

**PORTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 21st, 2021
10:00 A.M.**

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

The Regular meeting of the Porter County Board of Commissioners convened at 10:00 a.m. on Tuesday, September 21st, 2021 in the Commissioners' Chambers of the Administration Center.

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

Com. Good, Good Morning this is the Porter County Board of Commissioners' meeting Tuesday, September 21st, 2021.

Call to Order/Pledge

CONSENT AGENDA

Approval of Payroll – September 3rd and September 17th, 2021.

Approval of Claims – September 2nd, September 9th and September 16th, 2021.

Approval of Minutes for August 31st, 2021.

Treasurer's Monthly Report for August 31st, 2021 – Filed.

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

MEMORIAL OPERA HOUSE – SCOT MACDONALD, DIRECTOR

ARTISTIC SERVICES AGREEMENT

ANNOUNCEMENTS

NEW BUSINESS

COMMISSIONERS

A Resolution of the Porter County Board of Commissioners Amending Section 8.08 County Owned Vehicles and Adding New Section 2.21 Pets in the Work Place to the Porter County Government Employee Personnel Policy Manual.

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

A Memorandum of Understanding between the Porter County Board of Commissioners and the City of Valparaiso through its Board of Public Works and Safety regarding the Parking Garage in the Admin. Building.

Atty. Lyp, Good Morning Commissioners and Atty. McClure as well. I will be brief. Thank you for allowing me to address you on a potential collaborative opportunity between the County Commissioners and the City of Valparaiso. One of the challenges that the City has tried to address over the years is parking in our downtown area. The City has commissioned studies, added parking lots and reoriented spaces to maximize parking availability. Those efforts have helped but the City continues to look for additional ways to offer residents and visitors to our community options to park and enjoy the downtown area. Today I'm presenting a memorandum of understanding that if approved would allow the public to use the County parking garage during off hours. Our proposal is to make the County garage available to the public at no cost. On week days from 5:00 p.m. until midnight. On weekends from 9:00 a.m. until 1:00 a.m. the City would install way finding signs to educate the public of public parking availability. The City would compensate the County \$15,000.00 annual to offset costs in any loss revenue. The City would also commit to working with the County to address any concerns or problems that were to

manifest during the time this MOU was in place. Our ask is to allow this trial to commence on October 1st to test its viability. Either side can terminate at 90 day notice. However, I will represent and commit if the process is not working we will terminate before the 90 day period. The goal is not to antagonize the County. The goal is not to create any problems. The goal is to see whether or not this could be a viable option to benefit all of the visitors and guests to our downtown. I do want to thank Atty. McClure for his assistance in drafting the document. If you liked it he drafted it. If you don't you can blame me on that one. Finally, if you do approve this memorandum of understanding it will be presented to the Board of Works on Friday for their consideration with a likely approval.

Com. Good, Thank you Patrick. Any comments or questions of Patrick Lyp?

Com. Biggs, It seems like a pretty generous understanding between the two of us and I think it makes sense for all of our residents.

Com. Biggs, moved to approve the Memorandum of Understanding, Com. Blaney, second, motion carried.

Com. Good, I just want to say I appreciate working with the City on this. I think this is the right thing at the right time and we look forward to working together, as well as helping the downtown thrive. That is what this is all about.

Atty. Lyp, Thank you very much.

A Request that Friday, December 31st be added to the County Holiday Schedule from 2021 due to New Year's Day falling on Saturday.

Com. Blaney, moved to approve Friday, December 31st be added to the 2021 Holiday Schedule, Com. Biggs, second, motion carried.

Amendment to Employee Health Insurance Plans effective 1/1/22:

- A) Plan 1 (PPO) Employee Contribution Tiers are all raised \$25.00.**
- B) Plan 2 (HDP) Employer Contribution to HSA \$1200.00 paid quarterly for the Family Plan. Single Plan Enrollment \$800.00 a year paid quarterly.**
- C) New Employee Hires as of 1/1/22 will only have HDP Option.**
- D) Gene and Cell Therapy shall be excluded from Plan Coverage.**

Atty. McClure, GIS with Eric and Renee our H.R. Director and myself spent a lot of time going through our health insurance plan for our employees attempting to make sure that we are doing the best we possible can for the costs. What we have here is a package recommendations that we believe in total that will keep us moving in the right direction as far as the overall costs of Porter County employees' health insurance plan. Of those individual recommendations the first recommendation would be that the employee contributions on the traditional or the PPO Plan, Plan 1 all of the 4 tiers would be raised by \$25.00 a month for those employees choosing that plan. The second part of that recommendation would be that the employees who choose the High Deductible Plan or Plan 2 starting in 2022 would receive an employer or the County contribution to their HSA of \$1200.00 which would be paid for the year but that would be paid quarterly.

The Single Plan enrollers would receive \$800.00 a year paid quarterly. The third recommendation would be that new employee hirers as of 1/1/22 would only have the High Deductible Plan option. Number 4 the Gene and Cell Therapy would be excluded from Plan Coverage at this point in time. The purpose of the first 3 recommendations again is to manage and continue to attempt to keep our health insurance from becoming something that we are unable to afford. So the plan would be after we did quite a bit of math and worked with our consultant GIS there was a significant difference between the cost of the traditional PPO Plan and Plan 2 for High Deductible. To attempt to encourage members to choose a High Deductible Plan we worked through this employer contribution to their HSA. We believe along with this addition of the contribution along with the other steps we've previously taken such as the clinic itself with Franciscan along with the deductibles that we have set within the High Deductible Plan. We do believe now that for the most part the math ends up being more favorable for the employees to choose Plan 2 on the High Deductible Plan with the addition of the employer contribution. Just to be clear the employer contribution would not affect just the people who would choose to move or migrate from one plan to the other during the open enrollment that is coming up shortly. It also would affect the current employees who have chosen the High Deductible Plan. We believe that with some math and predictions on how many people may or may not migrate there could be around 15% to 25%

probably 20% migration. We believe there will be some significant cost savings. Maybe around \$200,000 to \$300,000.00 but I am pretty confident the changes with the additions to the contributions on the High Deductible Plan. If nothing else we are not adding any additional funds or costs to the Plan. Again, as we attempt to utilize ideas that are out there trying to keep our Plan from growing to a place that we can't afford. The Gene therapy is actually a recommendation from UMR. This also ties in with the American Fidelity change so that we have a little bit more help in open enrollment and those plan enrollers have a little more depth, understanding and knowledge of the plans themselves so that they are better able to help the employees make their decision based on the real facts and exactly how to read things. As we continue through 2022 we continue to look at some of the care coordination would be the next step to help with those things. On the HSA if this is adopted \$200.00 would be available on the first quarter. \$200.00 would be deposited in the 2nd quarter. Those would be available at that time for use on the HSA.

Com. Good, Have we found out yet where we're at with the clinic take?

Atty. McClure, I think we're working on those numbers right now.

Mr. Gibson, We actually have a call scheduled for this afternoon.

Atty. McClure, Some of the problems we're having is defining 60%, but we have had the numbers run by Franciscan as far as the amount of employees utilizing on a monthly basis. It has been pretty good, but frankly it could be better. I would be surprised if we were less than 50% utilization at this point in time. Again, at open enrollment with a live enroller that has a little bit more in depth knowledge that is part of making sure that everyone understands their options as they open enroll.

Mr. Gibson, With the enrollers actually coming in and discussing these plans with everybody and making that very obvious that you do have the clinic and the clinic is free. Then these steorage options here I think that will significantly impact the clinic.

Com. Biggs, When was the last time we had an increase in employee contribution?

Com. Blaney, It's been a while.

Com. Good, It hasn't been since I've been up here for 7 years.

Atty. McClure, I don't remember one.

Com. Good, We're seeing a lot of health care increases out there across the board. Not just governments but businesses are as well. It is something that is a reality.

Com. Blaney, Everything is going up.

Com. Good, These little changes that we're making....basically what we're trying to do as a Board is we're trying to get ahead of what's coming over the next 2 to 3 years. When you run a plan this big that is what you are supposed to do. It is hard enough to find the money every year to pay for all of this insurance. It is going to be even harder to have to pay more. We've been there. We fought it back and now we're trying to maintain where we're at or even hopefully lower it if we get fuller participation on the clinic and some other things. It sets us up to make other decisions as the numbers unfold.

Com. Blaney, Regarding the clinic are we still having certain areas that are not participating as much.

Mr. Gibson, There are certain areas that are utilizing more than others. What the details are I will have to report back to you.

Com. Biggs, Have you ever figured out why?

Atty. McClure, Individual department culture is the best answer.

Com. Blaney, I think that will help having people explain. Education is always a plus.

Atty. McClure, We're also having a Health Fair on October 19th. People will have another opportunity to be able to answer questions with our providers there. We're just trying to get as much information in the hands of the employees at or before open enrollment so they know what they're signing up for and making the right decision that is best for them.

Mr. Gibson, That will be a great opportunity to ask the carriers directly their questions. They are always welcome to come to us but sometimes it's best to have the company right there.

Com. Blaney, Will the employer contribution go to people you already have HSA as well?
Atty. McClure, Correct.

Com. Biggs, moved to approve the Amendment to the Employee Health Insurance Plans effective 1/1/22, Com. Blaney, second, motion carried.

An Ordinance Amending Title 10 of the Porter County Code of Ordinances pertaining to Golf Carts and Off Road Vehicles – 1st Reading.

Atty. McClure, The golf cart, off road or other like vehicles are not currently allowed on roads that are within the County jurisdiction. We can through this particular code section amend and allow for those to go. This ordinance would allow as long it is being followed, off road vehicles to be able to operate on the roads under the jurisdiction of the County. The golf carts will have to have a windshield, seat belts for use by the operator and all passengers. An operating horn, headlights, tail lights, turn signals, break lights, a rearview mirror, either a flashing light or a slow moving triangle sign that is affixed to the vehicle. The golf carts or off road vehicles will not be allowed unless they are on a 35 mph zoned road or less posted speed limit. Along with that there are several roads that have portions or part of them that have 35 mph zones that we are expressly prohibiting use on due to the nature of the speed of the road, the width of the road. There is a fair list of those which would include Division, Tower, Smoke, 700N, Calumet, Meridian, Joliet, 100S, Sedley, 625W. The golf carts could be operated from March 15th to October 31st sunrise to sunset. It is enforced by the Porter County Sheriff's Dept. The first violation would be a \$100.00 fine. Second \$150.00, third \$200.00. Obviously in drafting this a lot of concerns. We reviewed the City of Portage along with the City of Valparaiso's. This proposed ordinance is in very close keeping with those because I did not want to cause a situation where a golf cart that is legal to be driven within the City of Portage or the City of Valpo somehow is missing some piece of equipment that would make it not fit our ordinance. I was attempting to not cause that additional confusion for all of the law enforcement involved. As the Commissioners know this is a difficult ordinance. We all understand why people like it, but we all also understand golf carts are probably not meant to be in a car accident. We are very concerned that is why we have some of the additions that are required to be a safety feature on the golf cart like the windshield and the seatbelts, etc. We can always amend if try this and find that there are roads that should be added. We can always amend and add.

Com. Good, I would also make the recommendation that if this ordinance does pass that Bob in Planning and Chuck in GIS that I would like to have a golf cart GIS map. People would be able to go on the map to see which roads are designated.

Mr. Thompson, We have already gotten started on a map.

Com. Good, Good, so if anyone in the County would like to know where they are they could go on the website and you can print the map out.

Atty. McClure, I did forget major issue that would be in keeping house with the City of Valpo and the City of Portage there is a requirement to have insurance on the golf carts while it is being operated on the road. Following the State minimum of the 25 and a driver's license.

PUBLIC HEARING OPENED

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

Mr. Gassoway, My name is Virgil Gassoway. I have a question. I heard you say fines for the golf cart infractions. Will these be ticketed like an automobile?

Atty. McClure, If the Porter County Sheriff's Dept. enforces it they will be writing a ticket under this ordinance violation.

Mr. Gassoway, And would this go against their driver's license?

Atty. McClure, Potentially.

Mr. Gassoway, Okay that is fine with me.

Com. Good, Thank you sir. Third and final call is there anyone wishing to speak in favor of this ordinance?

PUBLIC HEARING CLOSED

Com. Biggs, I want to thank Scott. I know this is one of the things he gets paid to do but that was a lot of work. I am sure there will be some amendments over the next year or two.

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

A Resolution Pursuant to I.C. 36-1-4-10 Acceptance of Gift.

Atty. McClure, The Porter County Juvenile Detention Center was in need of a vehicle. We do have a private family that would like to donate a used vehicle to the Juvenile Detention Center in care of the Porter County Commissioners. It is a 2014 Chevy Traverse, it is blue I have the VIN number and the current miles with the Kelly Blue Book trade in value of just under \$8,900.00. It is being donated pursuant to I.C. 36-1-4-10. The Commissioners can accept it. The reason why this resolution is so detailed is so that we have a paper trail of how we received the vehicle and the information including the value at the time we received it so we can get it into the system and have it properly insured.

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

157 FRANKLIN VALPO ANNEX – PAY APP.

Stevens Engineers & Constructors – Pay App. #11 in the amount of \$106,375.60 for material and labor. This will be the final payment.

Com. Biggs, moved to approve the Stevens Engineers & Constructors Final Pay App., Com. Blaney, second, motion carried.

ITS – LEE CHILDRESS, DIRECTOR

A Request to Change the name of the position of Deputy Director/Cyber Security Engineer.

Atty. McClure, It is a 144. We are just changing the name from Deputy Director to Deputy Director/Cyber Security Engineer. This is his first stop and he is on the Council's agenda to highlight the Cyber Security as part of the number 2's job description.

Com. Blaney, moved to approve to change the position title, Com. Biggs, second, motion carried.

DEVELOPMENT & STORM WATER MNGMNT. – BOB THOMPSON, DIRECTOR

An Ordinance for a Zoning Map Amendment from CM, Moderate Intensity Commercial to I1, Light Industrial – Northwest corner of US Hwy 6 and SR 149 – Petitioner Coolwood Associates LLC – 2nd Reading.

Com. Blaney, moved to approve the Rezoning Ordinance from CM to I1 on 2nd Reading, Com. Biggs, second, motion carried.

An Ordinance for a Zoning Map Amendment from A1, General Agriculture to IN, Institutional – Southeast corner of SR 49 and 250 South – Petitioner East Porter County School Corp. – 2nd Reading.

Com. Blaney, moved to approve the Rezoning Ordinance from A1 to IN on 2nd Reading, Com. Biggs, second, motion carried.

United Consulting – An LPA Consulting Contract for County 200 West over Damon Run County Bridge #131, Right-of-Way Services.

Mr. Thompson, When we're going through the federal aid process the right-of-way is always a separate contract because we have to bring the appraisers in on it. The contract before

you is just a cost of providing the services. Obviously there is the negotiation for the purchase of the right-of-way.

Com. Good, What are they requiring on additional right-of-way? Is it just for embankment, slopes and things of that nature?

Mr. Thompson, All of our bridges are being widened from 24 ft. to 32 ft. in some cases we would go down to 28 ft. Within the actual channel area of the bridge they are going to be widening it to take over some of the areas where they are going to be working on Damon Run with some of the ditch and approach to it, along with the scour guards. There will be widening around the channel area. There will also be widening in the construction area which we generally say 400 to 500 ft. on each side of the bridge with the approach work coming into it that is going to be widened slightly.

Mr. Novotney, Here we have the benefit of the regulated drainage easement associated with Damon Run. We don't need to acquire additional temporary right-of-way to do some of the grading work associated with the channel.

Com. Good, As we have been working on the last 6 or 7 years on working on our bridge inventory of over 135 bridges that we have in the County. Every time we go into a bridge and we redo it we look at the opportunity to widen it or get rid of guard rails and have natural slopes down to the ditch. Remember when you're doing that the bridge needs to be able to withstand another 50 to 75 years. If you are going to do the work that is the time to do it. We're taking the time to do it right for the next span life cycle of the bridge.

Com. Blaney, moved to approve the United Consulting for County Bridge 131, Com. Biggs, second, motion carried.

A Request to Approve Plans for Bridge 168 – Brummitt Rd. over Little Calumet River.

Mr. Thompson, We are in Stage 3 right now. They are soon going to be developing the contract documents. We are cleaning up our right-of-way acquisition so we are getting close to having INDOT go out with bids. It is either going to go out in December or I might ask for it to be pushed back until March. I would just like to point out one other additional item as you were discussing earlier. This was about a 60 ft. long bridge. With what we're seeing and Mike working with the 100 year storm (Inaudible) this bridge is going from a 60 ft. span to over a 100 ft. span. This is the one on the south side of Chesterton right by Brummitt Elementary School.

Com. Biggs, What is our projected start date on this?

Mr. Thompson, It depends on when we actually do the letting through INDOT. The original schedule for it is December. We're really coming in close, but I might ask for it to go to March. If it is in December we could possibly start in February, which may be ideal with tree clearing. Even though I think Rich may have done most of it. If we end up doing a March letting you are probably looking at May.

Com. Biggs, Will this be a case where we will have to close that road completely when we get to that?

Mr. Thompson, Yes.

Com. Good, And I think they are working around that school too.

Com. Biggs, We want to make sure we get our big sign out front. Maybe 30 days before that letting the residents know that this is going to happen.

Mr. Thompson, Mike and I sat down and spoke the superintendent facilities director of the Duneland School Corp. We told him about this bridge and they brought in the transportation director. We are keeping them informed because they have 60 bus trips a day that go across this bridge.

Com. Biggs, You have two sizeable communities on either side of the road. The sign would be really helpful.

Mr. Thompson, Yes.

Com. Blaney, moved to approve the Plans for Bridge 168, Com. Biggs, second, motion carried.

NORTHWEST INDIANA NOW – JULIE STORBECK

A Request to use the Northeast and Northwest corners of the Courthouse grounds on Saturday, October 2nd, 2021 from 3:00 p.m. to 5:30 p.m. to hold a rally in support of reproductive health care. They will be using a small sound system, speakers and a handheld microphone, along with a table for water, first aid and event t-shirts. Attendees will bring their own lawn chairs.

Com. Blaney, moved to approve the request to use the Courthouse grounds, Com. Biggs, second, motion carried.

FREEDOM – JENNIFER BERNARD

A Request to use the Northeast and Northwest corners Courthouse grounds Wednesday, September 29th, 2021 from 5:30 to 7:30 p.m. for a Parent’s Choice Rally to show Patriotism of Freedom of Choice. There will be American flags, signs of various sizes along with microphones and speakers.

Atty. McClure, We have Atty. Lyp from the City of Valpo. They are on the Board of Works for Friday. We just want to be crystal clear on who is approving what and where. Whether it is this group or any group if they are protesting or having a rally that both the Sheriff’s Dept. and the City of Valpo Police Dept. could be there enforcing different portions of this because we have a split jurisdiction of where the County and the City’s jurisdiction begins and ends.

Com. Biggs, moved to approve the request to use the Courthouse grounds, Com. Blaney, second, motion carried.

With no further business the meeting was adjourned at 10:43 a.m.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeffrey J. Good

Laura M. Blaney

Jim Biggs

Attest: _____
Vicki Urbanik, Auditor