



**LA PORTE COUNTY
BOARD OF COMMISSIONERS**

555 Michigan Avenue, Suite 202

La Porte, IN 46350-3400

Phone: (219) 326-6808 ext. 2229

**Dr. Vidya Kora,
President**

**Sheila Matias,
Vice President**

**Richard Mrozinski,
Member**

LA PORTE COUNTY COMMISSIONERS MINUTES

Wednesday, December 11, 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. followed by the Pledge of Allegiance.

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

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

Considered approval of November 20, 2019 minutes. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Auditor Joie Winski read the claims with Payroll ending 11/22/2019 - \$1,275,917.23, Payroll ending 12/6/2019 - \$1,204,892.59 and Miscellaneous claims of \$1,614,827.75. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Public Comment:

None

Department Head Comments:

Tony Rodriguez – Economic Development – Announced Illinois Midwest Rail Association conference January 14-16, 2020.

Darlene Hale – Information Technology – Stated laporteco.in.gov will be the new website address which should be ready to go by the middle of December.

Requests:

None

Old Business:

Considered One year lease between Commissioners, Agriculture Association and FMEC (Fair Management and Events Corporation) – Attorney Doug Biege. Commissioner Mrozinski motioned to approve. Commissioner Matias seconded. Motion carried.

Considered 2nd reading on ordinance permitting use of golf carts and off-road vehicles on certain county roads. Commissioner Matias motioned to approve with amendments. Commissioner Mrozinski seconded. Motion carried.

*****Ordinance 2019-17**

Considered award of EAP contract based on evaluation of bids and recommendation of HR Director/**Considered** execution of final documents connected with county health insurance including stop loss forms – Barb Mossman. Commissioner Matias motioned to approve both. Commissioner Mrozinski seconded. Motion carried.

ORIGINAL

Considered jail food contract with Tiger Correctional Services – Al Ott, Jail Commander/Jeanne Crosslin – Sheriff’s Dept. Commissioner Matias motioned to approve contract for the Jail and Community Corrections. Commissioner Mrozinski seconded. Motion carried.

Received update from County Clerk and County I.T. Director regarding moving early voting to public library locations. Darlene Hale stated as long as internet was available at the libraries then accessing SVRS should not be a problem at all. Kathy Chrobak reported 12 issues she would like to have looked at before any decision is made.

Auditor Joie Winski read into the minutes a letter from Purdue University, Office of Legal Counsel, in regards to Indiana’s Open Door Law and the La Porte County 4-H Horse and Pony Committee. *****Letter attached to minutes**

New Business:

Considered settlement in the matter of Skwiat v. Wallace and La Porte County Sheriff – Attorney Doug Biege. Commissioner Matias motioned to approve the \$15,000 settlement. Commissioner Mrozinski seconded. Motion carried.

Request for Qualifications from La Porte County Printing firms interested in assuming printing functions for county government will be sought. Commissioner Matias motioned to approve. President Kora stepped down and seconded. Motion carried. Commissioner Mrozinski voted no. Two “yes” votes – one “no” vote.

Considered revisions to Professional Liability policy – Liability Agent of Record - John Jones. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Considered resolution authorizing Commissioners’ sale of tax certificates for severely tax delinquent properties – Auditor Joie Winski. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.
*****Resolution 2019-18**

Considered proposed contract with the accounting firm Baker Tilly to achieve GAAP compliance per State Board of Accounts guidelines – Auditor Joie Winski. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Considered Pictometry contract – Assessor Mike Schultz. Commissioner Matias motioned to approve. Commissioner Mrozinski seconded. Motion carried.

Commissioner Comments:

Commissioner Sheila Matias congratulated La Porte Public Library for receiving the Outstanding Library Award from the 2019 Indiana Library Federation. Commissioner Matias reported she had a productive meeting with the Highway Department. Commissioner Matias requested Department Head meetings to continue in the 2020 year. Happy Holidays!

Commissioner Rich Mrozinski attended the AIC conference in Indianapolis. Stated it is great to work with other Commissioners in the State of Indiana. Merry Christmas to everyone!

Commissioner Kora thanked all employees for their hard work. **Announced the next Commissioners’ meeting will be Monday, December 16th at 9:00 a.m.**

President Kora adjourned at 11:19 a.m.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE 12-16-2019

ATTEST: _____ Auditor

LA PORTE COUNTY, INDIANA

ORIGINAL

Via email (sfriedman.associates@frontier.com)

December 11, 2019

Shaw R. Friedman
Friedman & Associates, P.C.
705 Lincolnway
LaPorte, IN 46350

Dear Shaw:

Please accept my apologies for the inordinate delay in responding to your email message of October 13, 2019. I have thoroughly reviewed the statutes relied upon by the Office of the Public Access Counselor ("OPAC") in its September 27, 2019 Advisory Opinion. Purdue respectfully disagrees that the hundreds of volunteer 4-H Committees across all 92 Indiana counties are "governing bodies" of "public agencies" and are, therefore, subject to Indiana's Open Door Law.

The Advisory Opinion is predicated on the OPAC's interpretation of Indiana Code § 21-46-5-1, which establishes the office of the cooperative extension service in each county and sets forth an annual appropriation from each county council to pay specific expenses related to the operation of that service. It is without dispute that the employees of the cooperative extension service are employed by and subject to the policies and procedures of Purdue University. *See* IND. CODE § 21-46-5-2(b). It is expressly Purdue University's responsibility to "conduct 4-H club and other work with youth." Ind. Code § 21-46-5-3(3).

The OPAC concludes that "if a committee of the county extension service takes official action on any extension service statutory business, it is subject to the Open Door Law." Finally, the OPAC opines that the Horse and Pony Committee does, in fact, take official action on a statutory business. It is unclear what the OPAC relies upon for this assertion.

None of the volunteer committees are "governing bodies" as defined by the Open Door Law. Those committees are volunteers who are elected by members who enroll in various 4-H activities. None of the committees are delegated the authority to act for Purdue on any of its statutorily prescribed "public business." The committees handle items such as scheduling facilities and setting calendars for training and competition, fund raising, facilitating Purdue's enrollment of members in the 4-H programs and volunteering at events to ensure compliance with Purdue's rules and requirements for participation in the programs.

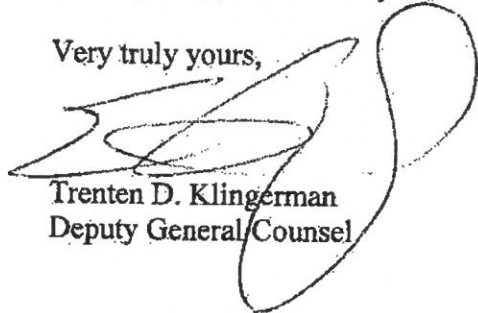
While Purdue respectfully disagrees that the volunteer committees are governing bodies of Purdue University or the cooperative extension service, it recognizes the importance of transparency and inclusivity in conducting its activities. The LaPorte 4-H County Horse and Pony Committee has a robust website (lp4hhorse.com) in which it publishes its meeting dates,

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times and locations. It maintains an updated calendar of events. The committee also has links to Purdue sites, which contain Purdue's standard enrollment forms and Purdue rules and requirements for participation.

The committee will continue to hold meetings for its members and offer non-members the opportunity to provide appropriate input on the work of the committee. It is unreasonable to expect the committee to observe the formalities of open door meetings and recordkeeping. Doing so will drain resources the committee has raised for purposes of supporting youth activities and is likely to chill community volunteers from participating in these committees.

Very truly yours,

A handwritten signature in black ink, appearing to read "Trenten D. Klingerman", written over a circular stamp or seal.

Trenten D. Klingerman
Deputy General Counsel