

**PORTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 10TH, 2023
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, January 10th, 2023 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

Com. Biggs, Welcome to the Porter County Board of Commissioners first meeting of the year Tuesday, January 10th, 2023.

Reorganization

- **President**

Com. Blaney, moved to appoint Jim Biggs President, Com. Regnitz, second, motion carried.

- **Vice President**

Com. Biggs, moved to appoint Barb Regnitz Vice President, Com. Regnitz, second, motion carried.

- **Secretary**

Com. Biggs, moved to appoint Laura Blaney as Secretary, Com. Regnitz, second, motion carried.

- **County Attorney**

Com. Blaney, moved to appoint Scott McClure as County Attorney, Com. Biggs, second, the motion.

Com Biggs, Can I ask Chuck Harris to come up.

Mr. Harris, I would just like to say a few words about my friend. It's not unusual for Porter County to say goodbye to a longtime employee. County government works with a high rate of retention for its employees. When a venerable County Veteran decides to call it a career it's typically his or her decision and its cause for celebration. I know in my office I have several people that have over 30 years of experience. However, most elected officials leave office due to elections and it's rare to see a respected official walk away from his post on his own terms. However, that is precisely what Jon Snyder has done. More importantly he did it for the right reasons. Jon and I first ran as candidates back in 2010 and we both won our first elections together. Over the course of the past 12 years there were certainly challenges and obstacles but John was always positive and set the tone for his office. Keeping moral high in the Assessor's office is a little bit of a challenge because it's typically the only interaction you have with the public is people that are complaining about their land values being a little bit too high and their assessments being too high. There was kind of a hype back when Jon was elected about his great attitude and enthusiasm. We've got a great department head that we're recognizing here and there are a lot of great employees in the room from his department. I think a lot of the reason that there are great employees in that department is because Jon led with his enthusiasm and his leadership. The positive attitude he brought in that department still exists today. Jon is a good person. He's fair, he's honest and he cares about people. He cares about doing the right thing. He believes he can make a difference in the lives and circumstances in his community and he truly enjoys helping people. When people have questions or concerns like myself he provided help, answers, guidance in a quick complete and a non-judgmental type

of way. Jon you've been an inspiration for the last 12 years knowing the things that you've faced and that you've accomplished. I wanted you to know that you're going to be missed. For all your future endeavors I want to wish you well and if you ever want to stop by and have a talk or go out for lunch you're more than welcome to Buddy.

Mr. Snyder, Well thank you all. Thank you for coming or being here one way or the other. Whether you had to or not. Hi ladies. Thank you this is a surprise. I remember 12 years ago leaving my house as the newly elected County Assessor. It was a very cold morning but a very clear sky. I'll never forget I looked up in the sky and I asked God for help because I didn't know what I was doing. What I was getting into and I will say that I truly did feel God's presence in my life every day, each step of the way. I'm just grateful for that opportunity that I've had to be here. I'm thankful for God's help. I'm thankful for my family and I'm extremely thankful for the employees. Thank you guys for coming in this morning as a surprise because we were a team. We faced many many challenges over 12 years but the team performed well. I was just lucky enough to be their manager per se and just made decisions to try to help them to do better. Not only were we a team, we were family and I miss you guys already. I miss you dearly actually and most of everything about what we do. Thank you everyone. I appreciate it.

Com. Blaney, We have another elected official who doesn't have an award today but very much the same put his heart and soul into his job and didn't walk away because of an election. He was turned out and that is Dave Reynolds. He was a fantastic asset to Porter County for many years. So I'd like to recognize him as well.

Com. Biggs, I agree I think what we're going to do is on our agenda next month or at the end of the month our second meeting we're going to invite the Sheriff in for the same recognition award. Dave served Porter County with distinction for 16 years and did a great job as Sheriff. That's one of the more difficult jobs to do in County government. So we're going to get him in here and recognize him properly.

CONSENT AGENDA

Approval of Payroll – December 9th, December 23rd, 2022 and January 6th, 2023.

Approval of Claims – December 8th, December 15th, 2022.

Approval of Minutes for December 6th, 2022.

Treasurer's Monthly Report – November 30th, 2022 – Filed.

Weights and Measures Monthly Report – November 16th to December 15th, 2022 – Filed.

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

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENT

1. Lucky Stiff – Michael Glorioso
2. Lucky Stiff – Jillian Michalak
3. Lucky Stiff – Laura Gorski
4. Lucky Stiff – Julia Paige Thorn
5. Lucky Stiff – Angela Heid
6. Megan Branham – 2023 Memorial Opera House Season

VENUE RENTAL AGREEMENT

NextGen ASL – Willie Nile

Com. Blaney, moved to approve the Artistic Services Agreements and Venue Rental Agreement, Com. Regnitz, second, motion carried.

Com. Blaney, I would like to bring something up while we're on MOH. We have spent a lot of time and money on architects. We have money allocated from ARPA funds. We have money committed by the Foundation. I would like to make a motion to put the MOH Project as it stands out to bid.

Com. Blaney, moved to put the Memorial Opera House Project out to bid.

Com. Biggs, there is no second, motion fails.

ANNOUNCEMENTS

Citizen Appointments to the following Boards:

- **Alcohol Beverage Board – 1 Appointment.**

Com. Biggs, moved to appoint Bob Filipek, Com. Regnitz, second, motion carried.

- **Convention, Recreation & Visitors Commission – 3 Appointments.**

Com. Blaney, moved to appoint Cathy Brown, Com. Biggs, second.

Com. Regnitz, She didn't get her application in on time.

Com. Blaney, I would still like to nominate her. It would be her third or fourth term.

Com. Biggs, That is not going to wash this out is it?

Com. Regnitz, It is going to washout my two.

Com. Blaney, Historically we have each had our own appointment to this Board.

Com. Biggs, Restate your motion Laura.

Com. Blaney, moved to reappoint Cathy Brown to the Convention, Recreation & Visitors Commission, Com. Biggs, second, motion carried.

Com. Regnitz, Opposed.

Com. Biggs, They have to get their reappointment in. That is part of the rules.

Com Biggs, moved to reappoint Matt Soliday, Com. Blaney, second, motion carried.

Com. Regnitz, moved to appoint Kay Ball, Com. Blaney, second, motion carried.

- **Plan Commission – 1 Appointment (*Democrat affiliation.*)**

Com. Regnitz, moved to appoint Scott Williams, Com. Biggs, second, motion carried.

Com. Blaney, moved to appoint Pam Fish.

Com. Biggs, that fails to lack a second.

- **PTBOA – 2 Appointments.**

Com. Regnitz, moved to reappoint Tami Bianco, Com Blaney, second, motion carried.

Com. Regnitz, moved to reappoint Nancy Kolasa, Com. Blaney, second, she covers the requirement for a Level III Certification, motion carried.

- **Redevelopment Commission – 2 Appointments.**

Com. Blaney, moved to reappoint Jason Gilliana, Com. Regnitz, second, motion carried.

Com. Regnitz, moved to appoint Bill Herring, Com. Biggs, second, motion carried.

- **Stormwater Advisory Committee – 1 Appointment.**

Com. Regnitz, moved to appoint Nicole Baker.

Com. Blaney, moved to appoint Paul Reed.

Com. Biggs, second Nicole Baker, motion carried.

Correction to the Board of Health – 3 Appointments – (2 Republican and 1 no party.)
*****The deadline will be January 19th.*****

NEW BUSINESS

COMMISSIONERS

Commissioners Appointed to the following Boards:

- **Storm Water**

Com. Regnitz, moved to appoint Jim Biggs, Com. Blaney, second, motion carried.

- **Community Corrections**

Com. Regnitz, moved to appoint Jim Biggs, Com. Blaney, second, motion carried.

- **Juvenile Justice**

Com. Regnitz, moved to appoint Jim Biggs, Com. Blaney, second, motion carried.

- **Redevelopment**

Com. Regnitz, moved to appoint Jim Biggs, Com. Blaney, second, motion carried.

- **Child Protection**

Com. Regnitz, moved to appoint Laura Blaney.

Com. Blaney, I've historically not been able to make these meetings. So if someone else would like to take it that has a better schedule for this I would be happy to give that one up.

- **Center for Workforce Innovations**

Com. Biggs, Is that the case for Center of Workforce Innovations as well?

Com. Blaney, Yes. Every year I try to get one of you guys to take that. I've tried to do a proxy and do the legislation but that is not an available option.

Com. Regnitz, I move that we postpone the nominations for these two until our next meeting.

Com. Biggs, Yes because what we might do is a couple that I have if you want to talk to see if you want.

Com. Blaney, Okay.

- **NIRPC**

Com. Biggs, moved to approve Barb Regnitz to NIRPC, Com. Regnitz, second, motion carried.

- **Plan Commission**

Com. Blaney, I would like to be on this Board. I nominate myself.

Com. Biggs, moved to appoint Barb Regnitz, Com. Regnitz, second, motion carried.

- **EMA**

Com. Biggs, moved to appoint Barb Regnitz, Com. Regnitz, second, motion carried.

- **911**

Com. Biggs, moved to appoint Barb Regnitz, Com. Blaney, second, motion carried.

Com. Blaney, I don't see NICTD on here so I would like to nominate myself.

Com. Biggs, NICTD is appointed by the Governor.

Com. Blaney, They changed that. That's right.

A Legal Service Agreement between the Porter County Board of Commissioners and Rhame, Elwood and McClure.

Com. Biggs, We all received a copy of the contract.

Com. Biggs, moved to approve the Legal Contract with Rhame, Elwood and McClure, Com. Blaney, second, motion carried.

An Amendment to Resolution 22-07 to approve the Commissioners' Meeting Schedule for 2023.

Com. Regnitz, moved to approve the Commissioners' new Meeting Schedule, Com. Biggs, second, motion carried.

Com. Blaney, I know there were a couple of meetings. One was during Spring break and another was the Monday we come back from Thanksgiving. I thought that might be kind of tough on the staff. Did we alter those at all?

Com. Biggs, I don't believe we did. I don't think it is out of the norm that we can address it as we get closer to see if that is going to be an issue with anybody.

A request for approval by Jerome Szikora to continue renting approximately 10 acres of County property for farming located at 303 W CR 400 N on the west of the railroad tracks. Mr. Szikora has given the County a check in the amount of \$3,600.00 for 2022.

Com. Blaney, moved to approve Jerome Szikora's request, Com. Regnitz, second, motion carried.

SHERIFF JEFF BALON

An Ordinance Amending Ordinance No. 20-08 Establishing a Non-Reverting Fund #8157 for the Indiana Dept. of Homeland Security – State Homeland Grant Program Awarded through a CFDA 97.067 DHS Grant – 2nd Reading.

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

JDC - ALISON COX, DIRECTOR

An Agreement between the Porter County Board of Commissioners and the Board of Newton County, Indiana for the housing of children.

An Agreement between the Porter County Board of Commissioners and the Board of Jasper County, Indiana for the housing of children.

Com. Blaney, Are these two agreements the same as last year?

Ms. Lutz, They are and we also have one with Starke this year.

Atty. McClure, There have been some slight differences but I reviewed them and they are in the basic keeping with what we've been doing in years past. I just don't think there is an automatic amount of beds.

Ms. Lutz, They are going to pay for beds as they go instead of paying for a lump sum and then have a bunch of dead days to carry over.

Com. Biggs, What is the daily rate?

Ms. Lutz, \$140.00.

Com. Biggs, That's a bargain.

Com. Blaney, moved to approve the Newton and Jasper County agreements, Com. Regnitz, second, motion carried.

An Agreement between the Porter County Board of Commissioners and the Board of Starke County, Indiana for the housing of children.

Com. Blaney, moved to approve the Starke County agreement, Com. Regnitz, second, motion carried.

AUDITOR KAREN MARTIN

Union Township ARPA Agreement.

Ms. Martin, We received the one from Union Township and I think it's within your packet and shows the amount of \$26,668.39. We still do not have six of the townships and we have two of the not profits that have filed their agreement but this one has been submitted for your approval.

Com. Biggs, Is there a deadline for submitting those?

Ms. Martin, No not really. They have a certain amount of time that they can work with it. It's not a specific deadline.

Com. Regnitz, moved to approve the Union Township Harper agreement, Com. Blaney, second, motion carried.

HIGHWAY DEPT. – JIM POLAREK, DIRECTOR

Receive and Open Bids for 2023 Supplies.

Ms. Martin, First we have Limestone.

LIMESTONE

South Lake Stone
Harry Brown Trucking
Whitcomb Trucking

SLAG

Beemsterboer Aggregates

LIQUID BITUMINOUS MATERIAL AND CRACK SEAL

Central Paving
Pavement Solutions
The Klink Group
Asphalt Materials
Rieth-Riley Construction
Milestone Contractors North, Inc.

PAVEMENT STRIPING & MARKINGS

The AirmarKing Co.

RENTAL RATES FOR EQUIPMENT

GE Marshall Inc.
Pavement Solutions Inc.
Rieth-Riley Construction

SIGNS AND SIGN POSTS

Custom Products Co.

CALCIUM CHLORIDE PRODUCTS

Great Lakes Chloride Inc.

DIESEL FUEL

Triple J-Mar Petroleum Inc.
Co-Alliance
Ceres Solutions

CULVERTS AND GUARDRAILS

Metal Culverts Inc.
St. Regis Culverts Inc.
Debco Metal Culverts

PRE-CAST OR PRE-STRESSED BRIDGE SLABS AND BEAMS

American Timber Bridge

Mr. Polarek, We will take these back to the Highway Dept. after this meeting and lay them out if anyone wishes to view them.

Atty. McClure, Just to be clear for the crowd there are different sizes for limestone so there is not one magic number.

Mr. Polarek, We will go through them, look over the numbers and come back in February.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

A Rezone Map Amendment from IN, Institutional District to R1, Low Density Single-family Residential District – Petitioner Living Water Ministry Corporation c/o Glenn Foreman – 2nd Reading.

Mr. Thompson, This is where they requested to down zone their property from Institutional to R1 zoning. They no longer wanted to continue with the church on this parcel and they wanted to have the parcel ready for residential.

Com. Blaney, moved to approve the Rezone on 2nd Reading, Com. Regnitz, second, motion carried.

An Ordinance for Subdivision Control – Petitioner Porter County Dept. of Development & Storm Water Management – 2nd Reading.

Mr. Thompson, This is where we were cleaning up the language under the administrative subdivisions. Where they talked about having a survey and we wanted to have a plat. We’re just cleaning up the language so it is clear.

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

DeMotte State Bank Letter of Credit in the amount of \$131,397.00 for Stonebridge Subdivision Phase 1 and 2.

Mr. Thompson, This is an extension of their performance agreement that they have with Stonebridge. The subdivision is on 500 East just north of US 6 and the agreement is only for 6 months. They are getting very close to completing it and moving forward to the maintenance agreement but they still had some outstanding items that the staff in the office wants to see to get it done. They are running into the winter weather so they were unable to do it so we asked for an extension.

Com. Blaney, moved to approve the DeMotte State Bank Letter of Credit, Com. Regnitz, second, motion carried.

Lochmueller Group – LPA Consulting Contract for Porter County Bridge 98 (CR 600 North over Salt Creek) replacement. The contract shall not exceed \$34,000.00.

Mr. Thompson, This for right-of-way services. Lochmueller Group is doing the engineering currently on this and whenever we get into the right-of-way services it's always a separate agreement. So this is what is before you.

Com. Blaney, moved to approve the Lochmueller Group LPA Consulting Contract for Bridge 98, Com. Regnitz, second, motion carried.

Lochmueller Group – An Annual Service Agreement.

Mr. Thompson, We have 4 or 5 consultants that we ask for annual service agreement in case something comes up where we need to respond quickly.

Ms. Regnitz, moved to approve the Lochmueller Group Annual Service Agreement, Com. Blaney, second, motion carried.

Valpo Solar, LLC (Apex Clean Energy, Inc.) – A Consent Agreement for Roadway Project for Bridge 40 right-of-way acquisition of Whitmer parcel along 1000 South at LaPorte County Line.

Mr. Thompson, We are currently working on Bridge 40. We are in the middle of a right-of-way services agreement. We have purchased a number of parcels and this is one of the last parcels that we have. The Whitmers sent this to us. We did approach the Whitmers. They're in need of the northwest corner of that particular bridge. The bridge is right on County Line. Apex Energy happens to have a lease agreement on this parcel. I sat down with Atty. McClure to discuss this. Basically all parties are notified that Apex even though we're approaching Whitmers to purchase right-of-way for this particular bridge and it is only a 30' / 40' strip in areas that all parties are being notified. Also that Apex Energy has an interest in this parcel. We are trying to purchase this right-of-way from Whitmers outright so the County Commissioners will hold the title to this particular strip for the bridge.

Com. Blaney, moved to approve the Valpo Solar, LLC / Apex Clean Energy Consent Agreement for Bridge 40, Com. Regnitz, second, motion carried.

United Consulting – An LPA Consulting Contract for the replacement of Bridge 80, CR 300W over Cornell Ditch right-of-way services.

Mr. Thompson, Again United is working on this particular bridge. This is a right-of-way agreement which is a separate agreement from the work they are going to start proceeding with. The appraisals and acquisition of right-of-way for this particular bridge.

Com. Blaney, moved to approve the United Consulting LPA Contract for Bridge 80, Com. Regnitz, second, motion carried.

United Consulting – An LPA Consulting Contract for the replacement of Bridge 110, CR 600E over Crooked Creek right-of-way services.

Mr. Thompson, This is the same as the case before. They are entering into the right-of-way services so they can start the acquisition services for this particular bridge.

Com. Regnitz, moved to approve the United Consulting LPA Contract for Bridge 110, Com. Blaney, second, motion carried.

NIPSCO – A Temporary Construction Workspace Easement Agreement along U.S. 12 in Portage by the Port Bridge.

Com. Biggs, Where exactly is this?

Mr. Thompson, This is on the south side of US 12. It is just west of the bridge that goes over US 12. It goes into the Port. This is an old subdivision. A number of people own parcels in there but this particular parcel that NIPSCO is interested in is owned by the County

Commissioners and it is closest to US 12. They have a pipeline project that is going in there. They needed a temporary construction easement for staging. Whether it is putting some of their pipes in storage or there pipes on that. They obtained the easement I think a few years back but now they're coming back with another project and they are requesting to use the Commissioners' property for staging on this particular project.

Com. Blaney, moved to approve NIPSCO, Com. Regnitz, second, motion carried.

Kankakee River Basin & Yellow River Basin Development Commission – Appointment of a Porter County Representative. *DISREGARD – 4 YEAR TERM.*

JODI JACKSON – VALPARAISO FAMILY YMCA

A request to host the 30th Year of the Annual Ringing in Spring 5K Road Race to be held on Saturday, April 1st, 2023 at 7:45 a.m. to 10:00 a.m. The race will start and finish on Cumberland Dr. by the YMCA Pavilion.

Com. Regnitz, moved to approve the Annual Ringing in Spring 5K Road Race, Com. Blaney, second, motion carried.

PUPPY MILLS

Com. Blaney, I've been getting a lot of calls lately about concerns with puppy mill operations in Porter County. I looked up a couple of other ordinances around the state. We have several rescues and shelters in Porter County that do fantastic work. We've got some really responsible breeders here so there are plenty of places to find a pet. The two ordinance I looked at are the City of Carmel and an Indianapolis ordinance. I was hoping to ask Scott to review those. I can send them to you after the meeting and maybe come up with something that we can deliberate after Scott gets a chance to look it over. I will send them to you after the meeting.

CITIZEN COMMENT

Ms. Miller, Dawn Miller I live in Valparaiso. I just want to say thank you guys for making some of these meetings at 5:30. It has been a difficult task. I mean every meeting at 10 a.m. The puppy mill thing that you just brought up. That was actually brought up yesterday at the City Council meeting. There was a lot of opposition to it so I hope that's something that you guys can really get together and talk about because a lot of people are very disappointed or very upset about this.

Com. Biggs, They are in opposition of passing an ordinance?

Ms. Miller, Well I don't know. No they're in opposition of it actually already being here. They definitely wanted something done. I don't know much about the puppy mills or whatnot but it was frowned upon apparently. Thank you.

Com. Biggs, Thank you Dawn. Thank you very much and I look forward to serving you throughout 2023. Have a good day.

With no further business, the meeting was adjourned at 10:44 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jim Biggs

Barb Regnitz

Laura M. Blaney

Attest: _____
Karen Martin, Auditor