



**LA PORTE COUNTY  
BOARD OF COMMISSIONERS**  
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**Richard Mrozinski**  
President

**Joseph Haney**  
Vice President

**Sheila Matias**  
Member

**LA PORTE COUNTY COMMISSIONERS MEETING MINUTES**  
Wednesday, February 17, 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. A moment of silence was held for former First Lady of Indiana and wife of Evan, Susan Bayh, who passed away February 5, 2021.

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

**Considered** approval of February 3, 2021 minutes. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** the agenda. **Commissioner Haney motioned to accept the agenda with 3 additions under New Business; 1) Retroactive approval of Commission President for Declaration of Emergency Repair in the jail; 2) Consider Resolution assigning tax sale certificate to the Town of Kingsbury; 3) Consider Resolution assigning tax sale certificate to the Town of Westville and 4) Consider updating Public Comment procedures for County Commission. Commissioner Matias seconded. Motion carried.**

**Auditor Tim Stabosz** read the Claims with Payroll ending 2/12/2021 - \$1,206,616.66 and Operating Expense Claims - \$2,191,925.29. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried. Commissioner Haney stated claims included December and January months.**

**President Mrozinski** reminded everyone that the Commission is not obligated to have public comment at the meetings. Used to be at the end of the agenda but complaints were heard that comments could not be made on agenda items *after* the item was discussed or voted on. Rich said, "It's never been a bully pulpit for political agendas or personal attacks on people, that's why we had to finally pass this ordinance (**minutes will note this is not an ordinance but a policy**) for public comment and strictly states that we're not going to put up with harassing or any kind of – we're here to do business for the county not to hear people's personal grudges against people so that's the way we'll proceed with that, so with it being that, is there anybody that has anything for public comment?"

**Auditor Tim Stabosz**, "I have something."

**Public Comment**

**Tim Stabosz**, "Good Evening, I don't think there's anything particularly controversial and certainly not a violation of your policy as I see it here. And it's also very - rather short. Good Evening again, Timothy Stabosz, 1501 Michigan Avenue, La Porte. I wanted to speak with you briefly tonight about an issue that I think is very important and that is the issue of appearances that are created in your meetings when people, other than County Commissioners, are allowed to speak or chime in as they may please. As the County Auditor, I sit off to the side in a limited and specified roll, statutorily as a servant, as your Clerk, as the person who conducts roll calls and as an advisor on financial matters when you *need* me and when you *ask* me. As a citizen and as County Auditor, I am incredibly uncomfortable with the roll that the outside attorney has played in seemingly speaking whenever he may please to advocate for policy positions or his belief about what needs to happen. I believe allowing this creates doubts in the mind of the public about who exactly is in charge. Undermining trust and the operational authority of the Commission itself and the County by extension. I would urge you

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to be mindful of not just making sure but *mandating* that the attorney, whoever it - whoever it may be, does not speak on an unsolicited basis but speaks only when spoken to or when he is directly asked a question. Said involvement should be limited to giving legal advice and not advocating for or against any matter before the Commission. This way, the Commissioners and attorney himself, are protected from any impression conveyed that the attorney may have a vested interest in the outcome of agenda items in the meeting. If you continue with a policy that allows *any* hired outsiders to be the equivalent of a 'co-commissioner' at best, I see no reason why *I*, in a similarly situated position, off to your side, should not have the right to 'chime in' as *I* see fit, based upon my expertise knowledge and even policy preferences. The fact is I prefer not to, I prefer not to because I know my place but it makes me uncomfortable and angry to see that others may not or do not. Commissioners, in closing, you yourselves were elected by the people, directly, to represent *them*. No outside advisors were authorized by the people to be in that role. I urge you to respect your roles and the will of the people. And not allow any outsider advisor to place, what I view as 'undue influence upon this body.' The people are watching. Thank you."

**Rodney McCormick** – 617 Union Street Michigan City – “Black History month - I just wanted to speak about my concerns about the remodeling of the Michigan City courthouse. As I understand it this is a 26 million dollar public project here in Michigan City and we also have a - our Common Council passed a hiring ordinance, 1402, to try to promote hiring of blacks and women and when they give out contracts to these people to come and do the work. I happened to go by and look and see what was going on over at the courthouse in Michigan City and I'm *disturbed* that I only seen one person who look like me, and when I say me as a black man, I seen one black person working for Tonn and Blank and I - that was also confirmed by Earl Cunningham and that - as I - last I heard that individual has been laid off. I don't understand how did the Commissioners give a contract, a public contract, 26 million dollars, to Tonn and Blank without them hiring minorities, of hiring blacks and women. You could have a least before you signed that contract made sure that at least 10 black people from Michigan City and a couple of women or 10 blacks and 10 women got, got - received jobs. It's offensive and it hurts because every election year, like next year, the first neighborhood you guys going to stop in is in my neighborhood, the black community, and you gonna want us to vote for you but yet you're not trying to help us get jobs or give us a hand-up. We're not begging for you to just give us some money without working for it, we want the opportunity and sadly, Tonn and Blank is one of the biggest offenders of our hiring ordinance. Just, it's just one of them, Reith and Riley is also up there on the - on the totem pole also. I just wish that before you guys give out these kinda contracts, at least in Michigan City, on county property I don't care, at least look at our hiring ordinance, its 4102, and make sure that we get some blacks, make sure some blacks get some jobs. It's bad enough we're excluded from most of the boards in the county and most of the commissions that's on the county. You use the same ol' people and it's not fair to the rest of us. I'm fortunate and I'm blessed not to do business with somebody I live in the same household with. You can't buy me off. I'm not looking for \$250 and I'm not looking for any grants like some of our corrupt ministers in Michigan City are, I'm just asking that you do the right thing for the people. I have never asked, I have never asked the county attorney nor have I ever asked any Commissioner, to do something for me personally. It always been for the people of Michigan City and the people of this county. And now that I sit on the Social Status of African American Male, it's *imperative* that we change the hiring practice of this county or you can keep it the way you doing it but just stay out of our neighborhoods come election day. That's all I had to say. Thank you and Mr. Haney, I support you and Tim Stabosz, please keep up the good work and let's just keep working and – change a comin' 2022. Thank you.”

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

None

#### **Requests**

**Considered** permission to host the annual American Red Cross Blood Drive on June 4, 2021 – Barb Mossman, HR. Barb stated this is in conjunction with the Sheriff's department, honoring Fallen Officers. Policies are in place due to Covid. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** 60 unused sick days for Jane Bernard who is retiring. President Mrozinski said Jane has been at the animal shelter for over 30 years and has done an amazing job. Commissioner Matias stated Jane is one of the most positive, upbeat people that one could ever meet. Jane, via Zoom, thanked all for their kind words. Commissioner Haney said when he and his family first moved to La Porte County Jane was one of the first interactions they had with anyone from the county. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

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**Considered** permission to approach the Council not to exceed \$3,000 for security cameras - Jeremy Sobecki, Park Superintendent. Jeremy stated several months ago there was vandalism at Luhr County Park. The cameras will help protect the valuable assets at our parks. Bluhm, Luhr and Red Mill parks will get the new sets of cameras.

**Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** permission to approach the Council for funds to purchase 2 powered cots at \$12,650.00 each - Lynn Swanson, Coroner. Lynn reported on the current conditions of the cots in her inventory. A funeral home donated a cot, from the 1970's, and the rubber on the wheels have worn down to what would be considered the rim. It is not safe and not secured in the vehicle during transporting. There is nothing to lock it into place. The second cot, which is in the Suburban, may have come from La Porte City Fire Department 12-13 years ago. The Ferno cot is a powered cot and uses an 'antler' system to fasten it inside the vehicle during transportation. The amount requested of \$25,239.60 covers 2 cots, batteries and 2 year warranty. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

### Old Business

**Considered** opening sealed bids for EMS – Andrew McGuire, EMS. Attorney Shaw Friedman opened the **first bid** which was timely received and stamped for **Wheeled Coach Fire Service, Incorporated:**

1) Wheeled Coach TIII Ford E450 - Bid response net price \$470,886

2) Wheeled Coach TIII Model #3170 E450 - Alternate – Alternate Bid net price \$400,582

**Second bid** opened was from **North Central Emergency Vehicles and Osage Ambulances:** Timely received and stamped. 1) 2- 2022 Ford E450 Chassis Type III - \$472,295.08 minus rebates and trade-ins Total Delivered \$441,647.08.

**Commissioner Haney motioned to receive the bids, turn them over to Director Andrew McGuire for review and his recommendation to the Commissioners at the next meeting. Commissioner Matias seconded. Motion carried.**

**Considered** opening bids for Community Crossings grant pavement for Fail and Severs Roads – Mitch Bishop, Planner. Mitch Bishop, via Zoom, stated 2 bids came in. Attorney Shaw Friedman opened the **first** timely received/stamped bid from Reith-Riley. Paving has various sub-parts but total bid was \$1,829,504.71. For the second bid opened was from Walsh and Kelly, timely received/stamped, was in the total amount of \$1,741,155.54. **Commissioner Haney motioned to receive both bids, turn them over to Mitch Bishop then hear his recommendation at our next meeting. Commissioner Matias seconded. Motion carried.**

### New Business

**Considered** INDOT Grant agreement amendment for engineering services reference to the Union Mills Sidewalk Project. Mitch stated this is an amendment for design services. Additional funds were needed which have been approved.

**Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** Utility agreement for Sheriff's office. Sheriff Boyd said this agreement would provide 75 BodyWorn cameras for deputies. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** recommendation of appointment for new department head at the Small Animal Shelter. Animal Control Advisory Board voted to appoint Eric Hayes as the new Director replacing Jane Bernard who retired. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Discuss** appointment process/organizational structure for County Commission on County records. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** executive coaching contract with Organizational Development Services for Director and Assistant Director at Community Corrections to be paid by Community Corrections Commissary Account – Barb Mossman, HR.

**Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** DLZ contract agreement for Section Corner Perpetuation along the Indiana-Michigan Boundary Line – Tony Hendricks, Surveyor. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**



**Considered** appointing Commissioners' liaison to Information Technology Department (Commissioner Matias) as representative to revived Data Processing Board. **Commissioner Haney motioned to approve. Commissioner Mrozinski stepped down as President and seconded. Motion carried.**

**Considered** retroactive approval of Commission President for Declaration of Emergency Repair in the jail. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** resolution assigning tax sale certificate to the Town of Kingsbury. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried. \*\*\*Resolution 2021-3**

**Considered** resolution assigning tax sale certificate to the Town of Westville. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried. \*\*\*Resolution 2021-2**

**Commissioner Haney** said as he handed a document to fellow Commissioners, "One last item on the agenda here as a refresher. I know both of you have received this via email earlier. A slight change and update to our public comment input. The main thing of note here would be that it would simply be a majority vote as opposed to putting that onus on just the Commission President otherwise it's still strongly encourages an appropriate, civil discourse and public decorum, specifically prohibiting things like vulgarities and profanities and personal attacks, let's say against employees for example, but it stream lines things and then at the bottom here there's 5 bullet points that for a cover page on top of these rules so that when someone, so if, for the public, if you've never stepped up to the podium to comment and I know the first time I did many years ago, it can be a little intimidating and if you have a set of rules in front of you that are, you know, fill up an entire page, looking at that right up front can be a little intimidating, it's hard to try and you know, you've got your 3 minutes, you're looking at this paper, you have the Commissioners looking, you know, kind of down from the dais up here down at you, it's a little, a little, little disconcerting at times so having a cover sheet on there with just these 5 main bullet points of that, you know, your limited to 3 minutes of time, you know, please state your name and address before you begin your comment, direct your comments directly to the Board, please maintain civil and respectful decorum during your comments and of course, the Board may vote to extend or limit your time based on the full rules so that kind of streamline things, makes things a lot more conducive for the public and of course for us as well, we want to make sure - at least I, I definitely want to make sure that we have a good, valid redress of government, it's something that's constitutionally guaranteed and while there may not be a statutory requirement for public comment as far as the Commission is concerned, I believe that the United States Constitution as well as the Constitution of the State of Indiana, both, both in my opinion, mandate public comment in public meeting like this, because both, both in the first and then article in the Indiana State Constitution, both mention redress of government. I think that's crucial to maintain that open dialogue with the citizens so with that I would move to adopt this new policy or updated policy probably be a better way to put it." **President Mrozinski**, "Did you have a second?" **Commissioner Matias**, "No." **President Mrozinski**, "I'm looking at our policy here 'to encourage effective, efficient use of public comment input to La Porte County Commission in accordance with Indiana open door law I.C. 5-14-1.5' which I find to be pretty efficient myself. If we don't have a seconded that motion will die." **Commissioner Matias**, "Mr. President, I'd like to explain why I'm not willing to 'seconded' this at this time. Two years ago when I joined the Commission, we had - the 3 Commissioners at that time, had lengthy discussions about making sure that we improve public comment. We worked really hard, we studied public comment in cities, towns and counties across Indiana and we came up with a policy that has worked really, really well. It goes along with Robert's Rules of Order which means that one person runs this business meeting, we are a \$40 million dollar corporation and the 3 of us are 'CEOs.' When we elect a President that person is given the responsibility of helping manage our meetings according to Robert's Rules of Order which are the established way that public meetings are run in Indiana. We haven't had any real issues, in fact Mr. Haney was one of our public commenters throughout the election process and you (directed to Commissioner Haney) had free, freedom to speak your peace even though some of it was politically, you know, political comment. No one stopped any of those comments and so to change the rules at this point, that have worked really, really well, doesn't seem to me to be needed or necessary and I believe that the President of the Commission, whoever that person may be, should be allowed to run our business meeting in the best way that he or she is able to so at this time I don't see any need to amend our policy." **President Mrozinski**, "I actually had conversation this week with me fellow Commissioner from Elkhart County, Commissioner Weirick, who stated that it was her first time to be the President, first time to run the meeting and she said, 'I feel like I did a horrible job because we had some people there who had the intention of disrupting the meeting' and she said, 'I'm sitting here now and I'm going to try to write a policy for public comment.' And so I emailed her ours' and she was ecstatic and she said that was so good, it was so detailed so Elkhart is going to adopt our very own policy which I find to be pretty cool so with a lack of a seconded that



motion will die which brings us to Commissioner comments. Mr. Vice President, do you have anything else you'd like to add?" **Commissioner Haney**, "I am, if you - actually if you'd give me just a moment here to compile my information I'd actually like to talk a little bit about the vaccine clinic and some of our eligibility things that have come up, if you wouldn't mind, if Commissioner Matias wouldn't mind going first, if you wouldn't mind but it's up to you. Otherwise if you want to give me just a minute here to finish getting these here in order."

### **Commissioner Comments**

**Commissioner Matias**, "I guess I would, I would thank the office of Community and Economic Development for the great economic workshop that was held for all of the stakeholders and partners in the economic development process. I think that the fact that we had 3 really capable experts, Mr. Rodriguez, Mr. Reardon and Mr. Matt Saltanovitz, who were there to share with the Council and with the Commissioners and some of our department heads, how important it is to work in unison around our big projects as we always say, 'jobs, jobs, and jobs' are the meat and potato part of our county. They support families and children and keep people fed and safe and so the work that we do is around job growth and we've had some enormous success in the last 18 months but the success is only - it's very fleeting, you need to keep on working in order to make sure that we're supporting the companies that are here and making sure they know that the county supports them should they be willing to expand or grow because that's where the most economic development growth happens is internally with companies that have chosen to invest here, live here and grow and then for those companies that are outside of our area and want to look for a new place. We want to make sure we are putting our best foot forward showing them why this is the best place to us do business and so I appreciate the fact that we had that workshop. And then I, because of the heavy snow, I know that the public has been very patient, roads, when we have high winds like we've had over the last couple of evenings and wind chill -8, -15, it's hard to keep the roads cleared. Our highway department has done an incredible job as have all of the street departments around the county. Our first responders are going out there regardless of the conditions and of course our sheriff's department and law enforcement across this county, has done a great job of helping people in distress and so I wanted just to make sure they know how much this Commission appreciates that incredible effort and we, hopefully we're seeing the end of it but it's still mid-winter so thank you very much."

**Commissioner Haney**, "Our highway departments been out there and the sheriff's department and EMS, just braving horrible conditions these past couple of days and past week really and it's not probably going to let up just yet but they've been doing a fantastic job and I've been in contact with the highway, basically everyday been out there and even over the weekend checking in with the guys on site there, doing fantastic. One of the things I just wanted to touch on with some of our - we keep getting a lot of questions about vaccine, the vaccine clinic, so everyone knows we've done doses given up in, up through yesterday, we don't have today's date current because the clinic is just now closing but we have given here in the county 6,586 doses thus far. We are following the Indiana state guidelines to the T here at our clinic so regardless of what may be happening in other counties in northern Indiana we are and the health department is following guidelines from the state to a T to make sure we don't run afoul of any of the state guidelines, we are following those, if you see some things that are possibly being done a little differently in another county, that's what they're doing in that other county. We are making sure we are staying - sticking with our eligibility requirements that are handed down by the state and other directives from the state so want to make sure that's that there, one of those things is with the 90 day wait after a Covid positive infection recovery, one of the reasons why we are sticking so closely with that is just because there is a lack of vaccine right now to go around, we are - every, every dose we're getting we're getting out to the appropriate people and the appropriate tiers and following those guidelines, nothings getting left behind here in La Porte County but that's one of the reasons why the state has indicated that and why we are still following through with that, that's the reason. I know we keep getting questions about the efficacy of the Moderna vaccine, which is what we give at the clinic, for the UK strain, there is some efficacy there which is good and it's still, unfortunately unknown at this time for the South African strain. And I think that covers most of it and I know we keep getting questions about teachers, special educators, for example, so those that do daily medical care such as suctioning, feedings, medication administration, wound care, stuff like that, they are being covered under the update so those, those teachers who are and educators and assistants there in the education system they should already know about that but just for the public who may not be aware of that, that is or also treating special patients with different comorbidities such as down syndrome, organ transplant recipients, sickle cell, people undergoing cancer treatments, and those with other things such as lung cancer, lymphoma, leukemia, multiple myeloma, things like that so they're going to be eligible. We are still 65 years and up for that age range, the other tier one or phase 1A I guess I should say, is still out there as well. Hopefully, we don't have an indication yet, for the next age group but it will be 60-64 at some point hopefully in the near future, we don't have any solid word on that yet so I'm not going to speculate for that. I am pleased to see just how amazingly well they're doing and please, if

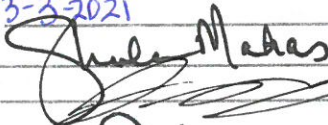


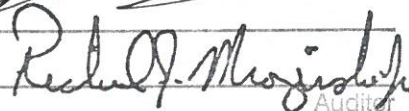
you are signing up online don't, don't check a box if you're not forwarded, if you're calling 211 to schedule your vaccine, don't fib to the operators who are taking your information, they will be checking to make sure, you know, if you claim you are law enforcement they will be asking for a badge, if you claim you work at a hospital they will be asking for your hospital id, things like that so make sure you're keeping things up and up so we can keep the clinic going as smooth and positive fashion. A timely quote from Sojourner Truth, she says, 'Truth is powerful and it prevails' and I think that's - when we look at things in the county as far as openness and transparency and moving forward these are important things to keep in mind, that's why I wanted to see an update to the - to our public comment rules here tonight. To me, freedom of speech and redress of government are an integral part of the foundation of a constitutional republic and our democratic process. Silence in public speech not only disillusion a citizenry, that's a sure way to cease sow seeds of mistrust and contempt of government. One of the things that I've seen over the last couple of weeks during Commissioners' meetings and other public meetings here, I've seen folks get dropped from Zoom calls because they held up court papers showing ah, showing what they were actually trying to talk about, they held up actual court papers and they got knocked off of Zoom for that, that's one of the reasons why the public comment draft that I wrote up here would address that so that someone couldn't just be unilaterally booted for holding up court papers, let's say that pertain to them and the point that they were trying to make. I don't think that's right, I don't think it's appropriate. We've seen numerous - between - especially with this Commission but numerous issues, just this year, you know in the - now, you know, at least the previous 3 meetings where there were issues that had popped up and that's why I wanted to hopefully streamline and make a better case moving forward for public comment. I do believe the current rules are arbitrary, I've called them capricious and incompatible with the right of the people to a redress of government. I hope that at some point in this future my fellow Commissioners will take a look at that and realize just how easy it is to have that abused and how when we look over the past two years there have been several instances where things have been allowed to go perhaps maybe a little further than they should and that's and you know, that - that is what it is but in other cases we've seen people silenced short of actual, any actual violations so it's, it, it's, we - you know, at least as far as I'm concerned we want to strike a balance, having a good decorum, a good public interface and interactions but considering how few and far between public comment is from the public, when normally when someone has something to say, it's pretty important and what - you know, we're all up here, I'm up here because I volunteered to be up here. Nobody forced me to run. I ran on my own. I fought to win this seat and I want to do a good job and I want to hear from the people who put me here. I don't think it's ah, I don't think the current rules we have comport themselves with the free constitutional republic or the democratic process. In any event, everyone stay warm these next couple of days and hopefully the melt isn't going to ah, isn't going to cause any flooding. Thank you."

**Commissioner Rich Mrozinski** said since our last meeting he has launched the Bridge Naming Committee with all civilians, no elected officials on the committee. He attended meetings on the Franklin Street Bridge, the North-South Connector, 39 North projects, other bridge projects, West Lake Corridor and Double Tracking.

**President Mrozinski adjourned at 7:06 p.m.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE 3-3-2021



ATTEST:   
Auditor

LA PORTE COUNTY, INDIANA

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