



**LA PORTE COUNTY  
BOARD OF COMMISSIONERS**

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**Connie Gramarossa  
President**

**Richard Mrozinski  
Vice President**

**Joe Haney  
Member**

**La Porte County Commissioners' Meeting Minutes  
Wednesday, August 2, 2023 at 10:00 a.m. County Complex Room 3 & via Zoom**

**President Connie Gramarossa** called the meeting to order at 10:00 a.m. followed by the Pledge of Allegiance.

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

Considered approval of the July 5, 2023 minutes. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

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

**Auditor Tim Stabosz** read the Claims with Payroll ending 07/21/2023 - \$1,536,860.99 and Operating Expense Claims - \$4,099,240.39. **Commissioner Haney** motioned to approve. **Commissioner Mrozinski** seconded. **Motion carried 3-0.** **President Gramarossa**, issue with the Claims, page 39, Claim paid for Jones Law Office \$9,610 without going through the Commissioners' office for approval. **Commissioner Mrozinski** asked if there was an itemized invoice for review. **Auditor Stabosz**, this was the legal bill that the Council approved in June. **President Gramarossa**, it should come to the Commissioners first prior to going to the Council. **Commissioner Haney**, as an elected official they could come to the Commission as a courtesy, not required to though by code. **President Gramarossa**, a workshop was held for the Commission to request three million dollars from the Council for the Complex Flood Project. Ten elected officials came together, during the workshop Commissioner Haney stated this item was not brought to the Commissioners first so it was put on the agenda. **Commissioner Haney**, it is important to know the Auditor is the single lone elected official for that office, there are three elected Commissioners that speak together through the body of the Board of Commissioners. The Board of Commissioners did not vote collectively to speak as a Board for that appropriation. Allegedly an individual Commissioner did on their own. **President Gramarossa** questioned whether elected officials, Sheriff for example, will continue to come to the Commission for approval to approach the Council with a request. She wanted the claim for Attorney Jones deducted from the list prior to approving at this meeting so the Commission may review the invoices. **Commissioner Mrozinski** asked the Auditor if there was an itemized bill. **Auditor Stabosz**, yes, it was turned over to the Council, he thought it was turned over to the Commission as well. The Council itself has an attorney within their budget and that is not approved by the Commission prior to payment. **President Gramarossa**, the Commission agreed to pay attorneys \$175 an hour however the Auditor interceded and it had to come *back* to the Board of Commissioners for approval. Where does the Auditor's authority end and the Commission's authority begin? Auditor Stabosz is not paying the Jones invoice himself, it is being paid out of Riverboat funds. **Commissioner Haney**, look at the statutes for direction on the Claims. **President Gramarossa** asked for a motion to remove the Claim from the list prior to approval. **Commissioner Mrozinski** seconded the motion to approve payroll. Currently a motion on the floor to approve both Payroll and Claims. **Commissioner Mrozinski** motioned to amend the motion by approving payroll only but not the Claims as presented. **Commissioner Haney** seconded approving the amended for Payroll only. **Motion carried 3-0.** **Commissioner Mrozinski** motioned to approve Payroll at this time. **Commissioner Haney** seconded. **Motion carried 3-0.** **Commissioner Mrozinski** motioned to approve Claims, minus the amount for Attorney Jones, at \$4,089,630.39. **Commissioner Haney** asked President Gramarossa if she will go through all claims and request invoices. **President Gramarossa** stepped down and seconded the motion. **Motion carried 2-1.** **Commissioner Haney-Nay.**

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### Public Comment

**John Matwyszyn**, 8352 E. Emory Road, revelation from people at the last Commission meeting from the Regional Sewer and Water District, lives in the area that is covered by the plan and does not want the sewer extended. Forty-two million dollars seems excessive for a little over 1,000 homes. He attempted to ask questions at the Regional Sewer & Water meeting via Zoom but was not allowed to make comments.

**John Dysard, Door Village Harvest Festival**, requested items from the Highway Department to be used for traffic control during their festival in Door Village. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

### Department Reports/Comments

**Reggie Korthals**, reported on Wednesday, July 26<sup>th</sup>, IDEM office water quality was in La Porte County conducting permit compliance surveys, audits were done for the towns of Long Beach, City of La Porte and the County. The County Highway did a great job at one of their facilities that was inspected by IDEM. There were three elements that the County failed: Public Education, Management, and Illicit Discharge. The County will be receiving a letter of violation from the Office of Water Quality and will be given a limited amount of time to correct the violations. Eleven counties have put their MS4 office in the Surveyor's office, due to being an elected official, a storm water board can be created under their guidance. **President Gramarossa**, our La Porte County Surveyor has a private business, will this be a conflict of interest? **Reggie** checked with IDEM; they did not think there would be an issue. **President Gramarossa**, last year a coordinator was suggested however nothing was said then about being under the Surveyor. **Reggie** stated whoever or whatever office the MS4 coordinator is under, there needs to be an MOU stating all the details. **President Gramarossa**, has anything changed from last year that now you feel it needs to go under the Surveyor? **Reggie**, from January to the present, there has not been anyone in that MS4 position and with the audit report coming back with three months for a response, there needs to be someone that can do it. **President Gramarossa**, thanked **Reggie** for the suggestion of putting the position under the Surveyor however further discussion will take place later on this subject. **Reggie**, the MS4 Program was taken under the President's wing then in July at a Commissioners' meeting, a direction was made for the program to go under Commissioner Haney and it has been working out, a budget was created, approved by the Council and it does not include hiring 3 people. **Commissioner Haney**, thanked **Reggie** for her input, at the July 5<sup>th</sup> meeting, both Commissioners Gramarossa and Mrozinski reaffirmed or reappointed everything to do with MS4 over to him, he moved forward with the assistance of **Reggie Korthals** and a budget was created then approved by the Council. **President Gramarossa**, this was discussed at the Budget Hearings. **Commissioner Haney** motioned to place the MS4 Program under the Surveyor's office. **Motion died for lack of a second. Attorney Scott Pejic** stated an administrative meeting be held later for discussion on this topic and not be in violation of the Open Door Law.

**Tim Stabosz**, Auditor, Council has their own attorney with no approval from the Commissioners. Commissioners do not review each invoice that comes through his office for payment. If a specific bill wants to be reviewed just simply ask.

**Commissioner Joe Haney** followed up with questioning whether President Gramarossa refused to pay a claim based on not being able to review the invoice prior to the meeting. **President Gramarossa** replied that she would like to know the amount per hour that is paid to the attorney, tax payers are paying the attorney. The rate for paying attorneys working for the County has not been increased in at least 15 years. A check in the amount of \$9,610 was paid out to an attorney but we do not know what the dollar amount is being paid for the hourly rate.

**Charity Glaser**, Highway Department Interim Superintendent, reported chip seal will start on August 14<sup>th</sup> and will cover about 40 miles, will take two weeks with weather permitting. Johnson Road is open after pipeline work was completed. She gave a 'shout out' to her staff with the recent storm that came through the county, taking out 80 trees. Staff worked all weekend to get everything cleared.

**Attorney Scott Pejic**, the agenda needs to be amended to reflect the bids that are due for the Complex today. **Commissioner Joe Haney** moved to amend the agenda to add under Old Business to open bids for the Complex Flood Project. **Commissioner Rich Mrozinski** seconded. **Motion carried 3-0.**

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### Old Business

**Considered** opening bids for the Complex Flood Project - **Guy DiMartino**, legal consultant to the flood project. To meet the emergency statute under the Public Works, bids were invited at the last Commissioners' meeting held July 19<sup>th</sup>. **Attorney Scott Pejic** proceeded to open the bids received. **Arctic Engineering, Premistar and D. A. Dodd** - sent a bid via email. **President Gramarossa**, turn the bids over to the general contractor for review. **Guy DiMartino**, La Porte County Project Management did a 'walk through' or a pre-inspection meeting so be sure all the information in the bids is what was discussed during the 'walk through.' **Commissioner Mrozinski**, work needs to start tomorrow. **Commissioner Haney** motioned to table the bids until later in the meeting when the bids are brought back and a decision is made on what contractor to go with on the project. **Commissioner Mrozinski** seconded. **Motion carried 3-0.**

### New Business

**Considered** permission to approach Council for an additional appropriation for annual maintenance contracts - Andrew McGuire, EMS Director. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** appointment to the MS4 Board. **Commissioner Mrozinski** motioned to table. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** appointment to Courthouse Security Committee. **President Gramarossa** stepped down and nominated **Commissioner Mrozinski**. **Commissioner Mrozinski** seconded. **Motion carried 2-1. Commissioner Haney - Nay.**

**Considered** providing blanket authorization for all attorneys working for La Porte County in some capacity to be compensated at the base hourly rate of \$175 per hour retroactive to June 7, 2023. Approval given to County Attorney at that rate - Scott Pejic, County Attorney. Auditor Stabosz, the hourly rate for his first attorney was \$250 per hour and the second attorney is at \$280 per hour. No local attorney wants to go up against Attorney Shaw Friedman therefore he had to go outside the county to find an attorney willing to represent him. **Commissioner Mrozinski** motioned to raise all board attorneys to \$175 an hour, the two attorneys for the Commission and Council to \$230 an hour (amount to be considered) and to table this item until the next meeting. **President Gramarossa** stepped down and seconded. **Motion carried 2-1. Commissioner Haney - Nay.**

**Commissioner Mrozinski** motioned to remove the Complex Flood Project bids off the table. **Commissioner Haney** seconded. **Motion carried 3-0.** **Project Manager Andy Skwiat and Larry Levendowski**, discussion held on the bids opened earlier in the meeting. The contractors that were on site during the 'walk though' and at the workshop have submitted amounts higher than those previously negotiated. These are from the same firms. **Mechanical Piping** - previously negotiated price of \$369,900 to do the work. Bids came in from reputable businesses however D.A. Dodd submitted the bids via email which the advertisement stated must be submitted to the Commissioners' office. D.A. Dodd is requesting 50% of their bid as down payment and suggested an engineering study be done, cost was not included in their email bid. The firm that bid \$369,900 during the workshop is now at \$509,900 and the other price received is two million. Premistar provided the amount of \$369,900 at the workshop however now the bid is \$509,900. Arctic Engineering did not submit a bid for Mechanical Piping but D. A. Dodd submitted, via email, two million dollars. **President Gramarossa**, advertised as sealed bid, or no? **Guy DiMartino** read the advertised bid as submitting it to the Commissioners' office with nothing said about 'sealed bid.' Prior to bids being advertised, businesses had submitted a certain price then after submitting the bids, now the amount is higher in price. **Andy Skwiat**, not speaking for other vendors but when a company has been on the job, committed to doing the work, frustration can come from the project starting/stopping, several times, and a vendor may have employees assigned to the job but then during the time of stopping may place those employees on other jobs. 'So, if you know you can be awarded work and you can come in and you can perform that work in a timely and productive manner, you can account for that accordingly financially based on work history of a project, if you do not know how that work will flow or how that work needs to be staffed.' He continued with if payment terms will be made for payroll, true costs that are incurred on a job, and other factors play a part in determining a bid. **President Gramarossa**, the job has been shut down for four to five weeks now due to stopping the project so this could go out to bid. The job was at the \$369,900 amount but now with it shut down the bids come in at an even higher dollar amount. **Andy Skwiat, HVAC Duct Work** - Arctic Engineering bid, not to exceed \$1,690,000. D.A. Dodd, not to exceed \$2,500,000 with 50% down payment. Prior to the bids being advertised, the amount for HVAC was lower than \$1,690,000. **Galvanized Water Replacement** - at the workshop, proposal from Arctic was not to exceed

total of \$500,000 but their new bid is \$955,000. D.A. Dodd came in with \$600,000. The Commission will have to decide to go with the firm that was onsite with the original budget proposed at the workshop or with D.A. Dodd's bid which the bid does not include engineering and they would want 50% down payment. Last category is the **Radiant Heat Piping** - Arctic did not submit a bid. D.A. Dodd submitted a bid of \$250,000. **President Gramarossa**, bids are higher than the previous workshop. **Guy**, workshop is not needed, let us move forward with the project. **Auditor Stabosz**, did these numbers essentially end up being submitted higher just in case? **Guy**, maybe, if the Project Manager keeps the project moving forward in a timely manner. **Commissioner Mrozinski motioned to hire Arctic Engineering and Premistar to start work tomorrow. D. A. Dodd will be contacted also. Commissioner Haney seconded. Motion carried 3-0. Andy** requested cooperation between all entities to allow prompt payment for everyone on the job.

**Considered** adding to the Council's agenda posting the position of the full time Veteran's Service Officer due to Joe Golec's retirement at the end of this year, 2023. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** setting a Joint Executive Session date with the Council to interview candidates for Human Resources Director. **Commissioner Mrozinski** suggested August 15<sup>th</sup> or 17<sup>th</sup>. **Commissioner Haney** reminded the Commission the time should be after 5:30 p.m. for the Council members. Discussion continued possible dates. **Commissioner Mrozinski motioned to approve one date from either 22, 23 or 24 of August for interviews, beginning at 5:30 p.m. President Gramarossa stepped down and seconded the motion for one of the dates. Motion carried 3-0.**

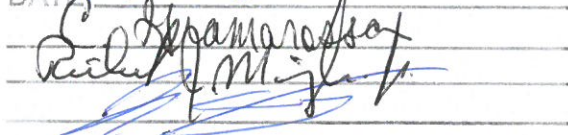
**Considered** bid solicitation for demolition on 217 W. Coolspring Avenue in Michigan City for EMS Base. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** permission to approach the Council for additional appropriation to lease vehicles from La Porte Chrysler Dodge Jeep Ram - Mericka Beaty, Community Corrections. Bids were advertised. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** Community Corrections key situation. **Mericka Beatty**, all keys need to be redone and the cost is right under \$18,000. The Community Corrections Board is aware and requests permission to approach the Council. **Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Commissioner Haney motioned to adjourn at 12:01 p.m. Commissioner Mrozinski seconded. Motion carried 3-0.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA  
DATE 9-6-2023



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

LA PORTE COUNTY, INDIANA

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