

The Board met in due form with the following members present: Michael Repay, Kyle W. Allen, Sr. and Jerry Tippy. They passed the following orders, to wit:

The Pledge was given and Roll Call was made.

A courtesy copy of the agenda and notice of this meeting was emailed by Matthew Cruz to the Times in Munster and Crown Point, the Post Tribune in Merrillville and Crown Point, WJOB Radio Station, the Star, WLTH Radio Station, Comcast Cable, the Calumet Press, Portage Journal News, Pilcher Publishing and the Gary Law, Channel 21 media on the 15th day of September, 2020 at about 9:57 a.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 15th day of September, 2020 at about 9:57 a.m.

Public Virtual Conference: WebEx
meeting number 132 104 0789
meeting password: commissioners

Order #1 Agenda #1f

In the Matter of Opening of Meeting: f. 1) Certificate of Service of Meeting Notice; 2) Additions, deletions and corrections; 3) Approval of final Agenda to be incorporated into official minutes.

Allen made a motion, seconded by Tippy, to approve additions deletions and corrections as read by Attorney Fech and the Final Agenda. Motion carried 3-0.

Additions, Deletions, Corrections

- 2.1 Auditor: LC 265 September 2, 2020 to September 16, 2020
- 2.2 Commissioners: Approve Tax Sale Certificates for Save the Dunes
- 2.3 Delete: Item 5.2 as it is not due until October 7, 2020

Order #2 Agenda #5

In the Matter of Public Opening of Vendor Responses to Requests for Bids and Quotes.

Allen made a motion, seconded by Tippy, to approve the opening of Bids/Quotes. Motion carried 3-0.

Order #3 Agenda #7.1

In the Matter of Approve Specifications for Advertisement of Bids: 7.1 Sheriff: Advertise for bids for Indoor Training Simulator. Bids to be returned by 9:30am to the Auditor's Office on Wednesday, October 21, 2020.

Tippy made a motion, seconded by Allen, to approve the advertising of Specifications for the Sheriff Department for Indoor Training Simulator for the return of bids by Wednesday, October 21, 2020 by 9:30 am to the Auditor's Office. Motion carried 3-0.

Order #4 Agenda #8.1-8.2

In the Matter of Public Selection of At Least Three Vendors From Whom To Seek Quotes: Approval of Specification for Seeking Proposals, Select The Vendors, And Set The Return Date: 8.1 Highway: Proposals for Washout Repairs, Lake County Bridge #197, Ridge Road over EJ&E. Proposals due to the Auditor's Office by 9:30am on Wednesday, October 7, 2020; 8.2 Highway: Proposals for 83rd Ln., Heather Hill Unit 1, Replacement of Culverts. Proposals due to the Auditor's Office by 9:30am on Wednesday, October 7, 2020.

Tippy made a motion, seconded by Allen, to approve seeking of proposals on behalf of Highway Department for items 8.1 and 8.2 for the return of proposals by 9:30am on Wednesday, October 7, 2020 in the Auditor's Office for the following. Motion carried 3-0.

- 8.1 Highway: Proposals for Washout Repairs, Lake County Bridge #197, Ridge Road over EJ&E.
- 8.2 Highway: Proposals for 83rd Ln., Heather Hill Unit 1, Replacement of Culverts.

Order #5 Agenda #9.1

In the Matter of Action to Form Contracts: 9.1 Commissioners: Supply, remove and replace 150 Light Fixtures in the Paramore Building in the amount of \$22,785 from Credent Quality Electric. (Other quotes from Sweney Electric \$24,750.00 and TK Electric \$32,300.00).

Tippy made a motion, seconded by Allen, to award the contract to Credent Quality Electric for \$22,785 to Supply, remove and replace 150 Light Fixtures in the Paramore Building being the lowest of three quotes. Motion carried 3-0.

Order #6 Agenda #9.2-9.3

In the Matter of Action to Form Contracts: 9.2 Commissioners: AT&T Centrex Service Contract for \$30.00/month for fax lines; 9.3 Commissioners: Judge Jones' Jury Room and Bathroom Painting from Hasse Construction in the amount of \$1,750.00 (Other quotes from Sneed \$2,380.00 and Northwest Environmental \$3,800.00).

Tippy made a motion, seconded by Allen, to approve and award AT&T Centrex Service Contract for \$30.00/month for fax lines and ordered same to award Hasse Construction the contract for Judge Jones' Jury Room and Bathroom Painting in the amount of \$1,750.00, Repay had commentary regarding the painting and the correct color, discussion closed. Motion carried 3-0.

Order #7 Agenda #9.4

In the Matter of Action to Form Contracts: 9.4 HVAC: East Chicago AHU-1,2 & 3 cooling coil and drain pan replacements from Gatlin in the amount of \$28,790.00 (Other bids from Arctic Engineering \$30,335 and Mechanical Concepts \$36,505).

Order #7 Agenda #9.4 cont'd

Tippy made a motion, seconded by Allen, to award item 9.4 to Gatlin in the amount of \$28,790.00 being the lowest of three quotes for East Chicago AHU-1, 2 & 3 cooling coil and drain pan replacements for HVAC Department. Motion carried 3-0.

Order #8 Agenda #9.5-9.6

In the Matter of Action to Form Contracts: 9.5 Public Defender: Amended Contracts: Kyle Hoogeveen in an additional amount of \$30,000; 9.6 Public Defender: Legal Services Contract: David Wendlinger in the amount of \$20,000.

Comes now, Commissioner Tippy, with a question, addressed Attorney Fech, asking are they not to exceed numbers, Fech stated he believed Mr. Wendlinger is a not to exceed but Mr. Hoogeveen is an additional.

Tippy made a motion, seconded by Allen, to approve the following contracts for 9.5 and 9.6, Repay added that the contracts are reimbursed by 40% by the Public Defender Board. Motion carried 3-0.

9.5 Public Defender: Amended Contracts: Kyle Hoogeveen in an additional amount of \$30,000

9.6 Public Defender: Legal Services Contract: David Wendlinger in the amount of \$20,000

Order #9 Agenda #9.7-9.12

In the Matter of Action to Form Contracts: 9.7-9.12 Sheriff: listed below.

Tippy made a motion to approve items 9.7 through 9.12 contingent upon all funding is from the Sheriff's budget and that in all cases that the low bidder is receiving the award, Allen seconded the motion, Repay made a correction of the ammo round numbering in item 9.10. Motion carried 3-0.

9.7 Sheriff: Walden University Student Intern Affiliation Agreement for Jail Mental Health Program Services for a two (2) year term with not fees or cost

9.8 Sheriff: BC 800 Battery Capacity Analyzer Charger with Aircraft Spruce for \$4,359.00 (Other quotes from Sky Geek \$5,703.87 and Boeing Distributor \$5,079.02)

9.9 Sheriff: Purchase radios from Tri-Electronics in the amount of \$13,050.00 (Other quotes from Motorola \$22,547.70 and Miner Electronics \$22,468.86)

9.10 Sheriff: Request to purchase Ammo for 45 auto And 9mm And 5.56mm 3 quotes from Kiesler in the amount of \$33,954.07(Other quote from Ray O'Herron \$39,725.80)

9.11 Sheriff: Request to purchase 20 Glock 17 9mm pistols with night sights from Kiesler \$6,740.00 (Other quote from Ray O'Herron \$7,070.00)

9.12 Sheriff: Request to purchase 22 Colt M4 Rifles with sling case and magazines from Kiesler in the amount of \$15,018.30 (Other quotes from Arms Unlimited \$17,303.00 and Phoenix Distributors \$16,846.00)

Order #10 Agenda #9.13

In the Matter of Action to Form Contracts: 9.13 Highway: Change Order #4 & #5 Lake County BR 61, 135th Ave, over West Creek, Decrease of \$1,056.00.

Tippy made a motion, seconded by Allen, to approve Change Order #4 & #5 Lake County BR 61, 135th Ave, over West Creek, Decrease of \$1,056.00 on behalf of Highway Department. Motion carried 3-0.

Order #11 Agenda #10.1

In the Matter of Action And/Or Reports on County Owned Property: 10.1 Data Processing: Disposal of Property Request.

Allen made a motion, seconded by Tippy, to approve property disposal request submitted from Data Processing (old monitors redeemed unrepairable or little to no value). Motion carried 3-0.

Order #12 Agenda #11.1 w/11.3 & (Addition 2.2)11.4

In the Matter of Action on Commissioners' Items: 11.1 Commissioners: Emergency at Westwind Manor replacement of light ballast w/battery by Credent Quality Electric in the amount of \$249.00 to be made a matter of public record; 11.3 Commissioners: Reject Received Bids for Industrial Building Tuck-pointing; 11.4 Commissioners: Approve Tax Sale Certificates for Save the Dunes.

Allen made a motion, seconded by Tippy, to approve on behalf of Commissioners, agenda item 11.1, 11.3, and 11.4 listed below. Motion carried 3-0.

11.1 Commissioners: Emergency at Westwind Manor replacement of light ballast w/battery by Credent Quality Electric in the amount of \$249.00 to be made a matter of public record

11.3 Commissioners: Reject Received Bids for Industrial Building Tuck-pointing

11.4 Commissioners: Approve Tax Sale Certificates for Save the Dunes

Order #13 Agenda #11.2

In the Matter of Action on Commissioners' Items: 11.2 Sheriff: Service Weapon Request for Retired Commander Matthew Eaton.

Allen made a motion, seconded by Tippy, to approve request for service weapon on behalf of Sheriff Department for Retired Commander Matthew Eaton. Motion carried 3-0.

Order #14 Agenda #5.1

In the Matter of Public opening of Vendor Responses to Requests for Bids and Quotes: 5.1 Commissioners: Abutting Landowner Bids.

This being the day, time and place for the receiving of proposals for Abutting Landowner(1995 W Old Ridge Road Hobart Indiana) on behalf of Commissioners, the following proposals were received:

Ellenberger's Maintenance Svc. (James Ellenberger)	\$300.00
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Comes now, Attorney Fech, with recommendation to the Board of Commissioners to approve or accept the offer and agree to transfer the abutting land to that individual in the amount of \$300.00, Allen made a motion, seconded by Tippy, to approve. Motion carried 3-0.

Order #15 Agenda #5.3

In the Matter of Public opening of Vendor Responses to Requests for Bids and Quotes: 5.3 Highway: Request for Proposal Road Side Ditch Enclosures for 13855 W. 117th Ave. Cedar Lake, IN

This being the day, time and place for the receiving of proposals for Road Side Ditch Enclosures for 13855 W. 117th Ave, Cedar Lake, IN for Highway Department, the following proposals were received:

Ellas Construction Co., Inc.	\$59,950.00
Austgen Equipment, Inc.	\$45,172.00
LGS Plumbing, Inc.	\$52,000.00

Comes now, Highway Engineer, requests to have bids taken under advisement and request to proceed if sufficient funds available and award to the lowest bidder.

Tippy made a motion to allow Highway Department to review bids and funding and award the lowest responsible bidder, Allen seconded the motion. Motion carried 3-0.

Order #16 Agenda #5.4

In the Matter of Public Opening of Vendor Responses to Requests for Bids and Quotes: 5.4 Highway: Request for Proposals for Shoulder and Ditch Improvements Ebbens Acres.

This being the day, time and place for the receiving of proposals for Shoulder and Ditch Improvements Ebbens Acres, for Highway Department, the following proposals were received:

Ellas Construction Co., Inc.	\$29,750.00
Austgen Equipment, Inc.	\$31,076.00

Tippy made a motion to allow Highway Department to review the bids and funding, and award to lowest responsible bidder assuming funding is available, Allen seconded the motion. Motion carried 3-0.

Order #17 Agenda #5.5

In the Matter of Public Opening of Vendor Responses to Requests for Bids and Quotes: 5.5 Highway: Request for Proposals for Holiday Creek Estates Detention Basin.

This being the day, time and place for the receiving of proposals for Holiday Creek Estates Detention Basin, for Highway Department, the following proposals were received:

Ellas Construction Co., Inc.	\$39,900.00
Austgen Equipment, Inc.	\$25,890.00

Tippy made a motion to allow Highway Department to review the bids and funding and award to the lowest bidder assuming funding is available, Allen seconded the motion. Motion carried 3-0.

Order #18 Agenda #5.6

In the Matter of Public Opening of Vendor Responses to Requests for Bids and Quotes: 5.6 Highway: 2020 Phase 2 Lake County Tree Request for Proposals.

This being the day, time and place for the receiving of proposals for 2020 Phase 2 Lake County Tree, for Highway Department, the following proposals were received:

Russell's Tree Care Service, Inc.	\$23,950.00
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Tippy made a motion to allow Highway Department to review the proposals, find sufficient funds and if adequate award assuming funds are available, Allen seconded the motion. Motion carried 3-0.

Order #19 Agenda #5.7

In the Matter of Public Opening of Vendor Responses to Requests for Bids and Quotes: 5.7 Highway: Request for Proposals for Swale and Ditch Restoration at Bakers Rolling Heights Addition.

This being the day, time and place for the receiving of proposals for Swale and Ditch Restoration at Bakers Rolling Heights Addition, for Highway Department, the following proposals were received:

Austgen Equipment, Inc.	\$211,370.00
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Tippy made a motion to allow Highway Department to review the bid and funding, and award assuming sufficient funding is available, Allen seconded the motion. Motion carried 3-0.

Order #20 Agenda #11.5

In the Matter of Action on Commissioners' Items: 11.5 Elections: Memorandum of Understanding regarding comp time.

Comes now, Michelle Fajman, Board of Elections and Registration Director with her Assistant Director, before the Board of Commissioners to speak regarding Memorandum of Understanding regarding comp time, stating, considered essential workers under the CISA Act, lost a whole month of employees being able to take their comp time, and now with the General Election coming, employees are not able to take the time off that they have earned and we are asking that the number of hours that they can accumulate to be increased and as well as being able to take it next year.

Order #20 Agenda #11.5 cont'd

Comes now, Attorney Fech, confirmed with Fajman, that this is a one-time request, replied yes. Discussion continued, Assistant Director added comments and detail related to the request.

Tippy made a motion to approve the Memo of Understanding for a one-time change in comp-time for our Elections people, Allen seconded the motion. Motion carried 3-0.



LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

MEMORANDUM OF UNDERSTANDING
REGARDING ALLOWABLE EARNED COMPENSATORY TIME AND USE OF TIME

We present to you now, as the Director and Assistant Director of the Lake County Board of Elections and Registration and ask for the consideration in the following matter by the Lake County Commissioners:

From the Lake County Employee handbook: ...an employee cannot accumulate more than 480 hours of compensatory time in one year if the employee works in a public safety activity, an emergency response activity, or a seasonal activity. All other employees are limited to no more than 240 hours of compensatory time per year. Employees who exceed these limits must be paid overtime..., and

The increase in absentee ballot applications and ballots due to a high turnout for a presidential Election and in response to the Covid-19 emergency forced our employees to work an increased amount of overtime during the 2020 Primary, and

With an average office employee earning 149.59 hours of compensatory time and some staff members are expected to exceed the 240 hour maximum by mid-September, and

The LCBER is considered and listed as "Essential" by the Cybersecurity and Infrastructure Security Agency, a division of the Department of Homeland Security, and

It is anticipated a much larger volume of absentee ballot applications and ballots will be processed by the office staff during the 2020 General Election as well as an anticipated increase in early voting hours, and

To operate within the employee handbook for all accumulated compensatory time earned above 240 hours to be paid out or used by the end of the year or first quarter of the following year would cause and undue burden on the 2020 budget and force a shortfall in the 41100 Overtime line item or cause such a reduced work force if the compensatory time was used, and

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LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

With only 24 employees, it will be very difficult to maintain the ability for the office to provide services of acceptable quality and quantity for the public if employees must use the compensatory time prior to the end of the year (earned in first 3 quarters) and end of the first quarter of 2021(earned in last quarter), and

Therefore, it is mutually understood and agreed upon by and between the parties as the Lake County Board of Elections and Registration and the Lake County Commissioners that an exception will apply to the limit of 240 hours of accumulative compensatory time for the remainder of 2020 only increasing the maximum to 480 hours and for any balance of the 2020 earned time to be able to be used throughout the 2021 calendar year. This is a singular exception and the standard operating procedures as described in the Employee Handbook would resume in January of 2021 to earn compensatory time and on December 31, 2021 to use the earned 2020 compensatory time.

DocuSigned by:
Michael Repay
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Michael C. Repay
President and Third District Representative
Lake County Board of Commissioners

DocuSigned by:
Jerry Tippy
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Kyle W. Allen, Sr.
First District Representative
Lake County Board of Commissioners

Jerry Tippy
Second District Representative
Lake County Board of Commissioners

Michelle R. Fajman
Director
Lake County Board of Elections and Registration

LeAnn J. Angerman
Assistant Director
Lake County Board of Elections and Registration

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Order #21 Agenda #12.1-12.2

In the Matter of Action on Council Items: 12.1 Ordinance No. 1450A: Ordinance Establishing the Coronavirus Relief Fund, A Non-Reverting Fund; 12.2 Resolution 20-47: Resolution in support of October as Breast Cancer Awareness Month.

Allen made a motion, seconded by Tippy, to approve Lake County Council Ordinance No. 1450A Ordinance Establishing the Coronavirus Relief Fund, A Non-Reverting Fund and Lake County Council Resolution 20-47 Resolution in support of October as Breast Cancer Awareness Month. Motion carried 3-0.

Order #22 Agenda #13.1, 13.2, 13.3

In the Matter of State Board of Accounts Items: 13.1 Economic Development: Accounts Payable Voucher Register; 13.2 Auditor: Accounts Payable Voucher List for Payroll Date 08-17-2020; 13.3 Auditor: LC 265 September 2, 2020 to September 16, 2020.

Tippy made a motion, seconded by Allen, to approve 13.1-13.3, State Board of Accounts Items as follows. Motion carried 3-0.

13.1 Economic Development: Accounts Payable Voucher Register
13.2 Auditor: Accounts Payable Voucher List for Payroll Date 08-17-2020
13.3 Auditor: LC 265 September 2, 2020 to September 16, 2020

Order #23 Agenda #14.1

In the Matter of Resolutions: 14.1 Commissioners' Resolution on Purchasing Department.

Allen made a motion, seconded by Tippy, to approve Commissioners' Resolution on Purchasing Department (Resolution No. 20-05). Motion carried 3-0. (Document not within docu-sign items)

Order #24 Agenda #17

In the Matter of Staff Reports

Comes now, Commissioners Recording Secretary, regarding due date for the return of bids for the Sheriff's Department, Attorney Fech reviewed, Cruz stated bid is for Jail Automation System, confirmed yes, Secretary continued stating item approved under agenda item 7.2 at the September 2nd meeting to be returned October 2nd request is to extend to November 4th for the return of bids.

Tippy made a motion to extend agenda item 7.2, from the previous meeting's agenda, from October 2nd to November 4th, Allen seconded the motion. Motion carried 3-0.

Order #25 Agenda #19

In the Matter of Comments

Comes now, Mr. Tom Kuhn, with question to Commissioners about item not on Agenda.

Comes now, Chief Balbo, with comments on behalf of Sheriff Martinez from the Sheriff's Department, stating, the Department would like to request/encourage the Commissioners to approve the entire project regarding indoor training area, funds do exist in the Sheriff's current budget, and it's critical, they believe, essential that the classrooms that are apart of the training center get approved and completed at the same time that the virtual reality area of this space be completed. Chief Balbo, continued, we need to at the same time and there's been no action or from the Commissioners in regards to resolving the entire project. President Repay, noted commentary. No further comments.

The next Board of Commissioners Regular Meeting will be held on Wednesday, October 7, 2020 at 10:00 A.M.

There being no further business before the Board at this time, Allen made a motion, seconded by Tippy, to adjourn.

The following officials were Present virtually:
Attorney Matthew Fech

MICHAEL REPAY, PRESIDENT

KYLE ALLEN Sr., COMMISSIONER

JERRY TIPPY, COMMISSIONER

ATTEST:

JOHN E. PETALAS, LAKE COUNTY AUDITOR