

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**117 N. Second St. Rm. 104 Goshen, Indiana 46526**  
**February 13th, 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, Darryl J. Riegsecker, Thomas W. Stump and Adam M. Bujalski. Members Absent: Randall D. Yohn

Also present were Patricia A. Pickens, County Auditor; Tiara Jackson, 1<sup>st</sup> Deputy Auditor; Craig Buche, County Attorney; Commissioner Brad Rogers; Commissioner Suzie Weirick; County Administrator Jeff Taylor

\*\* 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 or in person.

**MINUTES:** Approval of CC Meeting-January 9<sup>th</sup>, 2021

Craig Buche requested some corrections on the January 9<sup>th</sup>, 2021 minutes. On page 11 under Other Business: It states that Jerry Weaver and Mike Settles were re-appointed to the Elkhart County Park & Recreation Board instead of Elkhart County Property Tax Assessment Board of Appeals.

On motion made by Graham to approve the January 9<sup>th</sup>, 2021 minutes with changes and seconded by Riegsecker, the Council unanimously approved the minutes 6 to 0.

COMMISSIONERS: Weirick on New Courthouse.

COUNCIL: Graham on Vaccine-praises the Health Department.  
Wenger on NACO.  
Hess on Courts Project.

Auditor: Pickens gave financial report.

APPROVAL OF AMENDED ENCUMBRANCE ORDINANCE- CC-2021-06

On Motion made by Hess and seconded by Riegsecker to approve CC-2021-06 Amended Encumbrance Ordinance, with a vote of 6 to 0, the Council unanimously carried and approved this request.

**EDC MATTERS:**

Craig Buche:

\*\*\* PUBLIC HEARING\*\*\*  
\*\*\* Valmont Industries, Inc. \*\*\*

On motion made by Graham to open the Public Hearing and seconded by Riegsecker, the Council unanimously carried with a vote of 6 to 0 approved the request.

Attorney Craig Buche and Chris Stager discussed the details of the project. Hess discussed the technology of Valmont’s product. Bujalski comments on the diversity of the company. No audience member wished to speak.

On motion made by Graham and seconded by Riegsecker to close the Public Hearing, the Council unanimously carried and approved the request.

- 1. Consideration for Approval: Commitment and Payment Agreement (Valmont Industries, Inc.)

On motion made by Graham and seconded by Riegsecker to approve the Commitment and Payment Agreement, the Council, unanimously carried with a vote of 6 to 0 and approved this request.

- 2. Consideration for Approval: Confirmatory Resolution CC-2021-07- RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING (Valmont Industries, Inc.)

On motion made by Graham to approve and seconded by Riegsecker. With a vote of 6 to 0 the Council unanimously carried and approved Confirmatory Resolution CC-2021-07.

SHERIFF: None

**HUMAN RESOURCE MATTERS:**

**COMPENSATION STUDY ADDITIONAL APPROPRIATIONS:**

A. GENERAL FUND (#1000)		
1.	Clerk (101)	\$10,213.00
2.	Treasurer (103)	\$6,880.00
3.	Recorder (104)	\$975.00
4.	Sheriff (105)	\$9,899.00
5.	Prosecuting Attorney (108)	\$2,364.00
6.	Planning & Development (132)	<u>\$168.00</u>
	Total Pg.1	\$30,499.00

B. GENERAL FUND (#1000)		
7.	Emergency Management (137)	\$1,905.00
8.	Human Resources (142)	\$11,709.00
9.	Soil & Water (144)	\$11,146.00
10.	Circuit (160)	\$17,673.00
11.	Superior Court 1(162)	\$13,160.00
12.	Superior Court 2 (163)	<u>\$1,098.00</u>
	Total Pg. 2	\$56,681.00

C. GENERAL FUND (#1000)		
13.	Superior Court 3 (164)	\$12,846.00
14.	Court Services (168)	\$4,978.00
15.	IV-D Court (171)	<u>\$10,680.00</u>
	Total Pg. 3	\$28,504.00

**TOTAL FOR GENERAL FUND (#1000) \$115,694.00**

D. MOTOR VEHICLE HIGHWAY (#1176)		
1.	Highway (201)	\$32,558.00
2.	Highway (202)	<u>\$12,882.00</u>
	<b>TOTAL FOR MOTOR VEHICLE HIGHWAY (#1176)</b>	<b>\$45,440.00</b>

E. STORMWATER (#1197)		
1.	MS4 Surveyor (106)	\$15,843.00

F. PARKS & RECREATION (#1219)		
1.	Parks (320)	\$2081.00

G. ADULT PROBATION FEES (#2100)		
1.	Court Services (980)	\$1,285.00

**TOTAL ADDITIONAL APPROPRIATIONS COMPENSATION STUDY: \$180,343.00**

On motion made by Bujalski and seconded by Riegsecker to approve the Compensation Study Additional Appropriations together, with a vote of 6-0 the Council unanimously carried and approved the Compensation Study Additional Appropriations.

**COMPENSATION STUDY REDUCTIONS:**

A. GENERAL FUND (#1000)		
1.	Auditor (102)	-\$8071.00
2.	Surveyor (106)	-\$3034.00
3.	Assessor (109)	-\$19,333.00
4.	Concord Assessor (114)	-\$22,242.00
5.	Code Enforcement (131)	-\$13,039.00

6.	Building & Grounds (140)		<u>-\$119,945.00</u>
		Total Pg. 1	<u>-\$185,664.00</u>
7.	Archives (143)		-\$4,125.00
8.	Extension (145)		-\$707.00
9.	Prosecuting Attorney (158)		-\$17,482.00
10.	Victim Assistance (159)		-\$781.00
11.	Circuit Court Juvenile (161)		-\$2556.00
12.	Superior Court 4 (165)		<u>-\$528.00</u>
		Total Pg. 2	- \$26,179.00
13.	Superior Court 5 (166)		-\$17,263.00
14.	Magistrate Elkhart (169)		-\$7,175.00
15.	Superior Court 6 (170)		-\$4,500.00
16.	Community Corrections (179)		<u>-\$7,976.00</u>
		Total Pg. 3	-\$36,914.00
<b>TOTAL FOR GENERAL FUND REDUCTIONS (#1000)</b>			<b>-\$248,757.00</b>
<b>B. COMMUNITY CORRECTION GRANT (#1130)</b>			
	1. Community Corrections (614)		-\$30,306.00
	1. Community Corrections (980)		<u>-\$30,354.00</u>
<b>TOTAL FOR COMMUNITY CORRECTION GRANT (#1130)</b>			<b>-\$60,660.00</b>
<b>C. CUMULATIVE BRIDGE (#1135)</b>			
	1. Highway (212)		-\$22,618.00
<b>D. CUMULATIVE CAPITAL DEVELOPMENT (#1138)</b>			
	1. Information Technology (#141)		-\$17,794.00
<b>E. CUMULATIVE VOTING SYSTEM (#1143)</b>			
	1. Voter's Registration (191)		-\$8,299.00
<b>F. REASSESSMENT (#1188)</b>			
	1. Assessor (980)		-\$5,590.00
<b>G. RECORDER PERPUTUATION (#1189)</b>			
	1. Recorder (104)		-\$5,870.00
<b>H. LANDFILL OPERATING (#1194)</b>			
	1. Landfill (338)		-\$20,113.00

I. STORMWATER (#1197)	
1. Highway (204)	-\$480.00
2. Soil & Water (980)	-\$17.00
3. Health (340)	<u>-\$1,198.00</u>
<b>TOTAL FOR STORMWATER (#1197)</b>	<b>-<u>\$1,693.00</u></b>
J. PUBLIC DEFENDER SUPPLEMENT (#1200)	
1. Public Defender (980)	-\$303.00
K. PARK & RECREATION (#1219)	
1. Park Department (320)	-\$881.00
L. COMMUNITY CORRECTIONS GRANT (#4913)	
1. Community Corrections (981)	-\$7,470.00
M. FIBER (#4928)	
1. Highway (980)	-\$14,791.00
<b>TOTAL REDUCTIONS FOR COMPENSATION STUDY:</b>	<b>-<u>\$354,179.00</u></b>

On motion made by Riegsecker to approve all the Compensation Study Reductions together and seconded by Bujalski. With a vote of 6 to 0, the Council unanimously carried and approved the Compensation Study Reductions.

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$130,000.00 for funds necessary for additional space needs for the building occupied by the Prosecutor's Office. Additional space will be utilized by the Prosecutor, Concord Twp. Assessor, possibly ECCC and other departments which can benefit from a presence in the downtown Elkhart area.

Jeff Taylor presented this request to the Council.

On motion made by Graham and seconded by Bujalski to approve the request. With a vote of 6 to 0 the Council unanimously carried and approved this request.

B. GENERAL FUND (#1000)

1. Commissioners (130) requested \$200,000.00 for funds for incidental costs related to the construction of the courthouse. Examples include but are not limited to the construction office, misc. studies, inspection, meetings, data collection, and other related costs for constructing the courthouse.

Jeff Taylor presented this request to the Council.

Graham questioned whether these costs should have been included in the total cost of the project when presented and approved in September 2020.

Hess explained that some of these costs you don't want figured in due to having a Bond, that it is more feasible to the County to do additional appropriations for these incidental costs.

On motion made by Bujalski and seconded by Graham, the Council unanimously carried, and approved this request.

#### C. GENERAL FUND (#1000)

1. Emergency Management (137) requested \$4,136 to appropriate Donation Money carried forward to 2021 budget.

Director Jennifer Tobey presented this request to the Council.

On motion made by Riegsecker and seconded by Graham, with a vote of 6 to 0 the Council unanimously carried and approved the request.

#### D. GENERAL FUND (#1000)

1. Emergency Management (137) requested \$4,233.00 for emergency lighting for both EMA vehicle.

Director Jennifer Tobey explains to the Council, that this is not new money. She states they were approved for a transfer in December for the emergency lighting for both EMA vehicles. The Equinox invoice was paid but the Silverado invoice was missed by mistake in the Auditors office. Tobey states she is only asking for the money that was previously approved from the 2020 budget to be appropriated to 2021.

On motion made by Graham and seconded by Riegsecker to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

#### E. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$6250.00 to purchase new Fujitsu FI-7700 production scanner for Archives.

Christopher Anderson presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

F. SALES DISCLOSURE (#1131)

1. Concord Township Assessor (114) requested \$3,536.00 for Copy Machine rent needed for sales disclosure validation & retention. And for MLS to maintain access ensuring accuracy of sales disclosure and assessments.

Chris Dickerson presented this request to the Council.

On motion made by Wenger and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

G. ELECTRONIC MAP GENERATION (#1150)

1. Planning & Development (980) requested \$8,000.00 for payments for pictometry service.

Chris Godlewski presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker to approve, with a vote of 6 to 0 the request was approved.

H. LEPC (#1152)

1. Emergency Management (980) requested \$90,982.00 to set-up 2021 LEPC Budget.

Jennifer Tobey ask the Council to vote on this request and on W. 2020 TruNarc Grant (#8164) for \$62,400.00 as both requests are for setting up Grants for the 2021 Budget Year.

On motion made by Graham and seconded by Riegsecker to vote on requests H. LEPC (#1152) for \$90,982.00 and W. 2020 TruNarc (#8164) for \$62,400.00 together and to approve, with a vote of 6 to 0, the Council unanimously carried and approved these requests.

I. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$1,000,000.00 for funds for road paving and associated costs.

This and the following additional appropriations were taken together as they were all for road paving and maintenance. J. Motor Vehicle Highway (#1173) for \$2,000,000.00 and Q. Road Maintenance & Construction (#4901) \$1,500,000.00.

On motion made by Wenger and seconded by Graham to vote and approve on items I. Local Road & Street (#1169) for \$1,000,000.00, Motor Vehicle Highway (#1173) for \$2,000,000.00 and Q. Road Maintenance & Construction (#4901) \$1,500,000.00 together, with a vote of 6 to 0 the Council unanimously carried and approved these requests.

**J. MOTOR VEHICLE HIGHWAY (#1173)**

1. Highway (980) requested \$2,000,000.00 for funds for road paving and associated costs.

This and the following additional appropriations were taken together as they were all for road paving and maintenance. I. Local Road & Street (#1169)\$1,000,000.00 and Q. Road Maintenance & Construction (#4901) \$1,500,000.00 \*\* (See action and vote above) \*\*

**K. ADULT PROBATION ADMINISTRATIVE (#2000)**

1. Court Services (980) requested \$16,642.81 to appropriate the remaining funds in 2000-980 in order to transfer them to the appropriate fund 2100-980.

This request and the following additional appropriation was voted on together L. Adult Probation User Fee (#2100) \$123,477.00 and reduction DD. Adult Administration Fee Fund (#2000)-\$123,477.00. On motion made by Graham and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously approved these requests.

**L. ADULT PROBATION USER FEE (#2100)**

1. Court Services (980) requested \$123,477.00 to cover salary and benefits for two employees that were originally in the Adult Administration Fee Funds 2000-980. Per Statute, the Administrative Fee Funds should have been eliminated several years ago and combined with the Adult Probation User Fee Fund.

This request and the following additional appropriation was voted on and approved together K. Adult Probation Administrative (#2000) \$16,642.81 and reduction DD. Adult Administration Fee Fund (#2000)-\$123,477.00. On motion made by Graham and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously approved these requests.

\*\* (See action and vote above) \*\*

**M. SOUTH BENTON (#4505)**

1. Planning & Development (980) requested \$65,000.00 for reimbursement to the Town of Syracuse for water/sewer extension.

Natasha Kauffmann presented this request to the Council.

On motion made by Riegsecker and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.



N. MIDDLEBURY SE (#4509)

1. Planning & Development (980) requested \$5,500.00 for fees for TIF expansion paid to Baker Tilly.

Natasha Kauffmann presented this request to the Council.

On motion made by Riegsecker and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

O. CR 6 & 17 NE TIF (#4511)

1. Planning & Development (980) requested \$205,000.00 for the PCR Water Utility Construction-Adams Street.

Natasha Kauffmann presented this request to the Council.

On motion made by Graham and seconded by Bujalski, with a vote of 6 to 0 the Council unanimously carried and approved this request.

P. LOVES TIF (#4515)

1. Planning & Development (980) requested \$2,490.00 for reimbursement to Loves for road and sewer improvements.

Natasha Kauffmann presented this request to the Council.

On motion made by Riegsecker and seconded by Bujalski to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

Q. ROAD MAINTENANCE & CONSTRUCTION (#4901)

1. Highway (980) requested \$1,500,000.00 for funds for road paving, chip seal and associated costs.

This and the following additional appropriations were taken together as they were all for road paving and maintenance. I. Local Road & Street (#1169) \$1,000,000.00. J. Motor Vehicle Highway (#1173) for \$2,000,000.00.

\*\* (See action and vote above) \*\*

R. PARK & RECREATION (#4909)

1. Parks (980) request \$150,000.00 to be appropriated for designated park donated projects for 2021.

Ronda DeCaire presented this request to the Council.

On motion made by Bujalski and second by Riegsecker to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

S. PARK & RECREATION (#4909)

1. Parks (980) requested \$65,264.00 to be appropriated to set-up the accounting from the Elkhart Community Foundation Defries Garden Endowment for payroll and the continuing maintenance and development of the Defries Gardens at the River Preserve County Park for 2021.

Ronda DeCaire presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker to approve, with a vote of 6 to 0, the Council unanimously carried and approved this request.

T. PARKS & RECREATION (#4909)

1. Parks (980) requested \$200,000.00 to be appropriated for designated park donated projects for 2021.

Ronda DeCaire presented this request to the Council.

On motion made by Graham and seconded by Riegsecker to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

U. REDEVELOPMENT FUND (#4911)

1. Planning & Development (980) requested \$2500.00 for laptop for Chris Godlewski, newspaper subscriptions, software, administrative costs, mileage for Natasha Kauffmann and office supplies as needed.

Natasha Kauffmann presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

V. COURT IMPROVEMENT GRANT (#8122)

1. Juvenile Court (161) requested \$13,000.00 for funds to pay for a yearly Summit.

Laura Cameron explained to the Council that there was an error made when filling out the form and so the Agenda states they are asking for \$30,000.00 when it should be \$13,000.00.

On motion made by Riegsecker and seconded by Graham to approve the additional appropriations for \$13,000.00 instead of the \$30,000.00 and the correct will be made in the minutes for the record. With a vote of 6 to 0 the Council unanimously carried and approved this request.

W.2020 TRUNARC GRANT (#8164)

1. Emergency Management (980) requested \$62,400.00 for 1Narcotic Detection Device for the Elkhart County Sheriff and 1 for the Prosecuting Attorney's Office.

Jennifer Tobey explains to the Council that 100% of the Additional is reimbursable by IDHS grant.

On motion made by Graham and seconded by Riegsecker to vote on requests H. LEPC (#1152) for \$90,982.00 and W. 2020 TruNarc (#8164) for \$62,400.00 together and to approve, with a vote of 6 to 0, the Council unanimously carried and approved these requests.

**X. CRRSA EMERGENCY RENTAL ASSISTANCE (#8170)**

1. Commissioners (980) requested \$6,178,131.00 this funds is established to appropriate funds received from the Federal government for the purposes of providing rental assistance to Elkhart County Residents according to established program guidelines.

Jeff Taylor explained the program to the Council.  
Bujaski asked about a timeline for the program to be rolled out. Commissioner Weirick said they anticipate about a 3 week timeline.

On motion made by Bujalski and seconded by Graham to approve, with a vote of 6 to 0 the Council unanimously approved this request.

**Y. CARES EPIDEMIOLOGY & LAB (#8904)**

1. Health (980) requested \$120,960.00 for funding to pay staff working the Corona Virus vaccine clinics.

On motion made by Graham and seconded by Hess to approve, with a vote of 6 to 0 the Council unanimously carried and approved this request.

**TOTAL APPROPRIATIONS:**

**\$12,157,502.41**

**REDUCTIONS:**

**Z. GENERAL FUND(#1000)**

1. Commissioners (130) requested a reduction in the amount of -\$976,354.00 the remaining funds from the land purchase for the courthouse.

**AA.EDIT (#1112)**

1. Highway (980) requested a reduction in the amount of -\$1,500,000.00 the project bids received lower than appropriated amount.

**BB.PROJECT INCOME (#1130)**

1. Community Corrections (614) requested a reduction in the amount of \$2,746,248.00 to close out the account.

CC. PRISONER REIMBURSEMENT GRANT (#1130)

1. Community Correction (980) requested a reduction in the amount of \$1,992,084.00 for setting up accounts for new Grant fund year. 2021 Six Month Total Awarded.

CC. (2) STORMWATER (#1197)

1. Highway (980) requested a reduction in the amount of -\$200,000.00, project bids were lower that appropriated amount.

DD. ADULT ADMINISTRATION FEE FUND (#2000)

1. Court Services (980) requested a reduction in the amount of -\$123,477.00, per state statute, the Administrative Fee Fund should have been eliminated several years ago and combined with the Adult Probation User Fee Fund. These salaries and positions were originally budgeted in this fund and they need to be moved to the Adult Probation User Fee Fund.

EE. CTP (#4913)

1. Community Corrections (980) requested a reduction in the amount of \$175,950.00 for setting up accounts for new fund year 2021.

On motion made by Riegsecker to vote and approve on all the following reductions together (Z. General Fund (#1000) -\$976,354.00, AA. EDIT (#1112) -\$1,500,000.00. BB. Project Income (#1130) -\$2,746,248.00, CC. Prisoner Reimbursement (#1130) -\$1,992,084.00, CC. (2) Stormwater (#1197) -\$200,000.00, DD. Adult Administration Fee Fund (#2000) -\$123,477.00, CTP (#4913) -\$174,950.00) and seconded by Wenger, with a vote of 6 to 0 the Council unanimously carried and approved the above requests.

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A. GENERAL FUND (#1000)

1. Superior Court (166)

From: 42090 Other Supplies 250.00

To: 44545 Other Equipment 250.00

B. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980)

From: 43090 Professional Services 800.00

To: 44520 Office Equipment 800.00

C. PRISONER REIMBURSEMENT (#1140)

1. Community Corrections (614)

	From: 43190 Operating Supplies	700.00
	To: 44545 Facility Equipment	700.00
D.	LANDFILL OPERATING FUND (#1194)	
	1. Solid Waste (338)	
	From: 45100 Trans. Between Funds	500,000.00
	To: 43090 Otr. Prof. Services	500,000.00
E.	DIGITAL DENTAL EQUIPMENT (#9108)	
	1. Health (981)	
	From: 44510 Capital Supplies	1139.00
	To: 43090 Otr Prof. Services	1139.00
	Total	502,889.00

On motion made by Riegsecker and seconded by Bujalski to approve the Between transfers in the total amount of \$502,889.00. With a vote of 6 to 0 the Council unanimously carried and approved the request.

**OTHER BUSINESS:**

- (a) Approval of Interlocal Agreements for the Humane Society including: Town of Wakarusa, City of Goshen, Town of Middlebury, Town of Bristol and the City of Elkhart.

On motion made by Bujalski and seconded by Graham to approve the Interlocals, with a vote of 6 to 0 the Council unanimously carried and approved this request.

Craig Buche:

- (b) Approval of CC-2021-03 AN ORDINANCE ESTABLISHING THE CRRSAA EMERGENCY RENTAL ASSISTANCE GRANT FUND.

On motion made by Graham to approve and seconded by Riegsecker. With a vote of 6 to 0 the Council unanimously carried and approved the request.

Jeff Taylor asked the Council for the Bristol loan from the Major Moves Fund be revaluated.

Council President Tom Stump introduced and welcomed the new 1<sup>st</sup> Deputy Auditor Tiara Jackson.

## **AUDIENCE ITEMS”**

Taxpayer Glenn Null expressed concerns over the sidewalks not shovels to the War Memorial, the February 8<sup>th</sup>, 2021 Commissioners meeting and the additional costs for the new Courthouse project.

## **ADJOURN**

There being no further business to come before the Council, on motion made by Graham seconded by Riegsecker to adjourn the meeting. With a vote of 6 to 0, the Council unanimously approved the request to adjourn. The meeting was adjourned at 9:55 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.