

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**January 9<sup>th</sup>, 2021**

The meeting of the Elkhart County Council was called to order by Sheriff Jeff Siegel at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council President Thomas W. Stump, Council Vice President David L. Hess, Tina M. Wenger, Douglas S. Graham, Randy Yohn, Darryl J. Riegsecker, Thomas W. Stump and Adam M. Bujalski.

Also present were Patricia A. Pickens, County Auditor; Craig Buche, County Attorney; Commissioner Brad Rogers;

\*\* This meeting commenced pursuant to public notice under the Indiana open door law and Governor Holcomb's Executive Orders. This meeting was made available for the public and press to attend virtually in remote real-time observation and remote electronic participation.

\*\*\*In pursuant to Indiana Code 36-2-3-6 all votes will take via roll call.

**\*\*\*ELECTION OF OFFICERS\*\*\***

\*\* Auditor Patricia A. Pickens assumed the Chair and opened the floor for nominations for Council President.

On motion made by Hess and seconded by Riegsecker to nominate and elect Thomas Stump for 2021 Council President.

A roll call vote was taken with the roll call votes as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved Mr. Stump as the 2021 Council President.

Newly elected President Thomas Stump assumed the chair and asked for nomination for Vice President. Riegsecker nominated David Hess for Vice President and seconded by Graham.

On motion made by Riegsecker and seconded by Graham to close the nominations.

The roll call votes are as follows: Hess-Abstains, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a Vote of 6-Ayes and 1 Abstained the Council carried and approved David Hess for 2021 Vice President of the Council.

**MINUTES:** Approval of CC Meeting –December 12<sup>th</sup>, 2021

Stump requested a correction on the minutes, on the between transfers Stump had voted Nay, but the count stated 7 to 0 and it should have been 6 to 1. The correction was made.

On motion made by Graham to approve the December 12<sup>th</sup>, 2021 minutes with changes and seconded by Riegsecker, the Council unanimously approved the minutes via roll call vote: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye.

## **COMMITTEE REPORTS:**

COMMISSIONERS:

COUNCIL: Council members welcomed newly elected Adam M. Bujalski to the Council

Auditor- Pickens gave financial report.

Patty Pickens-Ordinance CC-2021-01 Ordinance of the Elkhart County Council of the County of Elkhart, Indiana Establishing the Solid Waste Management District Fund for the Elkhart County Landfill.

On motion made by Graham and seconded by Riegsecker to approve Ordinance CC-2021-01. The roll call votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 Ordinance CC-2021-01 was unanimously approved.

Patty Pickens- Ordinance CC-2021-02 Approval of Encumbrance Ordinance.

On motion made by Riegsecker and seconded by Graham to approve Ordinance CC-2021-02. The roll call votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski Aye. With a vote of 7 to 0 Ordinance CC-2021-02 was unanimously approved.

SHERIFF: None

## **EDC MATTERS:**

Chris Godlewski-

- (a) Approval of the appointment of Ron Norman to the Board of Zoning Appeals, Four (4) Year Term. Expires 12/31/2024.

On motion made by Hess and seconded by Graham to approve the appointment of Ron Norman to the Board of Zoning Appeals.

The roll call votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the request was approved.

- (b) Approval of the re-appointment of Darryl Riegsecker, Jon Hunsberger and the appointment of Sara Huss to the Redevelopment Commission. One (1) year Term. Expires 12/31/2021.

On motion made by Hess and seconded by Graham to approve the re-appointment and appointment to the Redevelopment Commission.

The roll call votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the request was approved.

**HUMAN RESOURCE MATTERS:**

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL (#1000)

1. Commissioners (130) requested \$219,544.00 for funds to be paid to the Humane Society on behalf of the communities who will reimburse the County in two installments. Per Interlocal agreement. Communities are responsible for the following amounts: Elkhart-\$126,500.00, Goshen- \$77,644.00, Middlebury-\$5400.00, Wakarusa-\$6000.00 and Bristol-\$4000.00 for animal control services.

On motion made by Hess and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

B. EDIT (#1112)

1. Highway (980) requested \$210,000.00 for funds used to purchase and maintain traffic count supplies.

Charlie McKenzie presented this request to the Council.

On motion made by Riegsecker and seconded by Yohn, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

C. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections (980) requested 638,463.00 to set-up accounts for new Grant fund year 2021. They were awarded 6 months total award.

On motion made by Hess and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

D. SALES DISCLOSURE FUND (#1131)

1. Assessor (980) requested \$16,500.00 for their annual request for funds from the Sales Disclosure account to cover the costs of three copiers and MLS service. Assessor Cathy Searcy presented this request to the Council.

On motion made by Hess and seconded by Yohn, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

E. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requests \$100,000.00 for annual appropriation for misc. repairs to bridges.

Charlie McKenzie presented this request to the Council.

On motion made by Hess and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request

F. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requested \$16,000.00 for funds to continue to pay for Additional cleaning of the courthouses for January and February.

Jeff Taylor presented this to the Council.

Taxpayer Glenn Null disapproves of the amount that they are spending on 2 courthouses to be cleaned when they are not holding court in either buildings.

On motion made by Graham and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

G. PRISONER REIMBURSEMENT-PROJECT INCOME (#1140)

1. Community Corrections (614) requested \$2,746,248.00 for funds to set-up accounts for a new year 2021. However after a lengthy discussion with Jeff Taylor, Randy Yohn, Dave Hess and Patty Pickens about the realistic estimated revenue, Jeff Taylor asks for the amount of the request to be lowered to \$1,738,673.00 to set-up accounts for 2021.

On motion made by Graham and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request for \$1,738,673.00.

H. CUMULATIVE DRAIN(#1141)

1. Surveyor (980) requested \$7000.00 to fund Mather ditch project.

Phil Barker presented this request to the Council. He states this project is a joint effort with the highway department. The surveyor's office is buying the pipe and the highway department will put it in.

On motion made by Riegsecker and seconded by Yohn, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

I. DRUG FREE COMMUNITY (#1148)

1. Commissioners (980) requested \$4500.00 for an allocation to area agencies who have submitted qualified applications for programs which will further Elkhart County's Drug Free Partnership goals to negate alcohol and other drug use and/or abuse.

Jessica Koscher presented this to the Council, She explains the reason for coming back a second time asking for more money. She states a change in allocations and an error in their budget resulted in a shortfall.

On motion made by Yohn and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

J. BCCP-PROGRAM INCOME (#1159)

1. Health (614) requested \$6,700.00 to set-up accounts for on-going operation of the Breast & Cervical Cancer Program. Expenditures of income generated to cover expenses incurred for 2021 and to encourage women to take advantage of the program.

Dr. Bethany Wait presented this request to the Council.

On motion made by Wenger and seconded by Riegsecker, to vote on and approve the following additional appropriations together as they are for setting up funds for the 2021 year. K. Health-Administration (#1159), L. Health-CHN Donations (#1159), M. Health-Lobley (#1159), N. Local Health Maintenance Fund (#1168) (O) Health Education Donations (#1168).

On motion made by Wenger and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

K. HEALTH ADMINISTRATION DONATIONS (#1159)

1. Health (981) requested \$612.00 to appropriate donated funds for 2021.

This and the following additional appropriations taken together as they are for setting up funds for the 2021 year. (J) BCCP-Program (#1159) (L) Health –CHN Donations (#1159), (M) Health-Lobley (#1159), (N) Local Maintenance Fund (1168), (O) Health Education Donations (#1168).

\*\* See action and vote above\*\*

L. HEALTH-CHN DONATIONS (#1159)

1. Health (#982) requested \$8441.00 to appropriate donated funds for 2021.

This and the following additional appropriations taken together as they are for setting up funds for the 2021 year. (J) BCCP-Program (K) Health-Administration (#1159), (M) Health-Lobley (#1159), (N) Local Health Maintenance Fund (1168), (O) Health Education Donations (#1168).

\*\* See action and vote above\*\*

M. HEALTH-LOBLEY DONATIONS (#1159)

1. Health (983) requested \$837.00 to appropriate donated funds for 2021.

This and the following additional appropriations taken together as they are for setting up funds for the 2021 year. (J) BCCP-Program (#1159) (K) Health-Administration Donations (#1159), (L) Health-CHN Donations (#1159), (N) Local Health Maintenance Fund (#1168), (O) Health-Education Donations (#1168).

\*\* See action and vote above\*\*

N. LOCAL HEALTH MAINTENANCE FUND (#1168)

1. Health (980) requested \$80,831.00 for 2021 funding for Local Health Maintenance Fund January 1, 2021 through December 31, 2021.

This and the following additional appropriations together as they are for setting up funds for the 2021 year. (J) BCCP- Program Income (#1159) (K) Health - Administration Donations (#1159), (L) Health-CHN Donations (#1159), (M) Health-Lobley Donations (#1159), (O) Health Education Donations (#1168).

\*\* See action and vote above\*\*

O. HEALTH EDUCATION DONATIONS (#1168)

1. Health (982) requested \$3275.00 to appropriate donated funds for 2021.

This and the following additional appropriations taken together as they are for setting up funds for the 2021 year. (J) BCCP-Program Income (#1159) (K) Health Administration Donations (#1159), (L) Health-CHN Donations (#1159), (M) Health-Lobley Donations (#1159) (N) Local Health Maintenance Fund (#1168).

\*\* See action and vote above\*\*

P. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$500,000.00 for funds for contractor services such as snowplowing.

Charlie McKenzie presented this request to the Council. He reports that funds were budgeted in Motor Vehicle Highway and there is a corresponding reduction to move funds to Local Road & Street.

On motion made by Graham and seconded by Wenger, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

Q. MISDEMEANANT (#1175)

1. Sheriff (105) requested \$125,000.00 to purchase 3 new transport vans for the jail.

Sheriff Jeff Siegel presented this request to the Council. Wenger questions the necessity, Siegel explains that these vans are really hard to come across and that they are 1ton trucks versus the new ones that will be coming out will be  $\frac{3}{4}$  tons.

On motion made by Graham and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

R. SOLID WASTE (#1194)

1. Landfill (980) requested \$500,000.00 for Leachate Tank Construction and Fencing as well as expenses related to Wilson Property Purchase this money will be added to the current project 202001.

John Bowers presented this request to the Council.

On motion made by Yohn and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

S. SURVEYORS CORNER PERPETUATION (#1202)

1. Surveyor (106) requested \$86,203.00 to fund new position Survey Party Chief for 2021.

Phil Barker presented this to the Council.

On motion made by Graham and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

T. LOCAL HEALTH TRUST FUND (#1206)

1. Health (981) requested \$108,629.00 for funding the Local Health Department Trust account January 1, 2021 through December 2021.

Dr. Bethany Wait presented this request to the Council.

On motion made by Yohn to vote on and approved the following additional appropriations together: (T) Local Health Trust Fund (#1206), (X) WIC- Program Income (#8101) (Y) MCH-Program Income (#8127), (Z) MCH- Donations (#8127) and (AA) ITCP-Donations (#9104) and seconded by Riegsecker. By roll call votes the Council's votes are as follows: : Hess-Aye, Wenger-Aye, Graham-Aye, Yohn- Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the requests.

U. SHERIFF DONATIONS (#4101) \

1. Sheriff (105) requested \$36,000.00 to appropriate donated funds for 2021.

Sheriff Jeff Siegel presented this request to the Council.

On motion made by Riegsecker and seconded by Yohn, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.

V. CTP GRANT (#4913)

1. Community Corrections (980) requested \$184,378.00 to set-up accounts for new fund year 2021.

On motion made by Hess and seconded by Riegsecker, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request

W. SCHOOL LUNCH PROGRAM (#4925)

1. Sheriff (105) requested \$15,000.00 to appropriate funds for the School Lunch Program for calendar year 2021.

Sheriff Jeff Siegel presented this request to the Council.

On motion made by Wenger and seconded by Graham, by roll call votes the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the request.



X WIC DONATIONS (#8101)

1. Health (982) requested \$2519.00 to appropriate donated funds for 2021.

On motion made by Yohn to vote on the following additional appropriations together: (T) Local Health Trust Fund (#1206), (X) WIC- Program Income (#8101) (Y) MCH-Program Income (#8127), (Z) MCH- Donations (#8127) and (AA) ITCP-Donations (#9104) and seconded by Riegsecker. By roll call votes the Council's votes are as follows: : Hess-Aye, Wenger-Aye, Graham-Aye, Yohn- Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the requests.

Y MCH-PROGRAM INCOME (#8127)

1. Health (982) requested \$712,762.00 to appropriate funds for 2021.

On motion made by Yohn to vote on the following additional appropriations together: (T) Local Health Trust Fund (#1206), (X) WIC- Program Income (#8101) (Y) MCH-Program Income (#8127), (Z) MCH- Donations (#8127) and (AA) ITCP-Donations (#9104) and seconded by Riegsecker. By roll call votes the Council's votes are as follows: : Hess-Aye, Wenger-Aye, Graham-Aye, Yohn- Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the requests.

Z. MCH-DONATIONS (#8127)

1. Health (982) requested \$3,671.00 to appropriate donated funds for 2021.

On motion made by Yohn to vote on the following additional appropriations together: (T) Local Health Trust Fund (#1206), (X) WIC- Program Income (#8101) (Y) MCH-Program Income (#8127), (Z) MCH- Donations (#8127) and (AA) ITCP-Donations (#9104) and seconded by Riegsecker. By roll call votes the Council's votes are as follows: : Hess-Aye, Wenger-Aye, Graham-Aye, Yohn- Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the requests

AA. ITCP DONATIONS (#8127)

1. Health (982) requested \$59.00 to appropriate donated funds for 2021.

On motion made by Yohn to vote on the following additional appropriations together: (T) Local Health Trust Fund (#1206), (X) WIC- Program Income (#8101) (Y) MCH-Program Income (#8127), (Z) MCH- Donations (#8127) and (AA) ITCP-Donations (#9104) and seconded by Riegsecker. By roll call votes the Council's votes are as follows: : Hess-Aye, Wenger-Aye, Graham-Aye, Yohn- Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved the requests.

**REDUCTIONS:**

**BB. MOTOR VEHICLE HIGHWAY (#1176)**

1. Highway (#1176) requested a reduction in the amount of -\$500,000.00.

Charlie McKenzie explains to the Council, this appropriation was appropriated to Motor Vehicle Highway fund but they want to reduce and move it to Local Road and Street Fund.

On motion made by Riegsecker and seconded by Stump, by roll call vote the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham- Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the request was unanimously approved by the Council.

**CC. STORMWATER MANAGEMENT OPERATING (#1197)**

1. Surveyor (106) requested a reduction in the amount of -\$1,087,652.79 due to unused funds.

On motion made by Riegsecker and seconded by Stump, by roll call vote the Council's votes are as follows: Hess-Aye, Wenger-Aye, Graham- Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0 the request was unanimously approved by the Council.

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

**A. PUBLIC HEALTH PREPAREDNESS (#8119)**

1. Health (981)

From: 42195 Operating Supplies	4,278.00
To: 44535 Data Processing Equip.	4,278.00

On motion made by Yohn and seconded by Bujaski to approve the Betweenens transfers in the total amount of \$4,278.00. The roll call votes are as follows: Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Nay and Bujalski-Aye With a vote of 6 to 1 the between transfers were approved by the Council.

**OTHER BUSINESS:**

Ronda DeCaire:

Re- appointment of Karen Mackowiak to the Elkhart County Park and Recreation Board. Four (4) year term. Expires 12/31/2024.

On motion made by Riegsecker and seconded by Yohn to approve request. By roll call vote the Council’s votes are as follows: Hess-Aye, Wenger- Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujaski-Aye. With a vote of 7 to 0 Karen Mackowiak was re-appointed to the Elkhart County Park and Recreation Board.

Cathy Searcy:

Re-appointment of Jerry Weaver and Mike Settles to the Elkhart County Property Tax Assessment Board of Appeals. One (1) year Term. Expires 12/31/2021.

On motion made by Riegsecker and seconded by Bujalski to approve request. By roll call vote, the Council’s votes are as follows: Hess- Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0, the Council unanimously approved the request.

**AUDIENCE ITEMS”**

Glenn Null discussed re-opening the building to the public. He also states he has issues with spending \$4000.00 a month to clean the courthouse when it is not being used by the public. Riegsecker clarifies that the Courthouse is open they are just doing the trials virtually.

**ADJOURN**

There being no further business to come before the Council, on motion made by Graham seconded by Riegsecker, By roll call vote, the Council’s votes are as follows Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye and Bujalski-Aye. With a vote of 7 to 0, the Council unanimously approved the request to adjourn. The meeting was adjourned at 9:50 am.

Cindy Chadwell  
Recording Secretary

A complete recording of this meeting is available in the Auditor’s Office. The recording of this meeting will be available for one year and then erased.