

PORTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, June 9th, 2020
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, June 9th, 2020 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

CONSENT AGENDA

Approval of Payroll – May 29th, 2020.

Approval of Claims – May 28th, 2020 and June 4th, 2020.

Approval of Minutes – May 5th and May 19th, 2020.

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

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENTS

MTI Production Contract - Disney's The Little Mermaid in 2021.

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

ANNOUNCEMENTS

NEW BUSINESS

COMMISSIONERS

A Joint Resolution of the Porter County Board of Commissioners and the Porter County Council Concerning the COVID-19.

Com. Good, I know the Council has already passed this so now it is up to us. It's a pretty lengthy resolution but Scott can you please give us the bullet points.

Atty. McClure, This institute a hiring freeze and also County wide overtime and comp time ban. There is also clear language regarding additional appropriations from the general fund which is greatly discouraged. It requires additional approval to even get on the agenda at this point in time. Also, to allow the Auditor to do some inter fund borrowing to alleviate any cash flow issues that we may have for the need to borrow and incur any expenses so they we don't have any individual funds running into the red given some of the delay with the dates getting pushed back. I did see the email yesterday from the Auditor explaining the distribution of the first tax draw. This is probably a good indication of how we did on this first go around on property taxes and all that we were going through. This allows that inter fund borrowing, the hiring freeze, overtime and comp time and goes through and tells those department heads who they would be getting their permission from. In a nut shell the elected officials' offices are going to the Council for their approval to be able to hire and fill those positions that become open during this period of time. Then also they would be going to the Council for their overtime needs and comp time needs. The departments that are in charge from the Commissioners' office they will be able to go through the Commissioners' office to approve their needs on an individual basis for the comp time or the overtime or to fill open spots. This is obviously in relation to the County finances and boards bracing for what may or may not come with our effects on the revenues from the COVID (Inaudible).

Com. Good, Thank you Scott. Any other questions from the Board?

Com. Biggs, moved to approve the Joint Resolution, Com. Blaney, second, motion carried.

Com. Good, I want to digress for a second. I know Madame Auditor sent us an email yesterday about how the tax collections and everything were going. I know we were concerned and we still are. Do you want just give a brief synopsis on how we did? I don't mean to put you on the spot. I know you know your numbers that is why....it's information that I think people need to know. Please give us a quick update Vicki.

Ms. Urbanik, Last week we completed our spring tax settlement. Even though the tax bills can still be paid through July 10th without penalties the counties are still required to disperse all of the money that was collected by May 11th to the various tax units. Some taxing units fared better than others and it is probably because of the number of taxpayers or the volume of taxpayers that took advantage of this 60 day penalty waiver period. Overall Countywide our collections were about 90% of what we received in the spring of last year. So that is better than what some people may have anticipated. The flip side is we were actually anticipating higher than last year because our budget increased. So we are going to have some cash flow issues in some of our funds, our County General Fund the disbursement was about \$1.3 million less than we received last spring but keep in mind there are tax payments coming in through July 10th and we anticipate recouping what we should have received. So our office is going to run another mini settlement in July or August so we're going to be sending out the tax payments that came in during the 60 day waiver period to all of the taxing units and I know some of them will definitely need that disbursement.

Com. Good, Thank you Madam Auditor I know from myself I was surprised when I got that email. I know we're still a little off of what we need to collect but that was a very positive sign and I think the people in Porter County just treated it as business as usual and that is good. I know we've had a lot of discussions on the what if's that could happen. I just wanted to share that information with everyone today so thank you Vicki.

A Resolution for the Exchange of Property with Portage Township.

Com. Good, This has a lot to do with the new building that we built on the Portage campus where we have a lot of work going on up there which is nearing completion. Why don't we have our attorney give us the details on what we did to right the ship to make it fair for the County and make it fair for Portage Township.

Atty. McClure, The County owns property on 326 West 700 North the small parcel that has been many things including a police substation, the Trustee's office owned it at one point, we've thought about utilizing it at some point for a small place for people to stay at that were in need. It came back to the County and what we eventually did was turn it into a project that the Redevelopment Commission to put the substation Highway Garage there. In doing that project it became clear early on that we needed additional property around that parcel that the Trustee owned. There was also some substantial drainage areas next to this property that we wanted to be able to develop a little bit more in tune with the building and then also in context of what's happening overall with the drainage that is happening in South Haven. We needed additional property around 700. The Trustees' office was working with us to develop their food pantry and the Trustees' office at the North County Government Complex. In order to make all of this correct and move forward the County will be exchanging the footprint of the building which amounts to about 49% of the new additional out building at Porter County North which is either the Trustees' office of the Food Pantry. The Trustee's office will own both. We will exchange that footprint for the additional property that the Trustee's office is exchanging us that surrounds our parcel on 700 North to allow us to have parcel large enough to build a substation with some outdoor storage or yard for all of the drainage work in South Haven. I know that is all very boring but the Indiana Code 36.111.8 allows the 2 governmental entities to exchange property by adopting substantially similar resolutions. I would say that I appreciate the fact that our Surveyor did all of the legal descriptions for both the additional parcel of property around 700. He also did legal description for the footprint of the building which frankly was not very easy to do in the middle of our large parcel. Finding those spots and getting those dialed in to where they needed to be was quite an adventure. I appreciate the fact that our Surveyor's office did accomplish that for both legal descriptions. This has been reviewed by the Trustee office and by their attorney and everything has been revised. It is ready for our Board to approve it. This will be the

same resolution that the Township Trustee Board or the Trustee himself would approve because a substantially similar resolution we just decided to do it in one joint resolution. That is why the exhibits are attached and with the actual legal description called out of what we are exchanging.

Com. Biggs, I think it is smart to exchange instead of pay. After all the Portage Township taxpayers are County taxpayers so it is good that they didn't have to pay themselves to get this property.

Atty. McClure, And it's good that we didn't have to pay for the property on 700. It also clears up some issues down the road with insurance and things like that that we will be dealing with on (Inaudible).

Com. Good, It makes it cleaner down the road for everybody to do their own thing. The other thing is the Portage Township and South Haven area gets a brand new Highway/Storm Water Substation Garage which is desperately needed out in that area because of the density and all of the work that is needed out in that area.

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

GIS, Eric Gibson – Letter of Agreement to pay a remaining Cost Plus Claim.

Atty. McClure, We have unfortunately some trailing claims when we were part of the Cost Plus Health Insurance Plan. This was a few more of those that had not been negotiated to pay that had bubbled up to the surface. GIS, Mr., Gibson and their team went through these claims, the letter of agreement that is attached in our meeting materials is actually the agreement that was in place that was basically governing the relationship with this particular claim with Porter Hospital at the time. So after GIS went through it and their team and they discussed it with Porter Hospital the claim itself after all of that diligence these claims need to be paid and because we were doing Cost Plus at the time we're not doing that now when these do bubble up we approve them at this level. Eric do you happen to know what the cost was off the top of your head?

Mr. Gibson, Around \$21,000.00.

Atty. McClure, So in the low \$20,000.00's and that was after again making sure that the letter of agreement that we had in place with Porter Hospital at the time was honored as far as the percentages go. So it has gone through its due diligence. It is teed up to allow the Commissioners to take action.

Com. Blaney, moved to approve the Letter of Agreement, Com. Biggs, second, motion carried.

Parks – Memorandum of Understanding.

Atty. McClure, The Parks Dept. and our Highway Dept. have been attempting to do some joint work between the departments. It looks like we were able to put together a project that coincided both for the Park Dept. and the Highway. Our Highway Dept. is going to be in the vicinity of Sunset Hill Park. Sunset Hill Park needs about a 1000 ft. of roadway surface crack seal project done. The Highway is going to be in that area and when there in that area they would do this work for the Parks Dept. The Parks Dept. would then reimburse for all the expenses. I think it was a good job coordinating through the departments and then it also allows the Parks Dept. to be able to utilize to get this done for less expense. It is also good for our Highway Dept. because they are already in the area so they don't have to make a special trip out there to do this. Then the Parks Dept. will reimburse them for all of the cost. The Park Board will approve the same.

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

157 FRANKLIN ST. – CHANGE ORDERS

Com. Good, After almost 2 years of pay apps. we're coming to the end and that is good.

State Line Fire Systems – Change Order #1 a credit in the amount of \$3,650.00 for unused contingency allowance.

Midwest Tile & Interiors – Change Order #2 a credit in the amount of \$4,652.00 for unused

contingency allowance.

Circle "R" Mechanical – Change Order #3 a credit in the amount of \$5,889.00 for unused contingency allowance.

Stan's Painting & Decorating – Change Order #2 a credit in the amount of \$2,458.00 for unused contingency allowance.

Com. Blaney, moved to approve the above Credit Change Orders, Com. Biggs, second, motion carried.

Pangere Corp. – Change Order #4 in the amount of \$17,474.00 to provide steel lintel in basement for conduit, new glass with talk through for 3rd floor lobby, misc. masonry work, window film, drywall repairs and stainless steel corner guards around elevator walls.

Com. Blaney, moved to approve Pangere Change Order, Com. Biggs, second, motion carried.

NORTH COUNTY ANNEX – PAY APPS.

Ziolkowski Construction – Pay App. #11 in the amount of \$5,176.55 for material and labor. With a remaining balance of \$36,306.10.

Pangere Corp. – Pay App. #12 in the amount of \$37,318.85 for material and labor. With a remaining balance of \$321,418.06.

Kleckner Interior Systems – Pay App. #12 in the amount of \$83,301.84 material and labor. With a remaining balance of \$156,829.59.

Ziolkowski Construction – Pay App. #18 in the amount of \$3,905.45 for material and labor Bid Package #1. With a remaining balance of \$191,993.50.

Circle "R" Electric – Pay App. #12 in the amount of \$14,038.86 for electrical. With a remaining balance of \$98,187.63.

Stan's Painting & Decorating – Pay App. #10 in the amount of \$8,360.00 painting. With a remaining balance of \$54,581.50.

Midwest Tile & Interiors – Pay App. #8 in the amount of \$29,124.91 for flooring. With a remaining balance of \$70,423.13.

State Line Fire Systems – Pay App. #8 in the amount of \$1,721.40 for fire suppression. With a remaining balance of \$15,224.75.

Arctic Engineering – Pay App. #10 – in the amount of \$10,416.94 for plumbing. With a remaining balance of \$35,648.12.

Com. Biggs, moved to approve all of the above pay apps., Com. Blaney, second, motion carried.

CYNDI DYKES CORONER

An Ordinance Establishing a Reimbursement Grant for the Indiana State Department of Health Fatality Review and Prevention Division, SUID/SDY Case Registry Grant #61910 Funded by the Center for Disease Control – 1st Reading.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

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

Com. Good, We will see you back at the July meeting for the 2nd Reading.

EMA – LANCE BELLA, DIRECTOR

Porter County Shoreline Disaster Emergency Declaration & Travel Restriction - Update.

Com. Good, This is for the Porter County Shoreline for Lake Michigan. We are just extending this for 30 days. We only have the ability to extend these Emergency Declarations for 30 days at a time.

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

ITS - DON WELLSAND, DIRECTOR

FireEye Cybersecurity Services – Cybersecurity Services Agreement for Porter County Government. The State will pay for the first 3 years.

Mr. Wellsand, The Secretary of State decided that they wanted to protect all of the election computers so they went out to FireEye for a 3 year contract to put their malware and antivirus agents on the election computers. I think we're in good shape but we are going to go ahead and put them on the election computers so we can comply with the State and see what happens.

Com. Good, Another added insurance police right?

Com. Biggs, I'm curious what is the cost since we're going to be incorporating this after 3 years. Do you know what cost is?

Mr. Wellsand, I don't know what the cost is. As of today my recommendation is not to renew it.

Com. Good, Well we'll pass that bridge when we get there right? Who knows there might be some other technology or other things that happen by then too.

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

Videotec – Final payment for 157 Franklin St., Valpo in the amount of \$15,419.01.

Mr. Wellsand, This is the final payments for Videotec for cameras and access controls at 157 Franklin. We'll be completely finished with that tomorrow morning. We have one card reader that is bad that they are going to come out and fix. At that point as far as IT is concerned Adult Probation, IV-D and the Prosecutors are all ready to go.

Com. Blaney, moved to approve Videotec final payments, Com. Biggs, second, motion carried.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

Enterprise Fleet Management – Agreement to Sell Customer Vehicles.

Enterprise Fleet Management – Consignment Auction Agreement.

Com. Good, I think we have some County cars to do something with here too right Bob?

Mr. Thompson, It's mainly to take the 3 vehicles that we had that were Commissioner vehicle's that have over 50,000 miles or close to 50,000 and give them to Enterprise to sell and then give us a credit back.

Atty. McClure, We finally got to the stage where we bought cars and now we're getting ready to cycle the first through Enterprise and get them sold. These are the documents, the agreements to sell, and the consignment agreement that allows us to have our cars sold by Enterprise through their system. This is our first fore into it and obviously we're hoping that we have much better results that we do from our normal Sheriff's sale.

Com. Biggs, And Enterprise is actually buying our used vehicles.

Atty. McClure, No.

Com. Biggs, Are they just handling the sale?

Mr. Thompson, They are handling the sale.

Com. Biggs, motion to approve both Agreements, Com. Blaney, second, motion carried.

Com. Good, Anyone wishing to address this Board?

Com. Biggs, I would just like to say one thing Mr. Chairman. As most of you know this is roughly my 16th year in County office, not continuously. Fortunately I've never experienced anything before like we've experienced in the last 2 months like dealing with the pandemic crisis and all it had to offer. I'm just really proud with the way the employees, department heads and elected officials managed all of that in County government. We seriously did not hit a speed bump. It just seemed like everybody was on the same wave length as far as what needed to be done and what they needed to do. I just thought I would bring that up. It is really unusual and I thought it was really unusual how well it was managed considering none of us here had signed up for that. That was a first for all of us.

Com. Good, Just real quick I know everyone needs to get back but I would like to thank all of the County employees but especially Rhonda Young, Ray Cloyd, Curt Ellis, Chuck Miller in GIS who helped put the dashboard together. If you walk through the building today you can see what Buildings Facilities has been up to over the last several months because the inside of the building looks fantastic. So there are a lot of things Plexiglas stations that they were making. Everybody seemed to pivot, everybody seemed to work together as a team. I know Curt is the Mr. Zoom Guy now. We were putting a lot of COVID updates out there and this takes a lot of writing. This takes time and thought. That is tough work to do under pressure trying to get it out in time and making sure that it is written in a way that everyone can understand it. Just a lot of things that were going on through this that we were able to see behind the scenes.

Com. Blaney, And we don't want to forget Lance Bella he made all of those calls for us.

Com. Good, And if I'm missing somebody please chime in. I think the reason we were able to handle this is because we have very good people in place in the County and we have great elected officials and dept. heads who made this happen. It wasn't us but fortunately for us we are in a position where we could see it all happening. It was a fantastic feeling from our perspective when you are in charge of running things to see people come together and do the right thing for everyone. So kudos to all of you and kudos to the people of Porter County for hanging in there and trusting and allowing us to do our thing that we did up here. I think a lot of people were watching us and I feel good about the end result. We still have some way to go yet, but I think we're well on our way.

Com. Blaney, It's been so much easier because we have all of these great people. No one complained. We asked people that go above and beyond in a lot of cases and we didn't get any push back at all. Everyone played as a team and that sure made it a lot easier so thank you.

Atty. McClure, It became real crystal clear that we have quality department heads. Even when you're going through difficult times and decisions everything is a lot better when you have quality people running your departments. It became pretty clear to me so I appreciate all of the work.

Com. Good, And Ray we are still praying for your family.

With no further business the meeting was adjourned at 10:37 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor