



**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, December 1, 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 led by David Ambers.

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

Considered the agenda. Commissioner Matias motioned to amend the agenda by adding a Resolution reaffirming the County's commitment to financial and operational integrity. President Mrozinski stepped down and seconded. Motion carried 2-1. Commissioner Haney - Nay. Commissioner Matias then motioned to accept the agenda as amended. President Mrozinski stepped down and seconded. Motion carried 2-1. Commissioner Haney - Nay.

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

Auditor Tim Stabosz read the Claims with Payroll ending 11/19/2021 - \$1,131,735.86 and Operating Expense Claims - \$1,967,253.59. **Commissioner Haney motioned to approve. Commissioner Matias seconded. Motion carried.**

Public Comment

Randy Veatch, 4177 W. Schultz Road, La Porte, distributed two 8 x 10 color photos to the Commissioners that he took while standing in his backyard looking northwest showing an excavator on the parcel behind his property. He has witnessed a business being run from the property behind him for the last 6 years which is in a residential neighborhood. He spoke about an email from Shaw Friedman and a recent one from Mike Polan, Building Commissioner, which contained mistruths. Randy stated he has contacted a few state officials, they have reached out to him saying what is being allowed to happen on this property is wrong and the county needs to stop it. He said a sand mining operation, an operational business, should be shut down in this residential neighborhood.

David Ambers, Attorney at 601 State Street, La Porte, said he had been present at the last Commissioners' meeting asking for civility for the benefit of the county, for those wanting to live here, work here or bring a business here. He showed the Commissioners a Facebook page which he had printed out of a dam with 'Stabosz, Haney and Cunningham holding back the water of attorney's billings.' He said it is from Commissioner Haney's Facebook page 'Drive safe everyone, roads will be slicker than an attorney's billings tonight.' David said the time to fight this is in January at the reorganization meeting. He pointed out \$4,000 of Tim Stabosz' money going into Joe Haney's campaign fund was more than the amount Joe himself contributed to his own campaign. He said he is not defending Shaw Friedman, he is defending the county and the behavior is childish, ridiculous and needs to stop. He read the Rules of Decorum of the United States Senate and suggested everyone present at the meeting read it then consider how to act during a meeting especially if/when potential business prospects are watching the meeting.

ORIGINAL

Mike Polan, Building Commissioner, responded to the first public comment. Mike said there were no mistruths in his email. He reported every local, state and federal agency that have been on the site in question, inspected it and provided reports. Three different attorneys have looked at everything involved with this case and made their decisions. The case has been litigated two times. The county has exhausted everything that is available for this site. Our county attorney has advised the neighbors to file an appeal. Mike then reported on the main reason for approaching the Commission and it is an issue with mobile homes, a code enforcement situation, and codes already on the books are being enforced. A complaint was filed in his office that there is a lack of consistency in dealing with real estate transactions for mobile homes. A realtor attended a BZA meeting and requested a variance which was denied. It was then stated that these transactions happen every day and those individuals are not doing the right thing by applying for a variance. In the Joint Zoning Ordinance, mobile homes are only allowed in mobile home parks. There are approximately 300 that exist outside of a park in our county but with a variance. Some have a lifetime variance but they do not transfer from one owner to another. This is where the lack of consistency comes in and it needs to be tightened up. Mike was advised by legal counsel to appear at a public meeting to get the word out to the county. Eventually these transactions will be blocked. Mobile Homes are actually personal property. Mike also reported on the current open position of the MS4 operator. Soil and Water's Director has agreed to take phone calls/emails for this department until the position is filled.

Corey Campbell, via Zoom, 510 Grassfork Court, Wanatah, representative of Indiana Laborers District Council Local Union #81 with 161 members living in La Porte County, expressed concerns over the actions of County Auditor Tim Stabosz. On November 24th the Auditor stated in a Facebook post that 2 Commissioners and the County Attorney are immoral, indecent, corrupt and pathetic. Corey stated the Auditor clearly is more concerned with his personal vendettas than doing the job he was elected to do. For example, at the expense of the tax payers a lawsuit has been filed and his office was late making a bond payment. He would like to see the Commissioners, County Attorney and County Auditor work together for the good of the County.

Jeff Santana, via Zoom, 4954 Lindsay Lane, Michigan City, agreed with David Ambers' comments. He did say though that if one of the Commissioners would have kept his word to his party while running for office we would not be having this situation right now.

Tim Stabosz, Auditor, said his post on Facebook was mischaracterized in a comment earlier and he would like to clarify it. The context of his statements about certain individuals in the room were pertaining to a flyer that was mailed out by Brandon, paid for by Brandon or 'Let's Go Brandon' and his caution of concerns around election law. The flyer was mocking a few individuals present in the room, 2 are elected officials, and he was telling someone in his post to do it within the confines of the law. "Mock certain public officials all, including some people in this room, all you want. Continue stating how immoral, indecent, corrupt and pathetic they are but don't advocate for the defeat of anyone in election who is up for re-election because that's a violation of the law so there's a little bit of context which is telling someone else if you're going to be mocking a public official do it within the confines of the law so I just wanted to clarify that, it was mischaracterized that I was saying these people, certain people, are immoral, indecent, corrupt and pathetic and I may or may not, I may believe that, I believe that La Porte County government is corrupt and we have corruption and we need to root it out and I'm seeking to root it out and I will continue to seek to root it out because I think the public deserves better but I wanted to clarify the Facebook post, thank you."

President Mrozinski said, "I'm sure anybody that really gives a damn about Facebook will be anxious to hear that which will exclude me." **Auditor Stabosz** stated it is in the Resolution for today. **President Mrozinski** said he does not do Facebook then asked if anyone else had a comment.

April Daly, La Porte, said she didn't understand why the Auditor did not speak about the bond that his office was late paying and that it may cost \$250,000 to the taxpayers. She said people need to be held accountable for their actions. The county is getting a bad name with all of the bickering and it needs to stop.

Department Reports/Department Head Comments

Mike Schultz, Assessor and **Mike Ordziejewski**, GIS, requested a Pictometry contract to be signed for next year. Attorney Friedman has reviewed the contract and nothing has changed from previous years except improved pictures. The next scheduled fly-over will be in the spring if approved today. **Attorney Friedman** suggested it be posted on the next agenda, December 15th, for approval.

ORIGINAL

Larry Levendowski, Director of Facilities, hoped everyone has seen the lights displayed for the holidays around the courthouse. He thanked the housekeepers for the trees/lights inside the buildings, Marquiss Electric for hanging the wreaths on the front of the courthouse, and Brian Wozniak headed up the lights display outside with the help of the building maintenance crew. Larry thanked all involved with the project.

Tim Stabosz, Auditor, said he was made aware of the Resolution added to the agenda just before the meeting. He viewed the Resolution as a direct effort of the Commissioners, particularly 2 of them, to embarrass the office of the Auditor and stated it was a political action taken at a Commission meeting. He apologized for the one-day late bond payment which was a mistake that he regrets and has taken responsibility for it. Circumstances of encoded invoices that went to spam and effort by the bank to contact the former Auditor with a warning notice which should have gone to the current Auditor was sent while the Auditor and his Deputy were attending a conference. For the record Auditor Stabosz said he spoke with ratings analyst Taylor Budrow, S&P Global, and possibly the county's bond rating will not see an effect due to the late payment. There was no late charge so Auditor Stabosz said he is not aware of any higher cost to the county as of right now. A day late is a human error but 5 or more days late will cause concern. He does not understand why the Resolution that was added to the agenda includes posts from his Facebook page which is a political page where he expresses his opinions, he has a right to do so and said Commissioner Haney does the same on his Facebook page. If you don't like what you see on his page then just don't go to it, stay off of it. He pointed out that Commissioner Matias posted a comment on his page that explained the nature of her husband's work after seeing a post with misinformation, he respected that she was straight forward with her answer and supported her comment. He stated the Resolution distracts from the issue at hand with the court case. Auditor Stabosz said emails from Commissioners Mrozinski and Matias say the Commission will not provide him with a defense attorney with regard to providing adequate supervision for County Attorney Friedman. He said he met with Commissioner Mrozinski two weeks ago at 2:00 p.m. to discuss working together for this supervision after reviewing the July invoices. He will have to go to the State Attorney General if the Commissioners do not allow him legal representation. Auditor Stabosz went on to discuss the Resolution which includes comments from his Facebook page about the County's Financial Advisor, Karl Cender, a 'personal crony, extraordinaire of the County Attorney, who quote throws county money at Mr. Cender and even vacations with Mr. Cender. Although this is based on zero facts whatsoever and is completely false and untrue.' "For the record, for the media, for everyone here, two weeks ago I sat in Rich Mrozinski's office at 2:00 p.m., he told me that you Mr. Friedman, vacation with Karl Cender so that's who told me sir, so this notion that that's completely false and untrue, I'd like to getcha under oath sir, (directed to County Attorney Shaw Friedman) because I'm wondering who's telling the truth, the same Rich Mrozinski who said that you launder money 5 years ago in an email? So, that's the corruption in La Porte County that I'm talking about and I will continue to talk about corruption in La Porte County as long as two Commissioners are primorely controlled by that man (points at County Attorney Shaw Friedman) sitting over there which is corrupt, thank you."

Requests

None

Old Business

Update on Rolling Prairie EMS Base/Highway Garage. **Larry Levendowski**, Director of Facilities, reported on the project with drawings and a timeline to the Commission. March of 2022 possible date set for bid opening with May 2022 set as groundbreaking. This project was started approximately 3 years ago. There was a set-back for a year due to Covid-19. **President Mrozinski** said his first week on the County Council about 15 years ago, Rip Ludlow approached him with the need for an EMS base in that area east of La Porte County. **Commissioner Matias** thanked Larry Levendowski for his construction background while providing sketches of the facilities and a timeline. **Larry** replied it is a team effort with EMS, Highway Department and his department manager all working together.

Considered 2nd hearing for Covid-19 II Response Grant. **Tony Rodriguez**, OCED, requested a public meeting be heard for the grant. At 10:45 a.m. **President Mrozinski** opened a meeting to the public for discussion. No comments were heard at this time. Meeting closed at 10:47 a.m. Tony circulated a list of businesses where the funds from the first grant went to help small businesses in our county during the Covid-19 so they would not have to close their business.

Commissioner Matias said 40 companies received anywhere from \$5,000 to \$10,000 to survive during the pandemic.

ORIGINAL

Updated on tabled refunding bond matter. **Commissioner Matias** entered into the record a document from Baker Tilly, Municipal Advisors, a Notice of Principal and Interest Payment Delinquency. A Reportable Event for the Bond Issue Below dated August 27, 2020, and issued in the amount of \$19,450,000 for the Michigan City Courthouse Project. "La Porte County failed to make the principal and interest payment on July 15, 2021, the due date for the debt service payment, as required by the above-referenced obligation. The County made the payment one day late on July 16, 2021. The County had sufficient funds to pay the debt service payment." Signed by Auditor Stabosz on November 19, 2021. Commissioner Matias said currently the County has an A+ bond rating and the former Auditor worked hard to get us to that strong financial position. **Attorney Friedman** reported he spoke with a member of Baker Tilly, as required under the law a notice was filed on the Municipal Securities Rulemaking Board website, which is called EMMA. The County was in technical default and no assurances yet on any penalties or bond rating change for the late payment. The concern is if there is a ratings downgrade will it affect future debt issuances by the County. One issue caused by this late payment was the continuance of the refunding bond resolution that was scheduled at the last meeting. The intent with the resolution was to gain \$15,000 to \$20,000 a year in savings on the debt that is still owed on the equipment lease but that has been put off as a result of the late payment. Attorney Friedman stated when the analyst is done for the rating, all issues of the County are looked at and one of the highest scoring areas was cohesion, transparency and the projection that the County is running a good, honest government with integrity. **Auditor Tim Stabosz** said he thinks how La Porte County established its strong bond rating is really its financial strength and having a one-day late bond payment is unlikely to result a rating downgrade. La Porte County does not have a lot of debt and that is significant for the rating. **Commissioner Haney** asked if the emails were being properly sent now to the Auditor and Tim replied yes. Commissioner Haney then asked if there was a phone call or any other kind of notification from the Treasurer stating she had received the notices instead of Tim. **Auditor Stabosz** said the Treasurer did a wonderful job keeping him posted on the notices she received in error that were meant for him. **Attorney Friedman** stated Treasurer Winski informed him that she had notified Auditor Stabosz weeks before the due date of the payment.

New Business

Considered Resolution of the La Porte County Board of Commissioners re-affirming La Porte County's commitment to financial and operational integrity while urging the Auditor to 'cease and desist' making baseless claims of 'corruption' which serves to damage the County's reputation with citizens, investors, the financial community and economic developers. **Auditor Stabosz** asked if there was a motion followed by a second. **President Mrozinski** said Commissioner Matias was just reading the Resolution then a vote will be taken. **Attorney Friedman** said a motion was made then seconded at the beginning of meeting amending the agenda. **Commissioner Matias** proceeded to read the Resolution into the minutes. **She motioned to approve said Resolution.** **President Mrozinski** asked for any public comment. None was heard. **Commissioner Haney** asked if the Resolution needed to be advertised on the agenda and not simply added to it. **Attorney Friedman** said Ordinances need to be advertised but Resolutions can verbally be added. **Commissioner Haney** stated he had just received the Resolution prior to the meeting. He questioned Commissioner Matias on the author of the entire Resolution. She replied she wrote it. He then asked if she had help and she said he could either second the motion or not. Commissioner Haney said he would not second the motion for the proposed Resolution because it was 'political garbage.' **President Mrozinski stepped down and seconded the motion. Motion carried 2-1. Commissioner Haney - Nay. ***Resolution 2021-15**

Commissioner Comments

Commissioner Haney stated there is a new Covid testing site located at 809 Washington Street in La Porte at the depot and will be open Tuesday-Saturday 8:00 a.m. to 4:00 p.m. Wanatah will have a location as well Wednesday-Saturday for testing and vaccinations at their library. He said to be sure and follow social media for the Health Department's most current news on Covid-19 testing/vaccine sites. Commissioner Haney reported on the Magic of Lights at the Fairgrounds. He clarified that the Magic of Lights is neither a City nor a County production but a private business that is leasing the fairgrounds through the FMEC. He announced Pioneerland events will be scheduled 3:00 p.m. to 5:00 p.m. and the public will be allowed free access to the fairgrounds. He attended a Michigan City courthouse update with possibly a January 'grand opening' date. Commissioner Haney said harassment of any kind it will not be tolerated, we have a zero tolerance policy. Penny Pierce quote, 'We live in a culture of secrecy, where hiding and lying are accepted as natural, even though we don't like it. We want honesty, transparency, and authenticity in our loved ones, our groups and organizations, and in our own self so we can reach the heights of our capacity. By clinging to the opaque reality we stall our evolution.' Commissioner Haney said, "It's important to understand there that transparency isn't always pretty, there are things that you know, we've seen decades of stagnation in this County, it's no secret, the numbers don't lie, decades of stagnation in

relation to both population growth and business growth. What we're seeing here in this County this year isn't necessarily, we've seen improvements this year that have surpassed previous years which is very good but at the same time there's an underlying - there are underlying issues that lead into that, the public doesn't always see, you know we can continue to stagnate and have decades worth of stagnation which coincidentally line up with the tenure of a certain attorney or we can move forward and we can clean up the things that need to be cleaned up and we can move forward, you can't fix a problem until you acknowledge it, once you've acknowledged the problem then you can take steps to correct it and move forward." He then referred to Jeff Santana's comments earlier that if Commissioner Mrozinski had kept his word all through last year we wouldn't have an attorney who is tearing us apart. Joe said when he ran for the office of Commissioner, he knew there were issues which he called 'the seedy under belly of La Porte County politics' and he said it developed as he continued to attend meetings. After a year in, he said he probably would have used much stronger verbiage than seedy under belly of La Porte County. "There's a corrupt house of cards that has been built here in this County and one way or another I'm going to tear it down. Enough is enough, people of La Porte County demand better. I believe history is going to judge those of us up here very harshly who've refused to take a stand, refuse to do anything and put an end to the things that we're all aware of up here. As to Indiana Code, I.C. 5-11-10-1.6, I believe the suit that we filed, that the Commissioners filed against the Auditor is a frivolous suit, it makes absolutely no sense in trying, to me the State Board of Accounts is clear, I.C. 5-11-10-1.6 has to be followed in order for the Auditor to make payment. Commissioners approving claims is one part of a five-step process, it's just in and of itself a line there, in 5-11-10-1.6. The Commissioners, and the State Board of Accounts have been very clear, the Commissioners cannot order the Auditor to ignore Indiana Code, they can only do their part. Now if a judge decides, if a judge, since this matter is pending, is going to be pending, if a judge decides to order the Auditor to do something, that's within the purview of the judiciary but as far as the Commission, the Commission cannot and is not allowed under the law to order the Auditor to ignore Indiana Code, again, I would direct everyone to 5-11-10-1.6 Indiana Code to see for yourselves and to also follow up that those requirements must be met and those come straight from Chief of Staff from the State Board of Accounts. As William Douglas said, 'Sunlight is the best disinfectant' and we're going to clean this County up. Thank you."


Commissioner Matias said she was trying to digest all the talk about stagnation in our County while looking out at the audience, knowing citizens have bought homes, have businesses, careers and are dedicated to our County. She said it is not stagnated but a wonderful place to live and raise a family, some for years while others may be newcomers, like Commissioner Haney himself. She referred to the La Porte County Works program that she has been showcasing during the meetings to shine a light on the County's businesses that have had deep roots for decades offering working wages, trades and have built bridges, buildings, schools and stagnation is not in their DNA. Commissioner Matias, "La Porte County Works, I started this program because as I was traveling through the community I had people say 'you know it's a shame that all the jobs are gone out of La Porte County, all we have are fast food jobs and you know, pizza parlor jobs,' there's nothing wrong with those jobs but they were inferring that there weren't working family jobs with benefits in our County and so I realized that we have not done a great job of talking about the positive things that are in our County and I think we need to spend a little bit more time focused on what's working well and one of the things that's working well is the investment industry and in manufacturing and in businesses that are starting small and growing into major industries so we want to make sure that people that live in La Porte County know that there are jobs here, there are open positions and a lot of these jobs have excellent wages and benefits so in this series we have thus far focused on Sims Meat Processing in KIP, Sullivan Palatek, Helena Agri Business and Otech which are all hiring and so today I will feature Vanair." Vanair, known originally as "Sullair PTO," was founded in 1972. They became Vanair Manufacturing in 1984 and made a very significant investment in 2008 to become a world class, state of the art advanced manufacturing facility right here in La Porte County. These newly constructed corporate headquarters facilities are strategically located at 10896 West 300 North, Michigan City, Indiana. Vanair produces a wide variety of air compressors, generators, welders, battery chargers, battery boosters, and additional custom-designed solutions specifically for their clients around the world. They currently employ over 170 people with multiple open positions such as an electrical engineer, regional sales manager, and service technician. The average Vanair wage is \$25 per hour with a benefit package that includes medical, dental, and vision insurance, matching 401K, paid vacation, holidays, and wellness time. Interested and qualified candidates should send their resume to hr@vanair.com. A complete list and qualifications for jobs at Vanair can be found at <https://www.Vanair.com>. All of these will be on our website. Our County is far from being stagnated, we have a team of Tony Rodriguez, Matt Reardon and Mike Seitz in Economic Development/Redevelopment bringing and retaining great businesses to our area. Our County is on the move.

Commissioner Mrozinski said the group of individuals on the Redevelopment Commission and Economic Development are definitely not stagnant with projects out at KIP, 39 North Conservancy, and Love's Travel Plaza. "The project that I'm the most excited about is at 35/20/I-94, an undeveloped area of land that has such promise, a \$15 million dollar investment for a postage stamp size of that whole area that we have other developers looking at." Utilities are there, bring in sewer and water and we will be ready to go for the project. It cleared its first hurdle in the Plan Commission with a 3-4 vote. Commissioner Mrozinski stated he cannot understand why Commissioner Haney voted against it. He said he does not take criticism from someone he wouldn't take advice from. When he returned home from Vietnam twice, he was subjected to a lot of negative actions, for example at the airport, he knew he was serving his Country so he kept his cool knowing he was doing what he thought was right. He volunteered twice to go to Vietnam. He has been in County Government 13 years, he understands at times that there will be people telling him how to do his job or point out things they don't agree with yet he also has people telling him what a great job is being done, bringing progress to our County and making it a better place to live, raise a family and work. "As a Commissioner, as an elected official, I understand that you've got to have big shoulders and thick skin and you've got to accept a certain amount of stuff coming from people who don't really understand or maybe they want to bring their personal agenda." He then spoke about the posting attached to the Resolution which says, 'continue to mock Shaw, Sheila and Rich all you want. Continue stating how immoral, indecent, corrupt and pathetic they are.' He said there is a certain level of what you take as an elected official and then it gets down to man-to-man and he cautioned to choose their words carefully in the future.

President Mrozinski adjourned at 11:25 a.m.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE 12-15-2021



ATTEST: 
Auditor

LA PORTE COUNTY, INDIANA

ORIGINAL