



# LA PORTE COUNTY BOARD OF COMMISSIONERS

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

**Connie Gramarossa**  
President

**Richard Mrozinski**  
Vice President

**Joe Haney**  
Member

**Laporte County Commissioners' Meeting Minutes**  
**Wednesday, July 5, 2023 at 10:00 a.m. County Complex Room 3 & via Zoom**

**Commissioner Connie Gramarossa, President** called the meeting to order at 10:04 a.m. followed by the **Pledge of Allegiance** led by **Reggie Korthals**.

### Roll Call

**Auditor Tim Stabosz** called the roll: **Commissioner Connie Gramarossa - Present; Commissioner Richard Mrozinski - Present; Commissioner Joe Haney - Present. Quorum present therefore meeting commenced.**

### Consider Agenda

**Commissioner Gramarossa** asked for consideration of the agenda. **Commissioner Mrozinski** stated one thing he would like to add after Department Head Comments correspondence, something to read into the record. **Commissioner Mrozinski motioned to approve agenda as amended. Commissioner Haney stated he wanted to make a motion to amend Commissioner Mrozinski's motion** to also to consider a conversation with Mark Yagelski regarding PNW as well as consider approval of Fairgrounds projects in regards to the Facilities Director going before the Council for a motion of support. **Commissioner Mrozinski seconded. Motion carried 3-0.**

### Consider Approval of Minutes

**Commissioner Gramarossa** asked for consideration for approval of the June 21, 2023 minutes.

### Consideration of Claims

**Auditor Tim Stabosz** stated **Payroll** ending 06/23/2023 in the amount of \$ 2,087,627.34 and **Operating Expense Claims** in the amount of \$ 2,873,768.55. **Commissioner Haney motioned to approve Operating Claims and Payroll as advertised. Commissioner Mrozinski seconded. Motion carried 3-0.**

### Public Comment

**Scott Archenbal, La Porte** spoke about previous accidents which had occurred in his area. He previously had attended meeting in the past and got some feedback from the previous Commissioners. Also, he had gotten feedback and responses in regards to his concerns from Simmermeyer, Bishop, and Andrew. Mr. Archenbal stated he wanted the Board of Commissioners to know that he was happy with the people that were out in the field.

### Department Head Comments

**Mark Yagelski, County Council**, would like to ask for consideration for the Commissioners to put up the property in Michigan City next to the Fire Station up for demolition. Phase Two will be up for development. It will give the area spaces for parking. **Commissioner Mrozinski made a motion to start bids for demolition for EMS space in Michigan City. Commissioner Haney seconded. Motion carried 3-0.**

**Reggie Korthals, MS4 Permit Coordinator**, a full permit audit will be conducted in La Porte County July 24, 25, and 26, 2023. She asked for postponement of Fairgrounds' audit because of the fair going on and it was

rescheduled for September. All of the Highway Department garages and possibly the Parks will be looked at. It would really be helpful to have things in order. There were several complaints in regards to the condos at the golf course, at the Legacy site. A report was submitted and waiting for a response back. Mrs. Korthals stated she had met with Charity Glaser, Interim Superintendent at the Highway Department as well. She will be going back out to do a walk through at the Highway Department, using a checklist that she had prepared to make sure that they are in a good place when the audit takes place. There is an issue with a project that has to do with encroachment on the Wetlands and she has tried to deal with an engineer, Dennis from Wetlands about this. Also, she wanted to complete for the county a storm water quality management plan and water quality characterization based on what was done by the previous MS4 Coordinator. Unfortunately nothing was done. This will be done later once staff is in place. Mrs. Korthals stated she could write it for the county but wanted the staff involved to help since they will be the ones implementing the plan. An annual report for 2022 will be submitted.

**Randy Novak, County Council and FMEC Director**, wanted to give an update on the bathrooms at the Fairgrounds which the Board of Commissioners and Council supported. A final walk through will be done this week. Painting, lighting, water lines, and electrical work is being addressed. A lot of things focused on this year is some safety things. Dusk to dawn lights will be installed as well.

**Richard Mrozinski, Commissioner, Vice President** stated Mr. McCormick had asked him about the handicap ramp at the Michigan City Courthouse. He contacted Town and Blank and they sent out two people with their equipment. A report was given on it and it is 100% ADA compliance. This Saturday starts the 177<sup>th</sup> year of the La Porte County Fair.

**Tim Stabosz, Auditor**, wanted to briefly speak on the flood annex situation. He said he had some concerns as the Auditor. He takes the appropriation of the monies seriously. We respect the process and the Commission's position to direct the renovation. A Flood Renovation Fund has been created by the Commission with monies received by the insurance company. We have been utilizing the Flood Renovation Fund. The Auditor has been appropriating so that the contractor can be paid promptly. Because of the reflecting current dispute or at least a slowdown of the process the insurance company has appropriated a significant amount of money to the county's reserve fund. The project is deemed to be a public work per the SBOA. Clearly the annex project is a public work paid out of a public fund. The emergency reserve fund is a public fund. If the amount of the project is under \$150,000 there are three quotes required, greater than \$150,000 there is a public bidding required to specify it out, scope it out, bid it out and award to the lowest bidder. Hopes that the Indiana state codes are honored. An open process is best to ensure that the taxpayer get the most monies for this. The current situation is in dispute and has turned into something more than it was. He asked the Commission to consider the emergency funding based on the state codes and statutes. **Commissioner Gramarossa** thank him and stated the Commission will take this under consideration.

## Old Business

### **Flood Project Discussion**

**Attorney Pejic** said we have had discussions. The prudent course of action would be for the Board of Commission in regards to the flood project would be based on according to the Indiana Code 36-1-12-9 is the reason being as the Auditor previously stated is because this went from an insurance job to using public funds. And, if the Commission declares this as an emergency two bids have to be requested for the work. This is complicated because existing work has been done using insurance proceeds. Not sure if the insurance would agree to cover this or not or if there would be any litigation following up with insurance. We are in the middle of a project and we have discussed whether or not inmates had to be relocated at the jail and some of the employees and departments had to be displaced and relocated due to the emergency nature of this. It's our hope that the insurance company would pay for all of the work. Mr. Pejic's requests that the Board of Commission would declare this project as an emergency. And, he stated Mr. D'Martino is more familiar with this and is here to comment this further. We could draft a memorandum declaring an emergency and requesting bids.

**Attorney D'Martino** said he has been the legal consultant of this flood project. Over the months the Auditor's concerns have been heard and are valid when we look at the Indiana statutes as is with Mr. Haney. As lawyers when we look at things and when we look at statutes we go out and we search legislative intent to determine whether there are other factually similar circumstances that have been situations reported on. Then we take that information and how courts have looked at those statutes and then we can determine yes or no regarding these types of issues. Myself and Mr. Pejic have done a search of case law trying to determine how the courts really deal with these issues and there's nothing out there. I don't believe that nothing that has been developed, a dispute in Indiana that has made its way to the palette court with a circumstance that's similar to this circumstance. Where you have a pretty significant loss to a building. You start off with an emergency and you have an insurance carrier whose involved, an insurance carrier who agrees to certain terms and then there gets to be dispute developed in the middle of the claim. So clearly the initial emergency that we called on December 25 under Homeland Security, under life safety provisions, clearly at that time that stays. But once the litigation like Mr. Haney brought up has pretty much been completed and the water is not running the nature of the emergency sort of changes. Right now, we have about 100 people that are displaced. We heard from Adult Probation that folks are missing their appointments. We heard there's problems with people having to go to Michigan City. So, we know the impact on the community. And, so this point in time we our trying to navigate everybody's concerns. Trying to navigate the fact that there is a dispute with the insurance company. The dispute with the insurance company has to do with there are certain items are considered a covered loss under the policy. And, so because either the project stops at this point and time until that dispute is resolved with the insurance company or if the project continues, we have to stand in the shoes that we take the position that we have to use public funds in order to continue the project. And, so then that brings up the public works. It's clearly a public works, it's a renovation to a building, the language is broad with that. So, with that understanding, then the issue becomes with a 100 people being displaced with the potential issue with the impact with the jail and the inmates in the jail, the issues with inspectors that have come out and brought up, are we able to list significant facts in the spirit of the law maybe not necessarily totally but the language of the law and that what the courts are there for to determine what the law actually reads. Whether we can meet the qualifications of an emergency under another title, title 36 as opposed to title 10 which was initially used so that the project can continuing moving forward or whether we have to go ahead and follow the bidding process and stop the project right now and allow engineers and architects to come in and put out a request or proposal for and then go through that process. Mr. Pejic and I think that there is a way if the Commission determines that we meet the qualifications of title 36-1-12-9. That the project can be delayed for a shorter period of time and continue moving forward meeting the legislative intent of using public monies. So under the emergency statute it pretty much says if the Commission declares in the minutes, on record that it is an emergency and you have supporting facts to support that you can invite two bids from contractors, from companies, that are known to do work for the county, known to do municipal work. The problem or the difficulty is because the building is torn out, because some work has already been completed, other work is in the midst of it, how do we as Commissioners, as attorneys, as the rest of the county vote. How do we put together a scope for that? So, in order to, I believe if you want to go that route there are two ways you could possibly meet everybody's concerns. The first is we but together a scope and put it out and ask for solicitation. Invite bids within a two week period or so, three week period from contractors who we know that do work in the area. Or cause La Porte county construction management has been acting as sort of a structure management company. You retain La Porte county construction management to go out, because they know what's been done and what's not been done there and invite those bids on your behalf because they are more intimately familiar with the project than myself or Mr. Pejic or any one of us. So, if you choose to go down that route you have those two routes. If you don't choose to go down those two routes than the project is going to have to be shut down. And, then you're going to have to do a request out there for qualifications for somebody who can manage the project and you are going to have to go and follow the full bidding statute. Your call, all we can do as lawyers is give you the method and means of possibly moving this forward. And, you want to know something? It's no law at this point and time has made this black and white. So the only way we can determine that is with a ruling or with the order of a court, and we know that's not going to move the project forward. Does anyone have any specific questions.

**Commissioner Mrozinski** stated not really, I have a question but, I like your idea of having the project manager find subcontractors for whatever is determined to be an emergency. He said he thinks all of it is an emergency except for the parts that are not necessarily from the flood damage that they discovered along the way that would make the most sense. I would think that to some extent already they have already been doing that with the people with the testing of the air and looking for mold and that sort of thing. That would make the most sense to me. One thing for sure is that we can't stop, we can't stop the project it is still an emergency. It will be an emergency until our people are back in doing their job here. We've walked through there and we continue to find things that are probably going to have to be rectified. We really hoped by now we would be a little bit further along with this project but, we've had some bumps in the road. But the Building Commission made it pretty clear, if you stop the process, stop working on this building he would condemn it. And, now the taxpayers will take a real beating on that because the first we have to do is bring in an engineer, you can add about \$100,000 there. Every prisoner would have to be relocated. I think the per diem is about \$60 per day, times about 300 people, they would have to go somewhere. It would be pretty devastating. In my view number one, we need to continue working on it. Everyday they work on it, not every day, they find other things that may be not a part of the flood damage but, they won't pass code so they have to be fixed. I don't know how we would put that out for bid. Like you stated, the contract manager right now they know what has to be done. And, a lot of the stuff they probably already order the materials and stuff for. It would be hard to know and intervene that. But, I would trust the project manager, not now to look for bids for stuff that has to be fixed that's not a part of the flood damage.

**Attorney D'Martino** said if you take that position, I have four areas I have in question. I can pretty much guarantee you that out of those four areas there are going to be insurance proceeds that are paid toward those areas. Whether it's 10% or 100% I can't say that. So anywhere along that spectrum you are going to be paying public funds because I can't guarantee you a 100%. So, with that concern and with the Auditor's concern and with the statutes we are going to be using public money. And, I agree with you that I believe that we can meet the emergency based on those facts but, you still have to follow what the law wants.

**Attorney Pejic** said Mr. D'Martino and himself understands the Board of Commissioners' concerns, the Auditor's concerns, and the Council's concerns. After reviewing the law, it is clear, competitive bidding is the rule not exceptions, we all know that and it's really not up for debate. But, due to the emergency of the situation the code does give us flexibility. And that's why we're here today. We do have flexibility. The legislature does understand that there are emergencies that arise. So, one example, I was speaking with Commissioner Haney earlier on today just to show how difficult this is. Is for example, we know the insurance company pay for duct work in the building but we don't what percentage. I do understand Commissioner Mrozinski's concern, so how do we send something out for bid when we don't know if it's going to be 20% of the duct work or 50%, that's an unknown right now and we do understand that complexity. With that said though, with the legislature we do need to have competitive bidding, even though it's less formal than a public work project. I just wanted to advise that if the Commission declares an emergency today under title 36-1-12-9 we need to put that on the minutes today and need to provide names of the people we are inviting to bid.

**Commissioner Gramarossa** states she sees three different issues happening here and would to address all three. So, the first one being the emergency. We did declare, they declared an emergency the day of the incident which was back in December 26, of 2022. And, then moving forward when the new administration came in on January 4, we declared another emergency. Actually, we approved it in our minutes 3-0 that there was an emergency. Is that emergency under the 10 or under 36? **Mr. D'Martino** replied under title 10 which if I were to go back and do it again, it was Christmas day, I probably would have done it under title 36. Title 10 we have used a couple of times in the county and that really has to do with a greater scope of life. So that emergency in my view is debatable, the title 10. Commissioner Gramarossa stated she just wants the public to understand. So, we did approve it in January and it was under title 10. And, now what you are saying to us is that we have to approve it under title 36. **Mr. D'Martino** said what he is saying is that is a method of moving forward. I'm not telling you that you have to, I'm giving you the option. Because on Christmas day, President

Matias and President Novak jointly signed that emergency and on the current Board of Commissions' first meeting of the year they ratified that emergency and the Council's first meeting of the year they ratified the emergency. He said, we can all say the that the intent of that title is abated. **Commissioner Gramarossa** says she just wanted to be able to talk it through. We are going from the title 10 to title 36-1-12-9, but under that one it is still an emergency we are just putting it out to bid. We invite bids to two companies. She informed **Mr. D'Martino**, that she heard him speaking, and said this is about two parts and guess they are intertwined. Do we send the project management out to bid or are we sending all the contractors out to bid? Is it every single part we are out bidding or do you send the project manager out to bid and then he or she would have to do the same thing and then they would have to send out to bid? **Mr. D' Martino** replied yes, that's your call if you decide to go ahead and do that. You can retain the project manager and ask them to stand in your shoes as your agent because they know the project best to invite the bids to come back and then you review the bids and make the determination. Or, you can put it out globally to construction companies and say go ahead and make sense of that and bid it which would probably take a longer period of time. I would hope at least that is the common ground, at least everybody would agree that the La Porte County Project Manager knows more about the project than any of us and it would take another company a longer period of time to get up to speed as to those issues. However, if you appoint them to go ahead and do that then they can invite the bids and bring the bids back to the Commission for determination. **Commissioner Mrozinski** that would make the most since. But, there are many ways you can do because again there's no cookie cutter thing or no court that has said this has been done wrong or this has been done right. My goal and Mr. Pejic's goal is to give you options so that you can move forward. I heard Commissioner Mrozinski say he does not want the project to stop and Commissioner Gramarossa stated she doesn't want the project to stop either. **Commissioner Gramarossa** asked when the project is put out to bid does it shut down for two, three weeks, how long. Mr. D'Martino replied there is some projects in process that are close to completion and work can continue, like with Adult Probation and some of the painting at the Sherriff's Office but that would be up to the Commission. Commissioner Gramarossa stated that the Council approved 6-1 for the work to continue and funded. Mr. D'Martino has reached out to the Council and told them he does not recommend that they appropriate it, the Auditor payout on them based on the confusion and some of the ordinances that are out there. There are some things that need to be cleaned up and lets just put it to rest for now. **Commissioner Gramarossa** asked is the Commission was going to ask for a motion to change it from title 10 to title 36 and then we go a second part and decide what we are going to put out to bid? Mr. D'Martino replied you can do as one or you can do it as multiple based on what the Commission base it on and decides to move to do. There's no cookie way to do it. It just all needs to be documented in the record. Mr. Pejic had a question and wanted to be clear the definition of an emergency under title 36-1-2-4.5 is it reads an emergency means a situation that occurred and could not reasonably be foreseen and threatens the public health, welfare, and safety and requires immediate action. He asked Mr. D'Martino if he would like to comment on that. My position would be based on what we have been told, potentially the building might have to be condemn if it this thing gets shut down and that would meet the qualifications. That's my opinion, I'm a lawyer and you might find eight other lawyers with different opinions. And, should you all have a concern we can go ahead and file suit and we can get answers from the court. That's always an option. As a lawyer I only have two roads I can take that's try to negotiate something that works for everybody or my only other tool is to go to the courts. That's all I have. I'm not a mind reader but I believe there is enough factual bases to declare an emergency and if that becomes a dispute than you will have to have somebody way higher than me to make that determination.

Auditor Stabosz stated that he had a question. Do you have an estimate of the so-called completed items? Mr. D'Martino asked him was he talking about the disputed amounts? Mr. Stabosz replied basically the amounts to have the contractor complete and then bid out the rest. Is that 50 grand 200 grand, Adult Probation. Mr. D'Martino believes Adult Probation has all of the supplies and does not know how many hours that it would take, which would be something that could be solicited from the person. He believes the carpeting is in and paint has to be out on the walls. Then we need to have the Environmental Engineer do their testing in order to get CO to that part of the building. Mr. Stabosz said these items come to essentially the crazy degree that they can be completed in a matter of days or weeks or whatever they come to. To delay to have these items go to public bid is that the determining factor? As the Auditor, he just wanted to get a sense as to what's going on

with this. Mr. D’Martinio informed there is no issue with Adult Probation. The second thing he wanted to say is with Commissioners Mrozinski and Gramarossa concern with Mike Polan coming in and stating if the project stops, he was going to condemn the building. He believes that part of the analysis is that something is being done, it has not stop. He told the Auditor that he could not give him a dollar amount. The painting is with the Sherriff’s Department. Commissioner Gramarossa asked if they wanted them to discontinue with the work in Adult Probation and the Sherriff’s Department until we get all of this straightened out and the Auditor replied, no, he just wanted to understand the scope of the essence as to what that was. Commissioner Gramarossa informed him she just wanted to make sure and did not want him to feel like he was being talked into something due to all of the confusion that’s been going on and if he had anything to say. It is his understanding the County has a moral obligation. Mr. D’Martino said it was his recommendation that no monies be paid out of the emergency reserve and there was almost \$600,000 of the advance and those monies were going to be paid.

**Commissioner Haney** stated the monies for the work in Adult Probation and the Sherriff’s Department has been already approved by the insurance company. He had a question for Mr. D’Martino and Mr. Pejic. He was listening to Mr. Polan’s concerns about the work stopping and possibly having to condemn the building. There were a few exceptions. Mr. Haney did not want to see this course of action taken. One of his concerns was the fire alarm system not sufficiently alarmed and could make a pretty good argument. He believes the work going on in Adult Probation and the Sheriff’s Department should continue to keep those folks. Is it appropriate to make a determination based on title 36-1-12-9 that this is an emergency. Mr. D’Martino and Mr. Pejic agreed that we do have to make a determination, it was declared an emergency, we are not using public funds, and we have to expedite this situation. Insurance have not been giving us additional funds and others issues are going on, walls gutted, people displaced, lead in the water. We are in the middle of the project, people being displaced and other uncertainties. Mr. Pejic believes these deem the nature of the emergency. Mr. D’Martinio we can get a temporary building to house these individuals like we did with the courthouse but this is a totally different issue. Mr. Pejic stated theses statues have not been interpreted. These statues are designed to give municipalities flexibility to meet these needs.

**Commissioner Mrozinski motioned to declared an emergency based on title 36-1-12-9. Commissioner Haney seconded. Motion carried 3-0.**

**Commissioner Gramarossa asked for a second motion for project manager to put out work for bid. Mr. D’Martino suggested that his recommendation would be that the motion should be for the areas that the insurance have questioned and we assume that is the work that we need to complete as oppose to bid it out. Commissioner Mrozinski motioned to delegate the La Porte County Project Management to determine the scope, once scope is received the Commission has to determine before the next meeting who they are going to invite to bid, and then request bids to come back by the end of the month and move on the it in the first meeting in August. Commissioner Haney reiterated that it was the \$1.7 million approved by Council seconded motion. Motion carried 3-0.**

**Commissioner Mrozinski read correspondence for trip from Linda Zurick.**

### **New Business**

**Consider** approval of minutes for La Porte County Council & Commission Workshop, April 24, 2023.

**Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** hiring of MCR Partners LLC for Economic Development. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** asked was there a contract associated with this. **Commissioner Mrozinski** stated a copy of the contract came this past weekend to the Commissioners through our email. **Commissioner Gramarossa** stated that we received our packets three days ago and over the past months she was given several contracts to review, ahead of time, or at all that Commissioner Haney had reviewed. **Commissioner Mrozinski** asked had the attorney had a chance to review contract and he stated no. **Commissioner Haney** said a new motion had to made. **Commissioner Mrozinski** changed is previous motion. **Commissioner Mrozinski**

**motioned to approve contract pending the attorney's approval. Commissioner Gramarossa seconded. Commissioner Haney stated nay. Motion carried 2-1.**

**Consider** discussion about MS4. **Commissioner Gramarossa** asked Mrs. Korthals to come up to help with this discussion. **Commissioner Gramarossa** directed her comments to Commissioner Haney and stated to him that he has been working with MS4 since the beginning of the year and there has never been a replacement or suggestion for a department head for MS4. Two individuals were contracted for this, Jeff Wright and Mrs. Korthals. Mrs. Korthals stated she was already still under contract as a consultant. Commissioner Gramarossa said it created a problem because we didn't have an actual employee, he appointed her in January to do the purchase orders for MS4. Commissioner Haney has been working as the MS4 operator. She had spoken to Mrs. Korthals and even though Commissioner Haney is not the president, the Commission can still keep him as the appointee. Commissioner Gramarossa said Commissioner Haney has been going to all the meetings and he has attended the inspections.

**Mrs. Korthals** stated the best way to look at this is under the code and under the permit the MS4 operator is the Commission. Just as you choose someone to represent the Commission you can choose one of the Commission to help represent MS4. When you look at internal staff you don't need a storm water director. All you need is a storm water coordinator is all that is needed. It makes it a little more oversight on your part to do this. It also gives direction. Up until this point Mrs. Korthals has been acting as your advisor. We need to get this together.

**Commissioner Gramarossa** stated working with the Building Commission and Soil and Water there are three individuals willing to work with this. There is \$61,000 in salaries, there are two department heads and a part time individual willing to take over those responsibilities and form a department within these three individuals. Also, the purchase orders need to get paid and Commissioner Haney is acting as the Operator. **Commissioner Gramarossa** informed Commissioner Haney she would like to relinquish back the position he gave her. We still need to get this internally up and running.

**Commissioner Haney** informed Commissioner Gramarossa at the beginning of the year he did not ask her to do the purchase orders for MS4 she assumed that role and that is a duty for our assistant. **Commissioner Gramarossa** informed him that he did ask her to do the purchase orders. Commissioner Haney went on to say that he had been uploading ordinances, agendas, and minutes to the website and it was the Executive Assistant job to do purchase orders. **Commissioner Gramarossa** informed him the Executive Assistant does not do purchase orders for MS4 or purchase orders for other departments. **Commissioner Gramarossa** informed him again that the Executive Assistant does not do other departments' work. She said when MS4 was up and operating it did their own purchase orders.

**Mrs. Korthals** stated that MS4 did do their own purchase orders and the reason being it was established that the MS4 Ordinator was actually a Storm Water Department head which gave that individual county authority to go ahead and do that. It doesn't necessarily have to be that way it the way it could be under the Commissions' guidance as to how they want to set it up.

**Commissioner Gramarossa** asked for motion to get the MS4 back up and running and not just the liaison position but getting the whole department back up and running. Mrs. Korthals asked was she referring to her and Commissioner Gramarossa stated under the current liaison that's working on it right now which is Commissioner Haney. Unfortunately we don't get all information and asked Attorney Pejic how could they resolved this issue. Mr. Pejic stated just receiving information is not a violation, taking final action or discussing final action is an open door violation. Mrs. Korthals would like to make sure when she meet with Commissioner Haney it is to receive information if the Commission has any input to make sure she receives it and not to discuss resolving or making decisions. Commissioner Gramarossa said there has to be a way that we can meet to gather information without collectively having to make a decision. Mrs. Korthals said she believes it's based on public participation. She has provided a written list of all tasks required under this permit and

whoever manages this has the time and ability to do this. Attorney Pejic stated he would research the issue of official action further and let the Commission know.

**Commissioner Gramarossa asked for a motion to approve to relinquish all parts of MS4 to Mr. Haney. Commissioner Mrozinski motioned to approve. Commissioner Haney stated as for clarification as he stated earlier at the beginning of the year we were all doing multiple tasks to make the job of our Executive Assistant easier. He said that Commissioner Gramarossa was doing some of the purchase orders, our IT Director was doing some purchase orders and I was too, uploading doing general secretary work trying to make the load of the Executive Assistant easier while the learning curve was in place however writing purchase orders is not the job of the Commission but our Assistant. Commissioner Gramarossa said you had me doing purchase orders for six months. Commissioner Haney stated no you chose to do it and that is the job of the Executive Assistant. Commissioner told him no that is the job of a department head. Commissioner Haney said you can't force me to do the job of our Executive Assistant and I am not going to do purchase orders and you can't force me to do it. Commissioner Gramarossa stated we needed a motion and she would step down as President and seconded. Commissioner Haney stated nay. Motion carried 2-1. Commissioner Haney said he will not no longer do or continue to do the job of our Executive Assistant. Commissioner Haney said I will not do or will I continue to do the job of our Executive Assistant.**

**Debra Fly-Nelson**, Executive Assistant Board of Commissions, informed Commissioner Haney that she never asked him to do any purchase orders or any of her duties pertaining to her position as the Executive Assistant. From day one, Darlene Hale, the IT Director has been training her and showing her the duties of her position. The only reason she did not upload any information to the website is because she was not given any access or a code to upload information. She stated her learning curve is fine, she's a fast learner and does not have issues/problems with doing her duties.

**Consider** request to close the Franklin Street Bridge during the Power Boat Parade 6:00 p.m. and 6:15 p.m. The last opening will be at 5:45 p.m. and then restart at the 6:30 p.m. time. Mr. Novak spoke on the closing and openings of the bridge due to the boat race. He asked the Commission to authorize the Highway Department to handle this. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded and stated the Coast Guard needed to be informed as well. Motion carried 3-0.**

**Consider** approval of Wagner Subdivision – Richard Mrozinski, Vice President, Board of Commissioners. **Commissioner Mrozinski motioned to approve the Wagner Subdivision as presented and stated this had been approved last year by the Plan Commission. Commissioner Haney** asked about the information in regards to the Wagner Subdivision. **Commissioner Mrozinski** stated all three Commissioners had received this information via email. **Commissioner Gramarossa seconded. Commissioner Haney** said with your certification he would agree. **Motion carried 3-0.**

**Consider** approval for travel to the National Association of Pretrial Services agencies September 17, 2023 thru September 20, 2023 in New Orleans, Louisiana for Magistrate John Link and three pretrial staff. All training, travel and meals will be paid by probation – Stephen Eyrick, Chief Probation Officer. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** approval for travel to the American Probation and Parole Association Leadership Training and conference from August 24, 2023 thru August 30, 2023 in New York, NY. All training, travel and meals will be paid by probation – Stephen Eyrick, Chief Probation Officer. **Commissioner Mrozinski motioned to approve. Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** permission to travel to the International Association of Assessing Officials Conference, August 26, 2023 thru August 30, 2023 in Salt Lake City, Utah for Michael Schultz and Brent Banic – Michael

Schultz, La Porte County Assessor. **Commissioner Mrozinski motioned to approve. Commissioner seconded. Motion carried 3-0.**

**Consider** La Porte County credit card(s). Commissioner Gramarossa had spoken with the Auditor to have the credit card returned to the Commission on June 7, 2023. Commissioner Gramarossa stated her and the Auditor had a discussion about talked about giving some of the departments a credit limit. Auditor Stabosz that this would be better tracking and balancing. **Commissioner Mrozinski motioned to approve to issue out credit cards to the departments. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** La Porte County Official Amazon Business account – Tim Stabosz, Auditor. Rhonda Graves explained the procedure for this account. She explained the method of tracking purchases, purchases orders and invoices, sales tax exemption, late fees, and the method of tracking business with the Amazon Business account. The department head will have complete control of who will be using their account. **Commissioner Gramarossa** asked her who was going to oversee to make sure there are not fake or fraudulent purchases are being done. **Commissioner Mrozinski** was concerned about if this would interfere with buying from local business. Attorney Pejic wanted to make sure this was not opening a new account and Rhonda informed him it was not. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** maternity leave benefits. **Commissioner Gramarossa** stated this was something she had been working on since the beginning of the year and there is not anything in place for compensation at this time. She asked that Attorney Pejic look into this and the policies in place with other surrounding counties. **Commissioner Haney** asked that the count attorney work with Keil and Heather also. **Commissioner Mrozinski** asked would this be a part of our county insurance. Monique Thomas explained that we have to pay attention to our FMLA guidelines. She suggested we adopt a plan already in place instead of creating a whole new one and she would be willing to assist. **Commissioner Rich Mrozinski motioned to adopt and to have Attorney Pejic to look into this. Commissioner Haney seconded. Motion carried 3-0.**

**Consider** flood project contract Invitation: 36-1-12-9. **Commissioner Gramarossa** stated this was already discussed under Old Business and we can move on to next item.

**Consider** permission to approach county Council regarding the renewal of the five (5) year contract with CDW-G/Nutanix – Matt Deckard, E-911, Assistant Director. Matt asked permission to approach Council and stated every five years this has to be renewed. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Commissioner Haney** stated we have two more items on the agenda. **Mark Yagelski**, spoke about PNW referring to the degree programs they have and the reduction of costs for students to attend. He said he was disappointed in losing some of the four year degrees. We as a community need Purdue as much as they need us. Justin spoke on continued support from the county. **Commissioner Haney motioned for Attorney Pejic to draw up a proclamation or resolution pertaining to PNW to support the county. Commissioner Mrozinski seconded motion. Motion carried 3-0.**

**Commissioner Haney** made a motion for Sean Fitzpatrick, Director of Facilities to open packets for quotes for work at the Fairgrounds. **Sean Fitzpatrick** mentioned at the previous Commission meeting, all the items weren't up for funding at the time. What was presented was the items that the Council had given him for a motion of support. Other items had multiple quotes and had already been sent to the Commission. The items total for the Fairgrounds were about \$75,000. Commissioner Haney went on to talk about electrical work, \$50,000. Sean stated no individual was that amount. **Randy Novak** had an itemized list with costs and repairs. Mr. Novak stated some of the work had been done in house instead of contracting out. Sean stated he tries to get multiple quotes as a practice for doing anything. **Commissioner Gramarossa** informed Commissioner

Haney that he could get Mr. Fitzpatrick's email and ask him ahead of time of his requests instead coming to these meetings trying to embarrass department heads and letting them know what you are looking for. The Council had already approved to support a portion of the Director of Facilities' request for work. Sean asked for a copy of the state codes Commissioner Haney had been referring to be emailed to him and Commissioner Haney stated that he would.

**Adjournment**

**Commissioner Mrozinski motioned to adjourn at 12:13 p.m. Commissioner Gramarossa seconded. Motion carried 3-0.**