

PORTER COUNTY COUNCIL
Regular Council Meeting
March 26, 2020

The Porter County Council will hold a video conference meeting on Thursday, March 26, 2020 at 5:30 p.m., Pursuant to the Governors Orders we are attempting to keep essential matters critical to the operation of County Government functional by making sure Employees, Departments and Vendors remain funded.

Curt Ellis, This is the March 26, 2020 meeting of the Porter County Council.

Mr. Rivas called the meeting to order with the Pledge of Allegiance.

Mr. Rivas, Thank you we are sorry about the technical difficulties. Madame Auditor Vicki can we get a roll call?

Auditor Vicki Urbanik, Yes.

Members present were Council Member Jeremy Rivas, Council Member Sylvia Graham, Council Member Mike Jessen, Council Member Jeff Larson, Council Member Bob Poparad, Council Member Greg Simms and Council Member Dan Whitten. Also present was, Auditor Vicki Urbanik, Auditor Chief Deputy and Council Attorney Harold Harper.

Mr. Rivas, Ok and if you guys remember we have to take a roll call on all votes. So if we could all remember that and this is a new experience and if we could try not to talk over each other so that we can try to get through this as smooth as we can.

Minutes

Approval of Council minutes for February 25th, 2020.

Mr. Rivas, We have the minutes for February 25th, 2020 you guys have received them.

Mr. Whitten, I'll make a motion (Dan Whitten) to approve the minutes.

Ms. Graham, Second (Sylvia Graham).

Mr. Rivas, Thank you there is a motion by Dan and a second by Sylvia. Any discussion on the question? Could I get a roll call Vicki?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, And it's a good idea and good thinking Dan when you guys make a motion if could state for record who made the motion and the second...that would be great.

First Reading

Mr. Rivas, So Madame Auditor could you do First reading for us?

Auditor Vicki Urbanik, Yes.

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given the taxpayers of Porter County, Indiana that the proper legal officers of Porter County, Indiana will meet on March 24th, 2020 rescheduled to March 26th, 2020 at 5:30 p.m. to consider the following appropriation adjustments to the county budgets for the year 2020 and to transact any further business which might come before the Council:

General Fund

ITS	1000-45100-000-0106	Data Processing Equipment	\$	304,421.00
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Parks Operating Fund

Parks Operating	1179-11200-000-0803	Hourly	\$	7,500.00
Parks Operating	1179-22500-000-0803	Other Supplies	\$	8,000.00
			\$	15,500.00

Dunes Kankakee Grant Fund

Dunes Kankakee	8148-36600-000-0079	Safety	\$	5,000.00
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Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations as finally made will be referred to the Indiana Department of Local Government Finance. Where applicable, the DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a certified copy of the action taken.

Vicki Urbanik
Auditor of Porter County

Publish March 13, 2020

Auditor Vicki Urbanik, And that concludes first reading.

Mr. Rivas, Thank you Vicki.

Superior Court 4 – Judge Chidester

Superior Court 4 General Fund - 1000-000-0204

Transfer \$189.57 from 31300 Training & Education to 37100 Equipment Rentals.
Reason: Transfer needed to pay for Court Reporter FTR equipment.

Mr. Rivas, Alright first request is Superior Court 4 Judge Chidester. I had spoken to him prior to the meeting for this transfer of \$189.57 dollars from 31300 Training and Education to 37100 Equipment Rentals the reason for transfer needed to pay for Court Reporter FTR equipment.

Mr. Whitten, Councilman Dan Whitten I make the motion to approve the transfer.

Ms. Graham, Councilwoman Sylvia Graham second.

Mr. Whitten, Sorry Sylvia.

Ms. Graham, It doesn't matter let's just do it.

Mr. Whitten, Alright.

Mr. Rivas, Any further discussion on the question? Roll call please Vicki?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, Ok Thank you.

Development & Storm Water Management

Cumulative Bridge Fund - 1135-000-0079

Transfer \$2,500 from 23610 Culverts/Pipes to 32200 Telephone. Reason: To cover cell phone services for Highway Engineering employees.

Dunes Kankakee Grant Fund - 8148-000-0079

Additional \$5,000 to 36600 Safety. Reason: To replace safety bollards at Dunes Kankakee Trail tour entrance.

Mr. Rivas, Next item up is Development & Storm Water Management. Cumulative Bridge Fund there is a transfer \$2,500 dollars from 23610 Culvert/Pipes to 32200 Telephone the reason is to cover cell phone services for Highway Engineering employees. There is also if you want to do these together...

Ms. Graham, Yes.

Mr. Rivas, Dunes Kankakee Grant fund additional \$5,000 dollars to 36600 Safety the reason is to replace safety bollard at the Dunes Kankakee Trail tour entrance.

Mr. Whitten, Councilman Whitten make a motion to approve the transfer and the additional as proposed.

Ms. Graham, Councilwoman Graham seconds.

Mr. Rivas, Motion and a second any discussion on the transfer and the additional? Madame Auditor can we get a roll call for both the transfer and the additional for Development and Storm Water Management?

Auditor Vicki Urbanik, Yes

Motion carried on the following roll call vote:

Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, Thanks.

Parks and Recreation

Parks Operating Fund - 1179-000-0803

Additional \$7,500 to 11200 Hourly. Reason: Temporary Part-Time Staff (maintenance and program staff)

Additional \$8,000 to 22500 Other Supplies. Reason: Marketing and advertising expenses for 2020

Mr. Rivas, Parks and Recreation, Parks Operating fund there is an additional \$7,500 to 11200 Hourly the reason temporary Part-time staff for maintenance and program staff. There is another additional for \$8,000 dollars to 22500 Other Supplies the reason is for marketing and advertising expenses for 2020.

Mr. Whitten, Councilman Whitten moves to approve both additional.

Mr. Poparad, Councilman Poparad seconds.

Mr. Rivas, There is a motion and a second on both additional for Parks and Recreation. Is there any further discussion?

Mr. Jessen, Yes Councilman Mike Jessen would like to speak?

Mr. Rivas, Ok

Mr. Jessen, As we look at these two requests in light of the circumstances where we are from a potential budgeting problem, tax draw problem and a financial situation that we are so uncertain about I would question whether or not it makes sense at this point to hire anybody new and to spend any additional money marketing or advertising?

Mr. Rivas, This is coming out of their Operating fund this isn't General fund but your point is well taken.

Ms. Graham, It's well taken.

Mr. Jessen, It's still dollars.

Mr. Whitten, Yes your right it's still dollars Mike.

Mr. Poparad, I don't know if I don't agree with Mike, I think we don't need to be hiring people right now. It's not really essential is it?

Mr. Larson, I can't see how it would be.

Ms. Graham, You know maybe we should table this part because he could come back next month with an explanation of why he thinks he needs it now.

Mr. Rivas, You guys got the email that I had requested all departments to an email?

Ms. Graham, Right.

Mr. Rivas, And he said that this fund is based upon revenue so I am sure that a lot of his programs aren't going to be happening in the near future so that could impact that.

Mr. Whitten, Well Mike does make a pretty solid point so is this something new that he didn't know about at budget time? Is this the time to be veering off of what we approved at budget time? It's a good point Mike.

Mr. Poparad, Why don't we call the question and see where it falls?

Mr. Rivas, We could do that or you could throw a motion to table on the floor?

Ms. Graham, That's why I suggested it earlier.

Mr. Poparad, Well we have a motion to approve don't we?

Mr. Rivas, Yes motion to table always take precedence.

Ms. Graham, Ok.

Mr. Whitten, I'd like to if someone hasn't made a motion to table to vote on it the motion.

Mr. Rivas, Madame Auditor can you take a roll call?

Auditor Vicki Urbanik, Yes

Mr. Poparad, Are we voting to table it?

Mr. Rivas, No.

Mr. Whitten, No.

Motion carried on the following roll call vote:

Mr. Poparad	-	No
Mr. Simms	-	No
Mr. Whitten	-	No
Mr. Rivas	-	No
Ms. Graham	-	No
Mr. Jessen	-	No
Mr. Larson	-	No

Auditor Vicki Urbanik, 7 – 0

Ms. Graham, I'll make a motion to table it.

Mr. Whitten, Well it just got killed so there is no motion. It's over.

Ms. Graham, Ok.

Mr. Poparad, Let him bring back next month if he wants to.

Ms. Graham, Yes.

Mr. Rivas, Ok.

Board of Elections & Registration

Board of Elections & Registration General Fund - 1000-000-0062

Form 144 \$0 to Up to \$100 per diem - Inspectors Shared Location. Reason: Board of Elections passed Resolution to adopt per diem for Inspectors serving more than one precinct.

Mr. Rivas, Alright so we will move on to Board of Elections & Registration this is a Form 144 it's \$0 to up to \$100 per diem for Inspectors shared location. The reason is the Board of Elections passed a Resolution to adopt per diem for Inspector serving more than one precinct.

Ms. Graham, Ok.

Mr. Whitten, Well I mean they need it for the...

Ms. Graham, Elections.

Mr. Whitten, Yes...I think somebody else should make this motion.

Mr. Larson, Councilman Larson will make the motion to approve.

Ms. Graham, Councilwoman Graham will second it.

Mr. Rivas, There is a motion and a second, any discussion on the question?

Mr. Poparad, Are we headed to a mail in election?

Mr. Whitten, Well they did just approve no-fault absentee voting.

Ms. Graham, That is a good point. I don't know if we know the true answer.

Mr. Whitten, So the question that I have are we going to give them another \$100 dollars a day to be at the same spot because there are two precincts there is that what we are doing?

Ms. Graham, Maybe more than two.

Mr. Larson, It sounds like they are combining them Dan.

Ms. Graham, Yes.

Mr. Larson, That what we talked about before.

Mr. Larson, Yes.

Mr. Jessen, Specific clarification on it which I think makes good sense is the amount of the additional per diem depends on how many voters are in those particular precincts.

Mr. Larson, Correct.

Mr. Jessen, It could be as low as no additional could be \$50 dollars, could be \$75 dollars, could be \$100 dollars.

Mr. Larson, We are not voting on a flat dollar scale.

Mr. Jessen, No were not.

Mr. Whitten, Yes that's true and we want a smooth election that's for sure.

Mr. Larson, Yes we do.

Ms. Graham, Yes we do.

Mr. Rivas, Alright any further discussion? Madame Auditor can we get a roll call?

Auditor Vicki Urbanik, Yes

Motion carried on the following roll call vote:

Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes

Mr. Poparad - Yes

Auditor Vicki Urbanik, 7 – 0

ITS

ITS General Fund - 1000-000-0106

Additional \$60,665 to 45100 Data Processing Equipment. Reason: Increase storage capacity for business hours back-ups.

Additional \$60,665 to 45100 Data Processing Equipment. Reason: Increase storage capacity at Jail Data Center to upgrade servers.

Additional \$152,168 to 45100 Data Processing Equipment. Reason: Upgrade failing access control system at Juvenile Detention Center. Quotes from companies

Mr. Rivas, Ok and the last item on the agenda and this is from IT. This is the reason why I felt that it was important to have a meeting for some security issues and then I didn't think that it would be necessary to really pull anything else off. So we have IT and this is just General fund there is an additional \$60,665 dollars to 45100 Data Processing Equipment the reason is to increase storage capacity for business hours back-ups. There is a second additional for \$60,665 dollars to 45100 Data Processing Equipment the reason increase storage capacity at jail data center to upgrade servers. And the third additional on the agenda is \$152,168 dollars to 45100 Data Processing Equipment the reason to upgrade failing access control system at Juvenile Detention Center (Quotes from companies). Now I did speak to Don Wellsand and Scott McClure and they thought the middle can wait.

Mr. Whitten, Awesome.

Mr. Rivas, You can table that one the middle one but the first additional for \$60,665 dollars and the third additional for \$152,168 dollars is critical for security reasons.

Mr. Whitten, So I guess I'd like to make a motion the additional for the \$60,665 dollars the middle one for increasing storage capacity at the Jail Data Center. I make a motion to table that Councilman Dan Whitten.

Mr. Larson, Second Councilman Larson.

Mr. Rivas, Motion and a second to table the middle request data processing equipment for the Jail Data Center, any further discussion on that? Can we get a roll call Madame Auditor on the tabling?

Auditor Vicki Urbanik, Yes

Motion carried on the following roll call vote:

Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes
Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes

Auditor Vicki Urbanik, 7 – 0 to table.

Mr. Rivas, Alright so we are left with the first one and I believe that is going to allow us to back up on a more regular basis in the building. And the other we are obviously we are well aware of JDC.

Ms. Graham, Yes.

Mr. Rivas, So what is your pleasure on the these two?

Mr. Jessen, Councilman Jessen will make that motion for both additional.

Mr. Whitten, Second by Councilman Whitten.

Mr. Rivas, Motion and a second on the floor, any further discussion?

Mr. Jessen, The question that I have and I'm not sure who knows the answer to it...do we know it the IT issue has been resolved with the Recorder's Office?

Mr. Simms, I don't know.

Mr. Whitten, Ooh I don't have any idea about that one.

Mr. Larson, No I haven't had a conversation with them has anybody else?

Ms. Graham, I have not, I've have been in the Council Office when he passed by and saw me but he (Recorder Chuck Harris) never stopped.

Mr. Whitten, He didn't give you a thumbs up or down...nothing?

Ms. Graham, No.

Mr. Larson, Are they going to help fund this request?

Ms. Graham, I do not know.

Mr. Rivas, These are General fund requests.

Mr. Whitten, I would find that highly unlikely and let's just leave it there.

Mr. Rivas, Is that a questions for Bob....Jeff?

Mr. Larson, Yes it was...that was a question for Bob.

Mr. Rivas, Mike I am not aware at this time.

Mr. Poparad, It's not budget time yet.

Mr. Jessen, Yes I just haven't heard any update in terms of whether they are going on their own program or they are going to be part of the County system so I was just curious if anyone had an update?

Ms. Graham, No. I would like to comment Councilwoman Sylvia Graham that we are doing additional here on are General fund I think we need to be very careful and I am glad Jeremy that you did reach out to Scott and talk to him about taking the one off because we have got to be careful for next year's budget.

Mr. Whitten, Well said Sylvia...well said I agree.

Ms. Graham, Thank you.

Mr. Whitten, You are welcome.

Mr. Rivas, Yes that's correct, alright is there any further discussion on that question? Can we get a roll call vote Madame Auditor?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Mr. Rivas - Yes

Ms. Graham - Yes
 Mr. Jessen - Yes
 Mr. Larson - Yes
 Mr. Poparad - Yes
 Mr. Simms - Yes
 Mr. Whitten - Yes

Auditor Vicki Urbanik, 7 – 0

Second Reading

Mr. Rivas, Alright Madame Auditor can we have second reading?

Auditor Vicki Urbanik, Second reading.

Whereas it has been determined that it is now necessary to appropriate more money than what was appropriated in the annual budget. Therefore be it resolved by the Porter County Council of Porter County Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified subject to the laws governing the same

General Fund				
ITS	1000-45100-000-0106	Data Processing Equipment	\$	212,833.00
Dunes Kankakee Grant Fund				
Dunes Kankakee	8148-36600-000-0079	Safety	\$	5,000.00

That conclude second reading.

Mr. Whitten, Move to approve Councilman Dan Whitten.

Mr. Larson, Second.

Ms. Graham, Second.

Mr. Rivas, There was a motion to approve by Councilman Whitten and seconded I believe by Councilman Larson. Is there any discussion on the question of second reading? Can we get a roll call Madame Auditor?

Auditor Vicki Urbanik,

Motion carried on the following roll call vote:

Ms. Graham - Yes
 Mr. Jessen - Yes
 Mr. Larson - Yes
 Mr. Poparad - Yes
 Mr. Simms - Yes
 Mr. Whitten - Yes
 Mr. Rivas - Yes

Auditor Vicki Urbanik, 7 – 0

Mr. Rivas, Alright thank you very much Vicki.

Attorney’s Report

Mr. Rivas, Harold Attorney’s report, what does Harold Harper have for the Council?

Council Attorney Harold Harper, Nothing right now other than everybody stay safe.

Mr. Whitten, Can I chime in just real quick Jeremy?

Mr. Rivas, Yes absolutely.

Mr. Whitten, This is not so much for a report now but I think I would like to ask our attorney to delve in about the changing pieces of legislation that are coming down the river that could affect pay and salary benefits all those things. The changes to FMLA short term perhaps Harold you could for our next meeting give us a little bit of a summary on how that might affect the County?

Council Attorney Harold Harper, Yes absolutely will and Dan you are referring to the COVID-19 Federal Legislation Act the bundles that have recently come out?

Mr. Whitten, Yes Families first COVID relief and I know that they have done some more to extend unemployment but that's not necessarily the part that I'm immediately concerned about. I'm more concerned about the changes in that Relief Act.

Council Attorney Harold Harper, Yes I think that makes sense and I absolutely will do that.

Mr. Jessen, That would add a dramatic impact on our budget as the year goes on.

Mr. Whitten, Yes.

Mr. Jessen, The FMLA component of it if nothing else.

Mr. Poparad, Harold can you send that out before our next meeting though?

Council Attorney Harold Harper, Yes I will.

Mr. Whitten, Thank you. Go ahead Jeremy.

Any other matter that may come properly before the Council

Mr. Rivas, Ok thank you and Vicki just real quick right now the property taxes have been given a delay of sixty (60) days for payment?

Auditor Vicki Urbanik, Actually no the due date is still May 11th, 2020 that is the due date for property tax bills. What the Governor ordered in his Executive Order is for taxpayers who pay late will not be assessed a penalty except for tax payments that are held in escrow

Mr. Whitten, Vicki do you know what percentage off the top of your head of our property taxes coming in via the escrow component versus direct pay?

Auditor Vicki Urbanik, Yes approximately thirty-two percent (32%) based on last year's settlements.

Mr. Whitten, Thirty-two percent (32%) escrow or self pay?

Auditor Vicki Urbanik, Escrow.

Mr. Whitten, Ok thank you.

Mr. Poparad, Vicki this is Councilman Poparad if they pay are you going to do partial distribution as soon as you can?

Auditor Vicki Urbanik, Yes that's one of our plans. Last week I emailed our local officials of the various taxing units and I committed to making an advanced draw preferably after the sixty (60) day period so sometime in August is what we are looking at right now. There is a few other options that we are looking at, we are going to be tracking the tax collections pretty closely and I want to report to all of the taxing units as soon as we have some data to let them know what they can expect when we make our June settlement.

Mr. Larson, Is it your belief Vicki that all those escrowed accounts are going to pay on the due date?

Auditor Vicki Urbanik, Typically escrowed accounts do pay on time.

Mr. Larson, Ok.

Mr. Rivas, Alright Thank you Vicki. Is there any other matters that may come properly before the council?

Mr. Jessen, Thanks to Curt Ellis for setting this up.

Mr. Larson, Yes thank you Curt.

Mr. Rivas, Yes Curt worked very hard and we apologize for the delay this is something new that we are getting through in light of COVID-19 and thank you Curt and we just want to tell the general public to listen to the Governor's Orders and continue to practice social distancing especially away from Dan Whitten.

(Laughter)

Ms. Graham, Well I would also like to add that these are challenging times and everybody hug your loved ones.

Mr. Whitten, Yes.

Mr. Poparad, Not Dan Whitten,

Mr. Whitten, Yes not me.

Meeting Adjourned

Mr. Rivas, Yes with that being said do we have a motion for adjournment?

Mr. Whitten, I'll move to adjourn Mr. Chairman by Councilman Whitten.

Mr. Rivas, We have a motion.

Ms. Graham, Second the motion Councilwoman Graham.

Mr. Rivas, And a second to adjourn. Can we get a roll call on adjournment just to stay in line?

Auditor Vicki Urbanik, Yes.

Motion carried on the following roll call vote:

Mr. Jessen	-	Yes
Mr. Larson	-	Yes
Mr. Poparad	-	Yes
Mr. Simms	-	Yes
Mr. Whitten	-	Yes
Mr. Rivas	-	Yes
Ms. Graham	-	Yes

Auditor Vicki Urbanik, 7 – 0 to adjourn.

There being no further business, meeting was adjourned.

**PORTER COUNTY COUNCIL
PORTER COUNTY, INDIANA**

Dan Whitten

Jeff Larson

Sylvia Graham

Mike Jessen

Bob Poparad

Jeremy Rivas

Greg Simms

Attest: _____
Vicki Urbanik, Auditor