

**PORTER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, APRIL 9TH, 2019
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, April 9th, 2019 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

Com. Good, Good Morning this the Porter County Board of Commissioners' Meeting Tuesday, April 9th.

CONSENT AGENDA

Approval of Payroll – March 22nd and April 5th, 2019.

Approval of Minutes –March 19th and March 22nd, 2019.

Approval of Claims – March 21st, March 28th and April 4th, 2019.

Weights and Measures Monthly Report filed for February 16th thru March 15th, 2019.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENTS

1. Valerie Balogh
2. Eric Lester
3. Alexis Bratsakis
4. Don Parker

VENUE RENTAL AGREEMENT - NON PROFIT

1. South Shore Orchestra

NEW BUSINESS

Com. Good, I would just like to make an announcement today we've released and approved the 2018 Development Storm Water Management Yearly Annual Report. This is our first report for this department. This department is just 3 years old. This is our first year that we've done an annual report. You will be seeing these every year. It will be posted on line. We will be handing them out. Any how you can get your hands on it you should really read it. It is a great report and it tells you what the County is doing, the money we're spending, where we're spending it, what we're doing, why we're doing it. It's all in here. It also talks about how our department is formed, how we operate. Everyone should have a really good understanding when you have this report. This is a good report that we'll be putting out every year and it lets our citizens, taxpayers and fee payers know where this money is going and how it is being used in a transparent way. This is part of our educational piece as well even it doesn't apply to that it is still an educational piece. We're very proud of it and a lot of hard work was put into this. It is a very easy document to read. If you're a citizen of Porter County I would encourage you to read this and really find out what we're trying to do up here because that is the hardest part up here is getting what we do out to everyone. So everyone knows what is going on. That is going to be on going. Thank you for the report it was accepted this morning in the Storm Water Management meeting so this is an official document of County Government. Thank you.

COMMISSIONERS

GIS – Renewal of Workers Comp and Property and Casualty Insurance.

Mr. Keene, Charlie Keene with General Insurance Services.

Mr. Behrendt, Mark Behrendt with General Insurance Services. We would like to say that we appreciate serving the County as your Property and Casualty Broker and Risk Management Consultant and we look forward to continuing working closely with you to implement your Risk Management strategy. Just a little background in April of last year we recommend that you place the Property and Casualty coverage with Travelers Insurance. At the same time the County's Workers Comp. was placed in a partially self-funded program. That process went out to 12 carriers. 5 carriers provided quotes and after the analysis of those we recommended that along with KBIC we place the County's coverage with Travelers as well establishing a self-funded workers comp. program.

Mr. Keene, A little bit about the renewal, the renewal is officially on April 10th. There are 3 parts to the renewal program. The first is the Travelers renewal section which includes the property, the liability, the automobile and the excess liability. The second is the cyber liability which is provided by Lloyds of London, CFC Underwriting is the underwriting group that handles that. Katlin Morgan Insurance Services as Mark stated handles the partially self-funded workers compensation program that we established approximately a little over a year ago. With that being said your packets include a renewal premium summary so we are just putting a comparison together expiring versus the renewal. The renewal premium for all lines of coverage with the exception of the self-funded workers comp. which we're not renewing anything at this point in time \$948,358.00. The premium itself is up about 4.3%. 2.3% of the premium increase is from exposure so your general liability is based on expenditures not including capital improvements. Expenditures are up and therefore the premium is up. The base rates have stayed exactly the same, no change in the actual base rates. The remaining 2.6% of the premium increase is from the automobile coverage. We've changed the deductible on the automobile coverage net renewal from a \$500 liability deductible to a 0 liability deductible and we can get to the nuances of that at a later meeting. Also, the auto rates have gone up 1% which is significantly below the industry average of 2.5% to 3.5% right now. Auto is the industry lost leader it's rough. I feel that the Travelers renewal is very favorable from that perspective. As far as the self-funded workers compensation we are just recommending that the County contributes \$417,865.00 into the loss fund. There are no insurance policies or contracts to renew with that regards just the funding of your loss fund.

Mr. Behrendt, In addition to recommending renewing with Travelers we also recommend a new coverage that is available. Travelers is offering work place violence coverage. Some of the things included are counseling services, independent security guard services, security consultants, public relations consultants and forensic analysis. The limit you get out of this is \$250,000.00 and the premium is \$1800.00 roughly. We recommend that this coverage would be something to look at. In conclusion we're excited to continue on as your risk management consultant and recommend the continuing coverages as well as the work place violence coverage.

Mr. Keene, That was very brief are there any questions?

Com. Good, So it looks like the bulk of the increase is for autos and liability coverage.

Mr. Keene, That is correct.

Com. Good, And the liability coverage went up why again? Was it sales related?

Mr. Keene, Essentially in the government world we talk about expenditures but you are equating it exactly correct.

Com. Biggs, We're also adding an entirely new building 57 Franklin.

Com. Blaney, That is part of this?

Com. Good, In the base liability yes, correct?

Mr. Keene, We made lots of improvements over the course of the year that we've come and talked to you about.

Com. Blaney, That is not part of the increase.

Mr. Keene, It is not, no it's exposure on the general liability and the automobile.

Com. Biggs, Would the renovation specific in the North County Court Annex because we're going through more square footage, would that affect it as well?

Atty. McClure, It will once it's completed.

Com. Biggs, So that is not part of this?

Com. Good, No that's builders risk that is under the building portion of the building. In builders risk there is liability there as well. Yes, those premiums will increase though and we're preparing for that. Any other questions for the Board?

Com. Biggs, I think your firm is doing an excellent job.

Mr. Keene, Thanks.

Com. Good, Yes a lot of the public again doesn't see all of the work that goes into this and all of the things that we've changed and moved around. We've changed balances and coverages and other things all through the recommendation. You guys have just done a great job and also in this plan we have included to have safety meetings to try and get our work comp. numbers down. We actually have someone outside of government that comes in and conducts these meetings to make sure they are relevant. To make sure that people are listening and we're training. So we have a lot more teeth into what we are doing now from an insurance standpoint and we're actually proactively trying to manage our premiums now and I can tell you that is a far cry from when I came here 3 or 4 years ago. We've turned a very large corner and a lot of it is thanks to you guys and your work that you've done, this office, the Council, everyone. We're on a good trajectory. We don't like to see these numbers inch up a little bit but I do understand why and it's due from claims and other things as well.

Com. Biggs, Greatly appreciate the transparency and the information you are sending us and the costs involved.

Mr. Keene, It's been fun working with the County through the process and it's very appreciative that we have the Commissioners behind us on this. Safety doesn't happen unless it's from the top down. We greatly appreciate your support and the safety initiative that we've established.

Com. Biggs, We understand that if we don't take that route this Board is the first one that gets hit with the results of not paying attention to it.

Mr. Behrendt, Your support shows just in our dealings with the department heads. They are all very very cooperative. They very much want to do a good job.

Com. Blaney, Well besides the money we want our employees to be safe.

Com. Good, Right, it's a win win. They're safe and you drive your costs down. We like that. I guess we need to take action on this Atty. McClure?

Atty. McClure, Yes and we need to make a decision on the work place violence, whether we are adding that or not.

Com. Good, And that was for \$1800.00?

Atty. McClure, \$1,805.00 is the estimate annual premium.

Com. Good, I think we should do don't you?

Com. Blaney, Yes, I hate to do it but in today's world I'm sure we would be kicking ourselves if we didn't.

Com. Blaney, moved to approve the renewals with the included work place violence coverage, Com. Biggs, second, motion carried.

Hoosier Start – Todd Williams

- **Roth Benefits – Discussion.**
- **An Amendment to the State of Indiana Public Employee Deferred Compensation Plan Adoption Agreement.**

Mr. Williams, Good morning thank you very much. I'm Todd Williams and I'm your retirement plan advisor for your State of Indiana 457B Deferred Compensation Plan, also known as Hoosier Start. I'm very excited to be working with the County in getting the good employees and elected officials and things ready for retirement. The reason I'm here this morning is to ask for your permission to do an amendment to allow an added benefit a Roth benefit to the existing policy. This is not a material change in any way to your Hoosier Start Program and it does not come with any additional cost to the County. One of the benefits I have in having been here in the past 6 years for the first 5 years I was with the State of Indiana's plan. I worked exclusively with local government and added the Hoosier Start benefit for counties, cities, towns, schools and libraries throughout the State. In the 60 plus that I've added during the first 5 years all but one 1 small library does include the Roth benefit and this is something that the State employees have had the benefit of doing since 2011. Do you have a copy of the amendment within in your packet?

Atty. McClure, We do.

Mr. Williams, Let me just read the first paragraph I think that kind of summarizes what this does. Beginning July 1st, 2011 the State of Indiana Public Employee Deferred Compensation Plan 457B Plan has been amended to permit eligible employees to designate that their elected deferrals are to be made as Roth contributions. Roth 457B contributions are deducted from an eligible employees paycheck on an after tax basis. An employee who wishes to allow Roth contributions must have a payroll system that accommodates this contribution type. In speaking with Rhonda Young and also Christy Zurn you use LOW that is a very common provider for the counties and one that I know many are already utilizing their (Inaudible). I have to eat a little humble pie because when I met with Rhonda and Christy I was under the impression mistakenly that they could go ahead and approve that internally without Commissioner approval so I apologize for that. However, there is some silver lining to that because shortly after that I met with the Sheriff's Dept. and we got a chance to test the waters and see how well this would be received. I did a presentation and there were about 22 people in the room a lot of them young deputies. Of those 22 ten immediately enrolled in the plan having not been enrolled prior to that and 8 out of the 10 chose to defer Roth. So we got to see how that went over with that group. An 11th person who had been contributing to Hoosier Start and stopped chose to restart contributions as Roth. I received several emails following that meeting until the word got out that no we need to get formal approval on this of people that have expressed interest in being able to save Roth. Would you like me to give you a rundown of what the benefit of being able to save Roth deductions is for an employee versus the current pre-taxed deductions which they can already do?

Com. Good, Yes if you can do it in a Readers Digest version.

Mr. Williams, Absolutely, let's just take an example of someone that makes \$50,000.00 a year and saves \$5,000.00 pre-tax currently to their 457 Plan. The immediate benefit to that person would of course be the tax break in 2019. They would only owe taxes on \$45,000.00 in income. The down side being that that \$5,000.00 contribution would grow throughout the years, come out as distribution and retirement and all of it would be taxable both the contributions and the gains. Roth would eliminate taxes on the gains. There is no tax break in 2019 in this example if I make \$50,000.00 and I contribute \$5,000.00 Roth I still owe taxes in 2019 on \$50,000.00 in income but my principal and my gains come out dollar for dollar and the gains are tax free as long as they've remained in the account for at least 5 years and I wait until I'm 59 ½ or older before I would draw those contributions. Worst case scenario if someone doesn't meet one of those two criteria the IRS will then tax the gains that they've earned, which if taxes have gone up they still win because they paid lower taxes in 2019 on the contribution and higher taxes on just the gains. So in a nut shell that is really what the Roth benefit does.

Com. Blaney, I think this is a great addition especially for younger people who have lots of years to have this benefit in place.

Mr. Williams, It is I think it's one that will as you said Com. Blaney really will boost participation among your younger workers and among anyone that might find themselves in a higher tax bracket in retirement then they are now.

Com. Blaney, Is there any income issue with this kind of IRA? Don't you have to make under a certain number?

Mr. Williams, That is a great question I'm glad you brought that up. One of the benefits of a 457B Roth Deferral there are no income limitations at all.

Com. Blaney, Not that we pay anybody enough to worry about that.

Mr. Williams, Well sometimes if you have someone that has an outside business or something currently with IRA's the limitations are \$137,000.00 for a single person, \$203,000.00 for a married couple. So if you have any one that goes over that they can still contribute up to \$19,000.00 as pre-tax overall.

Com. Biggs, In a police officer's case their second jobs which most of them have to have that income is also counted towards their total income at the end of the year.

Com. Blaney, This is a real plus.

Com. Blaney, moved to approve to add the Roth Benefit to the Hoosier Start Retirement Program, Com. Biggs, second, motion carried.

COURTHOUSE RENO – CHANGE ORDS.

EMCOR Hyre Electric – Change Ord. #2 in the amount of \$5,184.00. With a balance to finish of \$185,714.00.

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

NORTH COUNTY ANNEX – PAY APPS.

Ziolkowski Const. – Pay App. #3 in the amount of \$64,414.75 for Bid Category #2 masonry. With a balance to finish of \$320,828.25.

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

Ziolkowski Const. – Pay App. #4 in the amount of \$152,203.30 for Bid Category #1. With a balance to finish of \$1,780,261.95.

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

SHERIFF DAVE REYNOLDS

Sheriff's 2018 Compensation Agreement.

Sheriff's 2019 Compensation Agreement.

Atty. McClure, We enter into an agreement with the Sheriff on a yearly basis pursuant to 36.2.13.2.5. We pay the Sheriff a salary that is the same as the Prosecutor and because of that all of the tax warrants collections fees and also any Sheriff (Inaudible). It's either or. It's either take money from a portion of the tax warrant collections and also the food allowances for the inmates and other things instead of that type compensation we go with the compensation that the statute allows for then just pays him the same as the Prosecutor does. This would be housekeeping for 2018 and then also the next one is to do the same for 2019.

Com. Biggs, And if we would decide that his compensation is reflective of the Prosecutors those funds are still coming out of those same hold.

Atty. McClure, No they're staying where the funds that they were coming from to begin with and he is getting paid out of the General Fund budget of the Sheriff.

Com. Blaney, We changed this a number of years ago right?

Atty. McClure, Yes.

Com. Biggs, Are we just renewing this?

Atty. McClure, We do it every year.

Com. Blaney, moved to approve the Sheriff's 2018 and 2019 Compensation Agreements, Com. Biggs, second, motion carried.

Wildman Uniform & Linen – A service agreement for cleaning the garage uniforms in the amount of \$26.83 per week.

Com. Good, This is the Sheriff's Garage?

Ms. Hahn, Yes and it's half of what we've been paying.

Com. Good, Good.

Com. Blaney, moved to approve the Wildman Uniform & Linen service agreement, Com. Biggs, second, motion carried.

A Memorandum of Understanding for the Indiana Drug Enforcement Association Highway Interdiction Team Program.

Ms. Hahn, Basically the Highway Drug Enforcement Association came to us. They have been coming to us for a couple of years asking us to start this program but we weren't able to do it. So the Sheriff reached out to them and said okay we're ready and they showed up with whatever we wanted and basically, I think I gave a breakdown. We're getting 2 trucks, equipment and Celebrite Machine which is testing for heroin or any drug. They are giving us that to start this program. We have to guaranty a full time employee on this and so does Valpo and Portage. It is just under \$110,000.00, they gave us up to \$110,000.00 but I think we've down unless something happens when we go to pay for it and there is something else there.

Com. Biggs, What amount of County funds are having to go towards that effort?

Ms. Hahn, None, they will be doing seizures and some of it will be through State that is why this is a State grant and then if we do anything through the Feds it will go through our normal Fed grant.

Com. Biggs, You said they are providing 2 trucks are those pickup trucks?

Ms. Hahn, Yes, pickup trucks.

Major Gear, Actually a truck and a Dodge Durango is what the two choices were.

Com. Biggs, So if a pickup truck comes behind you with lights on you should probably pull over.

Major Gear, That would probably be a good idea.

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

A Memorandum of Understanding for the Porter County Sheriff's Office, Portage Police Dept. and the Valparaiso Police Dept. which have agreed to combine efforts in regards to interdiction efforts in Porter County Indiana.

Com. Good, I like to see that working together.

Com. Blaney, And that is the same thing?

Com. Good, Yes.

Ms. Hahn, And what will happen is depending on what agency is involved as long as they've got someone full time any seizures will be split by a third.

Atty. McClure, That is laid out in the memorandum and then also the ultimate ownership of the vehicles and equipment that is coming from the grant.

Ms. Hahn, We're running this team, this is a Sheriff's run team so the trucks are ours. The Celebrite Machine is ours, the seizures will be split and then each town will get something.

Com. Biggs, Is it only State roads that you will be running on?

Major Gear, It will be mainly on 94 and the Toll Road, that's where it's all going on. Chicago to Detroit or West, but mainly 94 and the Toll Road.

Com. Blaney, moved to approve the Memorandum of Understanding, Com. Biggs, second, motion carried.

An Ordinance Establishing a Fund for the Deposit of Proceeds for the Indiana Drug Enforcement Association Highway Interdiction Team Program – 1st Reading.

PUBLIC HEARING OPENED

Com. Good, First call is there anyone wishing to speak against this ordinance? Second call is there anyone wishing to speak against this ordinance? Third and final call is there anyone wishing to speak against this ordinance? Is there anyone wishing to speak in favor of this ordinance? Second call is there anyone wishing to speak in favor of this ordinance? Third and final chance is there anyone wishing to speak in favor of this ordinance?

PUBLIC HEARING CLOSED

Com. Biggs, Edie were we doing anything or Major Gear like this last year or the year before last?

Major Gear, We do have a HIDTA Team which is the High Intensity Drug Trafficking Area. It is similar to that that this is being funded by the association so it's similar.

Com. Biggs, But more ambitious.

Major Gear, That was part-time. This is going to be full-time team. You will have 3 guys out there 40 hours a week getting after it trying to get drug seizures and cash seizures.

Com. Biggs, You probably don't want to run through Porter County if you hauling drugs.

Com. Blaney, moved to approve the ordinance on 1st Reading, Com. Biggs, second, motion carried.

ANIMAL SHELTER - TONI BIANCHI, DIRECTOR

Washburn Machinery Inc. – A laundry equipment planned maintenance agreement in the amount of \$550.00 per planned maintenance visit.

Mr. Biggs, What we are looking at is a basic maintenance agreement with Washburn to come out and do internal lubrication of our machines to make sure they continue to operate in a satisfactory manner.

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

Com. Blaney, Any news to share?

Ms. Bianchi, We're still low on animals. We haven't gotten the kitten season coming in yet, but we expect it to happen soon, but our numbers are down and everything is good.

Mr. Biggs, Be Kind to Animals.

Ms. Bianchi, Oh yes our Be Kind to Animals Event is coming up on April 27th. It is from 10:00 to 4:00, it's a Saturday and it will be the Expo East Building.

Com. Good, Nice!

Com. Biggs, What does that involve.

Ms. Bianchi, It is more or less a fair for rescue groups and vendors, vet's offices, pet supply places to come and we all get together. We usually get about a thousand or so visitors during the day. We do raffle baskets and those types of things to make money for the Shelter. It helps with the rescues get homes for their animals also.

Com. Biggs, Great!

ITS DEPT. – DON WELLSAND, DIRECTOR

Adams Remco – Copier purchase agreement for the Valpo Health Dept. in the amount of \$11,860.00. The current copier is 8 years old.

Adams Remco – Copier maintenance agreement for the Health Dept.

Adams Remco – Copier purchase agreement for the Portage Health Dept. in the amount of \$5,921.00. The current copier is 7 years old.

Adams Remco – Copier maintenance agreement for the Health Dept.

Com. Good, It looks like a copier kind of day.

Mr. Wellsand, And they are all old too.

Com. Good, I see that.

Mr. Wellsand, The Health Dept. suffered for a long time here.

Com. Good, Well we'll take care of Letty.

Com. Blaney, moved to approve the copier purchases for the Valpo and Portage Health Depts. along with the 2 maintenance agreements, Com. Biggs, second, motion carried.

Adams Remco – Copier purchase agreement for Judge Drenth’s office in the amount of \$6,947.00. The current is 8 years old.

Adams Remco – Copier maintenance agreement for the Judge Drenth’s office.

Com. Blaney, moved to approve the copier purchase and maintenance agreement for Judge Drenth’s office, Com. Biggs, second, motion carried.

FACILITIES DEPT. – RAY CLOYD, DIRECTOR

F.E. Moran Fire Protection – An agreement to provide inspection and testing of the fire protection system located at the Chesterton Highway Garage 1202 N. 250 E. in the amount of \$560.00.

F.E. Moran Fire Protection – An agreement to provide inspection and testing of the fire protection system located at the Porter County Animal Shelter in the amount of \$560.00.

Mr. Cloyd, I have a new administration assistant Tracy Wood. She is a good admin part of our team. We have the F.E. Moran Fire Protection agreements for the Chesterton Highway Garage and the Animal Shelter for the year at \$560.00 each.

Com. Blaney, moved to approve both F.E. Moran contracts for the Animal Shelter and the Chesterton Highway Garage for the year, Com. Biggs, second, motion carried.

3 Quotes for New Shelving & Drying Racks for the Jail Kitchen:

- **Federal Supply USA** **\$ 9,952.52**
- **Cook’s Correctional** **\$10,935.70**
- **C & T Design** **\$11,067.90**

Mr. Cloyd, We have quotes for shelving and drying racks for the Jail kitchen. They really need it they’re pretty beat up and Federal Supply was the cheapest one.

Com. Blaney, moved to approve Federal Supply for shelving and drying racks a \$9,952.52, Com. Biggs, second, motion carried.

Com. Good, Which fund does this come out of?

Atty. McClure, It can come out of either Facility’s money or it can come out of the Jail Fund. Either or.

Com. Good, I think we should take it out of the Jail Fund.

3 Quotes for a New Mower at the Expo Center:

- **Heinold & Feller** **\$10,899.00**
- **Burke's Lawn & Garden** **\$11,652.00**
- **Rigg's Outdoor** **\$12,400.00**

Mr. Cloyd, We are purchasing a new lawn mower for the grounds. A new mower that is efficient for fuel, for the fuel injections that has a carburetor. I think it will get 30% savings on fuel.

Atty. McClure, We are replacing this because the other one was stolen.

Com. Good, During construction.

Com. Blaney, And we have cameras now right?

Com. Blaney, moved to approve Heinold and Feller in the amount of \$10,899.00.
Com. Biggs, second, motion carried.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

Rezone 327 North 400 East, Washington Township from I2, General Industrial to RR, Rural Residential. Petitioner James Zimmer – 2nd Reading.

Com. Blaney, moved to approve on 2nd Reading, Com. Biggs, second, motion carried.

Rezone South side of Burlington Beach Rd. between Calumet Ave. & Explorer Dr., Center Township from R1, Low Density Single Family Residential to OT, Office & Technology for a proposed physician's office. Petitioner Trust No. 1907 c/o Todd Leeth, Hoepfner Wagner & Evans – 2nd Reading.

Com. Blaney, moved to approve on 2nd Reading, Com. Biggs, second, motion carried.

Com. Good, I think that doctor has tried a few times to find a location in Porter County.

Mr. Thompson, This is her third time.

Com. Good, The other locations were good ones but tough ones. I think this is a great spot for her.

Com. Biggs, Always welcome new business.

Falling Waters Easement Vacation - 2nd Reading.

Mr. Thompson, This was a vacation of an easement between Lots 239 and 240.

Com. Blaney, moved to approve on 2nd Reading, Com. Biggs, second, motion carried.

Ohltof Homes – Zoning Amendment for Territorial Authority - 1st Reading.

Mr. Thompson, This Plan Commission Resolution No. 19-03 the Petitioner is Ohltof Homes c/o Todd A. Leeth. They are requesting a territorial authority agreement. The parcel that they have been looking at has been annexed by the City of Valparaiso but since there is a U.S. census moratorium on annexations for this year this ordinance will not take place until January 1st of 2020. They came in front of the Plan Commission to request the territorial authority of this particular parcel for the subdivision for Ohltof Homes be given to the City of Valparaiso to go forward with that. The Plan Commission heard this at their public meeting and forwarded it to the Commissioners with an 8 – 0 favorable recommendation with the 2 items that they requested on that being limit construction traffic on Sunny Lane, this is the development to the north and also to work with us as far as drainage goes since this drains into the Flint Lake Garden Terrace drain.

Com. Biggs, Are we to assume that the City of Valparaiso is alright with this as well?

Atty. McClure, We are because the Council has taken action to annex it as soon it's allowed.

Mr. Thompson, There is an ordinance in place for this annexation but it does not take effect until January 1st of 2020.

Com. Blaney, There is pretty extensive work between the 2 bodies.

Com. Good, We're having a conversation up here about how do we enforce this Sunny Lane situation because we've gotten into these in fill subdivision issues before and people don't like these trucks coming down through the subdivisions. I just want to make sure that we have a good mechanism to police this. A couple of years ago we had a situation in Aberdeen which blossomed out of control a little bit. It's really hard to direct traffic and be out there all of the time. I just want to make sure that the folks at Sunny Lane that we have this in there and it's a mechanism that can be enforced that is my main concern.

PUBLIC HEARING OPENED

Com. Good, First call is there anyone wishing to speak against this zoning amendment? Second call is there anyone wishing to speak against this zoning amendment? Third and final call is there anyone wishing to speak against this zoning amendment? Is there anyone wishing to speak in favor of this zoning amendment? Second call is there anyone wishing to speak in favor of this zoning amendment? Third and final chance is there anyone wishing to speak in favor of this zoning amendment?

PUBLIC HEARING CLOSED

Com. Blaney, moved to approve contingent upon the City of Valparaiso following the recommendation for the traffic out of Sunny Lane and also to work with the County on drainage. Com. Biggs, second, motion carried.

Atty. McClure, I just want that this was smart work by the Planning Dept. to take this route on this subdivision. It makes a lot more sense to be utilizing the ordinances that this will eventually be in and since we've gone through that and we've had Valparaiso obviously indicate that they are willing to annex it I think it takes a little bit of additional pressure off of our Planning Dept. and Planning Board in trying thread the needle of it's our ordinances because you're only here because we're in a census year, but yet we know you're going into Valpo and our ordinances aren't exactly the same. Obviously as you can see this is pretty much surrounded at this point by Valparaiso Development. I think this makes good sense and I think it was a good way of handling it at this point.

Atty. Leeth, Agreed. Thank you again.

Com. Blaney, Thank you Todd.

2019 INDOT Local Roads and Bridges Matching Grant Agreements.

Mr. Thompson, What is before you now is the INDOT and what they refer to as the LPA Agreement. This is for receiving the Community Crossings Matching Grant that we received for 2019 the first issue of the CCMG Award. We were awarded \$656,046.00 for projects that Matt Gavelek our Highway Engineer and Rich Sexton our Highway Superintendent had worked. So what is before you now is the actual agreement with INDOT to go forward with receiving these matching grant funds.

Mr. Gavelek, I would like to note also that there is a total grant award of \$1 million allowed for counties for the full year. So this is just for the spring. In the fall we are going to apply for the rest.

Mr. Thompson, The second one is in August.

Com. Blaney, moved to approve the INDOT Porter County agreements for the grant, Com. Biggs, second, motion carried.

Mr. Thompson, I have to make a note on this agreement and we have sticky notes all over this it has to be signed in blue ink. Everyone has to sign it the same day including the attest and it all has to be dated the same day all in blue ink or else INDOT will reject it.

2019 CCMG Award for Spring – Announcement (\$656,046.00) and approval of INDOT/Porter County Agreements.

2019 CCMG Project Bid Openings:

- **N. Calumet Ave. – Valparaiso City Limits to U.S. Hwy. 6.**
- **Meridian Road – Valparaiso City Limits to U.S. Hwy. 6.**
- **Sturdy Road – Railroad crossing to U.S. Hwy. 30.**

Mr. Thompson, The next is part of the Community Crossings Grant. They changed all of the procedures so you can no longer do it off of the annual bid process. We have to actually bid each project separately. What you have in front of you are 3 projects that are within the 2019 CCMG. This would be bid openings for N. Calumet Ave. – Valparaiso City Limits to U.S. Hwy. 6, Meridian Road – Valparaiso City Limits to U.S. Hwy. 6 and Sturdy Road – Railroad crossing to U.S. Hwy. 30.

Ms. Urbanik, I believe we have 3 in each category.

Com. Good, The first bid for N. Calumet Ave.:

- Walsh & Kelly \$455,363.85
- Reith Riley \$414,647.50
- Town & Country \$526,652.10

Ms. Urbanik, The next group is Meridian Rd.

Com. Good, The bids are as follows:

- Walsh & Kelly \$330,531.90
- Reith Riley \$330,790.10
- Town & Country \$382,612.90

Ms. Urbanik, The last group is Sturdy Rd.

Com. Good, The bids are as follows:

- Walsh & Kelly \$ 66,361.45
- Reith Riley \$ 66,241.10
- Town & Country \$ 77,188.70

Mr. Thompson, Matt will take them and work with engineering and Rich and make sure they are responsible bids.

Mr. Gavelek, Those all came under the estimates and one thing I would like to note about these this is the first time the County has elevated our standards for the paving projects. We actually have a quality control measure in this for accounting for density. If they don't achieve the right kind of density there is a penalty to the contract. They are incentivized to perform to actually produce good work in the field.

Com. Biggs, All 3 of those roads the traffic count has really increased over the last 5,6 or 7 years.

Mr. Gavelek, Absolutely they are some of the busiest roads we have.

Com. Biggs, With the paving and the striping those roads are going to look wonderful when they're finished.

Mr. Gavelek, Yes they will.

Com. Good, Plus we're putting a better product on there too. So that is even better.

Mr. Gavelek, Yes.

Com. Good, Thank you we're getting there. Will that be part of that special meeting when we award them? We will be working on a special meeting as we discussed at the Storm Water meeting this morning to get these vendors out and get them going.

Atty. McClure, It is part of your submission to correct? You have to have the signed contract done before you can submit and wasn't that by July 1st?

Mr. Thompson, They have to be under contract by a certain time.

Mr. Gavelek, The sooner the better.

Com. Good, Get that information to us so we don't miss any deadlines.

Bridge 126 – 700 North over Salt Creek – Bid recommendation.

Mr. Thompson, We just received the one bid from Gariup Construction. We went through this rather thoroughly as far as that goes. The good news is that NIPSCO has agreed that they will cut the line on this particular project so NIPSCO is no longer an issue. One of the things that is with this agreement though is if a major storm does come through and starts knocking out power in certain areas they are going to have to come back in and hook this back up which is understandable. It is a large major feed that goes into this area. Utilities are no longer an issue as far as that is. We researched as far as Gariup Construction doing bridge work. We spoke with Lake County. We also found out that in around 2014 they actually did bridge for us on Evergreen Rd. up in Portage, I can't think of the bridge number as far as that goes but it was a steel beam bridge similar to this other than we're using galvanized tiers. They do have the experience as far as that goes. We went back to our engineer USI Consultants and they admitted that they made a mistake in the engineering estimate. The engineering estimate should have been higher mainly because of the sheet piling that was required for the coffer dam and also for the scour protection along the abutment walls. They admitted that it was probably going to be \$100,000.00 to \$150,000.00 additional.

Com. Good, That puts us under the 10% then.

Mr. Thompson, It does put us under the 10% between the engineering estimate and what Gariup Construction has bid at. Based off of all of this staff is giving the recommendation to accept the Gariup bid for this particular project.

Com. Good, Any discussion?

Atty. McClure, I think on the USI Engineering estimate I think the other issue besides the sheet piling and the scouring issue is the unknown until after we had the bid open of what exactly NIPSCO was going to do with the power lines. I think part of the problem here is we're describing it as a normal power line and I'm not exactly sure that is the correct way of explaining it.

Mr. Thompson, No it's not. It's a main one. I think the normal power lines correct me if I'm wrong is maybe like 10 or 12 KB. This is a line that is handling 65 kilo volts, it's large. It's a major feeder for this area.

Mr. Gavelek, Another reason why we're recommending it for approval is the condition of the bridge has some scour issues right now and we don't want to have another Bridge 135 scenario.

Com. Biggs, We really can't afford to delay this any longer. Speaking of that as soon as school is out assuming that we approve this is when you'll start?

Mr. Gavelek, It will be around that time.

Mr. Thompson, We are going to be issuing the notice to proceed today for the utilities to go forward. NIPSCO is going to be doing some work in there and then we'll send out the notice of award to Gariup and start with the contracts unless we get the contract approved and signed then we'll get the notice to proceed. More than likely it is going to start after school is out. There is a period also that we're trying to hit to make sure that they're in and out of the stream with the demolition because we're that is a salmonid stream so there is a window in June I think and we have to get in and out of that stream.

Com. Good, With this bridge that has been the problem from day one. We have to work around federal tributary for salmon so you only have so many months that you can work in this area and then we found this power line that is under the buttress of the whole bridge and it is a main line. That has been the problem in working through some these hidden surprises on bridges that were built 40, 50, 60 or 70 years ago. You don't know until you get into them. The one thing that I really appreciate about what we're doing is as we start redoing a lot of these bridges we're looking at our easements, at how much ground we have if we need to go in and buy some additional ground to make the bridges malleable. To make them more maintainable so you have slopes that you can walk on around the bridge and everything else. We're taking a much different approach to what we've been doing to the bridges in the past just replacing them. We're actually trying to look at how we can enhance these bridges, make them more purposeful and also make

them more maintainable. We just bought a piece of equipment last year that will now allow us to under bridges and guardrails and do some other things. This project has been a real headache but I think we're going to be seeing more of these as we embark on this program. I think we caught it and it needs to be done as Jim said it's one of those bridges that needs to be done quickly. I want to thank you for working through it. I think we all learned a lot on this one.

Com. Blaney, moved to approve Gariup Construction the 700 N. Bridge 126 Project, Com. Biggs, second, motion carried.

Com. Blaney, I'm sure if we have to get in there before school is out you guys will communicate.

Mr. Thompson, It is going to be the requirement of the contractor to do all of the proper notification and emergency folks, schools, etc.

Mr. Gavelek, We're also going to use those message boards too to notify the public of the closures.

Bridge 135 – Old Porter Rd. over Salt Creek – Bid documents and plan set approval.

Mr. Thompson, This is for approval of the bid documents going out and also the plan sheets with the signatures for the plan sheets on that. They don't have to be in blue ink they can be in black if you have it. However, there is one thing the bid has been out?

Mr. Gavelek, The bid is out.

Mr. Thompson, It is advertised for bids to be in by April 30th and it is out already.

Atty. McClure, We'll deal with it. April 30th it is.

Com. Good, We know these bridges have to get done so whatever we have to do push our schedules to have a special meeting or whatever we have to do we're going to do it. You tell us when you get things and we'll go to work on our calendar. If we have to call a special meeting we'll call a special meeting.

Atty. McClure, Or if we need to leave one and do a special one for another we can do that.

Mr. Gavelek, I want to add real quick on this one you asked about the Frontier line. We met with Frontier and they are supposed to be off of the bridge by May 15th, which will not delay our project. I also want to note that Structurepoint delivered on their expedited project time frame. They were able to get the permits through so we are appreciative of that as a department.

Com. Good, That's great, glad that is moving forward. The sooner on that bridge the better.

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

Bridge 135 – MOU for Sanitary Sewer Relocation.

Mr. Thompson, This is a sanitary sewer line which is a private line that services....it's right next to the bridge and it needs to be moved. It services the mobile home park.

Com. Good, Is it a conservancy district line?

Mr. Thompson, No it's under a private management corporation for the mobile home park. It feeds into the City of Portage's sanitary system but it is privately owned and privately held. The previous owner that just recently sold was a non for profit. The problem is the relocation is on us. We are agreeing to pay the relocation of the sewer to be able to get this bridge done.

Com. Good, How much is the estimate?

Mr. Thompson, The entire total estimate for this particular project the bridge and relocation of the sewer line is coming in around \$930,000.00.

Atty. McClure, But that is the entire project.

Com. Good, That is the whole bridge. Is that including the sewer relocation?

Mr. Thompson, That includes the sewer relocation within this. Part of the fact is with this being when they were non for profit....yes they would come back at us.

Com. Good, It looks like on these bridge projects the bigger bridges that we're getting into we're going into them with our engineering estimates we need to be a little bit more cognizant of potential utility issues.

Mr. Novotney, And it certainly depends on utility ownership because does that play the key role in the decision the department made. The other key decision point for us was and we ran into this issue with conservancy district before White Oak out in Wheeler, in order for the utility owner to save up enough money to facilitate the utility relocation. We would be looking out in the future to have that line relocated and then have the bridge rehabilitation done and as we've already seen this bridge had no time to wait. So we made the decision to agree to pay for that relocation using State statute as the guide and that is what brought us to that agreement. I think it's the right move, it gets the bridge done and for a reasonable price.

Com Biggs, And 135 is under emergency repair?

Mr. Novotney, Correct.

Mr. Thompson, That is the one we have closed on Old Porter Road.

Com. Good, We're learning as we're working through these and we need to make sure when we look at our budgets and our estimated budgets for these things that we have some money in there for potential...and it could be set out separate if we don't use we don't use it correct? It's a contingency amount, but it seems like we're really finding a lot of weird utility stuff around these bridges and I think it is sort of telling us a story. I think we need to pay attention and just consider that when we're in the phases of figuring it out. That is all I'm saying I don't want to give money to anyone. For our budget estimates and everything else I just want to make sure that we're working through that.

Mr. Thompson, One of the things in learning from this going forward to with these new bridges (Inaudible) repair the bridges is the permitting and how we are going to handle utilities. Obviously after this we don't want to see anyone attached to our bridges anymore. It's how we're going to forward with permitting of these utilities next to our bridges.

Com. Good, We have a bridge that is closed. Frontier put their pipes on the bridges to run their phone lines and then there are sewers that were on the bridge as well that were running. So when you want to fix the bridge it becomes a little disruptive.

Mr. Gavelek, We found out that that Frontier line was a major fee between this area and South Bend and if it went down it would be a serious significant issue between our communities. Go figure and that is the beam that was failing.

Com. Blaney, moved to approve the MOU for sanitary sewer relocation at Bridge 135. Com. Biggs, second, motion carried.

Bridge 84 – Supplemental Agreement with USI for Right-of-Way acquisition.

Mr. Thompson, This is a supplemental agreement with USI. The design engineer for this is Ciobra Group. We have subcontracted with USI to do the right-of-way purchase and acquisition for this particular bridge since we need some on this. They found an additional parcel that we need to acquire so this supplemental agreement takes into consideration that additional parcel.

Com. Good, Where is this bridge again Bob?

Mr. Thompson, This is on 800 South or what they refer to as Sigler Rd. west of the Town of Hebron over a branch of Dog Lake Ditch.

Com. Blaney, moved to approve an agreement with USI, Com. Biggs, second, motion carried.

Com. Good, Bob why were we doing the right-of-way acquisition again? I know we've talked about this I just want to get a record of it.

Mr. Thompson, We are having to raise the bridge up a little bit on this and we decided instead of doing a guardrail all of the way across this to protect the slopes we are going to go to a 3 to 1 slope on this (Inaudible) to get away from the maintenance and handling of guardrails so much on this.

Com. Good, So it will be more landscaped and seeded.

Mr. Thompson, Correct we have to have a certain amount close to the bridge but extended lengths.

S.R. 49 and Division Road intersection improvements – Agreement with Lochmueller for consulting services.

Mr. Thompson, This is where we're looking at trying to do some improvements along the fairground entrance with Division Rd. in handling the traffic and better funneling of the traffic also and trying to handle the truck turning movements coming off of 49 down to Division Rd. to the main entrance for Pratt which is east of the fairgrounds. We have been looking at this. This is an agreement with Lochmueller now. They have their representative here today and we just feel comfortable that they have a traffic engineer and also an intersection improvement specialist.

Mr. Gavelek, This is just for a study to evaluate some potential options and costs. It is more of a scoping evaluation.

Com. Blaney, I'm very happy to see this on the agenda. This intersection has needed some work for a while as we discussed.

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

Com. Good, While you gentlemen are in front of us I would also like to mention for the record I think it was a couple of weeks ago we drove over to LaPorte and met with the Department of Transportation over there and submitted to them our study for Highway 6 and the widening and all of our traffic data and everything we paid for at the County. That has now been submitted to the regional IDOT in LaPorte and they are looking to see what they need to do to put it in the 5 year plan to get that stretch of road widened. It is now in IDOT's hands and we are going to speak to some of our legislatures and other people to see what we can do to make our case to see if we can make that happen. I just wanted to make a point of it in the meeting to let everyone know that we followed through with everything that we did with the money we spent to get the report. We followed through and met with the State. They now have it. It is just completing that loop of money that we're spending to let people know what we are doing so everyone understands where that is at. The other thing that we're also doing now that Matt is on board and the County actually has a traffic and highway engineer we're also looking at some of our intersections throughout the County that may need some additional help. Maybe a right hand turn lane just to keep traffic moving. We're starting to look at things a little bit differently than what we've done in the past. Just trying to figure out easy quicker ways to keep the traffic in our County moving so we don't have backups and other things. Matt's list is starting to get very full.

PORTER COUNTY SOIL & WATER CONSERVATION DISTRICT

A request to set up a display in the lobby of the Admin. Center Monday, April 29th through Friday, May 3rd to promote Soil and Water Conservation Week.

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

VALPO VETTES CORVETTE CLUB

A request from Rita McCorkel to use the north side of the Courthouse Lawn on Saturday, June 15th, 2019 for their annual Father's Day Car Show which will be held between 8:00 a.m. to 2:00 p.m.

Com. Blaney, What is the lawn going to look like on June 15th?

Com. Biggs, If you go by it right now they either are very close to seeding that or have just seeded that.

Com. Good, We should get a quick pop. It is still going to be new grass though.

Com. Biggs, I'm just worried about an event like this.

Atty. McClure, We might want to continue this because the north side is also where Valpo going to be.

Com. Good, Well Valpo is putting in all of that parking up there and I don't know what they're going to have done at that point either.

Atty. McClure, I think we're done with windows by then but I'm not 100% sure.

Com. Good, Well we have still have time if we put this on our end of April meeting so I think we....

Com. Biggs, I think Scott is right we need to...

Atty. McClure, We continue it until the next meeting.

Com. Blaney, Can someone contact them in the meantime and see if they have any other options.

Ms. Merle, She did say that they did get the approval from the City.

Atty. McClure, Yes but that is just for the sidewalks. It's our grass.

Com. Blaney, It's a nice show I hate to see it take a one year hiatus.

Com. Biggs, Could you get a hold of them and let them know that we just want make sure that everyone is safe and nothing gets destroyed on top of that.

Com. Blaney, moved to table the request until our next meeting, Com. Biggs, second, motion carried.

Com. Good, Anyone wishing to address this Board please come forward.

Ms. Johnson, Hi my name is Sandra Johnson. I'm from Liberty Township. I am the newsletter editor for the Woodville Foundation and we have some concerns we would like to share with you. I'm sorry I did not bring a list of that to the meeting for you I will be sending that to you either via email or regular mail. First of all I want to thank you I've been getting reports that the war zone south of 6 on Calumet Ave. which has been there last March is beginning to get cleaned up and I appreciate that.

Com. Biggs, Yes the Highway Dept. has submitted a request to INDOT to put in a work order. They have agreed to do that so we should see some improvement there.

Ms. Johnson, And we are seeing progress in that way. I would like to talk about the intersection however there is a French cistern in that southeast corner of U.S. 6 and Calumet Ave. It is met there, it was like someone dug a big hole and then they lined it with brick and it's meant to take on water slowly when there is a big rain storm. It doesn't work, it's from the previous century and I don't know why they're leaving it there. Apparently I have friends that are telling me it's going to stay that is what they've been told. I would like to know why they're going to leave it there because that is exactly where water puddles and particularly in the Fall. If it gets cold and it turns to ice you have ice on the intersection. So I am concerned about that. I also want to mention that because I have friends that are farmers and they know where flooding occurs in their property and in their fields. The work being done they feel that the pipe they are using to alleviate some of that water off of Calumet Ave. as it moves north is not going to be big enough. Whether the County or the State is footing the bill we don't care we just don't want to see it done over again later to no avail. That is why I would like to see the Storm Water people take a look at that and see if it's adequate for the kind of water that comes off from the north, from the highest point in the County to that intersection. Finally I went to a symposium on clean water at V.U. this past weekend and I would like to ask that you seriously consider using your position to find us someone that can check our water at a reasonable rate. What I'm asking is to send the people to the business, get a water sample or whatever they require, go get our water bring it back and find out if our water is in danger if there is something in the well that shouldn't be there. The reason I say that is when you approve for the Dollar General to come out to 6 and Meridian or to that area we thought you were looking at the corner lot. Somehow in that decision no one mentioned exactly which lot it was and now we see it's the two on the inside going west. My request is that if we could find out if the water on that corner lot, it's been sitting empty a long time but it was a repair shop where they painted cars and changed oil. If there is contaminants in that water under or in that piece of parcel there is a small subdivision directly behind it and we know the water

goes to the north and to the west. We're concerned about those people that live over there. So we want to give them the opportunity at a reasonable cost to check our water individually and then deal with it. There are other concerns that we have with Long Lake and one of the residence over there contacted us about that. We would still use the same program to let them find out if their water is safe. Those are kind of the things that we are concerned about and I thank you for your time.

Com. Good, Thank you. Anyone else wishing to address this Board?

With no further business the meeting was adjourned at 11:26 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor