



# LA PORTE COUNTY BOARD OF COMMISSIONERS

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

**Connie Gramarossa**  
President

**Steve Holifield**  
Vice President

**Joe Haney**  
Member

## La Porte County Commissioners' Meeting Minutes Wednesday, August 6, 2025 at 10:00 a.m. County Complex Room 3

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

Auditor **Mike Rosenbaum** called the roll: **President Connie Gramarossa** - Present; **Vice President Steve Holifield** - Present and **Member Joe Haney** - Present. Quorum present therefore meeting commenced.

Considered the agenda. **Commissioner Holifield** motioned to amend the agenda by adding two items under New Business: Consider discussion for position of Director of Facilities and Consider **Eric Gibson for Insurance**. Clarifications were made on both additions, **Eric Gibson/Anthem** and **Director of Facilities** to be under Old Business. **Commissioner Haney** seconded then motioned to add under New Business: Consider clarifying what is considered a 'meal' for reimbursements and Consider Attorney Assignment in the case of *Sean Fagan v. La Porte County Commissioners*. **Commissioner Holifield** seconded. Motion carried 3-0.

Considered approval of the July 16, 2025 minutes. **Commissioner Holifield** motioned to approve. **Commissioner Haney** seconded. Motion carried 3-0. Considered approval of the July 30, 2025 Special Meeting minutes. **Commissioner Holifield** motioned to approve. **Commissioner Haney** seconded. Motion carried 3-0.

Auditor **Mike Rosenbaum** read the Claims with Payroll ending 7/25//2025 - \$1,555,725.48. **Commissioner Haney** motioned to approve payroll. **Commissioner Holifield** seconded. Motion carried 3-0.

Auditor **Mike Rosenbaum** read the Operating Expense Claims - \$2,460,109.35. **Commissioner Holifield** motioned to approve operating claims. **Commissioner Haney** seconded. Motion carried 3-0.

### Public Comment

**Ken Layton**, 1498 W. 500 S. La Porte, spoke on the potential Data Center possibly going in near his home. Attended the recent workshop on Data Centers, heard **Matt Reardon's** presentation on the Hammond Data Center, the benefits of the money for the County of Lake and City of Hammond. He is sure the additional accessed valuation for La Porte County will help as well however it is one of those 'not in my backyard' things for those that live in the proposed area. They are *not* against the Data Center but they believe it belongs in the KOP, where additional acreage is being sought on today's agenda. The KOP has been a project of his when he was Commissioner along with former Commissioner **Barb Huston** who is in attendance in the back row, they set the wheels to where we are today in the Kingsbury Industrial Plant, where this Data Center belongs, everything is in place. Water, sewer, power and the way he understands it is NIPSCO will be putting in a new power source that could handle what a Data Center requires. If the 'proposed' Data Center in his neighborhood is approved, the zoning changed to accommodate that, there are homeowners who believe this will be detrimental to their home values. There are currently horror stories coming out of St. Joe County where a Data Center is being built now of lack of water and loss of wells which could cause the homeowners to move. He has lived in his house now for 60 years and as he is approaching rapidly going to God, he does not want to have to move from his current home. Thanked the Commission for listening to his concerns and will answer any questions.

**Rip Ludlow**, 1103 W. 19<sup>th</sup> Street, La Porte, lives in Scipio Township but within the City limits of La Porte. Hard to follow the stature of Mr. **Ken Layton** but his concerns also are of the proposed Data Plant possibly going in the area of Highway 39, between 400 and 500 South in La Porte. He has family and friends in the areas/neighborhoods. He sees very often the progress of the Data Center being built in St. Joe County, driving past it several times a week and how it is changing that property forever. He would not like to see the property in our County changed forever. He does not begrudge the Nelson family for trying to have generational money but he does believe the Data Center belongs in an industrial park like KIP. **Matt Reardon's** presentation of the Hammond Data Center was

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very good but it is in the City of Hammond, under an industrial park, probably in area with previous dirty ground from industry, a great place to put it. The location on Highway 39, between 400 and 500 South is not the best place for a Data Center. As he was going to South Bend not too long ago, with his two grandchildren, he pointed out to his granddaughter that lives in the proposed area, 'this is what a Data Center looks like' and she replied, 'I don't want that in my backyard.' Those are the ones that will see the change. St. Joe County will continue to keep going and it will reflect on Highway 20, no doubt in his mind. Appreciated the time from the Commissioners and hopes if a Data Center does come in, it will be in the Kingsbury Industrial Park. Thanked the Commission.

**Becky Gaaf**, 5755 E. 400 N., Rolling Prairie, distributed packets to the Commission which included 14 pages of photos. She has lived at this address for 37 years, both herself and her husband are avid walkers/runners and the past 30 years bicyclists. Since at least 2012 she has been writing to the Commissioners about road conditions in her area where she lives and rides her bike. Some concerns have been addressed; she is aware of limited funds. She went through the packet of photos she submitted to the Commission. 'State of the Roads - Good and Bad.' Pages 2-8 were roads needing attention in her area, Page 9 - Our road after being chipped/sealed, Page 10 - Township map showing chipped/sealed roads, Page 11 - The most recent chipping/sealing and Pages 12-14 - New or recently done roads (all North of State Road 2/US 20). Her plea was not for chipping and sealing but for more funds directed to her area for road repairs.

**Mary Kay Minich**, 4523 S. 150 W., La Porte, she would be looking at the Data Center every morning, hearing it every night so no, she does not want it out in her community. Her main concern is transparency. In March she noticed surveyors taking photos in the area of their homes, running in and out of yards. She did ask one of the workers what they were doing and his reply was he did not know, they were hired to do the job. Her nephew, who lives around the corner, said a worker told him 'You better start making phone calls because this is going to be something big.' Her other concern is these surveyors were not just on 150 West, or 400 South, or 500 South, they were working beyond this area. She does not know who the company is or what they were doing but she would like more information, negative news is coming out of New Carlisle, Crown Point, Valparaiso, and she wonders why so many Data Centers are needed. They should be in a Brown Space. Transparency and proper places were her requests.

**Commissioner Joe Haney**, lives in Scipio Township, fielded many calls expressing concerns on Data Centers. He does not have any information right now where the surveying activity was taking place. No applications or permits have been applied for at this time with the Plan Commission nor the Board of Zoning Appeals. His personal position right now is they can be done right if in the right location with proper restrictions. Massive concerns from amount of water usage, he would not be in favor of a Data Center that didn't use the fully closed loop system as opposed to taking hundreds of thousands, if not million gallons of water a day out of the ground. Electricity draw is another huge concern; how much electricity being used and how it affects our grid and distribution lines as well. Tax abatement is another issue, Data Centers need to go in somewhere and say it is KIP, doesn't want to see a bunch of abatements given out, they need us more than we need them. Giving away the store to get one of these things isn't something he supports either. 'I hear all of your concerns; I'm right there with you.' There is potential for a Data Center to be done right but also potential for downfalls as we see in the neighboring County or other places around the State or Nation. If it's not done with transparency but with a large magnifying glass over every step of the process, there could be a lot of negative outcomes from one. It's a high priority item for him. Thank you.

**Commissioner Steve Holifield**, fielded numerous calls and emails as well, no one has come forward with any plans yet, they're doing due diligence if they decide to but they'll go through the Plan Committee and the BZA, there will be many, many, many public hearings about this before it even goes so there will be transparency, people will be informed if anything proceeds further. Agreed with Mr. Haney that they belong in KIP, which is a Brownfield, if it is an industrial project.

**President Connie Gramarossa**, a Data Center Work Group has been formed focusing on four major issues: location, water, use of electricity and no tax incentives. A public meeting was held on July 23<sup>rd</sup>, as of that time no one has come forward with any plans to the BZA or Plan Commission, no notice to us Commissioners, no NDAs have been signed, and there are no intentions of having any meetings. A few calls that came in to her were asking if the public meeting was noticed to the media and yes, it was on Monday, July 14<sup>th</sup> at 12:39 p.m. and sent to WCOE, Herald-Dispatch, WIMS, Kiel Media - one of our Councilmen's newspaper - and WEFM. There was plenty of notice given about the public meeting on July 23<sup>rd</sup>. She addressed item 11 'c' on the agenda. A Senator visited us, asked what our wish list was and one of our responses was how do we get a connecting road from Hupp Road to Highway 6, Hupp Road is a long Road and instead of going back and forth on that road to Highway 35 to Highway 6, we could build a road and have access to Highway 6 from Hupp Road by going through property currently owned by U.S. DOD and Indiana DNR. This has nothing to do with Data Centers. It would alleviate traffic on Hupp Road. You have questions out there, please call any one of us, if we don't have the information, we will get it for you. As far as the Nelson Farm, we can't control what a person does on their private land, if and once anything is filed, we will let you all know, like Commissioner Holifield stated, there will be public meetings, notifications will be sent out to adjacent property owners if anything moves forward, we will try to help as well.



### Department Reports/Comments

**Mike Rosenbaum**, Auditor, next Tuesday two demonstrations with Right Stuff, a time management system, it is not just about time clocks but includes maintaining employee records, work records, that feeds right into our current payroll system and can eliminate manual errors. The first meeting is at 9:30 a.m. for those departments already having some sort of time management system in place. Some do use time clocks but we would like them to compare with their knowledge, the other departments can attend the afternoon session. The system will allow us to take any County employee and maintain their records with sick days, vacation days, comp time or whatever it is that we want to do, it can help us do that, it works with our current financial and payroll systems, it is very detailed oriented for each department. An annual cost of under \$50,000 and he would like to put this system in play, eliminating problems and meet Internal Control Standards. This project was looked at last year, one proposal was \$350,000 for the first year, this one for the first year is just over \$100,000 because implementation itself starts at \$40,000, we can break it down and add \$5,000, I would like to do it all at once, also depends on how many time clocks we would need. All Department Heads received an email a few weeks ago about these meetings and I will send the reminder out again today. Next item to address, not aware it would be on the agenda.

**President Gramarossa** confirmed Human Resources would be included in the roll-out of the time management system. **Mike Rosenbaum**, not only HR but IT as well. He then went back to the item added to the agenda, employee reimbursement for meals during traveling for training. Joint Resolution 2013-1 was signed by Commissioners/Councilmembers in 2013 for Reimbursement of Expenses to County Employees, the Council at the beginning of the year wanted to increase the dollar amount for reimbursing meals to employees while out traveling for training. Several recommendations were made from different agencies; he has seen some abuse over the past 6-7 months now as Auditor on expense reports that can be avoided. The State's policy on meals is allocated by the dollars per meal, \$46 per day, \$10 for breakfast, \$13 for lunch and \$23 for dinner. The amount proposed by the Council is more than that at \$50 per day. The way our policy currently reads is an amount for the entire day, we have employees go out for a steak dinner, on the taxpayers, with the rate of \$35 per day plus a tip so just over \$40. The next day at the conference where usually breakfast/lunch is paid for during the training, we have some employees still going out for another steak dinner on the tax payers. I'm suggesting the dollar amount be broken down, he talked to other Auditors during conferences on their policies. Some use a per diem policy and if that is used then the IRS says if you give employees benefits then it needs to be included on their W-2 and taxed on it. The current policy uses the term 'meals' for reimbursement and as his department reviews claims there have been several questioned due to what is being turned in for reimbursement, items such as 'snacks' and 'energy drinks' which he does not believe was the original intent when the 2013-1 Joint Resolution was drafted then approved for meals. Less than \$50 has been disallowed so far this year. Let's try to understand what the overall accomplishment is here. Could not locate a current Standard Employee Expense Report, it will be implemented before the year is out, both Employee and Department Head will have to sign for approval.

**Dion Campbell**, Juvenile Service Center Director. Thank you for all that you've done for the Juvenile Center, appreciate your efforts, new roof is beautiful, new gym which you walked us through the process and helped secure for us, it will be implemented very soon. It is necessary to appear before you and say thanks for your efforts, Commissioner Holifield came out to see a drainage issue we had, he showed his leadership by getting dirty with the workers and orchestrating the job. It means a lot to the Employees when they see you work with and among them. We live in a crazy world where 'thank you' is not always heard, appreciate your guidance and leadership. Also commended Interim Director of Facilities, Angie Davis, she has been a joy to work with, she has been professional, gets back to us in a timely manner, jobs are getting done at a fast and efficient rate. Although her employees are often irritating at times, they're very fun and it's been a joy to work with her and I commend her for the job. Thank you for your time.

**Angie Davis**, Interim Facilities Director, at the Juvenile Service Center, the components for the generator should be here within the next 10-14 days and we will get started on that, the kitchen drain set us back a bit yesterday but that should be done by the end of the week and the Museum's elevator is halfway through its project.

### Requests

**Considered** Road closure for HannaFest August 9, 2025. This is done every year. **Commissioner Haney** motioned to approve. **Commissioner Holifield** seconded. **Motion carried 3-0.**

**Considered** permission to approach the Council for additional appropriation EMS, **Eric Fenstermaker**, Director. Averaging \$20,000 a pay period in overtime pay, his department is short three paramedics: two out on FMLA and one out on Workman's Comp. This is in addition to our everyday call-offs. Seeking \$150,000 in additional overtime that should hopefully cover the rest of the year. Annual computer replacement schedule is for all our modems that are in all our vehicles to do patient care reports, they were first purchased in 2018. Five tablets also need to be replaced. Third item are winter coats that were last purchased in 2018. **Commissioner Holifield** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

### Old Business

**Considered** General Insurance Services' recommendation of Anthem for Health Insurance. **Eric Gibson**, Highstreet Insurance & Financial Services (formerly General Insurance), documents were sent over to you and he appreciates the Commission looking at everything. This included the current UMR/Berkley Renewals, Anthem proposal, the GIS consulting agreement, our business associate agreement and then 3 separate comparisons. No numbers have been changed since the last time we spoke; the current program is through UMR and Berkley and Prime Therapeutics as the PBM. The proposed is a package deal through Anthem: third



party administrator, the stop-loss carrier, and the pharmacy benefit manager. Notice that the stop-loss contract is the exact same except for the contract length. You currently have a paid contract just due to the time with Berkley and you'd be moving to a 24/12 contract, which is common in a stop-loss arrangement. Look down at the annual premium, which is highlighted 'A,' Berkley and UMR came in with about a 10% increase. Anthem is offering a bit over 9.5% increase. On the administrative costs, it's almost even so pretty well flat across the board. The difference here is really the expected and maximum claims cost, so on a maximum claims' liability perspective, the current program is offering a 16.1% increase and Anthem is coming in at about 13.8%, which means the entire program expected totals costs. The current program is 13.1% which is the renewal offer at about a bit over 14.5% and then Anthem is offering about a 12.5% increase at 12.9% which is roughly \$235,000 delta in the total plan cost there. The other benefit going to Anthem is no non-premium funding that would be needed so that would be an additional savings of about \$127,000 for the County. **Commissioner Haney**, had a great discussion the other day, we went through this at length, appreciates the due diligence and bringing it this morning. **Commissioner Holifield**, appreciated also the conversation and how it works, thank you. **Attorney DiMartino** has reviewed the contracts. **Commissioner Holifield** motioned to approve Anthem's offer. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** Angie Davis as Facilities Director, no longer as Interim. **Commissioner Holifield** motioned to appoint **Angie Davis** as the Director, no longer Interim. She is doing a great job. **Commissioner Haney** seconded for discussion, the Interim position is holding up a couple of layers of staff as well to get there, the rest of the Facilities Department flushed out. **Motion carried 3-0.**

#### **New Business**

**Considered** 'Open the Doors to Housing' **Eli Lilly Grant**, **Mitch Bishop**, Planner. Fortunate to receive a \$115,000 grant with a Unity Foundation partnership, the original grant was roughly three million dollars with \$115,000 coming to us to offset the cost of our 20-year comprehensive plan effort which started two months ago and finishes around September/October of next year. This has been reviewed by County Attorney DiMartino, paperwork requires one signature on page 6. A steering committee has been formed, there will be a stakeholder group, focus groups and plenty of public meetings will be held. **Commissioner Holifield**, this first public meeting will be October 14<sup>th</sup>, in this room, 5-7 p.m. **Mith Bishop**, an open house format for the first one. **Commissioner Holifield** motioned to approve the grant. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** proposed settlement in the matter of *David Heredia v. La Porte County*. **Attorney DiMartino**, a former employee at Community Corrections filed this claim. The underlying matter was handled by Attorney Shaw Friedman, the County filed motions for summary judgement, all were granted except for one which was set for trial. It was recommended to settle for **\$19,875**. In legal terms we call that the cost of defense, meaning if we move forward to trial, the cost would be much more than that and the potential downside would be if plaintiff were to get an award of one dollar, then there are attorney fees that the County would have to pay to the other side. **Commissioner Haney** motioned to approve. **Commissioner Holifield** seconded. **Motion carried 3-0.**

**Considered** correspondence to federal and state officials requesting donation of 500 acres of excess acreage from U. S. Department of Defense and donation of 1000 acres of excess acreage from Indiana Department of Natural Resources (DNR) to La Porte County to add needed acreage for development at Kingsbury Industrial Park. **Commissioner Holifield** motioned to approve. **Commissioner Haney** seconded for discussion. He has not seen any correspondence, are there any strings attached? **Commissioner Holifield**, this is just in the beginning stages, they spoke to Ms. Johnson from Senator Young's office. **Matt Reardon**, Commissioner Gramarossa pointed out there has been an initial contact about the ability to garner more property at Kingsbury Industrial Park and then to provide a secondary access to Highway 6. Commissioner Gramarossa sits on the Redevelopment Commission and is also aware of trying to expand the boundaries to include this access and some additional property. The Economic Development team a few months back looked at property and brought this to the attention of Commissioner Gramarossa, the Redevelopment Commission confirmed property out in KIP not doing a whole lot and it is owned by the Federal Government. Research was done, assessed value compiled and presented it to Senator Young's office, Senator Banks, Representative Mrvan and Representative Yakym's office as well. There is another parcel owned by the Indiana DNR being looked at but it is not part of the reserve, not part of natural reserve area. The property is being used for farming, scrub farming, hunting and has been previously disturbed. **Commissioner Haney** asked Attorney Guy DiMartino if he is the RDC attorney as well as the Commissioners. **Attorney Guy DiMartino**, yes. **Commissioner Joe Haney** modified his second to include that **Attorney Guy DiMartino** move forward with this project. **Commissioner Holifield** seconded the amended motion. **Motion carried 3-0.**

**Considered** restoration project on the Museum Doors. **Commissioner Steve Holifield**, at the last Museum Board meeting, restoration of the front doors was brought up due to the current conditions of the wood. They have their own funds to pay for this but permission from the Commissioners is needed, **he** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

**Considered** Employee (and Families) Appreciation Day. **Tom Konieczny**, President of La Porte County Historical Society at the Museum, requested permission to conduct a La Porte County Employee Appreciation Day at the County Museum with free admission to all Employees and their families on Saturday, August 16, 2025. Hours will be 10:00 a.m. to 4:30 p.m. **Commissioner Holifield** motioned to approve. **Commissioner Haney** seconded. **Motion carried 3-0.**

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**Considered** transfer of County owned property in Kingsbury Industrial Park to Redevelopment Commission. **Matt Reardon**, Economic Development, a parcel in KIP was on several tax sales years ago and then was absorbed by the County, 14.46 acres, Parcel 46-15-04-400-014.000-066 on 3<sup>rd</sup> Line Road in KIP. Four buildings sit on this parcel, totaling 63,418 square feet. A Phase One has been done on this property. The Redevelopment Commission would like to put together a proposal and offer the property, after two appraisals are done, and put it on the market, putting back on the tax rolls. **Commissioner Holifield motioned to approve. Commissioner Haney seconded for discussion. Commissioner Holifield**, there is a 911 tower on this property and recently there has been issues with accessing the tower. There is an adjacent property owner willing to give access to this tower for maintenance. **Commissioner Haney's** concern is the 911 tower and having access for the maintenance work. He would like to be sure a solid plan is in place before moving forward with the proposal. **Attorney Guy DiMartino** stated nothing will happen until two appraisals are completed. A Quit Claim Deed will take care of the transfer to the RDC from the Board of Commissioners. **Commissioner Holifield motioned to transfer this parcel to the RDC. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** Abonmarche Technologies Strategic Plan. **Darlene Hale**, IT, this is a professional service agreement, not to exceed \$16,000 from the Reassessment Fund by the Council if approved with the Commissioners. What percentage of Departments use GIS in general; funds will be pulled from them to help pay for the upgrades and that office, getting our GIS information back up to date. **Attorney DiMartino** has reviewed the agreement. Only the President's signature is required on the paperwork. **Commissioner Holifield motioned to approve. Commissioner Haney seconded. Motion carried 3-0.**

**Considered** definition of Meals in Joint Resolution 2013-1. **Commissioner Haney**, folks eat different meals at different times rather than go to a sit-down restaurant, they may prefer to go to the store and buy cold cuts for sandwiches, maybe they are on a special diet. Prior to becoming a Commissioner, having been in the private sector most of his life, per diem rates were also for food period, energy drinks were brought up earlier but whether it is that or a large cup of coffee, it is all food, beverages as well excluding alcohol though, if an employee would rather go to the store and prepare their own meal in their hotel room as opposed to going out to a restaurant, I don't see an issue with that as long as it is consumed while attending training. As a traveling clinician for a large medical company right out of school, he would often prepare his own meals in his hotel room. No issues with the corporate folks at Baxter for his expense reports. **Commissioner Haney motioned to clarify that meal reimbursement is for any food items. Commissioner Holifield seconded for discussion.** His parents owned a few restaurants over the years and often times the menu may contain items that folks with food allergies cannot consume or they're not sure what ingredients are in the prepared meals so employees may be more comfortable going to a store and buying what they can eat. Starbucks coffee may be an issue with him although he does not drink coffee. **Attorney DiMartino**, don't bash coffee (laughingly). Reminded the Commission this is for discussion only, a new or updated Resolution will need to be created to clarify the word 'meals' for reimbursement purposes. **Commissioner Steve Holifield**, we do need to meet with the Councilmen and go over the Joint Resolution since we were left out of their decision to increase the daily amount for reimbursement. **Commissioner Haney**, it would be appropriate for temporarily defining 'meal' as 'food.' **Commissioner Holifield** likes the idea of breaking down the daily per diem to three meals: breakfast, lunch and dinner amounts instead of one sum. No motion is needed here today due to discussion only. **Attorney DiMartino**, so you're cool with someone eating Snickers Bars for dinner. **Commissioner Haney** would not recommend that but if they're 'hangry' then they have to make due. **President Gramarossa** will contact the Council President to set up a date for this Joint Resolution. She then clarified if the Commissioners have a right to say food is a meal. **Attorney DiMartino**, meal is synonymous with food, yes.

**Considered** Attorney for the Sean Fagan v. The Board of Commissioners of the County of La Porte. **Commissioner Haney** attended a virtual hearing on this case yesterday. Attorney Friedman was there and he didn't seem to have as solid of a grasp on the matter that was at hand. I know our County Attorney DiMartino has dealt with this issue pretty much from the beginning, for the most part and has a solid handle on it, he's been through all the discussions that the Board's had as well as intervening with Council. **President Gramarossa**, this is a current litigation case, is this something we should be discussing in a public meeting? **Attorney DiMartino**, well, you're not discussing the terms of the litigation, I think you can discuss those issues but you can't ask me any questions because it is 'attorney-client privilege.' **Commissioner Haney**, correct, just things in the public scope that you know, is out there publicly, not from our Executive Sessions, just what's out in the public sphere. My concern after attending the hearing is that the change of attorneys has put the County in a negative position for a couple of reasons. For one, I don't think Mr. Friedman has a solid enough grasp of what's going on to jump in midstream and the other concern is there was some contention with Judge Clymer during the case in which Judge Clymer admonished Attorney Friedman for comments made...**President Gramarossa**, is that out in the public? **Commissioner Haney**, it was a live streamed event so it's a matter of public record and I don't think it's appropriate for an attorney to be representing the Board of Commissioners and insulting our County Attorney. **President Gramarossa**, again, I watched the same feed and that was not the feel, the Judge did not agree with what the other attorney said, so I think we are getting into some - **Attorney DiMartino**, I agree that now we are getting far field, so just to give you my position - Mr. Fagan is there (in the audience today), I deal with Mr. Fagan on a routine basis regarding other issues and it's sort of difficult - he's represented by Counsel and it's a little bit uncomfortable because I have to deal with him on other things. That is part of the reason why the matter was referred to Mr. Friedman, but it's your pleasure what you want to do. In my shoes, it's a little difficult because people may think I'm talking to him when he's represented by Counsel regarding other issues, that would be my only consternation. **Commissioner Holifield**, it was January of '23 when this happened, how did it change from you to Mr. Friedman? **Attorney DiMartino**, that's 'attorney-client privilege.' **President Gramarossa**, he stated it puts him in an awkward position. **Commissioner Holifield**, for legal terms I just



asked the question. **Commissioner Haney**, I do think you, if the Board did direct you, let's just say for example, just hypothetically, that the Board directed you to resume your representation of the County in that, I think I would have faith that you could have that delineation there and it wouldn't be that large of a consternation, you know. **Attorney DiMartino**, I work at the pleasure of the Board, the majority of the Board. **Commissioner Haney**, sure, I would like to handle this in two motions, well, maybe not motions but I would like to see an Executive Session perhaps at 5 or 5:15 before our next meeting for litigation discussion just so we can make sure Commissioner Holifield is fully up to speed on what's going on, I don't think we've actually had an Executive Session relating to this particular piece of litigation here this year and I think it's important for Commissioner Holifield to get a full understanding so I don't know if I need to make a motion with that or if you would just like to schedule it Madam President. **President Gramarossa**, so we're going to start dictating to our County Attorney who he assigns cases to - I want to understand what it is... **Commissioner Haney**, no, no, no, I didn't make a motion about that, I'm... **Attorney DiMartino**, I think what's pending right now is just what Mr. Haney is asking if you would have an Executive Session regarding this matter where it doesn't have to be discussed out in the public. **Commissioner Holifield**, I don't have a problem with that. **President Gramarossa**, okay, so we'll go ahead and schedule one. **Commissioner Haney**, yeah. **Attorney DiMartino**, and obviously at the Exec Session, you want me present? **Commissioner Holifield**, yes. **Attorney DiMartino**, and Mr. Friedman present? **Commissioner Haney**, yes and actually I think rather than getting a second attorney up to speed on this, it would be my position and I'd like to make a motion to direct you (Attorney DiMartino) to resume representing the County in the matter of Fagan v. Board of Commissioners. **Attorney DiMartino**, well, there's two, the initial... **President Gramarossa**, so again... **Commissioner Haney**, well, she said she was going to schedule a meeting so that covers that motion, I'm fine with that. **President Gramarossa**, we're going to have an Executive Session scheduled and we will have both attorneys there. **Commissioner Haney**, and then I do have the motion to direct Attorney DiMartino to take over or resume his representation of Fagan versus the Board of Commissioners, again, I don't think we should be wasting tax payer money to bring another attorney up to speed on this, you (to Attorney DiMartino) did an excellent job previously. **Commissioner Holifield**, I'll seconded for discussion. I would like to go through the Executive Session and get brought up to speed on some things, it may or may not be an issue we need to discuss but I would like to be brought up to speed on some things going on. I have questions for both attorneys that I'd like to discuss in the Executive Session. **Commissioner Haney - Aye, Commissioner Holifield - Aye and Commissioner Gramarossa - Nay. Motion carried 2-1.** **President Gramarossa**, then why do we need an Executive Session if we have made the change. **Commissioner Haney**, Mr. Holifield hasn't had the chance to sit in on one yet and he needs to be brought up to speed. **Commissioner Holifield**, I'd like to know more about the timeline of things. Mr. Friedman can still come to the session and speak, correct? **Attorney DiMartino**, yes. I don't think there is anything pending in the case until September, and this meeting will be done prior to that. **Commissioner Holifield**, there may be time after the Executive Session to go back to the way it was. **Attorney DiMartino**, right. There's no pleading with the court until after the Executive Session even though if something comes up, I will let Mr. Ahmeen know to contact me. We do have a judge that we have to deal with.

**Commissioner Holifield** motioned to adjourn at 11:20 a.m. **Commissioner Haney** seconded. **Motion carried 3-0.**

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

DATE 03-20-2025

*Chris Gramarossa*

*[Signature]*

ATTEST:

Auditor

LA PORTE COUNTY, INDIANA

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