MINUTES OF THE REGULAR MEETING OF THE
LAPORTE COUNTY DRAINAGE BOARD
OCTOBER 13, 2026
LAPORTE COUNTY COMPLEX MEETING ROOM 3
LAPORTE, INDIANA
8:30 AM

MEMBERS PRESENT: Jeff Mitzner; Mark Scarborough; Connie Gramarossa; Chad Hertges; Pat Vance; John Matwyshyn

STAFF PRESENT: John South, Brad Adamsky

MEMBERS/STAFF ABSENT: None

PUBLIC PRESENT: See sign-in sheet.

Jeff Mitzner called the meeting to order. The Pledge of Allegiance was recited. Attendance was taken. Mark Scarborough motioned to approve last month's meeting minutes. Pat Vance seconded. Motion passed 4-0.

MOON DITCH PROJECT, ALLSOP: John South reported that Allsop did a great job on removing the trees from the Moon Ditch.

MAINTENANCE, BULL DITCH, TREES AND DEBRIS: John South reported that there are a couple of blockages in the Bull Ditch that need to be removed and he asked for permission to put this out for bids. Mark Scarborough motioned to put this out for bids. Pat Vance seconded. Motion passed 4-0.

WHITE DITCH, TREES IN DITCH, MICHIANA SHORES, COUNTY HIGHWAY: Jeff Mitzner thanked the La Porte County Highway Department, who removed the trees in the White Ditch and did a great job. Mitzner read a text he received from Ken Purze in regard to trees down in the White Ditch that the responsibility of the Town of Michiana Shores and not the Drainage Board. Daina Dumbrys approached the Board and confirmed that it is the Town's responsibility. Dumbrys also thanked Connie Gramarossa for her help in getting the trees removed from the Ditch.

RODMAN DITCH, DIVERTING OF WATER, DNR: Chad Hertges reported that he talked to Reed and that he was real receptive to coming to the table for anything that we needed out there and the only thing he did ask was that when we do work out there that we, or the contractor, let him know a day or two in advance and keep him in the loop. Jeff Mitzner asked if Chad is going to be able to pull the boards if he needs to? Chad responded that, yeah, if we run into a problem, he will contact Reed and they will work that out.

BEAVER DAM, MILL CREEK LATERAL, YON LINDBORG: Jeff Mitzner reported that this has been tabled until next month. Mitzner asked Kris Lebo if she has contacted IDEM to set up the on-site meeting. Lebo responded, no. Lebo asked, Can I ask why we need that meeting? Mitzner responds, you're the one that asked for it. Lebo states that she has a new lawyer now and they don't think it's necessary. Mitzner replies, we are going to have an on-site meeting, because that's what we asked you to do. Mitzner stated that he has spoken to Representative Jim Pressel and that he wants to be involved in this and he's going to get IDEM involved and whoever else needs to be involved. Mitzner states this is going to resolved next month. Pat Vance motions to table this until next month. Mark Scarborough seconds. Motion passed 5-0.

MONON RAILROAD DAM, MICHIGAN CITY, DAVID BIELA: David Biela approached the board. Jeff Mitzner stated, before you get started, this is a lot of information that we just received. We are going to give you three minutes for an introduction and then we are going to discuss it and do a little bit of investigating with it. David Biela gave a brief three-minute presentation of the Monon Railroad as it traverses through Michigan City and it's impacts on the flow of water through Michigan City to Lake Michigan.There is a 51' drop from the dam to Lake Michigan. In 1973 Michigan City signed an agreemenr and as of yet they have not complied with the rules and regulations that this agreement stated. Biela stated that he has been working on this with Tony Hendricks for the last 20 years. Connie Gramarossa asks, so for four years or more, tony Hendricks was the surveyor, so this was never addressed in the time that Tony Hendricks was the surveyor? Biela stated that it is something that he has been pursuing. Gramarossa asks, is this the first time you are bringing it to the drainage Board? Biela answers, that is correct. Over the last four or five years, he has brought it to the Sanitary Board and since 2022, they've done absolutely nothing in responding to him, as a citizen, on this issue. Taxpayers in Michigan City have paid over $40 million since 1973 for ditch remediation that was never done. Brad Adamsky states, so, what you're saying is that this area has been under Michigan City jurisdiction since an agreement in 1973 and they haven't done their end. you're saying it's not currently this Board's responsibility? Biela responds, no, it's not currently the Board's responsibility. Gramarossa asks, if it's under their jurisdiction, what would you like the Drainage Board to do? Biela responds, there is a contract between the Drainage Board and the City of Michigan City that has not been complied with. Gramarossa asks, so, you want us to enforce this? Biela replies, you either enforce this contract or you rescind the contract and take over the responsibility of ditch remediation under your control.

GALENA MEADOWS MOWING PROJECT, REBID: John South stated that we received one bid for this project:

Al Allsop Construction, Inc. - $8,850.00

Connie Gramarossa asked if this bid came out larger? South responded that Davey's bid was $1,500. Jim Budzyn approached the Board and stated that the pond is not flowing so it does need mowed, but he thinks it's much more than that. Budzyn stated his opinion on the status of the pond. Mitzner asked if there is money in the account? South responds, not very much. Mitzner states, what's going to be more important, getting the water to flow or the mowing? Mitzner asks

the Board if they want to table this until we get time to go out there and look at this and see what we can do? Pat Vance motions that we table this until we have a chance to go out and look at it. Connie Gramarossa seconded. Motion passed 5-0.

SCIPIO SUNRISE MOWING PROJECT, REBID: John South stated that we received one bid for this project:

Al Allsop Construction, Inc. - $7,500.00

Mark Scarborough motions to accept the bid. Connie Gramarossa seconded. Motion passed 5-0.

MAINTENANCE, RICE DITCH, BIDS: John South stated that we received one bid for this project:

Al Allsop Construction, Inc. - $14,750.00

Mark Scarborough motioned that we accept both bids, Rice Ditch Maintenance and O'Hara-Rice mowing. Connie Gramarossa seconded. motion passed 5-0.

O'HARA-RICE DITCH MOWING PROJECT #2, BIDS: John South stated that we received one bid for this project:

Al Allsop Construction, Inc. - $21,500.00

DRAIN CROSSING APPLICATION, MULTIPLE DITCHES, ZAYO: A representative from Zayo was not present, so Jeff Mitzner asked for a motion to table until next month. Pat Vance motioned to table until next month. Connie Gramarossa seconded. Motion passed 5-0.

DAVEY RESOURCE GROUP, BANK SPRAYING INVOICE: Jeff Mitzner brought everyone up to speed on this issue, Davey resource Group submitted an invoice for the five Bank Spraying projects totaling $9,110.00. Mitzner explained the unsatisfactory work performed by Davey and recommended that the Board does not pay Davey Resource Group for services performed, because they were not up to spec. Mark Scarborough motioned to not pay Davey Resource Group anything for services that weren't done correctly. Chad Hertges seconded. Motion passed.

DRAIN CROSSING APPLICATIONS, MULTIPLE DITCHES, TEAM FISHEL: John South reported that there are four Drain Crossing Applications submitted for Team Fishel. South reported that they have paid for all four. South noted that they are all pretty standard conduit crossings, except one is going to go under the Kankakee River. South reported that they are going to go 5' below the Kankakee River. Mark Scarborough mentioned that NIPSCO tried this about 10 years ago with a gas line and it didn't work out very well. Jeff Mitzner states that we need to have a surveyor on site when these guys are digging. When they are going underneath these ditches. There was one that I caught them at. I was there working, and I stopped there, and I said, "What are you guys doing?" because I did not see our County Surveyor there. They said

"Well," he said, "We can take before and after photos." Mitzner asked, "So, how deep you going?" He said, twelve feet. Mitzner replied twelve feet is not deep enough. He said, "well, why is that?" Mitzner said "Did you measure the culvert and measure to the top of the road?" It was about ten feet. so, twelve feet minus ten feet is two feet and we are supposed to be forty-eight inches under. I told them that at a minimum they needed to be fifteen feet. They agreed to it. So, my question is how many more of these ditches are we not getting done correctly because we don't have someone out there paying attention to what's going on. At the last meeting we made some motions that we'll accept these drain crossings as long as the Surveyor is on site checking these to make sure they're done correctly. Now, we've had an issue with one already that hit. it was a tile that got hit, which I don't know whose fault that was, but just in case this would happen again to where they have to do these drain crossings, I believe we need to have a Surveyor out there to make sure they are done correctly. And we're not going to use pictures or videos. Your job is to go out there and make sure they're done right. And I'm bringing this up because they're going to go underneath the Kankakee River here and this is going to be a pretty important that we have someone on-site to do this. You know, we are charging them for this so that we know where they're going at and how deep they're going. And I'm going to assume, I'm going to ask you now. you got a report for us on the twenty they've already done, of where they're at and how deep they went? John Matwyshyn responded, are we following the ordinance that was signed in August? Connie Gramarossa replies, Well, again, I noted at the last meeting and I went back, and I looked at our meeting minutes and you had agreed, and we voted on this. If you look at Burns Indiana Code 36-9-27-29, powers and duties of County Surveyor. the very first line says: The County Surveyor is the technical authority on the construction, reconstruction, and maintenance of all regulated drains and proposed regulated drains in the County and a county surveyor shall, not may, shall. And then it gives you a couple of listings of what you need to do. But, on three, it says: supervise all construction, reconstruction, and maintenance work performed under this chapter. And what's confusing is because at our last meeting you agreed. And at that last meeting, we also asked that you come back, and you give us a report. and so, I don't know where we fall from there. because, we have an elected Surveyor, here are the duties of the elected Surveyor and where do we go from here, because we don't have money, we would have to go to the Commissioners and ask for more money, which then the Commissioners are going to have to go to the council so that we can pay a real Surveyor to do this because even though it's very clear here that it is the elected Surveyor that should be doing this, he's not going to do it. He's failed us. Matwyshyn responds, Well I think it's not accurate to say I'm not going to do it. I am resource constrained. In 2024, there were four positions in the Surveyor's office, today there are two. Mitzner asks, why is there only two? What happened to the one? Matwyshyn replies, Well, I wanted to replace one and that position was eliminated by the council. it would be good to have that position filled. Mitzner asks, what happened to the other one? The other one was John South and I was informed that John South is not part of the surveyor office. John South is not part of your surveyor's office. he never was part of the surveyor's office. Matwyshyn replies, well, yeah, this is involved. I would like to go over it with the attorney. I spent six hours with Shaw Friedman, who is former County Attorney, who went through the entire Indiana Code with the duties of the County surveyor and Shaw Friedman and I are in agreement after a six-hour discussion. There's a shortage of resources. Mitzner responds, I don't care there's a shortage of resources. Connie Gramarossa inquires, can I ask you when you

went to Shaw Friedman, did you go through our County Attorney first? Matwyshyn replies, Shaw Friedman was assigned to me by the County Attorney. Mitzner continues, there's a shortage of resources at my place too, but I still got to do the work. Matwyshyn replies, I have one person, me, and right now I'm double booked. I'm supposed to be here, and I'm supposed to be in the office. Doing drain crossings is a triple booking. Mitzner replies, that's right. So, you need to go out there and see these. That was the deal. Matwyshyn responds, one person cannot cover multiple locations. Mitzner replies, they call you, you schedule them. I know that the guy called you and said that they were going to be there at 1:00. So, then you schedule it for 1:00. Matwyshyn replies, he could not schedule a specific time because he could not tell where the equipment was going to be. If we had a specific time, I was there. I was there for the Geist crossing because there was a specific time. Mitzner responds, they've done four crossings down there by me and I know you haven't been at any of them. Matwyshyn replies, correct. I have not been to any of them and we're not following the ordinance. Mitzner responds, what are we not following the ordinance about? You're supposed to be there. We made that motion that you're supposed to be there. Matwyshyn replies, ordinance says that the application is to be delivered to me. I'm supposed to verify that they paid the fee. none of that happens. Mitzner replies, oh, wait a minute. We're going to go back. All those… Matwyshyn states, he's not part of the Surveyor's office. Mitzner continues, ….no, wait, wait. They got turned into him and there is an email. If you check your email because I got it that says they are sitting on the table in the office. You need to take care of these. Matwyshyn replies, they need to be delivered to me. If the ordinance says… Mitzner says, same office, walk over and get them when you want them. Matwyshyn adds, he's a separate office. Mitzner asks, where they sitting at, John? John South replies, they're on the table in my office in front of my desk. Matwyshyn states, it's in his office. it's in his paperwork. he's not part of the surveyor's office. The ordinance says it's to be delivered to the surveyor's office. Mitzner replies, for god's sake, it's three steps. Matwyshyn replies, it's a formality, but it's a legal formality. We have to follow the law. Brad Adamsky states, when you choose to. Mitzner adds, yeah, when you choose to. The law was that you're supposed to be there when they do this. And you're not. And right here's the law. Matwyshyn replies, that's one sentence out of multiple pages. There are more. Mitzner responds, that's right, but we told you at the last meeting that you are supposed to be there, that you are supposed to be there when they do this. What would have happened? Now, answer me this question. What would have happened if I would have never got him to go fifteen feet there and we would have had to dig that ditch and we came in there and we hit that. Who's responsible for that then? Because you were supposed to be there to say that it was deep enough. Matwyshyn replies, I had not scheduled for a drain crossing for any of the Fishel crossings. Mitzner replies, wait, how do you know if you're not scheduled for one? But you told them to take a video and pictures before and after, so you knew about them. So, don't tell me you don't know about them. Matwyshyn responds, that was not scheduled for me to be there. That is something I'm trying to take the situation we have here and make it work without cooperation. Mitzner replies, well, here's the deal. I'm gonna have John deliver all of those to you today and put them on your desk. John is not supposed to touch any of that. It's supposed to come to me. South replies, wait, are you talking about doing the drain crossing applications? Matwyshyn replies, yes. South adds, I offered you to do that and you refused. You said I just want to do the inspections. I want you to do all the paperwork in the front end. Matwyshyn responds, I need to have staff to do the amount of work that you're doing.

Gramarossa adds, so you want to take it out of one office and you want to bring it to another office. And you waited until we had four crossings. so, actually what you're doing is you purposefully did this so that we could get four drain crossings that we collected money to. You refused to go out there. You told them to take pictures. So, I understand this correctly… Matwyshyn replies, saying that I refused to go out there is inaccurate. I don't have the time to go out there. Gramarossa adds, but you didn't tell us that at the last meeting. You didn't tell us at the last meeting. Matwyshyn replies, only a certain number of hours available for doing this task. And because of the actions of the Council and the Commission… Gramarossa asks, what does the commission have to do with this? What does the Commission have to do with this? Council handles positions and if want a position, you never go to the commission for a position, you go to the Council. Matwyshyn replies, so I shall do that. Gramarossa adds, okay, but I want to clarify so that you don't put out false narratives. Matwyshyn replies, the false narratives are coming from other areas. Gramarossa adds, the Council is the one that you have to deal with on this, but you agreed at the last meeting that you were going to handle this and then you purposefully did not handle this so that we can come to this meeting and now we have a mess. Matwyshyn responds, the mess occurs because I don't have the resources. Gramarossa adds, well, then you should have told us at the last meeting when we voted that you were going to go out there. you should have said to us, no, I'm sorry. I'm short staffed. I have to deal with the council. There are some other issues going on. I have to schedule with Council on positions. I cannot do it. But you sat here, you let us vote on it. You agreed to do it and then you purposely jammed us up at this meeting. Matwyshyn replies, at the meeting where it was voted on, there was no specific date selected for the drain crossing. Gramarossa responds, but you did talk to the folks, right? because you told them to go ahead and take pictures and videos. Matwyshyn responds, I asked them when they were going to do the crossings and they could not give me a specific day and time. Gramarossa adds, so you offered for them to take pictures and videos/ Matwyshyn replies, yeah, as a stop gap of doing something and they… Mitzner adds, when I talked to them I said you need to call this number and I gave him your cell phone number and said you need to call him 24 hours in advance so that he can schedule to come out there. Matwyshyn replies, no one has ever, well, ok, the Geist crossing called me more than 24 hours in advance. As a rule, they don't do that. They call me when the equipment is set up and they're ready to run the horizontal drill. That's when the calls come through. If I need to stop them when they have not scheduled time, I can do that, but I need to work with our attorney, to work out the details of a stop work order. And when this ordinance was passed, I made multiple attempts to meet with our attorney here, unsuccessfully. Gramarossa responds, okay, at this point, we're beating a dead horse. Can we send, so I guess legally, and I guess I would have to ask the attorney, can we send John South, he's taking the applications, can he go out and perform the inspections? And then where are we with time on inspections? Mitzner responds, whoa, whoa, whoa, we're not giving him any more work that he's supposed to be doing. He has to go out and do this. Gramarossa adds, you can't hold up progress though. So, we have companies that are trying to get things done. Mitzner replies, I guarantee if we put a stop order on them, somebody's going to come to the County and demand him to get out there and check them. Because here's the thing, If I wouldn't have been there on that one ditch on the Rosebaum. I get $83.55 a month and I stood out there for an hour and watched those guys do this. You get paid how much and you're an elected official. Matwyshyn replies, we discussed this over the phone. Mitzner adds, yeah, we're going to discuss

it again now. Matwyshyn replies, okay, sure. Let's discuss it. Mitzner asks, and you get paid how much? Matwyshyn responds, not nearly the amount that consultants say it should be. It's $26,000, it's public record. Mitzner adds, okay, so you get so much more than what I do. and you signed up for this job when you took the elected official's job. You knew what your job was going to be. Matwyshyn replies, after I signed up for it, resources were being removed from the department. that's after I got sworn in. Resources were removed. Gramarossa adds, and just for the record, that's your base pay. you still get more than that. Matwyshyn adds, and what you are proposing, what was proposed just now is to have John South, who used to be part of the surveying office, go and do the work. John South was never part of the Surveyor's office. Matwyshyn replies, he was on the payroll sheet that I was getting. Gramarossa adds, always worked for drainage. Mitzner adds, he's always been drainage. John South has never worked for the Surveyor's. Matwyshyn replies, it was a separate account, but it was filled out by the surveying office. Mitzner replies, that's because the surveyor was the one that took care of it and you weren't taking care of the getting paid, so John had to take care of it. Matwyshyn replies, unfortunately, that's not accurate. South adds, well, Adam was the one responsible for paying claims and payroll, but Adam got fired. Mitzner asks, and who fired him? Matwyshyn responds, that would be me. Mitzner replies, and now you're looking for more people to come work after you fired a guy that had been there for how long? Matwyshyn replies, I'm looking for someone who will report, Adam was not, well, that's a personnel issue. I'm told we should not be discussing. Adamsky adds, let's focus on the issue which is how are these crossings being inspected? Pat Vance asks, I would just like to ask the Surveyor a question. I'm just curious, how many times were you in the field? Say from this meeting to the last one, were you out in the field? How many times were you out in the field? Or do you go out in the field? Matwyshyn responds, I believe twice. And because I'm not sure exactly on the time frame of when I was at a drain crossing on 421, just south of Michigan City and the Geist Ditch, which is on Joliet Road, because both of them scheduled it. Vance replies, Mr. President, I just want to let you know too, in the past month, but since the last meeting, I was out twice, too. I was on the Moon Ditch and I was in Galena Meadows. Mitzner responds, well, I'm not questioning what you do, Pat. You get paid $83 like me. A month. So, okay, we got to resolve this somehow. Matwyshyn adds, I believe Brad and I should sit down and work out the details. Mitzner replies, we don't have time for you and Brad to sit down. We've already made the motion that you have to go out and look at these. we've made that that you have to be on-site when they do these. You're not doing your job. you're not doing your job. You have to be on-site for this. This is what your job is. Matwyshyn replies, if that's the case, then I'll have to do it after normal working hours. Mitzner responds, okay, so. Matwyshyn replies, okay. Mark Scarborough asks, are you allowed to work more than 8 hours a day? Matwyshyn replies, it's a salaried position. So, basically, I am booked without consideration for how long something takes. Mitzner replies, so, if you got to be out there on Sunday, you got to be out there on Sunday, if that's what they want you to do. Gramarossa adds, as an elected official, I can tell you I've worked 12-hour days. Matwyshyn responds, as have I. Gramarossa continues, we're a part-time position. We're not even a full-time position. Pat Vance states, you could designate days you're going to be in the office and days you're going to be in the field. Matwyshyn replies, I could plan if I know in advance who's going to be where, what day a certain individual is going to have their crew at a drain crossing, that would let me plan it. They don't give me that advance notice. Gramarossa responds, but you

did speak to them, because you gave them the option to take pictures and videos. Matwyshyn replies, because they could not tell what specific day and time they would be at the legal drain crossing. Gramarossa adds, I can assure you that if you tell them that they can't do it without you being there, they will make arrangements around your schedule. so, if you hypothetically, and now let us help you, help you. So, you have a 5-day week and you say you are going to close the office on Tuesdays and Thursdays. So, you'll be in the office for everyone that needs surveying services, Monday, Wednesday, and Friday. I know this might be a hard concept, but it really does work. And then on Tuesdays and Thursdays, you close the office and you go out and you make sure that when these individuals are calling you, instead of telling them to take pictures, tell them these are the two days that I have designated for field work. And that would actually give you two, four, six, eight days of a month that you can actually go out there and you can schedule with those individuals and make sure that you're there and that they're doing it properly. Matwyshyn replies, and the commission has the authority to give me permission to do that as things stand today. Gramarossa adds, as an elected official, you can do whatever you want with your office. The commissioners do not rule over any… Matwyshyn interjects, state law requires me to keep the office open at the hours that the executive sets and currently the executive sets the time from eight am to four pm. Gramarossa replies, I hate to tell you this John, but there are elected officials who have their offices and they run them the way that they want. We have another commissioner up here. Could you come up here. Steve Holifield, commission president, approached the Board and stated, all elected offices set their own hours. We set hours for non-elected offices. I can tell you in the last two years there are a lot of times the offices have been closed in elected offices for certain holidays, things like that. I don't feel it should be, but that's up to them to do. and that was verified by the state, our representative, and also by the DOGF. Matwyshyn replies, that's news to me. And if I'm allowed to close on Tuesdays and Thursdays, then that's what I will do and take care of the drain crossings on those days. I wasn't aware that I had that option. John South adds, as far as not knowing where Team Fishel is going to be, I know the Building Commissioner sent out a couple emails where he had their schedule and say exactly where they were going to be that day. Mitzner replies, yes, I forgot about that because I got a copy of that one day. south adds, I'll get a hold of him, he might be able to give you a list of where they're going to be. Matwyshyn replies, I'll look, but I don't recall seeing much in the way of emails from the building commissioner. Mitzner adds, do you remember seeing the email from John that said the paperwork was on his table. Matwyshyn replies, wee' yes, but there's a lot of paperwork on his table. South replies, well, not that table. That table's just those drain crossing applications. There's a lot of them. Matwyshyn states, there's a lot of them there. South states, there are 25 or so. Matwyshyn states, and even for the Geist ditch, I had to hunt for it. because I got a call from an unknown number, from an unknown individual who did not know which ditch they're crossing, and I had to hunt around to find information. Mitzner replies, so, this is where we are going to leave this at. You're going to get a hold of Vito. Have you talked to him? Matwyshyn responds, he's already contacted me. Yes. I'm supposed to return a call to him. it's waiting for me to return it. Yes. Mitzner continues, so, here's where we are going to leave this at. You're going to get a hold of Vito and you're going to tell him that they can only do crossings on days that they schedule with you, for you to be on-site. that means you drive to southern La Porte county and you are on-site to do this. okay, and you're going to stand there and watch them and you're going to verify and then you're going to report back to us every

month and we're going to write this down, so it's written somewhere, where it needs to go to with John South that this is how deep they were, and this is where they're at on this ditch, on this crossing. Matwyshyn states, for Geist it was at 22 feet. Mitzner replies, okay, we're not going back there. I'm just telling you what you're going to do. So, everybody's clear on what you're going to do. Matwyshyn responds, but are we going to follow the ordinance? So, you're going to take care of all the paperwork then on this, instead of John South? Matwyshyn replies, I'll have to get staff to take of it. Mitzner replies, no. No. No. there is no more staff. Gramarossa adds, we don't provide you staff. You have to go to the council. Matwyshyn responds, well, in that case, I'll have the support of the Drainage Board to get additional staff. Mitzner replies, no, you don't. you don't have that because John South doesn't have extra staff and I'd love to see him have extra staff. Matwyshyn replies, okay. well, in that case maybe Brad and I will have to sit down and talk about this issue. Mitzner responds, okay, but here's the next problem. you are holding up Team Fishel from doing their work, because you are arguing with us about what you need to do. You're going to go out and you're going to be there when they do these crossings. end of story. Gramarossa adds, or you need to tell us you're not going to do it and then we can make arrangements to have someone be there. Are you doing it or aren't you doing it? Matwyshyn replies, it's interesting that it's presented in this form. For team Fishel, I will say yes, I will be there for all the drain crossings for Team Fishel. Now, as for the rest of them, we need to work out the details. Mitzner adds, wee, there's more than just Team Fishel doing drain crossings. So, that means if they pay for a drain crossing, you will be there when they cross the ditch. When they do the drain crossing, you will be there. Matwyshyn replies, we need to work out the details on that. Mitzner replies, why? Why is somebody else any different? Why is somebody else any different/ Matwyshyn replies, because this has been presented as a crisis. We need to work out whether we are following the ordinance and the laws of Indiana or whether we're going to pick and choose which ones we're going to follow. Mitzner responds, you're going to every drain crossing. End of story. you have to be on-site on every drain crossing to do this. Matwyshyn replies, we'll schedule it for Tuesdays and Thursdays. Mitzner replies, that's correct. So, you just said that every drain crossing, whether it's Team Fishel, whoever it is… Matwyshyn replies, the drain crossing will be on a Tuesday or Thursday. And you're going to get a hold of Vito and make sure this is right. Matwyshyn responds, I already have it set up. Mitzner adds, and I will follow up to make sure we are on the same page. Matwyshyn replies, very good. But I still need to meet with Brad to go over the details. Are you going to be available? Because for two months we weren't able to schedule a time. Adamsky responds, you can't just stop at my office. You don't just go to the doctor's office and go in. Schedule an appointment and I will meet with you. Matwyshyn replies, I went to your office to make an appointment. Adamsky replies, no, you stopped in and never scheduled an appointment. I had a note that you stopped in, not about what it was about. no scheduled appointment. If you want to meet with me, schedule an appointment. Matwyshyn replies, very good. in that case, we need to meet. Mitzner states, okay, back to what we were originally talking about. We have four drain crossings from Team Fishel, correct? One is on the Kankakee. We need to make sure, and I'm going to say this, do we need to hire a real surveyor to make sure that that one is done correctly? Matwyshyn adds, if you're crossing the Kankakee, wouldn't that involve the Kankakee and Yellow River Commission? Mitzner replies, I will talk to them. Matwyshyn adds, I think they probably would handle. Mitzner replies, I'm going to talk to them to make sure who's doing what there. I will make that phone call after this

meeting, but I'm asking the question. Adamsky states, I think that's a pretty important crossing. Mitzner states, let's do all three crossings except for the Kankakee. Can I have a motion for those three crossings except the Kankakee. So, the three crossings for Team Fishel except for the Kankakee. Can I have a motion? Mark Scarborough makes that motion. Pat Vance seconded. Motion passed 5-0. Mitzner states, now for the Kankakee crossing. Connie Gramarossa states, why don't I make a motion? So, I'd like to make a motion that crossing applications be paid for a surveyor on site for all of them because we're going to continue to go back and forth on this. As a commissioner, I would be willing to go to the council and explain the situation, explain where were at with this and why it's important. how much money do we have in the fund? $1,600? Mitzner states, $1,635. Gramarossa continues, I can get with John and I can figure out how many more applications we have coming in, how many more visits we would need, but we can't go month-to-month and play a game and decide which ones we're going to do, which ones we're not going to do. Mitzner adds, but then again, we're paying somebody to go out there and we have a surveyor that's supposed to do this. So that's why I'm going to question that, Connie. Gramarossa states, the Board would have to decide. do we want to have these conversations with the surveyor because he's going to pick and choose? He already said he'll do the next one, the Team Fishel. Mitzner states, so, I'm going to ask this question, Connie. So, we're going to use county funds to pay another surveyor that we're already paying a surveyor to go out there to watch these drain crossings get done. Is that what you're saying? Gramarossa responds, did you see what we just went through? we spent 15 minutes of this meeting…Adamsky replies, I think you've got a specific instance here where you're just talking about the Kankakee crossing. You could get an idea of what that cost is going to be to have a licensed surveyor on site. Then you can make this decision in a future meeting with that additional information of support to know, okay, what is this going to cost us to pay a surveyor to go do the surveyor's job. Matwyshyn adds, the executive director of the Kankakee and yellow river Development Commission handles all of the details about the work done by the Kankakee and yellow river Development Commission. Mitzner replies, and I will call him after this meeting is over with to make sure we're on the same page. Tony Hendricks approached the Board. A lot of communities are stressed for funds. a lot of communities are stressed to get anyone to inspect anything. And some communities have big projects going on, I'm talking data centers, buildouts, subdivisions. I would suggest that the Board, I don't know how you amend it legally, but tell them that they have the option, if Mr. Matwyshyn can't make it, they can hire their own private surveyor. They could sign it; licensed surveyor and they can tell you what that crossing was, and that surveyor has to be out there, or his people have to be out there. But, you give that private company the option that he can't make it or their schedule doesn't do it and they bring a licensed surveyor out there and they attest that it's five feet below the pipe and bring that to Mr. Matwyshyn, Mr. South and to the Board. That gives them the option to clear up their schedule and the county doesn't pay for it. Most private companies will pay the fee to have a licensed surveyor go out there and attest to it to you. Adamsky adds, so they're not stuck on a specific Schedule. Hendricks adds, so if he can't make it, they'll hire a licensed surveyor and attest to you with their license that it got put in like it was supposed to. Gramarossa asks, then would we need to make a motion to amend our application to include them getting a surveyor at their option. That would be my motion. Scarborough states, if he's available Tuesdays and Thursdays, I'd like to try this for at least a month to make sure that this is going to work. Mitzner states, I agree with you, but

we've already done the applications now. We can't go back on the applications. Adamsky replies, it'd be future applications. It's basically saying that part of the drain crossing application requires that there be either the surveyor or surveyor's representative on-site or that they provide their own licensed surveyor to provide a report to the Board. Matwyshyn responds, you might mention Tuesday and Thursday as being the times when they need to do the crossings. Adamsky replies, if that's what you're committed to. Scarborough states, I would hate to put that in there in case the next surveyor changes it to Monday, Wednesday, Friday. Matwyshyn replies, well, for me to be there, I'm going along with the Tuesday and Thursday. Adamsky adds, you could set that, but I think we don't need that in the application. Mitzner replies, that's your communication you make with them because they're supposed to call you before they do any. Adamsky adds, so, they either call and schedule with you. You tell them it's Tuesday or Thursday. That's their options. or their other option would be to hire a private licensed surveyor at their expense. Matwyshyn states, I would like to recommend a change from phone calls to email. Have them email me 24 hours in advance because there's a date on the email. Mitzner responds, there's a date on your phone call, too. But that's besides the point. Matwyshyn replies, okay. That's a little harder to get to. Mitzner replies, not really, but that's fine. we've got a motion and a seconds on the three drain crossings except for the Kankakee. now I'd like to have a motion for the Kankakee that we have a licensed surveyor on-site and we pay them, out of our fees that we are collecting, that we ay them out of the fee when they go under the Kankakee. Scarborough responds, I would like a licensed surveyor because I know the gas company tried doing this and they couldn't get under the river because of the rock shale layer was there. so, they ended up re-routing their gas line a different direction. So, I think we definitely want to make sure this gets done right. and I'm sure Jeff's going to talk to Scott Pelath and coordinate together with them. That's a motion. to hire Tony Hendricks to make sure this gets done right. Mitzner adds and we'll pay him out of our application fee fund. Connie Gramarossa seconded. Motion passed 5-0

MAINTENANCE, COUNTY LINE DITCH, SZILAGYI: John South reported that he met with Dan Szilagyi at the site and stated that they are have flooding issues out there and that it could use maintenance. Since this ditch borders La Porte and St. Joe counties, they Board asked south to talk to St. Joe county about sharing the cost of the project. Mark Scarborough motions that South talk to St. Joe County and then put it out for bids. Pat Vance seconded. Motion passed 5-0.

Mitzner states, one more thing I want to add to this and the Travis Ditch. I think a few us need to go out there and start looking at that and how we want to dig that starting at Microsoft and going south or how we want to handle digging that ditch, but I think we need to go out there as a group and look at it and decide, between 200 and 300, they're going to be on the east side, least amount of trees, between 300 and 400, they're going to be on the west side because of trees or whatever. So that we put that in the bid. This is how you are going to dig this so that we control what's going on there for trees being removed and everything else. So, I just want to put that on you guys radar. I know it's October. We probably won't be able get to this until closer to November, but if we get a time frame to where we can go out and take a look at it, all of us together, so that we're on the same page. If everybody wants to agree with that. Mark Scarborough replies, are the crops off? Would it be better to wait till they're off? Can we access better? Mitzner replies,

that way at least we can drive down through there. Scarborough asks, are we trying to do this this year? Mitzner replies, before spring, if we can. Maybe we can get there before the next meeting.

HUDSON LAKE: Georgette Joyce approached the Board; the lake is measuring just over 13 inches above the weir. The ToltHawk has been measuring swings in lake levels so over the next month we should recalibrate to verify that the ToltHawk device matches manual measurements. I will coordinate that with John South. No issues. The drain gate remains closed. LARE has changed its grant application date to December 31, 2026 – this is a couple weeks earlier than previous deadlines. HLCA will be applying for multiple grants. Restoration of the sediment site is scheduled for late this month. This completes our scheduled dredging efforts. As noted, earlier Amazon awarded $40,000 in grants to HLCA for invasive weed treatments and fish stocking. Still to apply another treatment of Phragmites next to our eagle island – this is fully covered by HLCA thanks to Amazon grants. HLCA will hold its annual public meeting:

Monday, November 9, 2026, 4:30pm – 5:30pm (CT)

New Carlisle Public Library

408 S Bray St

New Carlisle, IN 46552

BRAD ADAMSKY, ATTORNEY: No report.

JOHN MATWYSHYN, SURVEYOR: just to announce that I will be contacting, I'll try to get it in on Thursday. I don't know what your schedule is like. but as soon as possible to go over the ordinance. Brad Adamsky responds, it won't be this week. I can tell you. Call my office and schedule. Matwyshyn replies, okay. then I'll have to call the office.

JOINT BOARDS: Jeff Mitzner states, the only thing I have on joint boards is in next month's meeting for the four-county drainage board. they are working on an ordinance along with this for the drain crossings. They are working on this to get this for all drain crossings in the four-county drainage board, too. we're going to vote on that in November. So, we started something and now everybody is following us.

CLAIMS:

Al Allsop Construction, Inc. – Moon Ditch project - $10,000

Pat Vance motions to pay Allsop. Mark Scarborough seconds. motion passed 5-0.

$1,635 available in engineer fund.

PUBLIC COMMENT: None

ADJOURNMENT: Jeff Mitzner adjourned the meeting at 9:45 AM. The next regular meeting is Tuesday, November 10, 2026 at the LaPorte County Complex Meeting Room #3 at 8:30 AM.

John South, Secretary
Dated: October 13, 2026

Video replay of this meeting can be found at this location:

https://www.youtube.com/watch?v=p1eKjU435Fc&list=PL8L8Y5g9S6bq8rlUrYSH2oxusFpU9Il_Z&index=1