

Infamy 11 Boulder City's Drive for Free Program*

Between 8/17/93 and 10/9/01 the city transferred six vehicles to the Boulder Township Constable. (1) These were high mileage police vehicles which, in the opinion of city staff, were of minimal value. This may sound like a good thing on its face. Consider, however, that the constable does not work for free. The constable's fees are set by law as is a \$2.00 per mile mileage fee. In contrast, city employees are allowed \$.50 per mile reimbursement, the amount set by the IRS, when they use their vehicles for business.

Two 1991 Ford Explorers were transferred by the city to the constable. The first on 8/9/94 and the second on 2/13/96. In July of 1999 Larry Markotay became interested in a 1995 Caprice that the police department was disposing of. In an undated letter to Chief of Police Mullins, Markotay writes: The Explorer is pretty well used up now (except for emergency 4x4 usage); (2) In a letter to Chief Mullin, dated 7/6/99, Markotay stated as further justification that he: Writes all citations and violations into Municipal Court, thereby contributing thousands of dollars back in the City's Funds. •

The second of the two Explorers transferred to the constable surfaces again in Markotay's bankruptcy, filed on 9/26/00. (3) The Explorer was obviously not so worn and worthless as Markotay represented, as not only did he convert it to his personal property, he signed over the title to one of his deputies as collateral for a personal loan. The date on the title is 5/8/00. From the notation at the bottom of the page it appears that Markotay faxed a copy of the title to his bankruptcy attorney on 7/18/00.

On the date of his bankruptcy the 1991 Explorer was the newest vehicle that Markotay owned. Markotay at the time was also leasing a 1999 Yukon. Usually, with leases, the vehicle is repossessed as soon as the bankruptcy is discharged. Markotay claimed to have made arrangement to reaffirm the lease after bankruptcy. This may or may not have worked out. Markotay also had a tent trailer which was pledged as collateral too. Had the Yukon been repossessed Markotay would have been without a tow vehicle for his tent trailer.

Markotay filed for divorce in 2005. (D349845) In the Decree of Divorce, filed on 1/31/06, a 1991 Ford Explorer, free and clear of encumbrances is awarded by the court to Markotay. (pg. 6) While the vehicle is not identified by VIN, one has to ask, what the odds are that Markotay obtained an additional Explorer of the exact same year? Pretty well used up? If you say so Larry.

Endnotes:

(1)	Make	Model	Year	Vin	Res. #	Date
	Chev	Caprice	1988	IGIBL5168JR170368	R-2303	081793
	Ford	Explorer	1991	1FMDU34X4MUD64396	R-2433	080994

Ford	Explorer	1991	1FDMU34X7MUA84102	R-2672	021396
Chev	Caprice	1995	1G1BL52P8SR171075	R-3451	082499
Chev	Blazer	1993	1CNDT13W4P21866321	R-3691	010901
Ford	Crown Vic	1997	2FALP71W2VX127884	R-3846	100901

(2) I reproduced the entire agenda item from the council meeting of 8/24/99. Certain documents are duplicated in the attachment as they are in the original.

(3) I had considered attaching the entire bankruptcy filing. Personal information re: Markotay's ex-wife, and several deputy constables, is contained in the voluntary petition. For that reason I have only attached the page with the title for the Ford Explorer.

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