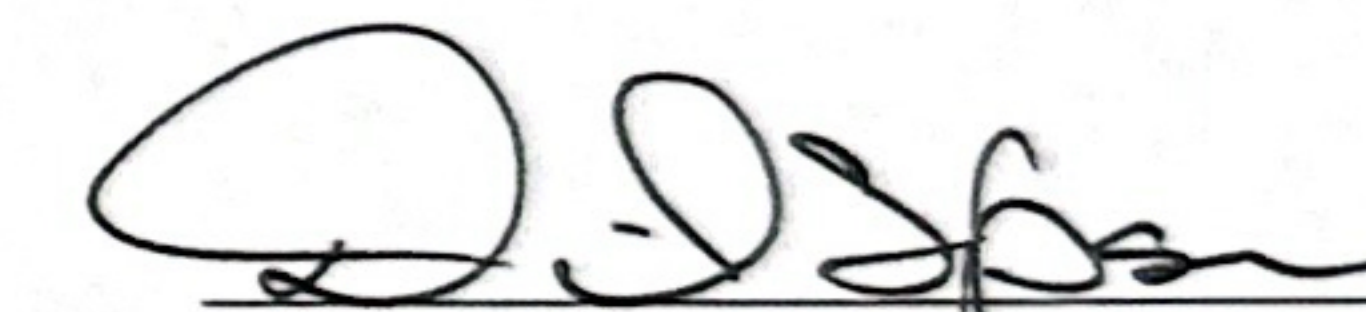


To: Larry T. Hutchings II, Vigo County Auditor

I, David Thompson, President of the Vigo County Council, was not in attendance at the Sunshine Meeting of the Vigo County Council on October 7, 2025. I have reviewed the agenda for the Sunshine Meeting. I have communicated with you and there was no filing of proposed Ordinance 2025-2 with you in your capacity as Secretary of the Vigo County Council prior to the Sunshine Meeting which would be required prior to a first reading under Rule 7 of the Rules of the Vigo County Council. There is reference on the Agenda to a statement of Steve Ellis under the "Communications from Elected Officials, Other Officials, or Agencies of the County". Vigo County Council Rule 12 lists the order of business for a Sunshine Meeting. Rule 12(A)(3) allows communication from elected officials, other officials or agencies of the county. Rule 12(A)(5) allows ordinances other than appropriations first reading. The Sunshine Meeting agenda for October 7, 2025 lists no first reading of Ordinance 2025-2.

I was present and the presiding officer at the October 14, 2025 regular meeting of the Vigo County Council. During the "Communications from Elected Officials, Other Officials, or Agencies of the County" portion of the regular meeting, Councilperson Ellis read an ordinance which received a second from Councilperson Weger. On October 14, 2025 it was the ruling of the Vigo County Council President that the proposed ordinance by Councilperson Ellis be tabled until the November 12, 2025 Vigo County Council Meeting. This ruling was affirmed in the legal opinion of Michael Wright, Attorney for the Vigo County Council. Councilperson Gentry stated that Council Rules permit the reading of a Councilperson's ordinance under Rule 10 of the

Rules of the Vigo County Council. Councilperson Gentry also acknowledged that a two-thirds vote of all elected members would be required. A vote on the ordinance was taken without public comment resulting in a vote of four (4) aye and three (3) nay. This does not constitute a two-thirds vote of all elected members as required under Rule 10 of the Rules of the Vigo County Council. As such, the ordinance, referred to as Ordinance 2025-2 failed for lack of sufficient votes. As Vigo Council President, I notify you as the Secretary of the Vigo County Council that the ordinance failed and that I will not be affixing my signature to proposed Ordinance 2025-2 as would be required to adopt an ordinance under IC 36-2-4-9. I would also note that there was a lack of notice to the public in the proposal of this ordinance, and the lack of an opportunity for the public to comment and be heard which is inconsistent with the purpose of the Sunshine laws which were created to promote transparency in governmental bodies.


David Thompson, President
Vigo County Council