

**PORTER COUNTY COUNCIL
Reorganization Meeting
January 15, 2019**

The Porter County Council met on Tuesday, January 15, 2019 at 5:30 p.m. in the County Administration Center, 155 Indiana-Suite 205, Valparaiso, Indiana.

Mr. Rivas called the meeting to order with the Pledge of Allegiance.

Members present were Council Member Sylvia Graham, Council Member Mike Jessen, Council Member Jeff Larson, Council Member Bob Poparad, Council Member Jeremy Rivas, Council Member Greg Simms and Council Member Dan Whitten. Also present was, Auditor Vicki Urbanik, Auditor Chief Deputy Toni Downing Council Attorney Harold Harper and Council Administrative Assistant Joy Blakely.

Approval Of Minutes

Approval of Council minutes for August 28th, 2018 and Budget minutes for September 27th, 2018.

Mr. Rivas, Can I have approval of minutes for August 28th and 27th of September.

Mr. Whitten, I make that motion.

Ms. Graham, Second.

Mr. Rivas, Motion and second, all in favor of approving those minutes signify by saying Aye? Opposed same sign?

Motion carries on a unanimous voice vote.

First Reading

Mr. Rivas, Ms. Vicki first reading please.

Auditor Vicki Urbanik,

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given the taxpayers of Porter County, Indiana that the proper legal officers of Porter County, Indiana will meet in the Porter County Government Administration Building located at 155 Indiana Avenue, Valparaiso IN 46383 on January 15, 2019 at 5:30 p.m. to consider the following additional appropriations in excess of the county budgets for the year 2019 and to transact any further business which might come before the Council:

Public Health Preparedness Grant			
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Public Health Preparedness	8119-39500-000-0610	Contractual Services	\$	34,902.08
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Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations as finally made will be referred to the Indiana Department of Local Government Finance. The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a certified copy of the action taken.

Vicki Urbanik
Auditor of Porter County

Publish January 4, 2019

Mr. Rivas, Thank you Vicki.

Election of Officers

Mr. Rivas, We are going to skip election of officers I really like holding this gavel for a while.

Mr. Larson, I'd like to nominate Sylvia Graham for President.

Mr. Rivas, Election of officers.

Ms. Graham, I nominate Dan Whitten for President.

Mr. Rivas, Ok there is a nomination on the floor.

Mr. Larson, Wow cut me right out of it.

Mr. Rivas, Any other nominations for President?

Ms. Graham, Do we have a second?

Mr. Jessen, Are you looking for seconds or what are you looking for

Ms. Graham, Yeah.

Mr. Rivas, Do you need a second for nomination?

Mr. Whitten, You don't need a second but you can.

Mr. Rivas, If you want to second yeah.

Mr. Jessen, Second.

Mr. Larson, Are we going to get this done.

Mr. Rivas, Alright motion and a second to make Dan president all in favor say Aye? All opposed?

Motion carries on a unanimous voice vote.

Mr. Rivas, There you go.

Mr. Whitten, Alright thank you very much I appreciate that. Thank you Jeremy you are going to be a hard act to follow.

Mr. Rivas, How long was that five minutes?

Mr. Whitten, It's quality not quantity. So now I would like to open up the floor for nomination for Vice President of the Board.

Mr. Jessen, I nominate Jeff Larson.

Mr. Whitten, There is a nomination for Jeff Larson

Ms. Graham, Second.

Mr. Whitten, Any other nominations? Hearing none the nominations are closed. All in favor of Jeff Larson as Vice President of the Board please signify by saying Aye? Opposed?

Motion carries on a unanimous voice vote.

Mr. Whitten, Congratulations Jeff.

Attorney Contract

Mr. Whitten, Attorney Contract you've all got in front of you Harold's contract.

Mr. Poparad, I make the motion to retain Harold.

Ms. Graham, Second.

Mr. Whitten, Is that motion to approve the contract as presented?

Mr. Poparad, Yes.

Mr. Whitten, Second agree?

Ms. Graham, Yes.

Mr. Whitten, Any discussion?

Council Attorney Harold Harper, The terms are the same as last 3 to 4 years.

Mr. Whitten, I think Harold has done an awesome job for us. I am glad to see that you are willing to stay with us Harold and I appreciate you keeping your terms the same. Any other discussion? Can I get a roll call on this please?

Auditor Vicki Urbanik, Yes.

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Rivas	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Ms. Graham	-	Yes

Auditor Vicki Urbanik, 7 - 0

Surveyor Agreement

Mr. Whitten, Now the next thing on our agenda...congratulations Harold. The next thing on our agenda is the Surveyor's Agreement. On your packet the attached Surveyor's agreement was in fact the attorney's agreement so we now have the Surveyor's agreement it's been passed out. I did have the opportunity to talk to Mr. Breitzke, I know a couple of the others did too that he got a hold of. He went down to French Lick for a Surveyor's meeting and he indicated that it was the same as before this is an agreement that we do with our Surveyor every year.

Ms. Graham, Motion to approve.

Mr. Rivas, Second.

Mr. Whitten, We have a motion and a second to approve, any discussion?

Mr. Jessen, So there no change in salary amount?

Mr. Whitten, No right, Vicki have you seen this contract?

Auditor Vicki Urbanik, I have not seen it no.

Mr. Whitten, This is starting off great. Harold have you seen the contract?

Council Attorney Harold Harper, This is the first that I have seen it today. There is an increase in salary but I don't think...

Ms. Graham, Ok what was the pay?

Council Attorney Harold Harper, The aforementioned salary represents an increase in salary over what he would have been paid had he not entered into the agreement. (Inaudible) I would assume it's probably the same but the language here is a little vague in regards to that.

Mr. Jessen, Vicki can you confirm whether that amount is the same as the previous year?

Auditor Vicki Urbanik, Yes I'm getting...we're getting the salary ordinance as we speak.

Mr. Whitten, Do you want to revisit this? How long will it take to get that?

Auditor Vicki Urbanik, She's going to bring it in momentarily.

Mr. Poparad, Didn't elected officials get a raise at budget?

Mr. Rivas, What?

Mr. Poparad, Didn't the elected officials get a raise at budget? Didn't you give elected officials raises?

Mr. Jessen, We should have although we are not quite sure if it's reflected in this.

Auditor Vicki Urbanik, Yes.

Mr. Rivas, I'll make a motion to approve it if the salary is different then I will amend it to the salary ordinance.

Mr. Whitten, What?

Mr. Rivas, I amended my motion.

Mr. Whitten, Hold on a second.

Ms. Graham, Here she is.

Mr. Rivas, I mean it's the same thing.

Mr. Whitten, So what was his salary?

Auditor Vicki Urbanik, This matches the salary ordinance that you approved for 2019.

Mr. Whitten, So is the motion and second comfortable with that?

Mr. Rivas, Yes.

Ms. Graham, Yes.

Mr. Whitten, Alright so it matches the salary ordinance we approved can I get a roll call on this please?

Auditor Vicki Urbanik, Yes.

Motion carried on the following roll call vote:

Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Rivas	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes

Auditor Vicki Urbanik, 7 - 0

Mr. Whitten, Ok thank you would you Joy let Kevin know that he is still in the game?

Administrative Assistant Joy Blakely, Ok.

Health Department

Public Health Preparedness Fund - 8119-000-0610

Additional \$34,902.08 to 39500 Contractual Services. Reason: Department of Homeland Security Grant distributed through Indiana State Department of Health.

Mr. Whitten, So next on the agenda is the Health Department Public Health Preparedness fund additional \$34,902.08 to contractual services department of Homeland Security Grant distributed through Indiana State Department of Health.

Ms. Graham, Move to approve. It's a grant?

Health Director Letty Zepeda, Yes.

Mr. Whitten, You have a motion to approve the additional Sylvia?

Ms. Graham, Yes.

Mr. Whitten, Is there a second?

Mr. Jessen, Second.

Mr. Whitten, We have a motion and a second, discussion? Is there something that you want to tell us about this?

Health Director Letty Zepeda, If you want me to I could just summarize that it's a grant for the purpose of getting the county prepared if a disaster would arise. We've been going through some training already and pretty much that's it.

Mr. Whitten, Any questions from the board? Ok can I get a roll call on this please?

Auditor Vicki Urbanik, Yes.

Motion carried on the following roll call vote:

Mr. Poparad	-	Yes
Mr. Rivas	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes

Auditor Vicki Urbanik, 7 - 0

Mr. Rivas, So I guess the question that pops into my head is with something like this emergency preparedness is this something that you work with EMA on?

Health Director Letty Zepeda, Yes that's right we work together. We're preparing in case, God forbid that there is a disaster like 911 and we need to prepare ourselves on a local level. We work with EMA, Sheriff's Department and because we are the Health Department we have a lot of specialties. We have nurses, we have environmental, we have foods if it turns out that one of those areas is the one that has to activate we do that.

Nursing Director Connie Rudd, The Health Department is listed under the essential function of which is Health and Medical so we have like the biological like smallpox, anthrax that kind of thing even when we did in 2009 H1N1 was the health department was the gatekeeper for forty thousand doses of flu vaccine which we were responsible for getting out to the public. So those kind of things and we have been doing exercises and this is from Mike Weber to set up those exercises and to get us prepared so we are not going oh my God what do we do. And who we work with, who are partners are and that kind of thing so that what he's working with and that what he helps us do.

Mr. Whitten, Any other questions or thoughts? Thank you so much.

Health Director Letty Zepeda, Thank you.

Second Reading

Mr. Whitten, Next thing on the agenda is second reading, Vicki?

Auditor Vicki Urbanik,

Whereas it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget. Therefore be it ordained resolved by the Porter County Council of Porter County Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified subject to the laws governing the same.

Public Health Preparedness Grant				
Public Health Preparedness	8119-39500-000-0610	Contractual Services	\$	34,902.08

And that concludes second reading.

Mr. Whitten, Can I have a motion on second reading?

Mr. Larson, Motion.

Mr. Jessen, Second.

Mr. Whitten, and a second, discussion? Roll call please?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Rivas	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes

Auditor Vicki Urbanik, 7 - 0

Mr. Whitten, Thank you Vicki.

Citizen Appointments

Mr. Whitten, Next thing on our agenda is the appointments and arguably I haven't even looked at this.

Mr. Whitten, Are we missing a Councilmember that gap over there.

Ms. Graham, That's where Harold sits.

Mr. Whitten, That is weird.

Council Attorney Harold Harper, That's me I hadn't moved from the last meeting.

Mr. Rivas, So far away can you scoot over and become a happy family here?

Ms. Graham, Oh.

Mr. Jessen, No I'm comfortable with my space.

(Laughter)

Porter County Redevelopment Commission

Mr. Whitten, So the first thing are the Citizen Appointments.

Mr. Rivas, So which one is up Dan I'm sorry.

Mr. Whitten, Well let's take them in the order that they are on the agenda Porter County Redevelopment Commission.

Mr. Rivas, I'll make a motion to reappoint Don Ensign.

Mr. Poparad, Second

Mr. Whitten, Any other nominations for Porter County Redevelopment Commission other than Don Ensign? All those in favor of Don Ensign as our Citizen Appointment to the Porter County Redevelopment Commission please signify by saying Aye? Opposed? Don is our appointment

Mr. Rivas moved to nominate Donald Ensign to the PC Redevelopment Commission, term to expire December 31, 2019. Mr. Poparad seconded.

Motion carries on a unanimous voice vote.

Mr. Whitten, Now Joy tomorrow letters need to go out to all these people that they are appointed as we go through this.

Administrative Assistant Joy Blakely, Ok.

Alcoholic Beverage Commission

Mr. Whitten, Alcoholic Beverage Commission can I get a...

Mr. Jessen, I would like to nominate Thomas Swihart, to be the Alcohol Beverage Commission appointee.

Mr. Poparad, Second

Mr. Whitten, Any other nominations?

Ms. Graham, I'll nominate Matt Soliday.

Mr. Whitten, We have two nomination we have Thomas Swihart and Matt Soliday. Those are the only two that applied are there any other nominations? Nominations being closed let's take a roll call vote.

Mr. Rivas, Alright a test run.

Mr. Whitten, Let's see how we do.

Auditor Vicki Urbanik, On which appointment? We just call the name and you say who you want right?

Mr. Rivas, Sounds good.

Mr. Whitten, Sounds like a great idea.

Auditor Vicki Urbanik, Ok

Motion carried on the following roll call vote:

Mr. Simms	-	Thomas Swihart
Mr. Whitten	-	Thomas Swihart
Ms. Graham	-	Matt Soliday
Mr. Jessen	-	Thomas Swihart
Mr. Larson	-	Thomas Swihart
Mr. Poparad	-	Thomas Swihart
Mr. Rivas	-	Matt Soliday

Auditor Vicki Urbanik, So it 5 – 2 in favor of Thomas Swihart.

Mr. Jessen moved to nominate Tom Swihart to the Alcoholic Beverage Commission, term to expire December 31, 2019. Mr. Larson seconded.

PTABOA

Mr. Whitten, Let's move along to PTABOA.

Mr. Rivas, I'll make a motion to reappoint Scott Williams.

Ms. Graham, Second.

Mr. Larson, Good call.

Mr. Whitten, What about Andy? Andy gets nothing for having served on this board?

Mr. Rivas, Scott's been on there through some pretty heavy issues.

Mr. Whitten, Any other nominations?

Mr. Rivas, Sylvia's asked for you to call the question Dan

Mr. Whitten, Alright I will call that question then, all those in favor of Scott Williams please indicate by saying Aye? Opposed? Scott has it.

Mr. Rivas moved to nominate Scott Williams to the Property Tax Assessment Board of Appeals, term to expire December 31, 2019. Ms. Graham seconded.

Motion carried on a unanimous voice vote.

Chesterton EDC

Mr. Whitten, Chesterton EDC Board

Ms. Graham, Who's got it now?

Mr. Whitten, We currently have Lloyd Kittredge.

Mr. Poparad, He did not apply.

Mr. Whitten, No he did not reapply.

Mr. Poparad, I will make the motion for Nick Walding

Mr. Jessen, Second

Mr. Whitten, Any other? All those in favor of Nick Walding signify by saying Aye? Opposed?

Mr. Poparad moved to nominate Nick Walding to the Chesterton EDC, term to expire December 31, 2019. Mr. Jessen seconded.

Motion carried on a unanimous voice vote.

Portage EDC

Mr. Whitten, Portage EDC.

Mr. Rivas, I'll make a motion for Councilman Mike Sarver.

Mr. Whitten, We only have but the one.

Ms. Graham, Second.

Mr. Whitten, Which is why he is a Councilman...oh sorry there's talk. Any other nominations? All those in favor of Mike Sarver signify by saying Aye? Opposed same sign?

Mr. Rivas moved to nominate Mike Sarver to the Portage EDC, term to expire December 31, 2019. Ms. Graham seconded.

Motion carried on a unanimous voice vote.

Valparaiso EDC

Mr. Whitten, Valparaiso EDC there is only one.

Ms. Graham, I'll nominate Patrick McGinley.

Mr. Jessen, Second

Mr. Whitten, Any other nominations? All those in favor of Patrick McGinley signify by saying Aye? Opposed?

Ms. Graham moved to nominate Patrick McGinley to the Valparaiso EDC, term to expire December 31, 2019. Mr. Jessen seconded.

Motion carried on a unanimous voice vote.

Council Appointments

Community Corrections Advisory Board

Mr. Whitten, So what's next we just did Valpo so let's keep on trucking here. So now we've got...is that all of our Citizen Appointments then we've covered them all?

Mr. Larson, Yes.

Mr. Whitten, Well let's get into the Council appointments. Do we have our list of the current?

Mr. Rivas, Larson and Harper right now here.

Mr. Whitten, So Community Corrections Advisory Board currently we have Councilman Larson and Harper? He's the lawyer.

Mr. Larson, I think that's sounds like a firm that we should start.

Mr. Whitten, Larson and Harper and Harper. Alright what's your pleasure with Community Corrections Advisory Board.

Mr. Rivas, Harold you been...

Council Attorney Harold Harper, (Inaudible)

Mr. Larson, I'm on it but it's up to you guys?

Mr. Poparad, I'll nominate Jeff Larson.

Mr. Jessen, Second.

Mr. Whitten, What were you saying Harold?

Council Attorney Harold Harper, I don't believe I was formally appointed to this I was just...

Mr. Rivas, Did you go to any meetings?

Council Attorney Harold Harper, No.

Mr. Rivas, You're a terrible appointment.

Mr. Whitten, Alright if you need Harold to come along for something give him a holler will you. All those in favor of Jeff Larson as our Community Corrections Advisory Board appointment signify by saying Aye? Opposed?

Mr. Poparad moved to appoint Jeff Larson to the Community Corrections Advisory Board, term to expire December 31, 2019. Seconded by Mr. Jessen.

Motion carried on a unanimous voice vote.

NIRPC

Mr. Whitten, NIRPC

Mr. Poparad, Jeff Larson

Mr. Jessen, Second.

Mr. Whitten, Any other appointments or does anybody interested? Seems like you are doing a pretty good job Jeff keep up the good work.

Mr. Larson, A non-paying position it's awesome.

Mr. Whitten, It's a great board. All those in favor of Jeff Larson signify by saying Aye? Opposed?

Mr. Larson, I actual do like that board.

Mr. Whitten, Good.

Mr. Poparad moved to appoint Jeff Larson to NIPRC Board, term to expire December 31, 2019. Seconded by Mr. Jessen.

Motion carried on a unanimous voice vote.

NICTD

Mr. Whitten, NICTD I'm currently on it I'll do it again...

Mr. Poparad, I'll nominate Dan

Mr. Jessen, Second.

Mr. Whitten, Any other folks interested in it? All those in favor of me signify by saying Aye? Opposed?

Mr. Rivas, I was waiting for you to say opposed...no move on.

(Laughter)

Mr. Poparad moved to appoint Dan Whitten to the NICTD Board, term to expire December 31, 2019. Seconded by Mr. Jessen.

Plan Commission

Mr. Whitten, Plan Commission.

Mr. Rivas, I make a motion to appoint Greg Simms.

Ms. Graham, Second.

Mr. Whitten, Any other nominations?

Mr. Larson, I'd like to nominate Mike Jessen.

Mr. Whitten, Any other nominations? Alright let's have ourselves a roll call.

Auditor Vicki Urbanik, Ok

Motion carried on the following roll call vote:

Mr. Whitten	-	Greg Simms
Ms. Graham	-	Greg Simms
Mr. Jessen	-	Mike Jessen
Mr. Larson	-	Mike Jessen
Mr. Poparad	-	Greg Simms
Mr. Rivas	-	Greg Simms
Mr. Simms	-	Greg Simms

Auditor Vicki Urbanik, So it 5 – 2 in favor of Greg Simms.

Mr. Rivas moved to appoint Greg Simms to the Plan Commission, term to expire December 31, 2019. Ms. Graham seconded.

Recycling & Waste District

Mr. Whitten, Recycling and Waste District, currently is Karen but Karen is gone so...

Mr. Poparad, Sylvia has expressed an interest in this at this end of the table.

Ms. Graham, I would like to be on this.

Mr. Larson, Yeah I think she be good, I'll second that.

Mr. Whitten, Anybody else? All those in favor of Sylvia being Recycling and Waste District signify by saying Aye? Opposed? Aye's have it, congratulations Sylvia do us proud over there.

Ms. Graham, Thank you.

Mr. Poparad moved to appoint Sylvia Graham to the Recycling & Waste District Board, term to expire December 31, 2019. Mr. Larson seconded.

EMA

Mr. Whitten, EMA we have two currently it's Sylvia and Jeff

Mr. Larson, That's awesome.

Mr. Jessen, I nominate Sylvia and Jeff

Mr. Whitten, Do you guys want to say on?

Ms. Graham, Yes I'd like to

Mr. Larson, I'd love it

Mr. Whitten, Alright so we have Sylvia and Jeff I'll second it of course. Any other? Hearing none all in favor signify by saying Aye? Opposed? Congratulations Sylvia and Jeff.

Mr. Jessen moved to appoint Sylvia Graham and Jeff Larson to the Emergency Management Agency, term to expire December 31, 2019. Mr. Whitten seconded.

Porter County Council on Aging

Mr. Whitten, Porter County Council on Aging. I will not make a joke...I will not make a joke.

Mr. Rivas, That will be the first time in 12 years.

Mr. Whitten, This is the new improved Dan Whitten.

Mr. Larson, We've got plenty of footage already.

Mr. Jessen, I nominate Sylvia.

Mr. Whitten, We have a nomination for Sylvia on the Council of Aging.

Mr. Rivas, Absolutely yes. Who's laughing in the crowd?

Ms. Graham, For not making jokes you guys are doing a good job.

Mr. Larson, Is there more than on appointment on that?

Mr. Whitten, No it's just the one and Sylvia is doing a great job. No other nominations, all in favor signify by saying Aye? Opposed?

Mr. Jessen moved to appoint Sylvia Graham to the Council On Aging Agency Board, term to expire December 31, 2019. Seconded by Mr. Rivas

Juvenile Justice Advisory Board

Mr. Whitten, Juvenile Justice Advisory Board, currently we have Andy Bozak.

Mr. Larson, I wouldn't mind that position.

Ms. Graham, I wouldn't either.

Mr. Poparad, Sylvia has express an interest in it. I'll nominate Sylvia and Jeff.

Mr. Rivas, Both of you? Can we have both of you go?

Mr. Larson, Yeah we work good together.

Ms. Graham, Yes.

Mr. Whitten, Perfect, I make that nomination Sylvia and Jeff.

Ms. Graham, A couple of Swedes right?

Mr. Larson, That's right.

Mr. Whitten, A couple of Swedes that's right.

Mr. Larson, I've never mentioned anyone else's age.

Ms. Graham, Larson is my maiden name.

Mr. Whitten, Uh oh...

Mr. Larson, Let's not get carried away

(Laughter)

Ms. Graham, No relation.

Mr. Poparad, Hey Dan can we get Harold down here to calm her down please?

Mr. Whitten, All those in favor of Sylvia and Jeff Larson...

Mr. Larson, That's a little close to home.

Mr. Whitten, All those in favor of Sylvia Larson-Graham and Jeff Larson signify...

Ms. Graham, Oh you could drop the Larson.

Mr. Whitten, Signify by saying Aye? Opposed?

Mr. Poparad moved to appoint Sylvia Graham and Jeff Larson to the Juvenile Justice Advisory Board, term to expire December 31, 2019. Mr. Whitten seconded.

Storm Water Advisory Board

Mr. Whitten, Storm Water Advisory Board, right now it's Jeremy.

Mr. Rivas, Yeah I'd like to stay on there.

Mr. Whitten, You want to stay on there?

Mr. Rivas, Yes.

Mr. Whitten, Can I get a nomination?

Ms. Graham, I'll nominate Jeremy.

Mr. Whitten, Any other?

Mr. Poparad, I'll join the crowd.

Ms. Graham, That's good.

Mr. Larson, I'll nominate Bob.

Mr. Whitten, Can we have two on there?

Mr. Rivas, I'm not certain I think it's numbers.

Mr. Whitten, I don't think we can have two.

Mr. Poparad, Oh.

Mr. Whitten, I think that's a number certain it was created by the...

Mr. Poparad, Is it?

Mr. Whitten, Yes.

Mr. Poparad, Ok.

Mr. Larson, Do you want to stay on that Jeremy?

Mr. Rivas, Yeah I would like to.

Mr. Whitten, There is a lot in South Haven so he probably should. All those in favor of Jeremy signify by saying Aye? Sylvia did you have a question?

Ms. Graham, No.

Mr. Whitten, Ok

Ms. Graham moved to appoint Jeremy Rivas to the Storm Water Advisory Board, term to expire December 31, 2019. Mr. Larson seconded.

E-911 Policy Board Policy Board

Mr. Whitten, E-911 Policy Board, I'm it.

Mr. Larson, You are.

Mr. Rivas, Congratulations.

Mr. Larson, I would nominate you again.

Mr. Whitten, I think it goes with the Presidency

Ms. Graham, Right.

Mr. Whitten, What's going on...I mean is there something Jeff you have been attending those right? Is there stuff going on there that we...

Mr. Larson, Well yeah, I think that there is some further discussion that we need to have on some policies.

Mr. Whitten, I think that you were designated before by the president, do you want to do it again?

Mr. Larson, Sure.

Ms. Graham, Oh...

Mr. Whitten, No?

Ms. Graham, No it's good.

Mr. Whitten, Was that a good moan or a bad moan I have heard both of them. Do you have some interest in that Sylvia?

Ms. Graham, Well I...it's ok, it's fine.

Mr. Whitten, Are you sure?

Ms. Graham, Yes.

Mr. Rivas, Is that something that is limited?

Ms. Graham, Yeah I think it is.

Mr. Larson, I think either it's the President or choice.

Ms. Graham, Or his appointee.

Mr. Larson, If you want it's up to you.

Mr. Whitten, Well...

Mr. Larson, I will defer to Sylvia if she is really interested.

Mr. Whitten, Is that something that you want to do Sylvia?

Ms. Graham, I am very familiar with that but you have been attending so I will defer to you too.

Mr. Rivas, Arm wrestle.

Ms. Graham, No.

Mr. Whitten, Don't leave it up to me guys...I just don't know what to do?

Ms. Graham, If he wants...

Mr. Larson, There is a lot of work there to be completed and I'd like to continue with that part of the process. And I think that there is some stuff that just popped up that we need...

Mr. Whitten, Alright Sylvia, I'm going to just designate Jeff. First sign of trouble you let me know and I'll yank him.

(Laughter)

Mr. Larson, We'll form a coup.

Mr. Whitten, Oh yeah that again. Ok Jeff if you would just keep me posted on it.

Mr. Larson, Ok thanks.

Porter County Redevelopment Commission

Mr. Whitten, Porter County Redevelopment Commission, I'm one of them. Jeremy I think you've been doing that?

Mr. Rivas, Yes.

Mr. Whitten, And I would like you to be my designee if you don't mind.

Mr. Rivas, Yeah and I ok to do it.

Mr. Whitten, Alright. Is our other one up it's a one year appointment? For the Porter County Redevelopment Commission currently we have Don Ensign.

Mr. Larson, We have already did that

Ms. Graham, We already done it.

Mr. Whitten, I was just looking at this list that she gave me so now we are doing the liaison's.

Council Liaison Appointments

Mr. Whitten, I don't care...

Mr. Larson, Do you just want to pull name's out the one Bozak's name is in Dan then?

Mr. Whitten, Yeah when I spoke I'd like to be the Coroner's liaison and I think she spoke with somebody else too.

Mr. Jessen, Me.

Mr. Whitten, You.

Mr. Larson, I'd nominate you for that position.

Mr. Whitten, Why don't we roll down this thing and we can go through who currently has it and who wants it. Do we have a list of our currents?

Mr. Rivas, Yes.

Mr. Whitten, Alright let's start off with Adult Probation

Adult Probation

Council Liaisons are Sylvia Graham and Jeff Larson

Airport

Council Liaisons are Bob Poparad and Dan Whitten

Animal Shelter

Council Liaisons are Jeremy Rivas and Greg Simms

Antabuse

Council Liaisons are Sylvia Graham and Greg Simms

Assessor

Council Liaisons are Sylvia Graham and Jeremy Rivas

Auditor

Council Liaisons are Sylvia Graham, Jeremy Rivas and Dan Whitten

Circuit Court

Council Liaisons are Mike Jessen and Dan Whitten

General Courts

Council Liaisons are Mike Jessen and Dan Whitten

Superior Court 1

Council Liaisons are Mike Jessen and Dan Whitten

Superior Court 2

Council Liaisons are Mike Jessen and Dan Whitten

Superior Court 3

Council Liaisons are Mike Jessen and Dan Whitten

Superior Court 4

Council Liaisons are Mike Jessen and Dan Whitten

Superior Court 6

Council Liaisons are Mike Jessen and Dan Whitten

Clerk

Council Liaisons are Sylvia Graham, Jeff Larson and Jeremy Rivas

Commissioners

Council Liaisons are Mike Jessen, Bob Poparad and Dan Whitten

Tourism

Council Liaisons are Jeff Larson, Jeremy Rivas and Greg Simms

Coroner

Council Liaisons are Mike Jessen and Dan Whitten

E-911

Council Liaisons are Sylvia Graham, Jeff Larson and Jeremy Rivas

Election Board

Council Liaisons are Sylvia Graham, Jeff Larson and Jeremy Rivas

Emergency Management Agency (EMA)

Council Liaisons are Sylvia Graham and Jeff Larson

Expo Center

Council Liaisons are Jeff Larson and Greg Simms

Extension Office

Council Liaison is Sylvia Graham

Facilities

Council Liaison is Jeff Larson

Family Youth & Services Bureau

Council Liaisons are Mike Jessen and Jeremy Rivas

Health Department

Council Liaisons are Sylvia Graham and Greg Simms

Highway

Council Liaisons are Sylvia Graham and Jeff Larson

HR

Council Liaisons are Sylvia Graham and Mike Jessen

ITS

Council Liaisons are Jeremy Rivas and Greg Simms

IV-D Court

Council Liaisons are Mike Jessen and Dan Whitten

Jail/Sheriff & Sheriff's Garage

Council Liaisons are Jeff Larson, Jeremy Rivas and Dan Whitten

Juvenile Detention and Juvenile Probation

Council Liaison is Mike Jessen

Memorial Opera House

Council Liaisons are Sylvia Graham, Jeff Larson and Dan Whitten

Museum

Council Liaisons are Sylvia Graham and Greg Simms

Opportunity Enterprises

Council Liaisons are Jeremy Rivas and Dan Whitten

Parks

Council Liaisons are Sylvia Graham, Mike Jessen and Jeff Larson

Plan Commission/Building Department

Council Liaisons are Bob Poparad and Greg Simms

Portage Township Assessor

Council Liaisons are Jeremy Rivas and Dan Whitten

Porter Starke

Council Liaisons are Sylvia Graham and Dan Whitten

Print Shop

Council Liaison is Greg Simms

Prosecutor

Council Liaisons are Jeff Larson and Dan Whitten

Public Defender

Council Liaisons are Jeff Larson and Jeremy Rivas

Recorder

Council Liaisons is Sylvia Graham

Recycling and Waste Management

Council Liaison is Sylvia Graham

Soil and Water

Council Liaisons are Sylvia Graham and Mike Jessen

Development and Storm Water Management

Council Liaison is Jeremy Rivas

Surveyor

Council Liaisons are Sylvia Graham and Jeremy Rivas

Treasurer

Council Liaisons are Sylvia Graham and Dan Whitten

Veterans

Council Liaisons are Jeff Larson and Dan Whitten

Voters Registration

Council Liaisons are Sylvia Graham, Jeff Larson and Jeremy Rivas

Weight and Measures

Council Liaisons are Sylvia Graham and Greg Simms

Wildlife Management

Council Liaisons are Sylvia Graham and Greg Simms

Mr. Whitten, Can I get a motion to approve all liaisons.

Mr. Larson, Move to approve

Mr. Jessen, Second.

Mr. Whitten, I have a motion and a second, all those in favor signify by saying Aye? Opposed?

Motion carried on a unanimous voice vote.

Mr. Jessen, Joy you'll inform everyone and also give everybody a copy of the specific appointments that we signed up for.

Administrative Assistant Joy Blakely, Yes.

Attorney's Report

Mr. Whitten, So let's talk to the Attorney. Attorney's report what have you got for us Harold?

Council Attorney Harold Harper, The only new to really report is and most people know this the defense of the Kozusek claim was tendered to an outside firm. The county's insurance company is going to under the terms of the policy is going to pay for that...pay for the defense and

Mr. Rivas, We're not named in that though.

Council Attorney Harold Harper, No we're not. The County is named solely not solely but the Council is not specifically.

Mr. Whitten, Right.

Council Attorney Harold Harper, The law firm of Knight, Hoppe, Kurnik & Knight firm (inaudible)

Mr. Whitten, Ok that's Betty Knight's old firm?

Council Attorney Harold Harper, Yes. There is a (Inaudible) which at this stage is neither here nor there but could be substance if the terms of indemnification (inaudible) I just want the Council to be aware.

Mr. Whitten, Anything else Harold that you need to let us know at this point?

Council Attorney Harold Harper, The only other thing is there is a pending public access public records request which I already emailed the Council and we're in the process in terms of the Council's response. I already drafted the response...

Mr. Rivas, Do you want our phones?

Mr. Whitten, Harold if at any time during any of the this stuff you think there is a need to have a detail discussion in an executive session just let us know and we can call an executive session before our meeting or at another time...

Ms. Graham, Absolutely

Council Attorney Harold Harper, Yes.

Mr. Whitten, Just so that we can get into the nuts and bolts.

Council Attorney Harold Harper, Yep

Mr. Whitten, Anything else?

Council Attorney Harold Harper, No.

Any other matter that may properly come before the Council

• **Porter County Clerk Jessica Bailey – Discussion Election Equipment**

Mr. Whitten, Jessica Bailey our Porter County Clerk let's talk about elections.

Mr. Rivas, Come on down. Bring your whole crew.

Mr. Whitten, How is it going? Thank you so much for joining us there has been so much happening in the wide wonderful and exciting world of elections so why don't you talk to us a little bit about the election equipment?

Clerk Jessica Bailey, I sent to Councilmember Rivas and I am assuming that everyone else receive it. The proposed contract which is the same as last year and the attachment should have been...

Mr. Poparad, Is that what we have in front of us right here? Is that this? The sales order?

Clerk Jessica Bailey, Yes and there should be photos of the proposed machines.

Mr. Poparad, I can't hear you...I'm sorry.

Ms. Graham, Could you...

Mr. Whitten, Hold on one second everybody get out the Porter County Clerk election equipment packet.

Mr. Larson, This it is Jessica?

Clerk Jessica Bailey, Yep.

Mr. Whitten, And let's get on the same sheet here.

Ms. Graham, Are we going to talk about the...

Mr. Rivas, I know we have the file.

Ms. Graham, sale order...the sales order?

Clerk Jessica Bailey, Yes

Mr. Whitten, We're not going to...are you asking us to make a decision tonight or you asking us to have a discussion tonight?

Clerk Jessica Bailey, A discussion tonight.

Mr. Whitten, Do you understand that Sylvia?

Ms. Graham, Yes thank you.

Mr. Whitten, So go ahead...does everyone got it?

Ms. Graham, Yes.

Mr. Whitten, Alright Jessica.

Clerk Jessica Bailey, Ok from my understanding this is the same proposal that was shown to you last year. The only thing that should be changed in it is some reorder of items. It's the same content just in a different format.

Ms. Graham, What specifically was changed?

Clerk Jessica Bailey, Items on page 1 were spread out throughout the contract and they were just moved to page 1 so that it was easier reading and I believe it was to agree to with one of their Ohio contracts they had to format it this way instead of the way that it was formatted last year.

Mr. Whitten, Have the Commissioners all left?

Mr. Larson, They are all gone.

Mr. Rivas, Laura just walked out.

Mr. Whitten, And has Scott McClure left?

Mr. Larson, I think so.

Mr. Whitten, Ok so one question I had was at one point their...and I haven't really gotten that deep into this right now but there was some discussion about the financing and the interest rate that we could get through financing. Has David Bengs gotten back or anybody gotten what he got from the banks.

Clerk Jessica Bailey, He preliminarily told me that he had lower rates than what E S & S was offering. He said that he would have final numbers tomorrow.

Mr. Larson, That was 7% though

Mr. Poparad, Yeah they were 9.75%

Mr. Whitten, Yeah everybody knows that the last time this came in front of us with the proposal for a financing agreement I asked the Election Board member to get us what they could get privately for financing so we could make a decision on how we would want to fund this moving forward to see which is the better option and that is what David Bengs was doing so ok. So go on Jessica I'm sorry.

Clerk Jessica Bailey, Mr. Bengs reached out to the same banks that were reached out to before and he's waiting for one more to get back. Some of the questions that I received was if E S & S would finance it at it was a 9.75% interest rate and Mr. Bengs said that he's almost one hundred percent positive that local banks will do better.

Mr. Jessen, Right that what they thought the first time?

Clerk Jessica Bailey, Correct. Now interest rates have increased since...

Mr. Jessen, Right.

Clerk Jessica Bailey, last year's proposal but he doesn't think they'll go up to...

Mr. Whitten, He wasn't sure that he will be able to get to us some rates in time.

Mr. Poparad, It's going to be better nobody is at 9.75%

Mr. Jessen, The interest rate at this point is not determined?

Clerk Jessica Bailey, No we'll have that information tomorrow.

Mr. Whitten, So let me ask you this question, so what's the timeline here so I assume you're going...have you already gone to the Commissioners to ask them to sign the contract?

Clerk Jessica Bailey, No from my understanding they wanted to know that you guys were ok with the dollar amount and then they would look at the contract. I've spoken with the Auditor's office and she was liking the idea that we put the down payment down this year and the first payment be budgeted for next year.

Mr. Poparad, Are we talking \$1,829,000 dollars on the first page?

Clerk Jessica Bailey, Yes.

Mr. Poparad, And then after they are giving us \$340,000 trade-in, \$200,000 dollar credit/discount whatever word you want to use?

Clerk Jessica Bailey, Yes.

Mr. Poparad, And \$70,000 in freight?

Mr. Jessen, And installation and I suppose the installation is the heavy...

Clerk Jessica Bailey, Installation.

Mr. Poparad, What's the installation everything is portable.

ES & S Jeremy Burton, Installation is putting everything together when it arrives.

Mr. Poparad, The suitcase I guess for lack of a better word?

ES & S Jeremy Burton, (Inaudible)

Mr. Poparad, I notice on page 2 the first item the refurbish scanners a 140 of them, I am assuming that's one for each precinct plus a few spares? So we are buying refurbished equipment?

Ms. Graham, Yes.

ES & S Jeremy Burton, You don't have to but that was to save money last year during negotiations. These are gently used but certainly there is new available, the reason that we chose the refurbished was for the Counties cost.

Mr. Whitten, So what does that mean to you guys?

ES & S Jeremy Burton, They are still warranted as new, you will still have the same warranty and they are still going to be able to use them for 15 years just like you would or have with your old equipment from us.

Mr. Rivas, What does gently used mean?

Ms. Graham, Yeah is that six months? Is that ten years?

Mr. Poparad, They are doing...they are selling us what they are going to do with our equipment. They are going to take our equipment and give us \$203,000 dollars.

Mr. Rivas, How would you describe our equipment to someone else? Gently used...

Mr. Whitten, Hold on a second Bob finish what you were saying.

Mr. Poparad, They are going to take our equipment and give us \$300,000 dollars credit, polish is up and change the batteries and sell it to somebody else as refurbished. We're getting some other county's refurbished scanner or...

Mr. Larson, How old is the equipment that you have refurbished?

ES & S Jeremy Burton, It's just one election so it would be November 2018 election. Newly manufactured (inaudible)

Mr. Larson, So if I buy a MacBook although it's dated 2015 it's this year's election equipment it's not 2015?

ES & S Jeremy Burton, Right and then let me say something else we're actually going to be recycling most of your old voting machines.

Mr. Poparad, Are you ES & S?

ES & S Jeremy Burton, Yes sir. Because most of the country right now is moving from the 100 that you have today to this new machine and so we are seeing the market for that actually dried up. So most of that is actually going to be recycled at the end of the day, some of it will be kept as spares for counties that aren't able to upgrade or countries that aren't able to upgrade so we will make sure that we have spares around so that's why we want to buy those back for the spare parts.

Mr. Poparad, Item 3 is that the...I guess we will use the word counter that would be at election headquarters?

ES & S Jeremy Burton, Yes so...

Mr. Poparad, So there is only one of them?

ES & S Jeremy Burton, Yes sir that counts three hundred ballots a minute.

Mr. Poparad, No that's not my question.

ES & S Jeremy Burton, So...

Mr. Poparad, There is only one of them?

ES & S Jeremy Burton, Yes sir.

Mr. Poparad, So if it breaks down we count hanging chads?

ES & S Jeremy Burton, If it breaks down we have a technician driving around...

Mr. Poparad, Well there is only one so it's here.

ES & S Jeremy Burton, Right there is one here but the...each election we have roaming technician so you probably wouldn't want to buy two DS850's because they are like \$100,000 dollars apiece. So it's probably not going to break down I'll just say that.

Mr. Poparad, Oh.

ES & S Jeremy Burton, You're right it's certainly possible councilman but in our experience the roaming technician with a DS850 in the back is sufficient and so that's what we do so you don't have to spend another \$100,000 dollars.

Mr. Larson, Is it similar in counties our size that you only provide one?

ES & S Jeremy Burton, Yes in Marion county they have six of these in Indianapolis so they have about six times the number. They have about 650,000

registered voters and you have about 122,000 so one is just about right for you. Like I said Marion County Indiana in Indianapolis has six.

Ms. Graham, That's true.

ES & S Jeremy Burton, So it's right around the normal ratio.

Mr. Whitten, So if I may ask with the refurbished equipment it's only been used once why didn't they keep it?

ES & S Jeremy Burton, So rentals...some counties around the United States in a bigger election they'll rent extra equipment out of concern that they don't have enough.

Ms. Graham, How much does it cost to rent?

ES & S Jeremy Burton, I'd have to get that to you Sylvia I apologize I don't have that at the top of my head.

Ms. Graham, Just a thought.

ES & S Jeremy Burton, But renting over the long haul is a bad idea in elections here is why, because you are going to end up paying in rental fee's over a 15 year period that you would own it you are going to end up buying it 5 or 6 times. And in the election world there is not a new voting machine every year it's just not how it works because it's highly regulated by the federal and state government. And so you are not going to see...it's cost millions of dollars just to bring through federal and state testing the system you see before you today so companies aren't doing that everyday or every year even.

Ms. Graham, You know when I has saw this equipment last fall or last year...

ES & S Jeremy Burton, Yes.

Ms. Graham, One of the real selling points to me was that you could identify a photo along with the paper ballot but the State of Indiana will not let you take a photo is that what I heard?

ES & S Jeremy Burton, So explain what you mean?

Ms. Graham, Well I was shown and told that when you come in you swipe your license but it also takes a picture of the person swiping the license.

ES & S Jeremy Burton, Certainly that's possible.

Ms. Graham, That's what I was told by whoever...

ES & S Jeremy Burton, Hum...I remember you being there...

Ms. Graham, Yes.

ES & S Jeremy Burton, I would have never said that our poll book would take a picture of a voter while they are signing in.

Ms. Graham, Well I sure wouldn't of made it up.

ES & S Jeremy Burton, I know and someone must of said that and I apologize but like I said certainly you could do that but it would be contrary to normal procedure in Indiana.

Ms. Graham, Well I heard it's against the law.

ES & S Jeremy Burton, Yeah.

Ms. Graham, It's interesting they make you have a license but you can't be identified. So that's ok...

Mr. Poparad, On page 6 am I looking at \$200,000 maintenance?

ES & S Jeremy Burton, On page 6 you see the maintenance costs there but that's over a...let me get to page 6.

Mr. Whitten, It's sounds like the answer is yes.

ES & S Jeremy Burton, That's over a period of four year though.

Mr. Poparad, Ok.

ES & S Jeremy Burton, So that's just adding up what you're paying over a total of four years.

Mr. Poparad, On page 5 it say total maintenance for the initial terms is \$360,000 is that...

ES & S Jeremy Burton, Over four years.

Mr. Poparad, Over four years?

ES & S Jeremy Burton, Yeah so that includes the hardware maintenance which is laid out in page 6, it includes the software licenses which is laid out on page 7 or excuse me page 8 and also on page 5 included in that is the firmware license which is the software on the units and that is also laid out on page...

Mr. Larson, Do you guys own the rights to that software?

ES & S Jeremy Burton, Yes sir.

Ms. Graham, Yes they do they own everything about it right?

ES & S Jeremy Burton, (Inaudible)

Ms. Graham, I read that somewhere.

ES & S Jeremy Burton, We are the world's largest manufacturer of voting machines, we've been in business 40 years the same owner headquartered in the Midwest. Sixty-three percent of the United States votes on an ES & S voting machine and we most of the time stay out of the headlines but we have a pretty good track record of making sure counties have successful elections. And in the last election when the vote count was delayed we sent more people in, we went toward the problem we didn't run away from it and we are proud that we did that.

Mr. Whitten, I wouldn't tout our last election.

ES & S Jeremy Burton, Yeah I know we didn't run away from you is what I am saying.

Mr. Whitten, I would probably scratch that one.

Ms. Graham, No never going to happen again.

ES & S Jeremy Burton, In your hardest time we were right there with you.

Mr. Poparad, Did we have a tremendous amount of equipment issues in the last election?

ES & S Jeremy Burton, Not at all.

Mr. Poparad, That is a question for the Clerk?

Clerk Jessica Bailey, No not that I am aware of.

Mr. Poparad, Ok. So I have been sitting here for a long time we've been talking about voting equipment for ten years now. Do we have a and I said this to at yesterday's meeting do we have a equipment issue or do we have a people issue? In terms of lack of people, lack of training, lack of enthusiasm or whatever word you want...lack of leadership I looking to you if you want to use that word? That's all I'm saying...

Mr. Larson, How old is that DS100 we're using now? You said that's 15 years?

ES & S Jeremy Burton, 1996 is when we first ones rolled off the press.

Mr. Larson, Ok and when was this DS200 brought online?

ES & S Jeremy Burton, Well the original version of that was 2007 but there was a redo in 2016 and 2018.

Mr. Larson, So there was 11 years in-between the process of manufacturing the two.

ES & S Jeremy Burton, We didn't change the name of it but it is totally different it's upgraded (inaudible)

Mr. Larson, So the ones that we are dealing with are 22-23 years old now?

ES & S Jeremy Burton, Right. Now let me tell you this as the product goes along the life of the product we will come in and do firmware and software updates as they are certified by the Federal and State governments. So we don't give up on the product (inaudible).

Mr. Larson, How many municipalities are still using that 100?

ES & S Jeremy Burton, There is probably still close to 50,000 in the field but it's going away every day. For example Dallas County Texas they're now I think tomorrow leasing the (inaudible)

Mr. Larson, What percentage of your equipment is that old?

ES & S Jeremy Burton, What's that?

Mr. Larson, What percentage of the equipment you support is that old?

ES & S Jeremy Burton, That is the oldest...that's the oldest that we support there was an older on but that...the last county went offline two years ago of the one that was manufactured in 1979.

Mr. Larson, So we could expect...how much longer can we expect to see updates for that system since it's already 23 years old?

ES & S Jeremy Burton, So I would say you know we always say it was built to last 15 years. I was just telling you the Eagle which was built in 1979 the last one went offline 2 years ago in Indiana. We stopped doing updates for that in the early 2000's so...

Mr. Larson, And so were at the end of the most usable cycle on that 100 anyway?

ES & S Jeremy Burton, Yes right. We're not doing any more updates to the 100 if that's what you are asking.

Mr. Larson, That's my question yes.

ES & S Jeremy Burton, There are updates available but the County has taken advantage of it yet.

Mr. Simms, One follow-up with what Sylvia asked in regards of rental if we were to look at rental that would not include the maintenance fee. We wouldn't have to pay a maintenance fee right?

ES & S Jeremy Burton, Yes but...so the cost of the equipment is \$1.8 million that is what you would spend over 15 years on equipment if you rented you'd spend three, four maybe fives times that over 15 years.

Mr. Simms, But at buying it at \$1.8 your still spending another \$50,000 a year in maintenance correct?

ES & S Jeremy Burton, Yes

Mr. Simms, Ok so it's not just \$1.8 million...it's \$1.8 million plus \$50,000 dollars every year?

Ms. Graham, Yep.

ES & S Jeremy Burton, Exactly.

Mr. Simms, Ok I just wanted to make sure.

ES & S Jeremy Burton, But it's still way cheaper in my opinion. I've looked at numbers for other counties too and I've looked at counties that have rented like Carroll County Indiana they have always rented. They could have purchased that system I think it was four times over in the life that they had that exact same equipment.

Mr. Larson, That make sense just like a leased car it make sense that you have some equity in the product when you buy it.

ES & S Jeremy Burton, Right.

Mr. Larson, The question I think Greg is trying to eliminate was...

ES & S Jeremy Burton, I feel very strongly about it sorry.

Mr. Larson, Well it was more about the maintenance agreement but I know it's included in the rental also.

ES & S Jeremy Burton, Yeah.

Mr. Larson, So you are not getting away from it no matter what you do buy it or lease it.

ES & S Jeremy Burton, Exactly.

Mr. Simms, It's just a way to compare...

Mr. Whitten, So what are you asking us to do tonight? I'm sorry Greg are you done?

Mr. Simms, Oh yeah.

Mr. Whitten, I didn't mean to...

Mr. Poparad, Dan I've got a couple more questions.

Mr. Whitten, Yeah Bob.

Mr. Poparad, I'm guessing I'm looking at the Poll Books we got to buy ballots so much a ballot am I missing that or am I not reading it right?

Clerk Jessica Bailey, Instead of getting of getting the full ballot like your used to looking at right now it would be more of an index card. So they are not pre-printed so you are not throwing away thousands if you don't use them. Instead they print-out with each individual voter.

Mr. Poparad, What does that \$400,000 dollars included in the \$1.9 million?

ES & S Jeremy Burton, Yes.

Mr. Poparad, That's in there?

ES & S Jeremy Burton, Yep. Yes sir.

Mr. Poparad, Do we have to buy Poll-Books I guess that's my question?

Clerk Jessica Bailey, You can do the paper Poll-Books.

Mr. Poparad, What?

Clerk Jessica Bailey, You can do paper Poll-Books which is what you are currently doing.

Mr. Poparad, Right. Do we have to buy the electronic Poll-Books?

Ms. Graham, Good point.

Clerk Jessica Bailey, Do you have to? No.

Ms. Graham, That's the one where it's susceptible? That's where you get on the Wi-Fi.

Mr. Poparad, Is that money better spent on people? That's all I'm saying...paying for training? Me and you talked about paying them for training, increasing the pay for poll workers so we get the 18 year olds out of High School that would love a day out of school anyway etcetera...etcetera is that money better spent that's all I'm asking?

Ms. Graham, Go ahead.

ES & S Jeremy Burton, Well I could speak to that...

Mr. Poparad, I'm talking to the Clerk.

ES & S Jeremy Burton, Ok sorry.

Clerk Jessica Bailey, I think investing in people is something that has to be done.

Mr. Poparad, Yes.

Clerk Jessica Bailey, But I don't think we need to do it to the dollar amount of the Poll Book.

Mr. Poparad, I didn't...

Clerk Jessica Bailey, I don't think we need to do it to the dollar amount of the Poll Book. I put out an email to all of the Clerks and we're down in what we pay our Poll Workers...

Mr. Poparad, Oh yeah I agree.

Clerk Jessica Bailey, But we're not that far off compared to the entire state we are not that far off.

Mr. Whitten, You are the Clerk are you asking us for E-Poll Books are you saying that's what you want?

Clerk Jessica Bailey, Yes.

Mr. Whitten, And so tell us very quickly the benefits of that over paper books?

Clerk Jessica Bailey, So the E-Poll Book had we had the...not that we are not going to have those issues again but if we have issues where a poll doesn't open...say an electrical issue or a tree falls down on top of it and the poll cannot open you can take the information that would be in that paper poll book and load it on all of the E-poll-books. So if somebody was supposed to go to Portage 28 and that poll cannot open for one reason or another you can put a note on the door that anyone that would vote from Portage 28 can go to any other polling location. And with agreement from the Judge all we have to do is push a button and that precinct is now live at every single voting location.

Mr. Jessen, I think that Jessica just so that I understand it you are confident that we need the E-Poll Books and there is benefit to us and you are also confident from a overall equipment standpoint that it's time that we need an upgrade...

Clerk Jessica Bailey, Yes.

Mr. Jessen, We need new equipment.

Clerk Jessica Bailey, Yes we need new equipment this equipment would make it easier for the poll workers as well. What's not on this paper work is there are these bins that would be that I talked with Jeremy about and he's willing to throw them in one of every one of the...

Ms. Graham, Precincts?

Clerk Jessica Bailey, DS200 instead of getting the suitcases so the poll workers are used to coming and picking up these heavy suitcases that are kind of falling apart and ripped...those suitcases would then be turned into these blue tote bins and they are put inside of the machines and are delivered at the same time, so instead of the poll workers most of which are either the younger spectrum or the older spectrum having to pick up all of these heavy suitcases that are falling apart all they have to do is pick up a pair of keys. And when they are done they don't have to deliver them back they lock them back inside the box and deliver the keys.

Ms. Graham, How heavy is that box?

Clerk Jessica Bailey, The...

Ms. Graham, Fully loaded and everything?

ES & S Jeremy Burton, It has wheels so it's cool.

Clerk Jessica Bailey, It has wheels

Ms. Graham, Still how heavy is it?

Clerk Jessica Bailey, Whatever the...

Mr. Whitten, So we are still past the E-Poll book type of discussion now right? We're talking about the equipment?

Clerk Jessica Bailey, Yes.

Mr. Whitten, Let's go back to E-Poll books, Bob you had questions...

Ms. Graham, Sorry.

Mr. Whitten, You asked the question do we need E-Poll books?

Mr. Poparad, Right.

Mr. Whitten, You said no but then you said you want us to get them which I don't disagree with you but I wanted to hear more about what you think makes it worth the cost? The reason for that is historically we have been inundated with emails or calls that are saying how the E-Poll books...

Mr. Poparad, E-Poll books didn't work...Wi-Fi...

Mr. Whitten, They are the worse things on earth and then all of the sudden the same person saying that they were the greatest thing and then they were terrible again so I don't know.

ES & S Jeremy Burton, I remember that

Clerk Jessica Bailey, And I don't discount that the version that was being used then was then not the best version. It's been updated...

Ms. Graham, Are you saying last year the ones that were used?

ES & S Jeremy Burton, No

Clerk Jessica Bailey, I don't think anything went wrong with them last year from what I was told.

Ms. Graham, Ok.

Mr. Rivas, We've only used them in early voting now right?

Clerk Jessica Bailey, Yes they were used in early voting part of the same reason you don't have to have all of these paper poll books you just sign in on one machine and it has every precinct loaded.

Mr. Rivas, So I can add to that conversation that is the only piece of the equipment that is connected the internet?

Clerk Jessica Bailey, The internet yes.

Mr. Rivas, What assurances...I mean how do you...how do we avoid...

Mr. Poparad, Russian interference.

Mr. Rivas, Russian interference, how do we avoid not having Wi-Fi capabilities? How do we avoid...is that the only hackable system that we have? Is that the one that can fail? What could fail on election day is that the piece?

ES & S Jeremy Burton, Look no voting machine has ever been hacked in the United States so far. Ok somebody knock on wood.

Ms. Graham, That you know of.

ES & S Jeremy Burton, Part of the reason for that is that they are not connected to the internet.

Mr. Rivas, Ok E-Poll books...

Mr. Poparad, But the poll books are.

Mr. Rivas, The E-Poll books that's what we are talking about.

ES & S Jeremy Burton, E-Poll books are connected to the internet in Indiana. Some states don't require that Indiana requires that you have E-Poll books must be connected to the internet. ES & S is the world's largest manufacturer of voting machines.

Mr. Rivas, We heard that.

ES & S Jeremy Burton, The department of homeland security has designated us critical infrastructure which means that we are in close communication with the FBI and DHS officials every week. We have a chief security officer...

Mr. Whitten, Ok hold on a second what exactly are you asking us to do? We got the resume'...

ES & S Jeremy Burton, Yeah, sorry about that...well he want to know...

Mr. Whitten, That's cool now tell me what are you asking us to do tonight and then we'll get into whether or not they should be involved.

Mr. Poparad, I guess the bigger question is Dan not to cut you off can we separate these requests?

Mr. Rivas, Well no Dan where I was going was is that our biggest problem when we have eighty sights out there with connectivity because that what we need, we need Wi-Fi, we need internet.

ES & S Jeremy Burton, Well if internet goes down voting continues, I want to be very clear about that.

Mr. Rivas, How.

ES & S Jeremy Burton, Every voters information is on every poll book locally. In addition to that it's checking with the server to make sure that they have not signed in anywhere else. But all the data is local so if internet goes down it doesn't matter the data is still there.

Mr. Rivas, That E-Poll book still live.

Clerk Jessica Bailey, Yes.

ES & S Jeremy Burton, Right.

Mr. Rivas, With the information of the specific precinct so...

ES & S Jeremy Burton, Since the existence of E-Poll books in the last 15 years not E-Poll book has been hacked. One small E-Poll book company email system was hacked in Florida a couple of years ago that's the only know hacking that happened. And ES & S takes all the security precautions we are very serious about this so...

Mr. Rivas, So if they are online you are telling me that they talked to each other if I try to vote in two different areas...

Clerk Jessica Bailey, It's going to come up with a red line saying that you already voted.

ES & S Jeremy Burton, Right.

Mr. Poparad, As long as it's connected to the internet.

Clerk Jessica Bailey, Yes.

Mr. Poparad, If the internet goes down Jeremy can vote in two precincts.

ES & S Jeremy Burton, But this isn't a vote center county so you can only vote in the precinct that you...

Mr. Rivas, Right.

ES & S Jeremy Burton, live in so the poll book is set up to only let...

Mr. Poparad, Early voting...early voting.

ES & S Jeremy Burton, But early voting you are right.

Mr. Rivas, Alright.

Mr. Poparad, So I guess my question is more directed to the Clerk are these requests tied together? I mean buying the equipment and not the E-Poll books or vice versa?

Clerk Jessica Bailey, From my understanding at least for early voting you would have to get a least some E-Poll books because E-Poll books are used for early voting because all of the information is loaded.

Mr. Poparad, We already have them don't we?

Clerk Jessica Bailey, We would need to update them.

ES & S Jeremy Burton, You have them on loan we've let you borrow poll books for that for a couple of years now out of concern.

Ms. Graham, We haven't paid anything towards them?

ES & S Jeremy Burton, No because the old poll books nobody liked.

Ms. Graham, I thought we had.

ES & S Jeremy Burton, So you guys were really made about that.

Mr. Rivas, A little bit.

ES & S Jeremy Burton, In the meantime we wanted to make it up so we just gave you like 8 or 10 newer poll books now there is an even newer poll book out and we just let you use those for a couple of years. That was successful and that was a good will gesture Sylvia.

Ms. Graham, Ok.

ES & S Jeremy Burton, Because we wanted to show you that we are partners not a fly by night operation.

Mr. Jessen, Where are the poll books listed on the sales agreement?

Mr. Poparad, It's in the back page 1 and 2.

Mr. Jessen, What part of the \$1.8 million?

ES & S Jeremy Burton, Page...attachment 2.

Mr. Poparad, It's on the first page attachment 2, \$414,087 dollars.

ES & S Jeremy Burton, Yes there it is.

Mr. Whitten, Right there on the front page.

Ms. Graham, Right second item

Mr. Whitten, The one clearly marked Electronic Poll book.

Mr. Jessen, Your suggesting Bob that you're in favor of the other equipment but the E-Poll books is what your questioning?

Mr. Poparad, I'm not saying anything I'm just pointing out are they tied together that's all?

ES & S Jeremy Burton, So...I mean let me speak to this a little bit. Since this RFP happened Ohio had an RFP and they had a most favorite nation clause and some may know what that is where basically this agreement is lower than that so a year later we wanted to honor the RFP results so we were able to reposition the discounts and things to make it where it didn't violate the Ohio most favorite nation. If you take the poll books out the discount will go down because of that most favorite nation thing. So you are looking at a higher price than you originally thought if you just do the equipment and that's just a reality of that most favorite nation clause and I am sorry.

Mr. Rivas, I see where you are going Bob.

Mr. Poparad, I'm sorry I'm a little confused I don't see what Ohio has to do with us?

ES & S Jeremy Burton, I know it shouldn't, I agree with you.

Mr. Poparad, Then why does it?

ES & S Jeremy Burton, Because of...

Mr. Poparad, If you chose to give Ohio a discount yeah rah for Ohio.

ES & S Jeremy Burton, You had a better deal than Ohio got.

Mr. Poparad, Ok so what yeah rah for us then.

ES & S Jeremy Burton, They could sue us and we would lose a lot of money so that's why.

Ms. Graham, So you could give one state a better deal than another.

Mr. Rivas, I think we are getting off course.

Mr. Whitten, Alright so I guess I have a couple of questions, one is Jessica what are you asking us to do tonight? What do you need us to do tonight? Are you asking us just to have the discussion or...

Clerk Jessica Bailey, It was my understanding this would just be a discussion it wasn't advertised.

Mr. Whitten, Right.

Clerk Jessica Bailey, In order for you guys to make an official decision you would have to have an emergency meeting that you need a ten day notice with the auditor's office to make sure that everything's put into the paper.

Mr. Whitten, So the second part of my question is from the auditor's perspective were we to go forward with such a thing you've indicated that you would like for us to make the down payment and finance the rest? Is that what you are talking here? What's your recommendation for money...

Auditor Vicki Urbanik, Exactly how you would purchase this is ultimately up to you.

Mr. Whitten, Exactly.

Auditor Vicki Urbanik, But my comment about ensuring that there is an appropriation for it is that's just proper fiscal planning. Rather than going forward with this contract and then saying oh we'll just come back for an additional appropriation...

Mr. Whitten, So where would you see it...

Auditor Vicki Urbanik, You can't go back and into that mind frame that we had.

Mr. Whitten, So where would you suggest that we get the money right now?

Auditor Vicki Urbanik, Well, first off you might recall that in December of 2017...

Mr. Whitten, Yeah we set some aside.

Auditor Vicki Urbanik, we had the transfer into the rainy day fund and that a resolution that you passed specifically said that this is being set aside for election equipment. If you decide not to pursue the election equipment then it will roll back to the General fund.

Mr. Whitten, Would we need an additional to spend that money?

Auditor Vicki Urbanik, Yes you would.

Mr. Whitten, And when would the state approve the additional? Don't we have a delay here?

Auditor Vicki Urbanik, Ok there is supposed to give us 15 days decision after we submit the information. I can only say that in the last two years they have been delayed into March...

Mr. Whitten, Yeah.

Auditor Vicki Urbanik, for the additional approval process. We haven't submitted any additional so for you just approved one tonight so we'll submit that tomorrow and...

Mr. Whitten, So this is...not to interrupt but back to my original question what's the process here so you...and you are doing exactly what we asked you to do.

Clerk Jessica Bailey, Yes.

Mr. Whitten, You are coming in front of us for discussion. I assume that the Commissioners want to know what is the Council willing to do for funding this or not funding this? How we fund it is up to us.

Clerk Jessica Bailey, Correct.

Mr. Whitten, But certainly whether we are going to do it or not you would go in front of the Commissioners when?

Clerk Jessica Bailey, I would let them know that you are leaning towards approving the funding and then be put...they would be having an emergency meeting as well.

Mr. Larson, In your email it said that we could implement the equipment in about a week is that what is correct?

Clerk Jessica Bailey, We could have delivery in about a week the earlier we order it. The closer we get to elections the farther out we are going to be because other people are already placing their orders and its first come first served.

Mr. Whitten, Is there a training curve here that we have to do?

Clerk Jessica Bailey, Yes we would have to be trained on the machines.

Mr. Whitten, So here's my last part of that question the delivery date you've eluded to this and the liberty date what's the latest you could get it and it be ready to run for the primary?

Clerk Jessica Bailey, How long...

ES & S Jeremy Burton, Technically the middle of March but that's not fun. That's not fun so in this agreement we also update all the dates and we said in here that you would take delivery on January 31st, just because we were being optimistic.

Mr. Whitten, Right that's very optimistic.

ES & S Jeremy Burton, And hopeful.

Mr. Whitten, So you're saying that if it was delivered in March you could have everybody properly trained on it in time for the election?

ES & S Jeremy Burton, I'm saying that I've done that.

Clerk Jessica Bailey, I'm saying it would be a stretch.

ES & S Jeremy Burton, Yes.

Clerk Jessica Bailey, It would be a stretch.

Mr. Poparad, I'm glad you brought that up how much money does she have for training in her election budget? Just a round number I don't know if Jessica if you know?

Clerk Jessica Bailey, No I don't.

Mr. Larson, Well some of this money...this training for this equipment is included in this purchase right?

Clerk Jessica Bailey, Correct.

ES & S Jeremy Burton, That's what I was about to look...

Mr. Poparad, I'm talking about the Poll workers...I'm mean what's your budget for paying Poll workers etcetera...etcetera? Because if this goes forward and you get the equipment you better have some people to train because...

Mr. Whitten, That's a hole other animal...

Mr. Poparad, Right that animal is the 800 pound gorilla in the room.

Mr. Larson, Well that's entirely up to you to locate people and to train correct?

Mr. Poparad, Correct.

Clerk Jessica Bailey, Correct if we can train our staff, then the staff can train the individual poll workers.

Mr. Rivas, I understand where you are going Bob and I think that we have to have that discussion. There are two parts to this it is a people problem but I think it's time to move on with the machines but you're right we've got to figure out what we pay the people to train...we've got to get...we've got some fixing to do it's not just with the machines it the process, it with our people, the enthusiasm all of the above so that's the next step that we have to take.

Clerk Jessica Bailey, I spoke with Councilman Poparad yesterday, I did send that email out to all the other Clerk's and Election Officials in the State and from our discussion we are low on what we pay our poll workers but we're not that low. And it's so far 50/50 that pays for training, I do think it's a good idea to pay towards training.

Mr. Rivas, Sure I understand yeah but just so the discussion goes on to the next level.

Mr. Whitten, So I am wondering...

Clerk Jessica Bailey, But we are looking at both ends of it.

Mr. Rivas, Yes.

Mr. Whitten, Yes so back to that point so you would say if we were willing to do this you need us to have a earlier meeting than February to approve it right?

Clerk Jessica Bailey, I believe the earliest you could was January 28th.

Mr. Whitten, You don't have to tell me the earliest I have been around the law a little bit. I'm asking you...

Clerk Jessica Bailey, Yes I would prefer it before the end of February.

Mr. Whitten, Ok so the end of that thought is if the Commissioners are also going to have an emergency meeting I wouldn't entirely mind us having a meeting at the same time with them. Having the Commissioners here to ask their questions, ask them questions about the contract, to have somebody from the Election Board here, to have the Clerk here and have our Auditor here.

Mr. Rivas, How does that work Jessica can we legally because we would have to work...

Mr. Whitten, We can...we can have them here at our meeting and have one after the other.

Mr. Rivas, One after the other that's fine I think we should set a date, I think we should move forward.

Mr. Whitten, I want to know...

Mr. Rivas, Because that would indicate to the Commissioners that we are setting the meeting to do the additional that we are moving forward so that if they are interested they could set their emergency meeting too to get together.

Mr. Whitten, I have a few questions for the Commissioners and I have a question for the Election Board. But I also want to know what are financing agreement is going to look like and what we are going to have to budget for.

Mr. Larson, Before we can make any decision on whether we are going to support that or not we probably need to know what those numbers are.

Clerk Jessica Bailey, And we tried to get the numbers ahead of time.

Mr. Larson, I mean it was really reasonable last time we talked.

Clerk Jessica Bailey, Yes and he has Attorney Bengs has gone to the same institutions so we're hoping that it will be favorable.

Mr. Larson, Awesome.

Mr. Poparad, On page 2 note to...this is more toward the salesman. The equipment the fair market value for the scanners etcetera...etcetera. Is that to be

determined? It say to be determined by the time if we purchase new equipment is that not the credit we are getting on the first page or is that number going to change?

ES & S Jeremy Burton, So that's referring to in the future if you want to sell back equipment that you are buying today.

Ms. Graham, So that's a buyback clause.

Clerk Jessica Bailey, Yes that was asked to be added it's a buyback clause.

Mr. Poparad, Ok do we got to buy ballots and it looks like it's roughly \$17,000 dollars per election?

ES & S Jeremy Burton, In ballots?

Mr. Poparad, Am I reading that correctly?

ES & S Jeremy Burton, The ballots now are going to be about ten cents a ballot. Whereas today you are paying around thirty-one cents so your ballots will be...

Mr. Poparad, Well I'm just saying that there is ballot layout and coding and voice files \$17,000 dollars per election?

Clerk Jessica Bailey, Note 1.

ES & S Jeremy Burton, Oh I'm sorry.

Mr. Poparad, Note 1 up here on top.

ES & S Jeremy Burton, Oh..

Mr. Poparad, Then in card stock we got to buy etcetera...etcetera.

ES & S Jeremy Burton, Yes so each election the county already pays the programing and coding, so each election we have to set-up the logic for the election to meet the Indiana Election Statues and so that's programing each election that you already have in your budget today so that stays the same.

Mr. Poparad, \$17,000 per election then \$1,400 dollars a day for training but that's already included.

ES & S Jeremy Burton, You already have training included...

Mr. Poparad, Right.

ES & S Jeremy Burton, But in addition that's the rate of our project manager. By the way you have the same project manager for the last 15 years he lives close by, he's extraordinary.

Mr. Poparad, Card stock is \$22 dollars.

ES & S Jeremy Burton, For 250 sheets?

Mr. Poparad, Yes.

ES & S Jeremy Burton, So it comes around to ten cents a sheet.

Mr. Poparad, Ten cents yeah ok.

ES & S Jeremy Burton, Yeah.

Mr. Poparad, So when Sylvia comes into to vote when she sign in a ballot will be printed with the candidates that she is allow to vote for.

Clerk Jessica Bailey, When she is done.

Mr. Poparad, What?

Clerk Jessica Bailey, When she done when she signs in on the poll book it's going to give her a blank ballot with a barcode on it and she is going to take that and insert it into the express vote then she's going to vote when she is done voting...

Mr. Poparad, Is it a touch screen I'm assuming?

Ms. Graham, Yeah it is.

Clerk Jessica Bailey, It's a touch screen and when she gets to the end of it, it will show her everyone that she has voted for, if she wants to change anything she can touch the race that she wants to change it, go back change it and then when she confirms that those are the candidates she want to vote for it will print out again with the candidates listed that she voted for before she goes and puts it into the final box and locks it.

Mr. Whitten, Let just advertise and set a meeting to vote on this to have a meeting one way or the other. Let's make sure that we have a commissioner here, let's make sure that we have the proper financing numbers if we decide to go private bank to finance.

Mr. Larson, That's ten days at least right Vicki?

Mr. Whitten, So if we are looking at two weeks from now...

Mr. Rivas, The 29th?

Mr. Whitten, Is that your birthday?

Mr. Rivas, That's my birthday I'm going to be thirty I don't know what you guys want to meet on that day?

Mr. Whitten, You're not going to be thirty again, but I mean do you have a problem coming in and hanging out with us on your birthday and by the way that does kind of suck but I mean do you want us to pick another day?

Mr. Rivas, No it's...

Mr. Whitten, We can pick the next day?

Mr. Rivas, No it's fine, my wife and kids can go out and celebrate without me.

Mr. Whitten, Councilman Rivas is willing to give up his birthday for the good of the County. Are you guys ok with the 29th of January?

Mr. Rivas, Will you write about that in the headlines?

Clerk Deputy Becky Rauch, It's my birthday too I guess.

Mr. Rivas, It's your birthday too? The 29th?

Mr. Whitten, You got to be kidding me

Clerk Deputy Becky Rauch, I guess the sacrifices right?

ES & S Jeremy Burton, I'll bring a birthday cake since I'm the salesman.

Mr. Rivas, Will that be a two million dollar birthday cake?

ES & S Jeremy Burton, What else does a salesman...what?

(Laughter)

Mr. Whitten, So Bob, Sylvia do you have a problem with doing that?

Ms. Graham, No.

Mr. Whitten, Bob?

Ms. Graham, We're just talking about it.

Mr. Whitten, We're going to set this thing, we're going to advertise it properly and we're going to have a vote that day, one way or the other because we are running out of time to do it for the primary.

Ms. Graham, Yes I know that and time is of the essence.

Mr. Poparad, No time is not of the essence.

Ms. Graham, Question...

Mr. Poparad, If we don't buy this equipment we can still have an election in May.

Mr. Whitten, For the primary yes, so to Bob's point we could. We are not in desperation station where we cannot run an election.

Mr. Poparad, Right.

Mr. Whitten, But if the Clerk's asking us to have it in place for the Primary, which it sounds like she's asking us to do we are running out of time to approve that request. But your right Bob it does mean the world...

Mr. Larson, Another issue is that we have a public perception that we are not ready for another election so anything we move forward with here is going to be something that we should have done sooner than later.

Mr. Rivas, I think that we've had this discussion for years about this, Bob you say that we have had it for ten years but I know that this board has had it for a couple of years and we indicated at the time to do it was in a municipal election and if we put it off...if we don't do it in the Primary then we can't use different equipment in the General. Do you want to start this process in a Presidential election? Probably not...

Mr. Poparad, Why can't we use different equipment in the Fall?

Mr. Rivas, I was under the assumption that you have to run the Primary and General with the same equipment, maybe I'm wrong...Jeremy?

ES & S Jeremy Burton, It's not technically a law but that's the tradition and custom in Indiana.

Mr. Rivas, Ok

Mr. Whitten, Ok it's tradition not a law.

Mr. Rivas, Oh so it's not a law there you go but if you...

Mr. Whitten, It's not a good idea is what you are saying?

ES & S Jeremy Burton, Exactly.

Mr. Poparad, Sometimes purchases made in haste come back to haunt you.

Mr. Rivas, I don't think that's this has been haste we've been talking about it for a couple of years.

Mr. Jessen, We've had this for eight months this specific information for months.

Mr. Poparad, We have to have a special meeting in two weeks if we want to do it this year.

Mr. Rivas, We had a new Clerk, we were waiting for a new Clerk to get in front of us one way or another.

Mr. Poparad, Well I agree but we needed this but same discussion was held a year ago.

Mr. Jessen, One specific thing Jessica and I appreciate you putting this information together and getting it before us and hopefully getting this on track to move forward so I appreciate that. One specific question on the information tonight that I would like some clarification on is as we move forward is the refurbished versus new? Because my impression was rightfully or wrongfully that is was going to be new equipment.

Ms. Graham, Right.

Mr. Jessen, So if we could go back to the previous proposal or sales order agreement...

Mr. Rivas, It has it, it was we brought that up before.

Mr. Jessen, So that was different from Jessica impression?

Clerk Jessica Bailey, Yeah from my impression was that they were running out of refurbished and we were going to end up getting more new than refurbished based what they had on hand.

ES & S Jeremy Burton, That was probably true at one point you're right but what happened is our response to the bidding process included all new and then during negotiations post winning the RFP we went into negotiations and we came back with a proposal that just made one part of the thing refurbished just the DS200's and they said that's a good idea because it doesn't make any difference if they were just used once.

Mr. Jessen, Well it's not just the DS200's that the most important and one of the most expensive one of the pieces of the whole proposal.

ES & S Jeremy Burton, Oh there is another refurbished?

Mr. Whitten, No he's saying it's important.

Mr. Jessen, He's showing 140 refurbished pieces of equipment.

ES & S Jeremy Burton, Right that's just one component of the...so all 300 of the express votes are new all the poll books are new the central scanner is new that...you're right it's an important component I'm not saying that but...

Mr. Whitten, I want to look at the finances, I want to look at financing...

ES & S Jeremy Burton, But the price would definitely go up are you ok with that?

Mr. Jessen, What's that?

ES & S Jeremy Burton, Are you ok with that?

Mr. Jessen, What's that?

ES & S Jeremy Burton, The price going up? No?

Mr. Jessen, No my impression was the price was for new.

ES & S Jeremy Burton, It was in our original...

Mr. Jessen, That was my impression that's why I want to investigate that before we move forward.

Clerk Jessica Bailey, What part of it would be refurbished? Would it be the touchscreen or would it be the box?

ES & S Jeremy Burton, All of it, all of that picture there.

Clerk Jessica Bailey, So if a latch breaks how do you...?

ES & S Jeremy Burton, We can fix it.

Clerk Jessica Bailey, But how do you differentiate what was fixed?

Mr. Whitten, They got a guy driving around.

ES & S Jeremy Burton, What do you mean?

Mr. Larson, They got a guy I love that.

Clerk Jessica Bailey, When it says refurbished how do we know if it was a lock or if it was a touchscreen?

ES & S Jeremy Burton, Oh, so they'll be inspected thoroughly, cleaned, reloaded, anything broken will be fixed and that's what the refurbishing process is. Then they will be warranted as new.

Clerk Jessica Bailey, So it could have been a major component?

ES & S Jeremy Burton, It could have been...yeah anything you're right.

Ms. Graham, But it's not the poll books?

Clerk Jessica Bailey, No it's not the Poll Books and it's not the Express Voters.

ES & S Jeremy Burton, Yeah.

Ms. Graham, Ok.

Mr. Whitten, Ok I really think that we have a few pieces of the puzzle to get together. I really want...

Ms. Graham, Well in-between now and then we could ask questions.

Mr. Whitten, I want the Commissioners here, I'm not going to vote on this myself without all the stakeholders here so let's tentatively...let's just set a meeting, advertise it and we can start by singing happy birthday.

Mr. Rivas, 5:00 p.m. the 29th? The earlier the better...

Mr. Whitten, Do you guys have a problem with that?

Ms. Graham, No.

Mr. Whitten, So I would like for everybody to...I would suggest for everybody to talk amongst themselves, call the Commissioners, reach out to Jessica with questions. Let's get as much as we can get gathered up before then and in the meantime I'm going to double back around with Dave Bengs and find out exactly what he is getting

from the banks. As soon as I get information with respect to what financing interest rates we can get or terms we can get from the banks I'm going to disseminate that to you guys so that you can sort of mull that over. I would suggest that we talk to the Auditor coming into this meeting and we know exactly what the numbers look like, exactly what kind of money that we have to find and exactly how we are going to find it. That's my suggestion...

Mr. Poparad, Can I jump on Mike's bandwagon about these refurbished? What does new cost us is that possible Jeremy?

ES & S Jeremy Burton, Yeah new would be more expensive.

Ms. Graham, How much more?

Mr. Rivas, Obviously.

ES & S Jeremy Burton, Well let me look at the...

Mr. Poparad, I'm just curious?

ES & S Jeremy Burton, So...

Mr. Poparad, Because you generally don't buy used computers you buy new.

ES & S Jeremy Burton, Right.

Clerk Jessica Bailey, They're warrantied as new.

ES & S Jeremy Burton, So right now the refurbished is \$3,995 warrantied as new. The normal price is \$6,000 for new so it is going to be significant...so a couple thousand times 140 you are looking at an additional.

Mr. Larson, I think that was our conversation originally we talked about you having the refurbished.

ES & S Jeremy Burton, Yes.

Mr. Whitten, So when we come here is the deal...when we come in two weeks I would strongly suggest that we have Dave Bengs here and anybody else from the Election Board that you want. But the only reason I say Dave is because he was working on this agreement and he's been out there doing the interest rate and terms with the Banks. Let's get everybody here, we now have a preliminary look at this and we will just go from there.

Clerk Jessica Bailey, Are there any other specifics...I have refurbished versus new as far as how many? Interest rates and how much it is for new, like what the total would be anything else?

Ms. Graham, Are you comfortable with this?

Clerk Jessica Bailey, Yeah I used it when we went to Election Conference and there was a couple of other ones there as well.

Mr. Poparad, Vicki what as her budget for training?

Auditor Vicki Urbanik, Well in the Election Board budget for 2019 there is \$1,500 but we believe that's largely for staff to go to training conference.

Mr. Poparad, \$1,500 dollars in training?

Auditor Vicki Urbanik, Pardon me?

Mr. Poparad, Well I mean for the poll workers, what...

Auditor Vicki Urbanik, No for the poll workers correct me if I am wrong I don't want to speak for the Election Board here but usually the training for poll workers is done in-house. Staff members...

Mr. Poparad, I know that, how much money is for the poll workers pay?

Auditor Vicki Urbanik, Oh I see...

Mr. Larson, Between \$140,000 dollars and we were about \$170,000 dollars last year because we...

Auditor Vicki Urbanik, Yes.

Mr. Jessen, And perhaps for the 29th meeting just give the information that you solicit from the other counties have that too so we can answer some of these other miscellaneous questions?

Mr. Poparad, This is a high school question will they let the 18 year olds out if they want to be poll workers?

Clerk Jessica Bailey, They did last year.

Mr. Simms, Valpo doesn't have school and in our school system all the kids have to do is ask and the principal lets them go.

Mr. Larson, And actually the Election Board was petitioning almost all the schools to have them closed on that day.

Mr. Rivas, E-learning days.

Clerk Jessica Bailey, Correct.

Mr. Rivas, Portage does, Valpo does.

Clerk Jessica Bailey, And we've already started working toward that again.

Mr. Larson, Because the security issue alone...

Clerk Jessica Bailey, Yeah.

Mr. Whitten, We can talk, so alright we all know where we are at for the 29th? Joy I assume that you will get that out?

Administrative Assistant Joy Blakely, Yes.

Mr. Whitten, I assume that you will let the Commissioners know and Jessica you are going to notify the Election Board?

Clerk Jessica Bailey, The Election Board yes.

Auditor Vicki Urbanik, We need her to submit the form tomorrow.

Mr. Larson, Did you hear that Jessica?

Clerk Jessica Bailey, No.

Mr. Larson, You know that form has to be in tomorrow.

Clerk Jessica Bailey, What?

Auditor Vicki Urbanik, We'll do it for you and then you need to sign it.

Clerk Jessica Bailey, Ok

Mr. Rivas, To submit the form for the additional.

Clerk Jessica Bailey, Ok.

Auditor Vicki Urbanik, We need to submit it tomorrow by the end of the day to the Chesterton Tribune.

Clerk Jessica Bailey, Ok

Mr. Whitten, Ok and Vicki maybe you could get or maybe the answer is no but maybe you could get an idea of when they think they'll be approved. Are we talking about March for additional being approved by the State? Maybe you can get a feel...

Auditor Vicki Urbanik, Yes.

Mr. Whitten, So we know if we do an additional the money is not going to flow till March...

Mr. Larson, What did we put aside was that about \$400,000 dollars?

Mr. Poparad, They sell it to us on a promise Dan.

Mr. Whitten, I would venture to guess (inaudible) alright thank you Jessica.

Clerk Jessica Bailey, Thank you.

- **Porter County Auditor Vicki Urbanik – Approve 2018 Encumbrances**

Mr. Whitten, Alright Vicki let's talk a little bit about these 2018 Encumbrances.

Auditor Vicki Urbanik, Ok do you need me to sit there or just here.

Mr. Whitten, Yeah why don't you come down here.

Auditor Vicki Urbanik, Ok. This happens every end of the year so it's nothing new but it is new for you. We have been advised by State Board of Accounts that the County Council should be approving the list of all carry forward and appropriations also known as encumbrances from 2018 to 2019 and the best way to think about encumbrances is that instead of using their 2019 budgets the departments that submitted requests are using un-appropriated...I mean unspent appropriations from 2018. They already have the appropriation in their budget and in order to submit this we require documentation that it is for an expense occurred in 2018 but for whatever reason they did not submit the claim. Maybe the invoice didn't come until January which happens quite a bit.

Mr. Whitten, So we talked a little bit about last year about how much money you think that we are going to have carryover, does this effect that?

Auditor Vicki Urbanik, Yes.

Mr. Whitten, So that's not good.

Auditor Vicki Urbanik, No because if we don't spend these appropriations out of the 2018 it would eat into any of the cash balances in the any of the funds.

Mr. Rivas, You've been dealing with this every year right? I mean you are calculating a percent...

Auditor Vicki Urbanik, Yes it's common and once the department does submit that the actual invoice...actual claim and it comes in less than what they submitted to us we only use the amount that's absolutely needed.

Mr. Rivas, So what do you need from us what are we doing different?

Auditor Vicki Urbanik, Basically...

Mr. Poparad, We are just acknowledging it by signing a form.

Ms. Graham, We are signing our name to it.

Auditor Vicki Urbanik, Just to sign it, just to approve it.

Mr. Poparad, The State want is to know what's going on.

Mr. Whitten, Right.

Auditor Vicki Urbanik, I think it is a move towards transparency.

Mr. Whitten, So are you asking us to vote to approve this? Is that what they are asking for a formal vote to approve the appropriations...or to accept them?

Auditor Vicki Urbanik, Yes to accept the encumbrances yes.

Mr. Poparad, I make the motion.

Mr. Whitten, We have a motion do we have a second to accept the encumbrances?

Mr. Jessen, Second

Mr. Whitten, Any further discussion? Is this any different than...numbers wise is there anything out of whack here? Is it extraordinarily off than you've see in the years prior?

Auditor Vicki Urbanik, No

Mr. Whitten, Are we spot on with the kind of trending?

Auditor Vicki Urbanik, I believe last year in the General fund we had about \$71,000 dollars in additional...I sorry carry forward encumbrances and this year we are looking at \$66,900 dollars now in some year and prior years there has been a lot higher encumbrances.

Mr. Whitten, Alright thank you, we have a first and a second can I get all in favor signify Aye? Opposed?

Motion carries on a unanimous voice vote.

Auditor Vickie Urbanik, I would ask that you sign this resolution and send it back my way so we have it on file.

Mr. Whitten, So any other matter that any board member wants to bring in front of us?

Mr. Poparad, Yeah I do have a couple...one question Vicki when you get back to your desk say hi. I have a request go sit down...

Mr. Whitten, By a show of hands does anybody have any idea what Bob is talking about?

Mr. Rivas, No.

Mr. Jessen, Baited breath.

Auditor Vicki Urbanik, Ok

Mr. Poparad, The departments have non-reverting funds...

Mr. Whitten, Some do.

Mr. Poparad, Parks, the Recorder's Perpetuation that's sort of thing, could I get a report of the record of what their cash balance is?

Auditor Vicki Urbanik, Certainly.

Mr. Poparad, Across the board everybody and that includes LOIT or whatever you guys call it this year. What do they call it this year?

Ms. Graham, LIT

Mr. Poparad, LIT/LOIT whatever.

Auditor Vicki Urbanik, Yes.

Mr. Poparad, I was wondering where all the cash is. When I was here in December I noticed that the...I heard that the Recorder has \$525,000 dollars in his perpetuation fund...that sort of thing, any none reverting.

Mr. Whitten, So Vicki how much of an effort for you to print that out? Nothing right?

Auditor Vicki Urbanik, Not...

Mr. Whitten, Just bring it to all the meetings. No it's not a bad idea it's a good idea just give us a copy.

Auditor Vicki Urbanik, Do you want it in a paper copy? Not just to show it here.

Mr. Poparad, No you can do whatever.

Auditor Vicki Urbanik, We can run it pretty easily now.

Mr. Whitten, Probably not a bad idea for us to trend those. Anything else Bob?

Mr. Poparad, Follow the money. Nope.

Mr. Whitten, Anybody else have anything to bring before this board?

Mr. Poparad, Thank for letting me come back.

Mr. Whitten, Anybody else have anything to come before the board?

Mr. Larson, I just think that there is another issue pressing that we probably need to address with the Commissioners and that's the reforming of the 911 situation with the leadership gone and the question is about the locale of some of the individuals that are operating there...

Mr. Whitten, So just to let you know Jeff that was something that I was going to talk to you about since your appointed to the 911 policy, I was going to ask you to communicate with the Commissioners get us an idea of what the new structure is going to look like? I'd like to know what their intention is to replace Mike Brickner or not? I want to know what the new structure is going to be if there is one? And maybe you can just kind of report back to us as sort of a 911 report to us if you don't mind.

Mr. Larson, No that's perfect.

Mr. Whitten, Anything else?

Mr. Rivas, Motion to adjourn.

Mr. Poparad, Are we having a February meeting then or not?

Mr. Whitten, Oh yeah wouldn't miss it for the world. We have a motion to adjourn and I will second that motion.

Mr. Poparad, You can't so I will seconded it.

Mr. Whitten, Actually you can it...

Mr. Poparad, I know but you can't make any motion.

Mr. Whitten, That's true. All in favor signify by saying Aye?

Motion carries on a unanimous voice vote.

There being no further business, meeting was adjourned.

**PORTER COUNTY COUNCIL
PORTER COUNTY, INDIANA**

Dan Whitten

Jeff Larson

Sylvia Graham

Mike Jessen

Bob Poparad

Jeremy Rivas

Greg Simms

Attest: _____
Vicki Urbanik, Auditor