

**PORTER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, OCTOBER 4, 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, October 4, 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

Approval of Minutes – September 15th, 2015

Com. Blaney, moved to approve the minutes from Sept. 15th 2016, Com. Good, seconded, motion carried.

Approval of Payroll – September 19th and October 3rd, 2016

Com. Blaney, moved to approve the payroll from September 19th and October 3rd, 2016, Com. Good, seconded, motion carried.

Approval of Claims – September 22nd and 29th, 2016

Com. Blaney, moved to approve the payroll from September 22nd and September 29th, 2016, Com. Good, seconded, motion carried.

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the Adult Community Corrections Grant – 2nd Reading

Com. Good, moved to approve an ordinance creating a Non-Reverting Fund for Receipt of Grant Proceeds from the Adult Community Corrections Grant on 2nd Reading, Com. Blaney, seconded, motion carried.

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the AOC Arts Project Support Grant for the Porter County Memorial Opera House – 2nd Reading

Com. Good, moved to approve an ordinance creating a Non-Reverting Fund for Receipt of Grant Proceeds from the AOC Arts Project Support Grant for the Porter County Memorial Opera House on 2nd Reading, Com. Blaney, seconded, motion carried.

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the Arts Midwest Touring Fund Grant for the Porter County Memorial Opera House – 2nd Reading

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the United Way Power of Youth Fund Grant for the Porter County Memorial Opera House – 2nd Reading

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the Anderson Foundation Fund Grant for the Porter County Memorial Opera House – 2nd Reading

An Ordinance Creating a Non-Reverting Fund for Receipt of Grant Proceeds from the PCCF Sparking the Arts Grant for the Porter County Memorial Opera House – 2nd Reading

Com. Evans, We have 4 pertaining to the same topic so we have a motion for all of those?

Com. Blaney, moved to approve all 4 of the ordinances pertaining to the Memorial Opera House Grant proceeds, Com. Good, seconded, motion carried.

Bob Thompson, Director Plan Commission – Petition to Vacate “Platted Alley” Right-of-Way in Pine Township – 2nd Reading

Mr. Thompson, An ordinance was prepared for this for the vacation of an alley in a subdivision (Inaudible).

Com. Evans, Any questions, concerns?

Com. Good, Bob I know at the last meeting when John opened it up we didn't have any remonstrators. Have you gotten any calls or anything?

Mr. Thompson, (Inaudible).

Com. Evans, This is really for more well monitoring in that area isn't it?

Mr. Thompson, (Inaudible) some requirements with IDEM but we have to have the wells so we can monitor the ground water.

Com. Blaney, moved to approve the Petition to Vacate the Platted Alley Right-of-Way in Pine Township on 2nd Reading, Com. Good, seconded, motion carried.

Com. Evans, Those people when this was all done were working off of well water. And now the city of Michigan City supplies them water. Is there a mechanism in place that the monitoring will go away after time?

Mr. Thompson, To be honest with you I don't know what the (Inaudible) is with IDEM.

Com. Evans, Alright.

Memorandum of Understanding and Lease between Indiana Dunes National Lakeshore, the Porter County Board of Commissioners and the Porter County Convention, Recreation and Visitor Commission – Atty. Dave Hollenbeck and Lorelei Weimer, Executive Director, Indiana Dunes Tourism

Atty. Hollenbeck, Also joining us is Mitch Peters, President of the Visitors Commission. A little bit of history we with the help of NIRPC secured a grant from the Federal Government to build the Visitors Center. 80% of the cost was paid for by that grant through the government. We moved in in November of 2006 into the building and we have had a relationship with the National Park Service since that time. They have jointly occupied the building. The relationship between the two of us is controlled by 2 documents. One is a lease agreement and the other is a memorandum of understanding. We do not intend to present the memorandum of understanding for you today because it is still a work in progress and that is why the lease is being proposed the way it is. We don't get to work directly with the National Park Service before we have to work the General Services Administration who is responsible for all the Federal Government leasing of premises. What we're proposing jointly by the Park Service, GSA and Visitors Commission is that we basically extend the current agreement for a maximum period of 3 years. Everyone seems to be of the opinion that the relationship works very well and it ought to be a longer term commitment on both sides than 3 years, but we haven't had a chance to finalize that MOU exactly the way that everybody would like at this point and amend the one that is in existence. So the lease that is before you today is a total of 3 year lease. Only one year of which is committed by parties of the second two years of that lease are negotiable. Wasn't isn't negotiable under the lease is the rental payments that would be paid because the Federal Government paid 80% of

the (Inaudible) building they don't pay twice in the sense that they don't pay market value. They pay less than that and the one page sheet that hopefully you have in front of you that attaches to the lease shows what the lease rental payments would be starting December 1st of this year and if it were to go for the full 3 years ending on November 30th of 2019. In the interim it is our intention to finalize the particulars of the MOU and ask that the GSA agree to a longer term lease if the National Park Service will be with us on that. Lorelei what duration are we thinking about in terms of (Inaudible)?

Ms. Weimer, At least 10 years because the last one was 5 years and it comes up rather quickly. So because the relationship is so solid GSA and National Park want a longer term lease. They feel like it will take a little bit longer to get all of the details for that.

Atty. Hollenbeck, The reason we're here is because the County owns the building and because of that we need the Board of County Commissioners acquiescence in this arrangement with the National Park Service. Lorelei do we need to add anything?

Mr. Weimer, No that is it.

Atty. Hollenbeck, I will answer any questions?

Com. Evans, Does anyone have any?

Com. Good, Are the two additional option years are they 1 year apiece?

Atty. Hollenbeck, 1 year apiece and this would end one way or another on November 30th, 2019. We're hoping like Lorelei said in the interim a 10 year arrangement because it is a synergistic relationship that benefits both folks. Candidly we kind of wish the State Park would see the light too, but we haven't been successful with that. We only have the local Visitors Commission and the National Lakeshore. Which I understand our congressman may be asking to turn it into a National Park.

Com. Evans, If that happens will the State Park remain a State Park or will it be encompassed with the.....?

Atty. Hollenbeck, I don't think it would change the State Park status.

Atty. Peters, No everything would remain the same.

Atty. Hollenbeck, It would do more than this but it would change the name of the federal property to a National Park and that would get some other options and alternatives for the Federal Park in terms of funding.

Com. Good, moved to approve the MOU and Lease between the Indiana Dunes National Lakeshore, the Porter County Board of Commissioners and the PCCRVC, Com. Blaney, seconded, motion carried.

An Ordinance Creating a Non-Reverting Fund for the Receipt of Proceeds from the Collier Lodge Planning Grant – 1st Reading

Ms. Rongers, Good afternoon, I'm Tina Rongers I am the grant administrator for Indiana Office of Community and Rural Affairs. I am working on the Collier Lodge new grant project for the Kankakee Valley Historical Society and I have the ordinance part of it today. I understand that this allows us to if you recall the Commission is serving as the fiscal agent for the grant dollars received. This ordinance will allow us to submit invoices and receive those funds here through Porter County and then we would be able to pay the architect Schmidt and Associates through this established ordinance.

PUBLIC HEARING OPENED

Com. Evans, Is there anyone wishing to speak in favor of this ordinance? Anyone in attendance wishing to speak in favor of this ordinance? Third time is there anyone wishing to speak in favor of this ordinance? Anyone wishing to speak in opposition of this ordinance? Anyone wishing to speak in opposition of this ordinance? Last time anyone wishing to speak in opposition of this ordinance?

PUBLIC HEARING CLOSED

Com. Evans, Comments from the Commissioners?

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

Com. Evans, We will do the 2nd Reading at our next meeting. You probably don't need to be present for that if you don't want to.

Contract for Animal Control and Animal Shelter Services between Porter County, Indiana and Kouts, Indiana – 2016 through 2018

Contract for Animal Control and Animal Shelter Services between Porter County, Indiana and Hebron, Indiana – 2016 through 2018

Atty. McClure, The original terms that we had with both Kouts and Hebron were expiring this year. It is the same contract term, same amount as previously done with both Hebron and Kouts. We sent those contracts to them and they signed them and sent them back and now they are here for your approval.

Com. Blaney, moved to approve the contracts with the Town of Kouts and the Town of Hebron, Com. Good, seconded, motion carried.

Approval of Larson-Danielson for the following Change Requests for the Animal Shelter:

Change Request #1 for LED Lighting

Ms. Witte, Hi I'm Robin Witte with Larson-Danielson Construction. I have the change request for the LED lighting. We're going from fluorescent lighting to LED lighting. A lot of energy savings with this and a little bit increase in cost, but over time I think it will save you money.

Com. Good, Based on working through the electricians on the jobsite we figure we can pay for the LED payback in probably just about a year. Then everything going forward is savings and these are lights that are going to be on quite a bit. We think it is the right move.

Com. Evans, NIPSCO had a project just a short time ago where they would trade incandescent lighting and fluorescent lighting for LED is there any chance of coat tailing on that?

Ms. Witte, Well I can pursue that so I will talk with our electrician about that if there was a need to (Inaudible) recovery on these.

Com. Evans, I think we'll go ahead and approve it and but I think it is well worth looking into.

Com. Blaney, moved to approve the change to LED lighting based on the fact that you will check with NIPSCO, Com. Good, seconded, motion carried.

Change Request #2 to add Generators Back into Scope

Ms. Witte, After evaluating the kind of back-up system that we wanted to have here it looks like the best option was to get a generator for the facility. And not relying a mobile generator that would be moved (Inaudible) power failure. Given that maybe the Shelter wasn't going to be at the top priority it would be the Jail. It would be more important to get the County's generator so that is why went in pursuing the actual generator that will be onsite all of the time.

Com. Evans, How big?

Ms. Witte, That is a good question and I don't even have that number in front of me.

Com. Blaney, It's the generator that was originally included?

Ms. Witte, Yes, what was included in the RFP.

Com. Good, It was in the original and then it was pulled out.

Ms. Witte, And then we put it back in so it met the original specs you guys required.

Com. Good, moved to approve to add the generator back into the scope, Com. Blaney, seconded, motion carried.

Change Request #3 Door and Hardware Changes

Ms. Witte, We added a couple of doors just for ease of security and within the building itself so the public people could not wander into the more private areas where the offices are (Inaudible). Then we also added a couple of different lights, windows and doors just for visibility and then added a couple different pieces of hardware, a couple of closers. That is it, that is what is included in this change request.

Com. Good, I'm sorry what was that amount Robin?

Ms. Witte, The amount is \$4,460.00.

Com. Blaney, moved to approve the door and hardware changes, Com. Good, seconded, motion carried.

Com. Good, And Robin we have pretty much selected all of the colors and all of the finishes are ready to go and so now all we have to do is build it.

Ms. Witte, That is right.

Com. Good, And it's under construction.

Ms. Witte, Walls are going up.

Com. Good, Okay great. Thank you!

Office Holders/Dept. Heads

Toni Bianchi – Animal Shelter Director

Approve Merchant Agreement with Heartland to accept donations

Com. Evans, I just want to take a minute while you are coming up to let everybody know that David James our Highway Superintendent has tendered his resignation to this body and will be leaving employment on the 13th of October of this year.

Com. Evans, moved to approve the appointment of Andy McKay, Assistant Director to Interim Director, Com. Blaney, seconded, motion carried.

Com. Evans, Congratulations Andy. Sorry to see David go he's been an institution out there. Sorry Toni.

Mr. Ellis, We've talked about setting up the capability for the Shelter to accept donations online and particularly now we try to raise some money for equipment for the Shelter. Setting up sponsorship levels like sponsor a dog kennel for this amount or sponsor a cat room for this amount or if you donate \$50.00 or \$100.00 you will be invited to a private grand opening ceremony. That type of thing. We haven't worked out those levels yet. We'll come back to you after Toni and I spend some time on it but the first step is getting the merchant's agreement set up with somebody who can integrate with the CivicsPlus website and number 2 getting a checking account set up for the merchant to be able to deposit the money into the account. So that is what is before you today. It's first the merchant agreement with Heartland. They gave us a proposal with two options. One is to charge the person who is donating a fee to donate or we absorb the fee. I just think its better that we don't charge somebody to make a donation and the merchant fee on the transaction would be 2.49% of the transaction and for e-checks it would be \$1.99 just processing fee. That is not (Inaudible) that is just the flat processing fee and then would be a \$24.95 month (Inaudible) to charge. I've already talked to Scott and we both felt that was a reasonable fee. Especially since there won't be only processors that integrate really successfully and the Expo Center uses them (Inaudible). We need this done first to get the paperwork going. It is probably going to take them 6 to 8 weeks to get everything set up. (Inaudible) sponsorship levels and come back to you.

Com. Good, Is the merchant agreement 1 year?

Atty. McClure, It's 1 year at a time.

Com. Good, So I think when we get close to that 1 year we need to take the Expo numbers, take the Animal Shelter numbers and start leveraging the volume, because that is all of these guys understand is volume. You can start negotiating on your rates because you're starting out first time. We're probably going to get hit a little bit or if another entity in County government decides to do credit cards or whatever we should all try to stay with the same company so we can start working on negotiating on an annual basis what our fees are. We just keep the data and I'm hoping with our new software we get we can start doing some more things like that.

Mr. Ellis, This is going to be a low number of transactions. (Inaudible – not sitting close enough to mic.) And I know at the Expo the number of transactions aren't that many because we only use it right now for garage sale booth rentals.

Com. Good, Okay, you never know.

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

Approve Checking Account for Porter County Animal Shelter – Did not discuss at this time

Report from Commissioners

ALL DISTRICTS

- 1. Community Crossing Matching Grant Agreement in the amount of \$1 million. Recommend Approval.**

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

CENTER DISTRICT

- 1. Sagamore Phase 2, Subdivision Acceptance and Maintenance Bond from PNC Bank in the amount of \$443,466.00. Recommend Approval.**

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

Correspondence

Treasurer's Monthly Report – August 2016 Filed.

Weights and Measures Monthly Report – August 16th to September 15th, 2016 – Filed.

With no further business the meeting was adjourned at 1:25 p.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

John A. Evans

Laura M. Blaney

Jeffrey J. Good

Attest: _____
Vicki Urbanik, Auditor