



# 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

**Joseph Haney**  
Member

## La Porte County Commissioners' Meeting Minutes Wednesday, August 7, 2024 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 led by Mike Seitz.

**Deputy Auditor Rhonda Graves** called the roll: **Commissioner Rich Mrozinski** - Present; **Commissioner Connie Gramarossa** - Present; and **Commissioner Joe Haney** - Present. Quorum present therefore meeting commenced.

Considered the agenda. **Commissioner Mrozinski** motioned to move item 11 'b' up the agenda before Requests and add RWE Decommissioning Agreement/Road Use then post on our website; **Commissioner Haney** added Consider DEF Contract for Auditor. Motion carried 3-0.

Considered approval of the July 17, 2024 minutes. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** seconded. Motion carried 3-0.

**Deputy Auditor Rhonda Graves** read the Claims with Payroll ending 7/26/2024 - \$1,512,917.66. **Commissioner Haney** motioned to approve payroll. **Commissioner Mrozinski** seconded. Motion carried 3-0.

**Deputy Auditor Rhonda Graves** read the Operating Expense Claims - \$1,906,872.30. **Commissioner Haney** motioned to approve the claims. **Commissioner Mrozinski** seconded. Motion carried 3-0. **Commissioner Mrozinski**, five unpaid invoices to law firm Eichhorn & Eichhorn, six months' worth of unpaid invoices that were already approved by the Commissioners, when are they going to be paid? **Deputy Auditor Rhonda Graves** was under the impression that they are in the process of being paid. **Attorney Guy DiMartino** approached the podium, his understanding is that the invoices are 'in line' to be paid.

**Commissioner Haney** suggested/motioned item 11 'b' occur now in case of any discussion during Public Comment. **Commissioner Mrozinski** seconded if that was a motion. **President Gramarossa**, insert item 11 'b' prior to Requests on the agenda. Motion carried 3-0.

### Public Comment

**Steve Holifield**, 6782 E. 100 S., Mill Creek, glad to see Road Use and Decommissioning agreements prior to the August 27<sup>th</sup> Plan Commission meeting. Also hopes that Engineer Jay Sullivan explains the 3-way stop sign for the intersection at 300 E./100 S.

**Tommy Kulavik**, 1316 Ohio Street, Michigan City, via Zoom, questioned what will happen to the County Building that sits at 8<sup>th</sup> Street and Wabash Street in Michigan City. Prime area for real estate. County purchased it in 2002 from the Fegas brothers for \$645,500 and we do not need another vacant structure in Michigan City. It is 'Back to School' time so be mindful of students and school buses. Smoke and carbon monoxide detectors saves lives.

Considered contract agreement between Commissioners and Attorney Guy DiMartino for County Attorney. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** seconded. Motion carried 3-0.

**President Connie Gramarossa** thanked Attorney Scott Pejic for his fabulous job as County Attorney, appreciates everything he has done for the Commission and the County. **Attorney Scott Pejic**, with his law practice of 20 years, it has become more increasingly incompatible to give the Commission the time it deserves as County Attorney, when he had the privilege of accepting the position in May of last year, it was never intended to be a 'permanent' position. He has learned a lot, appreciates the opportunity to serve the County and if he can be of any assistance in the future, he would be more than happy to do it. Recommended Attorney Guy DiMartino who works under the same structure which is a benefit to the County, should be a smooth, easy transition.

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With respect to the Solar subject, the Decommissioning Agreement and the Road Use Agreement have been reviewed between both Guy DiMartino and Scott Pejic along with the attorneys for RWE and once it is final it will be posted on the County website for transparency to the public. Concerns and/or questions can be addressed. Requesting both agreements be on the next Commissioners' agenda two weeks from now.

### Department Reports/Comments

**Monique Thomas**, Human Resources Director, requested permission to hold a Food Truck event at both Michigan City and La Porte County courthouses for employees' lunches. **Commissioner Haney** motioned to approve. **Commissioner Mrozinski** seconded. **Motion carried 3-0.** September 19, 2024 at the Hiler Building parking lot in La Porte and September 20, 2024 at the Michigan City Courthouse parking lot, both locations 11:00 a.m. to 2:30 p.m. This will be the second Food Truck Event, the first one in June was a huge success.

**Rob Sabie**, Emergency Management Director, updated the Commission on a storm that went through our County on July 15. Teams from the State and Homeland Security have given damage assessments to us, worked with the National Weather Service who has determined an EF1 Toronado came through La Porte County. Came in around 875 West and then to Johnson Road at Jongkind Park. There was damage though throughout the County, we did Declare a Disaster in La Porte County but we did not meet our threshold with FEMA for the State however because we are adjacent to Porter County, who met the threshold, we are eligible for some reimbursement. It is important for residents with damage, even if it was only a tree down, to report it. There will be information on social media, news stations and radio stations on filing a claim of damage on websites. Local governments will be allowed reimbursements as well for any time spent during the storm responding to calls. Paperwork is required to be filled out. **President Gramarossa**, we had damage done at our parks, trees down. **Rob Sabie**, that is eligible, we will assist with the requirements. He reported the recent Grand Prix Boat Races was well organized, a full Emergency Center was set up and it went well. One incident on the water was with a racer who fell out of the boat and was airlifted to Chicago with injuries. Overall, it went very well, thank you.

**Commissioner Mrozinski**, housekeeping issues with the Mobile Voting Van, procedures are in place for any employee working for the County and the process starts with the Human Resources Department. The Mobile Voting Van is titled to the Commissioners, insurance is paid by the Commissioners and if procedures are not followed the County is at risk for those driving the van. At the last meeting Mrs. Haney stated she is not and never has been an employee of the County however information shows she was paid as an employee in 2022/2023 years and she was under a 'contractual agreement' with the Clerk. **Commissioner Haney**, we have talked about the voter van before, every vehicle is titled to the Commissioners, that's how it's set up under state law. Are you going to take back the ambulances from EMS, every cruiser back from the Sheriff's department? It's a ridiculous assertion to put it in those terms, we've gone over this before and I still don't think you quite understand the law or how things work. It's titled under that but the grant, everything was awarded to the Board of Elections, it's the Election's van, it's not the Commissioners' van, you can't take something back that wasn't yours to begin with, it's like the idea of a gun 'buy back,' the government never owned them to begin with, how are you going to buy something you didn't own? Ms. Haney never once drove the van, not once, so the idea of whatever ridiculous assertion you're trying to make there, she never drove the van so - she worked for the Elections Department the same way dozens if not a hundred different people do in the County to help out with the elections so this entire concoction you keep bringing up with ... (President Gramarossa shows Commissioner Haney a document). **Commissioner Haney** asked President Gramarossa if she has a hard time reading, 'there are plenty of programs...hooked on phonics, lots of those that can help you out...you need some remedial instructions?' **President Gramarossa**, Heather Stevens was the department head, Juanita Haney was the employee, forms filled out indicating employee exemptions withholdings, direct deposit agreement, all signed by Juanita Haney. Statements were made that she was not an employee of the County yet the forms say differently. Attacks are made by saying 'family members' work here. Insults are made by suggesting a phonics program because she cannot read. There are only nine more meetings this year, if we could just be kind to each other, it would be greatly appreciated. **Commissioner Haney**, if you would say the truth and stop lying, it would be much easier. **Attorney Guy DiMartino**, if there is a policy on driving county vehicles then all departments need to be made aware of it. **Commissioner Haney**, for clarity, she never drove the van. Do you understand the Clerk's function on the Election Board? **President Gramarossa**, she was an employee. The van is in the name of the Board of Commissioners and was obtained through a grant which had guidelines for its use in the 2020 election. **Attorney DiMartino**, it is titled to the Commissioners and under our insurance policy so we have to follow the policy for drivers of all of the vehicles. **Commissioner Mrozinski**, we know the employees who drive the vehicles for the Sheriff's Department and the EMS Department, they have to go through the process with the insurance company but the Clerk hires people to work the elections, drive the voter van yet does not take the proper steps and go through Human Resources, it's putting us at risk.

### Requests

**Considered** permission to approach the Council to spend funds to install CO EMS simulcast site at Long Beach water tower, **Barb Huston**, E-911 Director. No additional money is needed. **Commissioner Mrozinski** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** travel to Davenport, Iowa for conference, **Ela Bilderback**, Recorder. **Commissioner Haney** motioned to approve. **Commissioner Mrozinski** seconded. **Motion carried 3-0.**

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Considered travel to New Orleans, Louisiana for NAPSA, Steve Eyrick, Adult Probation. Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.

Considered road closures for Hanna Fest, August 9-11, 2024, Jim Jessup. Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.

Considered permission to approach the Council for additional appropriation for water utility bills - \$85,000 for water/sewage and Koorsen Fire & Security - \$28,355.64 for repairs/deficiencies, Sheryl Lestinsky, Director of Facilities. Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.

Considered permission to approach the Council for 50% of the funds for J&B West for the Canada Lodge Roof replacement at Red Mill Park. The amount would be \$26,992.32 and \$5,426.35 to remove the old roof, this has been approved by both Commissioners and Council but needs approval for the half down amount, Jeremy Sobecki, Parks Superintendent. Commissioner Mrozinski motioned to approve. Commissioner Haney seconded. Motion carried 3-0.

President Gramarossa, next will be discussion on the Decommission Agreement and Road Use Agreement with Bluestem Solar Farms c/o RWE for Solar Project. Commissioner Mrozinski, motioned the need to get the agreements on the website for public view for concerns/comments. Attorney Guy DiMartino gave direction to have Ms. Kazmucha give notice to the landowners that will be leasing their land to the solar project. Commissioner Mrozinski amended his motion to include the notification. Commissioner Haney seconded. Motion carried 3-0.

#### Old Business

Considered 2<sup>nd</sup> reading on Ordinance reducing the speed limit on 500 West from 45 mph to 40 mph, Jay Sullivan, Engineer. Request from INDOT who is putting in a round-a-bout. Commissioner Mrozinski motioned to approve by title only. Commissioner Haney seconded. Motion carried 3-0. Attorney DiMartino, 'Ordinance setting new speed limit on 500 West from State Road 2 to 1,000 feet South.' Commissioner Mrozinski motioned to accept the ordinance. Commissioner Haney seconded. Motion carried 3-0. \*\*\*Ordinance 2024-5

#### New Business

Considered Ordinance amending Mobile Home Permit Fee, Joie Winski, Treasurer. Fee has not been raised since 1993 which is currently \$2 (two dollars) and the request is to raise it to \$10 (ten dollars). Commissioner Mrozinski motioned to suspend the rules. Commissioner Haney seconded. Motion carried 3-0. Commissioner Mrozinski motioned to accept the amended ordinance on 1<sup>st</sup> and 2<sup>nd</sup> reading. Commissioner Haney seconded. Motion carried 3-0. Attorney Guy DiMartino, first reading, 'An Ordinance amending the Mobile Home permit fee which was originally instituted on March 8, 1993, Ordinance number 1993-5.' Second reading, 'An Ordinance amending the Mobile Home permit fee on March 8, 1993, Ordinance 1993-5.' Commissioner Mrozinski motioned to accept both readings. Commissioner Haney seconded. Motion carried 3-0. \*\*\*Ordinance 2024-6

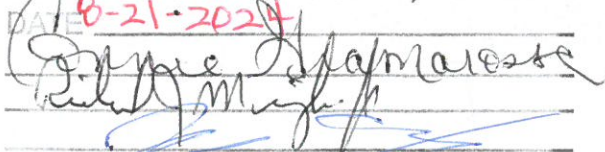
Considered Ordinance setting addition of 3-way Stop Sign on 300 East/100 South, Jay Sullivan, Engineer. Discussion held on the intersection which has a field of corn on one side that may hinder the line of site. Commissioner Mrozinski motioned to suspend the rules. Commissioner Haney seconded. Motion carried 3-0. Commissioner Mrozinski motioned to accept the ordinance by title only on 1<sup>st</sup> and 2<sup>nd</sup> reading. Commissioner Haney seconded. Motion carried 3-0. Attorney Guy DiMartino, first reading 'Ordinance 2024-7 setting addition of 3-way stop on 300 East and 100 South.' Second reading 'Ordinance 2024-7 setting addition of 3-way stop on 300 East and 100 South.' Commissioner Mrozinski motioned to approve both readings. Commissioner Haney seconded. Motion carried 3-0. \*\*\*Ordinance 2024-7

Considered DEF contract for the Auditor. Commissioner Haney motioned to approve the contract. President Gramarossa, uncomfortable with this vendor who was on the witness list to testify for Tim Stabosz in the lawsuit between Attorney Shaw Friedman v. Tim Stabosz, it would be as if the vendor was being 'rewarded' for his time in court to benefit the person hiring him. Services have been performed already with no contract signed or approved by the Commission, she understands we may have to pay for the services rendered so far. Attorney Guy DiMartino, motion currently on the floor to sign the contract. Commissioner Mrozinski, we need to discuss this so he seconded the motion. Commissioner Mrozinski, why aren't we using a financial advisor that has been approved at the beginning of the year? Attorney DiMartino, the scope of work required, TIF reporting, is done by certain individuals and Cender & Company is not one of them. It is his understanding that SEH is the vendor that can provide this service and previously Dan Botich had been employed with them but has since left to start his own company. Commissioner Haney agreed that SEH has done the required work for 15-16 years and Mr. Botich was an employee of SEH. Attorney DiMartino, there are other companies out there that can do the work, Baker Tilly is one of them and Crowe Chizek. President Gramarossa, we have a contract with Baker Tilly. They can do the work for us. Commissioner Haney, the Auditor originally reached out to SEH who recommended DEF because SEH no longer had the employee to do the work. Baker Tilly did give a quote back in April but DEF was 20% lower than what SEH charged last year. President Gramarossa, were they closed or open bids? Commissioner Haney, they were quotes.

**President Gramarossa**, so the Auditor knew what the quotes were when he hired Dan Botich. **Commissioner Haney**, there were no statutory requirements for those quotes but he did anyway, just for clarity, you took some of my comments and lumped them altogether as if they all appeared on the same day and that is inaccurate. The contract before us has been since April, is 20% less and performed by the same individual who has done it for the past 15-16 years. **President Gramarossa**, he's also the vendor who went to court on the Auditor's behalf, made arrangements with the Auditor to be a witness in his case. What was the time span between the agreement for the contract and being a witness in the lawsuit? **Commissioner Haney**, contract was before us in April, the Auditor became aware about an individual, according to his court testimony, an individual by the name of Shaw Friedman had threatened this vendor that he would quote 'never work for La Porte County again' according to his sworn testimony. The auditor became aware of that in May and that was when he got added to the list at least from the court records that I understand so yes, this vendor had worked for us for 15-16 years, went on the stand, testified that Shaw Friedman told him he would never work in La Porte County again and now here we are, this individual is - got a contract for the County that's 20% less and this Commission is denying that which... is interesting so Commissioner Gramarossa, Shaw Friedman provided, according to his testimony in court, provided free pro-bono criminal defense work for you. Is this some sort of 'tit for tat?' **President Gramarossa**, here we go again. Cleared of everything. 'My wife don't work' here but then we find out she does. **Attorney DiMartino** intervened. Discussion took place. Work has been done, it was necessary, uploaded to Gateway with a deadline date of first week of August. That work was done. The contract is for the whole year. There are now four choices: Commissioner Haney motioned to approve, Commissioner Mrozinski seconded it; now take the vote on it, it could pass or fail, someone could move to amend or modify the contract. Mr. Botich does need to be paid for the work already completed. **Commissioner Mrozinski** agrees to pay the work completed however the contract was never approved by the Commission, for 41 months 'corruption in La Porte County' has been talked about by two individuals yet no evidence has been produced to back that up. Even the Grand Jury could not find any and now I've got a situation like this with two guys 'pay to play...' **Attorney DiMartino** shut down previous conversations not pertaining to this contract. **President Gramarossa**, we have a motion on the table to sign a contract and we have a second, all those in favor of signing the contract say aye - **Commissioner Haney - Aye; Commissioner Mrozinski - Nay and Commissioner Gramarossa - Nay. Motion fails to sign the contract with DEF. Attorney DiMartino**, we all agree to pay Mr. Botich for work completed? **Commissioner Mrozinski** motioned to pay for work done and then it stops. **Attorney DiMartino**, there is reporting that needs to be done for the end of the year reporting in the Auditor's office. **President Gramarossa**, the Auditor can use Baker Tilly with no contract needing to be signed because they were approved at the beginning of the year, it could just be an 'add on' for this work that is required. **Commissioner Haney**, so work that has been done for several months is going to stop and we'll bring another company on that will have to go back and check all the work that's been done? **President Gramarossa**, it's a different type of reporting that needs to be done. **Attorney DiMartino**, the work done by Mr. Botich was for the special TIF reporting and the deadline was first week of August. **Deputy Auditor Rhonda Graves**, the work is not done yet. **President Gramarossa**, it was due August 1<sup>st</sup>. **Deputy Auditor Rhonda Graves**, there is one more part that needs to be finished, it is not done yet. **Attorney DiMartino** recommended allowing DEF to complete the work that was due August 1<sup>st</sup>. **Commissioner Haney** hoped that this morning we would do the right thing and, in any case, he received this morning a signed contract for DEF that was executed by Auditor Tim Stabosz in compliance with state law since the Commission failed to act so honestly this is a moot point, the contract has been signed and its done. **President Gramarossa**, then why did you want to bring it up? **Commissioner Haney**, I was just hoping to show some deference, make you feel better this morning, trying to place nice. **President Gramarossa**, you are participating with the 'pay to play.' **Commissioner Haney**, no. **President Gramarossa**, you won't have a problem with us going out of here and talking about your 'pay to play?' **Commissioner Haney**, there is no 'pay to play,' you are the one who appears to be the bagman for Shaw Friedman here this morning, for your free legal work, this is corruption.

**Commissioner Mrozinski** motioned to adjourn at 10:58 a.m. **Commissioner Gramarossa** seconded. **Motion carried 3-0.**

EXAMINED AND APPROVED BY THE  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF LA PORTE, INDIANA

DATE: 8-21-2024  


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

LA PORTE COUNTY, INDIANA

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