



**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, March 3, 2021 La Porte County Complex Meeting Room 3 at 10:00 a.m.

**President Rich Mrozinski** called the meeting to order at 10:00 a.m. followed by the Pledge of Allegiance which was led by Commissioner Sheila Matias. Commissioner Haney requested a moment of silence for Correction Officer Lt. Eugene Lasco who was killed in the line of duty at the Indiana State Prison on February 21, 2021.

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

**Considered** the agenda. **Commissioner Matias motioned** to insert into the agenda an update by Tonn and Blank on the Michigan City Courthouse Project after Claims and before Public Comment. **Commissioner Haney** added clarifying policy for public attendance at Commissioners' meetings and Consider RFP/RFQ for position of County Attorney. **Commissioner Matias** objected to RFP/RFQ for County Attorney due to decision was made at the first meeting in January for a one year commitment. **Commissioner Haney** stated it is an 'at will' contract position. No seconded to additions made by Commissioner Haney so motion failed. **Commissioner Matias motioned to add Tonn and Blank to the agenda. Seconded by Commissioner Mrozinski who stepped down as President to vote. Motion carried. Commissioner Haney – nay.**

**President Mrozinski**, "Consider the approval of the February 17, 2021 minutes." **Commissioner Haney**, "Point of order Mr. President, in setting the agenda here today, I asked – Point of order for today, in setting the agenda for today, I asked for an item to be, actually two items, to be added to the agenda. One was the consideration of the policy for public attendance at public meetings and the other one was to consider an RFP and an RFQ for the position of County Attorney. I see that it's not on the agenda here today, can anyone explain to me why that is not on the agenda?" **President Mrozinski**, "If you're making a motion you're going to need a second for it..." **Commissioner Haney**, "No, I'm not making a motion, I'm making a point of order as to why my additions to the agenda are not on it." **President Mrozinski**, "My understanding they came in after the agenda was already approved and published." **Commissioner Haney**, "That is not accurate Mr. President. They were submitted at 8:00 in the morning on Monday, the agenda didn't come out until about 9:45." **Commissioner Matias**, "I would like our attorney to weigh in because I think that we have a Robert's Rules of Order approval process where the President of the Commission reviews the agenda with our Secretary and approves the agenda as..." **County Attorney Shaw Friedman**, "Yes, the Robert's Rules provides that the presiding officer sets the agenda. Certainly anyone can submit items to the President through Diane (Executive Assistant) for submission but there's no obligation for the presiding officer to place any item on the agenda." **Commissioner Haney**, "So, this is – so you, so your legal opinion right now is that because of Robert's Rules of Order the President is able to *disallow* additions to the agenda prior to it being set?" **Attorney Friedman**, "Yes, that's correct." **Commissioner Haney**, "And can you specify when this Commission adopted, officially adopted, Robert's Rules of Order as our official means of conducting business - I know informally you can add..." **Attorney Friedman**, "Probably 40 or 50 years ago but..." **Commissioner Haney**, "Over forty or fifty years ago..." **Attorney Friedman**, "...Mr. Haney, the issue you might have is with Mr. Robert, who invented or who wrote Robert's Rules 145 years ago, I mean that's pretty much standard procedure at any board or commission..." **Commissioner Haney**, "Sure." **Attorney Friedman**, "...and so what I would suggest that you do, just like we all do, we submit through Diane, items to be included on the agenda and then it's up to the presiding officer, whoever that is at any time, to decide whether or not it goes on the agenda." **Commissioner Haney**, "Okay, so we don't know for sure if we are – the reason why this is important Mr. Attorney, is that the only, the only way the President will be able to disallow additions to the agenda is if we are for certain that we are officially acting under

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Robert's Rules of Order and that is actually a point of consideration there because there is absolutely no statutory or legal authority the President has to disallow another member of the Commission to add items to the agenda prior to it being published, you're aware of that; correct?" **Attorney Friedman**, "Mr. Haney, I'm simply going based on 37 years of advising governmental bodies and commissions in this county if they operate under Robert's Rules all items need to go through the presiding officer and I'm suggesting respectfully to you that Robert's Rules have been in place for decades in the way the County Commission govern itself." **Commissioner Haney**, "I would say informally, yes but I – going back through at least all the information that I have we haven't officially adopted and the reason why that's important this morning is because if they're going to allow something and the President does not have specific statutory authority to do we should be certain that if you're going to give a legal opinion disallowing my additions to the agenda that you are actually offering true and correct legal advice." **Attorney Friedman**, "I know, Mr. Haney, what I've indicated to you and I've indicated before is that this board has operated under Robert's Rules for decades. That's the process." **Commissioner Haney**, "And you, and you can't tell me when, when that actually occurred." **Attorney Friedman**, "No, I wasn't asked before this morning to try to find the spot in the 1950's or 60's were it was adopted." **President Mrozinski**, "Moving right along..."

**Considered** approval of February 17, 2021 minutes. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Auditor Tim Stabosz** read the Claims with Payroll ending 2/26/2021 - \$1,197,978.76 and Operating Expense Claims - \$1,357,747.69. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Jon Gilmore, President and CEO of Tonn and Blank Construction** - Updated the Commission on the Michigan City Courthouse Project with a Power Point Presentation. Currently ahead of schedule with February of 2022 the new certificate of occupancy date. Overall construction is \$140,000 under budget. He thanked the Commissioners; the Council and Randy Novak; Joie Winski who leads the project; Larry Levendowski, Director of Facilities; Darlene Hale, IT Director; and Attorneys Doug Biege and Shaw Friedman on the legal side. A team effort makes for a successful project. Job site safety – 214 calendar days worked; 142 work days; 17,498 hours worked; zero accidents; zero recordable injuries; zero days away and zero lost time accidents. Progress photos were shown to the Commission. Aerial view, basement, 1<sup>st</sup> floor, 2<sup>nd</sup> floor and 3<sup>rd</sup> floor photos were shown. On the 3<sup>rd</sup> floor is a photo of the pitched roof which is poured in place concrete using 12 inch wide boards to form it. Jon said it is an amazing structure and he is glad they kept it. American StructurePoint has done a great job designing the project. Jon stated this will be a new state-of-the-art facility including the 100 year old courthouse. Jon addressed questions from the last meeting pertaining to the bidding and hiring process works. The project was advertised in bid notification services and the La Porte County Herald-Dispatch. All federal, state and local hiring and employment law were followed. Over 20,000 bidders were notified; over 500 disadvantaged business enterprises; out of those 67 bids were received. Out of the 67 received 11 bids were from La Porte County. Five bids were awarded to La Porte County contractors by bid category; 3 bids were received from DBE contractors and 1 bid was awarded to one of them. At the last Commissioners' meeting Michigan City Ordinance 4102 was brought up and Jon read it. It is a local hiring ordinance for the city of Michigan City and does not apply to this job, which is a county job. Definition of a project under this ordinance is 'a construction project from the Michigan City Public Works for which the estimated cost is more than \$150,000.' To set the record straight, a statement was made at the last meeting that 'Tonn & Blank is one of the biggest offenders of this ordinance.' Jon said Tonn & Blank has never done a project that falls under this ordinance so by definition Tonn & Blank are not offenders of this ordinance. Jon went on to include numbers for 'employees on site' at projects as of the last certified payroll. Out of the 17,498 hours worked on the site there were 4,585.5 hours worked by People of Color (Black or African American, American Indian or Native Alaskan, + Hispanic or Latino) which represents 26.1% of the workforce and 19% as of the 2019 US Census for our county. All federal, state and local hiring and employment law were followed. Tonn and Blank Construction, as Construction Manager on the project, gives back to the community. They have been in business for 99 years in our county. Tonn and Blank has given tens of millions of dollars to non-for-profit organizations, thousands of hours in labor to non-for-profit organizations, consulting services and more to our community and surrounding area. In the 32 different projects completed in La Porte County since 2011, total donations were \$1,064,474. **Commissioner Matias** asked for a copy of the Power Point presentation to put on the county website. **Treasurer Joie Winski** thanked Tonn and Blank for the great work they are doing and the opportunity to work with them on this project. **Commissioner Haney** thanked Tonn and Blank for their work. He toured the Michigan City courthouse on Friday.

**President Mrozinski** stated the policy for Public Comment is dated February 2019 therefore it is not outdated. Guidelines are designed to limit defamation and unprotected speech. Also sent to the Public Access Counselor who describes the policy as a 'model' for other counties. Complies with Robert's Rules of Order.

### **Public Comment**

**Mario Rosa**, 4877 N. 425 E. in Rolling Praire, Commented on the Regional Sewer and Water Board. Stated the residents were being mandated to hook-up to the Phase II project. First notice was received on December 31<sup>st</sup>. A packet would be arriving which it did in February. The cost would be eight to ten thousand dollars. He was told the septic tanks might be leaking and that it was the Trustees and/or the Commissioners who made the decision that 9 residents on the side of the street of 425 E. would be included on the hook-up. County Planner Mitch Bishop told him there was a meeting 2-3 years ago at the VFW, the residents were informed. Mario stated he never received any notice until December 31<sup>st</sup> of 2020.

**President Mrozinski** told Mr. Rosa that this project is being conducted by the Regional Sewer and Water District not the Board of Commissioners. Mr. Rosa said he was told by Miss Ransbottom that the Commissioners initiated it. President Mrozinski said Phase I was originally started several years ago to save homes and businesses in the area. Public meetings were held. Notices were sent out to the residents. There are state guidelines that the Regional Sewer District need to follow.

**Rick Kentaft**, Bach Street in La Porte, Indiana. A lifelong county resident except when he was serving in the United States military. "I'm honored to be here before you this morning. I want to address two issues; one of them is the ongoing situation that's been going on on social media between 3 members in the room this morning that which has been very troubling to me. First off, I've known Mr. Stabosz and Mr. Friedman for many years, both gentlemen I respect very highly. Mr. Haney, I've just had an opportunity to here - to meet here recently but I also respect him. But when I saw the situat - the allegations and things that have been going on on social media I tried to interact a little bit on social media to get some answers that I didn't feel I was getting the right answers so the documents I gave you is a copy of my Freedom Of Information Act that I both, that I submitted to both Mr. Haney and Mr. Stabosz requesting any information to back up the claims that I saw on social media. I got a letter from an attorney by the name of Gus DiMartino that said he needed some more clarification. I thought I was very clear in what I asked for and he's dealing with semantics on this, said he didn't have any, doesn't meet my request that I thought I was very clear on. I feel that when I met with Mr. Haney, when I presented my letter to him, I feel if there is documentation to back up these claims, both gentlemen, Mr. Stabosz and Mr. Haney, once they took public office they're duty bound to provide that information to the proper authorities. Myself, as a retired police officer, also someone who has served on an FBI Task Force and that's what I told Mr. Haney that day, well if they're not going to do then I would because we need total transparency here in La Porte County. The tax payers deserve that and that's my goal. If there's been wrong doing in this county, which I feel was alleged on these social media posts, criminal activity, official maleficence, then something needs to be done about it. Needs to be turned over to the proper authority, investigation needs to take place, let's get to the bottom of it. I have no personal agenda against ei - any of these three men, I respect all 3 of them but I feel as a tax payer in this county we need total transparency. If somethings going on let's get to the bottom of it and that's what this Freedom of Information request was about. Like I said, I respect Mr. Stabosz, Mr. Haney and Mr. Friedman, I've known all of 'em for a long time. My parents were involved with a lawsuit against Nipsco, Mr. Friedman represented them, saved tax payers in this county billions of dollars but if there's something going on, we need to get to the bottom of it and that's what this is about. I can tell you this, if there are documents that turn up that meet my request and I didn't get 'em and they turn up in a lawsuit, I'm going to sue somebody, I'm just letting you know that right now. The other thing is there better not be any tax payer dollars to pay either of these 2 gentlemen's law - legal fees because I will sue to get those legal fees back on behalf of tax payers in this county, I want everyone to know that. My second question is when it comes to projects in this county is it still anything over \$150,000 that needs to be let out for bids? I'm asking." **Commissioner Matias**, "Yes." **Commissioner Haney**, "Yes, it's my understanding, yes." **Rick**, "Okay, two council meetings ago I saw where Larry Levendowski asked for \$230,000 for a company called NewTech Construction for the Monroe Street remodel. Were there 3 bids for that project, do you know?" **Commissioner Haney**, "I believe the majority of that work is being done by our in-house, by our actual facilities department so I don't know how much - are you, are you aware Mr. Friedman how much money is actually for materials versus ..." **Attorney Friedman**, "No, I'm not sure of the breakdown but I think that is correct, we are using in-house maintenance department for a considerable amount but you're right (directed to Rick) about the overall competitive bid level and we insist that that be adhere to by all departments." **Rick**, "Yeah, that's what I thought because I was just curious when I saw he said he wanted \$230,000 for a company called NewTech Construction but there were no bids so I'm just kind of curious on this...I'd like to piggy back on what the gentleman from Tonn and Blank said, I think, I think we need to look at an ordinance that we try to keep as much work here in La Porte County because I believe NewTech

Construction is out of County and if Michigan City has I'd like to know why La Porte County doesn't have it. I think that's something that this Commission should really look at and I'd also like to piggy back on something else that, you know, when I was with American Legion 451 Post in Michigan City, we had the greatest cooperation on a couple of construction companies in La Porte County, one didn't really give us the time of day and Tonn and Blank was there constantly and I think they're still working with them so they are very community oriented. Thank you for your time."

**Auditor Tim Stabosz**, "If I may, I just would like to, not as public comment but as a matter of a clarification on the matters we're discussing in my role as Auditor, I believe it's also true and I just ask the Commissioners and/or the attorney that the share of the money for that project that was related to Covid dollars would technically be waived in terms of some of those requirements because of the federal..." **Attorney Friedman**, "And that is correct, if in fact the CARES Act dollars were involved it would modify the public bid requirements to some extent and but again, it's a mix of in-house and out-of-house contracting on that particular job." **Auditor Stabosz**, "Thank you."

**Michael Strieter**, 4848 N. 425 E. in Rolling Praire, "I'm one of Mario's neighbors, a lot of all the same concerns, little bit different situation. I did speak at the district meeting couple of weeks ago. Kind of along with Mario I asked a lot of pretty simple questions for something that was kind of in the works for so long, I wasn't aware of it and we can debate those reasons later but basically, you know, they couldn't really tell me a lot about it and even now that they have it certainly is a lot of conflicting information. Mr. Bishop sent me an email last night, referring to 5 houses on the east side of the road, 2 houses on the west side of the road but in fact the map that I did receive from Ms. Ransbottom showed 9 residents all together. And I do understand that this really isn't the platform for it but we have two weeks to wait and I got a trencher in my yard today so kind of times of the essence here to reach out so along with that I'm basically kinda asking for where the minutes from those public meetings are, I assume that should be public access along with any of the reports or studies that were done which I would assume are public access. And last - and the final two things I guess would be, you mentioned going to the meetings so are the meetings open to the public or are we still going to have to do that via Zoom? **Attorney Friedman**, "Mr. President, can I?" **President Mrozinski**, "Far as I know right now they're still, they will still be on Zoom. We're going to be discussing that here in today's meeting about if we're going to open up - any further opening of the meetings or county buildings and as far as their next meeting I don't know yet if that's been decided. For the documentation that you are requesting that would have to come from the Regional Sewer Board, the only way that the Commissioners would have that would be if we asked the Board to supply it to us so..." **Attorney Friedman**, "Mr. Strieter?" **Michael**, "Okay and I know myself and Mr. Rosa have reached out to that, to them through Mr., well, Mr. Bishop, I just got in contact with him yesterday so my first email correspondence there now I have been in touch with Ms. Ransbottom for over two weeks now and again she kinda keeps leading to these dead ends, I don't know if it's intentional or not but the minutes that are available on the Alco website only date back to May of 2020 so that's not far enough to really gain any information of that unless there's something I can't find and it seems like I can't get just a direct answer or direct, direction where to go to find this information. That's quite an expense, I'd like to understand why and know the ins and outs of it before I make a decision how I even feel about it any which way and..." **Attorney Friedman**, "Mr. President, can I - Mr. Strieter..." **Mike**, "I would highly advise that we - you or the sewer district or someone reaches back out to the community here in Rolling because there is a lot of confusion and a lot of concerned residents that whether it's all coming or not, there's just a lot of questions I think the public would like answered and have that opportunity to be in a meeting again. Now that they are very much aware of it without doubt." **Commissioner Matias**, "Mr. President, May I make a suggestion that we ask Mitch to be our liaison to this group of citizens and that he sits down with them, a 'kitchen table meeting' and go through the plan as he knows it or arrange for a further meeting with the Sewer Board so that they can get the answers to their questions, you know, we have nothing to hide here. If the meetings aren't posted, we need to make sure that that's corrected but Diane can help get the minutes to the group of citizens from the last meetings, if there are minutes indeed which there should be and then Mitch could serve as a liaison to be a problem solver for this group of citizens." **Attorney Friedman**, "And Mr. President, as well, if Mr. Strieter or anyone else wants to direct an open records request to the Regional Sewer District, they direct it to Attorney Barry McDonnell. Mr. McDonnell is the attorney for the Regional Sewer District Board and then would be required under the Open Door Records Act to respond just like I have to when records request come in here so it's Mr. Barry McDonnell, he's an attorney on Franklin Square in Michigan City that you can direct an Open Records Request to regarding anything about the Regional Sewer District, whether it's minutes, appropriations, anything like that it does go through Mr. McDonnell." **President Mrozinski**, "Thank you Counselor, I was going to suggest that, does Mr. Bishop have your contact information?" **Mike**, "He does." **President Mrozinski**, "Thank you for your time."

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**Commissioner Matias**, “Mr. President, as a request of this Commission I have asked Attorney Friedman to give a community report on the work that his firm has done over the last couple of years. You know, we occasionally invite – in fact Mr. Reardon is here, we occasionally invite Mr. Reardon to come on behalf of his firm and the Redevelopment Commission work that he does around Economic Development. Mr. Rodriguez is in the room, we often have him come and give reports and I realized that we have not asked for those reports from Mr. Friedman. His firm’s name has been in the social media news for sure and I think it’s really important that the citizens realize the work that this – that the people that I’ve mentioned, Mr. Reardon, Mr. Rodriguez, Mr. Friedman do, is at the request and behest of elected officials who ask them to work on projects as part of our team. Over the last 2 years that I’ve been a Commissioner, we have done a really, I think a really good job of working as a leadership team. I’m looking around the room, there’s some Department Heads here, you know, we all bring a certain amount of expertise but most of us aren’t legal experts and so to keep us out of trouble and to keep making sure our projects are moving forward, we very often ask the attorney for Commission, the attorney for the Council, and other attorneys to weigh in on projects and help guide us and advocate and make sure we stay out of trouble to be quite frank so Mr. Friedman has a report and I would request that we hear that and then move on to other Department Heads.” **President Mrozinski**, “Thank you. Sir, (directed to Attorney Friedman) the floor is yours.” **Attorney Friedman**, “Thank you.” **Commissioner Haney**, “Mr. President, I have just a really quick clarification question so just for my own edification here and that of the public, under Department Head Comments any professional services or department heads or elected officials would be able to speak under Department Head Comments? Is that the position of the Board?” **Commissioner Matias**, “I - we often have, like the Sheriff normally gives an annual report, the Planning Department gives reports so yeah, that’s pretty much our routine.” **Commissioner Haney**, “And you’d (directed to President Mrozinski) be in agreeance with Commissioner Matias? Mr. President?” **President Mrozinski**, “The program recognizes Mr. Friedman for his County ‘A Year in Review’, I’d like to see it myself. As a representative of the County, he speaks for the Board of Commissioners so Mr. Friedman, the floor is yours.”

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

**Attorney Shaw Friedman**, “Thank you, I want to thank the Commissioners for giving me the opportunity. Like so many department heads have had over the past two years to talk about what we do, the successes we’ve had as part of this great team. Now even though there was a party change on the Commission in January, the public will note that there was not a single department head or professional advisor who changed. Why? Because you as Commissioners have built a winning team and have decided after the elections were over the party jerseys come off, we all work for the benefit of our citizens. We’re all bipartisan problem solvers. My firm is proud to be part of this winning team. Everything we do is at the direction and request of the elected officials. You all are the quarterbacks of the team. I’m but one of the wide receivers on the team. You quarterbacks call the play, we run the routes, hopefully catch most of the passes thrown to us and hopefully score for La Porte County but there are other wide receivers and running backs, many of whom are in this room, also scoring for our team and our success is your success. You quarterbacks get your signals from the coaches, the voters in this county. The voters deserve to know what their county attorneys are doing and how that all fits into the team concept that you have designed. I’ll now get into my report on accomplishments of this past year, the report that you asked me to prepare. (Slide show begins) First a legal overview, firm members are on call 24/7 which allows county department heads and elected officials to get timely legal advice as issues and questions arise. This helps to ensure all policies and laws are adhered to in order to avert costly settlements and judgements with a focus on ‘risk prevention’ and ‘litigation avoidance and strategies.’ No Open Records or Open Door complaints are currently pending with the Public Access Counselor or in the courts. We focus on ensuring that all contracts and ordinances are properly advertised; the firm adheres to the county’s value on openness and transparency. Want to move to some of the successes we’ve had working with the county leadership team and at their direction. We think it’s important, this is a report to the shareholders, if you will, the taxpayers – the tax paying public in La Porte County. We played a key role in advising all county departments and commissioners on federal and the state mandates for the county’s Covid-19 response, funding and protocols including development of employment and building policies to protect staff, patrons and citizens. We worked closely with state government to gain the maximum allocation for La Porte County of \$3.6 million in CARES Act funding for PPE, testing and vaccination programs. We successfully partnered, particularly proud of this, we’ve successfully partnered with stakeholders to obtain a \$1 million grant from IEDC to permit full connectivity of rail at Kingsbury Industrial Park which brings us one step closer to connection with the two Class I freight rail carriers - CN and CSX - which will aid in business development and job creation. We won a decision from the Indiana Supreme Court blocking class certification in the matter of Dempsey v. Auditor. Had class certification been permitted, the county’s exposure, the tax payer’s exposure, was in the millions of dollars had there been that class certification granted for claims on interest on tax refunds. Working with the county leadership team and at their direction, we obtained a stop work order in the summer of 2020 on a contested residential site off 400 North, this order was recently upheld in Indianapolis by an administrative

law judge which served to vindicate this Commission's insistence on prohibiting industrial activity in a residentially-zoned area. In terms of voting rights access, I'm particularly proud and the Clerk who is here, will attest to this as well, we secured a \$68,000 grant from the Center for Tech and Civic Life to purchase a mobile van for early voting and voter registration; we worked to move early voting from the courthouse to more user-friendly accessible voting locations without security checkpoints; and we successfully negotiated with La Porte Hospital for use of the former Coolspring Township Library location for early voting – a site used by thousands of La Porte County voters in the 2020 elections. Sheriff's Department and Commissioners requested we draft an ordinance to regulate overweight trucks and we put together enforcement mechanisms to protect county roads which was completed and approved. Again, further working with the county leadership team and at your direction, we secured INDOT approval to relinquish that property, the state owned property at the corner of 2 and 20 which will provide the site for the much needed ambulance base for the eastern side of our county along with the highway garage. We secured finally the Department of Environmental Management approval to close out that leaky underground storage site at the highway site in Rolling Prairie so this site can be marketed and now put back on the tax rolls. We teamed with stakeholders and completed extensive planning and preparatory work you heard Mr. Gilmore talk about the project, the building project, this was a team effort to secure an A+ bond rating from Wall Street investment firm Standard & Poor's. To go through that due diligence meant that we had to convince Standard & Poor's of not only the transparency of county operations but that we were well managed and fiscally sound. That bond rating, which we secured as a team, provides significant cost savings to our tax payers on the interest paid for the bond issue for the courthouse project. We've coordinated closely with our state legislative delegation on both sides of the aisle working to protect La Porte County's interest in Indianapolis including securing a half million in funding for Lifeline grants for small businesses during the pandemic. We coordinated with legislators and state government to protect county's share of gaming revenues. Now we've got some priorities for 2021 that have been given us from county elected officials. We hear not only from Commissioners but members of the Council, Sheriff, Treasurer and other elected officials. That's who we take our cues from. On Public Health and Safety, three key areas, we're going to seek funding and guide planning /construction implementation for the fully staffed Rolling Prairie area EMS base and highway garage that you're going to hear Mr. McGuire and others talk about here in a few meetings, at the corner of U.S. 20 and State Road 2. We intend to assist the Sheriff's Department with their continuing compliance and implementation of all six pillars of the President's 2015 Task Force Report on 21<sup>st</sup> Century Policing. Elected county officials have also expressed concern to us that the county needs to renew attention and focus on the region's toxic releases, its impact on the area cancer rates and health outcomes so we stand ready to assist with this effort which in fact impacts every family and child in La Porte County. Moving to the next area, Economic Development and Job Creation, again we take our cues, the signals, from you quarterbacks in terms of where we're going, where we're headed. We've gotten signals from the elected officials in 3 areas on Economic Development and Job Creation. 1. We will assist to advance projects in county's three TIF areas including support and strategy for the 39 North Conservancy District's grant application for the proposed water tower that's being done through the Redevelopment Commission to the Federal Economic Development Administration; we'll assist you to help provide and obtain private sector commitments necessary to advance the proposed installation of water and sewer under I-94, something Redevelopment has been working years on but we've got to get private sector commitments to partner that with public money and thirdly, under Economic Development job creation, we'll continue aiding the County Commission's progress on gaining full rail connectivity at Kingsbury Industrial Park, that connectivity with CN and CSX means jobs, an additional opportunity at Kingsbury Industrial Park. Finally, among the priorities for 2021 that have been communicated to us by elected officials, not just at the county level but the Mayors, State Representatives, working for La Porte County's fair share. We are going to continue this County Commission's bipartisan problem-solving strategy by working closely with area legislatives, both sides of the aisle, and the nine-county Northern Indiana Advocates. We want to continue advocacy for the county's fair share of state funding for roads and infrastructure which all of you have expressed concern and we intend to respond to local elected officials' desire to advocate for more area residents, whether Republican, Democratic or Independent, being appointed to key state boards and commissions to increase our county's representation in Indianapolis which I think we all agree is important. Next page we've got, and I'll have handouts here, some of the clips connected with the projects we've been involved in, the ordinances that we've been involved in at your direction helping adopt for the benefit of La Porte County. In sum, at the close of my report, it was prepared for the County Commissioners and we'll provide of course to the County Council as well, to summarize key projects, grants, and other work done on behalf of the community and our citizens. It is an honor to serve our county and we're here today, again, to express our desire to work collaboratively with all of you and with members of the County Council as we move forward in 2021 trying to implement many of the priorities and goals that have been tasked to us by the elected officials in this county. We appreciate that opportunity to present the report today.”

**Commissioner Matias**, “Thank you Mr. Friedman.” **President Mrozinski**, “Thank you Mr. Friedman that was a very good in-depth report. Now when you put it all together like that we got a lot of work done.” **Commissioner Matias**,

“That’s exactly what I was going to say Commissioner Mrozinski, is when you see it in sum it’s kind of mind boggling to realize we had so many projects going at the same time. And it truly is a team effort, I appreciate that Mr. Friedman made... **Commissioner Haney**, “Mr. Friedman, if you’d just hold on for a minute I’d like to ...” **Commissioner Matias**, “...that mention several times because it – no one person or one group or small group of people can do, it’s everyone’s responsibility and everyone’s success so thank you for that.” **President Mrozinski**, “Any other department heads that would like to...” **Commissioner Haney**, “Thank you for the update Mr. Friedman. If you don’t mind I have a follow up question while we have Mr. Friedman here under this report.” **President Mrozinski**, “Sure.” **Commissioner Haney**, “Just for clarifications sake here, I know a lot of times you’ll say, you use the term ‘my office’ and I’m curious, sometimes it seems like when you use the term ‘my office’ you’re referring to the office of county attorney, sometimes you’re referring to yourself, sometimes it sounds like you’re referring to your office as far as your practice Friedman and Associates.” **Attorney Friedman**, “Well, that’s why we’ve got all 3 of us pictured at the end of the report because it’s important, as you know, in any entity you rely on a good paralegals, legal assistants, my two associates are also pictured here, for instance Mr. Pichardo serves as the attorney to the Health Department, Ms. Nirenberg has been heavily involved in the creation, for instance, of the overweight truck ordinance and trying to put that enforcement mechanism together so when I say ‘my office’ I talk, that’s right, the office of county attorney of Friedman and Associates it serves.” **Commissioner Haney**, “So you’re using that term interchangeably and I would like to shout-out your associate Mr. Pichardo, he’s done amazing work with the election board as well...” **Attorney Friedman**, “Great, thank you.” **Commissioner Haney**, “I do have one more question in regards to the office itself. I see that last year there was about \$400,000 in legal bills to the county and then in addition \$94,000, roughly 80 – a total of about \$400,094 in total from Friedman and Associates. Do you know break down wise what that is between, cuz I know \$89,000 was POs and I don’t have that information right here in front of me.” **Attorney Friedman**, “I’d be happy to provide that, I’m glad you that you raised that because I think it’s important that tax payers know the bang that they’re getting for the buck. In fact, the total amount, the total amount billed by my office last year was \$296,000 for 2020. That’s composed of \$163,518 for litigation and \$132,789 for non-litigation so the total is \$296,307 for 2020. Now I would say this to you as well by way of comparison, it is still \$83,000 less than the firm that was our predecessor firm that served in 2018, \$83,000 less than the predecessor that was here in 2018. We billed a total in 2019 of \$230,000 which was still \$150,000 less than the predecessor firm. We bill a lower hourly but and as I say even in 2020 Mr. Haney, so I’m glad you asked because we are proud of providing the best bang for the buck and as I say the total bill is \$296,000 for county attorney work. Now the other amount that you’re talking about has to do with Public Defenders, okay, so that when you asked about the total amount, and I don’t know where you came up with 450 or 500, the total amount on the 1099 to my firm was \$408,468 and let’s walk through it because I know you want good accurate information out there, a hundred sixty three thousand litigation, \$6,000 to the Health Department, Board of Commissioners at 132, the Public Defenders and that’s a separate account, they’re Deputy Public Defenders, is \$80,000 and then Redevelopment Commission \$26,184. Those are separate than County Attorney...” **Commissioner Haney**, “Sure, mm hmm...” **Attorney Friedman**, “...so that’s why we want to compare apples to apples and I know you want to be able to do that...” **Commissioner Haney**, “I do absolutely...” **Attorney Friedman** “...so it’s important to have and I want to repeat that figure again, the total amount of billings on county attorney matters for 2020 was \$296,307 which was still less, \$83,000 less, than the predecessor firm billed in 2018.” **Commissioner Haney**, “Okay, I appreciate that, so the 408,468 you said that was 1099’d? That, that sounds like the number that I saw under...” **Attorney Friedman**, “That could be, yep.” **Commissioner Haney**, “...the regular thing. The other, the other 89, there was roughly \$89,000, which may be the \$80,000 here that you said for Public Defender, there was a - there was - other \$89,000 to your firm was for, um...what was listed as...” **Auditor Tim Stabosz**, “Purchase orders.” **Commissioner Haney**, “Purchase orders, yes, thank you Mr. Auditor, purchase orders. Are you sure...” **Attorney Friedman**, “For what?” **Commissioner Haney**, “...I don’t know. It’s listed under Friedman and Associates, you can pull it up in the Low system.” **Attorney Friedman**, “Well, it...” **Commissioner Haney**, “There’s purchase orders for...” **Attorney Friedman**, “Okay...” **Commissioner Haney**, “...close to \$90,000 to Friedman and Associates, I’m not sure what those were, I’m just curious.” **Attorney Friedman**, “Sometimes what may happen is that there may be settlements that come in to the Clerk’s office and then maybe remit but I’m telling you what’s been billed to the county and that’s the – that’s exactly what...” **Commissioner Haney**, “Okay, so, so your office in total has billed \$408,000 that falls under the 1099...” **Attorney Friedman**, “I’m telling you what the 1099 provides.” **Commissioner Haney**, “Okay, sure and then...” **Attorney Friedman**, “The 1099 is the definitive work in terms of what we billed.” **Commissioner Haney**, “And perhaps you can answer a little bit later...” **Attorney Friedman**, “And I’ve just broken it down to you, I’ve broken it down to you.” **Commissioner Haney**, “Sure, Mr. Friedman, later since you don’t have it in front of you, if you could provide for the Commissioners with what the POs for that eighty some odd thousand dollars are...” **Attorney Friedman**, “I have no idea, you know what, maybe ask the Auditor perhaps to provide that because that did not...” **Commissioner Haney**, “Your office isn’t able to provide us with an answer to those POs? If I give you a list

of - I'll print it out on a list here, your office wouldn't be able to tell us what those are?" **Commissioner Matias**, "Certainly the Auditor has all of the POs." **Attorney Friedman**, "The Auditor is in control and in possession of that - I'm telling you what the 1099 is for." **Commissioner Matias**, "We have that in our system." **Auditor Stabosz**, "We do have it that is correct." **Attorney Friedman**, "Great, so I'm sure they'll provide it to us." **Auditor Stabosz**, "The bulk of the POs \$80,000 out of the \$95-\$96,000 was the Public Defender work but the total amount paid to Friedman and Associates last year was four hundred, roughly \$495,000 actually. That's the total amount paid out in checks. You know we can, we can, we can document it. I mean all the paperwork was submitted properly or accur - you know, we have all the paperwork." **Attorney Friedman**, "I would think the 1099 would reflect that, okay and so the 1099 that we got is for 408,468. I'm simply going to walk through it again so that we've got it for the record." **Auditor Stabosz**, "That, if I may, that actually does match exactly the amount of the claims but then there's another 90, another \$87,000 worth of purchase orders also so..." **Attorney Friedman**, "And that could be the Public Defender." **Auditor Stabosz**, "That's correct." **Attorney Friedman**, "Exactly because I've got..." **Commissioner Matias**, "Thank you Mr. Friedman. Joie's going to weigh in shortly, we appreciate you coming in. You know, part of this we're in the weeds and it's really difficult for you to answer without having your bookkeeper and accountant with you so..." **Attorney Friedman**, "We simply go by the 1099 and again we're proud to report that even for bang for the buck, again, total billings \$296,307 for county attorney work in 2020 which was still less, \$83,000 less than the predecessor firm so we're pleased to report that, pleased to provide the overall report on activities that we do for the county and again, looking forward to working with this group, the Council and other elected officials in 2021." **Commissioner Haney**, "Sure, and then for your outside legal fees when you refer things out to other firms, would that be better to go through the Auditor's office, I'm just curious." **Attorney Friedman**, "There's no legal fees and I appreciate you raising that, I don't know where in the world that would come up." **Commissioner Haney**, "I saw some bills and POs that came through for a law firm out of Indianapolis in reference to the D&M excavating site. They totaled about 6 months about \$45,000 that was paid out down state in legal fees for that." **Attorney Friedman**, "Correct. Mr. Haney, we co-counsel and have successfully co-counseled a number of firms over the years, we bring in the best of the best to win and prevail in various cases but we're not paid a penny on those referrals so." **Commissioner Haney**, "I wasn't, I wasn't insinuating that you were..." **Attorney Friedman**, "But you just said there were referrals, referral fees." **Commissioner Haney**, "No, I didn't say, I never said referral fees. What I said was for the legal work that, that, that well, you refer out or whatever the case I never said you were getting anything in return..." **Attorney Friedman**, "Good." **Commissioner Haney**, "...I never said there were fees, what I said was do you have any indication of how much that total is that's, that's sent out of house." **Attorney Friedman**, "The Auditor's office will have a full list of what we do to co-counsel, that's how we win the cases. When I tell you what I do and just so we can be very clear on this, I know what I don't know and frankly the best county attorneys know when to bring in specialized expertise to co-counsel on various cases. That's how we won class action cases, utility cases, and other cases for the county so we tend to co-counsel with leaders in their field, Barnes and Thornburg for instance at Redevelopment, the firm of Delaney and Delaney in Indianapolis on that class action, Mr. Keith Beall, for instance, on the D&M case. What we do is bring in expertise that helps us prevail and because you want us to win more than anything else and so what we're able to do is to bring in outstanding co-counsel, and again that has helped us prevail on the various cases that we've had but all of that in terms of the amounts paid to outside counsel is available by the - at the Auditor's office." **Commissioner Haney**, "Okay, thank you." **Attorney Friedman**, "You bet. Great. Thank you." **Commissioner Matias**, "Thank you." **President Mrozinski**, "Thank you Mr. Friedman for your report. Not only as government officials but also as tax payers that's always very good information there." **Treasurer Joie Winski**, "I just wanted to explain why there's a difference in the amounts because in the Low system, the top half of the ledger specifies all the claims but then part of the claims also show up at the bottom and those are the expedited claims so you have to separate those two and being only two months in the Auditor's office, I'm sure Mr. Stabosz didn't realize that so when you look at the whole total it would be around \$404,000 not \$494,000 as it seems and I'd be happy to show Mr. Stabosz that later after the meeting but I just wanted to clarify that, it took me a while to learn how to do that system also so I'm happy to give my knowledge to him. That's all I wanted to say." **President Mrozinski** thanked **Treasurer Winski** for the explanation. **Auditor Tim Stabosz**, "I'm not conceding Joie's point but I welcome the opportunity to be shown something, Joie was incorrect when she stated the due date for the annual report at the last Commissioner meeting so let's hope she's right about this one."

**Barb Mossman**, Human Resources Director, stated the county is actively hiring for positions at Community Corrections, Juvenile Services Center, Highway Department, and the Auditor's office.

**Amanda Lahners**, Health Department Director, updated the Commissioners on the Coronavirus. Currently at 10,055 cases. The vaccination clinic at the fairgrounds is running great with over 7,000 people already vaccinated. Started on the 2<sup>nd</sup> round of doses. Indiana Department of Health sent a mobile clinic to Ivy Tech where 519 people were vaccinated and



will return in 3 weeks to administer the 2<sup>nd</sup> dose. IDOH contacted our Health Department about the Johnson & Johnson vaccine. Currently using the Moderna vaccine at the fairgrounds. Our county accepted the Johnson & Johnson vaccine which is one dose and has a much longer shelf life at 2 years in the freezer. Amanda said doctors were notified that a special group of high needs patients may now get the vaccine outside of the designated age groups. Active cancer treatment patients; active dialysis patients; sickle cell; solid organ transplants; and those with Down syndrome may now register with their doctors' office to get the vaccine. Yesterday the age group 55 and older were eligible for the vaccine then later today 50 years and older will be added to the groups after the Governor announces it.

### Requests

**Considered** permission to approach the council for funding for renewal of an inter-agency contract. Jeff Wiatrowski, Executive Assistant for EMA, said this is an MOU with Porter County. District 1 consists of Lake, Porter, La Porte, Newton and Jasper Counties. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** 25 unused sick days for Cindy Kreske who is retiring - Mike Polan, Building Commissioner.  
**Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** permission to approach the Council for the purchase of 2 ambulances, 1 support vehicle and loose equipment - Andrew McGuire, EMS Administrator. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** request to seek bids for 13 vehicles and Permission to trade 17 used vehicles - John Boyd, Sheriff.  
**Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

### Old Business

**Considered** ambulance bid recommendation for EMS vehicles - Andrew McGuire, EMS. North Central was awarded the bid. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** awarding bid for Community Crossings paving project for Fail/Severs Roads - Mitch Bishop, Planner.  
**Commissioner Matias motioned to approve bid awarded to Walsh & Kelly for this job. Commissioner Haney seconded. Motion carried.**

### New Business

**Considered** opening bids for bituminous and paving - Duane Werner, Highway Superintendent. Duane stated this is for annual asphalt paving and liquid asphalt used for chip sealing program.

**Class 11** - Bituminous Materials - 3 Bidders: Bit-Mat Products of Indiana; Asphalt Materials and Central Paving, Inc.

**Class 12** - Hot Asphalt Concrete - 2 Bidders: Rieth-Riley Construction Co., and Milestone Contractors North, Inc.

**Commissioner Matias motioned to approve bids to be given to Duane for review then awarded at our next meeting on March 17th. Commissioner Haney seconded. Motion carried.**

**Considered** Lincoln Trail Extension Project contract for right-of-way/Acquisition Services and Permission to approach the Council for matching funds - Mitch Bishop, Planner.

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

**Considered** Lincoln Trail Extension Project Amendment to include items originally on right-of-way/Acquisition Service contract transferred to PE contract - Mitch Bishop, Planner. **Commissioner Matias motioned to approve.**

**Commissioner Haney seconded. Motion carried.**

**Considered** Resolution in support of educators receiving priority vaccinations by ISDH as requested by the county's school superintendents. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried. \*\*\*Resolution 2021-4**

**Considered** appointment of Reverend Nate Loucks to the Public Defender Board. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

ORIGINAL

**President Mrozinski**, "Seeing nothing left of the agenda."

**Commissioner Haney**, "Mr. President, you said earlier, I know it didn't officially get added to the agenda but you indicated earlier that we wanted to clarify our position for our public meetings. I don't know if you're still willing to entertain that, just to clarify our position on public meetings, so the public knows, we had members of the public here today who, who, who were here which is fine. I, which I think is a good thing, we can socially distance, we're down in to yellow, at the same time there are members of the public who are confused on our official position when, if and how members of the public can attend. Including the media and as you know we don't have the media here again today, there's some confusion as well with that so I feel we should clarify that while we have an opportunity." **President Mrozinski**, "You're very hard to hear but I believe you're asking about public comment." **Commissioner Haney**, "No, no." **Commissioner Matias**, "No, public meetings, the public attending county meetings." **President Mrozinski**, "Yeah, right, I wanted to bring that up because I've been getting calls about opening, when are the meetings going to open up. Especially too, from Bruce wants to know about opening up the museum. I think as we stated before we're hoping to get a lot more people vaccinated before we have full blown access to our county offices but as far as the museum, I don't know, I would like to entertain your thoughts, I'd like to know what you have to say about that." **Commissioner Matias**, "Mr. President, I read the communication from the museum director and it sounds like they have an exhibit that they are very excited about and they need to do some pre-work around that. I think that the museum is an example of a place where if they properly socially distance and insists are masks, until we get our vaccination rate up I think that would probably be safe. What I do hope around the county meetings in general regardless of whether we open, you know, we vote to open today which I think is a little too soon, I think we should re look at that, completely reopening the buildings at our first meeting in April, but I would say I would request that we make sure that the Zoom access to meetings is for all county meetings, is continued post-Covid, as long as it is allowed by Public Access Counselor I think that is has encouraged people to be involved, it has encouraged transparency in county government by allowing people to who may not have access to transportation or who may not have the ability to get here in time, they're able to participate, they're able to listen and know more about what we're doing on their behalf as county elected officials so I would request that no matter when we open up meetings that we continue to allow the public to access our meetings through Zoom." **Attorney Friedman**, "Mr. President, if I could also interpose, there is a bill moving through legislator that will allow or that would allow continued Zoom access, it's got to be done by statute so we'll keep the Commission updated on the status of that and I should also note the Governor has signed an executive order allowing Zoom meetings to continue certainly through the month of March so, you know, attending by Zoom is the same as attending in person in the eyes of the Governor in that executive order but that authority continues through March 31<sup>st</sup>." **President Mrozinski**, "Excellent, thank you for pointing that out. Do you have a comment on that Commissioner Haney?" **Commissioner Haney**, "Yes, that was exactly what I was saying, I'm sorry you weren't able to – the connection wasn't good, you weren't able to hear me, yes so, I would, I would like to see if it is amenable to the Board to allow – the City of La Porte 3, 4 weeks ago, opened their meetings back up to the public with social distancing being able to be maintained. We have a large room here, today there are actually quite a few people here and members of the public as well so I would like to see us officially reopen our meetings to the public, adhering to social guidelines with an encouragement that if you don't necessarily have to be here in person, you can attend via Zoom, so we can help maintain social distancing while we're here. **And I would make that motion.**" **President Mrozinski**, "You're making a motion to open the meetings now?" **Commissioner Haney**, "With social distancing guidelines enhanced, yes because we do have members of the public that are coming in, we did here today, that are attending anyway and there are members of the media who continue to ask me, you know, can we come and I said well, officially we don't have a policy on that and you know, as you've seen, we still don't, again today, have members of the media actually here present who would like to attend in person so I think at a minimum a least allowing the media to attend in person would be at a minimum at this step appropriate." **President Mrozinski**, "But, so you want to open the meeting to open to allow media?" **Commissioner Haney**, "To allow media and members of the public to socially distance with an encouragement for those to attend via remotely, via Zoom if they're able to." **Commissioner Matias**, "So Mr. President, it sounds like the only change is, since we already said we prefer you to if you can call in or join us via Zoom that's the preferred method of participation but it sounds then the only change immediately is to continue that preference and then to ask the media to return to the, you know, to coming in in-person if that is their choice. Is that pretty much?" **Commissioner Haney**, "That's pretty much, yeah." **Commissioner Matias**, "And then perhaps we can go the first meeting in April we can relook at this pending obviously on what the Governor, you know, if the Governor has another order around Zoom or whatever happens in the state legislature, we may have some new facts at that time **so I think that would be something I could support.**" **President Mrozinski**, "I think that would be responsible, okay, that's your motion and you're second then?" **Commissioner Haney**, "Yes." **Commissioner Matias**, "I could second that then." **All in favor – Motion carried**

### Commissioner Comments

**Commissioner Haney**, "I want to start out with some of our Covid milestones here. I'm not going to repeat what Amanda Lahners said, she covered most of that very well, we are in yellow. I think we covered a little bit the last time we had some delays from some of our, from some of our – can you hear me alright (Directed to President Mrozinski)? Okay, sorry, so we had some delays from some of our previous – I'm not sure what's going on with this thing (microphone), I feel like I'm talking pretty loud here but we had some delays with some of our previous vaccines that came in due to the storms, all those doses were given in an appropriate follow-up time frame, none of those were lost once we got to them, again, that was not the fault of our local health department, they did an amazing job with that curve ball that was thrown at them, I far as I'm concerned they hit it out of the park once again. We wish Mr. Mancuso a Happy Retirement as well as he sets sail on his retirement. I've said it before and I'll say it again, I am so proud of our Health Department. The tireless work that they've put in as well as the unwavering support of our various other departments that have helped to facilitate their mandate likewise their hard work can't be, can't be understated. Last week I was at the Michigan City mobile clinic that was there from the Indiana Department of Health and the Indiana National Guard was there as well helping to facilitate that, that's their current active orders for their group, members from all over the state. They did an amazing job there, it was nice to see everybody working together and how well that clinic filled out, really happy about that as well. Earlier last week I sent out an email that was originally intended just to go to the Commissioners and Council as well as to the council and county attorney, it wound up getting forwarded outside of the email chain to other parties by our county attorney and thus that's how it wound up on the agenda for and got read into the record for the Council. Unfortunately I haven't received a response to my letter from either the county attorney or either of my fellow Commissioners and I feel it's appropriate to read that into the record now:

Dear Commissioners, Fellow Commissioners,

It is becoming abundantly clear to me that the issues relating from the lawsuit Mr. Friedman has filed against the Auditor are affecting his judgement, demeanor and ability to impartially execute the duties of County Attorney. Over the past two months Mr. Friedman has offered us bad legal advice and attempted to exert undue influence over members of the Commission and Council, furthermore if Mr. Friedman continues to flagrantly attempt to question the abilities and conduct of the Auditor in his official capacity, as well as in addition to that his entirety of the office of Auditor most recently over the AT&T phone bill issue that Treasurer Winski so aptly explained. This latest attack by Mr. Friedman on the County Auditor was blatantly personal and unfounded. Mr. Friedman attempts to paint this lawsuit as "personal" in nature but has, multiple times, brought County officials, department heads and the entirety of our county employees who have access to email into this debacle. Mr. Friedman has attempted to stifle our comments; those of us who are elected officials, in regards to this lawsuit, by making outlandish claims such as saying "because this is 'pending litigation' you're unable to comment on any of the claims". The idea that I, Council President Novak or any of us wouldn't be able to defend ourselves in the sphere of public opinion by allegations and claims made by Mr. Friedman is outrageous. Doubly so because this lawsuit is allegedly against Mr. Stabosz personally, and as such, allegedly, wouldn't involve the county. With it appearing the entirety of the charges Mr. Friedman alleges against the Auditor in his suit are not older than January 1st, 2021, and because of the multiple attacks Mr. Friedman has made against Mr. Stabosz in his official capacity, it is my opinion that Mr. Friedman is attempting to play both sides of this issue by claiming this suit is "personal", and as such has, himself, leveled charges directly against the Auditor in his official capacity. It is therefore my opinion that Mr. Friedman has demonstrated, on multiple occasions, that he is incapable of discharging his duties as County Attorney in an impartial manner and should step down immediately until this matter has been fully resolved and adjudicated. Signed Joe Haney, Commissioner, District 3, Vice President of La Porte County Board of Commissioners.

If you're going to be required to do things that make you weak or ashamed, then stop, don't do them. That is such a simple yet amazingly powerful statement. I'll somewhat quote or paraphrase Dr. Peterson here, 'Systems go terribly out of control when people who don't stop them when they are going mildly out of control.' There is so much going out of control in a bureaucratic world and that's where all of the tyranny seems to be focused and for some reason that it multiplies because since when people say nothing when they should say something. You have to ask yourself on a daily basis what makes you think you're not selling your soul? He goes on to say 'you have an ethical responsibility as a citizen to forthrightly confront creeping tyranny no matter where it occurs.' He then poses the question 'why should you speak up?' That's easy, the questions of not speaking up although delayed are far worse and that's the reason. If it can't be courage, it could at least be prudence. In my position I would take that a step further, I not only have an ethical responsibility as a citizen but as a Commissioner I took an oath and I swore to quote 'faithfully, impartially and diligently discharge the duties of the office of County Commissioner.' That's why, that's why at the previous meeting I called out the deceit, the lies and the things that are happening that I see as wrong. On a daily basis – on this dais, and via Zoom from Florida, we have decades and decades of political experience, combined this total is longer than I've been alive. In the 3<sup>rd</sup> week of January when a County Attorney told me to assume 'the best of intentions of my fellow Commissioners'

he knew they were lying, he called out my inexperience, in fact, he made a quote of something like 'Commissioner Mrozinski has 13 years on the RDC, you've got 13 days.' He's absolutely right, not about the RDC of course Commissioner Mrozinski had only had 1 year as Commissioner on the RDC and I was replacing Commissioner Kora who was on the RDC for the two years immediately preceding me but as for experience as a politician, yes, I am an unexperienced and like the proverbial frog instead of being tossed into a pot of boiling water, I was tossed into a vat of filth. You're absolutely right, I was *shocked* to my core, I *am* shocked to my core. You expect me to sit on my hands and do nothing? To go along to get along? I will not compromise my morals, my values or my dignity. And for what, just because I'll be outvoted 2-1? Because you threatened to put me in a smaller office; right? That's how they attempted to control me. They don't have any dirt on me so they attempt to silence me by threatening to put me in a smaller office. Why now? You know, make no mistake, my issues are not on some simple policy disagreement, people disagree on politics all the time, there are different positions on either side, we work through them, we negotiate. I am opposed to the deception, the deceit and the outright lies being put forth to the public. This is wrong, period. Ion said, 'There can be no compromise on basic principles, there can be no compromise on moral issues and there can be no compromise on matters of knowledge, of truth and of rational conviction.' Unlike the County Attorney who basically ordered Commissioner Mrozinski to forward an email to all county users, I will not use a county email server to invade the work space of our county employees on this. But to every county employee listening to this meeting right now or in the future, let me be absolutely clear and let there be no doubt I will not be silenced and I will not be intimidated. Sandra Clark wrote, 'One person can't make a difference not alone but if one person stands against evil and others stand with them they will make all the difference.' I will stand up and I am standing up for the people of La Porte County and I will continue to stand up for the employees of La Porte County. Talk to me, call me, send me a message, tell me what's happened to you, to your co-workers, tell me about the things you've been forced to do. If you are a former employee or department head, I will listen. I will take your comments in confidence if you wish and I will shut this down. Suzy Kassem said, "I would rather die fighting then live passively amidst all that is wrong." To everyone watching now, who's watching later on ALCO or on YouTube, I will stand for you, I will fight for you and I will not succumb, I will not be intimidated. I'm done and I'm putting you all here on notice, the culture of fear, the culture of oppression, the retribution, it is over. I said not on my watch and I meant it. I've been all over this county, in buildings and offices no Commissioners have set foot in for 20+ years. I hear the pleas and the desperations of our employees, this ends now. I want to read to you something a senior official sent to the County Council. This letter, if you want to verify the voracity of it for an open records request which I'm sure the media will most likely want to do, was sent to... looks like all of the County Councilman including Councilman Novak at his county email address, I won't read off the other personal email addresses that are listed here, the subject here is Report to Friedman's letter. This email is from Richard Mrozinski. 'After reading the rant from Mr. Friedman, I find it necessary to set the record straight as there are many errors contained in his letter.' I'm not going to read the entire email but for brevity he talks about the Swanson Center, he says quote, 'Swanson Center money laundering. The Swanson Center pays Winston and Terrell a large amount of money as a lobbying firm.' Quote 'Their contribution to the political campaigns in La Porte County are public records.' Quote 'Only those candidates chosen by Mr. Friedman receive these funds.' Quote 'Taxpayer money is funding Mr. Friedman's candidates.' Quote 'Mr. Friedman has lied to me and about me.' **Attorney Friedman**, "Sir, could you identify who's the source of this? You're reading a litany of accusations including defa..." **Commissioner Haney**, "I'm pleased to provide your office with a copy of this." **Attorney Friedman**, "You know what you don't understand?" **Commissioner Haney**, "Mr. Friedman, I am speaking please do not interrupt me." **Commissioner Matias**, "Mr. Friedman, just, just ..." **Attorney Friedman**, "He just defamed Swanson Center." **Commissioner Haney**, "I am quoting Richard Mrozinski. Right here in this email and you are more than - I'll give you a copy, you're more than welcome to submit your own Freedom of Information Request to get this email off the county server." **Attorney Friedman**, "Okay and that's fine, and I certainly don't want to interrupt you but I want to indicate to you, I would suggest that you filter anything pass an attorney before you read allegations." **Commissioner Matias**, "Okay, "Mr. Friedman, let's let him finish, you know, he's already..." **Attorney Friedman**, "Absolutely, he's on a roll." **Commissioner Haney**, "Thank you. Mr. Mrozinski goes on to say, quote 'I remember a time when an attorney sat there, never said anything unless he was asked a legal question. Now I see Mr. Friedman pretty much running the meetings.' He ends his email with 'I attended a department head meeting where Mr. Friedman ran the entire show. He has given himself a lot of power and there are so few challenging him.' (Email ends.) When I look back at the previous meeting and I went back and I watched the second meeting of the year, Mr. Friedman was complicit in a lie about the Scrivener's Errors. Community Corrections, as one example, was a blatant lie. He specifically asked Commissioner Mrozinski to be removed and replaced by Commissioner Matias because of a discrimination charge that was filed. I won't get into the details of that as that is ongoing. Mr. Friedman uses insults, slurs and derogatory verbiage and phrases to both elected officials, department heads and employees on nearly a weekly basis. Not only verbally but in texts and emails. Mr. Friedman has attempted to undermine the authority and moral of a newly elected Auditor by

accosting his chief deputy, in part stating 'you went from one radical to another.' This isn't just insubordinate behavior from an employee which the County Attorney is, this is grossly inappropriate behavior. The County Attorney should be ashamed of himself and he owes the Auditor, Chief Deputy Auditor and Director Brown an apology. Given the totality of the behavior, demeanor and incompetence exercised by the County Attorney that has now been demonstrated on multiple occasions in just these past two months, I believe his office is incapable of discharging the duties of County Attorney and I move that the contract for Friedman and Associates for County Attorney be immediately terminated for cause."

**President Mrozinski**, "Are you done, sir?" **Commissioner Haney**, "I am not but I assume that motion fails for lack of a second?" **President Mrozinski**, "That's what it sounds like to me. Commissioner Matias, would you like to..."

**Commissioner Haney**, "Okay, my fellow Commissioners haven't responded to any of my - to my letter for Mr. Friedman to step down at all. Mr. Friedman hasn't responded for the letter that I, that I sent to him to step down nor has his office."

**Attorney Friedman**, "Mr. Haney..." **Commissioner Haney**, "I have to wonder if something has changed. Has Commissioner Mrozinski perhaps been threatened? I don't understand what's going on here. I won't be intimidated and Commissioner Mrozinski, you shouldn't be either. You're not alone here. How do you go from in this email accusing the County Attorney of controlling meetings and funneling - quote, as you say 'funneling tax payer money to his candidates' and now simply proclaiming his virtues? Stand up, don't be afraid. If you're being controlled, break free. If you need to, simply resign and stay down in Florida if you have to, better yet, stand with me and put an end to this insanity once and for all. You know, Mahatma Gandhi said, 'It's the action, not the fruit of the action, that's important. You have to do the right thing. It may not be in your power, it may not be in your time, that there'll be any fruit. But that doesn't mean you stop doing the right thing. You may never know what results come from your action but if you do nothing, there will be no results.' And I'll close with this, one of my favorite quotes from Dr. King, 'Time is always right to do what is right.' And I implore all of you to do what is right."

**President Mrozinski**, "Now are you done?" **Commissioner Haney**, "Yes, thank you for allowing me to finish." **President Mrozinski**, "In fact we should change Commissioner Comments to Commissioner Rants. Commissioner Matias?" **Commissioner Matias**, "Thank you Mr. President, so I wanted to give a brief report on the work at the FMEC and while I was requested by Mr. Haney to give up my appointment to that and I said, 'Sure,' I'm still involved in the FMEC and I will continue when I'm able to attend the meetings but I did want to call out Suzi Carpenter and the marketing committee and the group in general, you know that have worked really hard on moving forward on marketing, bringing the Fair Board in and making sure we are being really welcoming and transparent about our joint efforts. I've been working with Suzi and Randy Novak on the mission statement, the vision, and some of the marketing materials and so I just wanted to make sure that the community knows we are moving forward on our work to bring the fairgrounds to a 12 month operation, obviously weather is a problem but we want the fairgrounds to hold on to the heritage of the La Porte County Fair and our agricultural history but also make it a place where families and others feel very welcome during the 12 months of the year. It can be eventually a revenue producer if we are able to host events there but in the meantime we are focusing on keeping a focus on youth and family and a well-rounded experience for our guests who come to the fairgrounds so I wanted to make sure you knew that was happening. I also wanted to make sure we welcome Eric Hayes at the Animal Shelter, this is his - he just started his new position. He's been with the Animal Shelter for a very long time, he brings a lot of talent and of course he has been tutored by our former Director Jane Bernard so Eric we welcome you and know that you're going to do a terrific job. Another item, I did spend some time on the phone with Marissa Lynch, our consultant working on behalf of La Porte County in Indianapolis. She shared with me just how important it is for La Porte County to have our place at the table in discussions about gaming revenue and she is working very closely with our legislative team, particularly Senator Bohacek and Representative Pressel, on making sure that we, as a County, have our gaming revenue protected and that we are advocating for a share, a fair share, of gaming revenue. As you may know, I have a lot of experience in working with the gaming commission, having been the one who was representing La Porte County to fight for that license and while it was some years ago, I still follow very carefully the way the gaming revenue is used in this County and whether we are keeping our word that it is to be used for the betterment of this community and so the conversation I had with Marissa was very reinforcing, the fact that La Porte County has worked hard to get us in the position we are in as gaming has opened back up, we want to be sure our fair share of the gaming revenues are protected for the La Porte County citizens and the betterment of the community. Before I sign off, I guess I really have to speak out, I have never been threatened, I have never been threatened. I've been in government, in and out of government, you may remember I started in the 80's, I was a city councilmember in Michigan City for two terms. I then followed up with two terms as Mayor. I left politics and I came back when I came back to La Porte County after a brief departure, I came back to what I consider my home county and I again, offered my service to this community. I've never received money from the Swanson Center and that is the most ridiculous claim I've ever heard and I've been around a long time, I would know if that was happening. I've never heard anything like that happening before so when we talk about attacks and insults and slurs and lies and some of the words used here today are shocking to me, I have - I'm talking about my career in community service and I have never seen such disgraceful, high

drama going on in the last two months in all of my observation of public life and my involvement in public life. I've been a respect, a respectful public servant for a very, very long time and in that time, when you were still in your nappies (directed to Commissioner Haney) running around the back yard, I was working on behalf of the people and I've never, ever seen people focus on discord and focus on words like 'tyranny' - come on. The county team, we are not perfect and across this county there are people in public life, people who have spent their lives in law enforcement and community service and taking care of people. While they may not all be perfect, I will tell you, I have never seen all of the things that you just mentioned. I believe that as public officials, the elected - the voters elect us to be dignified, to focus on the work of making sure our services are efficient, that we are watching their tax dollars, that we are making sure our operations, focus on the best work that we can do as human beings who work for our community. So, I want to say I am not participating in all of this drama, I am not going to call out anybody because while I may not agree with certain things that have happened over the last 30 years of my observation, I have never seen 'tyranny, deception, outright lies, we need to stick up for morals and value and dignity, there's retribution, fear, desperation, a vat of filth and evil' - come on. This is La Porte County, this is La Porte County, we are a community that's made up of families and elders and people who care about each other. Yes, we have, we have our problems, no doubt about it. We've, all the despaired problems that big cities have are right here in our community, drugs, and deception and people doing, making bad choices. We have mental health crises, all those kind of things but as a community, I think of all of the people, hard workers that come to that weekly call, 85 people join that call on some weeks and they are all there to represent their agencies, organizations, non-profits, they are groups of employees because they care about this county. I think as a Commission we need to focus on doing the right thing for the people who elected us and stop spending so much time on personal vendettas and all of this other malarkey, I frankly, have no patience for it. I'm focusing on the work of the people while I'm here as an elected official on their behalf. Thank you Mr. President."

**President Mrozinski**, "Thank you Commissioner, well put. So far, last Commissioner meeting, like I said I've mentioned I had talked to Bruce about opening up the museum but we've come, we brought that to fruition. I've been on the phone with Duane about the Frost Law. I actually, week before last I toured the Michigan City Courthouse with Joe Coar and some others to see an amazing transformation there. Got a call from Bob Franko, who's the Porter County VNA, and we're going to have a meeting with him and also Mayor Dermody to talk about some of the projects in La Porte County. Meals on Wheels would be one and the VNA, some of the services that they offer, currently that maybe we could use some help with in La Porte. Also will be talking with Mayor Dermody, Eric Hayes and Julie West concerning the animal control for the City (La Porte), this is something that the City has brought up for several years and I pretty much told them a few years ago what it would cost to get La Porte County involved with animal control for the City and they're finally listening, coming up with some good ideas here and we'll see how that goes, looking forward to talking with them. Of course I got the call Monday morning from Jeff Hamilton about the big accident down on US 30, with 7,000 gallons of raw gasoline spill. I have since made contact with Adam Parkhouse at INDOT and coordinating our clean-up efforts which that section of highway will be closed down a bit, it's going to be an inconvenience but we have some very smart people out there on top of that, we're keeping an eye on it, keeping in close communication with everybody involved. Also Monday morning I had a Zoom call with Councilman Yagelski, Marquiss Electric, USI Consulting and WJE Engineering about the Michigan City draw bridge issue. We continue to talk about the draw bridge and we will probably have a proposal to consider between the Commissioners and the Council on what we're going to do with that bridge. As you know, the bridge right now is closed because we've got the restoration project, repair project going on and this is something we're going to be stuck with every year, we need to have a long range plan. Marquiss Electric and USI have come up with that plan and we're just going to have to figure out how we're going to pay for it. It's important, it's unfortunate that we're stuck with that but that's one of these facts of life. And believe it or not I did all of that without having to put anything on social media. I have talked with Mr. Bohacek, Mr. Pressel and I've had calls from several Department Heads wondering what is going on with our new Commissioner that he seems to be unhappy with everything about his job which he's only be on for 60 days, he seems to want to continue personal attacks, his lies, complaining about being removed from the RDC - he was *never* on the RDC, he never attended one meeting of the RDC so you were never removed, you were never really put on there, these false accusations and innuendos, this vendetta that he seems to have that just will not bear fruit and it's not going to, I'm not even going to dignify his comments about things that he dug up from emails from years ago, I'm not even going to dignify that because it's totally irrelevant. I've been in county government for 13 years, I've seen a lot of people come and go, there's been a lot of people I've agreed with and some that I've disagreed with but the bottom line is I've never been intimidated by any of them and I'm certainly not intimidated by Mr. Haney and his false accusation and his lies. I would suggest that if Mr. Haney is so upset and so put-out by the way things are done in La Porte County by those of us that are working for the County and for the betterment of the County then perhaps he should consider resigning and doing something different because maybe he's not cut out for

this kind of work. There's a whole lot of stuff you don't understand but yet you continue to complain about. My suggestion would be learn your job and try to figure out a place where you can do something constructive instead of continuing with your rants and raves personal attacks, you're not going anywhere and all its been doing is making you look dumb, you know, so with that I'll - this meeting is adjourned. Thank you."

**President Mrozinski adjourned at 12:18 p.m.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE 3-17-2021

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*Shule Burton*

ATTEST: \_\_\_\_\_  
*Richard Mrozinski*  
LA PORTE COUNTY, INDIANA

ORIGINAL