – La Porte – whereas 1000 North is located near the Indiana – Michigan State line. The Hesston Steam Museum is the 4th site and the closest one to the project. The museum can hold a lot of the millings on their lot. Bob stated he would like to “donate” as much to the museum as possible or hold the millings on their property. If the highway department needs to repair roads in that area of the county they can get the millings from this site. He said it makes more sense to hold the millings at the site of the museum instead of traveling on the county roads with weight of the millings back and forth to La Porte. Commissioner Matias asked if all 32,000 ton would go to the museum site. Bob said if it holds it. Ted Rita, curator at the Hesston Steam Museum, would like to trade the millings for excavation work. Commissioner Matias stated tax payers millings would be traded for work done at the museum. She asked Attorney Shaw Friedman for his opinion. Caution is well founded. Millings are a commodity for the county. Written proposals are submitted for the millings. Bob could submit a written proposal that would be reviewed by the Auditor and State Board of Accounts then a recommendation will be made. Bob introduced Ted Rita to the Commissioners. Ted stated this is the 64th year for the museum in La Porte County. Hesston Museum supports the community in several ways. Toys for Tots; Stem Learning exhibits when one elementary school per year attends the museum free of charge. Worthy Women’s Recovery Home brings their children to the museum for food and fun. Ted is the only full time staffer at the museum and he works with about 150 volunteers that dedicate their time. Hesston Museum is a 501(c) (3) not-for-profit with about 800 members owning the museum. The millings will complement the county if the museum is allowed to use them to cut in a road on their property for more parking of vehicles instead of along 1000 North. Commissioner Kora thanked Ted for the information and requested a written proposal for the millings for review by the Board. Attorney Friedman stated Hesston Museum has been a great destination for a lot of folks coming into our community. He requested a specific written proposal stating amount of millings, i.e. volume, intended usage would be great for an opinion for recommendation to the Commissioners.

Tony Rodriguez – Office of Community and Economic Development – Requested permission to approach the Council for the 2020 budget. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Requests

Considered travel permission for Prosecutor’s IV-D Child Support Staff to Savannah, Georgia May 17-21, John Lake, Prosecutor. John stated IV-D incentive funds are for training and other specific items. The federal government gives money quarterly to IV-D based on performance and the account is almost up to \$600,000. John would like to use the funds to cross train employees and send as many employees as possible to training. Commissioner Kora motioned to approve six staff members. Commissioner Matias seconded. Motion carried.

ORIGINAL

Considered travel permission for Community Corrections Counseling Department to Memphis, Tennessee March 9-12, Rob Neary, Director. *****Removed from agenda**

Considered LPCCVB Community Events Promotion Fund for \$500 each: Hanna Fest; Birchfield Memorial Foundation, Inc.; American Legion Post 403 and La Porte County Draft Horse Association. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Attorney Friedman suggested switching items "10 a" and "10 b" due to open bids now then award the bid near the end of the meeting. Sufficient time will be given to the department heads to review them.

Old Business

Considered Bid Opening for 1000 N. Community Crossings pavement project – Mitch Bishop, County Planner. Attorney Shaw Friedman opened two bids for the Community Crossings project. Rieth-Riley was timely received. The bid for total construction cost \$2,247,445.24. Proposal by Walsh and Kelly for \$2,475,490.91 which was timely received. Commissioner Kora motioned to accept both bids, gave them to Mitch Bishop and Bob Young who then took them next door in room 2 for review.

Considered proposed Pawn Shops/Scrap Metal Ordinance on first reading – Detectives Pat Cicero, James Lear, and Aaron Banic – La Porte County Sheriff's Department. Detective Pat Cicero introduced Detectives Lear and Banic to the Commissioners. He said he could not stress enough the value of the proposed Pawn Shops/Scrap Metal ordinance. Detective Lear said one of the biggest issues in the county currently is area businesses not reporting to Leads OnLine, the nation's largest online investigation system. Accurate reporting is essential when recovering stolen property. Currently search warrants are sought to recover stolen property. The goal is to have a unified front. The County, Sheriff's office and businesses working together to restrict the flow of stolen property, properly document what property is sold and redistribute it in the county. Either it is not being reported at all or inaccurately right now. Ultimately, stated Detective Cicero, by enacting this ordinance La Porte County will be on board with other counties throughout the state. Counties using this reporting system are Anderson, Evansville, Ft. Wayne, Indianapolis, St. Joseph and Terre Haute. Commissioner Matias summarized with "a citizen has an item/items stolen which then go to a pawn shop." No tracking at all? Detective Cicero replied there is tracking just not through a third party which law enforcement can use to search for the stolen property. Commissioner Kora asked who pays for the service. Prosecutor John Lake said out of the infraction referral fees \$15,000 per year is paid for law enforcement to use the service. Information entered into the system is only for law enforcement to view. Criminals know who uses Leads OnLine and who doesn't so they will steal in St. Joseph County then bring the stolen items to La Porte because they know we do not have this system. Commissioner Matias asked if any business owners wanted to comment. Mark Shublak, Ice Miller law firm, representing the Institute of Scrap Recycling Industries (ISRI) or the metal recyclers. Stated the record should reflect our county has an impressive group of individuals, outstanding professionals that he has been working with, Attorney Shaw Friedman and the law enforcement officers who are working on this ordinance. Stated his concerns for how this information will be collected, how the constituents personally identify the information, in case of a security breach is the information protected? How is the information used? Only law enforcement uses it? Leads OnLine and the county is not his concern it is the relationship between Leads OnLine and the reporting business. Holding the property for 15 days. County Attorney Shaw Friedman stated nothing in the current draft is inconsistent with other counties. Final draft is for any comment however Leads OnLine will not change their contract. Michael Mervis, Mervis Recycling, representing ISRI, spoke next. ISRI does not take any position with online reporting. As per Michael Mervis, ISRI does not have a problem with the ordinance but rather with the company Leads OnLine. Both Scrappy's and Spectrum, local scrap metal businesses in the county, were present at this meeting. Once they upload their data online, if that data gets hacked, they are still responsible for that information even if it is no longer in their database according to the Leads OnLine terms of service. What "perpetual right" does Leads OnLine have with that information when it should only be for law enforcement? Other businesses do not have that stipulation in their contract for services.

ORIGINAL

Data protection is the main concern. Information uploaded is all of their sales, customer info, and that is where the concern is for ISRI. Leads "owns" all of their customers' lists. Another concern is the "tag & hold" which is a 15 day hold once the business buys product which can lead to unexpected financial loss. It is the protection of the data that is ISRI's main concern. Commissioner Matias said the Board will take the concerns into consideration. Attorney Friedman stated the ordinance is good as written, this is the first reading only. Second reading will be at the next Commissioners' meeting. Commissioner Kora motioned to accept the ordinance as written on first reading. Commissioner Matias seconded. Motion carried.

Report by Al Walus, Christopher Burke Engineering on Meadowview Estates. Requested permission to approach the Council regarding geotech survey/well monitoring. A two page letter submitted to the Commissioners included a summary of review findings and recommendations. Up to 42 residences throughout the subdivision experience excessive groundwater pumping in some capacity, and therefore the problem is not isolated to just a few lots. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

New Business

Considered engagement with Sheriff's Association-recommended counsel Peter Wood regarding department personnel procedures/training procedures – John Boyd, Sheriff. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered permission to approach Council for matching funds for Bridge #97. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered matching funds for Union Mills sidewalk project. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered Renewal of Countywide Construction Inspection Services On-Call with Lochner. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered ROW Service Contract with DLZ for Lofgren Rd/150 N/250 E intersection Safety Project Mitch Bishop, County Planner. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered right-of-way grant approval for 150 North. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered bid award for 1000 North. Mitch Bishop stated bids met all requirements. Bonds were included. Rieth-Riley was awarded the bid. Reviewed by department heads involved with the project. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered request of MOU with Porter County and E-911 – Steve Alt, Director. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered request for agreement with USI for Otis Road bridge repair – Jay Sullivan, County Engineer. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

Considered a boundary survey for the County Home and adjacent 5.39 acres. Auction will move forward on the county home. Legal and aerial descriptions are done. Commissioner Kora motioned to approve. Commissioner Matias seconded. Motion carried.

EMA Proclamation read into the minutes by Commissioner Vidya Kora. Designating the week of February 24-28, 2020 as Emergency Management Agency Week. ***Attached to these minutes.

ORIGINAL

Commissioner Comments

Commissioner Vidya Kora spoke on the coronavirus. Our county health department is working with the State health department for updates. No reports of the virus in the state of Indiana. Specimens are sent to the CDC for testing. Flu shots are recommended. In mid-March an Opioid Treatment Program will open in La Porte which will be helpful to our community. Commissioner Kora met with staff at the WIC office in Michigan City pertaining to LEAD issues. LEAD screening will be available for parents.

Commissioner Sheila Matias stated the meeting earlier in the day on the Opioid Treatment Program was rewarding to attend. A great example of a collaboration of people with good intent working together for the good of the community. Swanson Center, Porter Starke hospital, Healthcare Foundation and La Porte County officials all support the opening a recovery center in La Porte to treat opioid addiction. Commissioner Matias said she has been keeping her eye on the South Central Girls Basketball team. Good Luck South Central!

Adjournment

President Matias adjourned at 7:47 p.m.

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

DATE 3-4-2020

Sub. Matter
Malayalam

ATTEST: _____ Auditor

LA PORTE COUNTY, INDIANA

ORIGINAL

PROCLAMATION
TO DESIGNATE THE WEEK OF FEBRUARY 24-28, 2020
AS
EMERGENCY MANAGEMENT AGENCY WEEK

Whereas, Emergency Management is a vital public service; and

Whereas, the LaPorte County Emergency Management Agency has evolved from Civil Defense offering bomb shelter locations to our citizens, to Homeland Security providing our citizens with emerging threats; and

Whereas, the LaPorte County Emergency Management Agency provides relief for those affected by tornadoes, floods, extreme weather events as well as other natural and man-made disasters; and

Whereas, the proper planning, training and response facilitated by our team will lead our residents into a quicker recovery mode after a disaster; and

Whereas, the LaPorte County Emergency Management Agency is ready to provide planning and logistical information to other agencies in our county 24 hours a day, seven days a week; and

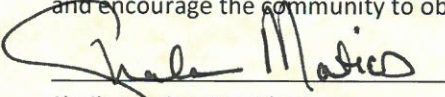
Whereas, LaPorte County residents benefit daily from the knowledge and skills of these highly trained individuals; and

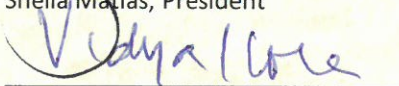
Whereas, it is appropriate to recognize the value and the accomplishments of our LaPorte County Emergency Management Team by designating Emergency Management Agency Week; and

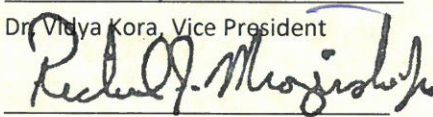
Now, therefore, the Board of Commissioners of the County of LaPorte, State of Indiana, in recognition of this event do hereby proclaim the week of February 24-28, 2020 as

EMERGENCY MANAGEMENT AGENCY WEEK

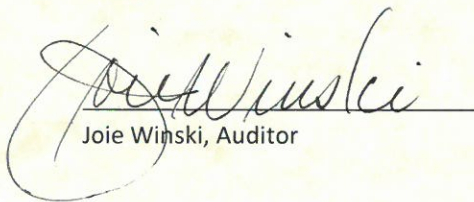
and encourage the community to observe this week with appropriate activities.


Sheila Matias, President


Dr. Vidya Kora, Vice President


Richard Mrozinski, Member

ATTEST:


Joie Winski, Auditor