

**PORTER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, APRIL 5, 2016
1:00 P.M.**

(The entire meeting is available to watch on the Porter County website.)

The regular meeting of the Porter County Board of Commissioners convened at 1:00 p.m. on Tuesday, April 5, 2016 in the Commissioners' Chambers of the Administration Center.

Those present were: Commissioners John Evans, Laura Blaney, Jeff Good, County Attorney Scott McClure; Administrative Assistant Rhonda Young and Recording Secretary Kathy Merle.

Call to Order/Pledge

President John Evans called the meeting to order with the Pledge of Allegiance. Thank you and welcome. I would just like to take a minute before we start and pass out some kudos to the lady behind us here Kathy Merle who has been doing a yeoman's task the last month or so to keep us up and running and informed and a welcome to our new Administrative Assistant Rhonda Young. I wanted to make sure we recognized them because they have been trying their best to pull things together in a very difficult situation.

Approval of Minutes

Com. Good moved to approve the minutes for February 16th and February 23rd, 2016
Com. Blaney seconded, motion carried.

Approval of Payroll

Com. Good moved to approve the payroll of March 21st and April 4th, 2016, Com. Blaney seconded, motion carried.

Approval of Claims

Com. Good moved to approve the claims of March 17th and March 24th, 2016, Com. Blaney seconded, motion carried.

Amend Storm Water Ordinance Regarding Payment for an AG Class Code Parcel – 2nd Reading

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Com. Blaney, I can say what that was for. The agricultural land there was one size that was not coming out fair. They weren't paying nearly as much as everyone else so they just corrected that to make the playing field more even.

Com. Evans, We'll probably have a few more of these as we go. This is new territory for everyone and as we discover them we'll certainly deal with them.

Bob Thompson - Petition to Vacate Willow Street Right-of-Way in Pine Township – 2nd Reading

Com. Blaney, This street isn't actually even there.

Com. Evans, This is the vacation of Willow Street Right-of-Way in Pine Township and this is 2nd Reading.

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Approve \$441,500.00 for additional Hospital Interest one-half of the year for the Porter County Sheriff's Police Pension.

Com. Evans, Discussion?

Com. Blaney, This has been to the Council already.

Com. Good, It has?

Atty. McClure, The Council hasn't approved it as an additional from Hospital Interest. It was original on the Council's agenda as an additional from the General Fund. The Council at their last meeting directed the Sheriff to resubmit it as an additional from Hospital Interest for half of the year, which this number represents half of the year. We need to deal with it here and then the Council needs to deal with it at their end of the month meeting. The reason why the Council didn't move forward with the additional out of the General Fund is because General Fund wouldn't have supported the additional at that point.

Com. Good moved to approve, Com. Blaney seconded, motion carried.

**Leigh Westergren and Jim Anton, Anton Insurance
Amendment No. 1 to Plan Document Regarding 3D Mammograms and E. D. Drugs**

Ms. Westergren, Good afternoon Commissioners. So we have several items to discuss today. You mentioned the Amendment No. 1 to the Plan Document. If anybody needs a copy of that I do have a copy here. This clarifies some language in the new Plan Document that was issued on January 1st regarding mammograms and erectile dysfunction prescriptions. There is a no change to the benefits, just clarification to the existing plan document.

Com. Good, This change in 3D is that based off of what we're requesting or is that just with the policy that is going?

Ms. Westergren, It's not a change per say, we already had coverage for 3D mammograms. There was just no verbiage in the plan document addressing that.

Com. Blaney, For both of these items?

Ms. Westergren, Correct.

Com. Good moved to approve, Com. Evans seconded, motion carried. Com. Blaney did not approve.

Schedule B from BAS

Ms. Westergren, The Schedule B is titled Administrative and Ancillary Service Fees. This is the official document that pertains to the contracts that were previously approved by the Board of Commissioners. The Sun Life contract, the BAS third party administrator contract, the organ transplant policy. This document gives BAS permission to make those payments to the vendors on behalf of the County.

Com. Good, I have two questions. The first question is the subrogation fee of 10% of recovery to BAS. Was that in the last program?

Ms. Westergren, Yes it was and now that you asked that question. I note that on the agenda the subrogation term letter is not included and I was under the impression that we were not going to discuss that today. In the past TPA's handled subrogation for Porter County Government and there is always a recovery fee. 10% is what we retain to Stewart C. Miller. When the County went into an agreement arrangement with INETICO last year they took over subrogation.

Com. Good, At the 10% fee?

Ms. Westergren, At the 30% based on the contract that was approved by the Commissioners and their skills within. Since we have moved to BAS as of January 1 it was ascertained that both parties have the capacity to do the subrogation and we made the recommendation that we'd move the subrogation from INETICO to BAS and that is what that subrogation (Inaudible).

Com. Good, So the 30% from INETICO is gone, then 10% to BAS is what will be going forward.

Ms. Westergren, Pending on the Commissioners' approval.

Com. Good, Sure, obviously. The second question I have is under servicing agent consulting fee. You have Mike Anton Agency/R & R Benefits \$12.50 per employee. What's the breakdown of the \$12.50?

Ms. Westergren, \$6.25 to Anton Insurance and \$6.25 to R & R Benefits.

Com. Good, So it's 50/50.

Ms. Westergren, Correct.

Com. Good, And that would take place last year when R & R came in?

Ms. Westergren, Correct.

Com. Blaney moved to approve Schedule B from BAS, Com. Good seconded, motion carried.

Cobra Rates – Discussion

Ms. Westergren, You have in front of you two documents that pertain to the COBRA rates. The reason there are two documents is that currently we have a two tier arrangement for the COBRA rates. We have a single rate and a family rate. We've asked Excel Benefits who manages the stop loss policy to put together an option of having a four tier rate, which I felt is appropriate consideration for the County. Often times a person will go on COBRA and will be charged a family rate even though it might only be that employee or a former employee plus one. There are two options for the Board of Commissioners to choose as to how you would want the COBRA structured. We also have the current rates illustrated on both of these sheets with the projected rates and then the 2% load. You are allowed and historically allowed to elect to have the COBRA be the projected plus the 2% load. On the top of that page we also show the maximum liability for the plan and that total number divided by the number of employees which is historically what the County would use as a budget for the departments per employee. So I will answer any questions that you have that pertain to those documents.

Com. Blaney, I would probably choose to do the four tier, since our maximum liability is the same.

Com. Good, These are the out of pocket for the person that would be taking over the COBRA?

Ms. Westergren, So a person who would leave the County's employment would elect to stay on the County's plan would pay this much per month.

Com. Evans, How many days, 180 days is that what.....

Ms. Westergren, For a person who could have COBRA? There are different time frames. Generally it's 18 months. For instance if an employee passed away the surviving spouse could stay on COBRA for 36 months and in the case of a divorce or disability it's 29 months.

Com. Evans, And that is what a person who left our employ would pay to have that coverage per month. It's a good plan.

Ms. Westergren, The rates are really meant to represent what the true cost for being on the plan is.

Com. Blaney moved to approve the IV Tier COBRA Rate Plan with the 2% load, Com. Good seconded, motion carried.

Ms. Westergren, Would it be appropriate for me to discuss the subrogation term letter at this time?

Atty. McClure, Yes.

Ms. Westergren, And do you have a copy of this?

Atty. McClure, Yes.

Ms. Westergren, As I mentioned before it was ascertained that both parties INECTICO and BAS are more than capable of handling subrogation and in the efforts of cost effectiveness and promoting good relations between the two we make the recommendation that the subrogation duties be removed from INETICO to BAS.

Com. Evans, Plus it's a 20% savings.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

2016-2017 Worker's Comp Premium Breakdown Renewal

Jim Anton, Good afternoon Commissioners I'm here to ask for action and I recommend renewing the worker's compensation policy for the County with the incumbent carry Bituminous Insurance Company. We submitted the account for quotes to Liberty Mutual, Travelers Insurance Company and the Indiana Public Employers Plan all who declined to quote, but the renewal offer is about 2% less than the expiring premium and again it is our recommendation to continue with Bituminous.

Com. Evans, Declined because of our claim rates?

Mr. Anton, Because of the 5 year claims history, yes.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Com. Good, I have one more question for you. On the 5 year revolver I know we just had a bad year fall off. Do we have anything to look forward to next year, because it's a 5 year look right? It's a 5 year window.

Mr. Anton, The year that fell off the loss ratio was 249% for that year. We had a couple (Inaudible) if you will it was a bad claim experience. That was 2012 so 2013 was 58%, 2014 was 72% and 2015 was 69%. So really the answer to that question is may be depending on what happens this coming year and the fallout from all of last year, because those numbers are still being tabulated.

Com. Good, Yes, I didn't know if next year was another bad year that was going to fall off.

Mr. Anton, Nothing huge.

Com. Good, Well the good news is that we haven't really said is that our comp mod went down this year, which is good but we have a lot more work to do.

Mr. Anton, That is exactly right.

Ms. Westergren, I have one last thing. The last time I was here you asked me to put together a summary on the Wellness data. I have done that. In the spirit of the fact that this is National Public Health Week you will note on the second page of what I just gave you there is an overview of the Wellness participation breakdown by department and we were able to ascertain what the hot topics as far as wellness concerns are for Porter County Government. We will be creating our Wellness Lunch and Learn programs based around those topics and as you approved last meeting we are going to have another onsite screening in the Commissioners' Chambers on the 19th and 20th. We will be communicating that to the employees.

Com. Evans, Very good, thank you. This is exactly what we were looking for.

Com. Good, Is this something we can share with our department heads?

Ms. Westergren, Absolutely.

Com. Good, I think we need to. This gives a breakdown, it gives a bullseye.

Com. Blaney, It will give them a chance to improve it.

Com. Good, It's for informational purposes, but I think the different department heads, elected officials really need to see this. Even though it's a County plan it's up to each elected official or department head to manage this process. The only way you can do that is with information and this is a good piece.

Com. Blaney, Can this go out with the scheduling information for the next round of screenings? It might be a good time to do it.

Ms. Westergren, If you want me to distribute that I will do so and then when we come back later in the summer we'll be able to take the results from May and see what kind of improvement we had as far as departments. Also, I would like to come back to the next meeting. I received this morning a copy of renewal of the Care Express contract from Porter Hospital that they would like signed. It's the same as last year, but I will send that to Kathy and then with your permission come to the next meeting for your approval.

Com. Good, Anything you can get to us ahead of time is well deserved because we have a lot of reading for these meetings.

Com. Evans, Leigh the only thing at a first glance at this report you have Superior Court IV delineated twice is that a typo? Is one supposed to be Superior Court VI because I don't see a report for VI?

Ms. Westergren, Superior Court VI is Number 2 on the list and you're right I apologize I'm going to have remember which had 25% and which one 0. I do actually have that document so I will update.

Com. Evans, No problem, thank you. I won't go into my speech about the wellness program and how important it is but I hope all of the office holders and department heads understand when they see that it will be something that is to their benefit.

ACI Contract for Storm Water Management.

Atty. McClure, Basically this was the advertising company that we got involved with the Storm Water Department to be able to brand the Storm Water Department and also to help us produce a tri-fold document that will be sent out to the property taxpayers that are affected by the Storm Water Fee to give them information and also to have them have some additional resources of where they can find out more information that has been completed and that will be going out here shortly around the same time as the property tax bills are going out. The citizens will have information concerning that.

Com. Good, I would also like to point out in addition that this contract for marketing consulting is a onetime shot because everything we developed is in a template. So this is one time. Everything that we take from the template on we'll be doing ourselves. This was to set up our branding and our templates for everything so this should be pretty much a one-time deal.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Great Lakes Basin Proposed Railroad - Discussion

Atty. McClure, On March 21st our Planning Department received a letter from the Surface Transportation Board of the Federal Government giving us the notice of intent to prepare an environmental impact statement. The long and short of it is Great Lakes Basin Transportation Inc. has gone far enough in the process with the Surface Transportation Board that with their proposed 278 mile rail line that would run east to west through south Porter County. Connecting Chicago with LaPorte County out by their Kingsbury Ordinance Plant where LaPorte is attempting to put in an intermodal area. We've been putting together information since then to try to get a grasp of what's going on. Basically at this point the Surface Transportation Board is going to be doing the Environmental Impact Study. That's very important. It is probably one of the most important parts of this process that Great Lakes Basin Transportation would need to go through in order to gain approval to be able to put a train line in. The proposed train could be up to 6 tracks. That could be up to about 110 trains a day in some of their literature. So obviously we have some concerns as to exactly where it's going and what that impact would have on Porter County. The Environment Impact Study starts off with the scoping which is Step 1. The scoping basically has public meetings. Those public meetings take into consideration all of the environmental impacts which are a little bit more broad then just complete environmental issues that we would be thinking about normally. It also takes into account land use, drainage, transportation issues, potential road closures, along with water quality things of those natures. It's very important at this point unfortunately we don't seem to have one of these public meetings scheduled in Porter County at this time, but they are coming up rapidly, the ones in Indiana, because this train is obviously going through Illinois and it's also potentially going through Wisconsin. The public meetings in Indiana are coming April 12th, 13th and 14th so they are coming up very quickly. That sets the scope of what is being prepared for the Environmental Impact Statement and then at that point the final scope would be set and the

process of beginning that environmental analysis or impact statement would begin. However long that process takes or however short that process takes. At that point once the draft of that environmental impact statement is completed that would be released for additional public comment in a short window somewhere between 30 and 60 days. At which point it would be set into its' final process. At some point within and I believe towards the end of the completion of that environmental impact statement the Great Lakes Basin Transportation Inc. would be filing the appropriate petition before the Surface Transportation Board to apply to allow them to become and to put a railroad in. That process would allow them to avail themselves to our eminent domain statute which means they would be able to take property. Our States eminent domain statute that would allow them to take property with just compensation, but nevertheless it's a pretty serious situation. The only communication we've had at the County level at all is with the letter that we received to our Planning Department. So that is kind of an outline of the process at this point. Obviously, there is a lot more that would go into it as far as what Great Lakes Basin Transportation would need to do on their corporate end of things, but basically this seems to be happening. It's very important that our comments from our citizens and our government department heads are able to get their comments in for the scoping so that all of our potential issues are dealt with in the environmental impact study. The environmental impact study also deals with possible route alternatives so again time is of the essence and any suggestions etc. needs to be dealt with now not later. As we're kind of digging our way through some of the railroad statutes haven't been touched in a 100 years give or take. So some of them are pretty archaic, a lot of the case law is very archaic but nevertheless this might be the largest new rail line put in over 100 years. It's a pretty significant development that kind of sets the table a little bit for the process that we're going through at this point.

Com. Evans, My problem with this whole thing is we're the only County in Indiana that this train is going to pass completely through and we're the only County that doesn't get to have a hearing. It doesn't make a lot of sense.

Com. Blaney, I want everybody to know that we as a County are going to formulate comments and submit them to the Surface Transportation Board and we encourage everyone else to do the same. My view I can't speak for these guys but I think they'll be clear themselves it doesn't offer any benefits to our County that I can see. We've spent a ton of money on drainage down south, road closures, safety issues with all of our volunteer fire departments. There is a lot of family farms it cuts through with relatives on each side. There are several issues here and no benefit so I'd like to propose a resolution and I can get to that if either of you have comments.

Com. Good, I grew up two miles from this so I think you all know where I'm at. It's not needed and I think it creates a tremendous amount of problems. I think it creates a tremendous amount of cost in the County and I don't think that we're probably every going to see any reimbursement for. From my perspective I just cannot see anywhere in this whole thing of how it can benefit. And if people want to talk about rail spurs and economic development it's going to fall on deaf ears for me because we don't have the State Highway and infrastructure program to be able to develop off of this rail line. So we don't have the infrastructure there to be able to do it. For me it's simple, I grew up two miles from there and I'm going to be against it as much as I can and we're going to be out from a County Board of Commissioners standpoint. We're going to get in front of it and we're going to make our position real clear coming out of the gate. That is about as much as we can do at this point other than encourage everybody to get energized and come together and see if we can push this thing back hard. A year ago it was a hog barn and now this year it's a railroad. Now I start to wonder what's going to be next year.

Com. Evans, You're forgetting the landfill.

Com. Good, Well that was a few years ago. That's my peace.

Com. Blaney, I think it's important to note that Jeff sat on the RDA. That part of the organization that we send \$3.5 million to ever year from our County taxes and they spent a lot of money up north making the rail lines better and this is just very counter to all of the work they've done. Is that accurate to say?

Com. Good, Yes and not just from a local perspective but we have a lot of State money that went in up there on the north lakeshore. We've had a lot of federal money go in on the lakeshore up there. So we've been constituents and we have been doing what we voted in eleven years ago. The whole mandate was to re-energize and restore our north part of our County. This runs totally contradictory to that investment and that philosophy that was made 11 years ago. Being on both sides of the fence here it's problematic for me. Trust me I've been making some phone calls and I've been talking to people that I know and I think everybody is

find out very quickly where Porter County is on this. It just does not make a lot of sense to me and that is about all I can say at this point.

Com. Evans, The other thing is if you remember a few years back when all of the railroads were going bankrupt and surrendering their property now we have all of the rails to trails. If that's the need then let's go back and look at the trails, the paths that they abandoned and see if they're not viable for what they want to do in the future. Build a new railroad is really kind of a stretch in my imagination. I can't quite imagine it.

**RESOLUTION NO. 16-01
PORTER COUNTY COMMISSIONERS**

WHEREAS, the Porter County Commissioners are the Legislative and Executive Body of Government in Porter County, Indiana; and

WHEREAS, On March 21st, 2016 the County Planning Director received from The Surface Transportation Board, "The Notice of Intent to Prepare an Environmental Impact Statement"; and

WHEREAS, This Notice is the only communication received by any County Department, from either the Surface Transportation Board or Great Lakes Basin Transportation, Inc. ; and

WHEREAS, Great Lakes Basin Transportation, Inc. plans to file a request, with the Surface Transportation Board, to construct and operate an approximately 278-mile rail line; and

WHEREAS, The proposed rail line could consist of up to six (6) tracks; and

WHEREAS, The residents of Porter County have until May 16th, 2016 to provide the Surface Transportation Board comments on the scope of the environmental impact study; and

WHEREAS, the public meetings, within Indiana, for the scope of the environmental impact study are currently set for:

April 12, 2016	April 13, 2016	April 14, 2016
5:30 p.m. to 8:00 p.m.	5:30 p.m. to 8:00 p.m.	5:30 p.m. to 8:00 p.m.
Veterans of Foreign Wars	American Legion	Civic Auditorium
17401 Morse Street	203 S. Washington St.	1001 Ridge St
Lowell, IN	Wanatah, IN	La Porte, IN

WHEREAS, No public meetings are scheduled to occur within Porter County; and

WHEREAS, The Porter County Commissioners are alarmed at the significant environmental impacts this proposed rail line, running the entire length of the County, West to East, would have on Porter County; and

WHEREAS, The significant environmental impacts and dangers would include, transportation of hazardous materials, closure of local roads, devaluing of property, drainage issues, and negative impacts on future land use. The proposed rail line would also create noise, vibration, and considerable safety concerns at all of the crossings.

THEREFORE, BE IT RESOLVED, by the undersigned, that the Porter County Commissioners, foresee no positive economic impact from this new proposed rail line, and foresee significant permanent negative environmental impacts, and therefore are against Great Lakes Basin's proposed 278 mile rail line.

This Resolution passed and adopted this the 5th day of April, 2016.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA
/s/John A. Evans
/s/Laura M. Blaney
/s/Jeffrey J. Good

Attest:/s/Vicki Urbanik, Auditor

Com. Good, The other thing I would like to point out too. I know there is probably a lot of angst out there from a lot of people that live in South County. I hate to call out a neighboring county but the area where the economic impact is going to be the most beneficial is in LaPorte County and I know that they have been meeting in executive session with the developer of the railroad and a lot of this is coming out of our neighbor to the east. I just want everybody to make sure they understand that that is sort of the area of Northwest Indiana that would probably benefit the most greatly out of this. I'm not trying to throw LaPorte County under the bus, but in the same breath I'm trying to educate our citizens to the whole thing of what is going on out here so I just wanted to make that mentioned in a public record.

Com. Evans, Thank you. Their idea is to start the intermodal in Kingsbury and then run it from there. Our way and through Lake County up into Wisconsin.

Office Holders/Dept. Heads

David James – Highway Director Receive and Open Asphalt and Liquid Bituminous Bids

Mr. James, Good afternoon, how is everyone? Per the body's request we already opened some bituminous plant mix bids back in November and accepted those. But due to the volatility of the market right now in oil it was discussed and brought forth that we ought re-do the bids. Just for the bituminous plant mix. So that's what we did, we reached out to the two vendors that already had bid and discussed with the lawyer about just having them do that without having another bid bond and all of that. We accepted their bid bond from the get go and they both agreed to do the bituminous plant mix again for us and whatever we get today we have to roll with it on your approval. The liquid bituminous when you open those I'd like to take those under advisement and come back in two weeks so that I can see that all of the I's are dotted and the T's are crossed.

Com. Evans, What do you have Madam Auditor?

Vicki Urbanik, We have two bids identified as Liquid Bituminous. One from The Klink Group and one from the Asphalt Materials. Then we have two that are labeled Paving Asphalt. One from Reith Riley and one from Walsh and Kelly.

Com. Evans, So they are all bidding the same thing?

Mr. James, Walsh and Kelly, Reith Riley bituminous plant mix only. Asphalt Materials, Clink Group liquid bituminous. That is the oil for our chip/seal.

Com. Evans, This bid is from The Klink Group and is there a single number I should be looking at?

Mr. James, If you see a number for AE90 on there.

Com. Evans, Delivered as storage tanks \$1.77 a gallon. Delivered less than 4,000 gallons \$1.97. FOB South Bend \$1.68. That was for bituminous. Asphalt Materials Warsaw Indiana and will use the same number. AE90S \$2.280 per gallon, \$486.72 a ton and jobsite is a different cost. I'm glad you're going to take them and look at them there looks like a lot of numbers there. This is from Walsh Kelly.

Unknown Gentleman, (Inaudible) you read AE90S.

Com. Evans, After we give them to our department head you will be allowed to look at them. This is Walsh and Kelly's. David which one did you want?

Mr. James, It would be under "D".

Com. Evans, Base hot mix delivered \$55.00 a ton, base pick up and applied \$56.00 a ton. The next one.

Com. Good, Just so everyone knows the Highway Department brought these bids last November we accepted and we opened them, but when the oil markets went down so much we decided as a board that we needed to re-take a look at the market so we requested a re-bid so hopefully the numbers will be coming in low or we're expecting them to. It was just a way of

trying to get more bang for our buck and not be locked into numbers that we were locked into in November so that is the reason why we're doing this. So bear with us.

Com. Evans, Reith Riley is the last one picked up by the County \$45.00 a ton, delivered by vendor's truck to any place in Porter County \$54.00 a ton and furnished at vendor's plant \$55.00 and delivered by vendor's trucks \$56.00. If you are here in regards to this and would like to look at them before they leave they will have them available on the back table for a short period of time and you can see what your competitors did.

Wells Fargo Equipment Finance New Lease Agreement

Mr. James, And the other thing I'm here before you is a formality of the 5 trucks we approved to buy in our July meeting of 2015 through Pozzo Mack. It's just a formality of the lease signing that they got through Wells Fargo which we got our best interest which was 2.72% interest for the 3 trucks that we're buying through the Highway Department using MVH funds. Scott has looked through it and wanted all of you to look through it and go from there.

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Mr. James, Thank you very much.

Ray Riddell – Highway Engineer

Barnhart Crane and Rigging Co. – Heavy Haul Transportation Agreement

Mr. Riddell, Barnhart Crane and Rigging are asking permission to cross one County bridge with 20 HR Steam Modules which I understand are some kind of a power generation equipment. They're quite heavy quite over weight and what they're proposing is to allow us to hire a consultant our existing bridge consultant Beam Longest and Neff and they would reimburse the County for any expenses incurred for them to check out the bridge for soundness and to make sure it is able to carry the load that they are talking about.

Com. Evans, Did they want the inspection for their own benefit prior to know if it's going to carry the weight or do we want it done to know if there is going to be any damage?

Mr. Riddell, It's for our benefit they will do a before and after. If we agree to allow them to. It's starting out in Burns Harbor being delivered and their destination is near New Carlisle.

Com. Evans, So if we do approve this agreement we get the inspections done and after inspection we find out there is damage who is buying?

Mr. Riddell, They will post a hefty bond and their agreement is to pay for any and all damage resulting from the transportation.

Com. Good, What's the bond amount Ray?

Com. Blaney, \$1 million.

Mr. Riddell, We can up that if want.

Com. Good, Yes, I think we need to go for the moon on that.

Mr. Riddell, If we allow them to cross the bridge I think we should. The bridge cost plus (Inaudible).

Com. Blaney, Should we bump that up now?

Com. Evans, Yes. What's your suggestion?

Mr. Riddell, \$5 million.

Com. Blaney moves to approve with the caveat that the agreement under #2 says \$5 million instead of \$1 million, Com. Good seconded, motion carried.

Com. Good, When you're talking to Beam Longest and Neff would you verify that \$5 million amount with them too? Maybe they can give some guidance.

DLZ – County Rd. 100 S. Intersection Improvement

Mr. Riddell, This is for work to get started. We've already received federal funding in the amount \$1.1 million and this is just their preliminary work has begun and this is the first invoice we've received. This is so we can submit to INDOT and get reimbursed.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Report from Commissioners

Mr. Riddell, There is one more on there. I didn't know if you had any questions for me. It's Porter County Iron & Metal Recycling performance letter of credit #3361683, in the amount of \$200,000.00 issued by First Merchants Bank. The letter of credit is to cover any and all damages to CR 600 W and 500 S determined to be the result of traffic and loading to serve the County.

Com. Evans, That's when we do the improvements to 100 South?

Mr. Riddell, No, this is a separate issue.

Ms. Merle, It's under Report from Commissioner.

Atty. McClure, Yes, this was an area where we put in an all-weather road out by Porter County Iron and this will be the bond to protect that all-weather road for 5 years.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Com. Good, I'd like to thank the Porter County Highway Department for sticking to their guns on that.

Chuck Harris – Coroner Hospital Services Agreement for X-Rays

Mr. Harris, Good afternoon everybody. This is a deduction in cost for the x-rays. Typically they are anywhere from \$700.00 up to \$3,000.00 for x-rays. From here on out as long as you approve it they are going to be \$200.00.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Atty. McClure, Chuck I know we took this off an agenda. You fixed up the contract the way we wanted, got it back and I appreciate the work.

Mr. Harris, Not a problem I can understand why you guys are doing what you're doing. Thank you for the vote.

Sundae Schoon – Voters Registration Penske Contract – Truck Lease for Voting Equipment

Atty. McClure, I am assuming this is to move our voting machines around etc.

Com. Evans, Well I think someone should come and tell us about it, because the last two times we had Voters Registration on the agenda they haven't shown up. We'll just put that one on the back burner.

Sharon Lippens – ITS Director Adams Remco – Update of Copier Maintenance Agreement for Voters Registration

Don Wellsand, We have a copy machine contract that was re-done from the last meeting. The vendor did some things wrong. Scott you've looked at it already.

Atty. McClure, Yes. At our last meeting we approved a lot of copy machine contracts. Sharon mentioned at the last meeting that she was working on the Voter Registration copy machine at the time and getting us out of that contract that was fairly punitive and this is the final step. I guess that machine is gone now and this is the step to get under our umbrella with Adams Remco so that not only do we have a general service agreement but all of our copy machines are being serviced by Adams Remco. This brings them into the fold with those cost savings also.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

**Scot MacDonald – Opera House
James Mollin – Artist Contract**

Mr. MacDonald, Eight contracts. As I've been going through transition just finding things out that weren't contracted so we want to make sure they are taking care of before we pay these people.

Com. Blaney, I think the Auditor would appreciate that as well. So I had a chance to review these 8 contracts and so has Scott so I feel comfortable making a motion to pass all of them together if you two are comfortable with that.

Amanda Dietrich – Independent Contractor Agreement

Micah Luce – Artist Contract

Gianni Pupillo – Artist Contract

Kidspower, Kim Gavaller – Venue Rental Agreement

Imagine Muse Productions – Venue Rental Agreement

Joan Grott /4H Youth Development Program – Venue Rental Agreement

Natalie Gaza – Artist Contract

Com. Blaney moved to approve, Com. Good seconded, motion carried.

**Matt Stechly – Facilities Supervisor
Lionheart – Generator Repairs at Hebron Garage and Jail**

Mr. Stechly, Good afternoon, so actually I would like to save Lionheart for last.

Kole Digital - Audio Project for Commissioners' Chambers

Mr. Stechly, We're putting Kole Digital off until the next Commissioners' meeting. There are few questions that have to be answered by IT. I did go out to bid for the audio we're just waiting to confirm a few things.

Glovier'sTree Service - Removal Proposal for New Animal Shelter

Mr. Stechly, This is for the new Animal Shelter. It is the last step before Highway takes over demo and then we break ground. I've decommissioned the entire site. This is the last piece. Three bids, one was \$28,000.00, one was \$20,000.00 and one was \$19,500.00. I'm actually requesting that we go with the middle one for \$20,000.00. The one for \$19,500.00 there were several red flags that came up. I personally do not want to go with them. Glovier Tree Service was the one at \$20,000.00 and that is the bid that I'm asking to be approved.

Com. Evans, Who were the bidders and why do you deem the lowest bidder not responsible.

Mr. Stechly, Spaulding Tree Service was \$28,000.00, Glovier Tree Service was \$20,000.00, Area Tree Service was \$19,500.00. Area Tree Service originally came in at \$14,000.00. Just from personal and I started asking around. I called them back and said do you want to take a second look at that? They went back out and then gave me that price and then just the conversation I had with them for the extra \$500.00. My concern is I've been told and it's hear say that they have a track record of starting a job and then change orders come flying in, liens on properties so there are just some red flags. I'd rather pay the \$500.00. I met with all three of them and I'm comfortable going with Glovier Tree Service.

Com. Evans, I understand you would rather pay the \$500.00 but our duty and our charge is that we take the lowest most responsive and responsible bidder and if you can't show me that they not responsive and responsible I don't what we can do.

Mr. Stechly, It's simply and what I said in terms of that's why I don't know if they're responsible.

Com. Blaney, These are quotes right?

Mr. Stechly, These are quotes for 14 very large trees. Completely cleaning them, grinding the stumps and then taking all of the wood to the Valpo compost site which we have agreed as well and they have agreed to take it. So it's turnkey delivery.

Com. Evans, I understand but we need some place to hang our hat that says that they're not responsive and responsible and that is the only two avenues that we have out of not taking the lowest bid.

Mr. Stechly, Understood, it's your vote, it's your call as long as I got to voice my concerns.

Com. Evans, Council.

Atty. McClure, When we got the quote did the quote and the quoted amount, are they doing the exact same work and they understand from cradle to grave.....

Mr. Stechly, Apples to apples, absolutely.

Atty. McClure, Apples to apples.

Com. Evans, They all use the same bid documents?

Mr. Stechly, Me, Commissioner Blaney, Lori from the Fairgrounds, Highway Department we all met on site. We all marked the trees, they all went out there in two to three days and I provided the scope. So yes it's very clear cut in terms of what they were bidding. To be honest with you Commissioner Evans Area Tree Service when I called back his first bid of \$14,000.00 I was told that my dad has been doing this so long he doesn't even get out of the truck anymore. I guarantee he just looked at that from his vehicle and drove on. So then he the son went back out and that is how we got the higher bid. It just made me uncomfortable that's all.

Com. Evans, Well I understand that it doesn't make me feel too good either but if they all follow the same procedure I don't know how we can say just because hearsay that one is not responsive and responsible. Advice Council?

Atty. McClure, Well we're stuck with the lowest responsive bidder, so unless they're doing something different or they're not doing the same scope. When we get these quotes that's why we quote them out our hands our kind of tied at this point to deal with that. So we could either scrap the bids and re-do the quotes or we were in a position where I don't think I've heard enough to be able to not accept the lowest responsive bid.

Com. Evans, So what's your pleasure do you want to bid them again or do you want to.....

Mr. Stechly, Permission to reach out to Glovier and see if he'll match the \$19,500.00.

Com. Blaney, No we can't do that.

Mr. Stechly, It's your vote your call. I'm fine with whatever.....

Com. Blaney, I would prefer to move forward with this, well it's up to you guys but I want to get going.

Com. Good, moved to approve Area Tree Service for \$19,500.00, but I also want a caveat in the contract that it's not to exceed, Com. Good seconded, motion carried.

Atty. McClure, Yes.

Com. Good, The most time we ever spent on \$500.00 in this chamber I'll tell you that. I guess it's a new day.

Com. Evans, A new day in front of the judge. If when you present that to Area Tree Service and they balk at it then we need to go back.

Koorsen Fire & Security - Jail Ansul System

Mr. Stechly, Currently what is in place in the actual kitchen in the ansul system is your fire suppression for kitchen areas commercial grade. What's currently there does not work and I guess has not worked and it's actually a water system. Anyone that understands grease fires or kitchen fires why in the world would there be a water system and that is what's there. It was supposed to be tested. Buttons were missing switches, I said do not touch it. So that is kind of sitting dead. I went out to bid for an ansul system. The bids were all of the over map. I only met with one of the vendors that I was extremely impressed with. F. E. Moran I asked to bid it. It took him 2 ½ months to get this. He came in at \$45,000.00 he's using a subcontractor, they're not doing that in house. Fox Valley Fire and Safety came in at \$8,535.00 and then Koorsen Fire and Safety they're out of Merrillville they came in \$10,322.36 which includes actually cleaning the hood. They're actually going to go a step further and install their system and clean the hood within that price. So there is a major price difference here. I offered to meet with F. E. Moran and Fox Valley. They sent a sales rep out there and I got their prices. Koorsen was the only where Capt. Taylor, myself and Koorsen did a walk through and talked specifics. Am I sure that is being bid apples to apples on that one, that was really hard to bid. I made about six phone calls total. No one even wanted to get involved in it. I guess ansul systems are kind of a tough animal. I'd like to get a system in place it's a serious safety issue.

Com. Good, Matt would you give me the breakdown again. You have Koorsen at a \$10,300.00 number and you're saying that there was another number that was lower than that?

Mr. Stechly, Correct, Fox Valley Fire and Safety was at \$8,500.00.

Com. Good, And are those two numbers apples to apples?

Mr. Stechly, That was something because of equipment has to be moved. We have to do a lot of piping. Fox Valley sent their rep out and he was in and out. I never got to meet with him. I know of the specific project and scope because I met Koorsen there onsite. We actually met twice. Normally if I come to you with bids they're apples to apples I make sure of that. I'm only coming to you with this because it was hard getting to this point and hit was hard getting apples to apples. I would have to look and confirm that Fox Valley might have just been the ansul system not the re-piping not the moving around of equipment. There was a lot more that we discovered once I met onsite with Koorsen.

Com. Good, Why don't we continue this into the next meeting. Why don't go get more information. Let's try to get it on the next agenda here so we can move through this.

Com. Evans, Matt I would like to ask that when you do these in the future when you have more than one bidder a little bit of a spread sheet for each one would be good. The number of people that picked up the bid packets, the names of the people that picked them up. If they didn't respond, then no response, if they did then what was their quote. It doesn't have to be very elaborate. We need to know everybody that applied what their bids were as well. Okay so we are putting Koorsen on hold until the next meeting.

Osby Water Systems - Water Softener Installation at JDC

Mr. Stechly, The JDC has extremely hard water. A lot of our plumbing and water issues there are due to a softener not being there. I guess this has been talked about for years and it's never came to fruition. Osby has done the system here and at the Admin. and the system at the Jail and I brought them into bid the system at JDC. This is not a rental agreement this is an owned piece of equipment. The proposal I believe was \$9500.00 installed with I believe 600 pounds of salt.

Com. Blaney, Is this something we needed to take quotes on in hindsight?

Mr. Stechly, I did not go out to bid. This actually took a long time to get this bid being that there was a lot of due diligence that has to go into this.

Com. Good, I also think that the Kinetico System with Osby doesn't require electric either right?

Mr. Stechly, I'm not sure of that.

Com. Good, I'm pretty certain that there is not electric required for this water softener which all of the other companies that are out there would probably have a \$1500.00 to \$2000.00 charge for running electric to where you want to put it and everything. You might want to double check that but I'm pretty sure that is how those systems work.

Mr. Stechly, Sure.

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Holley's Landscaping Turf Repair Proposal – Expo Fairgrounds

Mr. Stechly, We had some damage at the Expo Fairgrounds. Some that Lori is dealing with the insurance company an underwriter for coverage, but this something outside of an insurance claim. It has to do with backfilling and grading some of the ground over there from really large divets and semi-trucks where their tires drove through. Two bids Getz Landscaping was \$7,300.00, Holley's Landscaping came out to look at it and had a conversation with Lori. They in at \$2,375.00.

Com. Evans, What was the first one I'm sorry?

Mr. Stechly, \$7300.00 and that was Getz.

Com. Good, Question for Lori. Have we posted any signs out there with the Expo Center for this area is not a turn-around for semi-trucks?

Lori Daly, Yes, Well we didn't, Pratt has their sign out there and then we have signs all the way down. (Inaudible, not sitting near a microphone.)

Com. Good, Yes, because we've been having a lot semi's now that Pratt is opened. They're starting to use our parking lot as a staging area, which we've been talking with signage. I know the Highway Department just put a sign up out there too. I think it's going to be something we're going to have to manage so squeaky wheel gets the oil. Let us know if that continues to happen and we'll.

Ms. Daly, (Inaudible)

Com. Good, It's gotten better? Okay.

Com. Evans, This is lawn repair in that area or is this lawn repair where the trees are?

Ms. Daly, This is lawn repair on the south side (Inaudible). We had 8" of snow and then 2 days later it was 70 degrees. (Inaudible).

Com. Good, This was from the gun show right?

Ms. Daly, No this was right after the gun show.

Com. Evans, The area where they park by your trees and what have you, that is going to be replaced with dirt?

Ms. Daly, Where the trees are there are two spots. One is involved in the insurance claim and the other one is all the way upon the fence along 49 but still on the inside. When they go down to park they would go all the way down to the fence and turn around and ripped all of that out.

Com. Evans, So you're putting that back in with dirt?

Ms. Daly, Yes, dirt and seed it and it will be closed off.

Com. Evans, Will it happen again next time you have a big show? Wouldn't it be advisable to maybe get two quotes, one for dirt and one for stone? If they're going to keep doing that it might be a better idea to put it in stone then to have it in dirt.

Ms. Daly, We could (Inaudible) the stone only goes half way.

Com. Evans, Yes, every time we've to do landscaping in that area it's because it was muddy and people park there. If they're going to do that any way why don't we see about putting stone in that area.

Ms. Daly, (Inaudible)

Com. Evans, I can remember one Sunday getting about 50 phone calls from people that had to get pulled out by wreckers because we didn't block it off and they parked there and got stuck, because of the same thing.

Com. Blaney, That was before you were here.

Com. Evans, Yes, it was hard in the morning and then they parked there, went in and the sun had come up warmed the ground and their cars were sitting on their frames.

Ms. Daly, This year we had signs made up that say park at your own risk, we're not responsible for towing charges.

Com. Evans, Maybe just before you do that maybe you look at it and just get a price to compare with.

Ms. Daly, The first spot that he's talking about is not normally a spot that (Inaudible).

Com. Evans, Back to Holley's Landscaping is that the recommendation?

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Lionheart – Generator Repairs at Hebron Garage and Jail

Mr. Stechly, The Hebron generator which the Highway Department was involved and myself for that insurance claim during a power outage. There was damage done to the generator all together. Lionheart's cost to do the work was \$13,972.00. \$9000.00 of that is being reimbursed by insurance. The actually check which I handed to County Attorney Scott was for how much Scott \$7000.00 something?

Atty. McClure, Correct.

Mr. Stechly, The rest went to the deductible which is why there is that amount. In actual we're looking at about \$6000.00 to repair this generator and get it back up to speed.

Com. Good, Lionheart was approved as our maintenance contractor through the bidding process that we did at the last meeting. So they are just basically working off of their contract that is already in place.

Mr. Stechly, Correct.

Com. Good, I just wanted to clarify that because Commissioner Evans was absent at that meeting. I just want to keep him in the loop.

Mr. Stechly, Do you need to vote on that or no?

Com. Good, We'll vote.

Com. Good moved to approve, Com. Blaney seconded, motion carried.

Mr. Stechly, The last Lionheart piece which is going to require some discussion. The generator that serves and 911 and the Jail has had problems for some time. I know when I came on board in January I was told of major issues with it not (Inaudible). So we got Lionheart that's basically given us a not to exceed to go out there and trouble shoot and repair this unit. We're on hold due to 911, we're going to need additional backup power supply, but once we get to that point \$15,654.00 is that cost to trouble shoot that generator, which is going to require cutting power to the entire facility for two 30 to 45 minute periods. They're going to have two techs onsite really getting into and finally figuring out why this is not.....I guess the generator is okay. It has to do with the switch gear that is not working right.

Com. Evans, Okay you're coordinating this with the 911 Director I'm sure.

Mr. Stechly, 911, the Jail, the Sheriff, IT everyone is involved.

Com. Evans, Because as I understand it 911 runs on battery backup. CJ are the batteries rated to 45 minutes.

CJ Wittmer, (Not near a microphone) So they are rated for 3 to 4 hours, however due to the age of the (Inaudible). We have a contract with Mitsubishi they come out twice a year to run

a service report, diagnostics I guess on the batteries. There are 3 UPS units, there are two smaller units and there is a third larger unit. That larger unit services are server room, that server room does not just house 911 equipment it's got Sheriff's (Inaudible). The larger unit is the one where the batteries have about 60% (Inaudible). I've had several conversations with Mitsubishi. They will not certify the batteries (Inaudible).

Com. Evans, Is there a portable generator that could be utilized?

Mr. Stechly, I'm working on bringing in a portable generator.

Com. Evans, What is the life expectancy, shouldn't we be thinking about replacing them?

Mr. Wittmer, Yes, it's about that time to start (Inaudible).

Mr. Stechly, Commissioner Evans I will be exploring both, a price for batteries and a price for 911 to have their own generator. The batteries brand new last three hours, the generator is 24/7.

Com. Good, CJ question for you is this first time that Mitsubishi under a service agreement with us has made mention that the batteries that we're paying them to maintain don't work or don't work in this type of this situation. Is this the first time we heard that from them? When you called them and asked them.

Mr. Wittmer, Under normal circumstances those batteries will take a 20 second or so kick when we lose utility power (Inaudible). What we're proposing for this outage is not typical. Where we're going to shut everything off, we're not even going to be on generator. It will be just simply on batteries. They won't certify because of the age of the batteries. (Inaudible)

Com. Evans, Understood, I think we have a plan. What is it going to cost to fix it?

Mr. Stechly, That's a not to exceed to fix. They're actually going to bring in some parts. The parts they think that, they're 20/30 years of experience. So this isn't just labor this bringing boxes and parts, this is supposed to be a one shot and we're done.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Sundae Schoon – Voters Registration Penske Contract – Truck Lease for Voting Equipment

Com. Evans, Hi Sundae, I see you sitting back there.

Ms. Schoon, I'm sorry.

Com. Evans, That's alright come on up.

Ms. Schoon, The truck company that we previously used for the election is no longer going to be renting trucks to deliver the equipment. Penske came in and quoted us the same amount of trucks, same amount of mileage. We're actually getting it cheaper than we did before yes so it will cost us less money. This is one of the few places that we could get a quote from because there aren't that many U-Haul companies that have 28' trucks to deliver the equipment on election day and not very many companies can get us eight of the 28' trucks here in Valpo. As you know the Highway Department picks the trucks up they can't be going to Michigan City and Chesterton and all over to pick up two trucks here and three trucks there and haul them in. They're actually going to deliver the trucks to the Highway Department they won't even have to go get them this year.

Com. Blaney moved to approve, Com. Good seconded, motion carried.

Correspondence

Treasurers Monthly Report – February 29th, 2016 Filed.

Weights and Measures Monthly Report – February 16th – March 15th, 2016 Filed.

Request for approval, by the Porter County Soil & Water Conservation District, to proclaim April 24, 2016 to May 1, 2016 as "Soil & Water Stewardship Week". They would

