

**PORTER COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 25TH, 2023
5:30 P.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 5:30 p.m. on Monday, September 25th, 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 – September 15th, 2023.

Approval of Claims – Sept. 7th and Sept. 14th and Sept. 21st, 2023.

Approval of Minutes for September 12th, 2023.

Weights and Measures Monthly Report – July 16th to August 15th, 2023 – Filed.

MEMORIAL OPERA HOUSE – VENUE RENTAL AGREEMENT

Valparaiso Mayoral Debate - \$500.00 Non-Profit

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

MEMORIAL OPERA HOUSE – MEGAN STONER, DIRECTOR

Announcement of Megan Stoner as the new Director of the Memorial Opera House.

Com. Biggs, Can you tell us a little about yourself?

Ms. Stoner, I'm Megan Stoner. I was raised in Chesterton Indiana. I graduated from Chesterton High School. I was gone for about 23 years and moved back in January. I am very pleased and glad to be back in Porter County. Very very happy and excited about this position as well.

Com. Blaney, I have to add that her great grandfather was one of the Sheriffs who lived in the Sheriff's residence.

Ms. Stoner, That is true. My great grandfather was a Sheriff in the 1940's. If you look there are pictures of my grandpa growing up in that house. It is very cute.

Com. Biggs, We wish you well. We're always here if you have any questions. Don't judge us what happens tonight on the way we really are.

Ms. Stoner, Thank you. Well Jim we did already have an interview. I think I know you're good.

Com. Biggs, We're glad you're aboard.

Ms. Stoner, Thank you. Natalie thank you for walking her up here.

Ms. Klobuchar, That is the least I can do.

Ms. Stoner, Actually Natalie has done a wonderful job with this transition of getting me on board. I'm very appreciative of her and her work. In the interim and getting me on board. She has been a wealth of knowledge. Thank you Natalie.

Com. Biggs, She is key for that.

A discussion of the 2024 Schedule/Construction.

Com. Regnitz, The other we need to talk about is we are about to embark on a renovation of the Memorial Opera House. One of the things that would really help is if we could postpone one of the productions that is scheduled for the 2024 season. That would actually make the renovation a lot smoother. Logistically it would help us to have a bigger window where we could get a lot of things accomplished. I know Natalie mentioned there were some hurdles that we would need to overcome and that is why we are having this conversation.

Ms. Stoner, Natalie has put together an amazing report. Moving the production is not on the table. It is really about cancelling the production. What we are talking about is missing an entire musical and then potentially a couple of concerts that bookend to that. And we are looking at a loss of over \$100,000.00. If you want us to cancel the show we need to find \$100,000.00. That is the bottom line. That show brings in a great amount of money that helps us with payroll, etc. So if you want us to cancel the show then we are talking about \$100,000.00 deficit.

Com. Blaney, I think that would be great if you would send that report to the Council. It is budget time right now so it is money to earmark. Now is the time to do it.

Ms. Stoner, We do understand that there needs to be a wider window for construction to logistically happen, but we also have to pay our people. It is a balance in finding that. We will send that to the Council. Thank you.

Com. Regnitz, Is that the only hurdle? It sounded like hurdles plural.

Ms. Klobuchar, It is a \$100,000.00 hurdle. There is a lot more detail that goes into that. All of the money that we make in the summer is flanked by two other musicals.

Com. Blaney, Can you send us the report that you put together?

Ms. Klobuchar, Absolutely, I have copies for you right now. I can absolutely send that to you and to the Council. We came to that number because if you look at the way the shows typically sell we don't always 100 and we never sell under 50%. We hover in about the 75% range. Christmas and because it's White Christmas any musical that has been a television show or a film is going to sell monstrously and it already is. White Christmas is actually selling better by \$10,000.00 than Little Shop of Horrors which was also a film. We have to consider that we have to pay of these rights in a timely fashion but if we yank this one show right out of the middle we just have to concern ourselves with the show that flanks it behind. We don't have to worry so much about the one before. Just the one after.

Com. Blaney, How much time are we trying to set aside?

Com. Regnitz, We are still planning on having a meeting with the two of you to talk about the logistics of the show too. I just know that Skillman needed to know that whether they were to do that very quickly because that is going to determine the schedule.

Ms. Klobuchar, The date range that we can give you falls between May 13th and August 19th.

Com. Regnitz, That's if you take Guys and Dolls out.

Ms. Klobuchar, That is if we take Guys and Dolls out. And if we did it right now it would be a lot easier for us to say to our patrons look we only have 44 seats sold for tonight. We can contact every single one of those people but if we wait much longer it's going to become more difficult. And as Megan brought up it's better to cancel then to move and she is absolutely right because at this point it's going to be impossible for us to sell to our patrons that we are moving another show. They are not going to want that. They are just not going to want that.

Ms. Stoner, The logistics of moving a show oppose to cancelling...moving a show is a nightmare. Cancelling a show is much more feasible especially to get the time amount that you are looking for this construction which is honestly necessary. And I see that. Making sure that

we do this in the direct less logistical way is important. So right now what's looking like is cancelling the show is the most logistically positive way of doing it. However, no matter which way you slice this we will still need money to pay our people. It doesn't matter if we cancel it or move it we are going to take a hit.

Com. Regnitz, Can I just ask you, what are the costs to actually cancel the show in terms of the contract?

Ms. Klobuchar, Right now nothing.

Com. Regnitz, We're talking about the contract.

Ms. Klobuchar, Right now it costs us nothing to cancel it. We would actually get our \$400.00 back for a deposit. The specific rights house that we are working with they expect to be paid after the show and it only cost \$400.00 for us to get the rights.

Ms. Stoner, The sooner we know the better because then we can better trouble shoot and have more time to plan.

Ms. Klobuchar, We don't want to give that money back to our patrons. We want to offer them something that is equally of value to them. A lot of these people have had tickets longer than I've been alive. So we need to make sure we honor our patrons appropriately.

Ms. Stoner, Yes.

Ms. Klobuchar, Basically it is scheduling and about \$100,000.00.

Com. Biggs, We are going to spend \$5 million over there. Everyone has been waiting for that. Clamoring for that for a better part of 5 years or more.

Ms. Klobuchar, And that we can sell to the patrons. Absolutely.

Com. Biggs, Everybody understands that it has to be done. If we didn't have to do it we wouldn't do it, but we have to do it. We are all going to have to pull in the same direction and that is the bottom line.

Com. Blaney, Let's get the news to the Council now so that they can plan for it.

Ms. Stoner, Yes exactly. It is a double edge sword here. Yes we need to maintain this beautiful historic building and we also need to pay the people that work there to make it happen. We will figure it out. We are just letting you know that this is what we are working with.

Com. Regnitz, Thank you.

COMMISSIONERS

Appointment to the Porter County Board of Health.

Com. Regnitz, Scott did you want to talk briefly about the part in the statute concerning vacancies?

Atty. McClure, Pursuant to the statute on vacancies the Health Board shall put together a list of 5 names and the Commissioners may appointment from that list. That is about as simply as I can make it at this point in time. I believe the Health Dept. has done their statutory duty. They are required to send this Board a list of 5 applicants for this Board to review. They have done that. Then this Board takes it up, the shall goes away and becomes a may and that may is this Board may appointment from the list of 5.

Com. Blaney, And I would like to point out that they sent us a great list. We have a psychiatrist, a doctor, I can't think of the others right now but there are 5 really good ones. Who am I forgetting? We have Dr. Gaspar, Dr. Brunt, Dr. Brogan, there is a pilot that is a veteran because we do need lay people too and Martin Moeller.

Com. Regnitz, I actually would like to pull a name from one of our applicants from January. This was someone that was highly recommended back then. At that time we were looking to have more representation across the County. Since we are replacing one of our

appointments from January I would actually like to nominate Dr. Chris Osan to be on the Health Board.

Com. Biggs, Do you have any background on Dr. Osan?

Com. Regnitz, He's in family practice. I'm sorry I forgot to pull his resume.

Com. Blaney, I haven't looked at his resume since January. I really thought very highly of each of the 5 names. It was hard to choose quite frankly.

Com. Biggs, We can only choose one. There was nothing wrong with the 5 names that were submitted to us. Although, I will point out that two of the names of the 5 were two of the people that were replaced at the beginning of the year. It made little sense to me that we would turn around and put it back on. Considering the reason that we felt a change was necessary to begin with. All 5 seem to be outstanding citizens and certainly worthy of sitting on that board. Dr. Osan's name had come to me early on and you know speaking for myself was looking for the opportunity of getting him on the board. I very much respect his background and I think he is going to do well in that board. The whole purpose of making this change is to settle things on the Board of Health.

Com. Blaney, I don't think it is really great to settle things on the Board of Health by not picking one of their 5. I don't have a problem with Dr. Osan. I've heard good things about him. I would just like to start collaborating with the Board of Health.

Com. Biggs, I didn't write the state laws. The state law is written the way it's written and it gives that authority to the Board of Commissioners and for very good reasons. I think that one of the most health things that we can allow is for a board to appoint its own members.

Com. Blaney, That is why we got a list of 5.

Com. Biggs, But again there is nothing wrong with the 5 names they submitted. At the end of the day it is the three Commissioners that decide. They may consider those 5 or they may not. It is really not an argument Laura it is just Dr. Osan's name was brought up earlier. As a matter of fact we had sent Dr. Osan's name to the board to be added to the list and it was not. That to me is water under the bridge.

Com. Blaney, I didn't know about that. I didn't know that we were supposed to send names.

Com. Biggs, This appointment tonight is really a message that we want things to begin to move forward because it has been stifled here recently. I said it at the time when we took our original appointment off of the board that I was going to put a person with a conservative thought on the board.

Com. Blaney, All 5 of those people are Republicans.

Com. Biggs, Well I'm talking about the appointment that we had. Again, there are reasons that those 5 are on that list. And there are reasons why we want new people with fresh ideas to come onto that board. We are not appointing for a country club.

Com. Blaney, Really, those 5 people are a country club.

Com. Biggs, It is the Board of Health.

Com. Blaney, That is crazy.

Com. Biggs, We took someone off of there that had been there for 20 years.

Com. Blaney, What does that have to do with a country club? Five new people including a psychiatrist. We have a big medical health issue....

Com. Biggs, If you are allowing the board to appointment their own member's yes that is basically what you are creating. And I'm just not in favor of that. Again, it's not an indictment on the 5 names that are on the board. I feel that there is a healthier way to approach this than allowing the board itself to select its own members.

Com. Regnitz, moved to appoint Dr. Osan to the Board of Health, Com. Biggs, second, motion carried.

Com. Blaney, Opposed.

An Ordinance Amending Ordinance #87-16 Creating a Fire Protection District in West Porter Township – 2nd Reading.

Atty. McClure, We've done this on 1st Reading. This is 2nd Reading. This adds the board members must reside within the West Porter Township Fire Protection District. That is the addition to it as the state statute was silent on that issue.

Com. Regnitz, moved to approve the Ordinance Amending Ordinance #87-16 Creating a Fire Protection District in West Porter Township on 2nd Reading, Com. Blaney, second, motion carried.

A Resolution Pursuant to I.C. 5-22-22-8 Disposition of Property.

Atty. McClure, Lee contacted me from IT. I believe the Duneland School Corp. reached out to him. This has to do with our voice over internet protocol phones that I believe last year we replaced all of them. So these are the old phones. There are approximately 700 of them. They have not been refurbished. Those things that what have to be done if we attempt to try and sell those to some other unit. Duneland School Corp. still has this system in my understanding. Is in need of these phones and would be able to in-house refurbish them and put them to use within that school district. What 5-22-22-8 allows the Commissioners to make a resolution that the cost of refurbishing and transporting the sale of these individual phones exceeds their value. The un-refurbished equipment is worth approximately less than \$5 a phone. The cost for us to get them refurbished, transported and sold in a manner that fits within our governmental constraints we would not be able to recoup those costs. In working with the IT Dept. we put together this resolution. And ultimately what you are stating is that those phones don't have any value to us when you consider what it would cost to get them in a position to have value. And then we would deem that property worthless at this point in time. That would allow the IT Dept. to allow the Duneland School Corp. to take them basically at their own risk and as is and refurbish them the way they need to fit within their system.

Com. Regnitz, move to approve the Resolution for the Disposition of Property, Com. Blaney, second, motion carried.

Sheriff's Residence – Update.

Atty. McClure, The update that I have is that we did receive a bid for the Sheriff's residence. I believe we opened at the meeting before last. In working on that the bid applicant has withdrawn that bid for leasing the Sheriff's residence for 3 years. Just for the official record A & Z has and I confirmed withdrawn their bid document for lease.

Com. Regnitz, So our next step and Atty. McClure and I were working on the actual deadline for the bids to come in and we were in the process of turning it over to a broker to help us market it. We did a get a bid in and we abandoned that so we are going to back to that now. Subsequent to that what we found out is that in order to turn over the marketing of the Sheriff's residence county owned property it has to be advertised for 60 days.

Atty. McClure, So the bid process would need to remain opened for a total of 60 days before the statute allows you the relief to go to a broker. I think at this point in time we are somewhere around 32 days or 36 days.

Com. Regnitz, 38 days because we need to advertise it for another 22 days before we reach that 60 days. We now need to approve that we are going to open this back up for bids.

Atty. McClure, And that would be another advertisement in the paper. The same advertisement that was before. The same terms as was before for the additional time period that is required to make the total time available to submit a bid 60 days. It would be a true continuation starting again under what we had done before. Nothing would have changed under the actual perimeter.

Com. Regnitz, moved to Re-open the Bids to advertise leasing the Sheriff's Residence for another 22 days.

Com. Biggs, Any discussion?

Com. Blaney, Yes. I would prefer to see the Opera House staff be able to use that space for office space. And I had some other ideas that I shared with Com. Biggs and Com. Regnitz. Maybe do a conference room for the county or maybe for public use. Getting a desk for the Foundation. It looks like that is not going to happen right now but I hope we can keep that idea in the hopper because it is right next door and our people don't have anywhere to sit down in there let alone store a file or have any privacy.

Com. Regnitz, We do have the option of the Opera House staff using the Courthouse which is kitty corner to the Sheriff's residence. The thing about that is we don't have to renovate it. There are already existing offices. There is a kitchen and there is plenty of space in there for all of their needs. I know it's a little bit further away from the Sheriff's residence and hopefully they can move in there temporarily when construction is going on. They can stay there. It really is up to them as to whether they want to take advantage of that or not. The other thing with the Sheriff's residence we really don't have any money to renovate it. Currently our plan is to borrow \$120,000.00 from the RDC with the intention of repaying it from the lease payments from somebody leasing it. We anticipate that that will take about 5 years for that to get repaid but then we will have a non-reverting fund where the lease payments can go in and we will have a perpetual fund to help the up keep of the building which is really a great building. In case some of you haven't seen it, it is really a great historical building in our county.

Com. Blaney, The problem with the Courthouse is it is a completely different use than the courts. There is security. You can't take your phones in there. It is not opened after hours. The Opera House does most of its business in the evening hours when the Courthouse is closed. I'll wait.

Com. Biggs, Well I'm still in support of leasing it out. I think to the right business it makes sense. However, if we are not able to do that then I think we should go back to Laura's original idea and utilize it some way instead of just having it sit vacant. I do have a question. If we take that out to a broker how is the broker paid?

Atty. McClure, The broker by statute must be paid from the proceeds of the rent.

Com. Blaney, How much?

Atty. McClure, That would be set when we did the contract with the broker.

Com. Biggs, How does that affect our ability to pay back the RDC?

Atty. McClure, Assuming it was 5% on a \$75,000.00 rent, assuming it rented for the most amount. That gives you an idea of the potential draw down. In real dollars it's a lot but 5% of \$75,000.00 isn't necessarily going to change the impact on how fast you can pay back the RDC significantly.

Com. Biggs, So what do we do here?

Com. Regnitz, I made a motion that we open this up for bids for another 22 days, Com. Biggs, second, motion carried.

Com. Blaney, Opposed.

Organizational Solutions Development, Inc. – A proposed contract to perform a nationwide search for the next Development and Stormwater Management Director.

Atty. McClure, This is the entire cost summary along with the resume of the business itself. Porter County has history of using this company. It has been some years but I believe roughly 10 years ago they were the author of the Human Resource Report for the county that eventually matured into having a Human Resource Dept. That is why we went back to utilize them. The total cost cannot exceed \$16,500.00. They will perform the search. I've dealt with them in other issues and they have done well. This is one of the things they've done.

Com. Regnitz, Isn't \$6,000.00 of that for potential relocation?

Atty. McClure, The candidate relocation expense only as needed up to \$5,000.00. That \$5,000.00 is inclusive into my \$16,500.00 number. Assuming that wasn't necessary it would be \$11,500.00 for the total cost actually being paid to ODS. Even within that number there is an

estimated copy cost and some travel time of \$500.00. The contract is really around \$11,000.00 or \$11,500.00 for the actual service and up to \$5,000.00 for the relocation if that type of candidate expresses itself.

Com. Biggs, Any other questions?

Com. Regnitz, moved to approve the Organizational Solutions Development, Inc. – A proposed contract to perform a nationwide search for the next Development and Stormwater Management Director, Com. Blaney, second, motion carried.

PoCo Wellness Connection Incentive Discussion.

Com. Regnitz, We have been talking about the PoCo Wellness Connection and the fact that we have been working to implement that with the county employees first. With the hopes that some point in time expanding that county wide. There are actually some tremendous advantages to our approach. We have a portal called HealtheAccess. It allows the employees to access a number of different things including our clinic, which is a much lower alternative to going to a traditional provider. We are encouraging people to use HealtheAccess. One of the things that we've done is to tie into this. We have a promotion going on and I was trying to present our winners this evening. We did a virtual walking tour around Lake Michigan. The three different prizes were Com. Biggs has volunteered his parking place for a month. Then a day of PTO and a half day of PTO. I was hoping that we could have announce those winners tonight. I've just been waiting for those people that manage our HealtheAccess portal to get those to me. The incentive that we want to do and I've talked to Atty. McClure about this is we really want to get this more into the community of the county employees. One of the things that we discovered the woman who runs HealtheAccess she actually has 700 companies that are using it. It is discovered that if you provide incentives you actually reduce medical claims. About \$2400.00 to \$2500.00 a year. One of the things that we looked at is that next year we would offer over the year a \$500.00 incentive to employees. They would achieve a level of 250 points and they would get \$150.00 either into their contribution to their HSA. If they are not in the HSA they would get a gift card. The second level another 250 points for another \$150.00 and so forth. The fifth level would actually be the Diamond level and that would require another 500 points. That employee would be eligible for a day of PTO. There is one thing that we still want to do before the end of the year. We want to do an incentive for those employees to achieve 250 points so they can get a \$150.00 award before the end of the year.

Atty. McClure, It is \$125.00.

Com. Regnitz, I'm sorry \$125.00. I apologize for that. It is a total of 500 a year for the employees. Before we move forward with this we need to get approval at the Commissioners level. The funding for this will come out of the Health Insurance Fund. Correct?

Atty. McClure, Yes and I think we've taken a look at that. The overall impact of the Health Insurance Fund considering the size and scope of that would be minimal given the participation and the levels and the way it is set up. I don't think the impact to the fund is significant. I think the other side of it is that is we did get that return \$2000.00 to \$3000.00 in claims, which isn't a lot but it's about what this might cost. If this gets people motivated I think it's a great situation. I think the one thing I would add is that the employees would have the ability if they are in the high deductible plan that the winning amount is going into their HSA. And if they are an employee who is currently on the PPO then that is a \$125.00 gift card. I think we've done a good job of making sure the different way the employees represent themselves and the plan is taken care of within the incentives.

Com. Regnitz, Some of the real neat things that we are doing are any of the county departments that want to provide incentives have the ability to add things to the portal. As an example at the Porter County Fair if they go around and visit the different county department booths they can achieve points by doing that. If they attend a PoCo Muse walking event they can get points. The Health Dept. can put different activities in the portal that the employees have an opportunity to get points from. This is a wide variety of different activities. We're hoping that our Parks Dept. will put some different activities that are happening at the parks that they can earn points from. The whole mission here is to get people more physically, socially and mentally active. We are not trying to take them from being a couch potato to a marathon runner. We are just trying to get them more active. We are hoping that this will help to motivate people to get moving, to get active, to get out and be around people and be in the fresh air.

Com. Blaney, I have one question because I heard two different things. Each employee has a chance to get a \$500.00 incentive? It's not like one who wins.

Com. Regnitz, No.

Com. Blaney, Because that will be more than \$3000.00 or \$4000.00 I would think.

Atty. McClure, I was basing it upon our current participation in that program.

Com. Blaney, I think it should go up if (Inaudible).

Com. Regnitz, We certainly hope that we can start to gain participation. I think one of the things is not a lot of employees currently may not even know about HealthAccess. This going to be a way to get them aware of that portal and that platform. And then we're going to do some really fun challenges like we did the virtual walk around Lake Michigan. They've got a number of different ideas and ways to get people engaged.

Com. Biggs, It is a wonderful program. We'll see how it goes. We'll keep a close eye on it.

Com. Regnitz, moved to approve the PoCo Wellness Connection Incentive Plan for the end of 2023 and for calendar year 2024, Com. Blaney, second, motion carried.

New Solar Ordinance on hold until the new Director is hired.

Atty. McClure, The Commissioners at their meeting had a vote to send a request that the Solar Ordinance be repealed and then rewritten. At this point in time I think the Commissioners are wanting it to be put on hold until that department has a new director. To keeping with that the Commissioners need to have that as a motion so the Plan Commission knows what they should or shouldn't be doing as of right now.

Com. Blaney, moved to place the Solar Ordinance on hold until the Director is hired, Com. Regnitz, second, motion carried.

Com. Regnitz, Scott would you mind talking about the status of the NextEra application.

Atty. McClure, The NextEra application was filed. That application was deemed to be incomplete. That letter went to NextEra. NextEra had a deadline to file their appeal. The first step would have been to administrative appeal that would have been heard in front of the BZA. To date we have not received that request for an appeal. We are clearly past that deadline at this point in time. For the issue of having the application be complete or incomplete I believe that the appeal process is foreclosed at this point in time. Whatever may come out of that issue will not be based upon arguing whether or not they fit the ordinance or the application was complete. It would be a completely unrelated issue that I am unaware of at this point in time frankly. I am hesitant to always say 100% something is closed, but I believe that definitely on the issue of their application being complete or incomplete and whether they are under the old ordinance I believe is closed at this point.

Com. Regnitz, And can you also speak to solar in the absence of a solar ordinance.

Atty. McClure, We do not have a Solar Ordinance and we got a solar application, there are pros and cons, but if we don't have an ordinance then that application that use does not fit within our unified development ordinance as written. Therefore it would require them to go before the Board of Zoning Appeals and seek relief in the form of a variance to allow that use within the zoning district that they were attempting. The first stop in that scenario would be to the BZA for the use variance to allow the use.

Com. Regnitz, Can you talk about the three requirements for getting a variance from the BZA.

Atty. McClure, It would depend on what kind of variance whether it is use or developmental. There are significant hurdles. They are the normal ones that we are used to. Health and safety, welfare, property values, comprehensive plan. Is the issue self-created? Is there something unique about the property that is requiring this variance that they are asking for? So the BZA hurdle would be fairly substantial. There are some pros and cons both ways.

Com. Regnitz, Can you also talk about if solar is allowed anywhere within Porter County without having to go in front of the BZA?

Atty. McClure, Solar at the commercial or industrial size is not an allowed use in any current zoning classification within the UDO.

Com. Regnitz, Thank you.

Com. Biggs, That pretty much says it all. Thank you Scott.

Atty. McClure, You're welcome.

AUDITOR KAREN MARTIN

Porter Township ARPA Agreement.

Ms. Martin, The agreement is in the amount of \$28,106.00. The trustee has said that they are going to be spending it on the fire department gear for the Boone Grove Fire Dept.

Com. Biggs, And how much was that for?

Ms. Martin, \$28,106.00.

Com. Blaney, moved to approve the Porter Township ARPA Agreement, Com. Regnitz, second, motion carried.

CORONER CYNDI DYKES

A Memorandum of Understanding with HealthLinc, Inc. pertaining to the Indiana State Opioid Response – Mobile Response Teams funding for the Porter County Opioid Fatality Review of Porter County.

Ms. Dykes, We meet with a representative from the Coroner's office. We will meet at HealthLinc and they will review different opioid deaths to make sure there are no loop holes and to make sure the next investigation is better. Then we receive grant money from that. We had an original MOU but the wording has changed. That is why I needed to get approval for this one. Basically, with our last MOU we were getting \$1200.00 a month. Now we only get paid \$1000.00 per meeting that we attend. That is the main difference in the wording.

Com. Biggs, Is this something County Atty. McClure has gotten a chance to look at?

Atty. McClure, It is. Beginning on the 5th of the month at a \$1000.00 per month for the months the Coroner schedules and attends an Opioid Fatality Review meeting. That is how the \$1000.00 gets paid.

Com. Regnitz, moved to approve the MOU with HealthLinc pertaining to the Indiana State Opioid Response, Com. Blaney, second, motion carried.

EXPO CENTER – LORI DALY, DIRECTOR

A request to Transfer Funds – Fund #4005 from Acct. #3510 Power to Acct. #3980 Event Expenses in the amount of \$2,500.00. To cover expenses through the end of 2023.

A request to Transfer Funds – Fund #4005 from Acct. #2210 Gas, Fuel & Lubrication to Acct. #2230 Food & Groceries in the amount of \$1,400.00. To cover expenses through the end of 2023.

A request to Transfer Funds – Fund #4005 from Acct. #3130 Training & Education to Acct. #2230 Food & Groceries in the amount of \$800.00. To cover expenses through the end of 2023.

A request to Transfer Funds – Fund #4005 from Acct. #3220 Telephone & Internet Services to Acct. #2350 Building Maintenance in the amount of \$800.00. To cover expenses through the end of 2023.

A request to Transfer Funds – Fund #4005 from Acct. #3430 Workmen's Comp. to Acct. #2350 Building Maintenance in the amount of \$900.00. To cover expenses through the end of 2023.

Ms. Daly, Essentially what I'm doing is transferring money, This went before the Council last month, but I missed the deadline for the additional. We are combing two Council meetings into one Commissioner meeting.

Com. Biggs, This is something the Council has or has not seen?

Ms. Daly, They have already approved 1 through 5 and the additional are on their next agenda.

Com. Regnitz, Do we need to approve 1 through 5?

Atty. McClure, No we don't.

Com. Biggs, 6 through 8.

Ms. Daly, Those are the additional. We are having a pretty big fall so those accounts are depleted.

A request for an Additional Appropriation – Fund #4005 Acct. #2230 Food & Groceries in the amount of \$15,000.00. Due to a huge increase in off premise bars, the additional is needed to be able to supply products.

A request for an Additional Appropriation – Fund #4005 Acct. #3980 Event Expenses in the amount of \$8,000.00. Additional is needed to be able to properly plan for garage sale & New Year's Eve.

A request for an Additional Appropriation – Fund #4005 Acct. #2250 Other Supplies in the amount of \$5,000.00. Account depleted, need additional to get through the end of year.

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

Com. Biggs, How are you doing over there pre-COVID?

Ms. Daly, 2022 we saw the first half of the year when it blew up again it hurt us bad. The fall was great and then the first quarter of this year it was not good again. Then it picked up May, June. Obviously we do not have much in July because of the Fair other than the off premise bar services. August, September and October are just huge. This month that we are in right now will be a record setting month, all time. It has been busy, we're staying busy.

Com. Biggs, That is great news. Thank you!

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

A Rezoning Map Amendment from CH, High Intensity Commercial District to RR, Rural Residential District – Petitioner Valerie & Garry Blumenfeld – 2nd Reading.

Com. Regnitz, moved to approve the Rezoning Map Amendment from CH, High Intensity Commercial District to RR, Rural Residential District – Petitioner Valerie & Garry Blumenfeld on 2nd Reading, Com. Blaney, second, motion carried.

PORTER COUNTY MUSEUM - KEVIN PAZOUR, DIRECTOR

A request to use the southeast corner of the Courthouse grounds on Saturday, November 4th, 2023 from 8:30 until 4:30 pm to hold a living history event. The event will focus on the era of Le Petit Fort (near the present day Indiana Dunes).

Com. Regnitz, moved to approve the use of the Courthouse grounds on Saturday, November 4th, Com. Blaney, second, motion carried.

CITIZEN COMMENTS

Com. Biggs, We've come to the portion of our meeting where we take public comment. Our last few meetings it seems to be a popular time for people to comment and we love it so. Just so we are fair and respect everyone's time we are going to allow you to speak for 3 minutes. The time will be kept by Melanie our Executive Secretary and ask that all of you respect that when you come up.

Ms. Hearn, Anna Hearn, Valparaiso Indiana. First I really hope that you will find a place for the Memorial Opera House people to stay. The Courthouse is not a place. As an attorney I can tell you (Inaudible) 8:30 to 4:30. You have to go through security. They have to be social active and physically active and they do that for those kids. My daughter did several plays. She loved it. I would rethink renting. Second, I hope in the future you will work with the Health Board. They busted their butts to get that list. They interviewed people. I would hope that you would interview some of these people. One person that is dear to my heart is Dr. Dee Dee Brogan. She is from Associated Peds. Not only are they the largest pediatricians in this county from Portage and everywhere else. They give back to this community. They give back to the schools. They volunteer. Dee Dee Brogan is a Catholic. She is very involved in her school and her church. When my daughter was a little girl she had an asthma attack. She did not want her to go to the E.R. She opened that office on a Sunday to make sure that child got treatment. One thing I was proud of a few years ago. It didn't matter what party you were. I know that did is a Republican and she is conservative. I would hope that you would talk to the applicants to see where their assets are. One thing I was so proud about the County Commissioners and County Council is they all work together. They worked with the Health Dept. They went across party lines and I hope we can get back to that spot. We also need a lot of psychological help in this county. A family member of mine had breast cancer. Medications were screwed up because of her breast cancer diagnosis. She almost died mentally. I took her to some of my doctors. They helped her. We do need psychiatrist that should be on that Health Board as well. Let's put everyone's political feelings aside and do what is in the best interest as a county. Not whether they are conservative or not a conservative but if they are a damn good doctor and a medical professional. Thank you.

Com. Biggs, I agree with what you said you leave your politics at the door and just to be clear I have no idea how Dr. Osan votes. Nor should I be concerned.

Com. Blaney, Actually we have to be concerned with it because we had to appoint a Republican this time.

Ms. Watts, You said he was a conservative. You said it yourself.

Com. Biggs, That doesn't mean he is a registered Republican. I don't know how the man votes.

Com. Biggs, I had no idea that he was Republican.

Ms. Miller, I think it is a great thing that you guys chose somebody other than what the Board of Health had suggested. Conflict of interest is what comes to my mind so thank you for that. Just a couple of questions. The MOH wanted this upgrade so badly. Now they are complaining because of the renovations.

Com. Blaney, I have not heard any complaints from the Memorial Opera House.

Ms. Miller, When they were sitting right here they were talking about how we're going to have to cancel the show. All of this. So I'm sorry....

Com. Blaney, We asked them. They were not complaining.

Ms. Miller, In the beginning of the year you had all of this information. They should have been well aware. We've got this \$5 million. You guys are getting it. Suck it up. Figure out a way to get it. You got the money. When does the ARPA money need to be spent? Isn't there a time line for the ARPA money to be spent?

Com. Blaney, Yes but we need a construction schedule. We asked them to come up and tell us these things.

Ms. Miller, (Inaudible) cancel the show. You want the renovation for the building. Now it's an issue with oh we got to cancel shows. And as you know there is a time line to spend that money. Darn I would hope you don't go over that time line. How long has the Sheriff's residence been vacant?

Com. Regnitz, 3 years and about 4 months.

Ms. Miller, How much does that cost us for it to be vacant?

Com. Regnitz, We don't have the numbers. Sorry Dawn.

Ms. Miller, What's that?

Com. Regnitz, We don't have the numbers handy. I'm sorry.

Ms. Miller, Well I remember at a meeting prior that it was \$10,000.00 for the NIPSCO at least. Correct?

Com. Regnitz, Yes, but (Interrupted by Ms. Miller).

Ms. Miller, The question never got answered with why did the Museum move. That was never answered. You had also said that we are spending \$10,000.00 a month in NIPSCO.

Com. Regnitz, That is one thing we are looking to address. We are looking at improving the energy efficiency over there as well as hopefully having somebody cover the portion of that bill by leasing out the Sheriff's residence.

Ms. Miller, Who would be covering that?

Atty. McClure, And to be clear it is not \$10,000.00 a month. The average over the last two or three years as we have been reviewing it in preparation for the lease was about \$10,000.00 a year.

Ms. Miller, (Inaudible) it is still sitting there vacant and it is still sucking money. If the MOH employees were allowed to use that building would they have a fee? Would they be having to pay? Kind of like if she is going rent it out. Would the MOH employees be responsible to pay something to use it? I mean it is sitting there empty so.

Com. Blaney, You want government employees to pay money to operate out of a government building.

Ms. Miller, It's your building though.

Ms. Watts, Kathy Watts and I live in Valparaiso. Ms. Blaney did I understand correctly that you are unaware that someone was going to be appointed tonight that was not on the list?

Com. Blaney, I didn't know who was going to be appointed tonight.

Ms. Watts, Ms. Regnitz were you just thinking of that name when you came in?

Com. Regnitz, No I have been thinking about that name for a while.

Ms. Watts, Okay and did you confer with Mr. Biggs?

Com. Biggs, No I had the name. We had the name for months.

Ms. Watts, Okay so both of you knew coming in tonight that that was going to be the name that you selected is that correct?

Com. Regnitz, That's not correct.

Ms. Watts, Well there was no discussion amongst the two of you up here and Mr. Biggs right away said that that was going to be his selection. My question was before the two of you walked in here tonight did you know that that was the way you were going to vote? Or Mr. Biggs did you think that you were going to vote for one of the 5 off of the list?

Com. Biggs, Absolutely not.

Ms. Watts, So you weren't going to do that. So if Ms. Regnitz didn't select that person were you going to nominate them? Osan.

Com. Biggs, I don't understand your question. Say it again.

Ms. Watts, Ms. Regnitz nominated Osan. Is that correct? And you voted yes for him.

Com. Biggs, Yes.

Ms. Watts, If she didn't nominate him was that going to be your nomination?

Com. Biggs, Absolutely.

Ms. Watts, So you guys talking about it before hand.

Com. Biggs, You have to understand that we sent Dr. Osan's name over to the Health Dept. to be added on to the list of 5. It was not. Therefore our decision of what needed to be done was clear.

Ms. Watts, Was that in the code that you guys sent the name to them?

Com. Biggs, Code?

Ms. Watts, The code of the Board of Health that they were to send you 5 names. Where one of those 5 were to be picked by you to send to them to add to that list.

Com. Biggs, We sent that name. You have to understand why that is written in the code because historically it has been difficult to replace people with skill sets like that. And that is the reason it was put in there to begin with.

Ms. Watts, Fair enough, but in the code the way that it was read it did not say that the Commissioners shall send names over to the Board of Health to select. What it said was the Board of Health shall send names to the Commissioners and the Commissioners may select someone. So the fact that you sent his name that is not in the code.

Com. Regnitz, Well it doesn't have to be in the code.

Ms. Watts, That is fine. I'm just going to move on here.

Com. Biggs, Wait you can get a little extra time. You are assuming all wrong here. The Board of Health itself, 7 members they pick who they want on that list.

Ms. Watts, They discussed who they want. They don't pick. They all voted unanimously up here at the Board of Health meeting that that was their selection.

Com. Biggs, When that name was not part of that list and we had board members that were sitting there, we weren't asked. My mind was made up.

Ms. Watts, Can you explain that? That doesn't make sense.

Com. Biggs, Dr. Ron who has been sitting there....

Ms. Watts, He was not at the meeting for the Board of Health that night. He was not at that meeting.

Com. Biggs, Was he asked?

Ms. Watts, I don't know the answer to that. They had opportunity to vote here that night and it was voted on unanimously.

Com. Biggs, Okay.

Ms. Watts, My question then I find it interesting that both of you speak about transparency. Yet I'm unsure that you know the definition. Barb I want to read something from your website. It says Barb believes it is essential for our community's voice to be heard and will ensure local government leads with transparency and honesty. Porter County needs to address the needs of citizens and not the wants of politicians. Does that come from you website?

Com. Regnitz, Yes.

Ms. Watts, I am now going to read you the definition of transparency. Transparency is the quality of being easily seen through. While transparency in business or governance context refers to being opened and honest. As part of corporate governance best practices this requires disclosure of all relevant information so that others can make informed decisions. I challenge you that that was not done this evening and that Ms. Blaney did not know that you guys were going to pick somebody off of the list. In my opinion neither of you have been transparent in your positions to others, to the people who voted for you or the constituents that you serve. And

I think even your own constituent's will say that this evening. Nowhere in your oath of office does it say that you will issue favors to those contribute financially or support your campaign. Nowhere in your oath of office does it say that. Yet it appears that Ms. Regnitz has been using her authority to do just that. And I'm appalled that the two Republican Commissioners have been non-transparent and politically motivated actions that you all continue to take. Thank you.

Com. Biggs, We can respectfully agree to disagree. Fair enough.

Ms. Kras, Fran Kras from Westville. For months the Board of Health struggled to do their job thanks to the chaos created by certain members appointed by the Commissioners. Finally after removing one of the offending members the Commissioners received a list of 5 names to fill the vacancy. A list compiled because the Board of Health was able to return to conducting business in a professional manner. This list contained a broad range of potential candidates more than qualified to fill the vacant slot. But instead the Commissioners ignored the list and pluck a candidate out of thin air or perhaps out of Ms. Regnitz's donor base. By all appearances this candidate was named today at this meeting. With no opportunity for all of the Commissioners to consider this person's qualifications. I can't say whether this candidate will be good or bad (Inaudible) seems it is redundant. Another general practitioner. We could use a psychiatrist or maybe even an OBGYN considering the maternal mortality rate in Indiana. The manner in which the Commissioners continue to conduct business is chaotic and self-serving. It certainly isn't serving the citizens of Porter County. When I attend Commissioners' meetings or read minutes and the emails what I see are either members who were either left out of the process or members who point fingers at others to shift blame for themselves or for the chaos they are causing. They are creating chaos across a range of county issues including the Health Board. Let's face it the things the Commissioners are responsible for aren't going well there are two people to blame. Two people in majority who control the outcome. One who needs to step up and do their job, take responsibility for things they've approved or ignored and the other one needs to stop pandering to constituents who in this case want no Health Board at all. Is that really what we elected our Commissioners to do? To dismantle the government. I suggest they start looking at their own department first.

Com. Regnitz, Can I just make a comment here. I could not pick out Dr. Osan out of a lineup. He was not a donor. I do not know him personally. He's not a friend. I have spoken to him on the phone. He was recommended by several people to me in January when we were first looking at appointing someone to the board. I just want everyone to know I do not know the gentleman at all.

Com. Biggs, I'm not expecting a comment from this. I find it stunning that someone would say that when it is not true. And you can sit there and smile but that is the problem right there. That is the problem. In our jobs up here perception plays a great deal in how the people perceive us. When you throw accusations out there like that that aren't true. There are no bases to them whatever. It causes a problem. It is woefully unfair you do that.

Ms. Kusmick, Penny Kusmick. I have gone to every Commissioners' meeting and Council meeting in the last two years. And I've gone every Health Dept. meeting except for one since January when they started meeting again. I can testify to the fact that some of the problems that were going on in the Health Dept. were based on the fact that the first meeting I went to there was no one else in the room. I look for the transcript of this. One of the Health Dept. people that were there before the new three showed up in February went on a tirade about being offended that the three were there. I couldn't believe it. I thought I hope things improve from here. There was clearly some kind of issue from the get go. So what was that all about? And then the fact that none of these people that are making accusations bothered in the past to come to any of these meetings. Basically in court I think that would be called hearsay. I'm offended with the fact that they are making accusations when they didn't even bother to be there. Thank you very much.

Ms. DeWitt, Kathy DeWitt and I live in Valparaiso Indiana. I have a couple of things here. First I want to show this to the Commissioners. You said it was appalling that this was mentioned. This is your report (Inaudible) making a donation to your campaign.

Ms. Watts, Did you want to see it Jim?

Com. Biggs, I do want to see it.

Ms. Watts, I can email it to you.

Com. Regnitz, If he did contribute to my campaign I want to thank him but I had no knowledge that he contributed to my campaign.

Ms. DeWitt, I will try to read this but it is very small on my phone. After the last Commissioners' meeting in which a vote to remove a former member of the Health Board was taken I felt some confidence that all of the voices were being heard and people were being held responsible for their actions. As I understand it the current Health Board members who have helped guide the community through so many health related concerns submitted a list of potential candidates to the Commissioners for review. This evening the announcement for the vacancy was a bit of a surprise since the person's name was not part of the list submitted. The Commissioners chose the Health Board appointed them to guide Porter County because of the confidence the Commissioners had in that board to make decisions that kept residents safe. And I understand Barb you were not part of that until January. Why don't the Commissioners trust the Health Board medical professionals to make the best recommendations for new members? The Health Board has the expertise to find qualified applicants based on their own experience in the medical community and as Porter County community servants. That is the reason that they were entrusted with their individual appointments by this body in the first place. I would hope that the time and effort that went into identifying candidates by the current Health Board wasn't for not. I would hope that the Commissioners were not simply trying to check off one requirement in the process of appointing to simply appoint someone they had already decided to appoint. Like heading out for dinner out in the evening and your partner says you pick. And then you pick and they say no I'm not up for tacos tonight. The other thing I would say is that when you bring up the fact that the Health Board has nominated people that were part of a country club. I suspect that these folks that you are nominating are part of your country club.

Com. Biggs, I don't have a membership to any country club. I've never met Dr. Osan. He's never given me any money. And like I said I couldn't even tell you how the man votes. He is a conservative thinker.

Com. Regnitz, The other thing from what I understand it wasn't the entire Health Board that was involved in selecting the 5 people on the list. I just want to make sure that everybody understands that it wasn't all 6 that were included in putting together the 5.

Ms. Watts, Everyone in attendance (Inaudible).

Com. Regnitz, The list was already compiled and prepared prior to the meeting. It was not developed at the meeting. It was brought to the meeting and there were two board members that were not able to provide input into that list.

Mr. Ough, My name is Tim. I'm from Chesterton. I'm going to assume the Health Board follows the guidelines of the CDC. Centers of Deceive and Control. If I remember right a couple of years ago. When we went into a building you had to have your face covered, but when you sat down you could remove the diaper. But then little children going into school they are sitting down at their desk all day. They had to keep their diaper on. Things aren't making sense and I want to just read three things to you from the Bible Second Kings Chapter 6 Verse 17. And Elisha prayed and said Lord I pray thee open his eyes that he may see. And the Lord opened the eyes of the young man and he saw and behold the mountain was full of horses and chariots of fire around the (Inaudible) Elisha. There was a city that was being taken over and they were heading for destruction but the man of God Elisha said can you please open this guy's eyes. He didn't see it at first but all around the city were angels. And I'm telling you God is real and he hates dishonesty. He hates lying. Two more versus and I will be done. I'm sure you didn't know you were going to be in church today. (Inaudible) Chapter 6 versus 7 says be not deceived God is not mocked. For whatsoever man seweth that shall he also reap. That goes for women too. Man and woman and there is a difference by the way. Luke 8:17 my final verse. For nothing is secret that shall not be made manifest. Neither anything hid that shall not be known and come abroad. This goes for me and everyone here. If you are doing stuff in secret God sees everything that you do. God knows how many hairs are on my head. God knows how many hairs are on all of your heads. Thank you.

Ms. Moore, Vanessa Moore Washington Township. I spoke with one of the landowner families for the Malden Solar Project Debby Good. She made a statement and a question and gave me permission to ask. NextEra reached out to my husband a local farmer in October 2019. As I listened to them talk I saw an opportunity for a speaker for our already chosen topic of Renewal Alternative Energy Sources World Affairs Conference. This annual conference to 16 local high schools that I helped to organize for 18 years addresses a timely global topic each year. In 2019 the topic was Renewal Alternative Energy. NextEra was unable to commit to speak until they had the approval of the County Commissioners. So I reached out to Jeff Good

President of the Porter County Board of Commissioners asking if they would approve NextEra to speak to the students. He asked me to send him an email outlining our intent with the conference. The Commissioners reached out to Bob Thompson. He did not contact NextEra. The Commissioners asked him to look into a possible solar ordinance for the county. At the time the state was telling the counties to come up with a solar ordinance and if they did not they would have to accept one from the state. As a result Bob Thompson was tasked with writing a solar ordinance for their consideration. He did as most responsible individuals in his position would do and he reached out to counties throughout Indiana looking for ordinances that they found to be successful. As a result he took the best of those he found added some things from one and added some things from another and wrote the Porter County Solar Ordinance 20-11. He did as he was asked and he submitted to the Board of Commissioners. The Commissioners Jim Biggs, Laura Blaney and Jeff Good unanimously signed that ordinance. This is the ordinance the landowners used for three and a half years as they negotiated agreements with NextEra. The agreement was in full compliance with the ordinance. The community wants to blame Bob Thompson one of the hardest working honest men in this county who did nothing more than his job and what he was asked by the Commissioners to do. My husband Mark has been building homes in Porter County for four decades all over this county. He has worked with Bob through much of Bob's career. Mark and Bob have not always agreed but we knew this. He was doing what he thought was best for this county. To watch how he was treated at the August 21st meeting was appalling to me. This community and our Commissioners have vilified him to the point he resigned earlier than he intended. But I don't blame him. He does not deserve this. Shame on anyone who had a hand on this. Please do not trash a man who has given over 33 years of service to this county. Bob Thompson will be very difficult to replace. This is a real deficit for this county. Mr. Biggs if you did not want solar why did you sign this ordinance? None of this would be in this mess had you not signed it. Your signature is on Page 12 of 15 of the Solar Ordinance. You claim you knew nothing. The ordinance was dated April 14th, 2020 and recorded.

Ms. Massey, Your time is up.

Com. Biggs, Since you asked the question. I'm going to answer it okay. Yes I signed that ordinance. What I found out later that there were a bunch of meetings in the background that I was not privy to. I brought in Bob Thompson and asked him basically three questions. When did he first meet NextEra, whether or not he signed a draft copy of the ordinance he was asked to write and send it to NextEra. Both of his answers did not reflect what was in his emails. Then I asked him to write a statement. He wrote a statement and he stated that Jeff Good came into his office to reach out to NextEra and write a friendly ordinance. I don't know where you are from ma'am but this seat you do something like that...I'm not going to condone that. That is about as wrong as it can get in that position like that. You asked the question so I told you.

Com. Blaney, Four years ago.

Com. Biggs, What does that mean four years ago?

Com. Blaney, When you asked him the questions the events happened four years ago.

Com. Biggs, And what does that have to do with anything?

Com. Blaney, It's hard to remember exactly everything.

Com. Biggs, The emails are all right there.

Com. Blaney, But he hadn't looked yet. He came back and told you he made a mistake.

Com. Biggs, Well I guess whether or not you want to believe. I wasn't born yesterday. As they say this isn't my first rodeo. I'd rather have done a hundred things than to take him out of his office. I will not tolerate that sort of thing. We can't because it spoils everything in this building. You want to make be out the bad guy. Really. I'll be the bad guy if it means doing my job I will be the bad guy.

Mr. Nicholson, Hi I'm Eric Nicholson from Morgan Township. Just a slight rebuttal to Mrs. Good's statement. I learned very early not to argue on a false premise. And everything she said about Mr. Thompson came after the line of he never reached out to NextEra. That is blatantly false. Those emails prove it. Check out Citizens against Morgan Solar. It's laid out. It's not our words. It's his words. Everything she says based on that statement doesn't hold water. That wasn't my point originally but now it is. I'd like to thank the Commissioners and Mr.

McClure for giving some clarity to the previous application of NextEra. Mr. McClure thank you very much for listing the reasons why it will have to go over a lot of hurdles if it does go through the BZA. And right now we're in the place that there is no ordinance. That brings great clarity and the reason that there are a lot of hurdles is because of the Unified Development Ordinance. Is that correct? Okay. Is there any sentiment from the Commissioners that there is anything wrong with the current Unified Development Ordinance?

Com. Biggs, Not me. I have no issues with it.

Mr. Nicholson, Ms. Blaney you represent me. Anything off hand?

Com. Blaney, The ordinance is fine. The reason that Bob wanted to address it is because there was pressure. We've had other things come in or try to come in and we didn't have control over it. If the state had passed their version we would have had a problem.

Com. Biggs, Which they didn't.

Com. Blaney, No they didn't.

Mr. Nicholson, And I was going to ask and that failed miserably correct?

Com. Blaney, It did.

Mr. Nicholson, Because the people of Indiana don't really want it. That's fine not a problem. So you guys are fine with the overall agreement of the Unified Development Ordinance? Perfect. And that goes into rural agriculture. The intent of the county was to maintain rural agriculture. Is that correct? Do all three of you still kind of stand by that?

Com. Biggs, Absolutely.

Mr. Nicholson, About an industrial solar complex the only real zoning for solar panels would actually fit into manufacturing heavy. Not even manufacturing light. Is that correct?

Com. Biggs, Yes, I believe so.

Atty. McClure, Yes.

Mr. Nicholson, And if I'm out of line Mr. McClure please let me know.

Atty. McClure, It doesn't currently fit in the Unified Development Ordinance. It is not an allowed use and it is not defined.

Mr. Nicholson, Cool. What I know there can be changes made.

Atty. McClure, At any time.

Mr. Nicholson, Right. So I just wanted to know the Commissioners thoughts on these things because at least now that one chapter of the past is seemingly closed there is another one coming up and while it may be on the back burner of the Commissioners and the Planning Commission it is not on the back burner of the residents of Morgan Township. We just want to get a feel of where you guys are. Let you say your peace, but we just kind of like to know what you think. That is all I have. Thank you.

Com. Biggs, I see no reason to make any changes. I think it was well written and that is actually why it is an ordinance.

Ms. Ness, Hi my name is Leslie Ness and I live in Valparaiso. I don't know everything about the solar project but I just wanted to say that I believe in agriculture. I own farmland. My father grew up on a farm, but it seems like there are people against the solar farm. A lot of agriculture land gets converted into subdivisions. And subdivisions aren't something that you can ever dismantle or take down like you could a solar farm if in the future we decided we didn't really need a solar farm. But the idea of renewable energy is incredibly important. There are wildfires going on around the world. We've had yellow air from wildfires coming down from Canada and New York and all over the place. I hope that you can write a solar ordinance. I think it is incredibly important. I told you I worked for the University of Illinois. Right out of college I started their recycling programs. I became very familiar with environmental issues. We need to take care of this planet and make sure that it survives and that we survive because we humans

are threatening the survival and the quality of life. The environment is very important. The environment contributes to agriculture and it is all connected. I just want to support solar. I think there is a lot of hub bub. It's a fear of something new but they put solar panels now over parking lots, which is a great idea to help get solar energy. You don't have to drill in the Arctic to get solar energy. It is right here. I hope there can be some kind of opening of the minds about solar energy. It's not bad. It's not evil. It's business. And we are pro-business too. I think we all need to fit everything together instead of just saying this is good and this is bad and we can't have this and we can have this because a big subdivision is not being used for farm land. And it is happening all over Porter County. That is all I have to say.

Ms. Jepsen, Jessica Jepsen Valparaiso. There are a lot of conversations this evening about integrity and transparency from all over the room. If everything was done according to statutes within the law we wouldn't be here today with all of the Health Board issues. Unfortunately, the board is operating outside of the law and I have been pushing for that since the beginning. It has nothing to do with COVID or policies or anything like that when it comes to those things. Back in April the board voted to hold the board meeting the week after election. It was a board vote. They decided to move it without a board vote. And that was an open door law. I got a little hey we shouldn't be doing this. Another statute. When Carrie the Health Admin. was to be put in her position I asked Hollenbeck this doesn't seem right. Why is the board not involved in this decision? Oh everything is fine. I called him back about 10 minutes later after I looked at the statute. It was completely wrong. So they had to go back and make her an interim director. Hollenbeck has been on that board running that board for over 44 years. Here is another one. We asked as a board for us to advertise that health administrator position. The rest of the board refused. Right now even in the paper Hollenbeck is quoted that everything is fine. Dr. Lindsey Weaver came up here to speak about SB4. The only question Hollenbeck could ask was oh do you know my daughter doctor so and so. Didn't ask a single question about SB4. It is very apparent because Carrie Gschwind is in there illegally. I.C. 1620-1-12J before a local health dept. may hire or contract for the provision of an administrator for core public health services the local health dept. shall post the position or contract to the public for at least 30 days. That's in SB4. Linda the Health Board president is back there. She has failed miserably. She has not brought the Health Board together whatsoever. Characteristics of an effective board member: Accepts collective decision making. The three new board members were never part of that process. Nor were they part of a process of appointing the new health board member to take my spot. She has failed miserably and has not been fulfilling her statutory obligations. She is not open minded.

Ms. Massey, Time is up.

Ms. Jepsen, I would like to give my mom my three minutes.

Ms. Jepsen, Alright I got three more minutes. Not once has she encouraged relationship building. She never developed a unifying purpose. All of this is in our Health Board manual. She has failed miserably to do that. Willing to (Inaudible) or constantly looking for ways to improve. Some other responsibilities. Being prepared for meetings by reading all pertinent information. Dr. Flemming sat next to me looking on my papers that I printed out for the Health Board meeting that was sent out to us. Not reading what he is supposed to be doing. Failing statutorily. Serving between a liaison between the community and being the Health Agency and the community. The board has not been doing that. We've had community members coming to us bringing peer reviewed studies since May. Internally things that you haven't seen is my email communication to Hollenbeck saying hey is there a liability. No response ever. Three weeks later. Hey are you going to take a look at this is there a liability for the Health Board? No response. Lind Boxum who is the Health Board president was on those emails. So was our Health Administrator. They are failing. It is chaos and they are operating outside of the law and continuing to do so none stop and that is not okay. We need to push and making we are operating and following the statutes that are given to us. So not only is our Health Board attorney failing but we have a Health Board president who is not even doing her due diligence to make sure there are checks and balances and he is doing his job. Here I am. I'm not on the Health Board anymore but I was trying to push for that several times to the point Maria's husband Stamp got upset because I called them out on state statutes and sent an email to everybody upset that I want them to follow state statutes. That's not okay. And I expect that we are all following the laws here including you guys. I respect all of our Commissioners and expect you to follow them and I will hold accountable to them as well.

Unknown Woman, I just want to thank you guys for going outside of the list of five because I confirmed myself that the two Republicans left were never consulted in that list. And that is not right. I'm sorry but it is a Republican seat and Republicans need to have a voice. I just wanted to back up what Jessica was saying. I'm one of the people that is presenting information. This

is the Pfizer document reports that nobody on the Health Dept. has responded to yet. This is Pfizer's own words. In the first 90 days of the roll out of the vaccine there were 1223 deaths and over 148,000 separate adverse reactions. I would like this to just be looked at. I would just like some discussion. I would like the doctors and experts that are calling this out to be heard. And I would like our community protected if this is dangerous. Thank you.

Mr. Jepsen, Hi Jim Jepsen Valparaiso. Jessica is my wife. Com. Biggs you said you want things to move forward with the Health Dept. yet you put Jessica in a place for exactly that thing and as soon as it got a little bit rough and the heat got turned up in the oven out she goes. The claim was that she was violating statues but she wasn't. In fact she just presented the statues that were violated by the attorney, the Health Board president, Maria Stamp and across the board. Including the fact that when the five people that they nominated or tried to give you guys they didn't include any of the Republicans in the conversation. None of that was done. We know, we talked to them. I don't really see how if we are going with integrity how trying to move things forward yet pulling the rug out while it is happening is really the case. The only thing I can figure is there is something other than a statute or some hidden statute that you have in your heads that you are using against this. Maybe this is too many complaints from the....and I'm quoting the name of these people so this isn't me being strictly rude but these self-proclaimed Nasty Women of Porter County and they definitely are. Maybe they are complaining too much and it's just a (Inaudible). Maybe you are trying to cover up some other wrong doings because you know that at the end of the day you guys are responsible. It's your Health Board. Or maybe you are punishing her for something that she didn't even do. As an example if I go over to someone's house and I break their screen door it's not my wife's fault that I broke the screen door. I did it. She can't be held accountable for me breaking the screen door. Barb the last thing I have to say I really hope, I pray I'm wrong on this. When we first met we thought you were a unicorn. And now it is looking a lot more like a rhino.

Com. Biggs, I'm going to address Mr. Jepsen because he addressed me. Never have I stated I thought Jessica was all wrong. Never have I stated that. I had less of a problem with her message than I did the delivery of it. There are many reasons why we felt a change needed to happen and none of it had to do with because we felt the kitchen was getting hot. And never was I of the frame of mind and I don't believe Com. Regnitz when she approached me about it in December of last year thought well the kitchen is going to get hot so we have to stick with it. That is not why Jessica was put on that board. Jessica was put on that board to improve that board. Now there are a lot of different ways that you can do that as a board member. Coming in with a flame thrower is not one of them. I respect your wife. I think under the right conditions has a lot to offer a board. There are certain things I'm just not going to tolerate. I am speaking for myself here of a board member to do and that is to lock up any kind of progress of an entire county board. I can't allow that. And we are going to find out here real quick and this is another one of the reasons I didn't pick from that list of five. I wanted somebody coming outside of that bubble. So we are going to find out if Jessica Jepsen was the problem or she was just a symptom of it. We are going to bring people back on to that board. And if I hear back the same thing I just heard about the two that left then I see a pattern here. I don't hold any ill will against Jessica and I thank her for the nine months that she was on there. Again, I didn't disagree with everything that she was saying but there is a way to say it. There is a way to accomplish your goal. She was never ever put on that board to be a conflict. She was there to be a positive portion to that board and move it forward. That is all I have to say. Thank you.

Ms. DeWitt, You referenced two people left. Who was the second one?

Com. Biggs, Dr. Ron.

Ms. DeWitt, Dr. Ron Michael left the board too?

Com. Biggs, Yes.

Ms. Watts, We didn't know that.

Ms. DeWitt, When did that happen?

Com. Biggs, Sorry I didn't have your phone number and I didn't call to tell you. I'm sorry.

Ms. Watts, I'm sorry is there a public announcement that will be made?

Com. Biggs, In an appropriate time yes. I have not received a formal letter that he's resigned. A letter.

Com. Blaney, I would like to make one correction. SB4 had not become law yet when Carrie Gschwind was appointed. She is doing a fantastic job.

Com. Biggs, Would anyone else like to speak? Well thank you and I am going to leave it with this. I had a nice conversation with Dr. Boxum in the morning. Our job on any of these boards much less our Health Board is to be progressive in the sense that we improve every life that we touch that comes to us for help. That is all it is. You are right politics should have nothing to do this. Nothing. I can't help that the State of Indiana felt in their infinite wisdom there should be so many Republicans and so many Democrats. I don't understand why in SB4 that they decided to put the provision in there. Have the Health Dept. put together five names and the Commissioners may choose from that. I don't know why they put them in that nix because like I said and you don't have to believe me. I'm just going by experience up here folks. The worst that you can do to a board is let them choose their own members. Term after term after term. You are asking for a big big mistake. And I wasn't about to choose five names most of which that I have already seen. Not that they weren't qualified to sit up there. Not that they aren't good people. It's just that I want a different set of eyes and ears coming on to that board. So it can come back and say you know what I don't know what the problem was. It's all good.

Ms. Watts, We've had a really good conversation in the past. I want to ask a question. When you have a mix that you can do a pediatrician or mental health professional why another family practitioner?

Com. Biggs, I don't have answer. We have two retired nurses sitting on there right now. Why don't we have two active nurses? We have a total of three nurses that sit on the board.

Ms. Watts, That is fine. That is current board members. There was a position to fill why don't we fill it with where there is a void? A pediatrician, mental health something like that. OBGYN even.

Com. Biggs, Speak for myself. I felt comfortable with this man. Again, I'm putting somebody on there. I want to know if there is a problem there where it is being created. Like I said he may come back and say there is not a problem. Everything is just fine and wouldn't that be wonderful. I want to make sure because that is part of my job up here is to make sure. There is a reason the State of Indiana leaves it up to the County Board of Commissioners that only the County Board of Commissioners can choose who sits on that board.

Unknown Woman, But how do you know he will be the person that can evaluate that and come back? What if you go to him and you don't know what he is about how.....

Com. Biggs, I know what he is about.

Unknown Woman, You just said before you didn't know.

Com. Biggs, I know what he is about.

Unknown Woman, Okay you are putting your trust in him because you know....

Com. Biggs, Because I know that he doesn't have any current relationships on that board. I know that he is a consummate professional that has a great reputation in the community. And that he is extremely bright. And he is not political.

Ms. Watts, I'm just curious did you interview him?

Com. Biggs, No I did not interview him. That is true with 99% of the people we put on these boards.

Ms. Watts, Is that something that would normally happen?

Com. Biggs. No. Speaking for myself no that is not something. I'm a little confused here. We were asked to take Ms. Jepsen off of the board. We take Ms. Jepsen off of the board and not you have a problem with who we're replacing. Is this just a case of you want to choose who sits on that board?

Ms. Watts, Absolutely not.

Com. Biggs, I'm kind of confused. You do you don't. You do you don't. I don't get it.

Ms. Watts, You are not listening. You are putting words in our mouths. The process is what is questionable.

Unknown Woman, We would like to see now that you have another opening someone hopefully a pediatric or...where there is a hole.

Ms. Watts, Where there is a hole in our Health Board.

Com. Biggs, That is reasonable. I don't have an issue that.

Ms. DeWitt, We don't have an issue with Dr. Osan. It is the process. Laura wasn't given any information.

Com. Biggs, Laura was given information. Laura knew that we weren't going to choose from that five.

Com. Blaney, Neither of you talked to me about.

Com. Biggs, Oh come on now. She knew we weren't going to choose from the five.

Ms. Watts, How would she know that?

Com. Biggs, Because we sent Dr. Osan's name to the Health Board.

Com. Blaney, I was not part of that Jim.

Com. Biggs, Folks. We are not going fix anything. I hear you. I get it. All this Board wants to do is move on from this and do what we all know we can do best. That is all we want.

With no further business, the meeting was adjourned at 7:15 p.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jim Biggs

Barb Regnitz

Laura Blaney

Attest: _____
Karen Martin, Auditor