

**PORTER COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, OCTOBER 8TH, 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, October 8th, 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 is the Board of Commissioners' public meeting Tuesday, October 8th, 2019.

CONSENT AGENDA

Approval of Payroll – September 6th, September 20th and October 4th, 2019.

Approval of Minutes – September 3rd, 2019.

Approval of Claims – September 5th, September 12th, September 18th, September 25th and October 3rd, 2019.

Treasurer's Monthly Report Filed – August 31st, 2019.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENTS

1. Frank Allen
2. John Peluso
3. Jared Coller
4. Don Parker
5. Allison Granat

VENUE RENTAL AGREEMENTS

1. South Shore Orchestra – Non Profit
2. Brightside Music LLC

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

ANNOUNCEMENTS

Tony Stua E-911 Director

Com. Good, We would like to introduce our new 911 Director Tony Stua. Tony why don't you come forward and tell us what you have going on here and what you've had going on for the last several weeks. Welcome!

Mr. Stua, Thank you sir much appreciated. What I'd like to introduce is the fact that one I'm very appreciative and proud to be a part of Porter County as well as the 911 Center and help us make some strides towards the future. Today we have just migrated all of our law enforcement agencies to the new 700 Megahertz Radio System. It will provide better coverage and better interoperability for the County as well. We did that first thing this morning before coming in and everything went along smoothly. We've been working on some hiring. We've just hired another 7 individual to put through training to put us in a better place and provide better services to both the First Responders and make sure the residents are taken care of and as safe as possible for 911. I'd also like to add that one thing I'm very proud to be here for is that the 911 Center has been performing above industry standards in call answering. In our industry right now 90% of your calls are answered within 10 seconds and 95% of your calls are answered within 20

seconds. I'm very pleased to say that for this year alone we are at 99.41% of our calls are answered within 10 seconds and 99.90% of our calls are answered within 20 seconds. The discrepancy in this is during our testing phase for the new phone system call works there were periods that they had to let the calls go beyond the 20 seconds so there is a discrepancy. Last year alone for 2018 we did answer all of our calls within 20 seconds 100%. We are above the industry standards right now for our nation. I am very grateful for the dispatchers and what they're doing and they are doing a great job. Luckily today we will have the benefit to recognize two of our individuals from the Center.

Honoring Sue Baugher for 28 years of service with the E-911 Department

Mr. Stua, She has been working for the County for the past 28 years, 26 of those have been with the 911 Center. She is currently our Quality Assurance Manager. We hate to lose her. We wish her the best in where she is going and her next step in life and if you wouldn't mind I would like to have her come up and say a few words before she leaves.

Com. Good, Absolutely.

Mr. Stua, Sue. Our industry is one that sometimes people burnout in a short period of time. Although I have not had a great amount of time to know you and what you have done for this County as well as our Center is remarkable and I thank you for the time you put in. We would like to recognize for what you have done and if you need anything from us please do not hesitate to ask. I know on behalf of the Commissioners as well everything you provided for Porter County 911 and Porter County Center Communications we truly appreciate what you provided for us.

Ms. Baugher, Thank you very much.

Recognition to Chelsea Wathen

Mr. Stua, I can't say enough with the people such as who that have allowed us to train wonderful dispatchers. We get the chance to recognize Chelsea Wathan who is a relatively new dispatcher. She used our priority protocol for emergency medical dispatch to perform child birth over the phone. She helped a father deliver his second child before the paramedics would arrive. She literally did a text book delivery of these directions and protocols to the father on the other line and was very compassionate and caring. When I listened to the call I will admit I was in tears to hear the father cry and laugh at the same time with delivery of his second daughter. We tried to get the father to come out here unfortunately with work he wasn't able to be here. Chelsea, it's the dispatchers such as Chelsea who provide this service. We have an added benefit for Chelsea being here because she is going to be the first recipient of our Stork Pin. Every time we have a child delivered by a dispatcher as well as we will be moving forward to a baby wall where we will keep record of the child's first name. Ivory is the child that was born and we will memorialize all of the future children that are born through the help of dispatchers and the first responders who arrive on scene. Chelsea I would like to say thank you. I am very proud to assist you in this agency and help you become everything you can to our industry.

Ms. Wathen, Thank you.

Mr. Stua, I would like to say to the Commissioners I wish I could bring everyone from the Center at once. They are all working very diligently to improve their own performance and make sure that the residents have the best possible service. I'm grateful for you giving me the ability to come here as well and I look forward to giving you good news and bring more dispatchers in to recognize for an amazing performance.

Com. Good, Thank you Tony and good luck.

NEW BUSINESS

COMMISSIONERS

Approval of the 2020 Holiday Schedule

Com. Good, I think this was all in your packet. Are there any comments or questions before we move on this?

Com. Biggs, moved to approve the 2020 Holiday Schedule, Com. Blaney, second, motion carried.

Pulse Technology – An agreement to provide maintenance for the mail machine and scale at the Porter County Courthouse for 1 year in the amount of \$1,000.00.

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

Unum Life Insurance Co. – Amendment No. 3 for Porter County employees which affects the amount of Life Insurance for your dependents. The effective date of these changes is September 1, 2009.

Unum Life Insurance Co. – The entire Summary of Benefits is replaced by Amendment No. 4 for Porter County employees which changes only apply to deaths and covered losses that occur and disabilities. The effective date of these changes is May 1, 2011.

Atty. McClure, No to make this any more confusing than it is but the employees have a certain amount of life insurance as part of their employee package. As part of that and dependent of the amount of life insurance the employee choses than that kind of determines the amount the spouse can have. Our old plan or our current plan language has the amount of the spouse kind of locked in. That caused some problems as far as a couple of years ago we had another situation where Unum has the same type of situation accept the amounts were coming in increments for the spouse instead of being locked to the actual employee had. So this is a housekeeping measure. This isn't changing the benefits the employees are having or being offered. It is just a housekeeping matter because it came up in unfortunate circumstances as far as after a spouse had passed away and this came to light. Again this is a housekeeping matter for the life insurance that applies to the employees and their spouses.

Com. Good, Can we vote on these together.

Atty. McClure, You can.

Com. Blaney, moved to approve Unum Life Insurance Amendments No. 3 and 4, Com. Biggs, second, motion carried.

Com. Good, Now we are going to move into some pay applications so everyone hang tight. This is a lot of work that is being done throughout the County and these are pay applications so we can get all of these different contractors and workers paid.

VALPO COURTHOUSE RENO – PAY APPS.

J.W. Werntz & Son – Pay App. #4 in the amount of \$51,369.00 for windows. With a remaining balance of \$36,496.55.

J.W. Werntz & Son – Pay App. #5 in the amount of \$36,496.55 for windows. This is the final payment.

Com. Good, They are the ones that did the historical windows on the building. I think we can vote on these two together.

Com. Blaney, moved to approve J.W. Werntz pay apps. #4 and #5, Com. Biggs, second, motion carried.

Gatlin Plumbing & Heating – Pay App. #7 in the amount of \$3,924.00 for mechanical/plumbing. This is the final payment.

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

EXPO CENTER RENO – PAY APPS.

Pangere Corp. – Pay App. #10 in the amount of \$88,848.00 for general trades. With a remaining balance of \$40,921.55.

Pangere Corp. – Pay App. #11 in the amount of \$40,921.55 for general trades. This is the final payment.

Com. Blaney, moved to approve Pangere Corp. pay apps. #10 and #11, Com. Biggs, second, motion carried.

D.A. Dodd – Pay App. #9 in the amount of \$12,361.25 for mechanical. With a remaining balance of \$37,654.94.

D.A. Dodd – Pay App. #10 in the amount of \$37,654.94 for mechanical. This is the final payment.

Com. Blaney, moved to approve D.A. Dodd. pay apps. #9 and #10, Com. Biggs, second, motion carried.

Pangere Corp. – Pay App. #10 in the amount of \$20,692.00 for metal studs, drywall & acoustics. With a remaining balance of \$23,034.60.

Pangere Corp. – Pay App. #11 in the amount of \$23,034.60 for metal studs. This is the final payment.

Com. Blaney, moved to approve Pangere Corp. pay apps. #10 and #11, Com. Biggs, second, motion carried.

157 FRANKLIN ST. RENO – PAY APPS.

Circle “R” Mechanical – Pay App. #2 in the amount of \$75,309.76 for plumbing work. With a remaining balance of \$113,406.32.

Com. Blaney, moved to approve Circle “R” Mechanical, Com. Biggs, second, motion carried.

Continental Electric - Pay App. #3 in the amount of \$41,887.39 for electrical work. With a remaining balance of \$1,015,650.49.

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

Pangere Corp. – Pay App. #2 in the amount of \$64,931.26 for material and labor. With a remaining balance of \$907,367.06.

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

Stevens Engineers & Constructors – Pay App. #2 in the amount of \$173,292.35 for engineering work. With a remaining balance of \$1,060,754.05.

Com. Blaney, moved to approve Stevens Engineers & Constructors, Com. Biggs, second, motion carried.

Com. Good, Now we’re going to move to the North County Courthouse renovation. This project too is under construction. I know we’re scrambling up there right now to get the parking lot and everything in before winter hits. I know there is a lot of activity going on up there right now as we get ready turnover the new building. There is a lot of work happening up there.

NORTH COUNTY ANNEX RENO – PAY APPS., ALLOWANCE AUTHORIZATIONS & CHANGE ORD.

Arctic Engineering – Pay App. #2 in the amount of \$50,468.20 for plumbing. With a remaining balance of \$224,161.22.

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

Circle “R” Electric – Pay App. #4 in the amount of \$141,953.57 for electrical work. With a remaining balance of \$500,605.43.

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

Mechanical Concepts – Pay App. #4 in the amount of \$221,459.25 for HVAC. With a remaining balance of \$876,842.75.

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

Midwest Tile & Interiors – Pay App. #1 in the amount of \$28,880.00 for flooring. With a remaining balance of \$278,924.00.

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

Kleckner Interior Systems – Pay App. #3 in the amount of \$73,931.19 for metal studs, drywall & ceilings. With a remaining balance of \$625,913.60.

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

Stan's Painting and Decorating – Pay App. #2 in the amount of \$6,270.00 for painting. With a remaining balance of \$122,226.10.

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

Ziolkowski Construction – Pay App. #9 in the amount of \$154,242.00 for Bid Package No. 1. With a remaining balance of \$920,781.00.

Ziolkowski Construction – Pay App. #8 in the amount of \$26,042.35 for Bid Package No. 2 masonry. With a remaining balance of \$67,617.15.

Ziolkowski Construction – Allowance Authorization #3 in the amount of \$2,328.00 to provide demo and masonry. With a remaining balance of \$4,089.00.

Com. Blaney, moved to approve Ziolkowski pay app. #9, #8 and Allowance Authorization #3, Com. Biggs, second, motion carried.

Ziolkowski Construction – Change Ord. #5 in the amount of \$28,650.00 to provide four pipe bollards outside the Judge's office and the removal of unsuitable soils in the parking lot. With a new contract sum of \$3,310,036.00.

Com. Good, When we were getting into the parking lot up there and tearing into some new area we got into some real bad soil. In those kinds of situations you just have to dig it out and replace it properly. This is what this change order does and it also creates a couple security bollards that we are placing near the building for safety issues and other things. We want to make sure that we create some barriers around the building.

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

Circle "R" Electric – Allowance Authorization #2 in the amount of \$6,531.00 to provide power to revised water heater, larger inverter, power to temperature control panels & refrigerant monitoring system and slope adapter kits for lights in courtroom.

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

Com. Good, What that means is in the budget there is an allowance line item. In this motion we are basically going in and saying this is what we're going to be spending in that allowance line item that is in the budget. It's more of an accounting thing we just want to let you know what we are doing.

Circle "R" Electric – Change Ord. #2 in the amount of \$51,800.00 to provide power to doors, electrical revisions, power to microwave, new light pole, main entrance off of Willowcreek, copper phone line for fire alarm panel, low voltage wiring for food pantry and rough ins for security system.

Com. Good, This is a change order that has a lot of things in it. We are also splitting some costs on the second building with Portage Township. Some of these costs in this change order will be paid by Portage Township. We're the authority that executes the contractual part of this. Once this is executed the split will happen between who pays for what. We've also added some more cameras outside in the parking lot. We took one more look at to make sure we had everything in there with regards to security. A lot of this is for access control which is inside the building. Where the jailers will be holding prisoners during court proceedings we have put a lot of access controls in there which means you can't get people in and out without going through a whole protocol. There are just a lot of extra layers of security. We want to make sure the building is safe as we create this new building.

Com. Biggs, We also added the Sally Port which we don't have one currently.

Com. Good, Or any prisoner storage. That building has no prisoner storage. If you were to go up there the prisoners are in the lobby with everyone else. It is not a good thing, we don't think. It's long overdue.

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

Com. Good, Thank you for baring with us on that, but its housekeeping and we have to keep our guys paid.

H.R. – RHONDA YOUNG, DIRECTOR

Enterprise – An agreement to provide discount vehicle rental to be used for transportation to seminars.

Ms. Young, I have been working with Enterprise Rental Car to do an agreement for the Porter County employees to rent a car and be able to drive it to seminars. I figured out with the cost it saves the departments half by renting a car. You can rent a car for \$46 with what we have been working rather than paying mileage which costs departments a lot of money. I estimated about half.

Com. Good, What do they have to do to be able to qualify for this? Did they get put on a.....

Ms. Young, I started with 6 departments that I did a report on average of who traveled the most. I set up 6 departments with their own numbers. If it's approved I will meet with those department heads. They will have an account number that they can give their employee that is going to the seminar. That account number will allow them to say I'm from Porter County Government.

Com. Good, And they won't charge the sales tax and all of those other things.

Ms. Young, No they won't charge anything and then that department will get billed. That way we don't have everything going to the Auditor's office. It will go to the Health Dept. or 911.

Com. Good, And they can verify that and then approve it and send it off to the Auditor's Dept.

Ms. Young, Yes just like they would in a mileage claim. If they have a seminar on Thursday, they can pick up the car on Wednesday. They can leave their car there at any Enterprise, pick up the rental car take it home and go straight to Indy. Come back drop the keys off in the box if it's closing time and take their car.

Com. Biggs, Do they have to provide payment right at the time that they lease the vehicle?

Ms. Young, It took about 6 weeks that I've been working on it. They have set up all of the accounts that will get billed after to that department.

Com. Good, This sort of takes care of our credit card issued too that we're always so worried about up here. That is another way of working through that issue as well too.

Ms. Young, Then that way if some employees have leases on their vehicles they worry about their miles. Some cars aren't in the greatest shape and now you can be there and get there safe.

Com. Good, Get there safely right, at half the price. We like half the price.

Com. Blaney, It sounds like a win win.

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

Com. Good, Rhonda do they have a blanket policy for our insurance or will these people have to give their driver's license.

Ms. Young, No it's a blanket policy for our insurance knowing that we're from Porter County.

Com. Good, What about verification of the driver?

Ms. Young, No they don't need verification because their insurance will take care of it.

Com. Good, Thank you.

EXPO CENTER – LORI DALY, DIRECTOR

A request to Transfer Funds from Acct. #1110 Salaries in the amount of \$11,000.00 to Acct. #3980 Event Expenses. To cover Event Expenses through end of year 2019.

A request to Transfer Funds from Acct. #1110 Salaries in the amount of \$2,000.00 to Acct. #2330 Household and Bedding. To cover Supplies through end of year 2019.

A request to Transfer Funds from Acct. #3920 Disposal in the amount of \$2,000.00 to Acct. #2350 Building Maintenance. To cover Maintenance/Supplies needs through end of year 2019.

A request to Transfer Funds from Acct. #3460 Liability Insurance in the amount of \$1,000.00 to Acct. #3420 Building/Liability/Comp. Coverage. To cover Insurance Premiums through the end of the year.

A request to Transfer Funds from Acct. #1120 Hourly in the amount of \$700.00 to Acct. #3420 Building/Liability/Comp. Coverage. To cover Insurance Premiums through the end of the year.

Com. Good, How are you doing?

Ms. Daly, Good.

Com. Good, What do you have here for us?

Ms. Daly, I have a couple of transfers to just cover some line items through the end of the year. A couple of these went before the Council last month so it is housekeeping to get these approved by you.

Com. Good, And this will take you out through the end of the year?

Ms. Daly, Yes it's more of just a cushion just in case with the New Year's Eve party we're a little bit concerned about the event expense line item.

Com. Good, Have you been in front of the Council yet?

Ms. Daly, Yes. On all of them except for the insurance.

Com. Good, Which is the last one.

Ms. Daly, The last one correct.

Com. Good, And you've already been approved?

Ms. Daly, Yes.

Com. Blaney, moved to approve all requests to transfer funds, Com. Biggs, second, motion carried.

Com. Good, Lori have the phones been ringing?

Ms. Daly, The phones have been ringing off of the hook. The inquiries through the website and wedding receptions have quadrupled for next year so it's been extremely busy. The new staff and the new two full time employees have been fabulous. I couldn't be more pleased.

Com. Blaney, Is your new website working out well?

Ms. Daly, We updated it a little bit.

Mr. Ellis, I'm amazed because I get the notifications on those and it seems like every day there is a new inquiry coming in for a wedding reception.

Ms. Daly, Plus we still have all of the annual events that are with us every year.

Com. Good, How about the holiday parties and things have they been picking up?

Ms. Daly, We've had a couple inquiries but we're already booked on the weekends so we try to convince them to come during the week.

Com. Good, That's what you do.

Ms. Daly, We'll get them.

Com. Good, It's good to see and good to hear. I would like to keep that positive momentum keep moving forward. I'm hearing a lot of positive things when I'm out in the community too so that is very promising.

Ms. Daly, To hear people's reactions when they walk in.

Com. Good, It's always good to hear good things from a customer.

Ms. Daly, The bathrooms are the biggest that they love.

Com. Good, Thank you.

ANIMAL SHELTER – TONI BIANCHI, DIRECTOR

A request to Transfer Funds from Acct. #3160 Vet Services in the amount of \$2,810.00 to Acct. #1120 Hourly Payroll. To cover hourly payroll through the end of 2019.

A request to Transfer Funds from Acct. #3650 Vehicle Repairs & Maintenance in the amount of \$5,000.00 to Acct. #2250 Other Supplies. To cover cost of additional cameras to be installed.

A request to Transfer Funds from Acct. #3650 Vehicle Repairs & Maintenance in the amount of \$5,000.00 to Acct. #2250 Other Supplies. To cover cost of new tops and doors for kennels.

Ms. Bianchi, We have three transfers. The first one is for to move money from Vet Services in our supplemental account to hourly payroll to cover hourly wages until the end of the year. Then I have two other transfers from the General Fund Vehicle Repairs and Maintenance Account to our Other Supplies Account to transfer money to cover the cost of additional cameras we are going to be installing hopefully in the next month or so. It will cover some of the areas we didn't cover with the first set of cameras that we installed. I also wanted to transfer some money to purchase some tops for some of our kennels and some different types of doors. The tops are needed because we have some escape artists that like to get out. The doors we're looking at putting more doors with open doors because some of the dogs....are issue before was we didn't have the closed doors and now some of the dogs require those because they get a little crazy inside without being able to see out. I would like to be able to have a little bit of both so if the dog prefers to see out we can give them that option or we need to keep them closed off from everybody we would have that option also.

Com. Blaney, moved to approve all requests to transfer funds, Com. Biggs, second, motion carried.

Com. Good, Thank you Toni.

Ms. Bianchi, Just a little heads up. We did the shelter games about three weeks ago and it was awesome. Everybody had a great time. We did a lot of exchanging of ideas between the three shelters that came and we plan to do it every year from now on.

Com. Good, Talking together never hurts.

Com. Blaney, Did we win the games?

Ms. Bianchi, We had it split up. We lost the tug of war because they brought a bunch of guys.

IT DEPT. – DON WELLSAND, DIRECTOR

NCI – An agreement to provide network cabling for the 157 Franklin St. building in the amount of \$98,707.00.

Mr. Wellsand, This is for Ethernet cabling and fiber cabling for 157 Franklin St.

Com. Good, Any questions of Don? So what this will do it will provide the head in equipment for the Ethernet which will be primarily used by 911 in the new building.

Mr. Wellsand, The prosecutors and adult probation.

Com. Good, Okay so they will be using this as well too.

some money in our budgets to be able to get this done and get this work taken care of so they don't have to worry about that anymore.

Com. Blaney, Do you have a recommendation?

Com. Good, Do you have a recommendation on who you would like to use?

Mr. Cloyd, Mechanical Concepts is fine.

Com. Blaney, moved to approve Mechanical Concepts in the amount of \$51,772.00, Com. Biggs, second, motion carried.

3 Quotes to furnish labor, material and equipment to install unit heaters in the North County Highway Garage:

- **D.A. Dodd** **\$23,900.00**
- **Northwest Heating and Air Conditioning Inc.** **\$42,364.00**
- **Precision Control Systems** **\$59,140.00**

Mr. Cloyd, Right now the system isn't really designed to heat that whole building up. We're wasting a lot of money just on the electric bill, heating and gas bills alone. We reached out to some vendors to see what kind of system we could get and D.A. Dodd came in with the best system to put in there. Two heaters that are actually infrared that will heat up the garage and save us money on our gas bill.

Com. Good, So this will help lower those utility bills down in that building because I know we've talked about this for some quite some time as well too. That is good we're taking an action on it.

Com. Blaney, moved to approve D.A. Dodd in the amount of \$23,900.00, Com. Biggs, second, motion carried.

Canteen – A services agreement for the vending machines throughout the County buildings. Diamond Vending has withdrawn their proposal.

Mr. Cloyd, Diamond Vending has withdrawn their proposal from the last meeting that we had. They don't feel like they could service us properly so Canteen is our current vendor and we are going to resign with them.

Com. Blaney, moved to approve Canteen for the County vending machine service, Com. Biggs, second, motion carried.

3 Quotes for a new Elevator Service Contract:

- **Schindler Elevator** **\$6,600.00**
- **ThyssenKrupp** **\$8,040.00**
- **Otis** **Non-Responsive**

Com. Good, This is a momentous occasion at Porter County Government because this contract....

Atty. McClure, We've been waiting for a while.

Com. Good, We've been waiting to renew this contract at least for three years now and this contract has a history of over 20 years old. It was on auto renewal and we found it 4 years ago. The new agreement has no auto. This is our last auto renew contract that we have been waiting for quite some time on. This is a big day for me anyway because I deal with elevators a lot in my other world and this is one....we're making it right today.

Com. Biggs, Otis has had the current contract and now they're not responding because they have to bid.

Mr. Cloyd, Yes right, they were taking advantage of the County.

Com. Good, We sort of entered into some things blindly 20 some years ago and we found it so we are fixing it today.

Com. Good, moved to approve Schindler Elevator for the elevator service contract, Com. Blaney, second, motion carried.

3 Quotes for Elevator updates:

- **Schindler Elevator** **\$ 8,700.00**
- **ThyssenKrupp** **\$10,794.00**
- **Otis** **\$14,435.75**

Mr. Cloyd, We're doing updates on the elevators. We're doing solid state starters for 2 of the elevators here in the Admin. building. The one at the Courthouse is already up to date and then we're also doing the ADA telephones that need to be updated too.

Com. Good, For some of you that don't understand the Federal Government requires us to keep these elevators up to speed, up to certain compliances. As we've moved into the new technology area today that is what a lot of these upgrades will be taking place.

Com. Blaney, moved to approve Schindler Elevator for elevator updates, Com. Biggs, second, motion carried.

3 Quotes for window tinting at the Courthouse:

- **Window Film Depot** **\$17,995.00**
- **VUK** **\$24,343.40**
- **Eclipse** **\$25,864.50**

Mr. Cloyd, We looked at window coverings for the windows. Window tint was more reasonable than doing blinds again. We are doing a reflective on the outside so you can't see in during the day which will protect our people inside and it also shades them. It blocks 95% of light coming in. We also have a warranty with this that protects our windows too.

Com. Blaney, Are you confident that this is going to do the trick?

Mr. Cloyd, I'm pretty confident.

Com. Biggs, That blocks 95% of the light or the UV?

Mr. Cloyd, 95% of UV that is coming in. It should block a lot of the light so I'm hoping it does well for the jury rooms. If anything that is really the only we have to be concerned about.

Com. Good, Also the other problem we have with window treatments in that building is where we affix the window treatments. These are all plastered ceilings and the way the new windows went in it really isn't a conducive....if you start drilling into plastered walls and hanging things on the edge of windows it is just going to cause us problems from now until whenever and that was sort of the problem we were wrestling with on this. I think this will be a good solution for that.

Com. Biggs, And the periodic cost of the cleaning of the blinds it's just a mess.

Com. Good, Who are you recommending out of the three Ray?

Mr. Cloyd, Window Film Depot.

Com. Blaney, moved to approve Window Film Depot for window tinting at the Courthouse, Com. Blaney, second, motion carried.

Update on Courthouse flooring covering.

Mr. Cloyd, A couple of weeks ago we started on the 3rd Floor doing the courtrooms. We completed the three courtrooms on the 3rd Floor. We're going to do the 2nd Floor in December when that judge is out of town. We're currently doing the Administration building here doing the Surveyors next this week. We are moving forward on this old carpet that needs to be replaced.

Com. Good, I would like to point out to everybody that this carpet work is being self-performed by our own department so I know we are saving a tremendous amount of money by these gentlemen doing this work themselves and it looks great. They are doing a great job Ray so kudos to them and thank you for taking this project on it's a big project and that will leave the Courthouse in pretty good shape once we're done with all of this stuff. Good job!

HIGHWAY DEPT. – RICH SEXTON, SUPERINTENDENT

Enterprise Fleet Management – Rate Quotes:

- 2019 Ford F-250 Series XL 4x4 SD Regular Cab 8 ft. \$544.49 per mo.
- 2019 Ford F-250 Series XL 4x4 SD Regular Cab 8 ft. \$566.26 per mo.
- 2019 Ford F-250 Series XL 4x4 SD Regular Cab 8 ft. \$540.18 per mo.
- 2019 Ford F-250 Series XL 4x4 SD Regular Cab 8 ft. \$540.18 per mo.
- 2019 Ford F-250 Series XL 4x4 SD Regular Cab 8 ft. \$629.12 per mo.

Com. Good, I think we're getting down to the finalization of this Enterprise Fleet Management that we're moving to for our County vehicles.

Mr. Sexton, Jim and I spoke to several towns in Porter County and other counties. Every single person that works for the Street Dept. and Highway Dept. from the superintendent down has a snow plow on their truck. Every year it seems like we're coming back in here and asking for more money for overtime. If we put 5 more plows on the road for this little cost versus putting one dump truck on the road I think it is well spent money right there just to be able to come out and knock out these little cul-de-sacs that we have in the old Salt Creek Commons and South Haven areas. Just to get those knocked out before the big truck has to go in there. I think it will save on accidents as well with them backing up.

Atty. McClure, And this is the back fill to the Enterprise Agreement obviously for the 5 trucks they're getting here.

Com. Good, So these 5 trucks with that per month fee has that blade built into that cost?

Mr. Sexton, Yes sir.

Com. Good, Okay.

Atty. McClure, And the reason why these are a little slightly different is because to get them for this winter some of these were sourced off of existing lots. There might be a slight difference in an accessory here or there but the base accessories that were needed were on them all. In the future moving forward when we would be getting these direct from the manufacturer they would all be exact.

Mr. Sexton, But the bare minimum we all wanted heated mirrors for backing up and they all had to have a backup camera also all be F-250's, gas with 4 wheel drive.

Com. Biggs, And these are turned over every 3 years?

Mr. Sexton, Every certain amount of miles. Scott knows more about it.

Atty. McClure, It's a 2 to 4 year window that we're looking at.

Com. Biggs, Okay.

Com. Biggs, moved to approve the Enterprise Fleet Management quotes, Com. Blaney, second, motion carried.

Rigg's Outdoor Power Equipment – A quote to install Ultra Mount 2 Style Hook Ups, halogen headlamps, a rubber snow deflector, hand-held control and installation of all mounting hardware and wiring for a cost of \$28,250.00 on all 5 vehicles.

Mr. Sexton, This is the snow plows for these 5 trucks that are included in our Enterprise Rental. We were just showing the price of buying the 5 plows.

Com. Biggs, moved to approve Rigg's quote in the amount of \$28,250.00 for snow plows, Com. Blaney, second, motion carried.

A request for an Additional Appropriation from Fund #1176 in the amount of \$25,000.00 to Acct. #1130 Overtime. To cover fall paving operations and winter operations.

A request for an Additional Appropriation from Fund #1169 in the amount of \$20,000.00 to Acct. #2210 gas, fuel & lubrication. To complete fall and winter operations.

Mr. Sexton, This is the additional for the overtime to get us through the fall. When we pave sometimes we go over but this has been one of those weird summers where you just get a tree down every weekend. You're always paying those 2 hours and it has just been building up and now this is where we're at and hopefully with the 5 new snow plows we can cut our overtime back significantly by getting 5 more plows out there and a minimum of 8 hours a day.

Com. Blaney, It's always on the weekends this year.

Mr. Sexton, Yes.

Com. Blaney, moved to approve both Additional Appropriations, Com. Biggs, second, motion carried.

West Side Tractor Sales – An agreement to purchase a sheep's foot roller in the amount of \$25,500.00 to assist with the chip and seal of County roads.

Mr. Sexton, It's the last piece of equipment for our chip and seal program that we have. They have agreed to take the entire rental that we paid into this piece of equipment off of the price and we traded in a backhoe that was in need of repair and actually really not be used at all because it was not road worthy. We've gone from a total price of about \$49,500.00 this \$25,500.00. If we would start renting it again next year we would be back at say just a little bit of depreciation plus the rental. We would almost pay that out in rental for next year. It is the same machine we've rented for the last 3 or 4 years and it's only 3 or 4 years old.

Com. Blaney, moved to approve West Side Tractor, Com. Biggs, second, motion carried.

Com. Good, Thank you guys. I got the farmer's almanac out it says it's going to be real cold and a blister winter and I don't want to hear that.

Com. Blaney, Polar vortex.

Atty. McClure, It's only going to snow during the week so we're good.

Com. Blaney, That never happens.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

DLZ Indiana – A Right-of-Way Agreement for the bridge replacement of Bridge 68 on Smoke Rd. over Jones Ditch not to exceed \$29,680.00.

Mr. Thompson, The first is DLZ, this is a supplemental agreement to Bridge 68. This is for the right-of-way portion of this contract.

Com. Good, Are we buying some additional right-of-way for this bridge?

Mr. Thompson, Yes there will be some additional right-of-way that is necessary.

Com. Good, And why are we doing that?

Mr. Thompson, We went through an analysis on this. They give us a few scenarios that we were going to have to either 1) relocate that ditch to get a better skew underneath that bridge, which we did not want to do because of the fact that it would be a significant amount of right-of-way that we would have to purchase. There are some walls that they are going to have to be putting in and slopes that are going to go in to the neighboring areas with this construction.

Com. Blaney, moved to approve the DLZ Right-of-Way Agreement for Bridge 68, Com. Biggs, second, motion carried.

INDOT – A Grant for entry onto government owned real estate on S.R. 2 the Old County Home site.

Mr. Thompson, This is where the round-a-bout is going to be going in for Heavlin and S.R. 2. The actual right-of-way phase of it is going through with INDOT right now but what they are requesting is to be able to have right of entry onto the Old Home property to start doing some of the clearing of the proposed right-or-way.

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

Com. Good, Bob on that one have we gotten the final agreement? I know Matt was working on it too. You have not gotten the final agreement back from INDOT?

Mr. Gavelek, They are working on it.

Com. Good, Okay I just want to make sure we get eyes on that because of what we negotiated with the State on the land we gave them versus what we're getting back. I just want to make sure that that is all going the way that we thought that we agreed that it would go.

Mr. Thompson, A gentleman from INDOT is sitting right here.

Com. Good, Okay he's shaking his head I'm just making sure before we move on anything so thank you.

Ciobra Group – A Supplemental Agreement for Engineering Services of Bridge 84, 800 S. over Cobbs Creek Branch.

Mr. Thompson, This is supplemental agreement for Bridge 84 at 800 S. over Cobbs Creek Branch with Ciobra Group. Ciobra Group in the very beginning went through a number of hydraulic analyses for the storm water review with Mike and me. We kept on asking for different scenarios and they approached us and regarding some additional work and Mike and I agreed that this is worth a supplemental agreement because of all of the different analysis that we were requesting them to go through.

Com. Good, And when is this bridge scheduled for....23?

Mr. Thompson, Yes, we're advertising for the bids.

Com. Good, I didn't see there. Okay we will defer to that until then.

Com. Blaney, moved to approve Ciobra Group, Com. Blaney, second, motion carried.

United Consulting – An LPA Consulting Contract for the replacement of Bridge 131 at C.R. 200 West over Damon Run.

Com. Good, Why don't you explain what an LPA contract is so everyone understands.

Mr. Thompson, LPA is Local Public Agency and we are receiving Federal Funds on this. This is an INDOT boiler plate contract that they have. Basically we're entering into a design services agreement with United for the reconstruction or the new design of the bridge on 131 which is 200 W. over Damon Run. There is always going to be three phases with the contracts. Another contract will be coming or supplemental later for the right-of-way acquisition services such as what we saw in 84 and then construction inspections if we go forward with that.

Com. Blaney, moved to approve United Consulting LPA Contract for Bridge 131, Com. Biggs, second, motion carried.

Consultant recommendation for design services of Bridge 73, 50 West over Cobb Ditch.

- **DLZ**
- **WSP**
- **United Consulting**
- **USI Consultants**
- **HWC Engineering**
- **ESI Consultants**
- **Lochmueller Group**

Mr. Thompson, What you see listed here on the agenda is all of the consultants that did submit letters of interest to us. We were hoping to have the recommendation down to you prior to the agenda so you knew right up front. Someone couldn't get their act together and get it done in time. We are coming forward with a recommendation for WSP Consultants to go forward with this work. This is the bridge that washed out during the flooding event.

Com. Good, That was in South County.

Mr. Thompson, Correct.

Com. Good, I remember seeing that driving out there when it happened.

Mr. Thompson, Right and then Mike has been working with FEMA to get the funding. We do have the funding in place so we are requesting to go forward now with the design.

Com. Good, So we did get our FEMA for this or part of it.

Mr. Novotney, Yes it will cover 75% of our project costs.

Com. Blaney, That will be important for the farmers down there.

Com. Blaney, moved to approve WSP for design services of Bridge 73, Com. Biggs, second, motion carried.

A request for approval to seek bids for Bridge 84

Mr. Thompson, The bid package is ready to go. As a matter of fact we brought down the front page of the plan set and we are recommending the Commissioners sign this and then Mike will attest it so that way it will be ready for the actual bid set going forward. We are requesting to go forward now to seek bids on this.

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

Mr. Thompson, I guess just one item this is the last bridge on the Capital Improvement Plan (Inaudible) forward.

Com. Good, Excellent.

Mr. Thompson, Yes, 126 is complete and opened. We still have some guard rail issues that we are going to be working on here shortly. 135 is opened also so those two bridges are pretty much done.

Com. Good, Yes I went by 135 it looked good. That is part of how many bridges that we take of in this County?

Mr. Thompson, 128.

Com. Good, 128 bridges that we are responsible for in this County. A lot of work going on there as well.

Com. Blaney, Thank you.

Com. Good, We're going to move the agenda around a little bit. Thank you Rich for allowing us to move this around a little bit.

EDWIN KERR – COURTSIDE MINISTRIES

A request to station (2) volunteers near the Southern Courthouse door to offer prayer for anyone who asks for prayer.

Com. Good, We would like to have Edwin Kerr from Courtside ministries come forward. I know they have some scheduling issues here that we wanted to get them on their way. Thank you Rich for allowing us to move this around a little bit. Good Morning.

Mr. Kerr, Good Morning Commissioners.

Com. Good, I see we have Scott Wagenblast here too.

Atty. Wagenblast, Good Morning.

Atty. McClure, Atty. Wagenblast how are you?

Atty. Wagenblast, Fine, thank you very much and I also appreciate the courtesy of switching the agenda for a few minutes so thank you very much.

Atty. McClure, I believe as you and I have discussed between the last meeting and this meeting on the requirements or the restrictions that the Commissioners' office were looking at on the Courtside Ministries request basically what it boils down to is that it

would be a blanket request. We would start now but it would be for moving forward it would be on a year to year basis.

Atty. Wagenblast, Calendar year basis.

Atty. McClure, Calendar year that way they would only have to come once a year. Then basically the restrictions would be staying off of the square pad in front of the main entrance door and that is for security reasons. It has been the issue with causing some friction between Court Security and their organization.

Atty. Wagenblast, And just so we're clear we're talking about the square pad on the South side where people actually enter, not what appears to be the main entrance on the North side.

Atty. McClure, Correct, the actual South side entrance. It will be good for a year if, I know this may not apply necessarily but part of this would be if in fact during the weeks somebody came and requested the entire grounds then the blanket approval for Courtside Ministries wouldn't apply for that particular day. I understand that normally those types of requests are happening on weekends and not during the week in which they are doing their programming. Just in case we have that conflict we would have that and then the last would be again for security issues and the different things happening in that Courthouse on a daily basis that not approaching individuals obviously being prepared to have the request and they have their table and I know they have the approval from the City of Valpo to be on the sidewalk and they have those things. All of that is fine we're again just dealing with the security at the Courthouse and making it clear so that we know what they are approved to do. I can communicate with Court Security on what they are allowed so we can hopefully eradicate the interactions that we've had between the Courtside Ministries and the Court Security and then just make sure that we are keeping everyone safe over there and allowing Courtside Ministries to do what they are proposing to do. As long as we're in agreement with that we will let the minutes reflect this basically if the Commissioners approve this this would be the agreement that I can then circulate to the Court Security. Then they can proceed without those issues and we all know exactly what we're supposed to be doing and not doing.

Atty. Wagenblast, I wanted to indicate that I appreciated your time and attention to this. I know I called you off hours at times so I wanted to let you know I appreciated that. I also wanted to let you know openly here before the Board of Commissioners that I have spoken with Edwin. We've shared some information and some opinions about the restrictions you requested and we are fine with those and accept those and if we have any further issues that come up whether it's Court Security or if there is any other kind of complaint made I have indicated to Edwin that it is my intention to try to provide some reasonable pro bono services to try to resolve those things as they are also volunteers. I wanted to indicate to you I appreciate that time. I appreciate the consideration of the Commissioners and we will try to obviously abide by the restrictions and thank you very much.

Atty. McClure, Then if the Commissioners were to approve this it would be for the remainder of 19 and all of 20 with those restrictions as we've laid out.

Com. Biggs, moved to approve the request from Courtside Ministries to use everything but the South side entrance landing pad on the Courthouse, Com. Blaney, second, motion carried.

Atty. Wagenblast, Thank you very much.

Mr. Kerr, We would like to request a letter from the Commissioners stating this because we need to present this to our executive director and so we can be clear to anyone who attacks us that we are authorized to do this.

Atty. McClure, We will provide the letter and a copy of the minutes.

Mr. Kerr, Thank you very much.

Com. Good, Thank you.

Atty. Wagenblast, Thank you.

RICH HUDSON – MS4 DIRECTOR

A Proclamation declaring September 16th – 20th, 2019 SepticSmart Week for Coastal Communities.

Mr. Hudson, Good morning Commissioners. This proclamation is actually after that fact since September 16th through 20th of this year was SepticSmart Week. Due to scheduling my time and getting on your September agenda didn't work. In the past you have I guess I will say been in agreement with what this proclamation talks about. Septic's are used probably in 90% of rural counties and there is half of the County does in fact go to what we we're calling Coastal Community area which is our northern boundary which is Lake Michigan. I would ask that you sign this so that we can keep this support going. We have done this in the past and would like to see this continue and again this is after that fact, but just so we have this we can send a copy on so that it is on file that we as Porter County are in support of this. I think you will hear a little more about this in the next presentation.

Com. Blaney, moved to approve the Proclamation for SepticSmart Week, Com. Biggs, second, motion carried.

INDIANA DEPT. OF NATURAL RESOURCES - BRI CIARA, SPECIAL PROJECTS COORDINATOR

An update on the 319 Grant and Clean Water Ambassador Program regarding the failing septic systems regarding the Lake Michigan Watershed.

Ms. Ciara, Good morning. Thank you Rich that is so awesome. I have some handouts here for you. Would you like these after I talk or during I talk so you have something to look at.

Com. Good, You can give it to us afterwards. You can get started.

Ms. Ciara, My name is Bri and I've been a fisheries biologist in the Northwest Indiana for the past 4 ½ years and I've slowly made my transition to now working with the Lake Michigan Coastal Program which is still part of DNR. Our mission is to enhance the State's role in managing and planning for our natural cultural resources up here within in the Lake Michigan Watershed. As you know the glaciers moved thousands of years ago and they created this really cool ridge at the northern part of our County. Everything north of that ridge now flows to Lake Michigan and everything south flows down to the Kankakee. So we have really two really distinct areas in the County which make for a lot of fun and really interesting work. All of my work focuses on the Lake Michigan Watershed and all of the nonpoint source pollution that we may encounter. As the rain falls and the water moves around the landscape and picks up things on the ground and in the ground water then can deliver it to our streams and rivers and eventually the big lake. This has really big impacts and everyone who lives within the County who enjoys the water resources and who uses them for recreation and drinking and all sorts of things. So where do septic's come in the picture, because right now those two concepts are pretty disconnected. Well obviously septic systems are an in home treatment facility for (Inaudible). That sewage then gets treated by the soil and the sub-strain and the microbes in the soil then before it goes into the ground water over to local streams and rivers. In Indiana we have roughly 800,000 septic systems according to Purdue's latest report. They estimate 1/4th of those septic systems are failing. So that is around 200,000 septic systems in the entire State that are failing. Each failing septic system delivers about 76,000 gallons of sewage effluent to the water every single year. So if you think 200,000 times 76,000 is a huge number. In Porter County does anyone want to take a guess on how many we have just within the Lake Michigan Coastal Region of septic systems failing and non-failing?

Com. Biggs, None, just a guess.

Ms. Ciara, Any guesses besides none? We've got roughly 13,000 septic systems just within the northern half of Porter County. Hopefully the same is not true for the rest of the State and not one quarter of them are failing. A couple other counties like LaPorte County they've been able to do some math over the past couple of years and they have less than a 2% failing rate, which is really good, but still even at 2% that is a couple of million gallons of sewage effluent every single year. What do we do about it? Lake Michigan Coastal Program partnered with you guys and about 39 other partners within the coastal region formed a septic system coordination work group. Rich is part of that and you have been excellent partners in this so far. The Porter

County Health Dept. has just been phenomenal to work with. Letty Zepeda is on point, super smart. Dan Boyd, everyone is on their game. Everyone is helping to make this commitment to help our citizens better maintain their septic systems and get them off of septic systems if it's possible. Tying into the city sewers and working on local efforts to basically reduce the septic effluent going into our water ways. That is where SepticSmart Week comes from September 16th through the 20th of this year. It was really awesome. I've got a couple of yard signs and in communities that have signed onto to help us promote this week. In an effort to help figure out septic systems we have hot spots where E.coli pollution might be really prominent. A way to combat this we applied for a grant through the Indiana Department of Environmental Management which that money comes from EPA, Great Lakes Restoration Fund and the National Oceanic and Atmosphere (Inaudible). They are all signed on to help us with this. We mapped out septic systems within the region. We looked at hot spots where really tightly located. We're working on the (Inaudible) source tracking is it indeed human E.coli pollution in our water ways or is it something from remanence or birds. A lot of it is looking like humans. And then we're working with clean water ambassadors. We've got quite a few neighborhoods here within Porter County alone. Center Township, Dune Acres, High Meadows West, Jackson Township, Liberty Township I, Liberty Township II, Mallards Landing, Marine Manor, Ogden Dunes, The Town of Pines, Porter Beach, Silvan Manor and Warren Woods all have ambassadors out there working with their neighbors. Educating each neighbor on "You have a septic system you might have never had one before. Let me help you take care of it. Here's how we pump it, here's when parts need to be replaced and changed." We created some outreach material very specific to the region that is based off of the EPA SepticSmart Septic Sam. We've got informational brochures, we've got home record keeping folders so people can map out where their septic systems are, the last time it was inspected or pumped. All of these things really help to not only save home value, human health and environmental health. So we are working really really hard and just appreciate your partnership on this so much. I came here to say "Thank you" and just give you an update on where we're at and where we hope to go.

Com. Biggs, Thank you,

Com. Blaney, We appreciate the work you're doing. We all need clean water.

Ms. Ciara, Definitely, it's important that's for sure. Here are some of the brochures and I have some for the rest of the crowd.

Com. Good, Thank you for coming in and I too would like to thank our Health Dept. and Letty and what they are doing. I know that the State and local a lot of the rules and laws have changed a lot over this over the past few years. We've run into a lot of contractors and other people that were sort of used to doing it the old way. We fought those battles to try and get them back into the real world and what we're trying to do here, but it takes a lot of time, a lot of effort and a lot of patience to have to work through this. I know we're committed. I know the Health Dept. is committed now what we have to do is get the local public informed so they understand why we're doing this and the reason for it. I can tell you I do believe that a lot of the new subdivisions that are being looked at in the County right now that are out kicking the tires. A lot of the stuff that we are looking at will all have sewer and water to those subdivisions and we highly prefer that just from the environmental standpoint. Thank you for coming in and kudos to everyone involved and let's keep the process going.

Ciara, Well thank you very much and I'm here to help with the sewer tie in stuff. I know you work pretty closely with the Northwest Indiana Storm Water Advisory Group and making sure you know what they have going on (Inaudible not near a microphone.) So if you see these signs out in your neighbor's yard or around the town feel free to go to our website, call us, go to neighbor who has the sign out and we will definitely help get you set up.

VALPARAISO EVENTS

A request to use the Courthouse grounds on Friday, October 18th, 2019 from 2:00 – 7:00 p.m. for the Fall Harvest Festival which includes Trick-or-Treating downtown.

Com. Good, It is quite an event that takes place in the downtown area. They are requesting to use the entire Courthouse grounds for that date and time.

Com. Blaney, moved to approve the Fall Harvest Festival, Com. Biggs, second, motion carried.

NORTHERN INDIANA ATHEISTS - TROY MOSS, DIRECTOR - TABLED

A request to use the Courthouse grounds on Friday, December 6th from 5:00 until 8:00 p.m. to decorate for the community Holly Days celebration. They are asking approval to set up their holiday display, 2 NIA signs, an information table and canopy.

Com. Good, Good Morning Gentlemen.

Mr. Moss, Good Morning. My name is Tory Moss and I am the president of the Northern Indiana Atheists. We are a non-profit organization established to fight for the separation of church and state locally and to defend the rights of atheists across Northern Indiana. I'm here on behalf of a member in the Porter County Community. I'm here to request permission to place a display on a portion of the Porter County Courthouse lawn on December 6th. I first submitted this request on August 8th and was told it would be placed on the agenda for your September 3rd meeting. On August 12 Valparaiso Events also submitted a request to use the Courthouse lawn. That request which was sent to you after you received my request on behalf of Northern Indiana Atheists was placed on the agenda for your August 13 meeting and was approved without the presence of anyone from Valparaiso Events. The manners in which you've handled these two requests is troubling and strongly suggest that you are giving preference to an event with a particular religious viewpoint.

Com. Biggs, I don't agree with that and if I was given preference I would be telling you no. The reason that they were okayed that day is because we are very familiar with that organization because they are up here every year. You have never been up in front of us and that is why we asked you to be here.

Com. Good, And I think the last meeting you didn't even show and you were on the agenda and no showed up.

Mr. Moss, No one told us we were supposed to be here.

Com. Biggs, Motion to approve.

Atty. McClure, Well hold on the problem is we haven't we already approved something for that day?

Com. Good, Yes, it's taken.

Mr. Moss, I have more to say.

Atty. McClure, Go ahead.

Mr. Moss, On July 25, 2019 Northern Indiana Atheists received a state church violation report from one of our members. The complaint stated that Porter County hosts a live nativity on their Courthouse lawn in Valparaiso, Indiana every December. The complainant stated that they have complained about the nativity in the past but never received a response. On August 8th, 2019 we emailed a request letter to the Porter County Commissioners requesting equal access to the Porter County Courthouse property on December 6th to celebrate Holly Days. Just a short time later the Commissioners' Administrative Asst. Kathy Merle emailed back and asked can you please send photos and dimensions of the sign you would like to display. We immediately replied asking if Valparaiso Events are also required to supply photos and dimensions of their displays. This was to make sure we weren't being held to a different standard than other groups making the same type of request. Our research indicated that Valparaiso Events was not required to provide of information yet their access to the Courthouse property has always been approved in the hopes of clearing up the discrepancy we requested any photos and dimensions that Valparaiso Events submitted to the Commissioners for their past events. Later that same day August 8th Kathy replied they have been requesting the Courthouse grounds long before I came into this office I am not sure how their first request was handled. On August 14th we emailed photos and dimensions of everything we asking to display on the County Courthouse property during Holly Days. Along with the information that this display has been installed inside government buildings in South Bend, Indiana. Kathy replied on August 14 confirming that she received the photos and dimensions of our display items and that the next Commissioners' meeting would be held on September 3. On September 3 after the Commissioners' meeting we received an email from Kathy stating you were not in attendance at the Commissioners' meeting this morning so the Commissioners were unable to discuss your request. Please let me know if you will be attending our October 8 meeting or if you are choosing to withdraw your request from our agenda. I immediately emailed Kathy back and said Kathy I was unaware that we needed to be in attendance at the Porter County Commissioners' meeting in order for our request to be discussed and voted on. Is there any additional information the Commissioners' need from us similarly is

there any additional information we need to know. On September 3 Kathy emailed back no Troy we have all of the information that we need. The meeting will be held at 10 on Tuesday, October 8th at the Commissioners' Chamber. On September 9 we requested a copy of the Courthouse usage request made by Valparaiso Events from Kathy. On September 9 Kathy supplied us with the Valparaiso Events request. On September 20 we did a larger records request for the communication between Porter County Commissioners and Valparaiso Events, Porter County Commissioners' policies and past Valparaiso Event requests and a quick history of these requests from Valparaiso Events. In 2017 in September they requested to use the Courthouse grounds to hold their Fall Harvest Festival in October. No one from Valparaiso Events was present and it was voted on and approved. No one said anything about being the entire Courthouse grounds. On October 31st, 2017 Valparaiso Events requested to use the Courthouse grounds to hold their Holly Days events in December. No one from Valparaiso Events was present and it was voted on and approved no one said anything about it being the entire Courthouse grounds. On September 18 Valparaiso Events requested to use the Courthouse grounds to hold their Fall Harvest Festive in October. No one from Valparaiso Events was present and it was voted on and approved. No one said anything about it being on the entire Courthouse grounds. October 30th, 2018 Valparaiso Events requested to use the Courthouse grounds for their Holly Days event in December. No one from Valparaiso Events was present and it was voted on approved and no one said anything about it being the entire Courthouse grounds. In fact in 2018 a portion of the Courthouse grounds was fenced off for construction so Valparaiso Events managed just fine with limited space. There is precedence for them not needing the entire Courthouse grounds for their events. Also breaking from their practice in prior years this year Valparaiso Events requested use for Holly Days even before they requested use for their Fall Harvest Festival. Just yesterday October 7 we emailed a request for an additional item to be added to today's agenda. The reply from Kathy was that the deadline for the agenda items is always the Tuesday prior to the Porter County Commissioners' meeting. At the August 13 Commissioners' meeting only 5 days we requested equal access and only 1 day after Valparaiso Events submitted their request that request somehow made it onto the August 13 agenda and was unanimously approved. This was a violation of the one week deadline that Porter County puts on their agenda items. At the August 13 Commissioners' meeting Com. Biggs asked a very loud and deliberate question, he asked "And this is for the whole property correct?" To which Com. Good very deliberately replied that is correct. This was deliberately asked and confirmed by Porter County Commissioners even though the actually usage request from Valparaiso Events did not specify the whole property and again breaking from years of recorded history of no one saying anything about Valparaiso Events needing the entire Courthouse grounds. On behalf of Northern Indiana Atheists and our members and supporters here in Porter County I am requesting permission to place the display I described in my August 14 email on the Porter County Courthouse grounds on December 6th. I'm done.

Atty. McClure, You're finished. Well we've already got that day and the grounds promised to another venue. As far as the request to be on the agenda this time as you can tell with the Courtside Ministries have come here more than once and ultimately needed to have an attorney to deal with the issues that we needed to deal with there. I understand that your second request this week or late last week whatever it was it was something close to their same request correct?

Mr. Dick, It was exactly their request.

Atty. McClure, So now you have an idea of what your approval will look like at the next meeting as it relates to the early blanket approval to be demonstrating. As far as December 6th and your access is there any other day you want?

Mr. Moss, We want equal access sir. We want the access we applied for first.

Atty. McClure, That access isn't available December 6th.

Mr. Dick, You approved Valpo Events before you said anything about our event when we requested it first. You treated them differently.

Atty. McClure, We did not.

Mr. Dick, We put our request in first sir.

Mr. Moss, What is your policy on items getting onto the agenda, is it 1 week Tuesday prior?

Atty. McClure, That is the Commissioners' general policy, correct.

Mr. Moss, So if someone like Valparaiso comes the day before a meeting they have privilege that they can get on your agenda and approved.

Atty. McClure, Anyone can ask to be put on the agenda because it's the Commissioners' policy themselves which routinely happens. It happened on this agenda with other items.

Mr. Moss, Is that a written policy?

Atty. McClure, It's not a written policy because why would it be written when it's the Commissioners' agenda.

Mr. Dick, Well that is problematic.

Atty. McClure, As far as there being a nativity scene I don't know if you're aware or not but there will not be a nativity scene at the Courthouse grounds this year.

Mr. Moss, I was not aware of that. We still would like access the same day.

Com. Biggs, I'm not up here to propagate a problem. You want to be there at the same time they're there for a reason.

Mr. Moss, To celebrate the holidays.

Com. Biggs, And as a public official I don't have to promote that.

Mr. Moss, Promote what, promote what sir?

Com. Biggs, If you want access to the property we'll give you access, but we're going to determine and we're going to dictate what date that is and what times you have. That is within the law.

Mr. Dick, That is against the constitution.

Com. Biggs, I am not going to sit up here and I'm not going to promote you being there at the same time somebody else is there for what I believe you're there to cause trouble. That is my opinion.

Mr. Moss, What the trouble we're there to cause?

Com. Biggs, I'm not going to get into that.

Mr. Dick, You didn't read our request sir.

Com. Biggs, I heard your request. No one is denying your request.

Mr. Moss, (Inaudible) Valparaiso Events request.

Com. Biggs, Nobody is denying your request.

Mr. Dick, We stated it exactly (Inaudible).

Mr. Moss, They're not. I believe you are denying our request.

Com. Biggs, We will dictate what day we make that available to you.

Mr. Dick, Just let him go. It says sir in our request why we're there.

Com. Biggs, Alright.

Mr. Dick. Yah.

Com. Biggs, Like I said that is my opinion. Nobody up here is denying you a date for that property.

Mr. Moss, I think you're about to vote on it.

Com. Biggs, Maybe, nobody is denying you a day.

Mr. Moss, Okay then we will take the date we asked for.

Com. Biggs, But we will dictate what date that is because we have other organizations that request that same property.

Mr. Moss, Oh I see.

Mr. Dick, We requested it first.

Atty. McClure, My recommendation would be just like with Courtside last month let's continue to the next meeting and I'll have an opportunity to discuss it with them.

Com. Blaney, moved to approve the request be continued at the November 5th meeting.
Com. Good, second, motion carried.

Com. Good, Thank you gentlemen, back to Michiana.

Mr. Moss, What did you say?

Com. Good, Nothing.

Mr. Moss, You said go back to Michiana.

Com. Good, That is where you're from right?

Mr. Moss, Yah but why did you say it like that?

Com. Good, I don't know I said because I said good day.

Mr. Moss, Thanks for saying it on record.

Com. Good, Sure.

Atty. McClure, As an update to the last Commissioners' meeting.....

Com. Biggs, Look hold on.

Mr. Moss, Why are you talking to me?

Com. Biggs, Don't come in here causing trouble okay. Now I want you to leave. You are not going to sit there and stare me down.

Unknown Female Citizen – (Standing in the back of the room), You know there are good citizens that also live in Valparaiso right downtown (Inaudible), graduated here that also feel that there is point to having separation of church and state which I'm actually (Inaudible).

Atty. McClure, The last person up here that is going to argue that is me. I completely understand the separation and we need to have the separation.

Unknown Female Citizen, There is no (Inaudible) on the lawn for the holiday celebration.

Atty. McClure, There is what?

Unknown Female Citizen, But I think to be treating people this way just because they have a different opinion is.....

Com. Biggs, Ma am nobody is treating these people any differently.

Unknown Female Citizen, Well you just called them these people and that is absolutely singling them out (Inaudible).

Com. Biggs, Please hold on a second and from the time he's come up here he has been combative.

Unknown Female Citizen, Absolutely (Inaudible).

Com. Biggs, I'm not used to people leaving that dais and walking through here and starring me down. I don't have to tolerate that. I've done nothing to deserve that.

Unknown Female Citizen, (Inaudible).

Com. Biggs, I have not made any side comment in regard to where anybody is from.

Unknown Female Citizen, You just said (Inaudible).

Com. Biggs, I have no idea where he is from and it makes little difference to me.

Atty. McClure, We'll work it out.

Mr. Dick Thank you, appreciate it.

Unknown Female Citizen, If we had anyone here and I'm not trying to on a (Inaudible) side or anything like that if there was anyone here that was Caucasian decent and you called them these people it would be an extreme prejudice. (Inaudible).

Com. Biggs, I don't know what direction you're going at now.

Unknown Female Citizen, When you single out someone as a group calling them these people (Inaudible).

Com. Biggs, I never said these people.

Unknown Female Citizen, You just said it.

Com. Biggs, No I didn't, I didn't just say anything.

Unknown Female Citizen, Yes you did.

BRASSIE GOLF CLUB

Atty. McClure, I have met with the Council and one of the representatives of the Brassie. I had a long meeting with them. Discussed the issue at aerials, pulled the approvals of the actual subdivision itself and the part of that the County was involved in as far as the maintenance garage and where this driving range is located. They will be shutting down the driving range November 1st. They have committed to working with the County on several different ideas to alleviate the golf balls leaving the driving range. The things we discussed included the position and angle of the driving range, additional screening at the driving range, additional personnel and or monitoring at the driving range. Additional clarity as to the responsibility of those golf balls, also with the potential to have individuals removed from the Brassie's use of the driving range if in fact the golf balls leave. On November 1st the driving range will shut down before it reopens. The possible fixes to reduce the golf balls leaving the Brassie will occur and will be updated here before the driving range reopens next spring.

Ms. Komenas, I'm Evelyn Komenas 1087 N. Pierceson Rd. and I am probably the one that gets affected the most. They normally do shut down. They're not doing us a favor by shutting down by November 1st.

Atty. McClure, It was a favor, their shutting down November 1st. I'm just highlighting the fact that I believe we're roughly 3 weeks away from this not being a concern until the spring when they reopen.

Ms. Komenas, Right and that is what they usually do until spring depending on the weather. There is no part in my yard that is protected by a net. You can drive down the road and you see a big net in front my house, but that is if they are hitting it directly at me at a 90 degree angle, which that is not where the driving range is. When they are slicing it there is no net that protects any part of my front yard, my back yard, me or a neighbor next to me. We are completely in the opened. So they definitely need to extend that net, raise it and extend it 250 ft. or more because it is wide opened.

Mr. Evans, You mentioned that you had communicated with the Brassie either the management owner or the lawyer. Is there any possible way we can get a copy of the communication?

Atty. McClure, It was an in person meeting.

Mr. Evans, It was an in person meeting?

Atty. McClure, Correct.

Mr. Evans, Okay. Between all of us neighbors we are probably getting an excess between myself, the neighbor to the north of me and then Evelyn is the next property to the north of that we're probably getting an excess of 300 to 400 golf balls a summer just between the 3 properties. Since the last meeting which was a month ago just a few days after the meeting I had damage to my truck again for the sixth time. I called down here after the officer left my property on the 6th with somebody at the switchboard to contact Com. Biggs and to give him my name and phone number hoping he would give me a call back. I don't know if you got that message.

Com. Biggs, From the police officer?

Mr. Evans, Emily or something. I called the switchboard on September 6th and told them that I had damage.

Com. Biggs, No I didn't.

Mr. Evans, On September 6th which was just days after our meeting I called down here and left a message with an Emily at the switchboard that my truck got hit again for the sixth time and to relay the message to you hoping you would contact me because I knew there was going to be communication hoping with the management at Brassie so you would be aware of this that the gentleman had damage and I didn't hear anything.

Com. Biggs, No I didn't get a message.

Mr. Evans, I called down there the Monday after which was on the 8th and talked to Andy to tell him I had damage again. I asked him what do you want to do about this. He said I will call corporate give him your name and your phone number. I've never heard anything from them either. These are the people that are claiming that they tried to work with the neighbors and want to be good neighbors. That was 4 or 5 weeks ago and I've not got a phone call back from them. This is a precedence that they keep setting. I am hoping that something will be done with the netting or even to shut it down because we shouldn't have to live like this. I don't think any of you would be dealing with 60 or 100 of golf balls a summer and we are darn lucky that no one has had a personal injury or gotten killed over it because we've all had to dodge them just to work on our property. I feel that it's a matter of time before there is going to be a personal injury and it might not be anything that can be fixed.

Com. Biggs, The other two Commissioners can surely speak for themselves. I absolutely understand or can understand how frustrating this must be to you, but at the same time it is frustrating to us to an extent as well because we're handcuffed as to what we can do and what we can't do. It's very limited. We're talking about a private piece of property and something coming off of that property over our right-of-way that we are responsible for and into another private piece of property. There is just only so much we can do. We're willing to do within the guides of the law that we can to try to come to some kind of solution here, but I think what we've seen up to this point is a lot of that depends on the golf course itself, what they are willing to do.

Mr. Evans, I feel that they are directly responsible. They should have to provide a safe environment for all of us neighbors and that should be number one on everybody's list is all of our safety. Now if there is not an ordinance or something to protect us can't you make one?

Atty. McClure, The short answer is no.

Mr. Evans, You can't make an ordinance to protect us from the golf balls?

Atty. McClure, Correct. That is why I'm working with them to rearrange the way it is set up and what direction it is going in and the additional screening and the additional monitoring because again I'm trying to work within the boundaries that I have and they were receptive to my phone call. They were receptive to coming here for a meeting. They brought people that were able to make decisions and we had the discussion and we laid out several possibilities to try to alleviate this for you neighbors. Were we going to get it done before today no, but that is why it is important to me that they are stopping November 1st. That does give us a few months before they reopen to figure out exactly what they are going to do and then bring it back to the Commissioner. Report back what those things are going to be and in an attempt to alleviate this issue, but an ordinance that just says the golf balls can't leave golf course and go into a private person's yard is just not going to be the fix. If it were that simple we wouldn't be having this come up meeting after meeting. We would just do an ordinance.

Mr. Evans, So there is going to be ongoing discussions with the Brassie. Should we come back next month and see where this is going?

Atty. McClure, You can. As soon as I have a definitive this is the plan it will be on this agenda to present as to what those conditions are, what those changes are.

Mr. Evans, How would we know that so we can come back to the meeting?

Atty. McClure, The agenda is posted on the website but we can also have Kathy has your contact information I believe and we can notify you when it's back on the agenda. Obviously the goal here is that before they reopen in the spring it is to come to an agreement as to what conditions are going to be changed currently to alleviate the golf balls from leaving the Brassie, the driving range.

Com. Biggs, If you leave your name and your phone and who you spoke to over there and their number I will call them and I will call you back this week as to what I was able find out through them.

Mr. Evans, Do you have the number I would talk to?

Com. Biggs, Yes sir and your phone number.

Mrs. Evans, I just wanted to say something about the net. If you could talk to them about raising the net and making the net go further north I think that would alleviate a lot of the golf balls. We need a higher net because they are going over the net. Like Evelyn said she has no net in front of her home at all. I think the bottom line is the net and since you're in charge of the driving range on the County side maybe until they can get a variance from you have them.....

Atty. McClure, They already have a variance to be at 40 ft. the maximum height was 25 they came in and got a variance to go to 40.

Com. Good, And there was remonstrance against that variance too by the way. There was a lot of you that didn't want that when it was increased you fought that one 20 years ago when that happened.

Mrs. Evans, It's not that nice looking out your front window and seeing the net no but if it is going to stop the balls we don't have a choice.

Com. Good, What I'm trying to say they are permitted for the use that they are currently enjoying right now. They are permitted for that within the confines of property rights and property use.

Atty. McClure, I just want to point out the maximum structure height which included that net was originally 25 and it is still 25. To get to 40 they had to come and get a variance and in reviewing those minutes it was clear that...and I'm not necessarily saying you personally but the neighbors across the street were not in favor of the screening at that time.

Com. Biggs, That is why that berm was made, you can see where that is at there is a berm there that the net is put on top of to get up higher.

Atty. McClure, So again we are looking at all of the options to alleviate the golf balls leaving. I can't get any more specific because I don't have an agreement yet as to what those things are going to be.

Mrs. Evans, If they don't agree to raising the net or they can't raise the net or you won't give them a variance then there is no solution?

Atty. McClure, I'm not concentrating on the net. I'm not specifically telling you about the net I'm telling broadly that we've discussed all kinds of options and now they are coming back to discuss what are the things they think they can get done, what they would need for approvals from us and when those things would occur.

Com. Good, We cannot make them get a variance. Again, it is back to property rights. If they want a variance to go higher they're the ones that are going to have to submit for that and they are the ones that are going to have to bring it before the boards or the BZA or whoever that is to get that taken care of. That variance would need to be enacted by them.

Mrs. Evans, By them.

Com. Good, Yes, not us. This is not a court of law. We take care of the ordinances and the things that go along with property right usage. Right now for us to come in and to tell them that they have to shut their driving range down that is an over stepping of our boundaries and our

responsibilities and then they would have legal recourse from that perspective too. Everybody is trying to find the right solution here to make everybody happy. I think that what Atty. McClure's first attempt in the first meeting with these folks is trying to do so we can find some resolve here for everybody. Remember too there are laws and things that we need to abide by by this board and that is what we're trying to do. Everyone has a stake in this and we're trying to take care of it the best we can.

Com. Biggs, The law is already established. If those golf balls come over and damage your property there is a civil liability there.

Mrs. Evans, It is an ongoing problem so it is not something that is going to stop. Come next spring the same thing is going to happen if there isn't a solution.

Com. Good, But I think as far as your resolve if it doesn't resolve to the extent that you want then you have rights as far as civil lawsuits and other things to take on if you needed to. I don't know whether the federal law is in your favor on that. I'm not an attorney so I wouldn't be able to comment on that. This Board here does not make those things happen. We don't tell people what they can or can't do with their property. They come before us and we have to weigh in on it based on the protocols.

Mrs. Evans, Even if it's a public safety hazard including anybody who travels on that road, or jogs down that road or bicycles?

Com. Good, We have 2 golf courses in Valparaiso that have similar problems. In fact they are worse, the responsibility of the damage of that goes to the person striking the ball. That is where the liability lies from a public safety standpoint or whatever and that is a federal law.

Mrs. Evans, So if we're not at home and nobody can catch the person who is hitting that ball then what is our recourse? You have to be able to catch that person that is hitting the ball or the golf course has to be out monitoring the driving range in order to catch that person or people or whoever.

Com. Good, I think that is part of the ongoing discussions that we're having with them.

Atty. McClure, And that is why I mentioned the monitoring of the driving range. I'm not trying to be couching my language. Many things were discussed, a net, screening, position, upper level, lower level, someone monitoring, additional signage, additional landscaping. Many things were discussed. Was anything agreed to? No. Were they amenable to continue the discussions and did I have the feeling that we're going to be able to work some things out yes but we have to be able to do that.

Com. Good, That was the first meeting and we're starting this process now. We are involved and we're trying again to be the mediator and bring all of the sides together so we have a solution that works for everyone. That is what we're trying to do here.

Mrs. Evans, I appreciate you working and the sooner the better because it has been going on year after year after year having to deal with this. I know none of you would like somebody hitting golf balls at your home or at your vehicles parked in your driveway.

Com. Good, This golf course has been there for over 25 years though.

Mrs. Evans, And we've been there longer than that.

Com. Good, All I can say there has been a long standing precedence of that golf course being there as well too and that is where the yin and the yang of all of this is and that is the problem.

Mrs. Evans, Usually the first person there is more important than the second person. The homes were there before the golf course.

Com. Good, I don't think there is a law that states that or anything. Not that I'm aware of but maybe there is.

Com. Blaney, We are going to continue to work with them.

Mrs. Evans, I appreciate it because I know none of you would like to be living in that situation and have your homes.....

Com. Biggs, Well you're right and we don't like the idea of that you are having to living in that situation but let us see what we can do within our authority. Thank you.

Mr. Evans, There was a comment made that the neighbors weren't for this net. I want to dispute because I was here during that meeting for the variance on the net when they wanted to go from 25 to 40 ft.

Com. Good, Sir I was just reading what was in the report when the variance came forward. There were people, I don't know who the people were but they were remonstrating against the net going from 25 to 40 ft.

Mr. Evans, Well I don't know who that was because I was here.

Com. Good, I'm not saying you were I was saying people were. We can give you a copy of the minutes.

Atty. McClure, That's where we were reading it from. We were weren't there either.

Mr. Evans, Once they assured us that the 40 ft. was going to take care of the problem we were pretty much for it. In that variance we had other concerns with net and the polls during the winter. I that variance they agreed to take the net down every year. If you read in those minutes they agreed to that. They have not done it since. Not one winter did they ever take the net down. When I approached Joey Larr about that years ago because we were working with previous Commissioners and Joey Larr about this same problem. Joey Larr said he couldn't do anything about it. The past Commissioners and board members signed that agreement and he couldn't enforce it about bringing the net down. I brought it up because obviously they weren't going to do anything with the golf ball problem I said well then they should go with a variance. They should have to take the net down that is what they agreed to. I brought it up to Joey Larr and nothing ever happened there either about that.

Com. Good, Well like I said we're continuing to work on it and we're trying to bring a resolution to this that makes everybody happy but it appears that there has been a long standing grind out there with what has been going. We're going to try and see if we can get neighbors together and see if we can come up with a solution. We're not the police. We're just going to hope that everybody can come up with something that will make everyone happy and that is what we're trying to do.

Mr. Evans, I just want to set the record that this isn't something that just got started at this last Commissioners' meeting when we started coming here. Years ago I was talking to other Commissioners and Joey Larr about this very problem so this isn't something that has just come up in the last month.

Com. Good, Again sir you're not really understanding what they were zoned for and what they were approved for. When someone from County government says well there is nothing that they can do about it. I think that is what they're really intimating. I think you're (Inaudible) words a little bit, but what they're basically saying is that they don't.....code enforcement, no one within the County has the right to go out there and close somebody down for doing something that you think is wrong. It just doesn't work that way.

Mr. Evans, I understand that but you made the statement that they have been there for 25 years. It's more like 20 and there is a long standing.....

Com. Good, All I was trying to say sir is that the golf course has been in the community for over 20 years. That is all I was trying to say. That was all I was trying to say. They have been have they not?

Mr. Evans, Yes.

Com. Good, That is all I was trying to say.

Mr. Evans, I thought you were implying that since they've been there that this is just the way it is.

Com. Blaney, No that is why we have Mr. McClure talking with them. We want a solution.

Com. Good, If we really thought that we wouldn't even be meeting with them. That is not what we're trying to do here.

Mr. Evans, Well like I said this isn't something that we're just now stirring up a hornets nest, because we talked to other people years ago about it too. Thank you.

Com. Good, Thank you.

Ms. Komenas, Yes he said that the golf course has been there for like 20 years. They've been there a little over 20 years. Our houses like a said once before, I have the newest house and I've been there 40 years. The golf course knew we were there before. The neighbors are us. I have nobody living in the house on the north of me. I have nobody in the house living on the south of me so these are the neighbors just us. One other person who is going through cancer treatments so I doubt if he comes. This has been going on. It's very emotional for us because this has been going on from day one. We're not allowed to use our yards because of this problem. So you're saying they're going to be shut down until they have going to have something resolved when they open?

Atty. McClure, That is the plan.

Ms. Komenas, They don't keep track of who is out there so how are we supposed to know unless they email us the daily itinerary of everyone that is out there. How are we supposed to get back to these people that maybe slice a ball and hit my window? I've had an enormous amount of damage and I shouldn't have any because if this was a shooting range and they want to put up a shooting range you guys would have rules. This can kill people. There are no rules for it. I just can't believe it. We fought and fought to get the net up. There was nobody else other than the neighbors fighting and the person that was against the net lives closer to the driving range where they T-off and it doesn't affect him.

Com. Good, Thank you.

Ms. Tincher, Hi I had just a couple of questions.

Com. Good, Please state your name and address.

Ms. Tincher, Oh is that required?

Com. Good, Yes.

Com. Good, Were just coming at us blindly there.

Ms. Tincher, Pam Tincher 4908 Waters Edge Dr., Valpo. I had a couple of questions. One is how does it work if another group wants to offer prayer since you gave a blanket approval to that group for the whole year. If there is another group let's say a Muslim group or the Satanic Temple wants to also offer prayer because evidentially you feels that important, how would that work?

Atty. McClure, They apply and they get on the agenda and they get approved.

Ms. Tincher, Even though there is already someone there, because that is not what you implied today.

Atty. McClure, There is a difference between 2 or 3 people on the Courthouse grounds and a table trying to do Courtside Ministries or prayer or an entire 2 to 7 Fall Harvest Festival. Just like there is a difference between if Courtside Ministries is there and the Popcorn Fest is going on at the Courthouse grounds. Each request is different. Each use is different. Just because Courtside Ministries happens to be there on a Tuesday offering prayer doesn't mean they Atheists group can't be there for their cause. It doesn't mean that Muslims can't be there for their cause. However, if they show up and they request the entire Courthouse grounds to do a demonstration then yes that would potentially not allow us to approve someone else to be there. So each request stands alone and each request is its own issue as far as what is being requested of. Could I layer on additional things on top of the Popcorn Fest, no the entire Courthouse grounds is normally used.

Ms. Tincher, I'm not talking about that I'm talking about the prayer group.

Atty. McClure, But you're taking what I said earlier what the request is to mean that it's exclusive. It depends on what the request is.

Ms. Tincher, So it sounds like if a Muslin group wanted to offer prayer at the same time and the same location that would probably approved.

Atty. McClure, Correct.

Ms. Tinchler, Thank you. I would also like to go on the record say that lawsuits that are designed to defend religion or defend a specific belief in using my county dollars are really not what I would really want to happen and I think that it's a waste of taxpayer money. I just wanted to put that out there. Also, one final thing is you had said previously that there will be no crèche on the Courthouse lawn this year.

Atty. McClure, I said nativity scene.

Ms. Tinchler, You said no nativity scene.

Atty. McClure, Correct.

Ms. Tinchler, And does that also include the live nativity?

Atty. McClure, To the best of my knowledge it does.

Com. Blaney, I think there won't be a live nativity scene. There might (Inaudible).

Com. Good, That was a letter we got a week or so ago.

Ms. Tinchler, The letter.

Com. Good, Saying that there will not be a live nativity this year.

Ms. Tinchler, Oh okay.

Com. Good, That was the letter that we received a couple of weeks ago.

Ms. Tinchler, Okay that is what I wanted to clarify. Thank you.

Com. Good, Anyone else?

With no further business the meeting was adjourned at 12:04 p.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor