



**LA PORTE COUNTY  
BOARD OF COMMISSIONERS**

555 Michigan Avenue, Suite 202  
La Porte, IN 46350-3400  
(219) 326-6808 ext. 2229

**Sheila Matias  
President**

**Richard Mrozinski  
Vice President**

**Joseph Haney  
Member**

**La Porte County Commissioners' Meeting Minutes  
Wednesday, July 20, 2022 at 6:00 p.m. County Complex Room 3 & via Zoom**

**President Sheila Matias** called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

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

**Considered** the agenda. **Commissioner Haney** motioned to add **one** item to the agenda: Under Old Business as 10 'd,' **Consider** permission to approach the Council for overtime pay at Community Corrections. **Commissioner Mrozinski seconded. Motion carried 3-0. Commissioner Haney** motioned to approve the amended agenda. **Commissioner Mrozinski seconded. Motion carried 3-0.**

**Considered** approval of July 6, 2022 minutes. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Auditor Tim Stabosz** read the Claims with Payroll ending 7/15/2022 - \$1,300,828.87 and Operating Expense Claims - \$42,072,229.58. **Let the record reflect a correction was made with the claims totaling \$4,207,229.58.** **Commissioner Mrozinski motioned to approve but added \$30,025.60 to include amount owed to Friedman and Associates. Commissioner Haney,** will not seconded due to included amount has not been advertised. Discussion held between Commissioners Mrozinski and Haney on the added claims amount. **Auditor Stabosz** stated the amounts are in dispute, the Commissioners do have the prerogative to 'preapprove' the outstanding invoices so once he decides that he is okay with them he can immediately issue them, but they are part of a lawsuit in court. **President Matias** read in to the record a letter from the State Board of Accounts (\*\*\*)**Attached to minutes**) dated March 15, 2022 then stepped down and seconded the motion. **Commissioner Haney,** these invoices have not been approved yet. **President Matias** asked for clarification from Executive Assistant Diane Gonzales as to how the invoices are processed. **Diane Gonzales,** this group of invoices have not been advertised because they have not made it that far yet, they are still in the Auditor's office. Invoices arrive in the Commissioners' office for payment, a signature stamp for 2 Commissioners are used on the claims (because the Commissioners trust she is doing her job) then given to Commissioner Haney for him to approve, once he approves them then they are given to the Auditor's office to be processed where they will then appear on the Commissioners' claims at the public meetings to be voted/approved on. This set of unpaid invoices date back to February with a few that have 'reduced' totals, by the Auditor, go back to January, 2022. The total stated by Commissioner Mrozinski includes the 'reduced' amounts. **President Matias,** the amount owed is to a small business here in La Porte. Commissioners are either emailed the invoices or reviewed in person in the office. **Commissioner Mrozinski,** other invoices come in that are approved, processed without hesitation yet only a certain few are held up due to personal vendettas and it's wrong. **President Matias,** one invoice she reviewed had 'huddled with staff' as work done. No other details yet the invoice is processed in a timely manner. How do we get passed this? **Auditor Tim Stabosz,** doesn't consider Friedman & Associates a 'small' business. Responded to President Matias on the 'huddled with staff' description from Baker Tilly's invoice, a vendor doing work with his office on GAAP reporting, he trusts Baker Tilly but doesn't trust Shaw Friedman. When the claims come to his office 'stamped' with their signature, they're lying and it's inappropriate. **President Matias,** requested Attorney Friedman to address to overdue claims. **Attorney Friedman,** three attorneys and three support staff make up Friedman & Associates. In the last 30 years, his office has served La Porte

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County for 27 of them and never had any questions about his billing, including from the State Board of Accounts. **President Matias stepped down and seconded. Commissioner Haney - Nay. Motion carried 2-1.**

### **Public Comment**

**Randy Veatch**, 4177 W. Schultz Road, La Porte, per President Matias' request, an email was received by Building Commissioner Mike Polan on Pat Meaney's letter pertaining to Ray Selke's sand mining operation on Schultz Road in La Porte. No permits. Dump trucks, Class 7 or 8, weighing 26,000 to 30,000 pounds empty. Roads are destroyed. These are businesses for profit and needs to be stopped by the County. **President Matias**, under Department Head reports the MS4 Director will give a report on Ray Selke's property.

**April Daly**, Shared Ethics Advisory Board, requested from all candidates that filed for office to sign a pledge. Read in to the record. Only 26% of the La Porte County 2022 Primary Election candidates have signed the pledge. Lake County had 45% and Porter County 47%. Do Commissioners sign an ethics pledge when sworn into office? Candidates receive the pledge via email or USPS. Our democracy was founded on ethics. People are not talking to each other with civility at our meetings, we can disagree but with respect for one another. "Quite honestly, I find it personally offensive to listen to an oath keeper talk about things that are inappropriate, unethical and just not right...Mr. Haney, uhm... **Commissioner Haney**, "No, that's not true and I'm not a member of that organization, (inaudible)." The Preamble of the Shared Ethics and Values of the Shared Ethics Advisory Commission, "For government to operate with transparency and accountability, it is essential that public officials and employees conduct themselves in ways that uphold the public trust. The code of Shared Ethics and Values provides guidance and support to public servants for the promotion and maintenance of the highest standards of personal and professional conduct. Because we wish to ensure the public confidence in the integrity of our government entities, it is proposed that all elected and appointed officials, employees, volunteers and others who participate in government shall personally commit to being trained on the values and standards put forth in this document." Four values: Honesty/Integrity, Respect/Civility, Accountability/Responsibility and Fairness/Justice.

**George Callas**, 708 Tornado Drive, La Porte, started attending the meetings but doesn't understand it all yet. Maybe in the future he can get together with the Commissioners and talk about some of the issues.

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

**Nicole Messacar**, MS4 Director, reported on Ray Selke's property inspection that was commented on under Public Comments. She found the location after driving by it 3 times, there is a small lane going to a wooded area. The site is not seen from Schultz Road. The inspection was done today, there is an old MS4 permit that was issued in April of 2016 and expired in 2021. The State asked for more information from Mr. Selke if he was going to continue working off the permit, he did not supply the info so his permit was not renewed. Rick Brown, former MS4 Director, issued the 5-year permit. It is currently posted on the property although no longer valid. She accessed the site, no one was there, there were no trucks, and there was one small front loader. There were several large piles of sand with most of them heavily vegetated as if the weeds have been growing for possibly 2 seasons. There was a hole in the middle of the 17-acre property. The permit covered 1 acre but what she saw was on maybe a quarter to half an acre and this includes the hole and a couple of sand piles. Two of the large sand piles were not vegetated so fresher than the others that looked to be 2 years old. In her professional opinion she would not require Mr. Selke to have a stormwater permit. She saw a hole maybe 10 feet deep and not an acre or more of disturbance. No indications of a sand mining operation. No activity at all. She spent about 30 minutes on site. She took photos and will issue a report to the Commission.

**Randy Novak**, Council President, publicly apologized to Commissioner Haney for comments made at a recent Council meeting, he had misinformation when he spoke. On behalf of the Michigan City Social Status of the Africa American Male, requested a \$4,000 contribution from ARP funds to be used for focused groups to take trips to museums. Request is already on the Council's agenda but needs permission from the Commissioners. Funds are being requested from Michigan City as well. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Tony Rodriguez**, Office of Community of Economic Development, reported Bailey McGrath is back on board in his office, she will be working on the LPCO Works!, Superuser Group, and the county website. Also commented on leads for new businesses that are coming in, Broadband Task Force, and attended a ribbon cutting ceremony in Westville for Hero Pet Animal Hospital.



**Shaw Friedman**, County Attorney, updated the Commission and the public regarding the ongoing difficulties his office is having in receiving payment for work done, particularly from the County Auditor who is costing taxpayers dearly by not doing his job. He has been aided by Commissioner Haney who has made false claims about his firm. It appears Auditor Stabosz is on the Council's agenda again requesting his legal fees be paid even though the suit against him is in his personal capacity. All of his actions in delaying or refusing to pay certain items on the invoices are outside his legal authority. Last night an email arrived from the auditor with demands and questions about Friedman & Associates' March 15<sup>th</sup> invoices, four months after being submitted. A slide show was presented with the information. The services provided are consistent with the contract signed by the attorney. The auditor has been told by the State Board of Accounts that he is not entitled to work product from Friedman and Associates on Commissioner approved invoices. **Auditor Stabosz** stated that is not true. **Attorney Friedman**, other invoices come in and are approved with no hesitation, no questions asked, for example Baker Tilly charged \$795 for 3 hours with details listed as 'updating huddle' with no description of what was discussed. Another entry was 6.5 hours for an 'onsite meeting to discuss cash issues' with no other explanation. No problem allowing that invoice to go through without any questions. On May 16<sup>th</sup>, Commissioner Haney's letter to the Auditor suggested a reduction of .15 hour for communication between the County Attorney and Council President, stating conflict of interest. It continued with the Michigan City EMS base, when advising the County on how to acquire the parcel, it was asserted without proof, that a blatant ethical violation on multiple levels was committed by the County Attorney. "Unfortunately, this continues a pattern that both Mr. Haney and Mr. Stabosz have of making outlandish and unsubstantiated claims of 'corruption, conflict of interest, and fraud' in County Government that has gone on 18 months without a shred of proof to back it up." Instead of building or proposing anything, in advancing any programs or policies that would improve quality of life in our County, they seem to only be interested in creating division, controversy, dividing and defaming others. He received support from a Councilman on the fairgrounds, their new sign and even with his assistance for the loan forgiveness for the Fair Board. He pointed out that the Auditor failed to make a bond payment on time in July, 2021 which caused the County to lose their A+ rating. **Auditor Stabosz**, stated this was not true. **County Attorney Friedman**, continued with the Auditor's failure to doublecheck supplemental homestead deductions before tax bills were sent out and now all 66,000 tax bills will have to be redone. **Auditor Stabosz** questioned President Matias as to why County Auditor Friedman is allowed to continue with his report or presentation. **County Attorney Friedman**, County Auditor Stabosz received an email on April 4<sup>th</sup> from Standard & Poor warning that the County faced being placed on CreditWatch in April and possibly lose the A+ rating and he did not share the information with the Council, Commission or County Attorney. **Auditor Stabosz** commented on the statement made. **President Matias** declared a 5-minute recess. After the meeting reconvened, **County Attorney Friedman**, continued with the notice from Auditor Stabosz on June 13<sup>th</sup> that the County could possibly lose the credit rating, after reaching out to the State Board of Accounts to release information being requested, it was still too late and the next morning the County was stripped of our rating, an embarrassment for the county as only 26 entities nationwide and one other in Indiana to lose their credit rating. On a monthly basis, Auditor Stabosz and Commissioner Haney continue to challenge who he speaks to, emails and what he does as the County Attorney. His suit to collect fees is on him, he is paying it himself, why is Auditor Stabosz allowed to request from the Council payment for his legal fees, forcing the taxpayers to pay his private attorney to defend his illegal withholding of the County Attorney's fees. Friedman and Associates will continue doing their job that they've been honored to do for the County.

**Tim Stabosz**, County Auditor, distributed a request to the Commission in the form of paperwork. For the record, "Mr. Friedman didn't tell you that the removal of the bond rating, the withdrawal of the bond rating, dates back to events that happened in 2019. The County has had cash issues that relate to the former Treasurer's office, under the former Treasurer, where they weren't keeping proper track of cash. We don't believe there's any issue of shortages or anything but we had no sense of proper reconciliation dating back to 2019 so the 2019 audit wasn't completed. I took office January 1<sup>st</sup> so for him to bring that up is frankly despicable." He cannot trust the County Attorney, he will not go to the Attorney because the County Attorney sued him illicitly and inappropriately for defamation, he will not go to the Attorney because he may 'leak' it to the media to destroy him or harm him. The paperwork distributed is a public records request, "The Commissioners had a mandamus action against my office dating back to Mr. Friedman's billings, for the periods through December, mid-December of last year, we had a settlement with regard to those billings brokered partially by the County Council Finance Committee, which was all very appreciated, that worked out, there was a settlement and subsequent to that the Commission agreed that Mr. Friedman would operate under a contract in the New Year." The emails he provided to the Commission deal with Mr. Friedman's billings **since** the settlement in December. The billings cover mid-December-January, mid-January-February, and mid-February-March, 2022. "This is a public records request, I'm requesting **you**, as his boss, compel him to provide me with the emails that I've requested for so whether or not he thinks he should provide these things or not, I'm making a formal request and a solemn request of you to compel him to



provide me the emails that I specify in those sheets that I gave to you.” He noted Commissioner Haney’s comments in the letter sent to him on Mr. Friedman’s mid-March billing which Commissioner Haney refused to sign, ‘several items don’t comport themselves with the contract for services between the Commissioners and Friedman and Associates.’ He then referred to ‘most blatantly, in my opinion, is an email in which Mr. Friedman seems to suggest skirting state law by doing a purchase/lease scheme to acquire a property by the Michigan City EMS base for **above** its appraised value.’ We’ve seen this before with the property by Monroe Street when Mr. Friedman wanted to use federal Covid money to pay above what it had been listed for prior so there is a pattern here in his opinion. We’re here right now because the Commission failed to hold Mr. Friedman to his contract. He requested the Commission to designate Mr. Friedman as a County Administrator by Resolution as required by state statute to legally authorize him to fulfill the Board’s wishes to continue running La Porte County, “even outright telling you that I would **pay** such billings if **his** contract authorized it and you followed the law, you declined, and instead allowed him to write the contract himself from start to finish. I also asked you to mandate that he be required to use the county email server for **all** of his county business instead of his own private server so he could be held accountable to public records request, you declined. Finally, I asked you to put guardrails upon him and include a list of items in the contract for his services that he was **forbidden** from doing for the County, you declined. Your lack of proper oversight of him and unwillingness to compel him to submit to **your** authority is not only a shameful commentary on who possesses the operating authority in La Porte County but it is and has been a burdensome cost to the County, morally, ethically, emotionally, operationally and financially, including my office. As you know, Mr. Friedman has now filed a personal lawsuit against me related to our billing disputes which I fully expect to get thrown out of court since he is suing the wrong person, he needs to sue the paid agent of La Porte County, not me personally and he knows that.” Several weeks ago, Auditor Stabosz spoke to Public Access Counselor Luke Britt for the State of Indiana, who’s interpretation of state statute was clear, ‘communications related to legal strategy and lawsuits the County is involved in, are privileged although arguably the Auditor should be provided them as well, in carrying out his auditor duties. Friedman emails involving policy, politics and Mr. Friedman’s running of La Porte County are all public record.’ “I want to respectfully emphasize to you that **you** need to monitor and supervise **your** attorney and that **you** are ultimately responsible for this public records request I’m making of you right now as I am making it of you, the Commissioners, in your case Commissioner Matias, you are the President of the Commission, you happen to be the one Commissioner who is up for reelection this year, I’m going to ask you publicly right now, to order Mr. Friedman to provide the emails that I have asked for, emails that any citizen is similarly entitled to, if you will not, it begs the question who exactly possesses the operating authority of La Porte County? This request **must** be complied with and is your responsibility to **extract** the emails from him, if you fail to insist, he comply, you are supporting his lawlessness.”

**Joe Haney**, Commissioner, “Check my contract,” quoting Attorney Friedman, held up a letter from the State Board of Accounts, does have a right to examine the invoices to determine if they are in compliance of their contract, letter explains some of the Auditor’s duties in IC 5-11-10-1.6c. Two different things heard tonight from the County Attorney - the Auditor can’t audit and it is the Executive that reviews the contract. “I have requested from our County Attorney the documentation, as the executive we are all 3 equally elected Commissioners here, he has refused not just the Auditor’s request to provide the information so we can examine accordingly the contract, he’s refused to provide **me**, the executive, the ability to audit the contract so we literally have two different things saying ‘no the auditor can’t do it, its supposed to be the executive’ and then ‘no, you can’t do it as the executive’ either and that is just bizarre to me how you can claim the Auditor can’t do it, its’ the executive’s job and at the same time deny me the information that I need as the Executive to look at your claims, that is literally what you’ve done, and you’ve done it in writing, numerous times Mr. Friedman so I have no idea how you expect to win in court holding two different, I mean, any judge is going to see this and just laugh it out of court in my opinion but that will be for the suit to decide. Moving on here for the tax bills, Auditor Stabosz is correct, only some of the tax bills need to be reissued, it was Treasurer Winski who insisted that every single tax bill be sent out even if there was no changes on them which probably at least doubled the cost of that...when we look at our Attorney Friedman said ‘who is, I believe he mentioned Auditor Stabosz and myself, Haney I believe he said, to look at my work again, as the executive authority the State Board of Accounts, as you go through and pick what you do and don’t like, the State Board of Accounts says specifically I, as the executive, have a right to look at your work and you refuse time and again. The deflection here over the email that you sight about the Michigan City EMS base, I’m not talking about the email that you sent to all of us, I’m talking about the email that you sent to the Commission officers and the Council officers in which you seem to proffer this lease sale scheme in which you say ‘I don’t want to send this to Haney and Stabosz ‘cuz they’re going to call us out,’ right, but let’s do this lease payment scheme so we pay them the original appraisal from a year and change ago, whatever that was and then we’ll lease the property from ‘em until we get to that dollar amount that the property owner wants. It was at that point when I found out these sorts of shenanigans were going on behind closed doors and this is where the transparency should come in to place, now I’m sure there are insane volumes

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of emails and communications that are like these in which they're trying to play these back-room deals and keep them behind me, I just so happened to stumble across a copy of this luckily to be able to shut this down." He went and talked to various Council people and told them he would turn this in to the State Board of Accounts to shut it down, spend a year on this and get fresh appraisals, the market has appreciated, we will get a higher appraisal and hopefully it will satisfy the owner. "Well, guess what? That's what those Council people did, so I was able to stop this lease sale scheme that was sent behind, you know, with emails, that again, this goes back to what I've talked about earlier, it's not like I'm just making stuff up out of (inaudible), consistently, last year not a single time did the County Attorney send an email to just the Commission officers which at the time would have been Commissioner Mrozinski and myself, he always included all three Commissioners, this year he's purposefully including only Commissioner Matias and Commissioner Mrozinski in these emails, excluding me because he knows the stuff he's doing just doesn't pass the smell test, it's not right, it's not appropriate, and you should not be trying to skirt state law with some kind of lease sale scheme, I don't understand, I mean this is not something that should have been difficult for this property, we know the market's appreciate, just get another appraisal, how hard is it and that's what we did, that's a good thing." We should not be doing funny games and hide things around the scenes. The SBOA report is a 149-page document, a lot to digest in one sitting. One of the discrepancies was about seven to seven and a half million dollars in cash unaccounted for going in to the beginning of the audit for 2019. This is when both Commissioner Haney and Auditor Stabosz took office. Operational controls have not been followed, this is from 2018 and not addressed by the Commissioners at that time. We need to look at all issues and not just pick and choose certain ones. "I also want to point out one more thing here, in our brown folder with our claims on it, line item claims docket, those are signed, I believe, almost always unless Commissioner Mrozinski's in Florida, he signed them in ink just like Commissioner Matias and I do but I had a couple of invoices in my bags here, from a couple of different vendors here and you can clearly see where these are being stamped, they're not being signed and I want to take a moment to be very specific here and point out that this in no ways any reflection whatsoever on the fantastic and outstanding work that our Executive Assistant does, so I just seen her kind of looked concerned and this has nothing to do with the hard work she does, she does an amazing job and she's only doing what she's told to do, the policies and procedures that have been set in place for quite a while now so there's absolutely no ding on that, she's doing exactly what she's told and doing her job extremely well, in fact the other day I pointed out the excellence of her diligence specifically in one vendor's bills that had come across, she goes through to make sure that what's being billed wasn't already paid out because sometimes there's an overlap in one of these vendor's bills and I specifically pointed out literally in the passed 5, 6 days, how - what an amazing job that our Executive Assistant does so I don't want at all want to conflate or confuse these two issues, I'm just trying to clarify the confusion that Commissioner Mrozinski has here that invoices are the same things as the line items on a claims docket, they are two completely different things."

### Requests

**Considered** permission to approach the Council for funding to repair cameras at Community Corrections. Merika Beaty, Interim Director. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** permission to approach the Council for funding to repair broken windows in the Complex and repair HVAC equipment at Community Corrections building. **Larry Levendowski**, Director of Facilities, one on the third floor and one on the 4<sup>th</sup> floor of the complex. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** permission for travel to Boston for IAAO conference August 27-30, 2022 - Mike Schultz, Assessor. This is required training and no additional funds is needed. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

### Old Business

**Considered** agreement with Purdue Extension. Reviewed and approved by Attorney Shaw Friedman. Commissioner Haney asked if the issues between the volunteers and the staff have been resolved. **Commissioner Mrozinski**, last few months the issues have been handled by Commissioner Matias and Council President Randy Novak and assured that they have been resolved. **President Matias**, numerous meetings have been held with Purdue Extension, including members at the campus in Lafayette, the program is rebuilding and we are currently at a good place therefore she supports this agreement. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**



**Considered** amendatory ordinance to Ordinance No. 2009-03 to provide a penalty for sex and violent offenders who fail to pay annual registration fees or fail to remit change of address filing fee. **Major Pat Cicero**, Sheriff's Department, this will ensure that fees are paid. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0. \*\*\*Ordinance 2022-5**

**Considered** repeal of County Ordinance 1995-6 which is in conflict with new state law; but consider adding Hiler Building to the two (2) Courthouses where firearms are still prohibited. **President Matias** requested a semi-colon added and take this as two actions. **Commissioner Mrozinski motioned to approve repealing County Ordinance 1995-6. Commissioner Haney seconded. Motion carried 3-0.** **President Matias** suggested Sheriff Boyd work with officials in the Hiler Building to add with the 2 courthouses. **Commissioner Mrozinski motioned to table the Hiler Building being added with the 2 courthouses until more discussion is held. Commissioner Haney disagreed, motioned to vote it down.** "There is no point in this, this idea that politicians somehow have a greater – we want politicians to be better protected than our school children? It's a preposterous notion, we don't have money to put metal detectors and officers in all of our schools and you want to do that in the Hiler Building? It's a ridiculous proposition." **President Matias**, it is not proposing anything worse, there is a motion to table the item. **Commissioner Haney**, the problem is once tabled it can be brought back at any time. The public should have input on this if you're going to try and protect our politicians and not the school children, the public wants to be aware of it. "I suggest that...whether it's you (President Matias) or our Treasurer Winski, if they want to try and protect politicians better then we protect our school children, we'll have 10,000 parents in here at the next Commission meeting saying 'no way, you protect our kids before you try and have some vanity protection for yourselves, it's preposterous notion, it doesn't make any sense.'" **President Matias**, Commissioner Haney is misstating the facts, employees working in that building have concerns and we need to hear both sides, has nothing to do with politicians but our county employees, some offices handle cash money, others deal with certain situations and everyone on both sides have a right to their safety. **Commissioner Haney**, he has not heard from one employee yet but feel free to talk to him with concerns, the only ones he has heard from are the politicians. **President Matias**, we are in charge of our employees. **Commissioner Mrozinski**, no use having an ordinance on something you cannot enforce, that is why he motioned to table it. **Commissioner Haney**, why not just let it die, why table it so you can just bring it back? It just sits out there indefinitely and it could be put back on the agenda and people out there won't know it. **Attorney Friedman**, offered a suggestion of referring it to the Sheriff on ways to harden security in the building. **Commissioner Haney**, the side door in the Treasurer's office has been left unlocked for months, after Council spent money to secure the doors. The Hiler Building is one of the safest places to be during the day with the Sheriff's Department and Courthouse Security right across the street, within 100 feet, during business hours. **Commissioner Mrozinski motioned to table consideration of the Hiler Building added to the two Courthouses where firearms are prohibited. President Matias stepped down and seconded. Motion carried 2-1. Commissioner Haney - Nay.**

**Considered** permission to approach the Council for establishing an overtime budget and pay out comp hours, totaling \$40,455.35 at Community Corrections, **Merika Beaty**, Interim Director. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

#### New Business

**Considered** Interlocal Agreement with Solid Waste for the collection of recycling program user fees. **Doug Biege**, Attorney for Solid Waste, September 2007, an agreement between the County and Solid Waste to include charges on the tax bills but at this time Solid Waste was receiving 'dumping fees' but now the dump has closed and the fees are no longer. The Solid Waste functions now on 'user fees' which are paid by the public. The Solid Waste District Board approved the recommendation to waive the fee and enter into a new agreement for the collection of user fees. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** approving Memorandum of Understanding between La Porte County and FMEC for work by Kaitlyn Simms after hours for FMEC - **Doug Biege**, FMEC Counsel. Kaitlyn Simms is to do this work outside of her normal hours working for the county. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** Flood Damage Prevention Ordinance required by FEMA - **Doug Biege**, BZA/Plan Commission Counsel. **Considered Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0. \*\*\*Ordinance 2022-6**



**Discussed** pending IURC case regarding coal ash cleanup issues at soon-to-be closed NIPSCO Michigan City coal-fired generating station. **President Matias**, wanted to make the public aware of this issue. No formal decision or vote will take place tonight. The IURC will be in Michigan City attending a hearing on August 1<sup>st</sup> at 6:00 p.m. for the coal action clean-up. **Commissioner Mrozinski motioned to table this item pending more information. Commissioner Haney seconded. Motion carried 3-0.**

**Commissioner Comments**


**Commissioner Haney**, Fair was fantastic. Will focus on the La Porte Courthouse and repairs that need to be made. There were a few issues with roads, junk cars he went and looked at then attended a meeting with Community Corrections. There is a new suicide hotline - 988. Festival of the Lakes will take place this weekend in La Porte, Boat races, too. South County will hold a household hazardous waste collection. Pointed out new devices used at the meeting, basically anti-first amendment devices to shut microphones off when you don't want to hear them speak. Tonight our 2<sup>nd</sup> amendment rights were discussed and now the 1<sup>st</sup> amendment issues to limit freedom of speech and to redress government. Not sure what's next, troops in our houses? Can't fix our bathrooms in the La Porte Courthouse but we have money to buy devices to limit our speech? Quoted George R. R. Martin, "When you tear out a man's tongue, you are not proving him a liar, you're only telling the world you fear what he might say." Commented on what took place in Southern Indiana where an individual gunned down people in a mall and thanks to our legislature last year for getting our 'constitutional carry' passed and allowed Elisjsa Dicken to stop the shooter.

**Commissioner Mrozinski**, it was decided a few years ago that once the Michigan City Courthouse was completed and paid for then the La Porte Courthouse can have work done. Animal Shelter has a program where students can go and read to the animals. Rolling Prairie EMS Base is moving right along, currently waiting on I&M for electric. Yesterday a meeting was held for the need of a Mental Health Facility here in our County. It was well attended. The new 988 suicide hotline number was called during the meeting and it was answered in Arizona. The Fair was great this year, thanked the office staff - Sarah, Sydney, Garrett and Mitzi. Mike Seitz did a great job. Donnie Stoner, Steve Mrozinski, Marquis Electric, Katherine Mrozinski, Veterans' Service Officers, Sheriff's Department, EMS staff and Skerbeck family with the carnival rides. Reported the Regional Sewer District had the #1 forgivable loans submission in the State of Indiana, concluded that Hudson Lake and Saugany Lake communities are the #1 priority for sewer and water projects in the state.

**Commissioner Matias**, reading to the animals is a wonderful idea, pictures were great and benefits not only the animals but the children reading. The Fair was an incredible experience, great work between the Fair Board, FMEC and the County. Public Information meetings coming up: Gypsy Moth, renamed Spongy Moth, will hold a public meeting here in the complex on Tuesday, Jull 26<sup>th</sup> at 4:30 p.m. then following this meeting will be Meadowview Estates/Nowak Subdivision Drainage issue at 6:00 p.m. in the same room here in the complex. La Porte County Works! Program will be back in August. Tomorrow evening the Economic Development Corporation of Michigan City will be celebrating its 25<sup>th</sup> year anniversary and has had a 1.3-billion-dollar investments come through their office. Tony Rodriguez was the first Director and she was the first Board Chairman. Clarified Commissioner Haney's comments on the \$5,000 spent for sound equipment in this meeting room. It was necessary due to the audio complaints from those watching our meetings. The mute buttons were a suggestion by the technical team after previous disruptions that made it difficult to hear when more than 1 person was talking at a time. Reported on the warm reception she received at the Fair, no matter the political party, the public still was supportive. She heard comments made on Broadband, roads that need repair, jobs, and then the discourse at our public meetings, how did it get to this level? It's okay to disagree but at least be civil to each other.

**President Sheila Matias adjourned at 8:14 p.m.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE 8-3-2022

  
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ATTEST: \_\_\_\_\_ Auditor

LA PORTE COUNTY, INDIANA

**ORIGINAL**





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Fax: (317) 232-4711  
Web Site: [www.in.gov/sboa](http://www.in.gov/sboa)

March 15, 2022

La Porte County Auditor  
555 Michigan Ave, Ste 205  
La Porte, IN 46350

Dear Mr. Stabosz,

The State Board of Accounts ("SBOA") continues to receive inquiries into the claims payment process in La Porte County, including delayed and/or partial payment of attorney fee claims approved by the Board of Commissioners.

In our letter dated September 16, 2021, we reviewed the claims payment process under Ind. Code § 5-11-10-1.6(c) relating to the fiscal officer's responsibilities to review invoices and bills. As we mentioned, the duties of the fiscal officer include auditing invoices for correctness. Auditing invoices for correctness involves determining:

- (1) whether the bill or invoice is true to the context of the contract; for example, whether the contract contemplates the general service provided, and
- (2) whether the bill or invoice is accurate; for example, whether the hourly rate is correct and the hourly rate times the hours worked is properly calculated properly.

The auditor is not statutorily charged with the duty to scrutinize each individual element of the claim or inquire into the specifics of work product. That responsibility falls to others. The public officer or person receiving the goods and services must review and approve the claim. Ind. Code § 5-11-10-1.6(c)(2). And the executive must examine the merits of the claim. Ind. Code § 36-2-6-2. Again, this is not the auditor's responsibility.

If an auditor fails to timely pay claims or unreasonably prevents the payments of claims, and the county incurs interest or penalties as a result, such interest and penalties may become the personal obligation of the auditor. Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1 (2017).

Please contact us should you have any additional questions or concerns.

Sincerely,

*Paul D. Joyce*  
Paul D. Joyce, CPA  
State Examiner