



**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, October 20, 2021 La Porte County Complex Meeting Room 3 at 6:00 p.m.**

**President Rich Mrozinski** via zoom called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance led by Commissioner Joe Haney. President Mrozinski requested a moment of silence for the passing of General Colin Powell.

**Deputy Auditor Vaughn Galloway** called the roll: Commissioner Rich Mrozinski via zoom - Present; Commissioner Joe Haney - Present; Commissioner Sheila Matias - Present. Quorum present therefore meeting commenced.

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

**Deputy Auditor Vaughn Galloway** read the Claims with Payroll ending 10/8/2021 - \$1,125,321.43 and Operating Expense Claims - \$3,781,019.65. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried. Commissioner Haney stated for public's edification claims were on the high side due to about 2.1 million paid in LIT and \$775,000 for Inn Keeper' Tax.**

**Considered approval of October 6, 2021 minutes. Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Prior to Public Comment President Rich Mrozinski reminded everyone about the policy adopted by the Board: The Presiding Officer may prohibit comments which are deemed frivolous, repetitive, or harassing. The Presiding Officer may interrupt, warn or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene or irrelevant and may request any individual to leave the meeting when that person behaves in a manner that is disruptive to the orderly conduct of the meeting. The meeting is to conduct business of La Porte County. No person may present orally or discuss at any meeting of the Board any charges or complaints against individual employees of the county, department heads, professional advisors or elected officials without first presenting such charges or complaints to the Board, through the Presiding Officer, in writing, signed and verified by the group or person making the charge or complaint. President Mrozinski said he has received none prior to this meeting. Remarks by any persons addressing the Board which reflect adversely upon the character and motives of any other person or group are out of order. Also, attacks in the form of inferences, insinuations and innuendoes against the character or motives of any person are out of order. President Mrozinski stated we've gotten away from the policy during Public Comment. The Board is under no obligation to have Public Comment however it is allowed for comments on agenda items and is limited to 3 minutes.**

**Public Comment**

**Randy Veatch, 4177 W. Schultz Road, La Porte, he distributed a handout to the Commission dated for June-July 2015. He thanked Mike Pavey for speaking at the previous meeting solidifying points he has been making to the Commissioners. President Mrozinski asked Randy if he was addressing an item on the agenda or if this was a personal attack on Mike Pavey because if it was he would not allow it. Randy said it was not an attack. He said Mike made statements about his sand operating business but we've all known that already. He said Mike stated area roads were rebuilt 20 years ago to handle the truck traffic but Randy said he cannot tell that by the current conditions of the roads. Randy stated Pavey's business was 'grandfathered' in and allowed to operate in a residential neighborhood. Was D&M 'friendred' in since it is being allowed to operate in this same neighborhood? He then referred to the paperwork he handed to the Commission prior to speaking and said the questions he had then are the same questions now. When is the County going to finally act on them since it was created by the County. The officials and overseers allow it to continue - is this a 'friends party' compliance? He then commented on an email dated October 14<sup>th</sup> which he said was 'penned' by Attorney Friedman saying this was all Randy's fault, how and why? Randy said he has been contesting this from day one. He commented about an Attorney Clay Payton and whether or not money was paid to him. He said he never gave a retained to Attorney Payton. **President****

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**Mrozinski** told Randy his 3 minutes were up and asked him to sit down. **Randy** responded that his 3 minutes were not up and continued to speak at the podium. **President Mrozinski** asked if his audio was being heard and reminded Randy he asked that he take a seat. **Randy** thanked him for that and continued speaking at the podium. He said the MS4 permit is for stormwater run-off only, it does not allow a company to install a septic system, a house to be built, a pole barn, a sand pit to operate in a residential area. People do and they are the paid employees of La Porte County. Randy said this is a business running out of a residential neighborhood and the Commissioners are allowing it to happen. The area residents have supplied petitions, documents, and made phone calls when they see wrong doing. **President Mrozinski** reminded Randy again about his time limit and the rules apply to everybody. **Randy** spoke about the County being responsible for the sand pit operation that has been allowed to take place in a residential neighborhood since 2015.

**Jeff Santana**, via zoom, said to President Mrozinski to 'lighten up Francis' which is a quote from the movie Stripes.

**Julie Sinclair**, via zoom, stated she is from a family of Republicans. In the past she attended meetings where citizens would be passionate with their comments yet shake hands afterwards outside the meeting. As for the ARP spending, she commended the Commission/Council for having listening sessions. She doesn't understand Auditor Stabosz and Commissioner Haney's comments that Attorney Friedman is not authorized to assist with or to be sure the disbursement of the ARP funds are done within certain parameters. Julie said not one party has all the right answers so if you want to be part of the solution then be civil, step up and share your ideas to bring to the table. **President Mrozinski** said there will be a second 'listening session' held for the ARP funds. **Shawn Holm-Hansen**, a business representative for Local 150 International Union of Operating Engineers, attending and read a statement on behalf of David Fagan, a 43-year member of the IUOE Local 150. Regardless of party affiliation, residents rely on their municipal and county officials to work together. He commended the bi-partisan work of Attorney Shaw Friedman, President Rich Mrozinski and Commissioner Sheila Matias.

**Christopher Throgmorten**, via zoom, also known as the La Porte Reporter, stated recent meetings have bordered on prior restraint towards individuals 1<sup>st</sup> amendment protected rights.

**Paul Przybylinski**, Michigan City Councilman, Ward 2, said this entire year there has not been the spirit of cooperation among county government officials. He has served as City Council in the 2<sup>nd</sup> Ward for 17 years in Michigan City. He has heard that residents in the community are tired of the obnoxious and non-cooperative spirit that has been taking place at the Commission and Council meetings. He stated Auditor Stabosz and newly elected Commissioner Haney have a vendetta against the County Attorney that is taking up time that should be spent on issues that need to be addressed here in the County. Paul said no accomplishments or contributions have been made by them in the last 10 months since they've been in office. As per the last Commission meeting it was reported that there was a conflict of interest between Attorney Friedman and the Swanson Center. Paul was a volunteer on that board for over 30 years along with Shaw Friedman. He asked Commissioner Haney what he has done for the mental health system in our County. Paul also said he worked with Shaw to create the environmental position with the Health Department for the County. He stated La Porte County has been a leader taking on Nipsco over high rates and poor service and this was with the help of Attorney Friedman. He asked again what Commissioner Haney has done to stand with the rate payers of the County. Since taking office in January, Paul said Auditor Stabosz and Commissioner Haney have displayed nothing but controversy, gridlock, and an unwillingness to work with other elected and appointed officials. People are tired of it. He knows what Commissioners Mrozinski and Matias have been doing. He also commented on the last Council meeting which he said was obnoxious and he would not have tolerated what happened, he would have ended the meeting but then that stops the business that is being conducted. Once elected you need to put party issues aside and work together for the community. If Auditor Stabosz and Commissioner Haney continue with their antics they may not get re-elected. **Commissioner Haney** thanked Paul for his comments and said he thinks office holders get too focused on re-election. Go back and watch all of the meetings and see the talk about getting re-elected. Commissioner Haney said he is not a career politician like Councilman Przybylinski, Commissioners Matias and Mrozinski and he is not even sure if he wants to run again, he does not care because he is not a career politician, he wants to do what is right 'right now.' He said that is the problem he sees, not willing to take on the difficult decisions to make the hard calls and do what needs to be done for the County. They are too scared and people will spin it to make them look bad rather than fighting for the people of La Porte County. He will continue doing what he is doing for the people of the County. If he doesn't get re-elected he does not care, he will do what is right now.

**Christopher Throgmorten**, via zoom, stated he noticed Paul Przybylinski was allowed to speak for longer than 3 minutes.

**Earl Cunningham**, Councilman, noticed the watch was broken after Mr. Veatch made his comments. Read a couple of lines for Public Information of Attorney Friedman's bills starting with date 8-19 which follows the day after the Commissioners' meeting 8-18. Phone calls made pertaining to the Franklin Street Bridge Project. He reminded the Commission of the meeting held on August 18<sup>th</sup> when Attorney Friedman stated he was done with the Franklin Street Bridge unless he was directed by the Commission to assist them on it, there was nothing more legally that he could do. He referred to the invoices with charges of work done and questioned the Commission if they truly look through the bills. He read quotes from the minutes of that said meeting. Earl said the Commission voted 3-0 to have Attorney Friedman reach out to Council Attorney Guy DiMartino for discussion on the Franklin Street Bridge and the invoices do not show that happened in the billing. He stated this is a clear cut illustration of Attorney Friedman doing exactly

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what he wants to do and billing the County yet not doing what the Commission voted for him to do. Earl said if there was an hour of billing with Mr. DiMartino then he would not have any problem with it. Two sets of rules, just like putting a timer on Mr. Veatch but not Mr. Przybylinski. He said Mr. Friedman is a good attorney, he's done a lot of good work. He corrected Mr. Przybylinski's question about what has Auditor Stabosz and Commissioner Haney done in their first 10 months in office by saying Attorney Friedman's bills are more itemized than they have been since 2007 when Earl first took office. He's been working on this for years and have not been able to get it done. Earl said they've accomplished more in that regard than we have in the last 10 or 15 years. He continued with items on Attorney Friedman's invoices then ended with either Attorney Friedman should resign or be terminated for insubordination. **President Mrozinski** said all of the attorney's invoices should be looked at to which **Earl** replied he is adding Attorney Biege to his list. He said Attorney Friedman's bills are not the only ones in question. Both Attorney Friedman and Biege's invoices will be more scrutinized based on the amount of dollars they are charging.

**Christopher Throgmorten**, via zoom, said if President Mrozinski would make him a list he would be more than happy to help look into all the attorneys' bills.

**Allen Stevens**, Republican Chair, directed President Mrozinski's attention to the 3 girls in the front row and he felt they were owed an apology. He also would like to see Public Comment rules enforced uniformly.

**Joe Haney**, read a correspondence from Auditor **Tim Stabosz**, "Dear Commissioners and Members of the Council, if you look at this link, on page 5, chapter one of the SBOA, Accounting and Uniform Compliance Guidelines for Manuals of Indiana, it clearly indicates, regarding contracts, that payments made or received for contractual services **must** be supported by a **written** contract. Each unit is responsible for complying with the provisions of its contracts." **President Mrozinski** said if the correspondence refers in any way to any pending litigation then it is improper to discuss at this meeting. Commissioner Haney said he is not discussing any privileged or client information. **President Mrozinski** said Auditor Stabosz is currently in litigation with the County. **Commissioner Haney** said he disagreed. **President Mrozinski** said it was not going to be allowed. **Commissioner Haney** disagreed again. **President Mrozinski** said he has been doing this for a long time and with the pending litigation he was not going to allow the correspondence to be read. **Commissioner Haney** went on the record to say he does not know in general where President Mrozinski's attitude is coming from tonight and it is inappropriate. He said to try and keep it civil.

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

**Barb Mossman**, Human Resources via zoom, reminded employees that open enrollment will be coming up for insurance next month.

**Barb Huston**, Interim EMA Supervisor, reported on 3 sirens that needed attention. The siren at the corner of Jackson Street and Plum Street in Michigan City was struck by lightning and requires a new circuit board which costs \$1,800 and will be turned over to insurance. The siren and 700 East/50 South in Fish Lake was also struck by lightning and requires a new circuit board as well. The siren at the Springfield Township Volunteer Fire station needed a new pulley in order to spin and has been replaced however a new pole is needed too. A battery backup will be added to this location as well. The Whirlpool siren is in need of repair and will require everything new including a pole. Nipsco might be able to help with poles. Battery boxes are needed at numerous sites throughout the County and are currently on order. Each battery box takes 4 batteries the size of a car battery. A study was done, not sure when, on the area sirens that might be needed at Wills Township at 600 E/150 N; Scipio Township at 100 W/250 S; at 500 W/Highway 2 and then Galena Township in the Heston area on 1000 N. Barb is asking for support from the Commission to approach the Council for support on the sirens project. **Commissioner Matias** said the sirens project will be supported due to it being part of our emergency response. She asked if there was new technology for sirens say for instance possibly internet based sirens. **Barb** said they are looking into other systems. **Commissioner Matias** said the time to drive to each siren and cost for servicing them is expensive. The County has 45 sirens and if 4 are added to the count it will be 49.

**Considered** permission to approach the Council to for additional appropriations to pay 60 unused sick days to Jeff Wiatrowski who is a 32-year employee. **Barb Huston**, as EMA Interim Supervisor, stated the money used to pay him for vacation and sick days will have to replenish that account and she is on the Council's agenda for the request. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Tony Rodriguez**, Economic Development, reported on the single family home market. He acknowledged Mike Polan, Nick Minich, Mike Ordziejewski, Tony Basil, Viviana Plaza, Janet Cole, Stacey Sweitzer, Mitch Bishop, Skylar York, Bert Cook and Clarence Hulse who came together, designed and implemented compiled data that will be a real time open source data to the real estate brokerage community, real estate development community and real estate developers. Tony also stated Acme Communications and Surf Broadband have applied for a grant for broadband fiber optics for our County.



### Requests

**Considered** permission to approach the Council to fill a vacancy in her office - Heather Stevens, Clerk. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** permission to approach the Council for additional appropriations to replace 17 desks at the Michigan City Courthouse. Heather Stevens, Clerk - **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** permission to approach the Council for 2022 Health Insurance premiums. **Barb Mossman**, Human Resources, reported that General Insurance Services, the County's broker, did a fantastic job again this year in getting a 26% increase down to 4.5% increase for the 2022 year. The employees' percentage will be 15% of the total cost of the premiums. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

### Old Business

**Considered 2<sup>nd</sup>** and final reading of proposed solar ordinance. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried. \*\*\* Ordinance 2021-13**

### New Business

**Considered** renewal contract for pension with M. A. Dilts for 2022 year - John Boyd, Sheriff. No changes from last year except the date. Merit Pension Board and Merit Commission have both approved the contract as well as our County Attorney. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

**Considered** MOU between HealthLinc, Inc and Sheriff's Department - John Boyd, Sheriff. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** opting out of proposed class action settlement in Monsanto PCB's litigation and asserting county's claims separately - James Bilsborrow, Seeger Weiss LLP and Jon Knoll, Cohen & Malad. A slide show presentation was given by James Bilsborrow, via zoom from Northern New Jersey, who is an environmental lawyer. **James** stated La Porte County is a named class member of the settlement. PCBs are toxic compounds that were banned in the 1970's but still exist today because they do not degrade in the environment. Invented in 1929, Polychlorinated Biphenyls or PCBs, are a group of man-made organic chemicals consisting of carbon, hydrogen and chlorine atoms. A carcinogenic found in electrical equipment, paints, calk, light ballasts and banned in 1979. Still found in sediment, fish, and human bodies. The sole manufacturer of PCBs was Monsanto and in 1955 acknowledged that PCBs were toxic. In 1969 Monsanto continued to manufacture their product even knowing it was a global environmental contaminant due to profits being made. Fifteen cities and counties have filed lawsuits against Monsanto. Many of them near water and under the Clean Water Act local jurisdictions are required to clean up the waterways or prevent more contamination which can lead to an expensive cost. Recent settlements have been made in New Mexico, Washington, D.C., Washington State, and New Hampshire, Pennsylvania, Ohio and Oregon are still in litigation. There was a proposed \$550 million class settlement which includes 4 Northwest Indiana jurisdictions including Lake County - \$5,173,472; Lake Station - \$392,806; La Porte County - \$909,490 and Porter County - \$821,537. If La Porte County 'does nothing' we will receive \$909,490. James explained there was a class settlement process involving certain steps: Preliminary approval - expected soon; Class notice mailed within 14 days and 65 days to object or opt out. There was a formula used to determine the amount proposed and it was the impervious (asphalt or paved over land that redirects surface water run-off and does not absorb into the soil) acres multiplied by \$4,000 an acre. Case studies of the cost to clean up PCBs were at a low range of \$4,000 and could go as high as \$32,500 per acre. Then the amount per acre is multiplied by 8.21% which came from the thought that for every acre of contamination only 8% of that is attributable to PCBs. The total fund cap is \$250 million with the most any class member can get is \$7.5 million dollars. What if there was no per class member cap, no population adjustments and no total fund cap? An amount of \$18,245 per acre was used multiplied by the 8.21% which could give La Porte County \$2.88 million dollars versus the \$909,490 if the county does nothing. James then used a 20% multiplier at \$17,000 an acre which would be \$18.9 million dollars for the County. One more example was shown with the 20% multiplier and \$24,000 per acre which equals \$27.5 million dollars for La Porte County. At \$30,000 per acre would be \$33.6 million dollars. To assess the actual cost that our county could face with PCB problems in the future would look at sites like Fish-Calo in Kingsbury Industrial Park; Allis-Chalmers' factory contamination into Clear Lake and Waste, Inc. landfill near Michigan City likely caused contamination in Trail Creek. James stated they have good documents on statements made from Monsanto in terms of liability. James ended with he thinks there is a problem in our county and his firm would appreciate working with us. **President Mrozinski** thanked him for the presentation. Rich said in the private sector he worked for Nipsco and worked in a sub-station department. He is very familiar with PCBs and was the Safety Chairman for the union for 9 years. He agreed that the amount of \$909,490 is very low for the County. He is also familiar with Monsanto who manufactured Agent Orange that was used when he was in Vietnam. As a veteran's advocate he has been after Monsanto for years. **Commissioner Matias** asked James if the County **does not opt out and stays in** the class action lawsuit, does that prevent the County from filing any action in the future against Monsanto. She said our County has real health issues like cancer clusters, low birth rates and infant mortality rates that are way too high in our County that are related to environmental concerns and



her issue is we don't want to give away our right to make a claim should one come to us in the future for \$900,000, it doesn't seem like a good trade. **James** replied, "The unfortunate answer is that you would release forever all claims against Monsanto related to PCB contamination in La Porte County." He said this is one reason Monsanto has tried to resolve this case on a nationwide basis and in a class action because due to Monsanto being purchased by Bayer, the German pharmaceutical company, about 2 years ago and Bayer is trying very hard right now to resolve all of Monsanto's historic liability. Bayer/Monsanto settled on Roundup cancer claims for about 10 billion dollars. They've settled claims related to dicamba herbicides recently for about \$400 million dollars. Bayer is trying to clean up Monsanto's mess but in doing so they are packaging a 'one-shot deal' for many counties and cities. **Commissioner Matias** said the settlement is estimated at 15-20 million and she thinks that is low. She stated attorney fees are usually 30% in cases like this and James' firm is asking for 28%. She asked if that amount can be negotiated to 25, 26 or 27%. **James** replied of course. He said the numbers provided are conservative. More information will be sought from the county pertaining to waterways and sanitation. The attorneys' fee arrangement will be entirely on a contingency fee which means the attorneys are not paid unless there is a recovery in the County's favor. The firms of Seeger Weiss, LLP and Cohen & Malad would front all the expenses, pay for experts, and pay for the investigation. Those costs will be reimbursed either by settlement or trial. **Commissioner Matias** asked if the risk to the tax payer is zero, the County does not owe anything unless there is a positive solution to the case. **James** said yes, if they lose the case then the law firms would be out their money, not the County. Commissioner Matias then asked if the case is won the fees to the law firms would be removed from the settlement amount and nothing from the tax payers. **James** said correct. **Commissioner Haney** stated he thought the fee amount would be 20% due to the unique situation of the case and it was discussed during the zoom meeting. **Commissioner Matias** said she did not hear that. **Commissioner Haney** said his questions were answered during the zoom meeting. **Commissioner Matias motioned to approve opting out of the class action lawsuit and assert the County's claims as a separate action.** **Commissioner Haney** questioned her motion if it was to opt out of the proposed class action settlement in Monsanto PCB litigation. She answered yes and he said, "That's it?" **Commissioner Matias** said yes and to assert the County's claim separately. **Attorney Friedman** suggested if it is the pleasure of the Board to opt out of the proposed settlement to authorize Seeger Weiss to work with Cohen & Malad, lead counsel, and then the County Attorney on a strict contingency fee basis which is the same arrangements they've offered to all 4 entities. He then said add a fee of 25% to the motion. This would give authority to move forward with this project. **Commissioner Matias** motioned to opt out of the class action lawsuit in the Monsanto PCB litigation and assert a 25% legal arrangement that we assert the County's claims separately with Seeger Weiss and Cohen & Malad. **Commissioner Haney** agreed opting out is the right thing to do however if we lose the case then we also lose the \$900,000 from opting out. He said Monsanto seems to be at fault here and he doesn't feel that the County will lose the suit but his concern is putting the 'cart before the proverbial horse' here. He went back to discussion held on the zoom meeting about the attorneys' fees or percentage, 33.3% is usually for personal litigation but when it comes to government or non-profit entities then the rate is traditionally lower and that is where he remembered the 20% being brought up. He feels we should reserve who the County will use for the lawsuit until there is a contract in front of the Commission. Commissioner Haney then suggested possibly RFPs for representation in the class action lawsuit. There possibly could be a firm that would do it for 20% and therefore he would **not second** the motion made by Commissioner Matias. **Commissioner Haney then motioned to opt out of the proposed settlement in Monsanto PCB litigation and do a Request for Proposals to take up our claim against Monsanto.** **Commissioner Matias** said there is a motion already on the floor which she made. **Commissioner Haney** said the motion to amend needed to be addressed. **President Mrozinski** mediated between the two motions and said he is for opting out of the proposed litigation with Monsanto period. He would rather the 3 Commissioners discuss the rest in possibly an executive session. He did recognize that the law firms approached the County with very high credentials and he acknowledges that they seem to have a 'leg up' on this lawsuit. **Commissioner Haney motioned to opt out of the proposed class action settlement in Monsanto PCB's litigation.** **Commissioner Matias** stated she would not second it. **President Mrozinski stepped down and seconded it. Motion carried 2-1. Commissioner Matias - Nay.**

**Considered** proposed settlement recommended by County's third party claims adjusters in the Harenza matter. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** appointment of Peggy Devine to the Pioneer Cemetery Commission to replace member Steve Grott. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Considered** amending E-911 ordinance regarding board composition. Council President Randy Novak requested a change in the makeup of the board. The E-911 Board voted to remove the Mayor positions due to they're represented by their City's Fire Chiefs. Kingsford/Union and Trail Creek to be added replacing the Mayors' positions. **Commissioner Matias motioned to approve. Commissioner Haney seconded. Motion carried.**

**Barb Huston**, E-911 Director, approached the podium and asked President Mrozinski if he has any contacts with Nipsco to access poles she needs for the sirens.



### Commissioner Comments

**Commissioner Haney** attended the Council workshop for salaries and he is hopeful the Council will be able to do something for the employees whether it be across the board or at least bring the salaries up to neighboring municipalities. On October 12<sup>th</sup> he attended the Drug Court graduation and was very honoring to be present along with Senator Mike Braun. The program diverts a number of people out of incarceration into a rehabilitation program that has a high success rate, in the 90 percentile and not every County in Indiana has this program. Hundreds of millions of dollars are saved a year versus incarceration. He mentioned the PCB litigation zoom meeting the Commissioners attended. He visited several different departments including County Highway, additional zoom meetings, Covid meetings, a Michigan City Courthouse construction update meeting, Board of Health meeting, and he stated he has hopes Paladin will come and present an update of what services they offer to the developmentally disabled adults and other services. Joe stated his thoughts on Public Comment. He said he understands that according to Indiana state statute we don't have to have Public Comments at our meetings. He said he feels it is an important part of our discourse and redress of government. First Amendment allows for redress of government. People should be allowed to talk about anything related to issues they might have or going on in the County. It should be limited to 3 minutes if it is strictly enforced, they are being respectful and not using profanity or obscenities or something along those lines. He spoke about the need for a contract with the County Attorney or making the attorney an employee of the County. He will continue to push for this to 'put some guard rails up' and what he has seen in this County is not necessarily following the law or Indiana Code or state statute. In 1989, it was added that the Board of Commissioners do have a right to hire a County Attorney but the compensation must be fixed. It is customary for the rate of \$150 an hour but the Commission failed earlier this year to actually officially fix that compensation. In addition to that, one thing he believes will help when looking into billing is to know the actual scope of duties of the County Attorney. He said over the past several weeks and months he has been trying to ascertain exactly what the job of the County Attorney is - he has sent emails and questions and it has been very hard to get answers. He read an email that the prosecutor had written to a member of the public which included an attached letter from the Attorney General's opinion from 1960, most of the opinion is still relevant but there is an Indiana Code done in 1986 or 1989. He asked the County Attorney to put down in writing what his job duties are, he stated he knows it is a bit backwards, that the County should be telling the County Attorney what his job is but the County Attorney responded with, 'those answers to your questions on my legal authority to act as County Attorney and the scope of my duties. I have nothing further to add.' He looks at the letter from the Prosecutor to a citizen of the County and he talks about numerous times giving legal advice, legal representation, legal authority and the word legal is used multiple times. There is a broad scope of legal advice. The issue he has had is the simple question of 'who do you work for and who do you represent?' Several email statements have, 'I work at the direction of the Commissioners.' 'I work at the direction of the Commission majority.' Other responses say, 'It's my job as County Attorney when asked by an elected official or department head to research or review an issue to do so and provide the elected officials and department heads with various legal options.' Joe said the issue is when he asks or tells the County Attorney to put down in writing his job duties he gets a refusal to answer or is pointed to read the response from the Prosecutor to a citizen. **Christopher Throgmorten** interrupts Commissioner Haney via zoom, "My name is Christopher Throgmorten, you can stop referring to me as some random citizen, I have a name. If you're going to use my legal research, use my name." **Commissioner Haney** apologized and said he did not want to use his name without his consent. **Chris** stated, "Well, apparently I'm being treated like a no body by you guys when you're using my work. So either name me or drop the email issue." **Commissioner Haney** quoted from an email dated July 5<sup>th</sup>, 'One of the roles I take very seriously as County Attorney is that of Counselor and Advisor in addition to providing strict legal advice. My job is to provide you, the elected officials, good policy information.' Again, Joe feels the answers are conflicting as to the role or job of the County Attorney. He commented on Councilman Cunningham's remarks earlier about the County Attorney being told to do something by the Commission yet he did not when it came to the Franklin Street Bridge and contacting Guy DiMartino. Joe said the Commission has a duty to protect the tax payers of the County. He stated things are not being done right. By Indiana Code the Commission needs a contract with the County Attorney. 'Payments made or received for contractual services must be supported by a written contract. Each unit is responsible for complying with the provisions of its contract.' We should be held to a higher standard.

**Attorney Friedman**, requested to respond to the issue of a contract for the record. "Let me be perfectly clear, nowhere is it required by state law or state regulation that county attorneys have written contracts with their clients. Some do, some don't. My firm represents..." **Commissioner Haney**, "Mr. Friedman, just so you're clear..." **Attorney Friedman**, "Sir, I let you..." **Commissioner Haney**, "No, you didn't let me do anything, you don't run these meetings Mr. Friedman. This is Commissioners' comments and you are not a Commissioner and you need to stop acting like one." **Attorney Friedman**, "I understand. I have asked the President for permission to respond to your ..." **Commissioner Haney**, "Did he actually give you permission? You just started talking." **President Mrozinski**, "The chair recognizes the attorney." **Attorney Friedman**, "Thank you. Again, let me be perfectly clear, nowhere is it required by state law or state regulation that county attorneys have written contracts with their clients. Some do, some do not. My firm represents a variety of governmental clients. We have written contracts with some governmental clients like the county Redevelopment Commission and 39 North Conservancy District. Others don't require it. Sir, we have nothing to hide. If the Commissioners desire us to put together a written contract for 2022 and every other county board attorney is required to do so, we can do so but let's realize this is another red herring issue. Mr. Stabosz, Mr. Haney and Mr. Cunningham spent the last 10 months going over 15 years of my billings and they could find nothing inappropriate. Mr. Haney referred me to the Prosecutor for questions of fraud and his claims were rejected. Same with his referring me to the State Disciplinary Commission, dismissed. What this latest dispute is about, in terms of the \$1100, is the Auditor demanding to see attorney work product or attorney-client work privileged emails when he has no right to those as a preconditioned to cutting checks that have already been approved by the Commissioners.



Mr. Haney, Mr. Stabosz, and Mr. Cunningham can find no fraud, no misconduct, only good solid work for the citizens of this County. Now they've reduced this argument to wanting a written contract. Fine, if the majority of this Commission wants us to develop a written contract for next year, I have absolutely no objection and would certainly participate in that, as I said, some of our governmental clients require it, others do not but we're going to take this off the table as an issue because it's another red herring and my office has done governmental work for 37 years honorably and ethically, we have absolutely no problem if entering into a contract assists this Commission and I'm certainly willing to discuss that with the Commissioners going forward." **Commissioner Haney**, "So, just curious, do you have a mouse in your pocket? You just said 'we' are going to take it off the table. Who is this..." **Attorney Friedman**, "My firm, sir, my firm. Okay, Mr. Haney? Why don't you, by the way you're good at posting things, I hope you'll post on your website the dismissal of the disciplinary action that you referred." **Commissioner Haney** stated his reasons for the emails and he asked Attorney Friedman how he got a copy of the letter that was sent to the Prosecutor asking him about any possible violations or misconduct the County Attorney may have made. He said it was inappropriate for the Prosecutor to send his questions to the County Attorney when the questions were about the County Attorney. **Commissioner Matias** stated Point of Order. She said we have gotten way off line and it is not appropriate. **President Mrozinski** stated we needed to get back to the agenda. He asked Attorney Friedman how often they have not agreed on certain items. He asked Commissioner Matias for her comments but Commissioner Haney continued speaking to County Attorney Friedman. **Chris Throgmorten** via zoom, said something but it was inaudible due to 3-4 people speaking at one time. **Commissioner Haney** continued reading emails from Commissioner Mrozinski from possibly 8 years ago about County Attorney Friedman. Commissioner Matias tried to say her comments but Commissioner Haney continued to remind Attorney Friedman that he needs to stay in his lane and understand his role as County Attorney. It is up to the Commission to put guard rails up around the attorney because he has completely lost it and is completely off the rails.

**Commissioner Matias** stated there are 3 girls in the audience tonight and they have wonderful behavior and thanked them for having to sit through the meeting and witness the actions of others. **President Mrozinski** apologized to the girls for anything that may have gotten out of hand. **Christopher Throgmorten**, via zoom, stated something about democracy and capitalism. **Commissioner Matias** highlighted Sims Meat Processing located on South 3<sup>rd</sup> Line Road in Kingsbury Industrial Park. Founded in 2008 by the dynamic husband-wife team of Craig and Sabrina Sims who have grown their business incrementally for the past 13 years. The family-owned business specializes in the custom meat processing of beef, pork, lamb and chicken which contains no added hormones or antibiotics; the meat is cut and then dry-aged. Retail business hours are Monday through Friday from 9-5pm. Holiday hours may include Saturdays. Currently Sims Meats employs 13 people. The Sims family has just completed a 3,000 ft. expansion project that added retail space and additional space for meat processing. With this investment in increased space, there is a need for entry level employees starting at \$15.00 per hour with a possible 2<sup>nd</sup> shift in the future. For new employees with meat experience, positions may start at \$20.00 per hour with higher wages based on experience. The company is very interested in hiring high school students who are interested in full or part-time work experience while learning a skilled trade. Sims Meat Processing may be reached by calling 219-393-1000 or by visiting their website at [simsmeats.com](http://simsmeats.com). They can be reached by email at [simsmeats@simsmeats.com](mailto:simsmeats@simsmeats.com). This information will be on our County website. Sheila said she will continue spotlighting area businesses. She then thanked Commissioner Haney for his thoughts on Public Comment which she helped with the current policy when she took office. If a contract is going to be required for the County Attorney then it should be required of **all** attorneys, those that sit on boards and commissions for the County. She said right now it seems the focus is only on one lawyer. She said she chuckled when Commissioner Haney called her a 'career politician' because she was a part-time council person in Michigan City then she served 2 terms as Michigan City Mayor. Her career is as an educator but her biggest career is being a mom to 5 children and grandma to 11 grandchildren. Her goal is to serve this community with distinction. She continued with her statement she had prepared due to a few issues that have been bothering her. "I have been deeply troubled by our last commission meeting and I've had many a restless nights. I am not going to make my comments on Facebook, Instagram or Twitter -which is a tactic others employ. I am not going to hide behind my keyboard and make crazy comments meant to distract, disturb, and destroy the good will of our citizens and elected officials but I am also not going to stand quiet while Mr. Haney and Mr. Stabosz bully people who have served this county long before they slipped in the back door. So, Mr. Haney, I need to call you out, you acted shamefully at our last meeting. You owe our commission president, whether you like him or don't like him, you owe him an apology. At our last meeting, you attacked Commissioner Mrozinski as a person and you referred to our colleague as a joke. Shame on you. This has been keeping me up at night. This is a veteran who served our county and served our nation. I understand that it's not likely that you'll apologize but this is a man who is a true patriot, whether you like his personality or don't, he served our country in Vietnam. The people of our county elected Richard Mrozinski, a former farm kid from Rolling Prairie, a man who worked for NIPSCO for nearly a little over 3 decades, who raised his kids here, who goes to church here, represents and advocates for Indiana veterans in his personal time, goes to DC to make sure that veterans are represented and in fact, I called the VA recently, I returned a call and Mr. Mrozinski, they actually did that thing you told them, push 7 for mental health, I heard it with my own ears and I was so proud because I know that was something you worked on with our Congressman. He served 8 years on the La Porte County Council, and this is not a commercial for Rich Mrozinski but I'm trying to make a point, he is now serving his second term. His family has lived and toiled in La Porte County for many decades and their roots are very deep. In our last meeting Mr. Haney, you referred to Rich Mrozinski as a joke, as a man who is unable to stand up for himself, as a person who doesn't know what he's doing, a man who needs the county attorney to tell him what to do, to tell him what to think. I'm really sorry Joe but you are totally misguided or worse. Commissioner Mrozinski and I have been colleagues but over the years we certainly did not agree on all the issues, in fact there were times we didn't agree on any issues." She continued, "While I didn't agree with him, I never disrespected him. We have disagreed on issues, but we and the rest of the county



team, the rest of the county team, Council members, Township folks, directors, department heads, we are trying to focus on building a better, stronger community right here in La Porte County. There's a couple of people that seem hell-bent on shaming people, attacking them, deriding them, and disrupting and 'Disruptor-in-chief' is a job that you seem have created for yourself and is that all you've got to do with the honor the voters have given you? I've served the people of this community in various roles for over 20 years, and I'll tell you what the folks have taught me. I started when I was in my early 30's. I became Mayor when I was 39." Commissioner Matias said, "Our citizens appreciate someone who looks out for them, who makes their lives better, who makes sure that their streets are safe, that the parks are the best for our kids. They like straight shooters, and they know BS when they see it. And if this is all you folks have, mean-spirited name-calling, making claims of corruption that you can't substantiate, undermining our county and making our employees sigh and shake their heads at these embarrassing antics and in fact, making La Porte County the laughingstock of the state. The mockery of good government is a source of discussion by business leaders that I talk to all across Northwest Indiana and they say, 'Sheila, what is going on over there?' They call it the 'Soap Opera of La Porte County' and this is in Indianapolis, too. The people of our county believe in family and faith, and decency, respect, and integrity, something that has been sadly missing from the last 10 months of political drivel that seems to be driving your agenda. And before I continue, let me guarantee you that Commissioner Mrozinski had no idea that I was going to talk about him tonight, and he doesn't know what I'm going to say and he certainly doesn't need anyone to speak for him but unlike my colleagues, the citizens of our county are about fairness and respect, and solid Northwest Indiana values. We respect hard work, the beauty of the lakes and the land, our history, and our values. Commissioner Mrozinski was a high school graduate in 1967 when he tried to join the military, but the Air Force openings were at capacity and he had to go back to work at NIPSCO, where he worked for a few months until he got his draft notice and he stepped up to answer the call represent the families of our La Porte County on the national stage. He left for Southeast Asia at the young age of 20 and if you've seen a picture of him he was a gangly, skinny farm kid, a tall drink of water. He left at age 20 where he served 2 tours of active duty, Rich was directly exposed to the spray of Agent Orange, as he mentioned earlier in the meeting, as the plane fogged the fields of Cam Rahn Bay Air Force Base in Vietnam, right above his head while he and his buddies were working. So you two gents are so self-serving that you forget to realize that this young man who you have called - well, he's not so young now, whom you called derogatory names represented the best of our county's youth in service to our great country. He risked his life serving in DaNang which he talked about as being "rocket city" and he calls it 6 months of hell. His health has been repeatedly impacted by Agent Orange exposure in Vietnam which also caused the early death of his friend, Tom, who he spent his childhood with in Rolling Prairie, they went to school together, fished, and went to Cub Scouts and they ended up serving in Vietnam together. Tom's health issues from his service caused his early death at age 58. The same issues that Rich fights with so Tom may you Rest in Peace, you served our community well. So rather than calling Rich Mrozinski a joke, you should try some respect on for size and thank him for his service and while we have all seen the much-discussed photo of you, Mr. Haney, boldly flashing an AK whatever rifle, it's all over Facebook and other social media, Rich Mrozinski was actually carrying a weapon he was trained to use, not purchased from Walmart or Dick's Sporting Goods, but a United States military-issued weapon, designed to protect and defend our country. Mrozinski and I have been on the opposite side of the aisle for years but I'm here to tell you that when it comes to what's right for the citizens, he and I have never put our own agendas ahead of the people who elected us. I was elected to serve our county residents respectfully, with dignity, acumen, and fairness to the best of our ability. And in closing, last meeting you talked about a quote from John Adams, so let me resurrect that quote and add a quote to it. This is John Adams again, "I fear that in every elected office, members will obtain an influence by noise, not sense. By meanness, not greatness. By ignorance, not learning. By contracted hearts, not larger souls. There must be decency and respect." So why some of you, Mr. Haney, may continue to gas light the citizens of our County, I'm not having it and I'm going to call you out on it like I am tonight. Gas lighting is the practice used by bullies and narcissists and mean-spirited people who think that if they speak a lie often enough, people will eventually grow to think it's true. But let me tell you, just because you and Mr. Stabosz continue to call me an accomplice, a henchman, a puppet, and a bunch of other disrespectful things that keep coming out of your mouths, just because you say it and repeat it over and over, it doesn't make it true. The citizens of La Porte County know better and they deserve better. Thank you Mr. President"

**Commissioner Mrozinski** added to her comments with those that seek to destroy, he doesn't accept criticism from someone he wouldn't take advice from and he left it at that and adjourned at 8:12 p.m.



President Mrozinski adjourned at 8:12 p.m.

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE: 11/13-2021

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ATTEST: \_\_\_\_\_ Auditor  
LA PORTE COUNTY, INDIANA

ORIGINAL