

**PORTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JULY 11<sup>TH</sup>, 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, July 11<sup>th</sup>, 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**

**CONSENT AGENDA**

**Approval of Payroll – June 23<sup>rd</sup> and July 7<sup>th</sup>, 2023.**

**Approval of Claims – June 22<sup>nd</sup>, June 29<sup>th</sup> and July 7<sup>th</sup>, 2023.**

**Approval of Minutes for June 13<sup>th</sup>, 2023.**

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

**MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR**

**ARTISTIC SERVICES AGREEMENT**

**Christy Vice – Little Shop of Horrors \$250.00**

Com. Regnitz, moved to approve the Artistic Services Agreement, Com. Blaney, second, motion carried.

**ANNOUNCEMENTS**

**Seeking Applications to the Airport Authority Board. The applicant must be of Democrat affiliation. The application deadline is August 3<sup>rd</sup>.**

**Memorial Opera House.**

Com. Regnitz, I just want to give an update as to where we are. At our May meeting we voted unanimously to approve a scope for renovations for the Opera House that was going to be somewhere under \$5 million. It would be covered by an allocation of \$5 million of ARP monies. Then we took that to the Council meeting at the end of May and had Scot MacDonald there, along with Jeff Lewis from the Foundation. We talked about the scope at that point in time. We met with Schmidt and Skillman and had them prepare proposals which we then voted on unanimously at our last morning meeting. We did take that to the Council at their June meeting which they voted down four to zero. We thought that was dead but it appears that Councilman Simms is going to try to get that appropriated at their next meeting on the 18<sup>th</sup> of this month.

Com. Biggs, To be clear the vote was four to two.

Com. Regnitz, What did I say?

Com. Biggs, Four to nothing.

Com. Regnitz, I'm sorry four to two. I apologize.

**Sheriff's Residence.**

Com. Regnitz, We did go to the RDC to request \$120,000.00 loan to renovate the first floor of the Sheriff's residence and that was approved. The \$120,000.00 will go towards the kitchenette, putting the first floor restroom back in and also for the first floor air conditioning. We did work with Scott to put together an ad which went out to the papers last week. Essentially the bid has to be somewhere between \$1,902.85 and \$2,083.00. The fair market value was \$2,003.00 per month. We're going to be doing a walk through on July 26<sup>th</sup> at 10 a.m. for any interested parties looking to lease the property. The lease term will be three years and it will be available no earlier than January 1<sup>st</sup>, 2024. That does include the lessee paying all of the utilities. Do you have any questions?

Com. Biggs, I do not. Laura do you have any questions?

Com. Blaney, No.

**COMMISSIONERS**

**Receive and Open Sealed Bids for the CCMG 2023 paving projects.**

Ms. Martin, The bids are Milestone in the amount of \$1,779,788.07 and Reith Riley in the amount of \$1,748,247.04.

**Quadient Pulse Technology – A proposal for a new mail machine in the Admin. Building in the amount of \$265.65 per month.**

**Quadient Pulse Technology – A proposal for a new mail machine at the Courthouse in the amount of \$265.65 per month.**

Com. Regnitz, moved to approve both of the Quadient Pulse Technology proposals. Com. Blaney, second, motion carried.

**A Resolution for Venue Rental Policy.**

Atty. McClure, The revised/proposed venue policy, we had our Administration meeting I believe it was Thursday morning or Friday morning of last week where we discussed this. The proposal from that discussion that we had at that Administration meeting would be:

**RESOLUTION 23 - \_\_\_\_\_**

**RESOLUTION OF THE PORTER COUNTY BOARD OF COMMISSIONERS  
MANDATORY RENTAL POLICY PROVISIONS FOR ALL PORTER COUNTY  
GOVERNMENT VENUES**

**I. For any event that alcohol is served:**

1. The County venue shall provide every patron, that is served an alcoholic beverage, an "identifier" that signifies the patron has been legally served alcohol.
2. The "identifier" may be but is not limited to wrist bands, hand stamps, or lanyard badges. The patrons of the event shall be required to wear the "identifier" while drinking alcoholic beverages.

**II. For all events, self-defined as "adult intended" by the promoter:**

1. Individuals seventeen (17) years old and older will be permitted without a parent or guardian.
2. Individuals sixteen (16) years and younger shall only be admitted with parent or guardian.
3. The promoter shall advertise the event as intended for adults.

ADOPTED THIS THE \_\_\_\_\_ DAY OF JULY 2023.

/s/ Jim Biggs, Commissioner  
/s/ Barb Regnitz, Commissioner  
/s/ Laura Blaney, Commissioner

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

**Puppy Mill Ordinance – 1<sup>st</sup> Reading.**

Atty. McClure, We have been talking about this since the beginning of the year and the state is kind of on hold for now. So we are able on with our proposal.

**ORDINANCE 23-\_\_\_\_\_**

**PORTER COUNTY COMMISSIONERS  
ORDINANCE AMENDING CHAPTER 12 HEALTH AND SAFETY BY THE ADDITION OF  
ARTICLE XIII- PROHIBITION ON THE RETAIL SALE OF DOGS, CATS, OR RABBITS BY  
PET SHOPS**

**WHEREAS**, most puppies, kittens, and rabbits sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits ("puppy mills," "kitten mills," and "rabbit mills," respectively). According to The Humane Society of the United States, an estimated 10,000 puppy mills produce more than two million puppies per year in the United States; and

**WHEREAS**, the documented abuses endemic to puppy, kitten, and rabbit mills include over-breeding; inbreeding; minimal veterinary care; lack of adequate food, water and shelter; lack of socialization, exercise and enrichment; lack of sanitation; and

**WHEREAS**, pet store puppies are often sick and have behavioral problems because of the substandard conditions they were likely born into; they were taken from their mothers at a very young age; they were transported in trucks filled with other young puppies; they were placed in a pet store cage with or near other puppies who are often sick; and

**WHEREAS**, pet stores often mislead consumers as to where the puppies in the stores came from and make false health and behavior guarantees. Many consumers end up paying hundreds or thousands of dollars in veterinary bills and suffer the heartbreak of having their new pet suffer, and in some cases pass away; and

**WHEREAS**, according to the U.S. Centers for Disease Control and Prevention, pet store puppies pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant *Campylobacter* infection from contact with pet store puppies; and

**WHEREAS**, current federal and state regulations do not adequately address the animal welfare and consumer protection problems that the pet store sale of dogs, cats, and rabbits from animal mills pose. Federal oversight of the commercial breeding industry is severely lacking; and;

**WHEREAS**, prohibiting pet stores from selling dogs, cats, and rabbits is likely to decrease the demand for these animals that are bred in mills, and decrease the burden that pet store dogs, cats, and rabbits that end up in animal shelters place on local agencies and taxpayers; and

**WHEREAS**, the vast majority of pet stores, both large chains and small, family-owned shops, already do not sell dogs and cats but rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host adoption events; and

**WHEREAS**, this ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice from animal rescue, shelter, or breeder who sells directly to the public; and

**WHEREAS**, The Porter County Commissioners believe it is in the best interest of Porter County to adopt reasonable regulations to reduce costs to Porter County and its residents, protect citizens who may purchase dogs, cats, or rabbits from a pet store, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in Porter County; now, therefore:

BE IT ORDAINED BY THE PORTER COUNTY COMMISSIONERS:

CHAPTER 12 Article XIII the "Porter County Code"," is hereby amended by adding the following:

## **Sec. 1 Definitions.**

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

Animal rescue organization means a not-for-profit organization having tax-exempt status under 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part the rescue and placement of animals into permanent homes. The term animal rescue organization does not include any person that: (1) breeds animals for profit (2) is located on the same premises as a person that breeds animals for profit: (3) has any personnel in common with a person that breeds animals for profit: (4) obtains, in exchange for payment or compensation dogs or cats from a person that breeds animals for profit: or (5) facilitates the sale of dogs or cats that were obtained, in exchange for payment or compensation, from a person that breeds animals for profit.

Cat means any member of the species *Felis catus*.

Dog means any member of the species *Canis familiaris*.

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, grooming, breeding or training dogs or cats, or both; a kennel, for purposes of this chapter, shall not include a facility in or adjoining a private residence where dogs are kept for the hobby of the householder using them for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the householder's property, and an occasional sale of puppies or kittens by the owner, lessee or other occupant of such property shall not make that property a kennel for the purposes of this chapter.

Offer for sale means to proffer for acceptance by another person.

Person shall mean an individual, corporation, partnership, association, or any other entity.

Pet shop means: (1) a facility operated commercially and principally for the purpose of selling animals which, in the hands of their immediate purchasers, will be pets: or (2) any retail store where animals are kept, sold, or offered for sale on the premises. An animal rescue organization, as defined in this section, shall not be considered a pet shop.

Rabbit means any member of the species *Oryctolagus cuniculus domesticus*.

Sell means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer an animal.

## **Sec. 2 - Prohibition on the Retail Sale of Dogs, Cats, or Rabbits by Pet Shops**

(a) Retail sale of dogs, cats or rabbits by pet shops prohibited.

(1) It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, or rabbit.

(2) A pet shop may provide space for the display of dogs, cats, or rabbits that are available for adoption only if such animals are displayed and made available for adoption by an animal rescue organization and all of the following conditions are met:

No part of any fees associated with the display or adoption of the animals, including but not limited to adoption fees or fees for the provision of space, shall be paid to the host pet shop or to any entity affiliated with or under common ownership with the host pet shop; and

The host pet shop shall not have any ownership, interest in any of the animals displayed for adoption.

(b) Enforcement and penalties.

(1) This chapter shall be enforced by code enforcement of Porter County.

(2) A pet shop that sells or offers for sale a dog, cat, or rabbit in violation of this chapter is subject to admission of the violation and payment of a civil penalty

in an amount on Five Hundred Dollars for the pet shop's first violation. A pet shop that sells or offers for sale a dog, cat, or rabbit in violation of this chapter is subject to admission of the violation and payment of a civil penalty in an amount on One Thousand Dollars for the pet shop's second and subsequent violations. Each unlawful sale or offer for sale shall constitute a separate offense.

**Sec 4.** Should any provision (section, paragraph, sentence, clause or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

**Sec 5.** This ordinance shall be in effect \_\_\_\_\_ day of \_\_\_\_\_, 2023 after its adoption by the Commissioners and compliance with IC 36-3-4-14.

**Board of Commissioners  
Porter County, Indiana**

/s/ Jim Biggs  
/s/ Barb Regnitz  
/s/ Laura Blaney  
/s/ Attest: Karen Martin, Auditor

Atty. McClure, At the end of the day these things cause lots of problems once they are put into the system and people buy them. Whether they are able to care for them. Whether they're healthy. Whether they are carrying any other diseases that are problems for other people that have their animals in a different manner. So there are lots of problems that have come with this. This is why there's been somewhat of a movement across Indiana to have this put together. So it is basically reduced the cost of Porter County and its residents. It protects the citizens who may purchase dogs, cats or rabbits. So to be clear this doesn't stop someone from being able to buy a dog from a dog breeder. What it does stop so not all people that are breeding dogs on farms and things like that this is not an all affecting them. What this affects is the places we don't see that are producing puppies or rabbits in vast quantities for the sole purpose of putting them in retail setting for sale. That is where the problem exists. There hasn't been a problem with the individual small dog breeders or rabbit breeders. Those are in no way I believe what any of these

Commissioners are attempting to get in the way of or change. This is really for that retail portion that I think we've all over the years have gained some knowledge of seeing and feeling and touching and being a part of. And know there could be some significant problems, if there weren't some significant regulation. Which is not current in our state. I think this is the next best thing.

Com. Regnitz, Scott from your perspective you don't know of any retail establishment currently that this would affect.

Atty. McClure, Well it wouldn't affect any current. So if there is a retail business happening in unincorporated this would not change that. We don't get to go back and change the law retroactively. However, it would stop future.

Com. Biggs, But we're not aware of any problem in the unincorporated now though.

Atty. McClure, I'm not.

Com. Biggs, Even though it would stop. We're not aware of any problem?

Atty. McClure, Correct.

Com. Biggs, Well I totally support it and I think Laura for bringing it to our attention and getting this to this point.

Atty. McClure, Don't forget this is first reading.

**PUBLIC HEARING OPENED**

Com. Biggs, Anyone wishing to speak in favor of this ordinance step forward. Anyone wishing to speak in favor of this ordinance? Third and final call anyone wishing to speak in favor

of this ordinance? Anyone wishing to speak against this ordinance? Anyone wishing to speak against this ordinance? Third and final call anyone wishing to speak against this ordinance?

## **PUBLIC HEARING CLOSED**

Com. Blaney, moved to approve the Ordinance Amending Chapter 12 Health and Safety by the Addition of Article XIII- Prohibition Retail Sale of Dogs, Cats, or Rabbits by Pet Shops. Com. Regnitz, second, motion carried.

Com. Biggs, The 2<sup>nd</sup> reading will be at our next meeting on July 24<sup>th</sup>.

## **Public Works Project Discussion.**

Com. Regnitz, I asked that we have this on the agenda. I think it's important that we move this forward. We had A & Z here presenting the issues along with Jim Polarek the issues in our Public Works facilities. I think it is important that we get the project designed and bid out so we have an understanding of the dollars that we're looking at. I'm not exactly sure what we need to do in terms of moving that forward and passing that on to the Council.

Atty. McClure, I would like to ask Scott to draft a memo to the County Council letting them know of our want of moving this along. We are running out of time here. I just want to make sure that all 10 of us are on the same thought process.

Com. Blaney, We also will need some money appropriated right? If I recall it was pretty expensive.

Com. Regnitz, Right.

Atty. McClure, Just to be clear are we talking about either architect money or bond money. Separate or together?

Com. Biggs, Together. We are talking about moving the discussion with bond along in preparation of processing that new bond. What needs to be done?

Com. Regnitz, Is that a separate conversation? I was going to suggest that at our next meeting we also have some sort of a resolution from Scott that we are backing the rolling over of the bond that is about to mature at the end of this year. I was going to have that as a separate conversation about the bond.

Atty. McClure, And that is why I was asking.

Com. Blaney, We kind of have to know what we are going to spend the bond money on in order to do that. That is a requirement correct?

Atty. McClure, We need to know which project or projects.

Com. Biggs, Well it is both projects. Unless someone wants to discuss that it has always been my understanding we are looking at both projects here simultaneously. Whatever the pleasure of the Board is what you want Scott to reach out to them about. Either appropriating the money to get the necessary information back so we know what we are looking at here in the way of costs. Or just preparing to move this bond forward. I think we can move the bond forward without identifying the exact cost at this point. Can't we?

Atty. McClure, We can. The bond is....one project \$18.3. More than one project can be a total of \$25. When we say projects what we are really talking about is if we're doing a bond that is for \$25 million it is by default at least going to be more than one project. So we're going to at two projects to at \$25 million. I believe the Commissioners want a \$25 million bond moved forward but my only question is, is there a request from the Commissioners to have separate from the bond architect money. Or is the architect money within the bond.

Com. Regnitz, Not separate from the bond but not telling the Council how to fund that. We as Commissioners have not yet approved either the Jail project or the Public Works project. I don't know how exactly we move that project forward and alert the Council that we want them to include both of those projects in their discussions.

Com. Blaney, I think we need to have conversations with the Council ourselves.

Com. Biggs, We've had those conversations. As a matter of fact I just met recently with the Board President Rivas last week. I think it is a mistake on our end if we don't move the bond forward. We can have these conversations at the same time or maybe even a little later but we have to begin setting the table to move this bond forward because we're running out of time.

Atty. McClure, It can be in the form of a resolution or a letter from the executive that we're asking for the County Council to consider passing \$25 million bond. Then \$18.3 would be for one project. The remaining portion after the bond cost would be for the second project.

Com. Regnitz, Well is that necessarily true though? Until we know the project timelines we don't know what amount of money will be for each project until we understand the...that bubble in terms of each project falls within that bond. Don't we have to vote on each of those projects that we are in favor of moving those forward? Each of those projects. Don't we have to vote on them?

Atty. McClure, You can vote on that. The reason why we're feeling out of place is because normally we have plans that we approve and move it forward to the Council. We don't have plans to approve and move forward to the Council. Not to get caught in semantics but having A & Z here present and then the Commissioners go and have it presented to Council. I'm not sure that our message that we want to do a bond is lost. I believe we've communicated that. Beyond having a motion, a second and a vote to do the projects, we can do that but that is why we feel out of place a little bit. Normally we have a set of plans and we say yes this is what I do. Here is the estimated cost the Commissioners approve it. It goes to the Council. The Council then does their physical portion of it. That is why I'm asking the questions.

Com. Blaney, We haven't approved the architect yet either.

Com. Biggs, No.

Atty. McClure, Even today we can do a motion that the Commissioners can make a motion that they want to proceed with a \$25 million bond. The amounts to be determined at a later date as to how much for each project. The projects are the Porter County Highway Center District Garage and the Jail remodel.

Com. Biggs, moved to proceed with a \$25 million bond with the amounts to be determined at a later date. Com. Regnitz, second, motion carried.

Atty. McClure, Now I will do, do you want a resolution or a letter?

Com. Regnitz, Let's do a resolution.

Atty. McClure, I will prepare a resolution for the next meeting that will be requesting the bond.

Com. Blaney, (Inaudible).

Com. Biggs, Six of one half a dozen of the other. Same thing.

Atty. McClure, What's that?

Com. Biggs, Resolution or a letter.

Com. Blaney, We have don't have to approve a letter. We can write a letter if we need to hurry.

Com. Biggs, Let's not complicate this.

Com. Regnitz, What would they prefer to see a resolution or a letter? It doesn't make any difference?

Com. Biggs, I think you're going to get the same response.

Com. Regnitz, Let's just do the letter then.

Atty. McClure, I will do a letter asking for the \$25 million bond to be processed this year for those two projects.

Com. Biggs, Before we move to the Jail Project Jim is ready to giving me the heads up that they are ready.

**CCMG PAVING PROJECT – AWARD BID**

Mr. Polarek, Thank you. After reviewing all of the documents we recommend the Commissioners approve Rieth Riley Construction out of Gary, Indiana for the amount of \$1,748,247.04.

Com. Biggs, Was that the lowest bid?

Mr. Polarek, That was the lowest responsible bid.

Com. Blaney, motion to approve Rieth Riley Construction, Com. Regnitz, second, motion carried.

**Jail Project Discussion.**

Com. Regnitz, Actually the only thing I wanted to do is the same thing is that we...but it sounds like we are going to do that with the letter Scott.

**Ordinance for a Non-Reverting Fund for Sheriff's Residence. Money from RDC and Lease Payments - 1st Reading.**

Atty. McClure, This is just a fund that the lease payments from the Sheriff's residence would be deposited into this proposed non-reverting fund in order to pay back any Development Commission loan to do the improvements which we're dealing with next on the agenda.

Com. Biggs, Why don't you explain this real quick. Can you give the Reader's Digest version to the public that isn't aware of it?

Com. Regnitz, The RDC the Redevelopment Commission has approved a loan of \$120,000.00 to the Commissioners to renovate the first floor of the Sheriff's residence. And once we start receiving lease payments at the beginning of the year of 2024 those payments will be going into this fund. Then at some periodic interval we will be repaying the RDC. That long repayment will occur over a five-year period of time. After that money has been repaid back to the RDC this fund will continue in perpetuity for future release payments. And those funds would be available for any additional improvements to the Sheriff's residence.

**PUBLIC HEARING OPENED**

Com. Biggs, Anyone wishing to speak against this ordinance? Anyone wishing to speak against this ordinance? Third and final call anyone wishing to speak against this ordinance? Anyone wishing to speak in favor of this ordinance step forward. Anyone wishing to speak in favor of this ordinance? Third and final call anyone wishing to speak in favor of this ordinance?

**PUBLIC HEARING CLOSED**

Com. Regnitz, moved to approve the Ordinance for a Non-Reverting Fund for Sheriff's Residence. Money from RDC and Lease Payments - 1st Reading, Com. Biggs, second, motion carried.

Com. Blaney, Opposed.

**MOU between RDC and Commissioners.**

Atty. McClure, I talked about it because of the non-reverting fund being created for the lease but the actual loan between the RDC and the Commissioners is number 9. The is the Commissioners' meeting portion for the Memorandum of Understanding between the Porter County Commissioner and Porter County Redevelopment Commission loan for 153 South Franklin Valparaiso. This one will have the RDC making up to \$120,000.00 available to the Porter County Commissioners for building improvements at 153 South Franklin. The Porter County Commissioners will submit invoices to the RDC and the RDC (Inaudible) have caused the same to be paid. Then from the rental income produced by the property will be paid back to the RDC beginning in 2024 and would be over a five-year term.



Com. Regnitz, moved to approve the MOU between RDC and Commissioners, Com. Biggs, second, motion carried.

Com Blaney, Opposed.

**Haller Colvin Attorney – Agreement to represent Porter County Board of Commissioners regarding Solar Ordinance.**

Atty. McClure, We are having additional counsel to be proposed to be hired to aid in the ongoing Solar Ordinance rewrites and any litigation that we might find ourselves in.

Com. Regnitz, moved to approve the Haller Colvin Attorney agreement, Com. Blaney, second, motion carried.

**OPPORTUNITY ENTERPRISES**

**Presentation on how the ARPA money was spent.**

Mr. Samahon, I have a PowerPoint as well for us today. Thank you Commissioners for the time to explain what we've utilized the money for. I am Neil Samahon CEO of Opportunity Enterprises and I brought Mark Fisher with our CFO. He's here to advise me that I only have 15 minutes left to explain to you all the amazing things that are going on. We really appreciate the dollars that were given to us. When we applied for these funds the use of which was to utilize those dollars for revenue that we lost during that time. The first couple of slides we're going to illustrate is some of that loss and the significance of that loss during that time but then what I'd like to do and I'll try to make it quick but just kind of illustrate what that's been able to allow us to do since the onset of COVID. You know even though it certainly was a disastrous time for everybody, an impactful time I think it's also been a time for us to even reimagine what Opportunity Enterprise is, will be in the future and I will say that as well as some of this direction is coming from the state and federal government as well and how agencies such as Opportunity Enterprises will deliver services in the future. I think we're in front of that a bit and looking forward to the future and what that means. So we'll kind of go through some of those numbers real quickly. So the initial impact of COVID is our needing to cease operations for our day services and that is where our clients come to our facility and we're providing them a meaningful day through curriculum and various enriching programs. If you take a look at those numbers those are the hours served in the various years I'll call the COVID years. This has also been a bit of a revisiting. A little reimagining or reliving the trauma of these numbers. So you can take a look. It's rather significant especially that first year 2020, the drop in number of hours served and then starting to recover 2021 and 2022. If you go on to the next slide you could see what that impact was financially from where we were at in 2019 for these services. That initial impact in 2020 and then starting to recover you know and again. Those following years in what I called again the COVID years from \$1.8 to under a \$1,800,000.00. Then crawling back to \$1.2, \$1.3. So we're still not back to where we were and there's various reasons for that. Some of us did lose some clients. Some clients aren't ready to come back yet. So various factors so this is a major area again that we utilize that \$850,000.00 plus to cover lost revenue. The next area is Respite. This is a service that is provided essentially to service the caregiver. So as caregivers need relief, as they're caring for their son or daughter with a disability they utilize these services. The services that we provide can be anywhere from a handful of hours to two weeks at our Respite facility. A lot of it is community activity. You might see us out in the community going to RailCats games or the Opera House or out to dinner. So during that time you know the service for the parents or caregivers is that break in time. You can see in 2019 we're at 47,000 hours. The immediate impact in 2020 was dropping to under 30,000. Then again crawling our way back 2021 and 2022. If you look at the next slide again you'll see the financial impact of what that is to the agency. 2019 we're at \$1.1 million in that service line. It dropped right to under \$700,000.00 and then again start crawling over back in 2021 and 2022. You can see that we had a significant loss of revenue where again the dollars were used to cover that loss. Go to the next slide. This where it becomes significantly important for the agency and how we looked at utilizing dollars the dollars that we got through the county and other dollars was one understanding who this agency is. And what it provides to the community. I know often I take this opportunity to share it. I've shared it with you folks before but understanding our significance even to the local economy. Actually today we employ 364 individuals. Our payroll as of 2022 was \$12.8 million. It's \$12.8 million that are going back into the local economy. Thus again I think the significance of any dollars that we were able to utilize, to cover our losses, to figure out ways to maneuver forward. Take a look at the next slide. You'll see even though as we lost revenue during these years we take a look at one of our largest expense line items and that's payroll. So if you take a look at 2019 you know \$10.4, \$10.9, \$11.8 to \$12.8 million in 2022 and something to take note. In 2019 we actually had 388 employees at our agency and today we're sitting at 364. So you can see the

increase of \$2.4 million in payroll. However, with less individuals. I think what that shows is certainly our investment in the agency but certainly in our staff and understanding that we're needing to compete with the rest of the economy. I mean we don't have the luxury of saying well we're a non-profit right people just come to us in droves because out of the goodness of hearts they want to work for us. Many individuals do and I think that's where we're lucky as an agency to have those type of individuals work for us. Ultimately they have bills to pay and we certainly understand that and I think as we continue to go forward we're looking at innovative ways to expand the services that we provide even outside of accessing government funds and how can we generate lines of service or business that taps into funds other than that which is supported through potentially Medicaid. So real quick have currently about 152 of direct support professionals that is in the direct care and there's obviously various types of support. One thing I wanted to illustrate though is in our nursing department an additional 12 people that we have just to support the medical needs, daily doctor's visits. Whatever that might be in the care. And currently we have four RN's. Probably the largest I think our RN's. The most RN's we've had in the agency as far back as we know. Even investing in who we're having on staff as we position ourselves going forward who we serve. Real quick. Over a thousand families in Northwest Indiana that includes a variety of services. And I think oftentimes people don't understand fully all the different areas that we do serve individuals. Whether it's in the educational system, vocational areas, certainly residential in both our group homes which we have seven and about 20 supported living sites and then enrichments in our day programs. And then again as I mentioned Respite services. Next slide. Quickly just supports what I just said. If you go to the next slide. Many individuals don't realize that we are in a quite a few high schools working with those individuals and transitioning from high school to whatever might come next. And essentially we're able to serve the needs of any individual with an IEP and helping them in a system any way they can preparing for whatever that next step is. As you can see there are 16 schools. We serve about 861 students and I think that's fairly significant and I think a line of service that is often unrecognized. What we provide is maybe a little less visible. If you take a look at the next slide this is an area that we certainly support. The community and small business is engaging with them and providing individuals to the workforce that are highly productive and highly meaningful for many of the employers within the community. A lot of folks can see our folks within Strack and Van Til. That is something that is very obvious I suppose but then we also place individuals at facilities such as Continental where there's CNC lathe operators or they're working in accounting firms. The variety of individuals that we provide vocational opportunities is rather vast but I think that oftentimes is missed. We also take a look at the fact that less than 20 percent of people with disabilities are employed. We're out to change that. We try to engage as many businesses as we can. In that during this time during the COVID years I will say we started a Division called VTEC Vocational Training and Empowerment Center. This is an educational unit where we are providing post high school educational opportunities. Specifically starting out specifically for individuals with an intellectual disability. Preparing them for the workforce. Many of the first students ended up working for us within our secure shred our document destruction which we've since expanded to electronic recycling. The graduates are now working for us and we again place some of those individuals in other workforces. I think in here it is important to note and what it's given us the ability to do this platform and again utilizing funds kind of to support the agency in dollars that we lost but being able to kind of look towards the future. This has given us really the ability to expand our footprint to where whether you caught it or not we actually are providing vocational training down in the Indianapolis area within actually it's the nation's largest electronic recycler. We're in their facility setting up a V-Tech program to where individuals down in that area. We'll go through the program and ultimately have the opportunity to be employed by this company. So again as we continue to look at different service lines, we're moving past this area as we look at ways to support this agency in other ways. So we are becoming less dependent and we're always going to be dependent on government funds and Medicaid but again how do we support our agency to whether the next storm? Through VTEC though with this particular company through the COVID years started a division again CIC Corporate Inclusivity Consulting where we actually go into companies and consult with them on how to prepare to become employers for individuals with disabilities. So the first step even within ERI was to get in there. Consult with that company. Look at their handbooks, look at their training manuals, talk to their managers and train them take a look at hiring processes to train them to become better employers. What it means a challenge oftentimes is can I fire someone with a disability and even that alone sometimes preventing someone from taking the step into hiring someone with a disability. We go through all that, prepare them to become better employers that gave us the ability then to put VTEC within that business, that institution. This program this combination of CAC and VTEC is actually giving us the ability to expand again even further and provide this to other organizations and companies. I can't necessarily comment today but I think you'll see very soon that it's pretty cool collaboration that will be coming between VTEC and Ivy Tech, which I think is going to be quite impactful for the community and potentially even past this area. We also have our social enterprises, which many of you know of. Go back one slide. We can we offer clean team services. I think actually this building we provide services

for still cleaning. I kind of lose track of all the contracts. That's been growing. Our Simply Amazing Market that is an area which coming soon you'll even see some rebranding and we're kind of repositioning of that brand for this organization. You may have noticed if there's a question that we're no longer in the Meijer store. It's really because we reassessed what we're doing within the market. Understanding that to employ the most individuals simply having a small retail store was not the best way to employ individuals with disabilities. It was needed, one to sell the product but we've really done is refocus to increase production. And in a way to provide more opportunities for individuals to work for us, which means that we're looking to distribute our products differently. I think here within the next handful of months you'll even see what that means and where you see our products. So certainly an expansion there. Secure Shred as I mentioned. We expanded from simply just the document destruction to electronic recycling. So now we provide that service as well. And then this is actually an area that we're significantly looking at its future. I think this is how I would characterize it is our outsourced solutions where we do peace type work. I think that is going to morph into something different. Stay tuned for that. Something else that came up next slide please in this and we talked about in utilizing upper dollars also was to help fund a couple new positions. Fortunate to have some impact on the county as we hired Walter Lenkos and Nicole from the Parks but we now provide camp services out at our lakeside, our Lake Eliza facility which is really cool. Again you know as I say it's really just a camp for kids. We just have the ability to provide those services to individuals also with a disability. So last year the attendees of the camp were about 50 percent individuals that had a disability and 50 percent that did not. I think to me that is an absolute success right. Its just kids being able to have that camp activity and play together. Have these experiences together and the disability really is secondary. I think it also is a great service for the individual without a disability to kids with a disability. It gives them that chance to interact which maybe leads into the deeper into the school age years. We actually had some parents that came to us that brought their children to this camp that expressed one of the reasons they brought them to our camp was to provide their neuro typical son or daughter if you will the experience to be with children with disabilities. And I think that absolutely says success. This now is year two and again this is something that we did not have prior to 2019. This is just last year. This is year two and last I saw the numbers we should actually end up with having more attendees this year than last. We were looking to expand that even further. Next slide. All that's leading to as you're well aware of the project that we have got going on currently at Lake Eliza the 158 acres that we own out there. We're constructing a new Respite facility which will then move the services that we're providing out in Jackson Township we'll bring into Lake Eliza. A much larger facility providing more opportunities for overnight stays. Having a children's wing so we can also provide that service more easily for children. Just real quick. I won't get too much in the numbers but just the significant need for that service in the area. One in six children are diagnosed with the developmental disability delay. This certainly puts many stresses on families and caregivers. And these are some of the numbers through findings that they feel six percent struggle to find time to meet their own needs. 83 struggle to find friendships and inclusive experiences which we absolutely see. And then ultimately the difficulty finding equality available programs. And when we're done with this facility just the impact that we ultimately have again to the region specifically. Very much so to Porter County. This right now, the general service area that we provide is very much concentrated to this area. We do have some families as far as Lafayette that seek our respite services so even in that you start seeing our reach and ultimately if you think of this in terms of the impact to the county you're now bringing individuals from outside of this area into this County that ultimately may frequent local business. Whether it's restaurants or gas stations. As they're bringing their son or daughter to our facility. As many of you may have seen our Treehouse project that was designed and constructed by Nelson's Treehouse. If you know Nelson's Treehouse they used to have a program on the Animal Planet, Treehouse Masters. They concluded this project in about five and a half weeks. They wrapped it up about two weeks ago. You might have actually seen them within the community. They frequented a lot of our facilities and I will say a really cool experience that was conveyed to us by the individuals that were constructing this project. This is the support that they felt when they were within the community frequenting restaurants. And they shared who they were and what project they were working on. Many community members were very supportive of and convey to them the significance of the work that they were doing. They felt it while they were providing us their service needs. They felt the impact. So I think the community and certainly the support received from the County Commissioners. That shows another rendering. I should actually put a picture in because it is completed and we will have a ribbon cutting tentatively. We're looking at the end of August trying to wrap that up. Certainly there'll be an invitation sent and then just to wrap up kind of the future of what we're looking at the lakeside property. Next slide. It's just providing and making that facility at the South part of the county. When we are done something certainly that is designed for physical accessibility, for the clients and individuals that we serve but we're speaking with individuals and contracting with them to take a look at that property. These are some concepts to also take a look at how we can also serve the community's needs in that same space as develop programming such as the camps but more to where it becomes accessible

also to the community to really to interact. We know for our clients that interaction is key but in a space that offers physical accessibility. I think again the service that it does for even community members to be able to interact. We're going to have accessible trails. We are ready through the generosity of the Cleveland Cliffs Foundation and a private donor we installed two weeks ago a kayak launch. You can go to the next slide. Just quickly a couple other activities perhaps mini golf, ropes courses, we also have some makeshift ones out there now but certainly something more complete. The tree house is already up. One thing is I speak to designers and our insurance company one item that is not an option to take off the table is the accessible zip line. We will absolutely have that. That is something that I won't give on but you can see some of the activities and areas that we're looking at. Next slide please. You can see bottom left that is what we have installed currently to give access to those individuals that can kayak. But giving them the ability to be able to get into the kayak. We've already engaged and had some conversations with some folks on the Northwest Indiana Amputee Support Group. So we're even looking at expanding outside of those individuals that you may think are the direct people that we serve on intellectual disabilities but expand who could benefit from this. Even looking at can we engage with disabled veterans to really make that property something that there's really an asset both for the organization certainly but to the County. Next. Ultimately what does that mean as we take a look at the number of people that we serve? We take a look at the number of people we employ. You take a look at all the support that we give to the individuals and small business owners. This is going to be another area that our respite services in combination with our camps, in combination with the future vision of that property. And we're already speaking with the local

tourism bureaus. The value of this location to this community in such further than. So if you imagine a three and a half, four and a half hour driving radius if you will are ultimately individuals that could utilize the services and that facility. We know that 53 million families in the United States spent \$470 billion trying to find services for their sons or daughters. Imagine sending an individual to a camp a neuro typical (Inaudible). This is something very, very similar just that ability to have a place where again it meets their needs. And again we start talking about that that radius and that reach. You're having individuals that maybe it's the first time they're leaving their son or daughter somewhere they're going to spend a couple nights at a local hotel, again they're coming in there spending money in local businesses. So the support and where we kind of wrap this all up and what does this mean? That money that was given to support this agency and the revenue loss was also an investment in this agency for the future. As we imagine what that is to become. I think the Opportunity Enterprises of today is different than 2019 and you're certainly going to see a difference. Enhanced services. Some things are certainly going to change but it's absolutely an investment in to this agency in the future. Ultimately I think one value that we provide both to the individuals served but that outward impact to the community both in terms of economic development and social impact. So those monies were much more significant I think than many might have realized or understood. We certainly appreciate and thank you for that support and every dollar that you send our direction for support because it is absolutely impactful. I hope that I did that quickly enough. Sorry to take all that time but I just wanted to share with you the vastness.

Com. Regnitz, I just I just want to comment. I had an opportunity to sit with a couple of your clients at Buns Soapbox for a couple of hours. We were packaging up soap and putting wrappers and labels and shrink wrapping and everything. Your clients they love to work. They get such a tremendous amount of joy out of working and they derive so much meaning. So where other people they're same age you know it's just like a drudgery they have to go to work they love to work. And they take such pride in what they do. It's just really amazing to see.

Mr. Samahon, I think most employers once they employ individuals with disabilities they understand that certainly on the clock engagement can be significantly higher. There's less turnover, there's less call off. They really start to understand and this is something that we try to push that hiring someone with a disability is not a philanthropic act. I mean this should be done for business reasons. And I think when it's looked at that we have the ability to provide success for both the individual that we're serving but ultimately the business as well because the more often those relationships are beneficial for both parties the more apt businesses are going to be to employ individuals. And thus we're also seeing that opportunity in that consulting side is as it's difficult to find people to work because the numbers are just down. There is actually more opportunities less than there is less people to work. How do you tap into that force and make it successful?

Com. Biggs, Neil just real quick for the people who may not be real familiar with what you do over there, you and your team when you say disability it's not just cognitive. It could be a disability such as I can't walk or I you know I'm missing some limbs. And you help those people as well. The vastness of our services certainly the predominance of individuals that we serve are those individuals with cognitive or intellectual disabilities. Whether they were born that way

or traumatic brain injuries. But yes if you take a look at services that we provide in high schools these are just individuals that have an IEP. They may not necessarily be diagnosed with a disability. They just may need additional help in providing that transition in the workforce. Certainly in areas and placing individuals that is in an area where it's absolutely a very diverse. Where it might simply be someone needing adaptive equipment to work on a computer. Certainly they have the ability, yes. So the individual served is rather vast. I think that is going to continue to...

Com. Biggs, That has always been my feeling is that because there was debate up here before we decided how we were going to dispense the ARP funds. Whether to spend it all internally or to put it out to the communities as well to organizations like yourself. My argument was always organizations like yours you're filling a void. That if you weren't filling that void it would come back to us in some way. It just has everything to do with the degree of quality of life we offer our residents here in Porter County. I wish we could have done double that amount. You do wonderful work over there.

Mr. Samahan, Thank you. We'll send you a new strategic plan we have coming out. I want to touch on that but that'll start illustrating even more so featuring the organization but even some of the direction that we're needing to head because of regulatory requirements. Things are going to change and they're going to be increased demands on our agency to evolve.

Com. Biggs, We look forward to it. Thank you so much.

### **E911 – DIRECTOR, DEBBY GUNN**

**Quotes for Fire Station Alerting Software. (4) Quotes were requested. (2) quotes were received:**

- **Locution Systems Inc.           \$250,742.00**
- **US Digital Designs               \$ 78,490.60**

Ms. Gunn, I'd like to if I could just introduce my new assistant director Andrew Barber. He's been with the agency for over 14 years. He's come up as well. He's a tireless contributor to this County and to this Center. So I'm happy to announce him as the assistant director today. Also like to thank we have three of the largest fire departments in the county here who've come to support this proposal. Portage Fire representative, Valpo Fire and Chesterton Fire. This has been an endeavor of the county, is a collaborative effort for years actually and it's just been this year where we've really been able to come together timing wise and technology wise where we've been able to really push this forward and move forward with something that I think is such an amazing addition to the First Responders of this community. I was initially under the impression when I heard about this having no knowledge of it. I thought that it would benefit the fire departments. Its fire station alerting right and I guess we're the facilitator of it because technology, we're the hub right? But as I began to learn about it and research it I found the incredible benefits that it provides to the Dispatch Center and to the community. When it comes to response what I'd like to do is to tell you a little bit about fire station alerting. I thank Lee Childress for helping me today. I brought a couple audio files so there's the first audio file that I'll ask Lee to play it's an EMS call we've redacted important information but I'd like him to play this call and I want everyone to pay attention to the gap and I'll advise you when that gap starts. So if you wouldn't mind. (Emergency call recording.) Thank you. This is the gap that we'll play through as I kind of demonstrate what this software will give. Now in this situation unfortunately PPR was needed during this time during this gap. Dispatching the responders now. A very important fact to recognize is that every 60 seconds without CPR reduces brain activity by approximately 10 percent. This vacancy this gap we call it is over 50 seconds in length and that does not even include the initial conversation. Now she's back. So all of that time that I talked for getting everybody going with fire station alerting that's eliminated. The software once a call is entered we established a chief complaint. That call is entered and those tones go out immediately. Aside from us we don't have to building them, the software does as well as a digital dispatch which now is it's the audible digital dispatch provided by the software that currently the Dispatch Center is responsible for. I think another real important example is if you would play the fire audio that I provided. (Emergency call recording.) Okay I was going to for dramatic effect leave this air dead so that you could really see how impactful this software will be to this County. As I'm talking right now the audio is still playing but this is the gap in service to our callers. And what's happening during this time is the dispatchers building tones this particular call was a coded as a residential fire and the response that is in CAD is a still alarm, which means for a volunteer to fire department that is multiple agencies built into this response. So a dispatcher's responsibility in this scenario is to find all of these mutual aid departments that are responsible for the still alarm and build them. You find those you create that from a tone screen. You dispatch

the call. You send the tones. Sending the tones they have to wait for all the tones of all the departments. Then following that you get to provide the audible dispatch again. I want you to remember as I'm talking that this is all a gap right now. That this dispatcher is not communicating with our caller. You will hear the caller come back momentarily and service is not being provided because we're dedicating ourselves to what the software will take care of. For us it's monumental. I think a very good representation or a good statistic rather to share with the county and with the Board of Commissioners here is that a fire doubles in size every 30 seconds. Every 30 seconds it doubles in size. That's remarkable. This software will alleviate this gap entirely and that's why when I found that out it was a no-brainer to me. I will continue with my proposal you'll hear the audio come back up but I don't want to delay this any further. My proposal is for US Digital Design and the collaborative effort put forth by many all of the agencies. Actually Northwest Health was involved in this research, fire departments were involved in this research including the volunteer fire departments. So everyone has been made aware of the decision that we're moving forward together with and we found through field trips, through personal research, through demonstrations both virtually. That's the gap that we were talking about how long it took to build those and send those tones that will be completely removed with this software. So when she came back online she was actually dispatching fire to go out there she had already done that during that gap. That's when she dispatched the responders. This now is a phase where she's in Post-Dispatch instruction. So she's giving the caller whatever based on whatever the chief complaint is. You can imagine if it were CPR then that dispatcher would have to come back and then provide the CPR. So I gave you those CPR statistics that this software will...

Com. Biggs, I have another question how long has this technology been out here?

Ms. Gunn, It's been out for a while. I believe and correct me if I'm wrong some of the guests here but I know that they really did a deep dive into this and I believe 2018 is when they started. There were delays and then there were technological questions that we had but now that we're in our final phase of the P1 cutover this is a perfect time to bring this in as well pre-go live. Post go live causes a bit more problems so the timing is perfect. I believe that the effort put forward to the research is perfect. I mean really kind of all the blocks fell into place at the same time very well together. With that we did reach out to four different software companies and we found that the most responsive within our budget and within the budget was US Digital Design. I did provide two quotes. I did not get two quotes from two of the other companies that we reached out to. It is the recommendation of the 911 Center as well as the collaborative fire departments that we move forward with the US Digital Design.

Com. Regnitz, moved to approve US Digital Designs for \$78,490.60, Com. Blaney, second, motion carried.

Com. Biggs, I just want to point something out here. I mean that's why I asked the question how long this has been out here. I'm starting to see a pattern and it's since you've come on is that some things are getting done that weren't getting done in the past. I'm sure it has nothing to do with you being the first female director but kudos to and your staff.

Ms. Gunn, It has been an adventure and I can call nothing other than just a favor so I appreciate your support as well thank you.

Com. Biggs, Thank you. All right moving along. I've been wanting to do this for a while where we bring department heads up and they do a request for additional appropriation. I think the Commissioners need to have a discussion. I would like to have one. Maybe not today. Maybe at our next meeting that whether or not it is necessary for department heads to come before us and get that approval before they take it to the fiscal body, which ultimately makes that decision. It's not our decision. I personally think it's a form of micromanagement. We have a lot of confidence in you and our other department heads to do the right thing. And certainly if there was a question that you shouldn't be doing it that should be caught at the fiscal level not at the executive level.

Ms. Daly, Or the Auditor's office is going to catch me beforehand.

Com. Biggs, With that said or if Laura and Barb wants to add to that. I think that is maybe something we need to talk about and determine whether or not we want to do that. What do you have?

**EXPO – LORI DALY, DIRECTOR**

**A Request for an Additional Appropriation - Fund #4005 in the amount of \$11,175.38 Acct. #3620 Building and Structures. The additional is needed to pay Communication Company invoice from fire alarm panel repair due to lightning strike. Check received from Travelers.**

Ms. Daly, We had a lightning strike and this is the repair for the fire alarm panel. I didn't have enough money in a line item. This is exact amount is getting paid to Communication Company. I have the check I just can't give it to them. We have to go through the budget.

Com. Biggs, Can we do all of these at once?

Atty. McClure, You can.

**A Request to Transfer Funds - Fund #4005 from Acct. #3510 Power in the amount of \$8,000.00 to Acct. #2230 Food and Groceries. To cover costs of food and groceries through the remainder of 2023.**

**A Request to Transfer Funds - Fund #4005 from Acct. #2210 Gas, fuel & lubrication in the amount of \$2,000.00 to Acct. #2330 Household and bedding. To cover costs of household and bedding through the remainder of 2023.**

**A Request to Transfer Funds - Fund #4005 from Acct. #3520 Water & Sewage in the amount of \$2,000.00 to Acct. #3980 Event Expenses. To cover costs of event expenses through the remainder of 2023.**

Com. Regnitz, move to approve the four requests to Transfer Funds, Com. Blaney, second, motion carried.

**IT – LEE CHILDRESS, DIRECTOR**

**NITCO – A Proposal for Private Fiber Locates for 36 months. In the amount of \$9000.00. \$3,000.00 annually.**

Mr. Childress, This is the same contract three years ago you signed. The amounts are the same. The verbiage is the same.

Com. Biggs, So it hasn't gone up. Do you recommend this?

Mr. Childress, I do.

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

**DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR**

**INDOT Plan approval for Bridge 149, Waverly road over Little Calumet River.**

Ms. Gordon, I can have Martin our Senior Highway Engineer chime in as well on any additional questions that you may have. This is Bridge 149 over the Little Calumet River. This is a full reconstruction. This is just providing final approval for the bridge plans and the reconstruction plans. Your signature, the Commissioners' signature and the Auditor's signature is required for this final plan set approval prior to the project being let for bid.

Com. Biggs, Do you recommend that we approve them?

Ms. Gordon, I do recommend that you approve them.

Com. Blaney, moved to approve the INDOT Plan for Bridge 149, Com. Regnitz, second, motion carried.

**A request for a zoning map amendment from A1, General Agriculture District to I2, General Industrial District. Petitioner - Nelson Schoon, Project Ribeye – 1<sup>st</sup> Reading.**

Ms. Gordon, I will turn this one over to Kelly to provide her presentation and project background.

Ms. Cadwell, Good morning. I'm Kelly. I'm sorry the Planning Commission met on June 28th for this proposal. It is a zoning map amendment from A1 Agricultural to I2 General Industrial. It is for a proposed meat processing plant to be located on 20 acres on the Southeast corner of State Road 231 and 1000 South. It's way down there. The Planning Commission reviewed it. There was public comment and they forwarded to this Board with a favorable vote of eight to zero for a favorable recommendation for this rezone with the commitments that the permit it used for the I2 zoning be restricted to food production and processing and sale of agricultural products only. Also that sanitary sewer and potable water be constructed to the site which would come down from Hebron. And lastly that the development plan approval would be held and reviewed by the Plan Commission to ensure that these written commitments were met as well as all the other codes within the UDO. This is a first reading.

## **PUBLIC HEARING OPENED**

Com. Biggs, Anyone wish to speak in favor of this ordinance? Mr. Schoon if you would like to. You're a resident aren't you?

Mr. Schoon, My wife and I have proposed to build a meat processing plant down at that location. We're excited about it because there is a tremendous need in not just this community and not just Indiana but literally all over the nation. There's not enough custom processing for the animals that are being raised and so we propose to build this one. It will help two to three hundred farmers in the location in our locale. It will help foragers in selling their livestock at the 4-H auctions so they have a place to get processed. We're committed to committing the month of July and the first two weeks of August to take care of any livestock sold at those auctions that don't have a place to go. We want 4-H to be successful and this is one of the things that we plan on doing. We also know that this is going to help probably 30 to 40 employees with very high wages and full benefits. I pay for health insurance, disability insurance and retirement plan that will match. They'll get a hot lunch every day because they're going to be working in 42 degree temperatures and so we want to take care of them very well. They'll be able to buy discounted product and have the opportunity for overtime as well. Starting wage will be about \$25.00 an hour. So very high wages. In addition we're going to be helping probably 20,000 residents with the provision of food that they'll know where the food comes from the local vore. Movement of people wanting to know where their food comes from plays very much into custom processing. They can go to farmers and ask for freezer beef but the farmers will tell them you got to wait a year or two years because there's no slots available for them to get the animal processed. We're not going to eliminate that problem but we certainly are going to make a dent in it and with the number of cattle that we will be processing which will be in excess of 5200 cattle not to mention about a thousand hogs we will be having a huge impact in feeding these people. They travel great distances now to get fresh beef Shipshewana, Michigan, Lawry's in Michigan and they are very much desirous to have something closer by. So we will have a retail as well as the custom processing for the farmers. We will have a labeling system so that people will know not just that this animal was raised in America but they'll know the actual farm that this animal came from. We'll be promoting those farms as well as project group by itself. It is very important to us that we be good neighbors. That is why we are paying for sewer and water lines coming down to this facility. There will be no issue of us having a lagoon system or a septic field or any of that. All of the water that we used in the processing will go through a treatment system and then into the sewer line so we will not be contaminating groundwater or anything of that nature. We feel that is important too.

Com. Biggs, Second call anyone wishing to speak in favor of this ordinance? Third call anyone wishing to speak in favor of this ordinance? Anyone wishing to speak against this ordinance?

Mr. O'Connor, I wasn't sure on the format of this. I actually had a bunch of questions that I wanted to ask Mr. Schoon about this but I will keep it super short.

Com. Biggs, Did you have that opportunity in front of the Planning Commission?

Mr. O'Connor, Then I found additional questions I wanted to ask. Yes sir I was there. My name is Alan O'Connor. I live on 663 West 1000 South about a third of a mile from the proposed Project Ribeye. After the first meeting my wife called a bunch of the local meat processors in the area. Every one of them blocks off time for the 4-H. Every one of them stated that it's a seasonal business. Every one of them stated that it's hard for them to keep skilled employees in the kill position. The harvesting position is the hardest one to keep. The other



thing that he had mentioned about six times out, people plan ahead. The processor stated they are planning their kill before the calf or the animal is even born. Something else that really...and I will skip all of my questions. I had a whole thing.

Com. Biggs, What I am going to recommend is that you and Mr. Schoon talk after the meeting. Communication is a wonderful thing.

Mr. O'Connor, I would like this....because this definitely needs to...

Com. Biggs, You go right ahead.

Mr. O'Connor, All the neighbors that I spoke with after the hearing felt the Plan Commission had already made their decision to approve the rezoning request. And that our concerns fell on deaf ears. There were a few things the Plan Commission members during the hearing stated that led me to believe this was true. So I looked up the county code of ethics. Two of the lines run true no County Employees shall engage in an act which is a conflict of interest or creates an appearance of a conflict of interest within the performance of their official duties. No employee may use or corruptly attempt to use his or her official position or any property or resource within his or her trust to perform his or her duties or to obtain special privilege benefit or exemption for him, herself or others. I watched the video of the meeting again. A number of times just trying to make sure I'm right. When my wife started to speak one of the board members and she was nervous, I'll be honest I'm nervous and she didn't know the procedure. To be honest sir I'm a teacher and I've been working in education for 20 years. I'm used to people standing up and speaking and people not listening. I had eight copies of all this for you folks. Someone in the Planning Commission told her to hurry up. She's new to this she was standing at the mic and someone told her to hurry up. I felt that comment to hurry up was horribly disrespectful by a group of people impaneled by virtue. During the hearing Luther Williams stated that he would like to come to Project Ribeye and learn how to grill meats. Mr. Schoon kind of chuckled and said come on over we'll teach you. At the conclusion of the meeting Mr. Simms stated he has known the Morrors for years and quote it's kind of neat that they are helping out with this as well. And I apologize to Brian. I don't know how to say his last name Damitz. Pulled out his wallet and joking around well I wonder what kind of credit limit I have that I can invest in this project before they voted. (Inaudible). I feel these statements constitute a conflict in interest for the benefit of Project Ribeye and the Morrow family who will benefit financially if this rezoning is approved because they will be benefiting financially.

Com. Biggs, The Morrow family is the property owner?

Mr. O'Connor, Yes sir and Mr. Simms said he was long friends with them and he voted in favor of this. I don't know if anything can be done about it but I also feel that these three gentlemen and again I don't know how it works, these three gentlemen must rescue themselves from further input in this situation. I don't know what can be done about that.

Com. Biggs, Can I make a suggestion. You employ Mr. Simms. And several other tens of thousands of people. Have your conversation with Mr. Simms. That is what I would recommend.

Mr. O'Connor, Again this is all new to me. I have my little slice of heaven.

Com. Biggs, I don't think Councilman Simms meant anything nefarious with that. It is something that obviously should not have been said.

Mr. O'Connor, According to the code of ethics. Appearance of a conflict of interest. I'm lifelong friends with them. They're going to benefit financially. Is that not a conflict of interest for someone else?

Com. Biggs, I don't know that. Just because you happened to know someone.

Com. Blaney, Why don't we ask our attorney?

Atty. McClure, For it to be a conflict of interest Mr. Simms would have to have a direct or indirect financial interest. Being friends with the property owners or to whatever level the property owners receiving benefit is not a conflict of interest. Unless Mr. Simms is directly or indirectly benefitting. And I would also remind the Commission that the Planning Commission is advisory to this Board. The Planning Commission actually didn't make any decision that is controlling. They made a recommendation. And it is their public hearing the recommendation comes to the

Commissioners. The Commissioners are the ones that actually make the decision on the rezone. That is all I have on that.

Mr. O'Connor, Again your code of ethics says benefit exception for himself, herself or others. That's the others. What is others in your code of ethics? There were other things that I would have like to said in here but I will hold my comments. So thank you.

Com. Biggs, I really would recommend you talk to Mr. Schoon about the current concerns. The years I've sat up here and periodically you get cases like this. There is a lot of fear of the unknown. 99% of the time it is fear unwarranted. It ended up being a good thing not a bad thing.

Mr. O'Connor, He had said that there were going to be daily delivery pickups of the parts of the animal that can't be consumed by humans. One of the questions was the company that's going to come to pick that up on a daily basis what kind of truck are they going to use and is that going to violate frost laws for West 1000 South? There are those kind of things that I was worried about. They just repaved this road.

Com. Biggs, When the frost law is on trucks like that would not be allowed on if it's a certain weight. The thing of it is that right there on the intersection where those two state roads intersect. I'm just speaking for myself especially where the state roads intersect is really the best place for business. We don't need them in our neighborhoods. We don't want them sitting on county roads per se. The unincorporated area for county government itself it's just better for transportation purposes and moving vehicles in and out of our transportation system that those businesses are located on a state road. I'm not making small of what your concern is and especially if that kind of conduct took place on that Board I don't have a problem telling you that's inappropriate. I would never do something like that. As I said I don't think there is anything going on here. We all have to understand we have to side for it and you have to side against it. You have to be as impartial as possible or you send a different to that other side. I would talk to Mr. Simms and I would talk to Mr. Schoon.

Mr. O'Connor, The driveways for this business will be on 1000 South, the county road.

Com. Biggs, One of the driveways.

Mr. O'Connor, Both of the driveways. There will not be any access on 231.

Com. Biggs, It is a very limited portion of that county road that they'll be on.

Mr. O'Connor, Correct.

Com. Biggs, Any other questions?

Mr. O'Connor, No this goes to Mr. Schoon. I will email you (Inaudible). I will make this comment. We have contacted the SEC and we were told that they can't give us legal advice but we should contact legal advice. They stressed we should contact legal advice.

Com. Biggs, Second call anyone wishing to speak against this ordinance?

Ms. O'Connor, I'm Marianne O'Connor. I'm Alan O'Connor's wife. Another big concern and I noticed it yesterday driving down 1000 is that the 20 acres that this Project Ribeye supposed to be on is set high up. And then it's a big dip going down to an irrigation ditch. So if there's going to be all these hard surfaces when we get two or three inches of rain there's got to be a study that's been done to show that the road's not going to flood. So that's another concern.

Com. Biggs, There can't be the first shovel of dirt turned over on that project if it goes forward unless there is an approved Stormwater Management Development Review Plan. You can rest assured. We get complaints all of the time we're too rough on that.

Ms. O'Connor, We flooded. It used to be the Kankakee River.

Com. Biggs, That is why we're tough on that.

Ms. O'Connor, Okay, thank you.

Com. Biggs, Thank you. Third and final call anyone wishing to speak against this ordinance?

Ms. Veech, Janet Veech, 716 West 1014 South, Hebron. I also have the concern concerns as the O'Connor's do but there were questions that really weren't answered. There's going to be 24-hour kiosks to 24-hour meat availability so you're not going to really necessarily be able to have people go into a dark parking lot. Lighting was an issue. Now that we have all the LED lights it will be that much brighter. Then the access to that on that County Road there's nothing from keeping those trucks coming from the other direction off of Route 8. That's a 12,000 pound load limit road. So that's a consideration as far as if you have semis or larger vehicles coming in to haul off the waste to bring in their animals because you're figuring you know a 1200 pound cow per vehicle plus the truck and trailer. So now you're getting a little closer to that ten thousand, twelve thousand pound legal limit. I don't think they're going to sit there with a set of scales to weigh all these guys. The hours of operation because overtime has been spoken about many times. For us people that live across the street how does that affect us? We are a living rural for a reason. We have farm animals. We live in the country. My other question is why DeMotte has not moved forward with this project down on a state highway access as well. Those are some of our concerns. Now if there's some we need to go over with Mr. Schoon that would be fine but that doesn't involve the people who are in the decision-making process of all this.

Com. Biggs, Did you speak at the...

Ms. Veech, Yes sorry.

Com. Biggs, Did you ask these questions there?

Ms. Veech, Yes sir.

Com. Biggs, Did you get answers?

Ms. Veech, And I handed handouts.

Com. Biggs, Did you get answers?

Ms. Veech, No I did not get answers to those. There are a lot of that were just kind of overlooked.

Mr. Schoon, (Inaudible, speaking from the audience.)

Ms. Veech, I don't have any.

Mr. Schoon, Answers to all their questions in certified mail.

Com. Biggs, That's why that communication thing is beautiful. If you talk there's a lot of things that could be cleared up. It may not change your mind whether or not you want it there. If you're going fear something out of it at least make sure that your fears are legitimate or they're not legitimate. And that's why I would make myself available to them absolutely.

Mr. Schoon, I did at the Planning Commission.

Com. Biggs, Okay. Well thank you very much.

Mr. O'Connor, The format we all you know ask all of your questions then they're going to answer all your questions. It was very easy for them to pick and choose what they were going to answer and what they weren't. One of the individuals whose property line borders this property line they did not receive a registered letter with the answers to these questions. DeMotte sent a written agreement on June 21<sup>st</sup>. They have not heard from it.

Com. Biggs, Say that again.

Mr. O'Connor, I've got to look at his name Kane. His last name is Kane, Brian Kane maybe.

Mr. Schoon, Mike Kane.

Mr. O'Connor, Mike Kane the manager of DeMotte sent Project Ribeye a written offer on June 21st and as of last week they had not heard from them yet. So she had asked why DeMotte isn't going forward DeMotte sent them an offer.

Com. Biggs, Well that has no has no bearing on what this board is considering.

Mr. O'Connor, Sorry. Voicing my concerns. Thank you.

Mr. Bach, My name is Jim Bach. I'm not even associated with this Hebron issue but I remember the pig farm that they tried to put in down the road from me off of Smoke Rd. I know the only thing that saved us was the fact that you guys had put in that anything south of a certain road that went to the Kankakee River you had to be city services which costs them too much money. They had to run from Rte. 2 all the way onto the other side of 100 South. I know what these people are feeling because I love the country life. I love the quietness and everything else. I don't know why this has to be put in so close to a city. I really don't. And to say that you're being nice and generous because you're doing it with city service. I don't know how the Water Department is going to be able to handle all that extra sewage. Personally I think that should be well looked into before anybody moves forward on any of this.

Mr. Spinks, My name is John Spinks. I'm the Hebron Town Council President. We have been sitting around waiting for this to happen to see it move forward. It is going to be the thought of the Council of the Town of Hebron that we can indeed process the waste coming from the plant and provide water. We've had our engineering, Westler Engineering look into the system that they have set up and presented to the Schoon's. They accepted to do as well. The water and the sewer is going to be able to be handled.

Com. Biggs, Somebody had mentioned a concern about lighting. The Plan Commission addresses all that correct?

Atty. McClure, Yes and to be specific we have a fugitive lighting ordinance. The light has to be what?

Ms. Cadwell, No greater than three lux.

Atty. McClure, At the property line.

Com. Biggs, What do you all call that when it shoots straight down? It can't illuminate.

Ms. Cadwell, Right it needs to be recessed. The light fixture needs to be recessed and downward facing.

Com. Blaney, Does this really need to be 24/7?

Mr. Schoon, It's not going to. We are going to have one shift. That will be able to handle the 108 cattle and 20 hogs a week. We will have a few hour shifts that will be cleaning and there will be a kiosk out front that only has 20 lockers in it. It is not going to have a lot of traffic as far as people coming to pick up after hour orders that they've made. It's just a drive in, flash your phone, locker pops open, they grab their order and they drive away. That is the extent of the kiosk. We think it is going to be very beneficial not just to our operation but to the customer who can't get down there by 5:00.

Com. Biggs, Which is most of us.

Com. Blaney, Could there be some kind of middle ground it's closed from 10 to 5 in something in the night.

Unknown Woman, (Inaudible, speaking from the audience.)

Com. Blaney, I just meant the kiosk and the lighting that is required for the kiosk.

Mr. Schoon, I suppose that is possible. I haven't thought about it. Just trying to make it accessible but again we're not talking about a lot of cars. And the lighting will be on the kiosk and not into the neighborhood. It is just going to be on it for security purposes and for accessing those lockers. We're not trying to light up all of southwest.

Com. Blaney, I know you're not I'm just trying to find some middle ground that might.

Unknown Woman, (Inaudible, speaking from the audience.)

Com. Blaney, Who does I'm sorry.

Unknown Woman, (Inaudible, speaking from the audience.)

Com. Biggs, I don't think the lighting is a concern. It is the cars coming in and out of there all hours of the night.

Mr. Schoon, Again, there's only 20 lockers. (Inaudible) we're not going to constantly through the night. We'll get it filled at closing hours and notify the customers and then they will come down and pick up their meats. But there are only 20 lockers. It's not a lot of vehicles.

Ms. Veech, The other thing we did mention was the traffic. We have a huge traffic problem at that intersection of 2 and 231. My neighbor got rear-ended turning into her own driveway. We have school buses that are passed every day that people just run the stop arms. We have issues with semis coming from the south. We have morning traffic from DeMotte. A neighbor just about got hit from a semi. She was going north. He went into the southbound lanes to pass her and ran the stop sign at Rte. 2. There are big issues at this corner. We have to turn into our driveway. You have to watch that someone coming behind you isn't passing on their way to I-65. Being this isn't even I-65. We were worried about the hydrant issue. We were worried about the annexing issue. So those are all questions that were other issues that had come up, but traffic is huge. And you're going to have daily trucks coming out of there hauling off non-edible products and then you also have the truck bringing in the cattle. He also talked about tourism previously. That it was 100 cattle. Now it's 180.

Mr. Schoon, No 108.

Ms. Veech, 108, we're just concerned and would like to be heard.

Com. Biggs, I get your concern. I'm really familiar with that area there. According to Mr. Schoon he hopes that this is a success. It's a substantial operation. I mean it's not a Super Walmart but it's a substantial operation whereas it is nothing but a cornfield now. I get your concern.

Ms. Veech, Are they talking green fence or anything like that going around the parking areas that you don't have to look at them. I don't mind looking at the corn and soybeans. I guess that is why I moved there. I had to go through many meetings to have my boarding facility put up for horses.

Com. Blaney, All we are doing right now is zoning. They still have to go back.

Ms. Veech, My issue with the zoning that I had the question on if it is zoned industrial processing so on and so forth then when it comes down to if it's decided that he doesn't do it that label still sticks with that corner. Why can't it be rezoned back to AG? Because then we're just going to going back to the same issue of a chicken processor coming in.

Com. Biggs, I don't disagree with you at all.

Atty. McClure, The way the written commitments are put together Mr. Schoon has not finalized the purchase of the property yet correct?

Mr. Schoon, Tomorrow.

Atty. McClure, He has to have ownership, the zone change and the sewer and water from the town. If he doesn't have all of those things then he can't do this project. You can't have an automatic provision to reserve to revert zoning. It has to go through this process. The only nuance is if he was on a contingent offer to purchase and that contingent offer to purchase fell through the zoning could revert. But if the Board rezones it, it can add and they have as the Plan Commission recommended written commitments that have been put together that industrial zoning had been stripped out of all the other uses except for this Number 1. Number 2 even if this Board approved the rezoning for those limited industrial uses it cannot be used in that way unless it has city sewer and city water. Effectively if he bought the property and it got rezoned and a year from now or six months from now there's no water or sewer it can't be anything except agricultural. It's still zoned industrial. It can still do it but the only way for it to become the food processing would be to have to have water and sewer from the town.

Com. Biggs, In other words it can't be a general industrial operation. Say if he bought it changed his mind, resold it a year from now. Somebody coming in there making steel or whatever they're not going to be allowed to.

Ms. Veech, I mean a chicken processor could come and process chickens.

Com. Regnitz, Then they would have to bring in sewer and water and there's not a lot of people that would be willing to do that. They would have to bring it in.

Ms. Veech, Is that fee going to be sent back to the townspeople of Hebron? Are they aware that the sewer system would be utilized for the processing plant three miles away?

Mr. Spinks, If this gets rezoned no (Inaudible).

Ms. Veech, But then they can't change anything after.

Mr. Spinks, (Inaudible, speaking from the audience.)

Ms. Veech, So you can still voice your opinion at that meeting.

Mr. Spinks, You're always welcome.

Com. Biggs, Again, as Com. Blaney pointed out the only thing we are considering here is the zoning. The lighting and fencing will be discussed as this program moves forward if it moves forward.

Ms. Veech, Do they make us aware of those meetings since we really (Inaudible) need to mention those things here?

Com. Biggs, Are the joint property owners made aware of those meetings?

Ms. Cadwell, Are you talking about for the sewer or are you talking about for the development plan?

Com. Biggs, For the development plan.

Ms. Cadwell, The development plan will be advertised.

Ms. Veech, And what about the sewer and stuff?

Mr. Spinks, Everything is advertised. (Inaudible) adjoining properties owners will be notified (Inaudible) water and sewers (Inaudible).

Ms. Veech, Then how is it advertised through Hebron?

Mr. Spinks, It is advertised on the website. (Inaudible).

Com. Biggs, The same with ours. All of the subjects that any of these Boards take on is advertised on our website beforehand.

Ms. Veech, Some of the elderly folks if they are not told by one of us they have no access to that information.

Com. Biggs, If they get on our website they do.

Ms. Veech, If they don't have a computer, they don't.

Com. Biggs, Ma'am I understand that but what am I supposed to do. Knock on their door.

Ms. Veech, No I just didn't know if they had sent out letters like they did for the first go around.

Com. Biggs, Depending on what it is letters will be sent out.

Ms. Cadwell, Ours will have mailings for the development plan.

Ms. Veech, Okay.

Com. Biggs, Again, and I don't want to beat a dead horse. Communication is wonderful. Talk. Make yourself available to answer questions.

Mr. Schoon, Can I break ground for this facility in lieu of the sewer and water lines coming down or do I have to wait for them to be there before I can?

Atty. McClure, You have to have a letter from the town that states that they're dedicated to putting this project in and those plans are underway. Assuming we get (Inaudible) our approval would be contingent upon city sewer and water.

Com. Blaney, One thing I asked Scott while we were sitting here was if you went to DeMotte for example and now the land is rezoned would it be able to be a CFO which I know is not very popular in Porter County.

Com. Biggs, What is that?

Com. Blaney, A confined feeding operation. It's not the same.

Atty. McClure, This industrial operation would not apply to confined feeding operation. This is food production, processing. That is farming in a constricted confined area at a high level. It's different use.

Com. Biggs, Scott it is very limited as to what you can be doing.

Com. Regnitz, And that was the recommendation of the Plan Dept. to the Plan Commission. That we have all those restrictions on it.

Atty. McClure, Yes. Staff's recommendations to the Plan Commission. The Plan Commission advisory took their opinion and forwarded it to this Board with the same opinion.

Com. Regnitz, And by the way that CFO was brought up in the Plan Commission meeting and we were assured that that would not be allowed under this particular zone.

Com. Biggs, Now I have completely lost my space.

Com. Regnitz, You have got to close the public meeting.

## **PUBLIC MEETING CLOSED**

Ms. Cadwell, The specifications are: I2 General Industrial District on the said real estate shall be limited to food production and processing and sale of agricultural products only. The second condition is a municipal sanitary sewer and potable water shall be constructed to the real estate for the proposed development of Project Ribeye and lastly that a development plan approval be held at the Porter County Plan Commission to ensure that all these written commitments are met and that it meets all the requirements of the Porter County Unified Development Ordinance.

Com. Blaney, And at that time would we be able to discuss hours if that was an issue? That would be a development not zoning.

Atty. McClure, That would be here.

Com. Blaney, Can we add some hours that everything is closed to the public in the middle of the night?

Com. Biggs, I would be willing to support that. Porter County is making a big commitment here. What developers need to understand is we're changing a law here in essence.

Com. Blaney, We're changing a neighborhood.

Com. Biggs, We're changing a neighborhood by changing the law. I have no reason to believe that the Schoon's aren't very responsible people and they're going to make good neighbors.

Com. Blaney, It is a huge benefit to Hebron.

Com. Biggs, But we have residents here that have some concerns. If we put some kind of limit on operational hours here that's not to say that two or three years down the road that can't be revisited. I think it's important for you and I think it's important for us that they understand

we hear them. And we're not just running this through. What is the recommendation of the operational hours Laura?

Com. Blaney, What do you think would be palatable to your business? I don't want to hurt your business.

Mr. Schoon, We can limit hours between 10 and 5. We can shut down the kiosk.

Com. Regnitz, You mean 10 p.m.?

Mr. Schoon, 10 p.m. to 5 a.m. The cleaning crew will still be there. Hopefully not past that point in time but they still need to do their thing.

Com. Biggs, You're agreeing to shutting the kiosk down from 10 p.m. to 5 a.m.?

Mr. Schoon, Yes.

Unknown Woman, Regarding shutting down the kiosk. If I put somebody's order in at 5 and they pick up at 10:30, to a way I don't have control to shut down.

Com. Biggs, It's either going to be a what Mr. Schoon just recommend.

Unknown Woman, I'm just asking.

Com. Biggs, 10 a.m. means 10 a.m. Not 10:30.

Com. Regnitz, Then let's say 10:30. What time do you want to...?

Com. Biggs, We can do this all night. Why don't we just go to 11:00?

Com. Regnitz, Because I have to modify my motion then.

Mr. Schoon, We will go from 10 to 5. We will figure out a way to modify the kiosk.

Com. Blaney, Thank you.

Com. Regnitz, moved to approve the zoning from A1, General Agriculture District to I2, General Industrial District including the restrictions that the Plan Commission and the Plan Dept. have specified and the kiosk hours be restricted from 10p.m. to 5 a.m., Com. Blaney, second, motion carried.

**HWC Engineering – A Supplemental Agreement for Right-of-Way – Meridian Rd. small structure project for 2 parcels in the amount of \$14,410.00.**

Ms. Gordon, This is a supplement to the current design contract with HWC Engineering for the two small structure projects. One on Meridian Rd. and the second on Brummett Rd. The right-of-way acquisition supplement is standard to all bridge and small structure design projects. This is very similar to the right-of-way acquisition supplemental that you approved last month.

Com. Biggs, So this is your recommendation?

Ms. Gordon, Yes.

Com. Regnitz, moved to approve the HWC Engineering Supplemental Agreement, Com. Blaney, second, motion carried.

**CITIZEN COMMENTS**

Ms. Miller, Hello I'm Dawn Miller. I just wanted to say how amazing it was for Opportunity Enterprises to come up in front of you guys today and to see how they've spent the money and they're planning to do. It was really amazing to see. It almost brought me to tears. Just because that was actually what this money was for to help people. And it's great to see at least one organization. It would be cool to see if anybody else would come up.

Com. Regnitz, We have them all planned. We've had two so far.

Ms. Miller, That's wonderful. I appreciate that.



Ms. Silver, Hi Debra Silvert, Morgan Township. I emailed the Commissioners my last little (Inaudible). It would take me 10 minutes to read it if you would allow or I can try to make it shorter.

Com. Biggs, I'd rather not hear it because I read it.

Ms. Silvert, But all of these wonderful people hear.

Com. Regnitz, Can I can I just say that our next meeting this is what we're actually going to be talking about.

Ms. Silvert, But that's two weeks away and I'll probably have more information by then because I've done more research.

Com. Regnitz, One of the things that Scott and I did is that the Senate Enrolled Act Four we don't opt into that. That is legislation that was passed. And really we have one little lever whether we decide we want to opt in for the additional funding or not. But everything else with regard to that legislation we have no control over.

Ms. Silvert, That's my read of it as well. So I'll just make two or three minutes of comments.

Com. Regnitz, I just want to make sure that you realize that there is a lot we don't have control of.

Ms. Silver, So for people who might not be aware there is a Senate Enrolled Act Four which is a bill concerning public health. So what Com. Regnitz was just saying was that the way the legislation is written went into effect July 1<sup>st</sup>. If you have not read the text of the legislation I would encourage you to do that because there's a great deal to be concerned about. The County Commissioners will be voting, will be voting at the next meeting or not? Don't know. Okay so the County Commissioners need to vote on whether or not to opt in to the additional funding that's available. The additional funding that's available to the local Public Health Board is huge. It's a lot of money. My position is that we should not opt in to this. So the points I just want to make today are as follows: Porter County currently I looked up the statistics on this we are ranked amongst the healthiest County in Indiana. We ranked ninth out of 92 counties that's the top 9 percent in 2022 and in 2023 we're in the top 8.69 percent. You know I don't know how much higher we can get with additional Public Health funding considering the things that are that drag that statistic down. I feel like a lot of the Health Department's initiative to push this funding through they've sort of cherry-picked information and that just gives me a bad feeling. I just don't feel like it's honest or transparent. One of the points that they were making was our health expectancy and our life expectancy in Indiana is low. Its two years below the national average is what they said. In fact the life expectancy here in Porter County is 77.9 years and that's in contrast to the rest of the country which is only 76.4 years. So I felt like if we are able to achieve an eighth you know a ranking of eighth in the county out of 92 counties with our present funding as it is. The amount of funding that we get from the state is really quite small. This legacy amount it's only \$136,000.00 that goes into a budget of \$2 million for the health department. I just think if we've got those kinds of outcomes spending that little bit of money I think that we should be fiscally responsible and not you know not just you know spend tons of money just because it's available. I just think there are a lot of important issues now to do so the not the least of which is a potential transfer of health authority to the state because in this legislation there is very conflicting language and not that opting out of the money is going to do anything. Because as Com. Regnitz pointed out it does appear that the legislation is what it is and it would need to be repealed. But I just think that you know opting in and accepting the money is kind of tacitly you know accepting that this is great. The bill's fine. And what I'd really like to see is for the bill to be repealed. So I would just urge the Commissioners to really think long and hard on this.

Com. Biggs, We have.

Ms. Silvert, I'll keep you.

Com. Biggs, Thank you. Regardless of how we end up voting here and I told you I've been very upfront that I'm leaning toward approving that. But you have you obviously have done your homework and I applaud you for that. You appear to be very intelligent and I listen to what you're saying. But it's a case for me and I agree with those figures you just had up here that were a little probably better off than most counties in the state. But I see those funds taking us

from good to great. That's what my hope is and that's why they have to be approved each year. If it doesn't then we don't take it.

Ms. Silvert, There's not enough information about how or when we put out and what happened about once the funding has been funneled from the state to the county level how do we repay it. There's just a lot of....

Com. Biggs, Well it is the Board of Commissioners with the Board of Health who designed that plan. Not many people understand that it's the Board of Commissioners in the Board of Health. Not the administration.

Ms. Silvert, I'm not seeing that's guaranteed. (Inaudible, speaking from the audience.) It appears to me, I have a real problem with this Section 19 of the bill and Section 20 of the bill. Section 19 which comes out and very plainly and clearly states there will be no transfer of authority from a local health department to the State Health Department should the county opt-in to this funding or you know in exchange for this funding. It says that very plainly looks like an absolute guarantee and we should all be sure that that's great. But in the very next section Section 20 is talking about how I think the exact quote is that the public health personnel of local health departments shall perform additional duties prescribed by the rules of the state department. Will those could be administrators that are made by not elected officials but administrators down state and those can be changed. The legislation itself is saying the State Department of Health can make additional rules and the local health personnel shall be required to perform certain duties.

Com. Regnitz, I believe Section 20 that was part of the legislation and did not...as Scott and I were going through.

Ms. Silvert, (Inaudible, speaking from the audience.)

Com. Regnitz, No what I'm saying is that Section 20 applied whether we opted in for the additional funding or not.

Ms. Silvert, Yes.

Com. Regnitz, So that's not something that we have control of.

Ms. Silvert, That's a problem. I think what I'm saying is right we may be bound by this legislation I mean it says we are. It says it was effective July the first. So what can we do? I mean I don't know how that happened. I guess I was late to the party because I didn't show up until June 6th the first time and it was too late. But oh I wish I'd been there earlier but I just feel like perhaps we should opt out as a way of indicating (Inaudible).

Com. Regnitz, Debra one of the things and I think it was in Section 42 this really is Commissioner lead should we opt in. In fact the Commissioners have three major responsibilities number one we shall in collaboration with the Health Board determine what the gaps are in our County. That's number one. Number two we as Commissioners in collaboration with the Health Board have to come up with a health plan for the county. And number three we the Commissioners in collaboration with the Health Board have to come up with a budget for the additional funding not for the match that the county is providing but all of those are the responsibility of the Commissioners. That's on us. That's on us. So you're going to have to trust us should we opt in for that additional funding that we are going to shepherd that process properly. And that we will in collaboration with the Health Board actually make responsible choices and decisions with regard to that.

Ms. Silvert, Essentially opting in is going to more than double the Health Board's budget.

Com. Regnitz, We know, we know.

Ms. Silvert, Hard for me to imagine.

Com. Regnitz, And again we're responsible for the budget. We're responsible for that budget in collaboration with the Health Board that's on the Commissioners to figure out how that money can most responsibly be spent in our community.

Ms. Silvert, So we're talking about opting into double the budget of the local Health Board.

Com. Biggs, It's going to more than double.

Ms. Silvert, The minimal funding available in here it's over \$2 billion and the budget. And (Inaudible).

Com. Blaney, We've been doing very well for the state of Indiana which is doing pitiful compared to the rest of the nation. It's really not okay to be the starter on the losing team. I want better than that.

Com. Biggs, I'm going to say a couple of things one is I think there's a lot of gaps that we're not filling right now in the way of Public Health that hasn't been discussed publicly that this money could help fill number one. And some that I've seen myself as a Commissioner that just aren't being addressed because the resources aren't there to address them. The other thing is that I do understand this hesitancy to trust big government. I get that and because it's in many ways it's valid. Two things you need to understand here one is if it were the State of Indiana's intent here to take over our Health Department do you understand that they can do that just by changing the law. They don't need us. They don't need the Board Commissioners to approve it. They could have done that if that's what they wanted to do. But here's what I want to say this is local government sooner or later you've got to trust us. That's why we hold elections. We have to make ourselves available to you. We need to answer your questions when you have questions where you can see what we're doing here. That's what it's all about here. You need to give us that benefit of a doubt until we show you we don't deserve it.

Ms. Miller, Wouldn't be too late by then?

Com. Biggs, Of course not Dawn. What do you expect hang on a second I got the floor. What do you think is going to happen here?

Ms. Miller, Just over the last two years (Inaudible, speaking from the audience.)

Com. Biggs, That's what I'm saying here is it that some of us get really caught up into that stuff and think that there's some kind of hidden agenda by all of us that happen to be in public office to do to do whatever it is you think that might be done. Sooner or later and that's what I said you've got to trust us. If we don't just earn that trust then that's why they have elections. I can tell the people I sit up here with I've never heard anything from any of them that would suggest or anybody from the Health Department for that matter that would suggest that oh boy let's all buckle in. They're going to be in our living rooms telling us what to eat at night. And it's not that it and I get your concerns. Like I said but it's difficult unless you sit where we sit you're not going to see the issues that we see on a weekly basis that people need help and we can't give it to them because we don't have the resources to do it. We just have to turn away from it. That's what we're hoping to fill here. That's all.

Unknown Woman, Tell us what your plan is.

Ms. Silvert, I would like nothing more than to trust local government and I'd like nothing more than to trust Public Health but the last three years have taught me experientially not to trust Public Health. That's why I am so reactive too...

Com. Biggs, But did you ever think for a second that the legislators downstate they did this because they felt the same way you did. And they're trying to fix it.

Ms. Silvert, But the governor's (Inaudible, speaking from the audience.) I forget the name one of the heads of the commission is also I believe the CEO of the of the CDC Foundation The Centers for Disease Control Foundation CDC. I have absolutely lost all faith in the CDC and it just appears to me that this the impetus of this bill and everything (Inaudible).

Com. Biggs, I just asked you is don't take out the issues you have with the CDC don't take it out on us. Trust us that we're going to do the right thing here. That's all I'm asking.

Ms. Silvert, (Inaudible) to be the Commissioners and the County Council and (Inaudible) stand just to say this is overreaching. Just to make a stand.

Com. Biggs, If we stated that it was overreaching because they want to give us more resources.

Ms. Silvert, No the rest of the legislation that's there (Inaudible) the sections. Particularly the sections that I pointed out and I didn't even mention the issues of the emergency (Inaudible)

medications in the schools. And that there's provision and this legislation for them to be expanded I don't you know.

Com. Regnitz, And again that was part of the legislation that we have zero control over. I really encourage everyone that has concerns with that legislation to reach out to the legislature because...

Com. Biggs, So even if we opted out two-thirds of this is going to happen anyway.

Com. Regnitz, It did. It's already in effect.

Ms. Silvert, I mean the legislation passed without you know what mechanism is that? How do we have (Inaudible) to redress? I mean what do we do? And not to go through local government and say can you please stand with us against this.

Atty. McClure, Our state representatives will have an election coming soon. That's ultimately where our democracy and our power resides.

Ms. Silvert, To vote them out.

Atty. McClure, It's at the voting level. That's how all of the elected officials are held accountable. Local government isn't going to change state government. State government can change local government but not the other way around.

Com. Biggs, And you know what all I can say is if I'm going to be told I got to ride a horse it's going to be one that I buy. Not somebody else bought.

Ms. Silvert, That's a very compelling statement that is top down. I mean I guess I'm dumb. I mean I guess I'm naive because I really thought that it was lost.

Atty. McClure, We vote all levels of government in. When I say the state controls the local the same people are voting the state representatives in as that are voting in the locals. The same people who are voting in the federal officials are the same people voting in the state officials are the same people voting in our local officials. I'm not saying to be clear that the power doesn't reside with the voting public. It does but once those officials are voted in and are sworn in a broad statement the feds are in more control than the states. The states are in more control than the counties and the counties are in more control to the cities and towns to some extent. But it's the same voting public voting all of them in.

Ms. Silvert, Okay, thank you.

Com. Regnitz, And the criticality of people getting up to speed of what the issues are. And know what the different candidates are representing. It's critical that people start to become more informed. I applaud you just like Com. Biggs does the fact that you have taken that time to really understand this and to express your concerns. So I do applaud to you for that.

Ms. Woods, I'm Jean Woods. I've been a registered nurse for 47 years in this County. A school nurse for the last three. I want to thank you for pointing out we may be the healthiest county in Indiana but that's a small comfort to where Indiana is. I worked very, very closely with the Health Department nurses during COVID and they're wonderful and we need every penny we can get to help the citizens in this county. Every penny we can get. Thank you.

With no further business, the meeting was adjourned at 12:25 p.m.

BOARD OF COMMISSIONERS  
PORTER COUNTY, INDIANA

\_\_\_\_\_  
Jim Biggs

\_\_\_\_\_  
Barb Regnitz

\_\_\_\_\_  
Laura Blaney

Attest: \_\_\_\_\_  
Karen Martin, Auditor