

**PORTER COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING  
TUESDAY, MAY 5, 2020  
1:30 P.M.**

**(The entire meeting is available to watch on the Porter County website.)**

The Special meeting of the Porter County Board of Commissioners convened at 1:30 p.m. on Tuesday, May 5, 2020 in the Commissioners' Chambers of the Administration Center.

Those present were: Commissioners Jeff Good, Laura Blaney, and County Attorney Scott McClure. Com. Jim Biggs was not in attendance. This meeting was held via teleconference.

**Call to Order/Pledge**

Com. Good, This is a special meeting of the Board of Commissioners. It is Tuesday, May 5<sup>th</sup>, 2020. We will be updating our Emergency Declaration. Scott would you like to give an outline of what has been added to the update.

**Adoption of Covid-19 safety plan and employee re-entry plan**

Atty. McClure, This would be our 4<sup>th</sup> Emergency Declaration update. This contemplates in total safety plan also on our agenda along with the employee re-entry plan. We can talk about this as a whole at this point because the Emergency Declaration obviously is a piece of that puzzle that talks about that as we begin to test our employees per the (Inaudible) before we resume all normal working activity. This Emergency Declaration allows us to do that basically maintaining the status quo that we have been doing for the past several weeks for now. Then as individual buildings within the County Government are able to be tested in a more responsive (Inaudible) then we are going to be having individual buildings to go back to under normal work schedules along with (Inaudible) the Commissioners and dept. heads to work together to establish who may be able to work from home productively. At this point the Emergency Declaration allows us to continue on as the testing begins which obviously brings us to the testing portion of the meeting. We have been working diligently with our partner Franciscan who does our employee clinic and through several days of hard work and of uncertainty we have been able to get some tests and allow us to start with the testing Friday. We're putting together all of the pieces of that as this is moving very quickly. We got confirmation today that we would actually have tests and how many we would have available and when potentially more would be available next week. At this point in time we believe we have enough tests to be able to test our Emergency First Responders first 911 and our Facilities staff who is doing all of the cleaning in all of the buildings. Then be able to start opening all of these buildings one by one once we have been able to clear the employees. Then that also gives us the opportunity to implement our Safety Plan which is the masks, the sanitizers, the anti-viral and the extra cleaning along with all of the rules and procedures trying to attempt to safely open up our buildings with our employees as we have quite a few buildings with quite a few individual employees in them. The Admin. Building is somewhere around to be tested was north of 150 employees, almost 200. The Valparaiso Courthouse by itself right now is over 100. The Jail with the jailers, the merit officers, court security and the administration is over 180 people. 911 is 51 individuals. So as we're able to bring these individuals in and clear a building as we go then we will be able to implement the entire plan which is basically to work as well we can. As safely as we can under this plan. That is the Emergency Declaration. It is also the COVID Safety Plan and that is also the Working Well Franciscan Clinic Amendment that would allow us to do this testing.

Com. Good, Just for clarification the First Responders that we are County Employee First Responders. That would be the 911, the Jail, the Sheriffs, EMA. Those are County employees just to be clear again this is testing for all County employees. We will be starting with our First Responders.

Ms. Blaney, Can we talk a little about what our thinking was behind the testing and start at square one for the employees' sake to understand what our whole thought process was. I am happy to do that.

Com. Good, Yes Laura go ahead and lead the charge. I know we've all been talking about it.

Ms. Blaney, Our thinking was Day 1 when everyone comes back to the building we know we have a clean building. These are very good tests. You do not have to be symptomatic to get

an accurate test result with this type of test. When we get there and we all have masks and we've all been tested and everything has been sanitized you have a safe place to come to work. That is our primary goal here is to keep everyone safe and healthy. Moving forward we will talk more about what we're going to do to continue. Obviously testing before the first day doesn't mean you're never going to get it. It just gives us a great ground zero and with the State's testing program if people do start to become symptomatic you have somewhere to go and get a free test. We are doing some other screening that will get to as we go. That is our thinking.

Atty. McClure, What I would like to add also is besides our employees having a safe place to come to work where we can get everyone back to work in the traditional manner it also allows us to know whether or not as this plan gets put together and starts putting people back in buildings at the same time we still having limited public access which we will get to in a little bit it gives us the opportunity to see and show whether we can get everyone in this building under this protocol and not any kind of issues. If we do well which we believe we will then we can start looking at opening the building up to the public and allowing them to come in under certain circumstances so that we have an idea and a little bit of control as to where things may be coming from or not coming from. It is all part of a plan to try to be able to get the employees and the public (Audio difficulties).

Com. Good, I would like to just point out I think Com. Blaney gave a good rundown. I think this probably breaks the ranks with maybe what other governments are doing out there. I think at the end of the day I would just like to say that the reason we were able to do this and we were able to go at it in this direction is a result of the hard work that this office has done in the last 5 years in restructuring our health insurance program. The Wellness Clinic that we have now for the County with the company we work with locally we were able to turn and pivot and be able to do more creative things like this. Again to me this is a result...you know we always tout the insurance and the savings and all of the things that we've done over the last 5 years. Now we're getting into the real ways that we can show the citizens the work that has been put into this program. This is allowing us to do that. We're going to be amending this through the insurance program and it should be absorbed fairly easy. The platform that we're on at Porter County Government with our Health Insurance is allowing us to do creative things and work outside the box in these types of situations. Fortunately for us we had a couple of partners and stakeholders in this that were able to pull somethings together rather quickly and allow us to do this. I just want to go back to the insurance and again. This is how we're able to do this through our Wellness Program.

## **2020**

### **DECLARATION OF EMERGENCY RESPONSE TO COVID-19**

**WHEREAS:** on March 6<sup>th</sup>, 2020, the Governor of Indiana, Eric Holcomb, by Executive Order 20-02, declared a public health emergency for Coronavirus Disease 2020 Outbreak ("COVID-19) pursuant to I.C. 10-14-3-12; and

**WHEREAS:** on March 13<sup>th</sup>, 2020 the President of the United States declared a National Emergency for the Coronavirus Disease 2020 Outbreak ("COVID-19); and

**WHEREAS:** on March 13<sup>th</sup>, 2020, the Porter County Board of Commissioners restricted access to and closed County public venues, such as the Porter County Expo Center and the Memorial Opera House, in response to both Governor Holcomb's and President Trump's emergency declarations; and

**WHEREAS:** on March 16<sup>th</sup>, 2020, the Porter County Board of Commissioners in conjunction with the Porter County Council, provided ten (10) days of emergency personal time off ("EPTO") for those full and essential part time County Employees, that due to the Covid-19 CDC health recommendations or Covid-19 related childcare issues, required time off from work; and

**WHEREAS:** on March 17<sup>th</sup>, 2020 effective at noon, the Porter County Board of Commissioners closed all County buildings, except the Courthouses, to the public; and

**WHEREAS,** on March 23, 2020, The Governor of The State of Indiana ordered that all residents without an "Essential Need" or employed by an "Essential Business" to shelter in place through April 6<sup>th</sup>, 2020; and

**WHEREAS:** on March 23, 2020, the Porter County Board of Commissioners restricted County employees to rotational schedules or work from home in order to ensure continued governmental operation; and

**WHEREAS:** on March 23<sup>rd</sup>, 2020, the Porter County Board of Commissioners in conjunction with the Porter County Council, provided an additional six (6) days of (“EPTO”) for those full time and essential part time County Employees, that due to the Covid-19 CDC health recommendations, Covid-19 related childcare issues, or being placed on a rotational schedule, required time off from work; and

**WHEARAS:** on March 27<sup>th</sup>, 2020, the Porter County Board of Commissioners passed the “Declaration of Emergency Response to Covid-19” resolution; and

**WHEARAS:** on April 6<sup>th</sup>, 2020 The Governor of The State of Indiana extended the order that all residents without an “Essential Need” or employed by an “Essential Business” to shelter in place through and including April 20<sup>th</sup>, 2020; and

**WHEREAS:** on April 6<sup>th</sup>, 2020, the Porter County Board of Commissioners in conjunction with the Porter County Council, provided an additional ten (10) days of (“EPTO”) for those full time and essential part time County Employees, that due to the Covid-19 CDC health recommendations, Covid-19 related childcare issues, or being placed on a rotational schedule, required time off from work; and

**WHEREAS:** on April 20<sup>th</sup>, 2020, The Governor of The State of Indiana extended the order that all residents without an “Essential Need” or employed by an “Essential Business” to shelter in place through and including May 1<sup>st</sup>, 2020; and

**WHEREAS:** on April 20<sup>th</sup>, 2020, the Porter County Board of Commissioners in conjunction with the Porter County Council, provided an additional nine (9) days of (“EPTO”) for those full time and essential part time County Employees, that due to the Covid-19 CDC health recommendations, Covid-19 related childcare issues, or being placed on a rotational schedule, required time off from work; and

**WHEREAS:** on May 1<sup>st</sup>, 2020, The Governor of The State of Indiana issued Executive Order 2020-26. The Executive Order provides the “Road Map to Re-Open Indiana”. The Governor’s Order allows local governments to make decisions based on local policies and CDC guidelines. The Governor’s Order does require Porter County to develop a plan to implement measures and institute safeguards to ensure a safe environment for their employees, customers, and clients.

**WHEREAS:** on May 5<sup>th</sup>, 2020, the Porter County Board of Commissioners in conjunction with the Porter County Council, provided additional days of (“EPTO”) for those full time and essential part time County Employees, that due to the Covid-19 CDC health recommendations, Covid-19 related childcare issues, or being placed on a rotational schedule, required time off from work, and have not yet been tested for Covid-19; and

**WHEREAS:** on May 5<sup>th</sup>, 2020, the Porter County Board of Commissioners announced employee testing for Covid-19 before returning to normal work hours; and

**WHEREAS:** it is imperative to allow certain County employees to work on a rotational basis or to work remotely to curtail the community spread of COVID-19 and to ensure continued governmental operation; and

**WHEREAS:** considering the above, it is necessary and proper to take these actions to protect the health, safety and welfare of all Porter County residents in connection with the continuing and evolving threat posed to public health by COVID-19:

**NOW THEREFORE THE PORTER COUNTY BOARD OF COMMISSIONERS:**

1. Declare a continuing Local Public Health Emergency effective March 13<sup>th</sup>, 2020.

2. Subject to paragraph 3 below, Direct Elected Officials overseeing county departments and Department Heads to continue implementing a plan to allow essential County Offices and Departments to remain staffed and operational but under the following guidance:
  - a. Allow County Employees, as determined by their supervisor or department head, to work remotely if possible;
  - b. County Departments shall continue to operate by utilizing a rotational schedule during working hours to keep the individual departments operational;
  - c. During the employee's regularly scheduled work hours during the emergency, the employee is considered "on-call" and therefore, must be available by phone to respond to calls from other county Officials and must be available to return to work if requested;
  - d. For each workday an employee is not required to work in-person or work from home, they shall utilize the EPTO for that day;
3. Porter County employees shall be tested for Covid-19 before returning to the normal work schedules. The Commissioners Office and Human Resources shall coordinate and notify the departments and employees of the testing dates and times. Employees who test positive shall be quarantined pursuant to CDC guidance.
4. Once all the employees of a building have been tested and results obtained, the employees within that building shall return to normal work hours. The Commissioners and elected officials shall continue to work with departments to identify employees that can work from home productively.
5. Once a building has been tested and returned to normal work hours, paragraph 2 above no longer applies. However, employees are reminded of the additional provisions of the Federal Care Act, that provides paid time off due to being sick with Covid-19, caring for someone sick with Covid-19, and childcare issues caused by Covid-19.
6. All County buildings, except the Courthouses, shall be closed to the public, until further Resolution. However, beginning May 11<sup>th</sup>, 2020 the County buildings are open, by appointment only.
7. Human Resources shall work with each building to identify the procedure and location for appointments with the public.

PORTER COUNTY BOARD OF COMMISSIONERS

This the 5<sup>th</sup> Day of May, 2020.

/s/Jeff Good, President

/s/Laura Blaney, Vice President

/s/Jim Biggs (not present)

Attest: /s/Vicki Urbanik, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document unless required by law. \_\_\_\_\_

Scott R. McClure, County Attorney

Atty. McClure, The Safety Plan at this point starts with the employee testing and then we've outlined when the building is opened to the public. The public will be required to wear a mask while in the public areas. Our employees will be required to wear a mask while there in the public/common areas. We are going to highly recommend wearing the mask while they're in their work space. Some of these things have been in place such as the hand sanitizer, the anti-viral cleaning solution that our Facilities Dept. has been providing. Hands cleaning of the common areas. Restrictions of who is coming in and out of the buildings. We've laid it all out very succinctly. Things like that so we would have as much protection for everyone that we possibly can. The Safety Plan that would be posting publicly in all of our buildings but we are also providing for all of our employees. This is to document that we would potentially be modifying as we go further if we need to make some changes to it. This will be sent to all of the employees

and posted everywhere. We can adopt the Safety Plan and Emergency Declaration IV and then we can move on to the Clinic Amendment.

Com. Blaney, moved to approve as noted by the County Attorney, Com. Good, second, motion carried

Com. Blaney, I want to point out to the employees that you will have a copy of the plan in your email today.

Ms. Urbanik, Roll Call:

Com. Good, Yes.

Com. Blaney, Yes.

Com. Biggs, (Not Present.)

Ms. Urbanik, 2 to 0.

Com. Blaney, To the employees you will also be receiving information about the testing procedure and the test itself. You will be well informed before you go to get your test.

Com. Good, Do we want to discuss the Safety and Action Plan Scott.

Atty. McClure, (Technical difficulties)

Com. Good, That is the plan as we begin to open up to the public. We will be starting our testing. We are putting our plan together now. We will be starting with our Emergency Responders and First Responders. Then we will be setting up a schedule of departments and people based on priority of contact. I would also like to point out too when the building does open it up we'll have a lot of people coming in wanting to pay their taxes and do other things so we put all of the safe guards in place Plexiglas all kinds of things. Knowing that our employees have been tested and now being able to receive the public in a healthy way then there will also be tracing and other things. We will be able to take temperatures on the employees and the public coming into the building. Also we will be able to start tracing our employees so if there is a problem we will be able to trace it back to find out the details. The Safety and Action Plan is the meat and potatoes of everything and that is what we will be working through. We're planning on starting on testing and open the building.

Atty. McClure, The testing will begin Friday and can do about 90 a day. That will begin the process of people being able to go back to work. We will have to wait a period of time and once we feel comfortable that that building is working then we're going to move into opening that building at that time.

#### **Adoption of the Furlough Plan for County Expo and Memorial Opera House employees**

Com. Good, Laura let's just move into the next part of the agenda which is the Adoption of the Furlough Plan for the Expo and the Memorial Opera House. I know that it has already been in the paper because we notified everyone last week. We have been looking into our venues and watching the weeks anxiously as to when we can.....when the Governor's order came out last Friday it appeared to us that larger groups getting together is going to be a little further out than what we initially maybe thought. So what we decided to do is furlough our employees at the Expo and Memorial Opera House all but the managers and directors will be furloughed out through those days and then hopefully when we bring them back we will have work and business to open up to and we can start bringing our employees back. This is a short term situation but we really didn't know where it was going to end up. There are a lot of people that were still wanting to hold on to these dates and we didn't want to give up the revenue but as soon as the Governor came out that sort of set the time table for us and we're just acting accordingly (Technical difficulties) they've taken money and that is what funds them. With no money coming in from the outside we had to tweak things down and ride it out. We have some great employees out there and we were sorry to do that but hopefully if we can come back strong and everything goes well we can bring them back and get them back in with the County. I just wanted to point that out that is something that we have to act on too.

Com. Blaney, I would just echo what you said. These are both self-funded venues and when there is no revenue. They are not part of the General Fund so there is just no money there when there is no revenue. I would like to give a shout out to the employees who were very understanding and want to be part of the solution. They are looking forward to having their jobs available when they come back. We are trying to look out into the future to make sure these 2

venues that everyone loves remain viable. I think as Scot MacDonald said in his emails to the patrons the employees are really what makes these places special. We want you to have these people and we're looking very much forward to having them back.

Com. Blaney, motion to approve the Furlough Plan at the Porter County Porter County Expo Center, Com. Good, second, motion carried.

Ms. Urbanik, Roll Call:

Com. Good, Yes.

Com. Blaney, Yes.

Ms. Urbanik, 2 to 0.

#### **Working Well – Franciscan Clinic Agreement amendment**

Com. Good, I know we're having difficulties explaining our but after this meeting you will all be getting information as to the times and what we will be doing. It will all be spelled out. What we're doing in Porter County then dove tails into what the State is doing. I would also like to make a bit of clarification. I spoke to some of the mayors and people around Porter County. When the State Program came out last Friday over the weekend I know Com. Blaney and myself were getting calls from the restaurant community not quite certain of what we were doing. We are basically following what Gov. Holcomb has put out. It is a little confusing because you can get to 50% open in the dining room when they open Stage 2. I don't think the second week was picked up on. It was more in the small print. There was some confusion so we just wanted to take this opportunity to let everyone know that the restaurants will be able to open at 50% occupancy dining next Monday. Stage 2 starts this week but 50% dining starts in the second week of Stage 2.

Com. Blaney, The date is May 11<sup>th</sup>.

Com. Good, The email address is [backontrack.in.gov](mailto:backontrack.in.gov) you will find everything you need for clarification.

Com. Blaney, moved to approve the Franciscan agreement, Com. Good, second, motion carried.

Ms. Urbanik, Roll Call:

Com. Good, Yes.

Com. Blaney, Yes.

Ms. Urbanik, 2 to 0.

Atty. McClure, The testing itself will start on Friday and there will be about 90. The Commissioners' office and the H.R. Dept. will be in close contact with the places that will be getting tested. The employees will be communicating over communicating with you. Lots of information is coming.

Com. Good, There has been a lot of talk in the news that they are starting to ramp up testing. The testing that they're talking about is if you're symptomatic. What we are talking about for our employees is true testing to see if they have it or not. Com. Blaney said it is a very reliable test and we will have answers within 24 hours. We feel that this is the safest way to bring our employees back. And again this is an amendment to our Health and Wellness Clinic Agreement that we have with Franciscan.

#### **Discussion on Covid-19 financial implications**

Atty. McClure, This is the conference call that the Commissioners had with Council leadership regarding some of the concerns moving forward with revenue. Obviously we have revenue issues that we have to discuss. We had cash flow issues that we had to discuss. That is in the works as the Commissioners are aware. We're looking at a hiring freeze. We're looking at General Fund additional requests being highly discouraged and a process to move forward with any additional requests. We're also dealing with the hiring freeze and the discussion of allowing the Auditor to have some authority to do some inter fund borrowing so those departments that have a cash flow issue due to the timing because of the COVID which is different than a revenue

problem, but if they have a cash flow issue we're in discussion with the Council to be able to give the Auditor some authority to do some inter fund borrowing so we don't have funds running into the red. We also then don't have to have the expense of loaning or bonding at this point. That joint resolution between the Commissioners and the Council is in process. It is the fiscal body and the executive looking forward to try and diagnose what revenue/cash flow problems we may have so we can try to start planning as we moved through 2020 and into 2021. That will be coming soon. That was the basic discussion on the COVID finance issue.

Com. Blaney, Just continuing to have these conversations with the Council. We all seem to be onboard and working together well. We all know we have to tighten our belts and make this as smooth as possible.

Com. Good, If there are County department heads that are listening to this podcast there will be documents that will go out to everybody...it is pretty clear that there are no additional. Unless it is an emergency or something that is needed I think it's going to be pretty tough. We do have a few things that we will need to get done. We had a nice discussion working out through the year and it's going to be interesting. I think the State will probably be looking at some things. This whole pandemic (Inaudible) the data. Hopefully over the summer we can catch up on everything. I know the State is looking at their finances and what is happening there. It should start working itself out, but right now the pause that we just experienced over the last several months is going to continue to keep working itself out through many different functions and hopefully by the end of the year we can at least get caught up on the government side of things. At least that is what we're hoping for. We're meeting and working through issues.

Com. Blaney, I just wanted to point out that we have great people, elected officials and employees everyone has been so willing to work together. It just really makes this job that we have to do in our department a whole lot easier.

Com. Good, I'm very thankful that County government is in a position that we can step up and test all of our folks and go about it the right way. We are very excited to get back to business and take care of the County's day to day business. It has stretched us as a County but hopefully we can get everyone back onboard and follow the Governor and come out of this stronger and better. Step 1 on the reopening here we go. I'm sure there will be more updates coming.

With no further business the meeting was adjourned at 2:00 p.m.

BOARD OF COMMISSIONERS  
PORTER COUNTY, INDIANA

\_\_\_\_\_  
Jeffrey J. Good

\_\_\_\_\_  
Laura M. Blaney

\_\_\_\_\_  
Not Present  
Jim Biggs

Attest: \_\_\_\_\_  
Vicki Urbanik, Auditor