



**LA PORTE COUNTY  
BOARD OF COMMISSIONERS**  
555 Michigan Avenue, Suite 202  
La Porte, IN 46350-3400  
Phone: (219) 326-6808 ext. 2229

**Richard Mrozinski**  
President

**Joseph Haney**  
Vice President

**Sheila Matias**  
Member

**LA PORTE COUNTY COMMISSIONERS' MEETING MINUTES**  
**Wednesday, September 15, 2021 La Porte County Complex Meeting Room 3 at 6:00 p.m.**

**President Rich Mrozinski** called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance led by 2 La Porte High School students from Ms. Tuholski's class.

**Auditor Tim Stabosz** called the roll: Commissioner Mrozinski - Present; Commissioner Matias - Present; Commissioner Haney - Present. Quorum present therefore meeting commenced.

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

Considered approval of **September 1, 2021** minutes. **Commissioner Haney** motioned to approve. **Commissioner Matias** seconded. **Motion carried.**

**Auditor Tim Stabosz** read the Claims with Payroll ending 9/10/2021 - \$1,132,030.54 and Operating Expense Claims - \$4,884,561.43. **Commissioner Matias** motioned to approve. **Commissioner Haney** seconded. **Motion carried. Commissioner Haney** stated the large amount includes money to the Trustees, Innkeepers Tax, Tonn and Blank/Michigan City Courthouse Project and paving projects.

**Prior** to Public Comment **President Rich Mrozinski** reminded everyone of the Commission's adopted policy and to be respectful.

As **Randy Veatch** stood at the podium **President Mrozinski** informed him that after speaking with the Highway Department the Commissioners have asked that the department determine where signs need to be posted and to be sure to get it done. **Mr. Veatch** asked if the department will start with the location of where the signs used to be in his neighborhood and **President Mrozinski** replied he does not know where they will start and it will be up to that department. **Mr. Veatch** said the logical place to start would be where the signs were 'illegally' removed. **President Mrozinski** said the signs will go according to the Ordinance for weight limits. **Mr. Veatch** asked if the Commission will concentrate on who ordered the signs removed. **President Mrozinski** said no because signs will be put back up. **Mr. Veatch** then asked why they wouldn't worry about them. **President Mrozinski** said it happened in the past. **Mr. Veatch** said he is concerned because it affects him directly by not having the signs posted for weight limits in his neighborhood. **President Mrozinski** stated signs will be put up however the date though is not definite. **Mr. Veatch** said he wants them put back up quick.

**Public Comment**

**Randy Veatch**, 4177 W. Schultz Road, La Porte, **Mr. Veatch** cleared up a few things from the last meeting. The business being taken to court has not happened, just a lawsuit for words, like being a business. Hauling materials, selling sand, sand mining, road damage and airborne pollution. NewPorte Landing was mentioned. Case was settled. The operation is still functioning today in a residential neighborhood. Two weeks ago he listened to the conversations of the Commission. He heard constant trucking with delivery every 20 minutes. The Commission spoke about sending the topic to the Zoning Board for delivery exemptions, type of permit needed for a project. There is not a permit. **Mr. Veatch** said when a neighbor tried to get an audience from the Zoning Commission, they were advised by the Zoning's attorney to hire a lawyer to talk to the BZA. He said Commissioner Haney stated at the last meeting under Department Head Comments that the signs in his neighborhood were ordered to be removed by the prior Commission. Where are the minutes stating the order to remove the signs? **Mr. Veatch** then said Commissioner Haney talked about heavy freight taking short-cuts as being the County's problem. **Mr. Veatch** believes this is an industrialized pickup and delivery operation which is a zoning code violation. Just enforce the current code. The Commissioners spoke about not targeting businesses, should be for all not just one, two or 3 businesses yet 1 is said to be 'grandfathered' in. **Mr. Veatch** brought up the petitions he brought to the Commission a few years ago with over 100 signatures, where are the petitions? He said **Mr. Mrozinski** said this is one

ORIGINAL



man against 1, 2 or 3 businesses. Mr. Veatch said all 3 Commissioners took an oath for all citizens of the County, not just for one. He asked why spot zoning is allowed. This should not be allowed. The trucking business does not belong in his neighborhood. He asked that the existing codes be honored to eliminate illegal truck traffic in his neighborhood.

**Lisa Pierzakowski**, Center Township Trustee, reported on ARP funds going out in the County for rental assistance. Vouchers were issued to a Coolspring Township client for \$3,000, Union Township \$1,000, Hudson Township \$1,000, Noble Township \$875 and another for Coolspring in the amount of \$1,000. She said Center and Coolspring Township are almost out of funds from United Way. Coolspring Township has approximately \$10,000 for assistance and Center Township has about \$20,000 funds available for the next few months to use for housing. Catholic Charities is almost out of funds as well.

**Jeff Santana**, 4954 Lindsey Lane, Michigan City, stated he is trying to grasp what is happening at some of the meetings. He would like to see more professionalism in the meetings.

**Earl Cunningham**, 6311 W. Shiva Drive, La Porte, said if there is any doubt about what he is going to say to refer back to the meeting held 4 weeks prior on August 18<sup>th</sup>. He thanked Barb Huston and Connie Gramarossa as former Commissioners and Sheila Matias for the willingness to listen to his possible solution for the Franklin Street Bridge. He said before he could offer his solution President Mrozinski appointed Commissioner Haney, Auditor Stabosz and himself as Councilman to a committee on the bridge although they have no experience with bridges. "The motion that was made that night actually was Mr. Friedman who put it in words then you (President Mrozinski) said, 'I make that into a motion' and basically it was that the 3 of you were directing him to get with the Council's Attorney, to come up with a Resolution that could be handled by Monday night, which was 5 days after that meeting. On Monday at 3:00 p.m. I called the Council's Attorney, he hadn't heard a word from Mr. Friedman on the Bridge matter which I thought was the number one priority in the County at the time. Three business days, Thursday, Friday and Monday, had gone by and I know Mr. Friedman sometimes bills on the weekends, so my question to you is did any of you, after that meeting, go to Mr. Friedman and say yeah, forget what we voted on at the meeting, I don't want you to get in touch with Mr. DiMartino. I see one no, I see two no's so..." **President Mrozinski** said this is Public Comment and not question/answer and to state his comment. **Councilman Cunningham** said his comment is pretty simple. His question to President Mrozinski was that since he (Rich) doesn't like anyone questioning anything that he does, he said if we go back and look at the meetings that people say things that maybe they wished they would not have said, but he felt for both the Commission President and County Attorney to 'throw up their hands' and say 'we're done with the bridge and we have this new committee who can spend 18 or 20 million dollars' has been the most political thing he has seen from the Commission body for this year when there was a solution. "Is Mr. Friedman telling you 3 what to do or are you telling him what to do? You gave him, in a public meeting, anybody can go back and watch that meeting of August 18<sup>th</sup>, you had a motion and a reluctant seconded from Mr. Haney but he did seconded it and the vote was 3-0 for him to take some action so I'm asking you, is there any other Department Head in this County, that can give a direct order and just have the party ignore it and there's no action taken. That's what I see you guys setting as an example based on that meeting. There was no contact with our Attorney related to that matter, there might have been contact on something else." Councilman Cunningham said 5 days went by without any contact between the attorneys. He stated people ask him 'who's answering to who.' He said certainly in this matter Mr. Friedman is not answering to the Commissioners.

#### **Department Reports/Department Head Comments**

**Larry Levendowski**, Director of Facilities, **Requested** permission to approach the Council for funding to repair a defective compressor located on the Complex roof. A temporary back-up is currently running. A few companies were quoted and D. A. Dodd came in at \$24,942 and Larry would like to approach the Council for this amount. **Commissioner Sheila Matias motioned to accept. Commissioner Joe Haney seconded. Motion carried.**

**Mike Schultz**, Assessor, stated for the record that the Assessor's office was working last year during Covid and not closed. Although the Commissioners closed the buildings his office continued to work using a two-team system, one team worked Monday-Wednesday-Friday and the other team Tuesday-Thursday then they would alternate weeks. Laptops were used at home and their desk phones were forwarded to their cell phones/landlines. Sale Disclosures, Building Permits and their ratio study was done during this time as well. Appointments were made with the public and work conducted outside. Paperwork was taken to various offices. Mike said to say his office was at home not working is a false statement, his department earned their pay.

**Tony Rodriguez**, OCED, updated the Commission on the Green Street Housing Marketing Analysis which has made tremendous progress facing some of the challenges on the housing front.

#### **Requests**

**Considered** permission to approach the Council for additional appropriations for her Professional Services Account. **Coroner Lynn Swanson** stated this account is used to pay her deputies and the increase is due to their work load. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

ORIGINAL



**Considered** permission to approach the Council for additional appropriations for budget shortages - Andrew McGuire, EMS Director. **Andrew** said this includes \$14,000 for oxygen, \$30,000 for fuel, \$30,000 for restocking supplies, and \$90,000 for overtime. He stated if the \$90,000 is approved that would put his budget for overtime at \$425,000 which is unheard of for his department. **Andrew** said his department is still experiencing issues with maintaining a full staff, one EMT left this past week and two Paramedic positions are open. He said they were lucky enough to hire 2 new EMTs who are currently going through the orientation process. Stats were recently ran and the report showed his department has 900 calls more now than same time last year. He has requested an additional ambulance be added to his inventory from the Commission and Council as well as a pay raise for them to retain the current employees. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.** Commissioner Matias requested the numbers **Andrew** reported to them be given to the Council, money spent on overtime would be wisely spent on the current employees' salaries to keep them. She said all of the money spent on training them is walking right out of the door when they leave to take another job.

**Considered** permission to approach the Council to spend perpetuation funds on new scanners - Heather Stevens, Clerk. **She** reported approximately 29 filing cabinets have been emptied in 4 months. Two scanners need to be replaced and she does have the funds. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

### Old Business

**Considered** bid opening John Emery Road recommendation. **Mitch Bishop**, Planner, said one bid from Rieth-Riley came in and this is his recommendation. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** Solid Waste lease agreement - Clay Turner, Director. **Clay** reported a committee of Commissioner Haney, Councilman Mollenhauer and himself as Director reviewed the Lease Agreement and section 3 of the original agreement is the only area with changes for the term of the lease, amount of rent and the matter of payment. Original agreement was set at \$25,000 per year and the new lease is for \$100 per year with a 10-year time frame for the agreement. Thirty days after the 1<sup>st</sup> of the year payment will be due. A clause is included for a review ever 3 years within the 10-year lease. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

### New Business

**Considered** Plan Commission's recommendation for Love's Travel Shop. **David Teyber**, Engineer for CESO, in person and **Frank Ille**, Love's Real Estate Project Manager, via Zoom, on behalf of the Love's Travel Shop project. **David Teyber** stated the PUD was brought to the Plan Commission a year ago but there was an issue with the pipeline, adjustments were made to the site plan, changed the plat a bit which resulted in a kind of 'start-over' and now it is being presented for approval to the Commissioners. The Project is still very similar to the original proposal which consists of a 2 Phase PUD, Love's would be Phase 1 with infrastructure upgrades. Love's is a privately operated company out of Oklahoma City with approximately 600 sites nationwide with about 40-50 projects per year. Phase 1 PUD will include the Love's building, Chester's Fried Chicken, Godfathers Pizza, Taco John's which will include a drive thru, and a Speedco Tire Shop. There will be separate areas for trucks/semis to fuel up and stay overnight and an area for other vehicles. Phase II of the PUD will have land being retained by the seller for long term plans which may include warehouses or a hotel. Love's reached an agreement with ANR Pipeline Company to make a payment for future maintenance costs, this was the big hurdle that caused the earlier delay in the project, the pipeline will remain in place so Love's had to minimize the lot pavement on top of the pipeline which resulted in changes to the site plan. Access to the travel shop includes turning lane improvements, there are 2 driveways for Love's with one off of 300 North and the other will be for trucks entering/exiting off the public road that will be dedicated to the County. Utility upgrades will take place for Phase II. Additional right-of-ways will be needed on county road 300 North for right-turn lanes going west and left-turn lanes going east on this road. There is a water and sewer project in the works for this project as well. Both projects should be synchronized to be completed about the same time. **President Mrozinski** said for the water and sewer project the time for the bids had expired however a meeting was held with the RDC to move forward and re-advertise the bids for this project. Landscaping will be done. David then asked Frank to comment. **Frank Ille** stated they remain excited about the project even through the obstacles along the way. He hopes to get the store built and opened in 2022. **Attorney Friedman** stated for the record none of the delays have been attributed by the County or Love's, it has been with the pipeline owner but has now been resolved and the County economic team has been working very closely with Love's to help make this happen and the impact it will have on the County. The additional TIF dollars will help with the water and sewer project south of I-94. **Commissioner Haney** sits on the Plan Commission and supports this project moving forward. **Commissioner Matias** asked what the aesthetic will be or if Love's has a standard building model they use on the projects. The area on 421 going south is a 'gateway' property to Westville and then going north to the Michigan City area. **David** replied the building is the normal red brick façade all the way around it. Signs will display Love's and the food tenants on the property. Speedco Tire Shop is a metal façade. The Love's sign is a high rise along the interstate based on a study that was done. The study helps to allow drivers to safely exit the highway when it is viewed. Landscaping was pared back and will be on 3 sides of the lot where it meets a public road. **Frank** added one reason the landscaping was modified was due to the truck parking area that cannot have trees/shrubs in the middle of it. Love's tends to 'hide' the truck parking area



behind landscaping. He said their stores are the gateways to a lot of towns and counties. They are very proud of their buildings and how they look. They are state-of-the-art facilities with different options to choose from if the County decides it does not want to go with the brick building. Tonight is a preliminary approval and more specific details will be available as the project moves along. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** contract with United Consulting regarding superstructure replacement of Bridge 104, CR 1000 South over Kankakee River - Jay Sullivan, Engineer. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** appraisal engagement letter with Team Consulting, LLC for Short-Term Rental Property. **Mike Schultz**, Assessor, said this firm has been used before, they are out of Kansas City and are a member of the IAAO, International Association of Assessing Officers. The Short-Term Rental properties are becoming a booming business in our County, no matter if it is on a lake, in the middle of a neighborhood or on a farm. The Assessor's office does not have good data or training from the State on how to develop a model to determine the assessment of the rental property. His office has lots of information but now needs to figure out what to do with that data. Team Consulting has agreed to work with his office in creating a model to use with Michigan Township and the County when appeals are filed. Currently there are 2 appeals, one is before the State. The Short-Term Rentals are different when it comes to expenses versus the ratio of the income. If the rentals charge \$100 per night that will add up to about \$3,000 per month. Mike said he has the funds to pay for the service. **Commissioner Matias motioned to approve. Commissioner Haney** said he knows Michigan City has been looking at the Short-Term Rentals closely and asked Assessor Schultz if there is any information he can glean from the City before taking this step. **Assessor Schultz** replied he needs to know how to use the information that he has gathered. **Commissioner Haney** asked if Airbnb is included or this type of rentals? **Mike** said yes, his office knows how to calculate the regular yearly rentals but it is the cost of the daily/nightly rate that he would like assistance on. **Attorney Friedman** noted for the Commission that the data from this study will help Mike's office when it comes to appeals and assessments. **President Mrozinski** asked for a seconded. **Commissioner Haney** asked Assessor Schultz if there was any assistance from the Assessor's Association on this formula. **Mike** said after attending 2 conferences he has only heard in generality but nothing in writing. **Commissioner Haney** said he would not seconded the motion. **President Mrozinski stepped down and seconded. Motion carried 2-1. Commissioner Haney - Nay.**

**Considered** request from Clerk Heather Stevens for review/resolution of 15 year old child support reconciliation issued referenced in 2008 SBOA audit/potential referral to state Child Support Bureau. **Attorney Friedman** said there was reference in older State Board of Accounts audits to an unreconciled amount of checks. He suggested to Clerk Stevens to have Karl Cender help with the reconciliation because he did help with the previous Clerk Kathy Chroback on a few issues. Attorney Friedman spoke with John Mallers, Director of the Child Support Bureau, today and he had no knowledge that this existed or was pending. There is the question of how much of it can be reduced or forgiven, how much will the bank forgive. This should be answered before the Clerk approaches the Council for additional appropriations. **President Mrozinski** said basically the Clerk needs permission to try to get this settled. Clerk Stevens said yes, she would like to get this matter resolved after 15 years. **Commissioner Matias** asked Attorney Friedman if Heather will go to Karl Cender for financial guidance to get this issue cleared up. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** proposal for engagement of team Baker Tilly (financial advisor), Baird (Underwriter) and Barnes & Thornburg (bond counsel) to conduct re-financing of La Porte Courthouse Guaranteed Energy Savings bonds to save the County \$20-25k annually in interest costs. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

#### Commissioner Comments

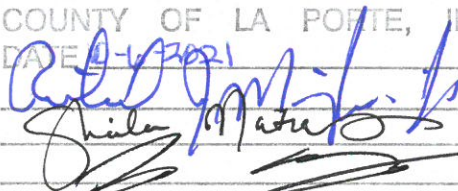
**Commissioner Haney**, attended the ARP Listening Session which was pretty good. There are cats and dogs to be adopted at the Animal Shelter. At least 50-60 cats for sure are available. He visited the Clerk's office. He had a good meeting with State Auditor Tera Klutz. Joe said he joined a Legal and Ethical training class online through AIC which Councilman Earl Cunningham attended in person last month. It was a fantastic course on legal and ethical issues that could be valuable to avoid recent issues in the past several months. It was extremely enlightening and he will share the information with his fellow Commissioners. Solid Waste District will be hosting the last of the year their 7-in-1 recycling program on Saturday from 9:00 a.m. to 2:00 p.m. Items accepted for example will be tires, old paint, batteries, and light bulbs. Great way to recycle and get rid of those items properly and safely. Joe said he attended a meeting which was supposed to be with the La Porte County Purdue Extension Board and a few people from down state, it was an eye opening experience. He said 4 Councilmembers were with him to attend the meeting but were asked to leave before the meeting started even though the County owns and controls the building. He spoke to anyone involved with 4-H, "I've heard your concerns over the years, I've voiced them down state and what I saw on Monday was completely unacceptable behavior and whatever we can do here at the County to put an end to that, we will, or at least I will anyway." He ended his comments with a parting thought from Martin Luther King, "People must have righteous principles in the first and then they will not fail to perform virtuous actions."



**Commissioner Matias** stated our last meeting was before 9-11 and this meeting is after 9-11 so the 20<sup>th</sup> year anniversary was a moving experience, seeing the videos, the damage and loss of life, the bravery of so many Americans was a good reminder to all of us of what's really important in America. It occurred in a place that is very different from La Porte County, New York City is an urban center with skyscrapers, millions and millions of people crammed in to small spaces but there is a link between what happened there and what happens daily in La Porte County, part of it is about bravery and part of it is about leadership. During the time after the day of September 11th, we saw across the Country our firefighters, our police officers, our sheriffs, and other community leaders gathering together, not really knowing exactly what was coming or what was happening, but they came together and led people in city halls, in county buildings, and in churches, places of worship, all around our Country. They showed what calm leadership is all about and it reminded her of the time she was Mayor of Michigan City on September 11, 2001. Seeing the firefighters and policemen going **in** to buildings while people were rushing **out** reminded her of teamwork and cooperative spirit and what's really important about our Country, and what makes our Country and our Democracy stand above all of the other countries in the world. We are a diverse Country but we are cooperative people, we are collaborative people and we stick together and take care of each other. Covid reminds us of the same thing. She stated this community drew together like nothing she has ever seen, there are still weekly meetings that are held for leaders throughout our County to share information and help each other, offer resources, and problem solve. It reminded her of people coming together after 9-11. She spoke about a 'round table' held for rural Broadband with Digital Crossroads and Vivacity Network from Indianapolis hosting the meeting that was well attended. Broadband Task Force volunteers gathered together with for-profit internet service providers to discuss how to solve the digital divide. There are 256 miles of fiber crossing Indiana along the Toll Road from the Illinois State line to the Ohio State line that will help change the accessibility of Broadband in Indiana. Michigan City Area Schools attended the meeting and spoke about their wide area network fiber. La Porte Area Schools are working on district fiber as well. During Covid when schools were closed and children were home doing e-learning, that also shined a light on how important broadband services are throughout our County. The County will be applying a 3<sup>rd</sup> time for a grant.

**Commissioner Mrozinski** said the Broadband meeting was very informative. He reported on a meeting he had with Mayor Tom Dermody, Lochmueller and other La Porte City officials on the North-South Connector. He also commented on September 11, 2001. He said everyone probably remembers where they were on that day. A few months after in November of 2001, he was on his way to Washington, D.C. for a Veterans' Day Ceremony at Arlington Cemetery where he placed a wreath at the Tomb of the Unknown Soldier, as he was riding passed the Pentagon he could see blue tarps over the building where the plane had crashed into it. That was a moment he will never forget. Commissioner Mrozinski said God Bless the United States.

**President Mrozinski adjourned at 7:08 p.m.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE: 9-14-2021  
  
\_\_\_\_\_  
ATTEST: \_\_\_\_\_ Auditor  
LA PORTE COUNTY, INDIANA

**ORIGINAL**