



**LA PORTE COUNTY  
BOARD OF COMMISSIONERS**

**555 Michigan Avenue, Suite 202**

**La Porte, IN 46350-3400**

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**Sheila Matias  
President**

**Dr. Vidya Kora  
Vice President**

**Richard Mrozinski  
Member**

**LA PORTE COUNTY COMMISSIONERS MEETING MINUTES  
Wednesday, July 15, 2020 La Porte County Complex Meeting Room 3 at 6:00 p.m.  
via ALCO and Zoom**

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

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

**Considered** the agenda. Commissioner Kora motioned to add item '9 c' to the agenda and the La Porte County Action Fund Grant Awards after the Claims. Commissioner Mrozinski seconded. Motion carried. Commissioner Kora motioned to accept the amended agenda. Commissioner Mrozinski seconded. Motion carried.

**Considered** approval of July 1, 2020 minutes. Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.

**Executive Assistant** Diane Gonzales read the claims with Payroll ending 7/3/2020 - \$1,204,652.42 and Miscellaneous claims in the amount of \$1,838,816.86. Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried. President Sheila Matias reported all claims are reviewed by the Commissioners prior to the meetings.

**Tony Rodriguez and Bailey McGrath**, Office of Community and Economic Development – COVID Lifeline Small Business Grants were awarded to the following businesses which were read into the record by President Matias with name and amount awarded:

<b>Immediate Movers LLC</b>	<b>\$10,000</b>
<b>Janice Lynn Wesch DBH</b>	<b>\$ 5,000</b>
<b>BlackJack Pines Inc</b>	<b>\$10,000</b>
<b>Sweet Lou, That's WHO!</b>	<b>\$10,000</b>
<b>JB Supermarket</b>	<b>\$ 5,000</b>
<b>Schmidt-Marken Designs</b>	<b>\$10,000</b>
<b>Les &amp; Pearls</b>	<b>\$10,000</b>
<b>Fitness Plus</b>	<b>\$10,000</b>
<b>Z Cuts Lawn Maintenance</b>	<b>\$ 5,000</b>
<b>Reliable Cars Sales Inc</b>	<b>\$10,000</b>
<b>Transitions Equestrian Center</b>	<b>\$10,000</b>
<b>Duneland Hospitality Inc</b>	<b>\$10,000</b>
<b>Charles Bailey Trucking</b>	<b>\$10,000</b>
<b>Pine Grove Banquet Hall</b>	<b>\$10,000</b>
<b>Bistro Vault</b>	<b>\$10,000</b>
<b>The Ville Bar and Grill</b>	<b>\$10,000</b>
<b>Craig Fouts and Sons</b>	<b>\$10,000</b>

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<b>J&amp;B Feed Inc</b>	<b>\$ 5,000</b>
<b>Lakeside Lavender &amp; Herbs</b>	<b>\$ 5,000</b>
<b>Jimmy's of Westville</b>	<b>\$10,000</b>
<b>Last Resort Campground</b>	<b>\$10,000</b>
<b>Jennie Rae's</b>	<b>\$10,000</b>
<b>Heston Inc</b>	<b>\$10,000</b>
<b>Schander Remodeling</b>	<b>\$ 5,000</b>
<b>L&amp;K Cleaning</b>	<b>\$10,000</b>
<b>Shireman Veterinary Services</b>	<b>\$10,000</b>
<b>Mofield Property Services</b>	<b>\$10,000</b>
<b>Total</b>	<b>\$240,000</b>

Thank you to the La Porte County Action Fund Review Committee members: Terry Larson, Joe Coar, Scott Cooley, Dr. Vidya Kora, Randy Novak, Mike Mollenhauer, Mike Rosenbaum and Jan Ribordy.

**Public Comment**

**Joe Haney** – 2695 W. Joliet Road La Porte – Stated he had a lot to comment on but would try to make it as brief as possible by focusing on the main reason for his concerns which is the last item on the agenda pertaining to the face covering mandate. Joe said, “As a clinician and clinical manager with over 15 years of experience, one of the first things I immediately noticed is there seems to be a misunderstanding of terms specifically masks versus face coverings. I believe part of this confusion may be intentional and is designed to confuse the public into thinking that studies for masks, such as surgical masks or N-95 respirators, are the same things as face coverings. They are not. And I’ve heard before from this Commission words exchanged such as ‘studies show masks can help’ followed closely by ‘wear face coverings.’ The only logical conclusion I can discern from such carefully crafted verbiage is that this is a purposeful effort on behalf to confuse the public in order to conflate one with the other. They’re very different things and I think it is very disingenuous to pretend that they aren’t. In addition, in 2009, 2010, 2012, 2017, 2019 and early 2020, randomized control tests were done and these are all peer reviewed studies and published studies with groups ranging between 2,000 and 9,000 participants done with N-95 respirator masks - not cloth coverings. I’m sure none of you would argue an N-95 masks provides superior filtration to any cloth face covering. This is extremely important to note and it showed no significant reduction in the transmission of viruses such as influenza. Why is it important we are talking about influenza here for example and other viruses? Because Covid-19 is the same particulate size as influenza. Furthermore, in 2015, the only actual peer reviewed RTC study showed that cloth masks not only didn’t help prevent the spread of viruses but they actually contributed to a greater risk of contracting the virus. Specifically it said, ‘Moisture attention, reuse of cloth masks and poor filtration may result in an increased risk of infection.’ That is directly from the 2015 study. All of these studies are readily available at PubMan. I encourage all of you to go ahead and take a look at those. Now in 2020 we also know that hand to face transmission of Covid-19 is a significant vector for the risk of infection and cloth coverings drastically increase hand to face contact in the general public. And I will say today, and we can go back and look at the video, every single one of you sitting up here today has touched your mask multiple times in the...barely 15 minutes that we have been here today. In fact, Commissioner Kora, when he went and took his hand to remove his mask, he immediately sculpted and stroked his mustache. He then went on to lick his lips. That is a direct vector to introduce the virus into your body. I think it is important to point this out as we may be giving false hope to the public especially when it comes to a mandate. Now what we do know that works and what has been studied is social distances and best practicing for hand hygiene. Both of which, as we’ve already happily (?) demonstrated here tonight fly right out of the window when we are talking about cloth face coverings. A few days ago when I learned of the addition to the agenda for this evening on the face masks mandate, I was curious as to what would prompt such a mandate here in La Porte County? I asked myself why now? Why four months into the Covid-19 pandemic are we talking about this now? I looked at hospitalization numbers this morning and ICU bed numbers are at the lowest they have been in months, even years. So why now? I looked at ventilator use numbers for here in La Porte County and for the state. Available capacity is at 84% right now and of the 16%

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that are being utilized, only 1 in 5 is for a Covid-19 related illness. So again, why now? The total numbers of deaths and mortality rates for Covid-19 continue to plummet each and every week and hasn't for the past two months here in the US. Here specifically in La Porte County, which is what we should mostly be focusing on, out of the 28 total deaths for the entire duration of the pandemic, the last six weeks we have seen four. So again I ask why now? And all of that information can be readily accessible to the public at [Coronavirus.in.gov](https://www.cdc.gov/coronavirus) as well as La Porte County's website. Yesterday the CDC relates its first data on cloth face masks since this pandemic started. This was well after the agenda item came out so that probably wasn't the reason. And the information in the report itself is antidotal at best, it has not been peer reviewed. In fact to date no data to support cloth face coverings has ever been peer reviewed and published. So why are we talking about a mandate here today? Walmart earlier today announced that all of their stores by July 20<sup>th</sup> will be requiring masks. Apparently Covid is on vacation until July 20<sup>th</sup>? I'm not sure. In any event why now? This Elkhart County mandate that is being forced upon us tonight makes La Porte County the 5<sup>th</sup> county in Indiana to adopt such a mandate. And as an aside I would like to point out this is just the latest 'snatch and grab' technique that we have seen from Commission leadership when it comes to ordinances that have been tried to pass in the past 3 and a half years. At least this latest 'copy and paste hatchet job' is from an Indiana based county and not randomly pulled from some obscure town in Illinois. But the biggest question here is why now? Last week in a press release the CDC said that Covid-19 was on the verge of losing its epidemic status. Why now? The only thing that has changed in the past two weeks to support a mask mandate is one thing – public opinion polls. For the first time in these past two weeks public opinion polls have crested 50% in support of a mask mandate. Why now? Because it is politically expedient to pander the public opinion polls as opposed to making public health policy decisions based upon the facts and the actual scientific data we have and furthermore I would like to point out the Attorney General on June 30<sup>th</sup> pointed out specifically in regards to Elkhart County when questioned about its enforceability and constitutionality, he said and I'll quote, 'Actions that contradict that order do not create grounds for law enforcement to stop, detain, harass, issue a citation, arrest or otherwise intimidate individuals who do not comply with that order.' There is no way this can be enforced. It is unconstitutional. Thank you." Commissioner Kora responded that information will be given at the end of the meeting if Joe would stay for the rest of the meeting.

**Tim Stabosz** – 1501 Michigan Avenue La Porte – Tim said, "I'm a risk manager for a living, as both an accountant by training and a professional financial analyst and professional investor by way of life. I use data and numbers systematically to value the underlying worth of companies. That's what I have done for the last 30 years. I always let the numbers and what they tell me be my guide. CNN and hysteria mongers in the media who seek and desire to scare our people are not epidemiologist, statisticians or risk managers. They love promoting 'sky is falling' worst case scenarios. My appeal to you, your job as leadership, please do not cave in to the media fear mongering. The people that are getting Covid now are young, which makes sense, because they have gone back to both work and play. And yet the national death rate has barely climbed. We are slowly achieving herd immunity and this is what is supposed to happen. We are not supposed to be able to stamp this thing out completely overnight. Indeed hospital usage and daily deaths in La Porte County and District 1, which comprises the whole of Northwest Indiana, are just fine and have barely budged. Our people are being appropriately cautious and prudent already. Do not impinge on people's personal freedoms or coerce the people of La Porte County with a mask mandate. Do not succumb to the hysteria around what is going on in Texas, Florida and Arizona. It is not happening here. As Mr. Haney has pointed out regular cloth masks are unproven and give people a false sense of security and they have risks and costs of their own. They trap bacteria inside the face. My partner's face has swelled up because of it. She reports people at work who have respiratory issues because of masks. If someone coughs on you the virus particles are on the masks. People are then constantly adjusting their masks and touching their faces. The original CDC guidance from March is appropriate 'unless we are all going around wearing N-95 masks they don't do much of anything and have costs.' How can we confer herd immunity if we are trying to *guarantee* that no one catches Coronavirus? Let people live their lives. Do not create undue and unnecessary fear in La Porte County residents. Let the statistics be your guide, please. There have been no material escalation in Covid spread in La Porte County or indeed in District 1 which include Lake, Porter, La Porte and other counties. Please do not put in place a countywide mask mandate. Thank you."

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### Department Reports/Department Head Comments

**Rick Brown** – MSR Coordinator – Updated the Commissioners with a handout from his office. Social Media report as of 7-15-2020 shows 24 videos created; 263,063 total views on YouTube channel; 11,900 YouTube Subscribers; 190 Facebook ‘Likes’ and 687 Instagram followers. Wednesdays are “Coffee with Rick Brown.” President Matias thanked Rick for his positive energy for his job. Commissioner Mrozinski thanked Rick and Mike Polan from the Drainage Board.

**Tony Mancuso** – Health Department Director – via Zoom. Reported on 12 positive cases of Covid-19 for today bringing the total for our county to 652 cases and 28 deaths. Monday, July 13 had 25 cases, Tuesday, July 14 with 5 cases then 12 today. As for screening at county buildings for the first week 405 went to the Hiler Building, Michigan City Courthouse had 352 and La Porte Courthouse/Complex had 820 with two people turned away due to chronic cough or high temperature. On an average 2-3 weeks ago was 1-2 per day however Tony stated more testing is being done then previously.

**Larry Butcher** – EMA Director – via Zoom. Updated the Commission on PPE supplies. Approximately 30,000 masks and over 550 gallons of hand sanitizer are in stock. Orders are placed twice a week. Larry stated after the Optum site closes in La Porte at the Civic Auditorium it will open back up in Michigan City for 30 days. Commissioner Kora said a location in Michigan City at the Minority Health Coalition is available to which Larry replied he will inspect the ingress/egress and ventilation of the building to determine if it will be a testing site. President Matias said be sure the building has air conditioning with high heat indexes.

### Requests

**Considered** request for unused sick days to be paid to Judy Grott upon retiring from Community Corrections. **Commissioner Kora motioned to approve the request.** Commissioner Rich Mrozinski said Judy has been an outstanding employee for over 33 years and those people are hard to find. **Commissioner Mrozinski seconded. Motion carried.**

**Considered** request for unused sick days to be paid to Eve Granacki upon retiring from Treasurer’s office. Treasurer Lynne Spevak said Eve has been a county employee for 22 years and has the money in her budget to pay Eve. **Commissioner Kora motioned to approve the request. Commissioner Mrozinski seconded. Motion carried.**

**Considered** request for unused sick days to be paid to Terry Singleton upon retiring from Clerk’s office. Clerk Kathy Chroback stated Terry has been an employee for 25 years since she was hired September 9, 1996. Terry has been the bookkeeper for all of the clerk offices and handles the money and reports for the last 22 years. **Commissioner Kora motioned to approve the request. Commissioner Mrozinski seconded. Motion carried.**

**President Sheila Matias** thanked all 3 long time employees and wished them well on their next journey. Commissioner Kora requested a letter on behalf of the Commissioners be sent to them expressing gratitude for their services.

### Old Business

**Discussed** unanimous Indiana Court of Appeals decision denying class action request by Charles Dempsey against La Porte County Auditor Joie Winski in the matter of *Charles J. Dempsey v. La Porte County Auditor Joie Winski et al.* Attorney Shaw Friedman reported on, “Monday morning’s unanimous decision by the Indiana Court of Appeals in the long-running case filed in 2015 by the Chicago law firm of Forde & O’Meara on behalf of Long Beach property owner Charles Dempsey against Auditor Joie Winski and Treasurer Nancy Hawkins claiming there should be a class action allowed involving interest due on parcels where taxes were reduced due to the 2008 reassessment ordered by the state. The Auditor, who relied on a 2011 letter signed by DLGF Commissioner Brian Bailey, has vigorously stood by her position that interest was **not** due to those who may have received refunds or credits as a result of an assessment appeal. As you can all imagine, this case

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potentially involved hundreds of thousands if not millions of dollars that the county would have owed had either the trial court judge or Court of Appeals found that interest was due to a 'class' as we have some 88,000 parcels in the county. Hence the significant effort we've made in fighting this litigation since it was filed five years ago. My recommendation was to bring on board DeLaney & DeLaney as my co-counsel, they specialize in opposing class certification. While the plaintiff's counsel has until August 12<sup>th</sup> to file a petition for transfer to the Indiana Supreme Court, there's not a lot frankly, in the Court of Appeals decision to give plaintiff's counsel much hope but we will see where this goes at this point but I wanted to report publically the unanimous decision of the court of appeals backing our auditor's position in this particular case and we will keep the Commission and the public informed on progress going forward."

### New Business

**Considered** favorable recommendation for vacated portion of Beach Drive - Attorney Andrew Voeltz. Sharon Stine, via Zoom, thanked the Commissioners for listening to her concerns. **Attorney Andrew Voeltz** said Sharon was out of order, she is an adjacent land owner. President Matias said Andrew Voeltz would be heard first then public comment will be heard. Andrew apologized for stepping in but said, "We've got to keep the record clear here at this point. I represent Don and Catherine Boody who reside at 115 Maple Drive in La Porte. Procedurally this has been hanging around since January. We originally filed a petition to vacate the plotted but undeveloped roadway known as Beach Drive back in January of 2020. At that point in time when it was heard by the Plan Commission there was not a quorum present in order to present a favorable ruling so there was no recommendation that was given to the Commissioners office. So then it was sent back to the Plan Commission. It was re-heard on June 23<sup>rd</sup> and at that point in time we had a unanimous vote for recommendation to the Commissioners that the plotted but undeveloped roadway known as Beach Drive be vacated in favor of my clients, Don and Catherine Boody. Now again to clarify at the original petition we were only talking about a little sliver but now what I've presented to you tonight with regards to the map that's in front of you is now what I'm going to refer to it as the upside 7 because Mr. and Mrs. Boody and myself as well as some former remonstrators who are represented by Newby, Lewis, Kaminski and Jones have gotten together and come up with a solution that will in my mind solve every problem that is going on out there. So we are requesting that the remaining portion of Beach Drive be vacated in favor of Don and Catherine Boody in the same manner that this Commission approved and voted to vacate the other portion of Beach Drive for Mr. and Mrs. Boody's adjacent neighbor, the Slaters, to the south. And Nick, I think you probably got some stuff to add to this; correct?" "Sure," said **Nicholas Otis**, "Good evening, on behalf of Joe and Meghan Jongkind at 126 Maple Drive; Brian and Erica O'Malley at 334 Oak Drive; Jeremiah and Norma Ashe at 338 Oak Drive and Todd Reid at 336 Oak Drive. They are adjacent land owners and to give you some background they have used this 'road' that was never developed for their access to Pine Lake. And whether they were misled that it was an easement or what, it's not so we are trying to reach a resolution. We have agreed to withdraw our remonstrance if we can reach this agreement. So our understanding is this is our first reading tonight and won't be voting on it. We believe we'll have a deal in place by the next - the first August meeting especially with - we got 3 weeks between then so I think it is a fair resolution, I believe Ms. Stine was going to comment. Shes also an adjacent property owner. We believe that the concerns that she has will also be incorporated as a part of this resolution. And certainly I'm not on, not speaking on behalf of her but we are trying to make sure that her concerns are addressed as well. Thank you." Attorney Shaw Friedman said he 'appreciates the effort counsel is making to try to reach an amicable resolution that will resolve the concerns of all of the neighbors there, I hope that is the case. It would be our recommendation to pass the proposed ordinance on first reading in the hopes that they can pull together a written stipulation for presentation to the Commission at the next meeting.' Both attorneys Voeltz and Otis agreed. President Matias allowed public comment to be heard at this time. **Sharon Stine**, via Zoom, stated, "I'm totally unaware of any agreements that were made, nothing was ever sent to me, I'm totally in the dark until I talked to...prior to the notice, prior to the meeting, the 23<sup>rd</sup>. I called in. The only thing they were going to do was talking about vacating of the property but there was never any mention about *moving* the access right next to my property which would be detrimental to be using my property and could pose accidents coming forward with boats. We're dealing with, instead of just one family being next door with boats we could have 5 possibly 6 families next door with boats with a shoreline that angles like at a 45 degree angle and it sounds like they're going to be granted ten feet from what I understand? I don't ...like I said, I haven't seen

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anything in writing yet. Ten feet is not much and it is right next to my property. I'm very, very upset that it was never brought to my attention, I felt like I was really kept in the dark and I would like to defer to my attorney, James Byron." "Thank you Sharon, my name is **James Byron**, my address is 228 W. High Street, Elkhart, Indiana. I'm an attorney in Elkhart. Sharon's address is 22686 Remington Court, Elkhart, Indiana and they own **115 Maple Drive** (Attorney Andrew Voeltz stated **no** at this time) in La Porte, Indiana, 46350 which is lot 1 of the subdivision and so I was somewhat encouraged by the remonstrators' attorney that they indicated that they were willing to accommodate the Stine's concerns too. I had talked with the petitioners' attorney earlier today and my understanding was that they weren't...did not want to accommodate our concerns. So we're interested in becoming involved in those negotiations so that our concerns can be addressed as well. If our concerns are *not* addressed then our basic objection is very simple, there is a subdivision plat and one of the things that it did was it created a right-of-way for the public and that right-of-way is Beach Drive. And that right is vested in the public. It is indefeasible. There are at least, I counted the lots in the subdivision and there are at least 80 lots in the subdivision, if I had the boundaries in the subdivision correct. And when each land owner purchased his or her respective lots, all of the rights and benefits shown on that plat were purchased along with the fee simple title that they got, and one of those rights and benefits shown on the plat is Beach Drive which provides access to the lake. And lake access enhances the value of all the lots in the subdivision. So that is a property right just like a *circa* (not audible) covenant would be a property right and it's vested for everybody including the Stines. And Mr. Boody cannot unilaterally take that property right away from the Stines or any other lot owner in this subdivision. There is an Indiana appellate court case out of La Porte County, its *Chaja v. Smith*, 751 N.E.2d 611 – (quoted from this case). And so we are willing to become engaged with the petitioner and the other remonstrators but if our property next to us cannot be accommodated we think there is no way the easement or right-of-way can be destroyed or taken away, it is something that belongs to Mr. and Mrs. Stine and every owner of a lot in that subdivision. We are open to negotiations – am I right on that Sharon to accommodate them?" **Sharon Stine** made a correction on their address as 127 Maple Drive and stated her family has owned the property since 1959 after buying it from Catherine Boody's mom and dad. **President Matias** said we would hold this over until the next Commissioner's meeting which would give all parties a chance to come up with a solution. **Attorney Andrew Voeltz** clarified, "property rights on the island or on Pine Lake, there are terms being used here interchangeably and they are not interchangeable terms. This is not an easement, it is not a right-of-way. It is plotted but undeveloped roadway. I will indicate to the Commissioners you have already vacated the majority of this plotted undeveloped roadway. There are other right-of-ways or access points all over the island that if you look at Beacon you can see them because they were granted or included in the original plat to allow inland owners with the opportunity to access the lake. That is not what this situation is here. And that is the problem that we encountered previously with the remonstrators and we are encountering here with this interpretation of 'rights' and 'benefits.' They don't have the right and benefit to a plotted but undeveloped roadway. In the same way the remonstrators don't have the right to put a pier at the end of a plotted but undeveloped roadway. So we need to be very clear here about the legal language and I think Mr. Friedman will agree with me here that we are talking about a plotted but undeveloped roadway not an easement and not a right-of-way access. **President Matias** thanked Attorney Voeltz and stated it will be on the next Commissioners' meeting agenda. **Attorney Friedman** said generally a vacation occurs by an ordinance. He is comfortable with moving this through due to several things: (1) unanimously recommended by the Plan Commission (2) discussion on a potential stipulation which hopefully will accommodate this remaining resident and their counsel and to keep this moving forward we need to go ahead and approve it on first reading, hold over second reading until the next meeting. President Matias said it is not a resolution but a recommendation from the Plan Commission. Attorney Friedman said it would need to be in an ordinance form though if it is approved so essentially the Commissioners would be 'receiving the recommendation,' 'approving the proposed ordinance on first reading' and then 'holding it over for consideration for the next meeting.' Nick Otis asked if one of the attorneys would prepare the ordinance to which Attorney Andrew Voeltz stated he would be doing it. Record is clear that it is moving forward with the Petitioner/Petitioner's Attorney will present the proposed ordinance to vacate on first reading. **Commissioner Kora motioned to accept the proposed ordinance to vacate on first reading. Commissioner Mrozinski seconded. James Byron**, Attorney for Sharon Stine, via Zoom, interrupted and asked if there was an ordinance before the Commissioners right now. **Attorney Friedman** replied a stock ordinance is being prepared regarding vacation and a copy will

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be provided to – **Attorney Byron** interrupted again by asking is there one right now? His question was answered with no, one is not presently in possession. **Attorney Byron** said then that there isn't 'anything' to pass along to the next reading. **President Sheila Matias** stated the recommendation will be passed at this meeting then first/second reading with an ordinance at the next meeting with the stipulation that discussion will continue between the remonstrators. **Attorney Andrew Voeltz** said the county did not need to be involved with discussion between individual private property owners. This is simply recommendation to approve what will be the ordinance to vacate the remainder of Beach Drive. **Attorney Shaw Friedman** said along with recommendation by the Commissioners that all parties get together and try to negotiate an amicable resolution. **Commissioner Kora motioned to accept the favorable recommendation and return for the ordinance's first/second reading at the next Commissioners' meeting at 10:00 a.m. August 5<sup>th</sup>. Commissioner Mrozinski seconded. Motion carried.**

**Considered** engaging Jake German of Barnes & Thornburg regarding CARES Act reimbursement issues. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** Lexipol agreement to assist Sheriff's department with revised policies and procedures compliant with the President's 21<sup>st</sup> Century Task Force on Policing - Sheriff John Boyd. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** Resolution of Need for Michigan City Courthouse Project as next step in financing - Pattie Zelmer, Ice Miller. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** Right of Way agreement for Bridge 186 – Engineer Jay Sullivan, Planner Mitch Bishop. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** contract for replacement of warning and regulatory signs in remaining 9 townships - Planner Mitch Bishop. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** construction inspection contract with USI for Otis Road Bridge over Little Calumet River - Engineer Jay Sullivan. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** contract renewal for Community Development Specialist – Bailey McGrath, OCED. **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** Health Department contract with Peggy Rose, R.N. as Public Information Officer re: Covid-19 issues (reimbursable by CARES Act funds). **Commissioner Kora motioned to approve. Commissioner Mrozinski seconded. Motion carried.**

**Considered** approving submission of Community Corrections grant application for fiscal year 2021- Rochelle Brown, Director. Director Brown stated this is the Adult Community Based Supervision Grant with an amount of \$754,389 being requested. Attorney Shaw Friedman stated it has been reviewed, it does have an increased amount from last year and it has been approved. **Commissioner Kora motioned to approve. Commissioner Mrozinski** asked about the increased amount from last year. Director Brown said last year was 'give or take' \$654,000 but this year the request is for an increased amount for electrical monitoring or day reporting reports and originally asked for a vehicle but was told unable to help with that so it will be used for electrical monitoring. Attorney Friedman stated there are a few areas where the grant application could be tightened up a bit but overall it is ok.

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**Considered** requesting County Health Officer issue Face Covering Mandate similar to that adopted by Elkhart County. **Commissioner Kora** commented on a graph presented showing the positive cases in our county of Covid-19. He said unfortunately an issue that should have been a health issue has become a political issue. We need to stick to the facts, the truth and the science. We had almost gotten down to zero in numbers but those numbers are now going up. County and State numbers were shown and both are going up. Reminding all of the 4 pillars: face masks, social distancing, hand hygiene and if you are sick please stay home, this will help prevent the spread of this virus. Wearing a mask is the right thing to do. The mask not only protects *me* but *you* as well. By wearing a mask you are protecting others from yourself if you are sick and show no symptoms. Wearing a mask is an act of kindness, compassion, respect, and humility. An article from Forbes magazine quoted a study by Goldman Sachs, “a national mask mandate will have a positive impact of 1 trillion dollars to the US economy.” If we can protect each other and it has a positive impact on the economy we should do it. If precautions are taken then businesses can remain open and schools can reopen. **Dr. Sandra Deausy** commented on ‘herd immunity’ which was brought up earlier under Public Comment. Covid parties are not a good thing. Although there will not be ‘Covid police’ mandating the masks is a good idea. **President Sheila Matias** read into the record the Public Health Order. An FAQ will be available as well as the order on our county website. **Commissioner Kora motioned to approve.** **Commissioner Mrozinski** said he appreciates everything Dr. Kora said and he understands his motion to support the mandate. Commissioner Mrozinski stated he received phone calls since the mandate went public with concerns of ‘infringing on people’s right and civil liberties.’ People are either going to wear the masks or they’re not. It is not enforceable. The private indoor/outdoor areas where social distancing can’t be maintained are his objections. If his neighbors stop by and they sit on the deck outside will they all have to wear masks if they cannot be 6 feet apart? Requiring the area employers to mandate the face masks is a concern. For the county buildings and employees it’s one thing to mandate but we are overreaching when we tell area businesses that they have to enforce the same rule. The post office employees that deliver our mail to the county buildings won’t wear a mask to come in to the buildings. The over burden on the sheriff’s department and 911 if people call in about others not wearing a masks is a concern also. **Commissioner Mrozinski stated he could not vote for the mandate.** **President Matias stepped down and seconded.** She said she doesn’t like wearing the mask either however looking at the daily reports from the health department with positive cases for people under the age of 50 all throughout our county gives her great concern. Although it is a mandate it should be used to educate, encourage and persuade individuals to wear face coverings. If we can do anything to help slow the spread of this virus, especially to those most vulnerable, then we should do it. **Vote taken - 2 yes and 1 no. Motion carried 2-1.**

### Commissioner Comments

**Commissioner Vidya Kora** said our health insurance for employees looks good. We have spent \$770,000 less than what was anticipated. He stated he chaired the workforce development for northwest Indiana of which he is a member representing our county. Unemployment went up but has started to come down. He had a good conversation with the Healthcare Foundation of La Porte. They have a ‘nurse navigator’ program and a ‘family nurse partnership’ program. He also reminded the listeners of Absentee Voting options. The pandemic will still be here in the fall during the election. In the primary election the Governor passed a resolution allowing ‘no excuse’ to be used when requesting a ballot by mail. It has not been passed yet for the general election so if you fall under any of these categories then you should put your request in for your ballot by mail as soon as you possible. Voters with disabilities; voters over the age of 65; voters that are working on the day of the election at their job or if they will be out of the county; or for religious reasons, in the military or safety officers.

**Commissioner Rich Mrozinski** stated he would like to ask the county attorney about item ‘i’ on the agenda pertaining to Community Corrections grant application. There is an additional \$150,000 this year than last year and he would like a bit more information. He said he did not seconded it. He has concerns for the additional money being requested as to how the money will be used. Attorney Friedman stated the record can be corrected. He will scan the grant with corrections and send it to all 3 Commissioners for review. Deadline to file is Friday for the grant.

ORIGINAL



**President Sheila Matias** said the pandemic has changed everyone's lives but there are some silver linings. She 'called out' Council President Randy Novak for hosting weekly county wide zoom meetings which has allowed a group of people who normally may not be able to 'get together in the same room' to join in on important issues especially during this pandemic. Councilmen, Commissioners, State Representatives, Mayors, City Councilmen, Town Boards, Hospitals, Schools, Police Departments, Fire Departments, EMS, EMA, United Way, Healthcare Foundation, Convention Bureau, and Chambers of Commerce are just a few throughout our county that attend the weekly meetings.

**Adjournment**

**President Matias adjourned at 7:52 p.m.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE 8-5-2020 Sheila Matias

V. Novak  
Randy Novak

ATTEST: \_\_\_\_\_ Auditor

LA PORTE COUNTY, INDIANA

ORIGINAL