

**PORTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 10TH, 2021
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, August 10th, 2021 in the Commissioners' Chambers of the Administration Center.

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

Call to Order/Pledge

Com. Good, Good Morning this is the Porter County Board of Commissioners' meeting Tuesday, August 10th, 2021.

CONSENT AGENDA

Approval of Payroll – July 23rd and August 6th, 2021.

Approval of Claims – July 15th, July 22nd, July 29th and August 5th, 2021.

Approval of Minutes for July 13th, 2021.

Treasurer's Monthly Report for June 30th and July 30th – Filed.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENT

1. Sharon Shepard
2. Michael Glorioso
3. Molly Oros
4. Jillian Michalak
5. Jordyn Romersberger
6. Eric Kratz
7. Justin Anderson
8. Kevin Disch

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

ANNOUNCEMENTS

A Citizen Appointment to the Airport Advisory Board.

Com. Good, We advertised the opening and we received one application and the applicant is Paul Chael who is currently on the Board. He is the treasurer.

Com. Blaney, moved to appoint Paul Chael to the Airport Advisory Board, Com. Biggs, second, motion carried.

NEW BUSINESS

COMMISSIONERS

A School Board Appointment to the RDC.

Com. Good, The appointment is Andy Maletta who is coming from the Portage School Corporation. This member does not vote but they are on the Board to discuss school public education issues on the RDC Board.

Com. Blaney, moved to appoint Andy Maletta to the RDC (Redevelopment Corp. of Porter County), Com. Biggs, second, motion carried.

Pulse Technology – An Annual Maintenance Agreement for the Mail Machine and Scale at the Valparaiso Courthouse in the amount of \$1,060.00.

Com. Blaney, moved to approve the Pulse Technology Maintenance Agreement, Com. Biggs, second, motion carried.

An Employee’s Request for Insurance Coverage.

Com. Good, I believe we’re doing this because we’re out of enrollment, is that correct?

Ms. Young, Correct.

Com. Good, We have an employee that is wanting to get on the insurance. With enrollment being closed it takes this Board to make that happen.

Com. Blaney, moved to approve the request for insurance coverage, Com. Biggs, second, motion carried.

Skillman Corp. - Receive and Open Bids for the Memorial Opera House.

Com. Good, This is only for the brick work on the outside. This is not numbers for the entire project. This is for the bid package for the exterior masonry. We wanted to get out into the market to see what the numbers were like out there and if the Council and this Board would come together to move forward this could be something that could be done before winter set starts. We have 4 bids.

BIDS

<i>Berglund Construction, Chesterton</i>	Base Bid	\$165,000.00
	Alternate #1	\$ 7,000.00 Clear Water Repellant
	Alternate #2	\$ 12,500.00 Pigmented Water Coating
<i>Bully and Andrews Restoration</i>	Base Bid	\$249,735.00
	Alternate #1	\$ 4,800.00 Clear Water Coating
	Alternate #2	\$ 19,000.00 Pigmented Water Coating
<i>Gariup Construction</i>	Base Bid	\$229,750.00
	Alternate #1	\$ 7,000.00 Clear Water Repellant
	Alternate #2	\$ 18,750.00 Pigmented Water Coating
<i>Midwest Pressure Washing</i>	Base Bid	\$106,792.00
	Alternate #1	\$ 6,276.47 Clear Water Repellant
	Alternate #2	\$ 24,012.35 Pigmented Water Coating
<i>Union Contracting (Received at 10:04)</i>	Base Bid	\$426,890.00
	Alternate #1	\$ 81,810.00 Clear Water Repellant
	Alternate #2	\$119,255.00 Pigmented Water Coating

Com. Good, Skillman will take those numbers under advisement and report back at our next meeting.

SHERIFF DAVE REYNOLDS

Lestinsky Auctioneers, LLC – A Contract for Sale of Personal Property at a Public Auction pertaining to 12 County vehicles.

Major Gear, We actually have 13. 12 from the County and Weights and Measures has 1.

Com. Blaney, moved to approve the Lestinsky Auctioneers contract, Com. Biggs, second, motion carried.

JON SNYDER, ASSESSOR

Nexus Group, Inc. – A Contract for Professional Property Tax Services.

Mr. Snyder, We have the need for some representation on some big box appeals that are rolling through at the end of the Board of tax revues. Nexus has been successful in the last 2 or 3 years in getting these through in other counties. They have a good track record and we ask that we be able to utilize their services for our office.

Com. Good, This is for this year or the next year?

Mr. Snyder, This will carry on in the next 2 to 3 years.

Atty. McClure, These are open tax appeals?

Mr. Snyder, Yes these are big box, very sophisticated appeals that have been going on for some time.

Atty. McClure, We're rapping our arms around more things this is an important part because at some point if they are successful in their appeal then there is a refund assuming that it actually made the tax. It is important that more attention is being spent on realizing what could be coming down the road as far as tax appeals.

Com. Blaney, moved to approve the Nexus Group contract, Com. Biggs, second, motion carried.

ANIMAL SHELTER – TONI BIANCHI, DIRECTOR

Enterprise Fleet Management – Two Leases for (2) 2022 Ford Transits each in the amount of \$482.37 per month.

Com. Blaney, moved to approve the (2) Enterprise Fleet Management lease agreements, Com. Biggs, second, motion carried.

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ZFX Flying Effects – A Service Agreement for a Flying System, a director for installation, training and rehearsal, director's meal and travel per diem along with the round-trip equipment transportation in the amount of \$6,940.00.

Mr. MacDonald, This is for our production "9 to 5". Franklin Heart our bad guy gets flown up in basically a garage door motor. In order to make it safe and keep everyone alive we want to use ZFX again. We had really great success with them for Mary Poppins. We're excited to get to work with them again.

Com. Blaney, moved to approve the ZFX Flying Effects agreement, Com. Biggs, second, motion carried.

An Ordinance Establishing a Non-Reverting Fund for the Receipt of the National Endowment of the Arts and American Rescue Plan Funds for the Porter County Memorial Opera House – 1st Reading.

PUBLIC HEARING OPENED

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

PUBLIC HEARING CLOSED

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

An Ordinance Establishing a Non-Reverting Fund for the Receipt of Shuttered Venues Operators Grant Fund for the Porter County Memorial Opera House – 1st Reading.

PUBLIC HEARING OPENED

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

ordinance? Second call is there anyone wishing to speak in favor of this ordinance? Third and final call is there anyone wishing to speak in favor of this ordinance?

PUBLIC HEARING CLOSED

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

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

A Rezoning Map Amendment - Brincka Cross from RR, Rural Residential to P1, Parks and Recreation. Petitioner Porter County Parks – 2nd Reading.

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

A Rezoning Map Amendment – Hawk Ridge from RR, Rural Residential to P1, Parks and Recreation. Petitioner Porter County Parks – 2nd Reading.

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

A Rezoning Map Amendment – Trailyard from I1, Light Industrial to CM, Moderate Intensity Commercial. Petitioner Clifford Road LLC – 2nd Reading.

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

Award Bids for Subdivisions Paving Project.

Mr. Novotney, As you recall we opened bids for this project at the last meeting July 13th. Since then our staff has been in coordination with the lowest apparent bidder Rieth Riley. At this point a few minor errors with the submission in terms of the total aggregate price have been resolved. Staff is recommending award of this contract to Rieth Riley the lowest responsive and responsible bidder \$3,197,926.35.

Com. Blaney, I'm glad we're moving ahead on this. This is long overdue.

Mr. Novotney, Much needed.

Com. Blaney, moved to approve Rieth Riley Construction in the amount of \$3,197,926.35 for the Subdivision Paving Project, Com. Biggs, second, motion carried.

VALPO EVENTS – ED DYKES, POPCORN FESTIVAL CHAIR

A Request to use the Courthouse grounds for the 42nd Annual Popcorn Festival Saturday, September 11th, 2021. They are also requesting the following: Use of the Parking Garage with the fee of \$10 per vehicle; the gate to the judge's parking lot to be left open Friday night. This area will be used for the EMT tent on festival day; use of the parking lot behind the 157 Franklin St. building; and access to the building's roof to place an antenna for their 2-way radios. The antenna would be placed during the week of the Popcorn Festival.

Com. Blaney, moved to approve from Valpo Events for the use of government property building for the Popcorn Festival, Com. Biggs, second, motion carried.

CITIZEN COMMENT REGARDING ZONING

Ms. Miller, My name is Sarah Miller I live at 479 E. Furness Rd., Michigan City, IN 46360. I spoke at the last meeting. I will try to keep this very short. The last meeting I spoke of the buffer zone between a P1 and a Residential and I was informed that I misunderstood the details and that Rural Residential would not be responsible to create any kind of a buffer zone. The newest property coming in or the Park in this case would bare that responsibility. That sounds great, I love it. I also received a call after this meeting from a neighbor and I met with her. She wasn't able to attend this meeting. Her land resides next to Brincka an older section zoned P1. She is zoned Rural Residential. The Park came in and constructed trails on her property. She confronted them and said wait a minute you're building your trails on my property. They said we got a survey we're okay. We're right and you're wrong. She went ahead and did the responsible thing she hired a surveyor. They came in, they surveyed the property and they said oh the Brincka did put trails across your property. They crossed the lines a few places here. She took

that survey and said they crossed the property lines your trails are on my property I would like them removed. Brincka said no. They said we have these trails we want to keep them here. So she did the responsible thing she hired a lawyer. She then had this lawyer argue for her and Brincka has a lawyer on staff. The Parks Dept. has a lawyer they're not out any money when this happens. If there is a dispute. One of the things I was told is that I'm kind of an odd duck. I'm fighting getting park zoning. Who wouldn't want a park next to their land? I spoke to a lot of neighbors door to door and honestly I got about 20 to 25 neighbors that are adamantly opposed to what the Park is doing because of the things that have happened. I found one neighbor that is in love with the Park. Those are pretty big numbers. Long story short they worked out between the lawyers something that they could agree upon. Was my neighbor happy, no? They worked it out it is now settled. She has those same original trails on her property she has lost that land, it's gone. She has other land to make up for it. Again, they worked it out but, here is the issue we as neighbors keep being told that the Park made a mistake. It was an innocent mistake, oops somebody put the trail on. Well they told the woman they had a survey and that was a lie. And that he said, she said doesn't matter. We're told that's an innocent mistake and it happened. My neighbor paid the consequences. We're told with this zoning change it's an innocent mistake. Oops they should have done this this way, they didn't do it right. It's an innocent mistake so sorry but the Park got what they wanted. The Park got the zoning change here. You guys voted it in and that's how life works sometimes. What is the consequence for the Park doing things backwards? First getting the land using the way they want and then zoning it to match what they're using it for. That is not allowed by any private individual. That would not be allowed by any person in the audience today, but it is being granted by the Park and it is being granted multiple times. You can make an innocent mistake once. I believe you can maybe make this mistake twice and say it was an innocent mistake, 3, 4, 5 times. What consequences are we going to give to assure that the Park starts actually following the rules that are set out because multiple times now as neighbors we have seen that they are not following the rules. And when we try to fight we pay the lawyer fees, we pay the survey fees, our families are suffering financially and the Park has these people on staff. No one is taking a hit their family medical budget or their fun entertainment budget to fight these battles. We as neighbors are fighting against a government and that is a very hard thing to do. So in the future for future zoning changes if this comes before this Board again I will be here, but please consider we can make a mistake once or twice and that is innocent. Multiple times it's methodical. They're getting what they want and I don't want to see that. Thank you for your time.

Com. Good, Thank you.

ANIMAL SHELTER

Ms. Miller, My name is Cheryl Roberts. I live at 136 Johnson Dr. in Valparaiso. I myself and the entire back row are former employees of the Porter County Animal Shelter and we're here to discuss the future of Director Toni Bianchi. We have been silent long enough. We do not want to see the abuse anymore that she puts employees through, the public, the animals. We've lived through it for years. This woman is evil, she's mean, she's abusive, she's a bully, she intimidates people. We have been silent long enough. No one will listen to us. We are all here today. We are going to fight for the animals and for the past present and future employee of the Shelter. She bullies. She damages County property with her 2 year old tantrums. Screams and yells at us and call us names. We tolerated it for years. My finger was bit off by a dog in December. Two weeks ago I had my 4th surgery. One of my doctors would not release me back to work. Toni fired me. No call, no face to face. I received a letter a week later that I was terminated on May 6th. Would anyone else like to come and speak? Do you have anything to say?

Ms. Sasamahan, My name is Claire Sasamahan and I live at 707 S. Second St., Chesterton, Indiana. I also work alongside our kennel staff and our very brave vet tech who assists us at the Porter County Animal Shelter. Although I wasn't working as long as Cheryl did alongside all of the rest of the kennel staff I did work there for about 9 months. I started in August of 2019 and I ended around April of 2020 when COVID just hit its peak. There were multiple examples of Toni running out of the Shelter screaming at clients of people that just wanted to bring in a stray dog. One incident I was working as the receptionist at the time because I was part time receptionist and part time dog handler. A woman that actually worked alongside my mother as a hospice nurse was on her way to work and she found a dog on the side of the Portage highway. She took it upon herself to call the Portage Police Dept. They said if you're already on your way to Porter County we normally take our dogs there so stop at the Porter County Animal Shelter and Toni would be happy to help you. AS this woman came in saying I was going to be late for work and I would like to help this dog I found on the side of the road. Toni then refused her and said we do not take in any dogs from Portage. The woman then said I called the Portage Police Dept. and they sent me here. Toni then said we will not take your dog how do we not know it's yours. She said I'm on my way to work and I don't want to be late or be fired. She then refused this woman again and the woman out of frustration said I should have just left this dog on

the highway. As Toni heard that she ran outside screaming at this woman saying if you put this dog back on the highway I will have you arrested and then did nothing about it as the woman drove off in tears. She was then fired because she just wanted to help a dog on the highway. There has been many, many more accounts of showing abuse, lies and temper tantrums especially for Toni. One of her quotes that she would say is "If I can't yell or scream in my Shelter than no one is going to listen to me and if I instill fear in you than you'll just do your job". There has been multiple times, my favorite story is I took it upon myself to adopt a hospice senior that had come in. She obviously was not going to make it out of the Shelter so I decided to give her a home. She sadly only lived with me for about 6 months, but that was okay I had enough time with her. I never called off, I showed up for work on time. The day I called off to spend one more day with my dog before I put her down I came in the next day to work reception. I didn't talk about it I did my job and went home. The next day about 24 to 48 hours after I put my dog down that I adopted from them I cleaned out her kennel. As anybody they would cry, be upset and mourn the loss of their best friend. I then went back to reception as I was scheduled to do. I was a complete mess. At the time the other receptionist said you cannot work up here like this and I'm sorry. I said okay that's fine but I'm not scheduled in dogs today and I'm don't think I could do that either with my emotion stability falling apart. She said why don't you go ask Darren Biggs, let's go ask him if you could go home early you never really showed up late so why not. I walked into Darren's office and said I'm sorry I can't work the rest of the day in reception and the receptionist brought me back here and told me to ask you if I could go home. He looked me dead in the eye and said I'm sorry Claire I'm sorry that your dog died it's already been a day can't you just get over it. As I cried even harder as I was being yelled at in his office he then looked at me and said how about you just get out of my face. I went home that day and 2 hours later he texted me and said I'm sorry I don't grieve like other people and that was it. I then returned to work for about 2 more months to see if I could continue doing this and at that point another one of the staff who was a dog coordinator, Toni had just hired her in. She had a long history of behind the scenes harassing, work group chats, Facebook, she had our personal phone numbers and Toni and Darren were much aware of this. Also sitting in the back a few of my colleagues have been harassed by the same person. Toni then gave her a promotion and she continued to harass me. I sent text messages, pictures, everything I could to prove to Darren and Toni that this woman was harassing us behind the scenes and making us quit our lovely jobs. They basically shrugged their shoulders and said we will work on it and nothing came upon it. She still works there till this day and continually harasses a lot of other people. I can go on with many more examples but I won't take up your time and I thank you.

Com. Good, Thank you.

Mr. Roberts, We just feel that this needs to be brought to your attention. The cruelty that goes on behind those doors in that Shelter. You all may think that Toni Bianchi is doing a great job, she's not. And all of the hard work that she has gotten praises for in the last 6 years its people like us. She sits at her desk and screams and yells at everybody. She doesn't do anything. She is a certified dog trainer, I had to do a behavioral assessment on a dog. It's not my job I work in the medical part. I was there for 10 years and I was crumpled up and thrown in the garbage like a piece of trash. There are a lot of bad things going on at that Animal Shelter right now at the hands of Toni. I would not be here today if I wasn't concerned. While I was there I wanted to keep my job. We were all there and we could watch over things and make sure things ran smoothly. We're not there anymore. It's a very scary place that Shelter, very scary. I really wish you would take into consideration who is running that Shelter. Thank you.

Com. Good, Thank you.

With no further business the meeting was adjourned at 10:35 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor