

**PORTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 29th, 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, September 29th, 2020 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

Com. Good, Good Morning this is the Porter County Board of Commissioners' meeting Tuesday, September 29th, 2020.

CONSENT AGENDA

Approval of Payroll – September 4th and 18th, 2020.

Approval of Claims – September 3rd, September 10th, September 17th, 2020.

Approval of Minutes – September 1st, 2020.

Treasurer's Monthly Report Filed – August 31st, 2020.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

VENUE RENTAL AGREEMENT

Molly Vass/Victor Oros

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

ANNOUNCEMENTS

NEW BUSINESS

COMMISSIONERS

2021 Holiday Schedule.

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

A proposed Ordinance to Establish a Fund for the Office of Energy Environmental Development Grant – 2nd Reading.

Com. Good, this is second reading at our last meeting we did a public hearing and this is second reading.

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

Indiana Dept. of Transportation Highway Utility Agreement – A reimbursement for the relocation of a County fiber optic line located at S.R. 2 at Heavilin Rd. in the amount of \$42,302.96.

Com. Blaney, moved to approve Indiana Dept. of Transportation Highway Utility Agreement, Com. Biggs, second, motion carried.

An Ordinance Establishing a Local Home Rule Fund for the Receipt of Certain Pass-Through Forfeiture Funds – 1st Reading.

Com. Good, Scott can you tell us a little bit about this.

Atty. McClure, The auditor and I believe the prosecutor have been working on the exact way to handle the funds from forfeitures that are dealing with drug cases basically. I believe at the end of the day with the State Board of accounts and everyone at the state board the DLGF wanted the fund to go this way.

Ms. Urbanik, I wanted it this way. This was the only way that we could come up with for a solution to the problem of collecting forfeiture monies from agencies that are not part of the Sheriff's drug task force. Monies that are collected through the drug task force funnel through their fund but we didn't have a place to put the money for let's say the Indiana State Police and so then our office is going to use this fund to pay out the attorney fees as well as the non-drug task force agency. We think this will finally as county attorney said this will be the last procedural move we need to do to get this program up and running.

PUBLIC HEARING OPENED

Com. Good, First call is there anyone wishing to speak against this ordinance? Second call anyone wishing to speak against this ordinance? Third call anyone wishing to speak against this ordinance? First call 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. Blaney, moved to approve the Ordinance on 1st Reading, Com. Biggs, second, motion carried.

A request for Modification to a U.S. Army Corps of Engineers Environmental Infrastructure Program Authority.

Atty. McClure, This request is to basically modify the existing program authority to request the increase of the Federal monies available from \$100 million to \$125 million for the region that we are in.

Com. Blaney, moved to approve the Modification to a U.S. Army Corps of Engineers Environmental Infrastructure Program Authority, Com. Biggs, second, motion carried.

Valparaiso Lakes Area Conservancy District OCRA Grant Administration Services – Selection of Certified Grant Administrator.

Atty. Hollenbeck, As you know you were gracious enough to agree to be the applicant of this OCRA Grant process on behalf of the Conservancy District. They are seeking money to do Storm Water Management upgrades in the Blackhawk Beach area on Flint Lake. The process has gotten to the point now where it is time to employ a grant administrator that we pay for if we get the grant out of the grant. We have followed with the help of Scott and Mike Novotney all of the requirements of federal government and there are many. We have solicited proposals. We received a proposal. Mike Novotney and my client interviewed the person. She is the retired City Planner in LaPorte, Mary Jane Thomas is her name. Everyone was very impressed and I believe I can speak for Mike if he isn't here that he is supportive of our recommendation that you agree to have her as our Grant Administrator. As soon as that happens we will prepare an agreement to that affect. We also need to get an agreement in place between the Commissioners and the Conservancy District to make it perfectly clear that you are not responsible for any costs or expenses on this. Then she can go to work. Our application needs to be completed. We have submitted under the Federal Program what's called a grant proposal. We are now at the point where she will prepare the application and we should know probably in late November or December with your help we are looking for \$600,000.00 which will go a long way in helping us deal with the Storm Water issues in the area. So what we're looking for today is your acquiescence and acceptance of our recommendation that we hire Ms. Thomas as the Grant Administrator. I will answer any questions you may have.

Com. Biggs, moved to approve Mary Jane Thomas to be the Grant Administrator for Valparaiso Lakes Area Conservancy District OCRA Grant Administration Services, Com. Blaney, second, motion carried.

Pulse Technology – A revised proposal for office furniture at 157 Franklin St., Valparaiso in the amount of \$148,561.28.

Com. Good, Scott why is this revised?

Atty. McClure, It was originally approved up \$150,000.00 for furniture. This is the exact amount that we are paying.

Com. Good, This is just housekeeping.

Com. Blaney, moved to approve the Pulse Technology revised office furniture proposal, Com. Biggs, second, motion carried.

A Resolution Allowing the Porter County Board of Commissioners to Submit a Regional Application for the Environmental Resilience Institute 2021 Intern Cohort on Behalf of Multiple Northwestern Indiana Jurisdictions.

Atty. McClure, It is entitled Resolution Supporting the Funding by NIRPC of the Indiana University's Regional Greenhouse Inventory Cohort. It is part of a program that is going on which is happening for the Greenhouse Gas Inventory through the Indiana University's regional study that NIRPC has requested.

Com. Biggs, This is other local units of government such as Lake County have approved this as well.

Com. Blaney, And LaPorte County.

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

Schmidt Associates – Brick Masonry Repair Project for the Memorial Opera House.

Com. Good, I don't know if many of you recall but several years ago through the efforts of our Foundation and Scot MacDonald who is the Memorial Opera House Director we secured a grant to study the Memorial Opera House. It is one of our oldest buildings that has been in the County and has a large historical significance to our County. Out of that study we were given a laundry list of things that need to be done for our old treasure. Over the last year we have been looking at different ways to figure out how we can go about upgrading this treasure. There are a lot of things to look at in these old buildings. What we decided to do as a Board is to take baby steps. I think our first concern is obviously the condition of the exterior of the brick. It has been there for quite some time. In some areas it looks good and other areas it's bad. What this contract will allow us to do is go in. We're going to hire a local mason and we will be going in and doing a lot of cores around the building to see if we can figure out what the real condition of this brick is before start tearing into it. It is more for cost purposes but it is also more for us to continue to write the story for when we do finally move forward and start fixing this building we have a much more targeted approach to the skin. All of the other things that were on that list from our perspective we think are very doable, but in any building it always starts with foundation and the skin of the building. Being of the historical significance that is the one that we wanted to tackle first and I think it's the right approach. It is the one that is needing repair the most urgently. Hopefully we can start doing some of these cores and samples and do that yet this year.

Com. Blaney, This is a good time to do this over there. They are not real active due to COVID.

Com. Good, That is our biggest concern there the condition of the brick.

Com. Blaney, Water problems, it's well needed.

Com. Biggs, You brought up a good point Com. Good. Due to the age of the building itself which is well over 100 years old. Before we begin tearing into it we need to know what type of material that brick is and whether or not it is going to hold up to us modifying it or renovating it.

Com. Good, Scott what was the cost of the agreement?

Atty. McClure, It's not to exceed \$18,500.00 for Schmidt and Assoc., but that is not just testing that is whatever the testing reveals doing the architectural work to be able to eventually put that out to bid if that is the direction we were going. Step 1 determine what is wrong with it. If it can be tuck pointed or whatever the issue may be, replaced or re-veneered. Once we know that we then have to continue on with Schmidt and Assoc. on whatever the testing reveals that

needs to be done architecturally so that we can start to get an idea of what the cost would be when it is that it's going to be fixed.

Com. Good, And that is very important we typically see governments go out and sign a big contract with someone and then they work through it. What we're doing is we're taking baby steps. If we know what the condition of that brick is and we know what our issues are when we go to negotiate that contract with the architect it's much more defined in scope so we should see a savings in the cost.

Com. Blaney, And fewer change orders.

Com. Good, And other things to make the projects deliverable as to what we promised the public what we are going to do them for. We're just trying to get as finite as we can before we move forward on a larger scale. That is typically how you handle these historical buildings.

Com. Blaney, I would like to point out also that Schmidt and Assoc. specializes in historic buildings. This is where they're good.

Com. Good, They are based out of Indianapolis. I know we met with them several times. The report that we received several years ago was a very good report. We are going to continue to keep marching forward and hopefully we'll be back here with some results of what comes out of this if we choose to move forward.

Com. Blaney, moved to approve the Schmidt Associates agreement not to exceed \$18,500.00, Com. Biggs, second, motion carried.

A request to approve COVID reimbursement claims.

Ms. Urbanik, This set of claims is the next bundle of claims that went through our local process. Many of these come from the Tourism office but there are also some additional claims that went through our new program through the Foundation Budget Fund.

Atty. McClure, Vickie the request that you have for the reimbursement what is the total of this request?

Ms. Urbanik, \$13,650.00 among the 3 different categories. I do want to point the big announcement that came through Indiana yesterday and I would like the Commissioners' support to sit down and talk about where we go from here because they have some decisions to make.

Com. Good, I saw that, but it's good stuff.

Ms. Urbanik, It's very good, but there are some pending requests that you need to address. I'll just do the accounting paperwork.

Com. Blaney, moved to approve the COVID reimbursement claims, Com. Biggs, second, motion carried.

157 FRANKLIN ST. – PAY APPS.

Circle "R" Mechanical – Pay App. #11 in the amount of \$2,078.60 for plumbing work. With a remaining balance of \$10,533.58.

Circle "R" Mechanical – Pay App. #12 in the amount of \$10,533.58 for plumbing work. This is the final payment.

E.C. Babilla – Pay App. #3 in the amount of \$24,126.20 for roofing. With a remaining balance of \$11,233.55.

Com. Good, We have just an update on this building. We have moved in IV-D Child Support Division has moved into their permanent space. You saw earlier we approved the order for all of our furniture is in. We're expecting that over the next month. Once we get that furniture we'll start the journey in moving the Adult Probation and Prosecutor's office out of the Courthouse. We're still working with Tony, you will be seeing some other approvals coming through here. The last department we will be moving in is the 911 Center. That is a little bit trickier to move because you need to have it live at both ends. That will come at the end. That will be interesting. We have never done that before move a 911 Department.

Com. Blaney, A lot of preparation going on there. We don't want any surprises that day.

Com. Blaney, moved to approve the above Pay Apps., Com. Biggs, second, motion carried.

NORTH COUNTY ANNEX – PAY APPS.

Pangere Corp. – Pay App. #14 in the amount of \$33,833.30 for labor and material. With a remaining balance of \$218,455.16.

Ziolkowski Construction – Pay App. #12 in the amount of \$5,176.55 for masonry. With a remaining balance of \$27,040.55.

Ziolkowski Construction – Pay App. #13 in the amount of \$27,040.55 for masonry. This is the final payment.

Circle “R” Electric – Pay App. #15 in the amount of \$11,987.81 for electrical. With a remaining balance of \$81,585.37.

Kleckner Interior System – Pay App. #14 in the amount of \$28,618.75 for labor and material. With a remaining balance \$111,728.34.

Arctic Engineering – Pay App. #11 in the amount of \$20,456.35 for plumbing. With a remaining balance of \$24,611.77.

Mechanical Concepts – Pay App. #14 in the amount of \$27,763.75 for HVAC. With a remaining balance of \$78,389.50.

Com. Good, We are very close to finishing up at North County. We are very close to finishing up there. These are all pay applications with contracts that we do have with people on the project. I would hope by the end of this year both of these projects will be finalized and paid out depending on how our punch list and things go from that perspective.

Com. Blaney, moved to approve the above Pay Apps., Com. Biggs, second, motion carried.

SHERIFF DAVE REYNOLDS

An Ordinance to Receipt Funds from the State Homeland Security Grant in the amount of \$214,375.00 to replace Robotics Platform for Explosive Incident – 1st Reading.

Ms. Grskevich, The Sheriff and Edie were in a meeting.

PUBLIC HEARING OPENED

Com. Good, First call is there anyone wishing to speak against this ordinance? Second call anyone wishing to speak against this ordinance? Third call anyone wishing to speak against this ordinance? First call 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. Blaney, moved to approve the Ordinance at 1st Reading, Com. Biggs, second, motion carried.

E-911 – TONY STUA, DIRECTOR

Miner Electronics Corp. – A quote to move VHF equipment to the new 911 office in the amount of \$13,762.30.

Mr. Stua, The last component we have in order to move to the new center will be allowing all of our radio equipment to be installed at the building for 157. Miner is going to handle all of the installation of the equipment on the top of the building and run all of the radio equipment into our Center and into our server.

Com. Good, We did get all of those conduits from the roof and everything into down through that space.

Mr. Stua, Any additional conduits will be taken care of (Inaudible).

Com. Good, It's all protected and incased.

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

EMA – LANCE BELLA, DIRECTOR

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

Com. Good, The Emergency Disaster Declaration only lasts 30 days. That is a State Statute and a Federal Statute. Ever since we reached the high water mark at the lake we have been renewing this every 30 days. This allows any of the cities and towns to file for Federal or State relief to do so because this needs to be in place before that happens.

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

Christopher B. Burke Engineering – A Multi-Hazard Mitigation Plan Update.

Mr. Bella, This is required by the Department of Homeland Security and it has to be updated every 5 years. It requires a collaboration between all of the municipalities and stakeholders within the County. We are obtained a grant from Homeland Security to pay for this. Christopher Burke was the facilitator for this. We had several meetings and all day sessions where we assessed threats and different things that fit the County and how we would potentially mitigate that. This was a plan that was created which is about 120 pages. We would pass this and then each municipality would in turn have to adopt this as well. This allows you to be eligible for Homeland Security Grants. If you don't have this in place you will not be eligible for certain grants.

Com. Biggs, How is this study paid for?

Mr. Bella, With the grant.

Com. Blaney, I know you put a lot of time in this working with all of those communities.

Com. Biggs, moved to approve the Christopher B. Burke Engineering Multi-Hazard Mitigation Plan Update, Com. Blaney, second, motion carried.

IT – ERIC SERRANO, DIRECTOR

NITCO – An agreement for the relocation of a fiber optic connector at Heavilin Rd. pertaining to the round-about.

Mr. Serrano, They would like to do the work this fall. This way of the Indiana Department of Transportation wants to begin sooner they are not held up because of our fiber.

Com. Blaney, Sounds like a good plan.

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

Com. Good, Just so everyone knows that all of the ground around that area was County ground. We have been working with the State for the last 2 years in getting right-of-ways and other things to them to be able to make that round-about work. We have been involved in it that is why we're relocating utilities and other things at their cost. We received money from the State and we're taking that money and doing the work.

Com. Blaney, I think most of the work is going to be done without closing Hwy. 2 and moving the round-about off of the highway to the north a little. It shouldn't be too bad for traveling.

Com. Good, Not like the last Hwy. 2 shut down where...

Com. Blaney, Although that was worse but it's so much safer. That took a long time and was a little further south.

Adams Remco – A copier purchase agreement Superior Court D02 in the amount of \$2,583.00.

Adams Remco – A 3 year copier maintenance agreement for Superior Court D02.

Com. Blaney, moved to approve the Adams Remco copier purchase along with the maintenance agreement contract for D02, Com. Biggs, second, motion carried.

RECYCLE & WASTE REDUCTION – KERI MARRS BARRON, DIRECTOR

A request for approval for a Recycling & Waste Reduction District Fee Collection Agreement.

Com. Good, Is this the first time you've been in front of us?

Ms. Barron, Yes.

Com. Blaney, Welcome.

Ms. Barron, Thank you. This is actually a 2 year agreement which is on the property tax bill that the Treasurer's office sends out. The Recycling District user fee of \$20 is placed as a mechanism which allows us to collaborate with the Auditor and Treasurer's office. It's just an agreement stating we utilized this mechanism so Porter County residents are billed and our fees are received.

Com. Blaney, And that's not a change (Inaudible).

Ms. Barron, No change.

Com. Biggs, Did Atty. McClure get a copy of that?

Atty. McClure, Yes the District and myself originally wrote it 2 years ago. This is an update for us. The County gets paid but not to exceed \$26,000.0 to do their billing. You guys are a separate municipality. A separate entity therefore that is why we have this agreement and which it allows them to stay code and it allows them to reimburse us for the cost. So they don't have 2 sets of billing.

Ms. Barron, Correct.

Com. Blaney, moved to approve the District Fee Collection Agreement, Com. Biggs, second, motion carried.

Ms. Barron, I'm very thrilled to hear that the Porter County Commissioners approved the resolution for the I.U. Cohort. We're very excited for this Greenhouse Gas Baseline so thank you as well.

MEMORIAL OPERA HOUSE – SCOTT MACDONALD, DIRECTOR

Arts People – An agreement for ticketing services with a one-time set up fee of \$500.00. This company will replace Vendini who was acquired by another company.

Mr. MacDonald, We are in the midst of changing ticketing vendors again. I believe this time last year we went through this same thing and the company Vendini has been purchased and is in the process of being dissolved. We were told earlier in the year don't worry about the acquisition. It was going to be all systems normal. In July when they made the determination to dissolve Vendini that was not the case. All users of Vendini are being moved over without really getting to see what the product is that we're moving to. Also, we have to pay for it. That didn't sit really well with me so I started looking at some other options. I interviewed some other theaters the country. Locally the Chicago Street Theater is also in the same boat. We have made the decision to move to a company called Arts People. They are based out of Portland. All of the things they offer including no yearly contract, elimination of a separate payment gateway, all of that. It just seemed like a sensible move for us and it seems like when staff does come back this will kind of be a one to one move as far as what products they're using so it won't be a huge loop for our box office staff when there is a new product in front of them.

Com. Blaney, moved to approve the Arts People Contract, Com. Biggs, second, motion carried.

Com. Good, Thanks Scot, we'll let you know when the brick guy is coming down. I think it will be interesting to see what is going on there.

Mr. MacDonald, Absolutely. Thank you!

FACILITIES – RAY CLOYD, DIRECTOR

A request for a Transfer of Funds – Fund #1112 in the amount \$9,342.68 from Acct. #2350 Building Maintenance to Acct. #4540 Other Equipment. To purchase washer and dryer for Jail.

Com. Good, So they finally went out.

Mr. Cloyd, Correct. We have 3 sets there. This is number 3 of both and they are both down and we're going to replace them.

Equipment International – A proposal for a washer and dryer in the amount of \$11,895.00 for the Jail.

Com. Blaney, moved to approve the Transfer of Funds along with the Equipment International Proposal, Com. Biggs, second, motion carried.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

A Maintenance Letter of Credit with Red Fish Development, LLC for Phase I of The Preserves in the amount of \$48,000.00.

Mr. Thompson, Correct, this is starting the process of the County taking over the maintenance of Phase I of Red Fish. The maintenance agreement is for 3 years. Their credit is also good for 3 years in that we will snow plow the Phase I. However, if any of the infrastructure problems come up in this 3 year period then we will be requesting the developer to fix this or we have the letter of credit to use.

Com. Blaney, moved to approve Red Fish Development Maintenance Letter, Com. Biggs, second, motion carried.

A Performance Letter of Credit with Red Fish Development, LLC for Phase II of The Preserves in the amount of \$180,000.00.

Mr. Thompson, They requested to get a secondary plan recorded for Phase II so they can start housing construction. We have a performance letter of credit for \$180,000.00 in that range and it is for the infrastructure that remains within Phase II to be completed. This letter of credit is good for a 2 week period. The letter of credit can be extended for an additional 2 year period by the County Engineer, Mike Novotney in 6 month increments. The performance letter of credit also states that if this is the case then we can also ask for a revised construction estimate, but based on the dollars for that day.

Com. Good, So basically what we're doing here is on a new phase coming in we're requiring the developer to post a performance letter. The first one was for a maintenance bond. What that basically does if the developer doesn't follow through with their items then the County has the ability to go in and take that position and make it right. We do this on every subdivision. We've done it for years. This is standard operating procedure and that protects us to make sure the development is done right.

Com. Blaney, moved to approve Red Fish Development Performance Letter of Credit, Com. Biggs, second, motion carried.

DLZ – C.R. 100 S. Supplemental Agreement for Preliminary Engineering Services.

Mr. Thompson, This supplemental agreement is basically shifting dollars into different line items. This is a zero dollar increase or decrease. We have the funding we're just moving it into different phases. Whether it's in the environmental or utility relocation or helping us to mark trees.

Com. Biggs, moved to approve the DLZ Supplemental Agreement, Com. Blaney, second, motion carried.

39 Degrees North, LLC – A Termination of Consulting Services Agreement and Mutual Release.

Mr. Thompson, 39 Degrees North was originally contracted this year to do our electronic permitting system. They have since been reorganized and they are only doing Federal projects so Schneider Geospatial is going to be doing this work. We are terminating the contract and we're requesting a refund from 39 Degrees North of the \$40,000.00 we submitted to them for completion of this. The \$40,000.00 will go towards paying the invoices of Schneider Geospatial to complete the project.

Com. Blaney, moved to approve the termination of the 39 Degrees North Consulting Agreement, Com. Biggs, second, motion carried.

SEH of Indiana – An Agreement for the design of Phases 1 and 2 of the Calumet Trail from Mineral Springs Rd. to NICTD's Dune Park Train Station.

Mr. Thompson, We've been working on this project. Another hard year as of late. We actually had Phase I and Phase II designed and it was ready to go to bid, but this is the one where NIPSCO came out and said that they were putting in a gas line along the trail so I didn't want to build a construction road for NIPSCO. So I put the project on hold. We want to go back now and complete this particular section. It goes from Mineral Springs Rd. up to the Dune Park train station. SEH was the original contractor on that. We need to go back in and do some more engineering work on this and it is mainly because of the pipeline work that NIPSCO did. We need to go in and actually locate that pipeline, the depths on it to make sure we're not putting the trail over the top of it and to also do some elevations on it. Basically doing a new Therefore it has significantly cut our costs with the environmental work. The environmental part the not to exceed amount that you see within this agreement and we're pretty sure with the acceptance of the wetland mitigation we're going to be knocking off \$40 to \$45,000.00 on that. The engineering part is firm in what needs to be done and the cost. The (Inaudible) have been really busy in the last 24 months attempting to move this forward.

Com. Blaney, Especially in the month.

Mr. Thompson, Yes, especially in the last month.

Com. Good, The engineering that we had in place to get this grant on this Phase II is now to a certain extent not up to date because of the double tracking with NICTD. The double track now goes where the trail was supposed to go. The good part of that is originally if the County would have moved on the double tracking we would have taken on the cost of the relocation of the double tracking and everything else. Now the way it sits NICTD is going to be picking up that engineering portion of the redesign for the double tracking to make sure that we can get that trail around that area. That was a pinch point that was created. That last time that all of this funding and everything was put forward on the Calumet Trail there was no talk of double tracking. As things have moved along that has now come into a conflict and we've got that worked out. This is going to be the first step of Phases I and II moving forward on an entire plan for the Calumet Trail getting it from the Dune Lake Station all of the way to the County Line to meet up with the trail that Michigan City and LaPorte have come out that way to receive. We have also been in meetings with the National Park Service. We've been in meetings with NICTD, also with the RDA, and Beverly Shores. We hope within the next 30 days we have a conceptual trail that we can show people what we're trying to move towards. It is a departure from where we were before and I think the timing because we now have a National Park a true National Park there seems to be a synergy to move this forward. They have ideas and between this working group that we're trying to put together we're going to come up with a trail that is going to be able to move in and out of the parks. We're going to use existing trails and roads to enhance the trail. We think we've come up with something that everyone seems to be moving in the right direction on. We still have some stakeholders to sit down and talk to like NIPSCO for one. I think we're hearing a lot of positive comments. With the collaboration with the National Park and using some of these existing trails and roads we also think we'll be able to bring the cost of trail and everything down and also compress the time frame so we can move on it before it gets into a 5 or 7 year Federal program. 2022 or 2023 is when the double tracking should be completed. We're starting to get all of the stakeholders involved and we're really coming up with a good collaboration of what this thing can really be. I know the National Park folks are very excited.

Com. Blaney, I think the changes that have been done are better. It's going to be a much better trail.

Com. Biggs, I agree not only will it be more interesting but it's going to be environmentally pleasing or acceptable. I wish it was just the case as some people I'm sure thought just going in there and throwing down some aggregate and improving it that way but we had some huge hurdles to jump over to get to this point to where it is today. It's going to be a better trail.

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

Change Order #1 - Bridge 84 Replacement C.R. 800 S. over Dog Lake Ditch.

Mr. Thompson, Mike and I just sat down with the contractor Gariup along with our Highway Engineering staff. Bridge 84 is 800 South over the branch over Dog Lake Ditch or what is referred to is Sigler Rd. in Hebron. There were some items as far as the pile driving. To give you an example on the original engineer's plans there was only going to be about 65 ft. Our very first pile that we drove went 100 ft. down. There some additional materials on that. They redid some of the items on that as far as the barring capacity so they were able to make some changes. What you're seeing is there were some material over runs from the plans and there were some deductions for material under run on that. We also requested from Gariup a workmanship deduction due to some of the items on it. The forms did settle some during the pour. There were some smoothness issues. We drove it and everything was fine but there is some settling that did happen. Here again Mike was able to work with Gariup on that on what we felt was a fair resolution as far as the workmanship, but yes we did have some overruns on it with materials some underruns as well.

Mr. Novotney, I would just add when we run a unit price contract like this one was you are dependent upon your design engineer to come up with accurate plan quantities. So I would just point out a big chunk of this change order just deviations from plan quantities to final measure quantities that actually went into building the project that was supposed to be built. I think Bob gave a good summary of some of the construction challenges that we had. Again, translating the design to construction so that required the contractor to do some additional work with changing their pile driving approach, overcoming a utility conflicts that existed out there. Then in the end the workmanship issues we're satisfied with settling them. There are no hydraulic issues with the bridge. There are no structural issues with the bridge. It passed the riding test that was conducted by our Highway Dept. and our Highway Engineering Dept. so we don't have any issues with the bridge deck itself but Gariup is admitting that it wasn't quite built per our tolerances and specks so they are giving us a credit to address our concerns (Inaudible). We think this is a pretty good settlement of the contract and we did have a good discussion with the contractor on this project as well. It was constructive in terms at looking ahead at future bridge construction and I will hold to do for future bridge work in the County.

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

A Performance Agreement between Lawrence C. Hill and Jacqueline M. Hill and Porter County regarding Hickory Hill Estates, Phase 2.

Mr. Thompson, Hickory Hill Estates Subdivision is a performance agreement. The purpose is because Hickory Hill would like to record Phase 2 for secondary plat so they can start home construction. There is some construction work that needs to be done mostly on drainage. The private road is in place for the lots and they did receive a waiver in use from the Plan Commission. This is to help them start moving forward. Mike worked with them to help them move forward. They are going to have this work done in so many months of this I believe it is in the agreement. Here it is again to work with the developer to so that way they can start selling lots and building homes for their end recording of their secondary plat.

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

An Ordinance Relating to Department of Development and Storm Water Management Fees to Include a Fee Structure for Rural Broadband – 1st Reading.

Com. Good, What has been happening out there because of Covid and people going to the internet more it has highlighted some of the deficiencies our rural areas of the County have with regards to broadband service. We have been talking with some of the local folks who do this type of infrastructure work. After looking it over we thought that the whole process for getting rural broadband going was a little bit archaic so we decided to re-look at the ordinance.

Atty. McClure, This is a narrow amendment that is dealing directly with rural broadband. We've gone through the process of defining what that is. We've utilized the Fed standards and some of the State standards. We're attempting to directly impact the areas of the County that are outside of the urban fringe areas struggling to the broadband service to their homes. Ultimately we think we've done a good job with trying to zero in on the actual issue that we're trying to solve without getting to many unintended consequences. Ultimately I think assuming things are supposed to be put back the way I think they are supposed as far as our road cuts and things

along those lines that this would be about an 80% reduction in permit fees for fees directly related to rural broadband.

Com. Blaney, I think this is super important living in a rural area myself with children. School in particular has moved to so much on line. Even before Covid snow days aren't usually snow days any more, if there are any parents out there they are E-learning days. There is just so much homework on a normal day. There are so many requirements they can only be covered with broadband. It's hard to take time to drive to the library every night or Starbucks or whatever to get your kids homework going when you have other responsibilities at home.

Atty. McClure, The permit fee wasn't just a number that was made up out of an ordinance. It was directly related to the amount of road cuts, the amount of times the vaults were put in. It was brought to our attention and we ran through some scenarios and the permit fees tended to be a little bit higher because you are in the unique scenario of running a fiber line to a small amount of residential homes which means you are criss crossing the subdivisions and the roads several times. Fees can get a little bit high due to that. Again, I think we've done a good job of protecting ourselves as far as what our infrastructure goes through. Allowing the broadband providers the opportunity to do this and as long as things are constructed back to the way they're supposed to then there is a significant decrease in the cost of the permit. Some of these permits you can have a 30 home of residential broadband routers being put in but because of the road cuts your permit fee can get to maybe \$10 or \$15,000.00 because of what is happening with the road and vaults and those along those lines. So when I say an 80% reduction fee is significant we're trying to encourage as much of this to go in so that these hard line broadbands are going in. We've used the base model as far as what the Feds defined what broadband is so it has to be above a certain level and hard wired in. I think this would accomplish as much as we can do to facilitate this going in as fast...or at least not being the impediment of why it doesn't work or why the return on investment for the provider or for some of these subdivisions the homeowners are actually getting together and paying for this to go in. At the end of the day getting more broadband in rural areas overall and I think this helps.

PUBLIC HEARING OPENED

Com. Good, First call is there anyone wishing to speak against this ordinance? Second call anyone wishing to speak against this ordinance? Third call anyone wishing to speak against this ordinance? First call 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. Blaney, moved to approve the Ordinance on 1st Reading, Com. Biggs, second, motion carried.

ANGELA KALIN, DEVELOPMENT DIRECTOR – SALVATION ARMY OF PORTER COUNTY

A request to use the Northside of the Courthouse grounds on Friday, November 13th, 2020 from 3:00 pm to 6:00 pm for the Red Kettle Kick Off. The 105.5 Radio Station van will be doing a live broadcast. There will also be a small canteen style vehicle serving cocoa and cookies.

Ms. Kalin, We will probably have a 10 x 10 tent set up with our information. We just want to meet and greet Porter County. I'm going to try and incorporate businesses in the area to come in. We may have a 4 or 5 piece Salvation Army brass band. It's a kick off to get the Christmas season started. We would like to thank Porter County for their donations throughout the year, but especially at Christmas for Red Kettle and what people know what those donations go towards. Especially to let people know that are in need. We've definitely seen an increase what our services are and how we can help them.

Com. Blaney, moved to approve the Red Kettle Kick Off, Com. Biggs, second, motion carried.

LEXI SCHAEFER – NASTY WOMEN OF PORTER COUNTY

A request to use the Courthouse grounds on October 3rd from 5:00 to 7:00 pm to hold a Vigil for the Honorary Ruth Bader Ginsburg. There will be guest speakers and a moment of silence with vigil candles if permitted.

Ms. Schaefer, We currently have 4 speakers lined up. I want a moment to honor her. I know (Inaudible) showed up. The more I thought about it I wanted something bigger to really honor who she was and the legacy of her work.

Com. Blaney, moved to approve the Vigil for the Honorary Ruth Bader Ginsburg, Com. Biggs, second, motion carried.

Greenhouse Gas Emissions Inventory - Discussion

Ms. Sipple, My name is Kathy Sipple 455 Andover Dr. Valparaiso and I want to thank you for passing the resolution about the Greenhouse Gas Emissions Inventory. I've been in communications with Kathy Merle to get that item on the agenda. Prior to NIRPC actually approving the movement to submit an application on behalf of the region which they did at their executive board meeting on September 17th. At the September 17th meeting they determined that the next step for interested entities (Inaudible) government which are cities and towns would be to sign a commitment letter which is due to them 7 days in advance of the December 3rd deadline to the Indiana Resilience Cohort. I do have a printed copy of that and I had also sent a Word editable copy to Kathy Merle. I'm asking that the Porter County Commissioners would actually become one of the members of the Cohort besides just being in support of the Initiative. I will just say that this type of study was done by a private firm it would cost anywhere from \$15,000.00 to \$25,000.00. This opportunity to do it in bulk kind of a Groupon if you will. They are supposed to have 6 interns to of which can handle 5 Greenhouse Gas Emissions Inventory. So by doing this all as a region it's really a big savings. There is a software fee of \$200 to \$300.00. \$300.00 for populations of 50,000 which would apply in this case. Total cost would be \$1400.00. Just less than 10% of the low end of a professional. If I can leave this with someone. I don't know if that could be done today but it is a really great value and one of the benefits of doing this that (Inaudible) we can be eligible for grants that show further how to reduce our carbon emissions. I know that you've already worked with South Shore Clean Cities I believe to get a lower emission vehicle fleet for the Sheriff's Dept. Things like that we can help you get into to look for further savings both carbon reduction and money savings as well. Thank you.

Zona Wildlife – Discussion

Bob Gregg (Please listen to the audio on our website.)

With no further business the meeting was adjourned at 11:37 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor