

MINUTES
MEETING OF THE LA PORTE COUNTY COUNCIL

August 23rd, 2021 AT 6:00PM

The meeting of the La Porte County Council was held on August 23rd, 2021 at 6:00pm (central time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

The meeting was called to order at 6pm by the Council President, Randy Novak.

PLEDGE OF ALLEGIANCE

Mr. Cunningham lead the Pledge of Allegiance, and dedicated a moment of silence for many community leaders who lost their lives in the previous month, including: Commissioner Joe Haney's brother Terry Haney, retired Center Township Fire Chief Marc Christiano, Magistrate Tom Pawloski, Attorneys Leon Kaminski and Gene Jones, Steve Grott, and Pat McDonald.

ROLL CALL

5 of the 7 Council Members were physically present (President Novak, Vice President Yagelski, Mr. Cunningham, Mr. Mollenhauer and Mr. Rosenbaum), with Councilwoman Gramarossa being present via Zoom, until she left the meeting at 7:15pm. Councilman Garner was not present for the meeting.

APPROVAL OF THE AUGUST 23, 2021 AGENDA

- i. It was noted that the agenda needed to be modified to remove the Disaster Recovery request from the IT Department and to add a Resolution requesting the auditor pay Commissioner claims from Marquiss Electric on the Franklin Street Bridge project.
- ii. Motion to approve the agenda changes made by Mr. Yagelski and seconded by Mr. Cunningham.
- iii. All members voted in favor, and Councilwoman Gramarossa voted in favor via Zoom, 6-0. (This was the only motion Mrs. Gramarossa voted on in the meeting.)

APPROVAL OF THE JULY 26, 2021 MEETING MINUTES

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Mollenhauer.
- ii. All members voted in favor, 5-0.

PUBLIC COMMENT:

Center Township Trustee, Lisa Pierzakowski:

Mrs. Pierzakowski approached the Council to elaborate on the spending of the Rental Assistance Program. She explained that Catholic Charities was able to assist with paying the rent to prevent an eviction in Kankakee, and no County money needed to be spent for that particular case. United Way funds offered \$1,000 for a Coolspring client, hand-in-hand with \$2775 of County funding, which prevented an eviction as well. Another client, after paying \$395 for legal fees, was able to receive \$328 from Township funding, \$328 from United Way, and another \$328 from County funding to pay their rent and stave off an eviction. Mrs. Pierzakowski noted that another client was currently pending, as they had been cancelling their appointments for consultation and have exceeded the required 10-day timeframe for action. A Pleasant Township client was expected to approach the Trustees on the upcoming Wednesday for assistance with a large sum of rent to be paid, to which Mrs. Pierzakowski informed the Council that Catholic Charities, County, and Township funding were likely all going to be utilized to assist the client. Additional clients had inquired about the Rental Assistance Program, however dropped out when paperwork had been issued to them. Mrs. Pierzakowski informed the Council that the Township had accrued a current balance of \$21,879 for the Rental Assistance Program.

Mr. Yagelski asked if Catholic Charities would offer assistance to any persons inquiring, regardless of religious affiliation or Catholic church attendance. Both Mrs. Pierzakowski and President Novak confirmed that Catholic Charities did in fact offer help to any inquiries, without any discrimination whatsoever.

PUBLIC COMMENT OPEN FLOOR CLOSED.

DEPARTMENT HEAD REPORTS

La Porte County Treasurer, Joie Winski:

As Project Manager/liaison for the Michigan City Courthouse, Mrs. Winski approached the Council to offer informative updates regarding the goings-on of the courthouse's construction. Mrs. Winski presented that the construction was on-time and within budget. She noted that Area A, colloquially known as the "old building" or "old courthouse," now included a full three floors, as well as the abolishment of a staircase and the inclusion of a complete basement. The carpet and flooring had also been installed in Area A, with continuing installing going into the 2nd floor. Drywall and paint touch-ups were included in the 1st floor repairs, and solid surface window installation continued around Area A, with surface window sill work being completed as well. Final paint is continuing, with light fixtures also having been installed, and vinyl flooring installed in the health department area of the building. In the new building, painting is continuing across the 3rd floor, while light fixture installation is ongoing on the 2nd floor. She noted that the 3rd floor bathroom was undergoing installation, and that the boiler startup and the 3rd floor ceiling grid were completed at this time. HVAC systems were currently up and running,

with bathroom tile being successfully installed, and drywall work was ongoing. Mrs. Winski informed the Council on the state of the parking lot, for which construction had begun and crushed stone was currently being laid. She explained that a decorative wall-block would be completed before the week's end, and the retaining wall, curbs, and backfill would be finished very soon following. Upcoming repairs, she noted, would include Area A's punch list completion, 3rd floor carpet installation, patching and painting on the 2nd floor, and the installation of low voltage wiring. For Area B, Mrs. Winski specified that the elevator install would begin, and miscellaneous painting would be performed throughout as well. Asphalt binder would be complete before the week's end, and as such, landscaping would begin. Sidewalks would be poured during this time as well.

Mrs. Winski notified the Council that Architect Dan Weinheimer would be offering tours of the site for any inquiring Council Members, Judges, Commissioners, and elected officials. Mrs. Winski hoped to accommodate as many requests for these tours as possible. Additionally, she noted that the expected completion date of the construction would be mid-December, and staff move-ins expected during the second or third week of January. Mrs. Winski requested any inquiring parties to reach out to her for any photographs or questions about the Michigan City courthouse construction.

Mrs. Winski changed the topic to the affairs of the Treasurer's office, noting that she and her Chief Deputy attended their first Treasurer's Conference. She explained that during the conference, the awareness of cyberattacks was highly stressed by the Board of Accounts, as these attacks were on the rise once more. The Board of Accounts urged the use of ARP funding to accommodate various technological needs to stave-off these attacks, and as such, Mrs. Winski expressed her intention to create a proposal which would request the use of ARP funding so the Treasurer's Department could make some much-needed upgrades. One of these major upgrades would be updating the present operating system, which Mrs. Winski noted was still running on Windows 7 and was currently unsupported. She explained that she would confab with IT Director Darlene Hale to work up the aforementioned proposal.

Mr. Cunningham inquired if the State Board of Accounts had a tendency of only auditing a department if there was due cause for a write-up, which Mrs. Winski explained that normally this is the case, and the State Board of Accounts began this policy just a few years prior to save on funding. Mrs. Winski explained that unfortunately, the La Porte County Treasurer's Department did not fall under this particular practice of auditing, as a result of missing funding being discovered from years prior to her own election into office. As a result, she continued, the State Board of Accounts would continue to monitor the department annually to ensure consistency and no nefariousness within the department's intake.

Director of Facilities, Larry Levandowski

Mr. Levandowski approached the Council to request that one of his part-time housekeepers be moved into a full-time position.

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Rosenbaum.
- ii. All members voted in favor, 5-0.

Mr. Levandowski informed the Council that, Milestone Construction Co., the company which had donated roughly \$20,000 of paving work at the La Porte County Fairgrounds, had approached him with interest to perform more work on said fairgrounds. Commissioner Haney, President Novak, and many others joined Mr. Levandowski in a walkthrough of the Fairgrounds earlier in the month to look for areas

which may need improvement. For a quote of \$208,000, Milestone offered to work in a southern roadway to assist with exiting traffic, the expansion and laying of asphalt grindings in the Campground area, paving roadways next to buildings, laying of asphalt by the grandstands, and more. Mr. Levandowski noted that Milestone estimated that, with the \$208,000 quote in mind, the resulting work would be approximately an \$80,000 donation of time and resources to the county. Mr. Levandowski requested a motion of support to get the project moving before the change of season, and subsequently, the weather. As to avoid losing time on the project, he offered to come back to the Council the following month for any final input.

- i. Motion of support made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
 - a. Auditor Tim Stabosz noted that since the project was over the \$150,000 statute, bids would need to be let for the project. Attorney Guy DiMartino confirmed Mr. Stabosz's observation.
 - b. President Novak noted that the Commissioners would need to be reached out to as to ensure a bid would be let for the project, however the Council could move forward with a motion of support to get the project moving, per Mr. Levandowski's request. President Novak explained that if another company's bid came in lower than Milestone's bid, the alternate company would be selected for the project instead.
- ii. All members voted in favor, 5-0.

Mr. Yagelski inquired if in-place, previously established road bids would assist with the cost of the Fairgrounds projects, however the Council was unable to deduce which particular company was contracted for this task. Mr. Levandowski explained that Milestone had approached him with an offer to work on the Fairground areas as separate projects, which Mr. Cunningham noted that splitting the project as a whole into many smaller projects could potentially avoid the need to approach the Commission.

Director of Community & Economic Development, Tony Rodriguez

Mr. Rodriguez approached the Council on behalf of the Healthcare Foundation of La Porte to encourage the Plan Commission, Redevelopment Commission, and Building Commission to attend their upcoming meeting on August 26th. Mr. Rodriguez informed the Council that the La Porte Super User Group met on August 17th to acquaint themselves with their new coordinator, Economic Development Specialist Viviana Plaza. Mr. Rodriguez explained to the Council that the Super User Group would keep information up-to-date and fresh, and noted the impact of their hard work and creativity that they offer to the County. He thanked Sara Group for their hands-on use and guidance in maintaining the La Porte County website. Lastly, he wanted to point out that he recently began working with Foreactive Advance Manufacturers, and mentioned that Mike Sietz's proactivity in the County's Business Retention Expansion program was to thank for this, in addition to the help offered by Viviana Plaza.

La Porte County Health Department, Represented by President Novak

At this time, and due to Zoom technical difficulties, President Novak represented for the La Porte County Health Department Administrator Amanda Lahners. President Novak informed the Council of the Health Department's intention to purchase a van for the department's mobile vaccination, testing, and outreach needs.

- i. Motion to approve made by Mr. Yagelski and seconded by Mr. Rosenbaum.
 - a. Mr. Rosenbaum questioned if a van could be received from another department that may be getting a replacement vehicle. At this point, President Novak clarified that the Health Department intended to use funding that would be reimbursed by the state, and that the vehicle would be used for year-round outreach.
- ii. All members voted in favor, 5-0.

LIAISON REPORTS

Council Member Mike Mollenhauer:

Mr. Mollenhauer informed the Council of his attending a La Porte County Health Department Board Meeting on July 27th, a Redevelopment Commission Meeting on July 28th, and the annual Ag Tour & Barbecue on August 3rd. On August 4th, Mr. Mollenhauer attended the Great Lakes Grand Prix, and offered gratitude to the La Porte County Tourism Bureau for bringing the success and the revenue of the event to the County. On August 11th, he attended a Council Workshop for discussion by the Job Evaluation Committee, where potential salary increases were discussed. Mr. Mollenhauer attended the August 18th quarterly La Porte County Employee Insurance meeting, and noted that proposed costs for the insurance would potentially land under \$16,135. He continued that Telehealth was being utilized as well, and that with the service being well-received, it would be continued until at least the end of the year. Regarding prescription coverage, Mr. Mollenhauer mentioned that NorthShore Health was being investigated as a potential source. On August 18th, Mr. Mollenhauer attended the County Commissioners meeting, and on August 19th he and two other Council members partook in the Fairgrounds tour led by Larry Levandowski.

Mr. Mollenhauer, mentioning his role as a liaison for Emergency Management, informed the Council that the emergency siren located at the old police station in Westville had become disconnected by the new owner of the property. Mr. Mollenhauer urged the Council to act swiftly to get a new, 60-foot siren pole installed at Prairie Meadow Town Park, a location just slightly south of the pole's current location at the old police station. A quote by Marquiss Electric to install the new pole came out to \$11,903, and if the 60-foot pole were to receive expedited shipping, an additional \$800 would be required, bringing a potential grand total of \$12,703 for the project to come to fruition. Mr. Mollenhauer asked for a motion of support; however Mr. Yagelski noted his frustrations that La Porte County would pay for the project when Westville already had siren coverage in another area, and pressed for a sound study to pinpoint potential overlapping coverage of Westville's sirens. Mr. Mollenhauer explained that the other siren mentioned was far north of the proposed siren, and continued that Westville preferred to have overlapping siren coverage. Mr. Yagelski expressed his frustration and rebuked Westville for allowing the siren to be disconnected by the new owner; he suggested Westville absorb the cost as a result. President Novak informed the Council that the topic would be held over until the following month; no motion or vote was taken regarding the matter.

Vice President Mark Yagelski:

Mr. Yagelski had no liaison report at this time.

Council Member Earl Cunningham:

Mr. Cunningham attended a Community Corrections Executive Session and Public Session on August 16th, and also partook in the Fairgrounds tour with Larry Levandowski. He noted that Community Corrections would be having another meeting the upcoming Wednesday at 1:30pm, which he would be attending as a liaison.

Council Member Michael Rosenbaum:

Mr. Rosenbaum spoke with multiple department heads, including his listed liaisons. He attended an RDC meeting in the previous month and had full intentions of attending another in the very near future. Regarding the 39 North Conservancy District, Mr. Rosenbaum explained the need for a water tower to aid in expansion and fire suppression, and he noted that a meeting on the subject was scheduled for the following evening the very next day, with the outcome of said meeting to be available the successive Wednesday. He elaborated that grants would be available to fund the project in addition to County funding. Mr. Rosenbaum noted that the FMEC had been having both regular and executive meetings to help bring in new festivities, including the Festival of Lights, which is anticipated to bring a good amount of money for the County. He explained that setup would begin in October, and begin the weekend before Thanksgiving as a drive-through event, which would continue through January. A tremendous amount of turnout should be expected, he conveyed, as other counties have had great success with similar events. The funding gleaned from the event would preferably be directed toward fairground repairs, including working on the grandstands. Additionally, Mr. Rosenbaum visited the Michigan City Courthouse and intended to tour the building again the upcoming Friday. He attended Hannafest as well as South County Community Coalition meetings, and also met with City of La Porte Mayor Tom Dermody to inquire about the City's ARP plans, and expressed his hope in coordinating with the Commissioners to streamline the County's own plans to work out ARP funding efficiently. In his final liaison, Mr. Rosenbaum recalled meeting with state legislators in regards to shortcomings in working with the Michigan Township Assessor, noting specifically that said performance shortfalls were costing the County Assessor roughly \$250,000 annually to make up for the lapses.

Council Member Connie Gramarossa:

Due to technical difficulties, Mrs. Gramarossa was unable to report her liaison activity.

President Randy Novak:

President Novak attended an FMEC meeting in the previous month, a Row Crop meeting, and also toured the Michigan City Courthouse. He elaborated that he and Attorney Guy DiMartino met with the Center Township Trustee's office in regards to the Rental Assistance Program, and also attended a

County-wide Zoom meeting regarding the rise in Covid-19 cases. For his last liaison, President Novak informed the Council that he also attended the Commissioners' meetings.

CORRESPONDENCE:

Pioneer Cemetery Commission

Mr. Rosenbaum explained that the Pioneering Cemetery Commission responded to the Council's request to procure a listing of the cemeteries that were under their jurisdiction, as the Council was previously unsure of exactly how many cemeteries the Commission managed.

Michigan City Planning Department

The Michigan City Planning Department wanted to report the intention to expand urban renewal, and the rescheduling of a public meeting that had been cancelled on August 9th. Auditor Tim Stabosz informed the Council that the new meeting was to take place on September 13th, however there was no time for the meeting currently provided. The meeting would be regarding the Redevelopment Commission of Michigan City.

ORDINANCES & RESOLUTIONS

- 1. Amended Ordinance No. 2021-02 – An Ordinance Adopting County of La Porte Salary Schedule and Compensation Policies**
 - a. Motion to read by title only made by Mr. Yagelski and seconded by Mr. Rosenbaum
 - b. All members voted in favor, 5-0.

Auditor Stabosz read aloud Ordinance No. 2021-02 by title only.

Mr. Rosenbaum informed the room that the ordinance was receiving an amendment as a result of the County's recently approved pay increase for part-time workers.

- a. Motion to approve made by Mr. Cunningham and seconded by Mr. Rosenbaum.
- b. All members voted in favor, 5-0.

- 2. Ordinance No. 2021-08 – An Ordinance Adopting Request to Use Recorder's Perpetuation Fund to Cover Office Expenses and Salaries.**
 - a. Motion to read by title only made by Mr. Rosenbaum and seconded by Mr. Yagelski.
 - b. All members voted in favor.

Auditor Tim Stabosz read aloud Ordinance No. 2021-08 by title only.

Mr. Rosenbaum informed the room that the Recorder would utilize these funds to hire a part-time staff member. For the record, Mr. Cunningham asked Recorder Ela Bilderback to elaborate on the cover letter she presented to the Council regarding the ordinance. Ms. Bilderback

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explained to the Council that, per the adoption of the ordinance, she would simply need to provide an affidavit indicating the presence of enough funding to fulfill perpetuation costs, document preservation, and additional costs for expenses. She continued that, having met these needs, any additional funding could be used to cover alternate departmental costs, which in this case, would be the salaries of two full-time workers and one part-time worker.

Mr. Rosenbaum read aloud Ms. Bilderback's cover letter.

- a. Motion to approve made by Mr. Yagelski and seconded by Mr. Mollenhauer.
- b. All members voted in favor, 5-0.

NEW BUSINESS

1. Consider approval of Council President's authorization to hire replacement positions for:
La Porte County Juvenile Probation Office – Probation Officer
La Porte County Prosecuting Attorney – Intake Coordinator in the Child Support Division
La Porte County Treasurer's Office – Clerk Position in Michigan City
La Porte County Health Department – Nurse position
La Porte County Purdue Extension Office – Program Assistant 4-H position
 - i. Motion to approve all the replacement positions made by Mr. Yagelski and seconded by Mr. Mollenhauer.
 - ii. All members voted in favor, 5-0.

2. Honorable Judge Thomas Alevizos Circuit Court – Propose a new position combined from two existing positions.
 - a. Judge Alevizos explained to the Council that there were currently two problem-solving courts, one Juvenile Mental Health Court and one Family Recovery Court. The candidate in mind for the position, who directs both courts, has also shown great skill in managing drug treatment programs in the Department of Corrections in the past.
 - i. Motion to approve made by Mr. Yagelski and seconded by Mr. Mollenhauer.
 - ii. All members voted in favor, 5-0.

3. La Porte County Coroner is requesting to combine the two First Deputy positions to one with the full salary going to one person.

County Coroner Lynn Swanson approached the Council to request that two of her part-time positions be consolidated into one position regarding the recent part-time hourly pay

increase within the County. Two of Ms. Swanson's part-time staff members noted displeasure with their previously established salary pay, a salary which was shared between the two employees. Ms. Swanson explained that the salary between the two workers came out to roughly \$5.00 hourly, not including additional fees paid to the Deputies when they attended calls. Ms. Swanson requested that one part-time position be appointed and offered the full salary instead of two part-time positions with the split salary; she made note that she did not want one full-timer and intended to keep the position as part-time without any additional benefits or cost. Mr. Cunningham inquired how many Deputies Ms. Swanson had in her department barring the two staff members who might leave because of the aforementioned salary troubles, to which she clarified that she had three, and an additional two who would be attending school in September.

Despite Ms. Swanson's caution and initiative to bring this matter to the Council, President Novak concluded that no action needed to be taken by the Council, as this was a consolidation of two part-time positions. Ms. Swanson was permitted to consolidate the positions as she pleased.

4. La Porte County Emergency Management Agency is requesting permission to apply for the Emergency Management Performance Competitive Grant.

EMA Executive Assistant Jeff Wiatroski explained to the Council that the grant which was applied for would be a 100% reimbursement, and that Emergency Management intended to utilize the grant to purchase a new Polaris Ranger and trailer, in addition to an outdoor television for a currently owned trailer.

- i. Motion to approve made by Mr. Mollenhauer and seconded by Mr. Rosenbaum.
- ii. All members voted in favor, 5-0.

OLD BUSINESS

The Franklin Street Bridge Project

Mr. Cunningham took a moment to briefly summarize the goings-on with the Franklin St. Bridge Project. With looming uncertainty about the legality of the special purchase statute used to secure Marquiss Electric as the sole, no-bid contractor for the bridge, Auditor Tim Stabosz drafted a memo to the State Board of Accounts seeking a "No-Action Letter." Mr. Cunningham continued that, in response to Auditor Stabosz's request, the State Board of Accounts issued a letter explaining that exception might be taken if the Council were to proceed with pushing through use of the special purchase statute. Mr. Cunningham outlined to the Council the August 18th Commission meeting he had partaken in regarding the Franklin Street Bridge Project, and described how he, Mr. Stabosz, and Commissioner Joe Haney had been effectively ordered to join a new committee by Commission President Mrozinski, which would oversee the selection of an engineering firm in relation to procuring bids for the project. Mr. Cunningham expressed bewilderment that candidates such as Councilman Yagelski and Commissioner Mrozinski himself did not receive consideration, as they both had more experience with the bridge than any other candidates. As a result, Mr. Cunningham explained that he refused to join the committee. He went on

the express his concerns that awaiting the bidding process could result in the project being delayed, and subsequently could result in increased prices for the completion of the project. Mr. Cunningham had proposed to the Commissioners that, regarding the letter received from the State Board of Accounts, the Council might potentially be able to absorb any resulting actions issued by the SBOA as a result of following through with the special purchase statute. The Commissioners voted unanimously in favor of the proposal and directed Commission Attorney Shaw Friedman to discuss the matter with Council Attorney Guy DiMartino. However, Mr. Cunningham explained, Attorney Friedman had made no attempt whatsoever to reach out to Attorney DiMartino.

Mr. Yagelski asked Mr. Cunningham to briefly elaborate on the bridges of La Porte County, which Mr. Cunningham explained that the County managed 112 bridges, with 6 of the aforementioned bridges being considered "major" bridges with 200 feet or more of length. Only one of all of these bridges, the Franklin Street Bridge, was considered a lift bridge. Mr. Yagelski elaborated on the historical status of the Franklin Street Bridge, and how special actions have needed to be taken during repairs in the past so the bridge would retain its historical status. Mr. Yagelski declared his respect for Marquiss Electric's dedication and hard work toward maintaining the integrity of the bridge.

Mr. Cunningham continued that the economic impact of hiring a local contractor such as Marquiss Electric would be greater than hiring a contractor that would be out of state, as most of Marquiss's staff lived in La Porte County, and as such would be spending their income from the project on local businesses. Additionally, Marquiss would be more directly available in the event of an emergency with the bridge.

Mr. Cunningham orated the motion he intended to extend to the Council: A motion to direct the Auditor to pay all bills submitted from the Commissioner's Office regarding the Franklin Street Bridge project with Marquiss Electric. Additionally, the La Porte County Council will accept full responsibility for the Auditor following the directive, should the State Board of Accounts take exception during a subsequent audit.

Attorney Guy DiMartino noted his concurrence with the motion, highlighting the unique nature of the historical bridge, and the transparency provided by the Council in working with the State Board of Accounts on the matter.

Mr. Mollenhauer took strong exception to Auditor Stabosz's recent email response to Commissioner Matias's email to Mr. Stabosz, and when he continued to voice his dismay, President Novak urged Mr. Mollenhauer to stay on the topic of the bridge. Mr. Mollenhauer conveyed his concern in wanting to focus on the importance of completing the project.

Mr. Cunningham recapped his disappointment with Attorney Friedman's lack of outreach to Attorney DiMartino when he had been directed to do so. He urged Mr. Mollenhauer to try and understand Mr. Stabosz's point of view, especially with the lack of action from Mr. Friedman being taken into consideration.

- i. Motion of support made by Mr. Cunningham to direct the Auditor to pay all bills submitted from the Commissioners' Office regarding the Franklin Street Bridge project with Marquiss Electric. Additionally, the La Porte County Council will accept full responsibility for the Auditor following the directive, should the State Board of Accounts take exception during a subsequent audit. The motion was seconded by Mr. Rosenbaum.

Auditor Stabosz clarified that the State Board of Accounts' response letter did in fact indicate that it was their opinion that the bridge must comply with competitive bid requirements under Indiana's public

works laws, per IC 36-1-12, as the project is considered a public work. He continued to emphasize the letter issued by the State Board of Accounts, which noted that bridge construction, alteration, or repair was within the plain and ordinary meaning of Indiana Code section 36-1-12-2, all of which were in place to prevent fraud and corruption, and to instill the lowest cost for public projects and local competition. He reiterated the State Board of Accounts' notation of special purchase laws not applying to the Franklin Street Bridge Project, reading aloud additional excerpts from the State Board of Accounts letter (describing the bridge as a public works project), which was signed by the State Board of Accounts General Counsel, the highest level lawyer of that Agency, he noted. Mr. Stabosz continued that, should the special purchase statute be followed through with as to designate Marquiss Electric as the sole, no-bid contractor for the project, the project itself would be considered illegal.

Mr. Stabosz noted that since his previous request for \$5,000 to seek legal guidance for the project had been prospectively reduced to \$1,000, a demand for the Council to provide him with examples of special purchase statute precedents in the County or State-wide would need to be fulfilled. He expressed high caution in the lax nature of breaking precedents such as the one at hand. He continued that should the special purchase statute be utilized at all, it should be used for the parts of the bridge instead, given the unique and historical nature of the parts required, in addition to the bottlenecking that receiving the parts was causing.

Attorney DiMartino expressed concern about how much detail the General Counsel may have put into investigating the project, indicating that he thought the project may have been generalized and its unique nature and historical status could have been overlooked. He noted that if the State Board of Accounts were to take legal action, the Council would need to stand by their position in a court of law. He inquired about what would happen if the project were delayed to allot time to investigate the purchasing legalities before jumping into the work. He mentioned Mr. Stabosz's compromise to special purchase the bridge parts themselves, but also noted concerns about ordering the parts but not having a designated vendor to receive them. He continued that, if the Auditor did not approve of the Council's decision, he could not be forced to comply with their directives. Mr. Cunningham asked Mr. DiMartino if he considered utilizing the special purchase statute as an illegal action, which Mr. DiMartino explained that he did not consider it outright illegal.

President Novak voiced his dismay in Auditor Stabosz's claims that the Council would deliberately perform an illegal act in utilizing the special purchase statute. When Mr. Stabosz interjected to state his concerns that ultimately the legal action would fall on him, President Novak requested that Mr. Stabosz refrain from speaking. President Novak stated that the Council intended to do what they believed was best for the taxpayers of La Porte County. When Auditor Stabosz interposed President Novak once more, President Novak sought to have the Sheriff remove the Auditor, however the Sheriff declined. President Novak called a brief recess, and the Council Meeting was called back into order shortly thereafter.

- ii. President Novak requested that the Auditor call the roll on the motion at hand. Mr. Stabosz requested to comment; however his request was denied by President Novak. Mr. Stabosz refused to call the roll and advised his Chief Deputy to decline the calling of the roll as well.
- iii. Mr. Cunningham proceeded to call the roll.
- iv. All members voted in support, and the motion passed, 5-0.

APPROPRIATIONS, TRANSFERS, AND REQUESTS

Honorable Judge Greta Friedman Superior Court 4

Requesting to transfer monies from Superior Court 4 Budget Extra Hire Fund to Supplement Bailiff for:

Additional Duties/Training Involved with Problem Solving Court. \$2,500

- i. Motion to approve made by Mr. Cunningham and seconded by Mr. Rosenbaum.
- ii. All members voted in favor, 5-0.

La Porte County Human Resources

Requesting Additional Appropriation from Riverboat (1191) or General (1000) for:

Office Supplies \$600

- i. Motion to approve the appropriation from Riverboat (1191) made by Mr. Yagelski and seconded by Mr. Rosenbaum and Mr. Mollenhauer.
- ii. All members voted in favor, 5-0.

La Porte County Auditor

Requesting Additional Appropriation from Riverboat (1191) or General (1000) for:

Professional Services (Legal) \$1000

Mr. Cunningham clarified that the appropriations would be used to seek legal advice for the Franklin St. Bridge project.

- i. Motion to **deny** made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. Four members voted in favor (President Novak, Mr. Mollenhauer, Mr. Cunningham, Mr. Yagelski) and one member voted not-in-favor (Mr. Rosenbaum).

La Porte County Clerk

Requesting Additional Appropriation from Riverboat (1191) or General (1000) for:

A. Part Time Employees \$40,000

- i. Motion to approve made by Mr. Rosenbaum and seconded by Mr. Mollenhauer.
- ii. All members voted in favor, 5-0.

B. Unpaid 2020 General Election Expenses \$39,918.13

President Novak stated that the Council would vote for all the items collectively as they were all relevant to the unpaid 2020 general election expenses. He also noted that the requested Absentee Ballot

Counters were hired staff members, NOT machines. Additionally, he noted that the grand total for all the requests would sum out to \$39,918.13.

Micro Vote	\$27,528.90
Automated Data Systems	\$11,927.23
Two Absentee Ballot Counters	\$294.00
Proxy for Election Board Members	\$168.00

- i. A motion to approve was made by Mr. Yagelski and seconded by Mr. Mollenhauer and Mr. Cunningham.
- ii. All members voted in favor, 5-0.

Mr. Rosenbaum noted that these expenses, which were accrued before Heather Stevens was elected to the Circuit Court Clerk position, should have been addressed and resolved by the previous Circuit Court Clerk, Kathy Chrobak.

La Porte County IT

Requesting Additional Appropriation from Riverboat (1191) or General (1000) for:

Pay for Vacation and Compensation Time \$4261.78

- i. Motion to approve both contracts from Riverboat (1191) made by Mr. Yagelski and seconded by Mr. Cunningham
- ii. All members voted in favor, 5-0.

La Porte County EMS

Requesting Additional Appropriation from Riverboat (1191) or General (1000) or LIT (1112) for:

Maintenance Contracts

Image Trend	\$11,336.35
Stryker	\$24,480

- i. Motion to approve both contracts from Riverboat (1191) made by Mr. Rosenbaum and seconded by Mr. Cunningham.
- ii. All members voted in favor, 5-0.

COUNCIL/ATTORNEY COMMENTS

Mr. Yagelski urged the council to be aware of the various IOUs and loaned funds that the Council had given to various departments.

President Novak proclaimed that the Council had no intention of working against the Auditor, and intended no harm, restriction, or frustration. He noted the Council's intention to move the County forward and pressed his statement that nobody on the Council would ever perform an illegal action.

ADJOURNMENT

- i. Motion to adjourn made by Mr. Yagelski and seconded by Mr. Cunningham.
- ii. All members voted in favor, 5-0.

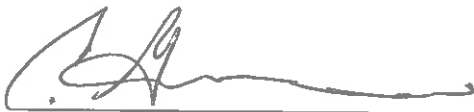
Examined & Approved by The La Porte County Council this 27th day of September 2021.



Councilman Earl Cunningham



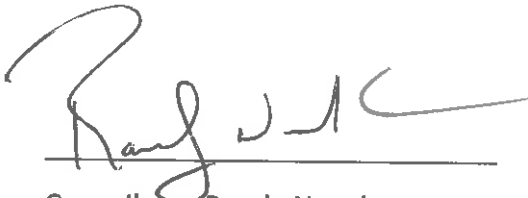
Councilman Terry Garner



Councilwoman Connie Gramarossa



Councilman Mike Mollenhauer



Councilman Randy Novak



Councilman Mike Rosenbaum



Councilman Mark Yagelski



ATTEST: _____

Timothy Stabosz, Auditor