

**PORTER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, MARCH 13, 2018
10:00 A.M.**

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

The Regular meeting of the Porter County Board of Commissioners convened at 10:00 a.m. on Tuesday, March 13, 2018 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

Com. Good, Good morning, this is the Board of Commissioners' Meeting on March 13th, 2018.

CONSENT AGENDA

Approval of Minutes – January 30th, February 13th February 15th and March 1st, 2018.

Approval of Payroll – February 17th and March 3rd, 2018.

Approval of Claims – February 15th, February 22nd and March 1st and March 8th, 2018.

Treasurer's Monthly Report – January 31st, 2018.

Weights and Measures Report – January 16th to February 15th, 2018.

Comp Time Report.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

- 1. Don Parker – Artistic Services Agreement.**
- 2. Andrew Snyder – Artistic Services Agreement.**

Com. Blaney, moved to approve the Consent Agenda, Com. Biggs, second, motion carried.

ANNOUNCEMENTS

Com. Good, Over the last three weeks the County has experienced quite a bit of flooding. It has been a record event. We have been deployed. Our Storm Water, Highway all of the different hands on deck EMA have all been involved in this and I would just like to take this opportunity to thank Mike Novotney the County Engineer, Andy McKay and all of the guys in the Highway Department. We have Rich Spicer is one of our Field Project Managers and has been down there. We have Chelsey who is new and a Junior Engineer in the Storm Water Department. Bob Thompson who is also head of Storm Water and Plan Commission. Com. Blaney has been down there quite a bit and we just want to take this opportunity to thank everyone. We went over all of this in our Storm Water meeting before this meeting this morning. It was quite extensive. We're still out assessing damage. We can't assess a lot of the damage until the water recedes especially on bridges because you have to be able to look under bridges not on top of them. So we've already identified a couple of bridges that have failed. We still have some roads under water out there and we're just now waiting for the water to recede, but it has been all hands on deck. These folks have worked tirelessly. They worked through the weekends. It is a very high stressful situation. You have people in danger. You have people in flooding situations of their homes. It is very emotional. It's very personal and I just want to thank our staff and our people here at County Government. Lance Bella in EMA and Lance is a new person in EMA for us. He is only been with us a month and a half to two months. So we're all coming together. We're all working together. The communication has been great. There has been a lot of take-away. We've learned a lot of things, but again I would just like to thank you all for being there and putting the time in at a time of assistance and need and I just want to thank you for that. I don't know if any of the other Commissioners have anything to say.

Com. Blaney, I just echo your statements. It was a rough deal down there for a lot of citizens and our people really stepped up and helped out and made the best they could out of a not so great situation. We've got a few things that we can make better next time if there is a next, hopefully not and we plan to work on that but overall we're proud of our people.

Com. Good, Also just one other point 8 days ago we declared an emergency for Porter County that will allow us to access federal funds. Not only for the County but also for the people who have been hurt from this situation. We put the information out in social media and everywhere possible to let people know who they have to contact to fill out these claims. We're still accessing ours and we don't know the total significant dollar amount yet but we're working on it frantically. Once again thank you.

NEW BUSINESS

COMMISSIONERS

Gariup Construction – Payment Application No. 5 in the amount of \$93,812.50 for the Admin. Plaza Renovation with a balance due of \$111,424.45

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

KBIC Consulting – Property and Casualty Fiduciary Agenda 2018

Com. Good, KBIC Consulting is our Property and Casualty provider for County's insurance. This is their service agreement for another year.

Com. Blaney, Is it 10 months? Why do we have it for 10 months.

Com. Good, It probably just gets us through the end of the year.

Atty. McClure, Yes it has to do with the renewals of the insurance.

Com. Good, It's tied to the new renewals right? We're changing that out.

Atty. McClure, Correct.

Com. Blaney, moved to approve KBIC Consulting, Com. Good, second, motion carried.

Health Insurance - Delta Dental – Dental Contract for Porter County Government

Com. Good, As you all know at our last meeting the County and the Board of Commissioners moved on the County's health insurance to a new provider. Part of this will also be moving the dental program under the health insurance this is with Delta Dental. This was discussed at length in our last meeting when we made these decisions. Delta Dental was approved by the County. In theory we're now moving into approving the contract for Delta Dental. Any questions from the Board of Commissioners?

Com. Blaney, moved to approve Delta Dental, Com. Biggs, second, motion carried.

Health Insurance - Tokio Marine – Stop Loss Proposal for Porter County Government

Com. Good, This is for our health insurance so we will continue with the stop loss.

Com. Blaney, And we voted on this the last time also.

Com. Good, This is just now the contract.

Com. Blaney, moved to approve Tokio Marine, Com. Biggs, second, motion carried.

American Structurepoint

- 1.) North County Complex Design Contract.**
- 2.) Amendment No. 1 for the North County Complex.**

Com. Good, As you recall at the last meeting we had accepted some proposals from American Structurepoint. This is now the actual contracts. The first one is the North County Complex design.

Atty. McClure, We approved at our last meeting the proposal for the North County Complex. This is the follow up for the contract and the next one will be for the amendment.

Com. Good, The first one is for the North County Complex design contract and we accepted the proposal at the last meeting. This is now moving towards the contract again.

Com. Blaney, moved to approve American Structurepoint, Com. Biggs, second, motion carried.

Com. Good, No. 2 is an amendment No. 1 for the North County Complex. Would you like to discuss the amendment Scott.

Atty. McClure, The amendment is to add an additional building on the property in Portage. This would be at this point 11,500 square foot building that would be dual purpose for the County and for the township. From the County perspective it would be the County Health Department up in the North part of the County the Assessor's office and also the Community Room. And then from the township's perspective it would be township trustee's offices along with a permanent location for the Portage Food Pantry. This design contract is an amendment to add for Structurepoint to design what I'm calling the "out building" which is roughly 11,500 square foot.

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

Com. Good, Just as a point of reference on the outbuilding up in Portage while we're working towards getting the building figured out and built we've also been meeting with the Portage Township Trustee and we've also been working on an MOU between the County and Portage Township on taking care of the grounds. So we always have building things well then you're handed off to take care of it. Portage Township obviously has a presence up there. I know for our Building Facility team here it sometimes very difficult to get up to Portage while we're taking care of everything around the center part of the County so we're now going to be working out an agreement with Portage Township so they will be helping us out with snow plowing. We will be sharing services from a maintenance standpoint. Overall I think there is going to be some savings there but on the other hand what we're going to have boots on the ground and the right people being able to take of these things without stretching our service group to the tenth degree. So we're very excited about that and I know Portage Township is too. Again it's just another way of trying to work together with other units of government to come up and create more efficiencies for the citizens and the burden on the County.

Capital Improvement - North County Complex "for Soil Borings"

Com. Good, In our agreement with Skillman Corporation they would be handling a certain off architectural needs within the Structurepoint contract so will be bringing these through here from time to time. The first one that we have is obviously we need to get soil borings done out there so we know how we're going to design these buildings. We have 3 quotes and as you can see we have:

- **Alt & Witzig Engineering, Inc. \$5,680.00**
- **K & S Engineering, Inc. \$7,800.00**
- **ATC \$8,450.00**

Com. Blaney, moved to approve Alt & Witzig Engineering in the amount of \$5,680.00, Com. Biggs, second, motion carried.

Animal Shelter - Cellular Phone Policy

Atty. McClure, This is just to formalize the people that will be getting cell phone reimbursement at the Animal Shelter. It brings them in line with the other County Departments as far as the department head. This is for the Animal Control officers themselves.

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

EMA DIRECTOR - LANCE BELLA

An Ordinance Establishing a Non-Reverting Fund for the Receipt of Charitable Donations for the Porter County Emergency Management Agency – 2nd Reading

Com. Good, Public Safety Director Mike Brickner is sitting in for Lance Bella.

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

An Ordinance Establishing a Non-Reverting Fund for the Porter County Emergency Management Agency As the Fiduciary Agent of Equipment and Supplies used by the Indiana District One Task Force – 2nd Reading

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

Mr. Brickner, I appreciate it, I did provide the Board with a copy of the breakdown for the assets for District One and annual cost just so you can have that as well. I will keep you apprised as that moves forward with the MOU's with the other counties.

Com. Good, Just for discussion purposes here and informational purposes our EMA, Emergency Management Association we have in Porter County, but Porter County's EMA is also part of a district EMA, which is District One. In the past Districts have different counties and the Districts have shared things such as equipment. They have moved things around from time to time. It was all pretty informal and when we had a changeover in personnel at our EMA we wanted to get our arms around it and take an inventory to see what we had and now we've approached District One and said as we are going to be using equipment from other counties we need to have agreements in place that stating who will take care of it, who will be doing certain things. So this is what this covers. This is just a formalization of our County with our District. I know when they were all approached they were okay with it too. Long overdue. Thank you Mike, have a great day.

SHERIFF DAVE REYNOLDS

Colleen Daugherty – A 6 month contract for Support Analyst. The contract is in conjunction with the Lake County High Intensity Drug Trafficking Area for the Heroin Overdose Project

Ms. Hahn, The Sheriff and Chief are at a school commissions meeting so they couldn't come today. This is the same contract we've had but we did increase her hours to 40. They pay for half and we pay for half. Not a full time employee at all.

Atty. McClure, And not an employee.

Ms. Hahn, Not an employee.

Com. Blaney, moved to approve the contract with Colleen Daugherty, Com. Biggs, second, motion carried.

Hobart – Service Agreement for the Jail kitchen equipment

Ms. Hahn, This is for the dishwasher you bought us a few years back.

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

Southpoint Partners – A Rental Agreement for the Sheriff's Drug Taskforce. The rental cost will be reimbursed by the Lake County High Intensity Drug Trafficking Area

Com. Good, Is this a continuation of the rent?

Ms. Hahn, Yes, they've been there for a while. Way before we took them.

Atty. McClure, And this is for an additional 2 years for 2018 and 2019.

Com. Blaney, moved to approve the contract with Southpoint Partners, Com. Biggs, second, motion carried.

TREASURER - MICHELLE CLANCY

Master's Touch, LLC – Tax Statement Printing and Mail Processing Agreement

Ms. Clancy, We've been with them for quite a few years now. They've kept the cost the same to us. They are providing great service. We have the e-notice going and it kind of builds a little bit every year. Which then reduces the cost of the bill print and mail so it has been working really good.

Com. Blaney, moved to approve The Master's Touch contract, Com. Biggs, second, motion carried.

EXPO CENTER – LORI DALY, DIRECTOR

Boyce – Annual Software License, Software Updates and Software Maintenance

Ms. Daly, This is for the internal accounting that we do, the ledger.

Atty. McClure, The contract is for \$1,780.00 for the year.

Com. Blaney, moved to approve the Boyce contract, Com. Biggs, second, motion carried.

IT DEPT. – DON WELLSAND, DIRECTOR

A request to approve an Adams Remco Copier Purchase Agreement in the amount of \$8,564.00 for E911

Com. Good, I believe their copier is at end of life.

Mr. Wellsand, Yes.

Com. Blaney, moved to approve the Adams Remco contract, Com. Biggs, second, motion carried.

A request to approve an Adams Remco Maintenance Agreement for E911

Com. Blaney, That is 3 years. What is the total on that?

Atty. McClure, This adds to our already existing maintenance contract itself correct?

Mr. Wellsand, This would be paid by 911.

Atty. McClure, But it is part of our overall umbrella of all of the maintenance contracts for all of the copy machines.

Mr. Wellsand, Correct.

Atty. McClure, Which was done to be able to get them all at a lower rate.

Com. Blaney, moved to approve the Adams Remco maintenance agreement for 3 years, Com. Biggs, second, motion carried.

RSM – An agreement to provide Information Technology Support Services

Com. Good, These are the consultants that help put the IT Audit together for the County. This is a service agreement that we are going to take on for this year. This is for them to provide IT technology support services. We're putting this agreement in place. It's only billed as needed. As we work through all of our IT upgrades that we're going to be doing here in the County and then we have some heavy lifting that we're going to be doing towards the end of this year with the Jail, with 911 some pretty very expensive equipment that is at end of life that we need to go in and update. We're talking like \$1 million to \$2 million phone systems here. We want to be able to have a consultant on board that we can talk to about the specialized equipment. We always were told that you can't really bid this type of equipment out. We're finding out that you can. There are other providers out there but we're just going to keep mining, we're just going to keep trying to figure it out and we have some really smart people there that can help us on an as needed basis. I think that is a good move.

Com. Blaney, moved to approve the RSM agreement, Com. Biggs, second, motion carried.

NITCO – Contract for Fiber run from JDC to the Admin. Building

Com. Good, If you have been coming to our meetings the last couple of years we've been running a lot of fiber to all of our County buildings. This is an extension of that. I think this was part of the monies that were approved by the Council at the end of the February meeting is that correct Don?

Mr. Wellsand, Correct.

Com. Good, So now we're executing on that money that we got from the Council and the General Fund to upgrade our IT Department over a 2 year plan and this is starting us off. What is the amount of this contract Don?

Atty. McClure, Well I think we need to go through it a little bit because we kind of have a partnership with NITCO on a cost share to get this fiber run put in. Don can you please elaborate on that a bit.

Mr. Wellsand, I've been talking with NITCO for the last year about running a fiber between JDC and the Admin. Building. They approached me about it and wanted us to go into partnership with them and we would only pay a portion of the cost of it. We're getting a 12 strand fiber that is going to be owned by Porter County and they are going to have their own fiber in the same conduit so they can sell their portion of it but we have all rights to the 12 strands of fiber that they are putting in for us. The total cost is like \$73,000.00 and our portion will be \$31,000.00.

Atty. McClure, The total construction cost was \$73,924.00 and then our portion of that is \$31,962.04 and then that gives us the fiber run that we need between the two.

Mr. Wellsand, There is a 2 to 3 month waiting period before the construction can start so I'm probably looking at maybe July or August before we actually get it finished.

Com. Good, So that will put the Juvenile Detention Center on high robust speeds.

Mr. Wellsand, It will be the Juvenile Center, the Highway Department and EMA.

Com. Good, Okay, so all of those facilities.

Mr. Wellsand, I've already got fiber run between Juvenile Center, Highway and EMA now.

Com. Good, Don one other question the fiber work that we have to do at the North County Chesterton Garage has that been done? I know they were having problems with the timeclock up there not having robust Wi-Fi right Vicki?

Ms. Urbanik, Exactly.

Com. Good, I just wanted to make sure that that has been handled. I saw the thing screwed on the wall but I didn't see the things with the lights in it.

Mr. Wellsand, That is still in progress. NITCO hasn't finished the run to the building yet, but I was told by Tom Carrol that we're looking at early spring. So once the fiber gets to the building then we can get them.....

Com. Good, Punching down. Thank you for the update.

Com. Blaney, moved to approve NITCO for fiber run, Com. Biggs, second, motion carried.

IT Policy

Mr. Wellsand, Yes I've been working with H.R. getting IT policies put into place. I've completed the policies that H.R. needed for all of the Porter County users. She has all copies of that now. I'm in the process now of working on the IT policies that are strictly used in the IT Department and this is the first one that I'm bringing to you.

Com. Good, Are there any questions of this policy from the Board?

Com. Blaney, No I'm glad you're doing this.

Com. Good, Yes this is long overdue.

Com. Blaney, Do we need to approve this?

Atty. McClure, Yes.

Com. Blaney, moved to approve the IT Policy, Com. Biggs, second, motion carried.

Com. Good, We'll look for more policies coming forward Don. Keep writing. Thanks.

FACILITIES DIRECTOR – MATT STECHLY

Quotes for two Tilt Skillets for the Jail kitchen:

- **C & T Design** **\$31,963.58**
- **Federal Supply USA** **\$33,217.24**
- **Boelter** **\$32,542.23**

Mr. Stechly, The tilt skillets both of them were brought over from the original Jail. So we definitely gotten our life end use out of them. We have been down to one for a while because one of them officially rusted out and there is a hole in the burner so flames shoot out of it. They've been operating on one and I've been working with them said it's time to do it it's a new year, a new budget, it's needed definitely. The 3 quotes before you C & T Design came in the lowest this is to furnish two of them. They are state of the art units installed everything turn key for \$31,963.58.

Com. Good, And that is your recommendation? Any questions from the Board?

Com. Blaney, moved to approve the low quote from C & T Design for \$31,963.58, Com. Biggs, second, motion carried.

Mr. Stechly, And also regarding the Jail kitchen they've got a vendor over there that also assists with the food prep so I've been working with my team at the Jail and that vendor to put a Capital Plan for the Jail kitchen itself. There is a lot of equipment in there, a lot of moving parts and pieces, refrigeration systems that are old and obsolete. So trying to get away from everything being a surprise and really get on top of it. So that is something that is good that is in the works.

Quotes for fencing at EMA:

- **Northwest Indiana Fence** **\$ 9,000.00**
- **Fence Masters** **\$10,490.00**
- **Security Industries** **\$28,128.00**

Com. Good, Moving over to the EMA Building on Highway 2, I think we mentioned earlier that we have a new EMA director one of the first things that I said he did when he took over is he went out to the garage on Highway 2 to the office and totally cleaned it out. Took inventory, has everything organized now, has everything cataloged. One of the things that became very apparent we have the equipment agreement now and the agreements with District One. One of the things that we need to do in that building is to lock down a certain area. A lot of this equipment needs to be locked up. What we have here is the quotes for the fencing which are inside of that building to create a locked up area. Matt if you can elaborate on that.

Mr. Stechly, This actually also includes fencing around the switch gear outside on the generator. So there are 2 different types of fencing. Lance approached me wanting some fencing which is where the quote from Security Industries came from and then I got involved and was able to shore up to additional quotes. All of them spec the same. I met onsite with Northwest Indiana Fence themselves. So we walked through it and basically it's 8' high fencing around the outside generator and switch gear with barbed wire fencing and then upstairs the 2nd floor where the Bomb Squad, the Health Dept., there are all these different agencies that share storage space this fencing on the 2nd floor is to divide that space up so only the Bomb Squad can get into their stuff. It's basically making sure that everything is secure and accountable and nothing walks. Northwest Indiana Fence came in the lowest at \$9,000.00 for both sets of fencing.

Com. Blaney, moved to approve Northwest Indiana Fence in the amount of \$9,000.00, Com. Biggs, second, motion carried.

HIGHWAY ENGINEERING – BOB THOMPSON, DIRECTOR

Robert A. Binger and Christina S. Mooradian – Petition to vacate Vale Street adjacent to Lots 28 & 29 in Block 3 in Hillcrest Park, recorded in Misc. Record "K" page 131 – 1st Reading

Mr. Thompson, Hillcrest Park is south of 600 North in the Valparaiso Lakes area. They requested a portion of Vale Street to be vacated adjacent to their lots. This is a 20' unimproved right-of-way going south of 600 North. They are only asking for half of the right-of-way to be added to their adjacent lots. We advertised this into the newspapers and letters were also sent out for this this is a public hearing.

Atty. McClure, Did you give your staff recommendation?

Mr. Thompson, Staff recommendation we looked and called up the utility locate. We noticed from maps from Valparaiso Lake Area Conservancy District that there are no utilities running there with them, which is sewer and water. The other utility locates came out and they said the right-of-way was clear in this area. The only thing that I wasn't sure of and I visited the site on this was whether or not this was used by the area residences as a pathway going down to the lake, because there was access to the lake. I did not see any indication of that so based off of that I would say recommend to approve.

PUBLIC HEARING OPENED

Com. Good, Is there anyone wishing to come forward and speak against this petition? Second call anyone wishing to come forward and speak against this petition? Third and final time anyone wishing to speak against this petition? First call anyone wishing to come forward and speak in favor of this petition? Please come up right here and state your name.

Ms. Mooradian, I'm Christina Mooradian and my family has owned the property abutting the street for over 40 years and we've been responsible for maintaining it and we are considering putting in a garage in that area so that is why we're asking.

Com. Good, Thank you for coming forward. Second call for anyone wishing to come forward and speak in favor of this petition? Third and final call anyone wish to come forward and speak in favor of this petition?

PUBLIC HEARING CLOSED

Atty. McClure, And just for the record all of the adjoining property owners were notified by certified mail. There was also the appropriate advertisement in the paper. Notification has been done and that was done by the petitioner.

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

Raymond G. Pullins and Lois M. Pullins Revocable Living Trust – Petition to vacate unimproved and un-named road right-of-way adjacent to Lots 1 and 2 in Hurlburt, recorded in Misc. Record “E” page 184 – 1st Reading

Mr. Thompson, This is another petition to vacate. Hurlburt as mentioned is on 450 South. It's a number of stripped off lots along 450 South on this. They own all of the adjacent properties on both sides of the little segment. This unimproved road wraps around the lots all along 450 South on this. The house is actually built in the right-of-way from what we are seeing all of the indications of that. We called up the utility locates. We did not see where any utilities are running in this area due to the house. They marked clear on this. Certified letters were issued to the adjacent lot owners. It was also advertised in the local newspapers. Staff recommendation is to approve.

PUBLIC HEARING OPENED

Com. Good, Anyone wishing to speak against this petition, please come forward give your name and address? Second call anyone wishing to speak against this petition? Third and final time anyone wishing to come forward and speak against this petition? First call for anyone wishing to speak in favor of this ordinance? Please state your name and address and we'll go from there.

Atty. Bartholomew, Good morning ladies and gentlemen my name is Christian Bartholomew. I'm an attorney for the petitioner. Essentially I think that the facts have been laid out pretty well. This is a 40' strip of land that runs between two parcels that my clients already own. Notably this right-of-way has not been in use, I think it was platted back in the late 1800's. Nobody ever did anything with it. At the other end of the numerous parcels within the right-of-way the right-of-way has already been vacated in other places. Given the fact that it is pretty much unusable and my clients do have a structure in the middle of the right-of-way right now we would just ask that the Commission approve it.

Com. Good, Thank you. Second opportunity anyone wishing to come forward and speak in favor of this petition? Third and final time anyone wishing to come forward and speak in favor of this petition.

PUBLIC HEARING CLOSED

Com. Blaney, moved to approve, Com. Biggs, second, motion carried.

INDOT – LPA Agreement for Countywide Bridge Inspection & Inventory Program for the cycle years 2018 - 2021

Mr. Thompson, This is the agreement as mentioned between INDOT and the County Commissioners so INDOT can open up a P.O. for allowing us to receive the 80% reimbursement for the program.

Com. Blaney, moved to approve the LPA agreement with INDOT, Com. Biggs, second, motion carried.

USI Consultants – Supplemental Agreement for right-of-way services Bridge 126

Mr. Thompson, This is for Bridge 126, this is part of the Capital Improvement Plan. Our consultant USI presented some preliminary plans to Mike Novotney and I on some alternatives. The alternatives that Mike and I chose was a good alternative in that sense where the life span of the bridge is going to be far greater than the concrete box beams that are in there now. We're trying to avoid purchasing right-of-way on these bridges but with this and proper design we are going to have to purchase a little bit of right-of-way for this and we felt it was important on this so therefore we are asking USI to present an agreement on this for additional purchase of right-of-way.

Com. Good, And the 126 Bridge is where again?

Mr. Thompson, This is on 700 North just east of 149 over the Salt Creek. One of the things to explain quickly why we're having to do this too is based off of the recent events and everything on this we were presented a hydraulic analysis by USI and from going out in the field Mike Novotney and I both noticed that the flood water was taken under the bridge alright it was still in the middle of the beams. So we're asking them to raise that bridge up a little bit up so that there is no obstruction.

Com. Good, Do the number of pilasters holding up the bridge has that been reduced at all or is the same design?

Mr. Thompson, Probably if anything it is going to be widened a little bit so we can get it out of the stream. It's is going to be a total clear span over the bridge. There are not going to be any piers within the stream from what we saw with the original design.

Com. Blaney, moved to approve USI Consultants, Com. Biggs, second, motion carried.

ENGINEERING & PLAN COMMISSION – BOB THOMPSON, DIRECTOR

Unified Development Ordinance Amendment – Chapter 4 – Planned Unit Development Districts - 1st Reading

Mr. Thompson, The Plan Commission at their last public hearing voted 6 – 0 to forward this to the County Commissioners with a recommendation of approval. Essentially what this amendment does it allows some flexibility with the size of the parcel that a developer could go forward with doing a UDO. Currently right now it's very strict with the policy. It has to meet certain acreage requirements. What we've added is the flexibility in there to allow them to go forward with a smaller parcel of land if they might a certain criteria laid out within the UDO and there are 4 of them I believe. The Plan Commission feels that the design and the intent of the proposal before them meets these criteria so they can waive the size requirements. Plus we did reduce the all residential PUD requirement from 20 acres down to 5 acres.

Com. Good, And Plan Commission voted on this?

Mr. Thompson, Yes they voted on this and forwarded it on to the Commissioners with a 6 – 0 recommendation for approval.

Atty. McClure, So to be clear we used a lot of acronyms under RUDO this is the PUD portion.

Mr. Thompson, Plan Unit Development, correct.

Atty. McClure, This is doing a modification to the Plan Unit Development standards within our Unified Development Ordinance.

Mr. Thompson, Correct.

Com. Good, And for the benefit of everybody in the audience we get to go through another public hearing.

PUBLIC HEARING OPENED

Com. Good, Is there anyone wishing to come forward and speak against this petition? Second call anyone wishing to come forward and speak against this petition? Third and final time anyone wishing to speak against this petition? First call anyone wishing to come forward and speak in favor of this petition? Second call anyone wishing to speak in favor of this ordinance? Third and final call anyone wishing to speak in favor of this ordinance?

PULBIC HEARING CLOSED

Com. Blaney, moved to approve the UDO Amendment Chapter 4 1st Reading, Com. Biggs, second, motion carried.

Com. Good, This will be on our next agenda for the 2nd Reading.

Maintenance Agreement for Porter Business Park, Phases 1 & 2

Atty. McClure, This is a little newer so walk us all the way through so everyone gets what we're doing.

Mr. Thompson, We've changed our maintenance agreement procedures on this. Before we used to go forward and accept the road immediately into our inventory and have the developer file a 2 year maintenance agreement with the County Commissioners. Now that we've acquired the Highway Engineering up there Mike Novotney I sat down and worked this out. We're following the Unified Development Ordinance requirements where on this it's a 3 year period that we're agreeing to do maintenance on these roads such as snow plowing on it very limited maintenance. The developer is still going to be responsible for any major infrastructure requirements and everything like this. It's sort of an observation period. We're making sure that this infrastructure is going to be good within the 3 year period on this. So it's just a maintenance agreement. We're watching it, we're agreeing to snow plow it, and do the limited on this. After the 3 year period then we come back in and we start going through the procedure to actually accept the roads into the system. We'll review the infrastructure again to make sure it has met the requirements of our County codes and is functioning properly according to our County codes. Then we will come forward with the actual acceptance on this. In this time period right now anything that comes up the developer is still responsible for doing the major maintenance on it. If they do not we do have the letter of credit that is in place that we can go in and pull from this letter of credit to go in and do the maintenance on it.

Atty. McClure, So this is like the warranty period.

Mr. Thompson, Exactly, I'm sorry I was trying to think of the word warranty.

Atty. McClure, So it's a 3 year warranty period before we formally accept it and during the warranty period and in this particular case there is \$246,355.00 letter of credit if in-fact there is some sort of defect in the roads before we officially accept it into our inventory.

Mr. Thompson, Correct. Which one of the things too mentioned we will have a walk through at the end of this period and any kind of crack we see in the roads they are going to have to seal properly. We're going to have to go through a step by step process to be able to bring it back to the Commissioners again for the actual acceptance.

Com. Good, And to everyone out there this is another added benefit we feel by having the Storm Water Department in with Highway Engineering. So this is all being handled in one department. All of the discussions are taking place in one department. A lot of this came as outcomes because of the Storm Water Management. We started seeing failures in a lot of older subdivisions. Street failures in subdivisions that went belly up during 8 or 9 years ago when things went south. I just want to commend the Plan Commission, Bob your department because this is long overdue. I think this will put a lot of owness on the developers to build those roads right the first time and that is really what we want here. We've also increased some of our specifications on subdivisions too. So hopefully 30 years from now we're not dealing with the type of problems that we're dealing with today on 30 to 50 year old infrastructure that is failing in a lot of these subdivisions. We acknowledge the problem, we addressed it and now this is the part of fixing it. I commend the Plan Commission and everybody for working through this this is desperately needed. Thank you Bob.

Mr. Thompson, Two items I want to put in real quickly for Porter Business Park in this situation. We do have a hold harmless agreement on this because of the islands that are within

the roadways there and some of the landscaping features that they do have. Part of the condition too on this is before we'll go in and actually do the plowing or the light maintenance is they must put in delineators, reflective delineators so that way we could see where these landscaping features are and the plow drivers will know.

Atty. McClure, And there was also an interplay with the Storm Water right?

Mr. Thompson, With the Storm Water on this we did go out and do the inspections on this. We did feel that there were some deficiencies but the Storm Water is being maintained by the Damon Run Conservancy District and the Damon Run Conservancy District accepted it. Put that in for the record.

Com. Good, Okay, good clarification.

Com. Blaney, So the reflectors and so forth that is part of this agreement or it's something you're adding?

Mr. Thompson, It's part of it. We've explained to the developer that they need it up before we'll actually go in and do any kind of plowing.

Com. Blaney, moved to approve the Maintenance Agreement for Porter Business Park, Phases 1 & 2, Com. Biggs, second, motion carried.

DAVID BENGS, ELECTION BOARD PRESIDENT

ESS Service – First Amendment to Agreement

Atty. Bengs, I will give you a preview real quick. At our Election Board meeting last week we delegated the election responsibilities to the County Clerk. This was in response to the concerns by the County Council. So Madam Clerk has assumed the duties and requirements of conducting the upcoming elections and so just as a matter of form I'm going to let her present that as part of her new responsibility and that transition. The Election Board will continue to monitor and approve anything. Same with our budget approvals and any expenditures and so forth will still be approved by the Board. Some of those election responsibilities will be also approved by the Clerk's office and any requests she would make to make sure that she can perform the duties of the election herself. So I kind gave a preview, but I did want let her present that since we've done this transition.

Ms. Martin, We forward to your attention the 1st Amendment to the Agreement. What we had done we had taken the previous agreement and just used the old terms and added on an additional year since we did not purchase any new equipment. So the payment that would be due April 15th for our current equipment would be \$138,276.75. We're requesting your approval for that contract for maintenance, because we will need that equipment for the election.

Com. Blaney, moved to approve the ESS Service agreement, Com. Biggs, second, motion carried.

Approval of original polling locations

Ms. Martin, We have forward to your attention the detailed accounting of the polling locations we have 75. Each and every location has been reviewed to fall within the current structure and either have been used in a previous election or have been approved and reviewed for this election. One change we have is Boone Township it will now be at St. Helen's Church otherwise pretty much they are the same.

Com. Blaney, You said it's not going to be at the church?

Ms. Martin, No it will be at St. Helen's Church. It was at the community building previously.

Com. Good, Did we figure out what we're doing with Expo?

Atty. Bengs, They are going to move it to the 4H Building because of the construction.

Com. Good, Okay, so they are just moving it within the campus.

Atty. Bengs, Same location but they are going to use a different building.

Com. Good, Great glad that worked out.

Ms. Martin, You had some August things going and some other things gone on.

Com. Good, It was getting pretty busy there.

Atty. Bengs, They worked with us so they could keep that same location. We're just moving it to a different building.

Com. Good, Any questions of the Board?

Com. Biggs, Karen and Dave I just have a couple of questions. One is since you've been given the responsibility of taking over the election what are Kathy and Sundae's roll at this point?

Ms. Martin, Voter's registration.

Com. Biggs, Just voter's registration?

Ms. Martin, Correct.

Com. Good, Do you have any other ones? Laura do you have any?

Com. Blaney, No.

Com. Blaney, moved to approve the original polling locations, Com. Biggs, second, motion carried.

With no further business the meeting was adjourned at 11:00 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor