

MINUTES
ELKHART COUNTY COUNCIL
117 N. Second St. Room 104, Goshen In. 46526
July 10th, 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, Douglas S. Graham, Randall D. Yohn, Darryl J. Riegsecker and Adam M. Bujalski. Council member Tina M. Wenger was absent.

Also present were Patricia A. Pickens, County Auditor; Tiara Jackson, First Deputy Auditor, Craig Buche, County Attorney; Commissioner Brad Rogers, Commissioner Suzie Weirick and 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 and remote electronic participation through Web-Ex.

MINUTES: Approval of CC Meeting Minutes: June 12th, 2021

On motion made by Riegsecker and seconded by Bujalski to approve minutes from the June 12th, 2021. With a vote of 6 to 0 the Council unanimously carried and approved the June 12th, 2021 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL- None

AUDITOR: Pickens gave financial report.

SHERIFF: Sheriff reiterated the open positions at the Sheriff's Department and the Jail.

COUNCIL APPOINTMENTS:

- (a) Town of Bristol- For Consideration and Approval to appoint Chris Garner to the newly established Bristol Economic Development Commission.

On motion made by Graham and seconded by Riegsecker, the Council carried and unanimously approved the appointment of Chris Garner to the Bristol Economic Development Commission.

- (b). Nappanee Public Library for Consideration and Approval to appoint Sherrie Mullet to fulfill Keith Schwartz's term on the Nappanee Public Library Board which expires on October 31, 2021.

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

EDC MATTERS:

Craig Buche:

1. For Consideration and Approval of Resolution CC-2021-21 for waiver of non-compliance for late filing of CF-1 for General RV Center, Inc. tax phase-in project.

Buche explained to the Council this was the first year of the tax phase-in and the company was unclear as to the requirements and filed the paperwork late.

Taxpayer Glenn Null expressed his concerns for companies not following timeline and stated they should be held accountable.

Bujalski makes motion to deny and is seconded by Graham. By roll call vote, the Council members votes are as follows:

Stump-Nay, Hess-Aye, Graham-Aye, Yohn-Nay, Riegsecker-Nay and Bujalski-Aye. With a vote of 3 to 3 the motion to deny was not passed.

On motion to approve made by Riegsecker and seconded by Yohn. By roll call vote, the Council member's votes are as follows:

Stump-Aye, Hess-Nay, Yohn-Aye, Riegsecker-Aye, Graham-Nay and Bujalski-Nay, with a vote of 3 to 3 the motion to approve was not passed.

Buche requested to bring this back before the Council next month. Stager stated he will reach out to General RV for more clarification as to what transpired.

2. Smoker Craft, Inc

Public Hearing

On motion to open the public hearing by Graham and seconded by Riegsecker.

Stump asked if anyone wished to speak in favor or against the request. Taxpayer Glenn Null spoke on the matter. He stated he feels that if you're requesting something from the Council, there needs to be a company representative at the meeting. Chris Stager stated

that he was working with Smoker Craft and they were working with the RSM as an intermediary on this project. He stated it was his understanding there would be a company representative on hand to answer any questions or concerns. He stated he will reach out to them and see what happened.

Stump asked if anyone else wished to speak, no one else wished to speak.

On motion made by Riegsecker to close the public hearing and seconded by Graham. With a vote of 6 to 0 the Council unanimously carried and closed the Public Hearing.

- (a) For Consideration and Approval of Commitment Agreement.
- (b) For Consideration and Approval of Confirmatory Resolution CC-2021-22

On motion made to table until next month's meeting by Riegsecker and seconded by Graham, the Council unanimously carried and approved this request.

3. Vista Building/Vista Manufacturing:

- (a) For Consideration and Approval of Declaratory Resolution CC-2021-23.

Chris Stager explained the specifics to the Council.

On motion made to approve Declaratory Resolution CC-2021-23 by Graham and seconded by Riegsecker, with a vote of 6 to 0 the Council unanimously carried and approved Declaratory Resolution CC-2021-23.

4. Solar Project-Benton Township

- (a) For Consideration and Approval of Declaratory Resolution CC-2021-20.

Craig Buche discussed the specifics with the Council. Todd Samuelson from Baker-Tilly gave financial analysis and the impact on Elkhart County from a financial aspect. He discussed the details of the project.

Development Director Sara Mills from Elkhart County Solar Project, LLC discussed the project in detail and answered questions from the Council.

After a lengthy discussion from the Council, a motion was made to approve Declaratory Resolution CC-2021-20 by Riegsecker and seconded by Yohn.

By roll call vote, the Council member's votes are as follows: Stump-Aye, Hess-Nay, Wenger-Absent, Graham-Nay, Yohn-Aye, Riegsecker-Aye and Bujalski-Nay. With a vote of 3 to 3 Declaratory Resolution CC-2021-20 did not pass.

Craig Buche asked for it to be tabled until the August 14th, 2021 meeting.

NEW COURT FACILITY:

- (a) Todd Samuelson of Baker-Tilly reviewed the specifics on the financial report for bond financing.
- (b) For Consideration and Approval of Ordinance Supporting Bond Leasing CC-2021-24.

Craig Buche presented the request to the Council, on motion made by Graham to approve Ordinance CC-2021-24 entitled “Ordinance of the Elkhart County Council Pledging the County’s Special Purpose Income Tax Revenue to the Payment of the Lease Rental under a Lease with Elkhart County, Indiana Building Corporation and Approving Materials Related Thereto” and seconded by Riegsecker.

By roll call vote, the Council member’s votes are as follows: Stump-Aye, Hess-Aye. Wenger-Absent, Graham-Aye, Yohn-Aye, Riegsecker-Aye and Bujalski-Aye. With a vote of 6 to 0 the Council unanimously carried and approved Ordinance CC-2021-24.

HUMAN RESOURCE MATTERS: None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL (#1000)

- 1. Commissioners (130) requested \$200,000.00 for funds to resurface and reseal the following locations: Seal parking lots of Elkhart Courts and the Administration building. Resurface the Lincoln Center parking lot, Hudson Clinic parking lot and the 911 Center parking lot.

Jeff Taylor explained the request to the Council. He stated they will reduce if the bids and project come in lower, possibly \$15,000.00 less.

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

B. GENERAL FUND (#1000)

- 1. Commissioners (130) requested \$65,000.00 to pay for the County’s share of the CDFI partnership. Natasha Kauffmann from Planning & Development presented this request to the Council.

President/CEO of Inova Credit Union Dallas Bergl, Board Chair for CDFI Friendly South Bend Ramal Taylor and Commissioner Suzie Weirick spoke in favor of this program.

Taxpayer Jim Kuhlenschmidt voiced his concerns and gave handouts on CDFI’s to the Council and spoke against this request.

No motion was made by the Council, so this appropriation died due to no motion.

C. GENERAL FUND (#1000)

1. Commissioners (130) requested \$400,000.00 for future land purchases around the new courthouse building site.

Jeff Taylor presented this to the Council.

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

D. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requested \$7,000.00 for maintenance of County regulated drain.

Phil Barker presented this request to the Council.

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

E. ELECTED OFFICIAL TRAINING FUND (#1217)

1. Recorder (980) requested \$8500.00 for the Clerk to purchase "Program your own Ballot" programming training for the Election Board.

Christopher Anderson presented this request to the Council He stated Elkhart County would have the ability to program the ballot in a bipartisan manner (R & D) allowing us to make ballot changes and corrections.

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

F. ARP CORONAVIRUS LFR (#8951)

1. Sheriff (980) requested \$850,000.00 for COVID pay for Corrections and Merit Officers required to work through the Pandemic.

Sheriff Jeff Siegel presented this request to the Council.

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

G. JDAI GRANT (#9113)

1. Court Services (980) requested \$5.00 to do a transfer between funds.

Ross Maxwell presented this request to the Council. He explained that they had underspent in their 2019-2020 grant, but the IDOC allows them to keep unspent funds under \$100.00, therefore they want to transfer the \$5.00 over to Project Income 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 this request.

H. JDAI GRANT (#9113)

1. Court Services (984) requested \$55,000.00 to set-up the 2021-2022 Grant.

Ross Maxwell presented this request to the Council.

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

I. JUVENILE COMMUNITY CORRECTIONS GRANT (#9120)

1. Court Services (984) requested \$151,802.00 to set-up accounts for grant period.

Ross Maxwell presented this request to the Council. Maxwell explained that this grant covers 2 juvenile community corrections employees' salaries and benefits for the grant period. Additionally there are funds to offset some of the home detention GPS costs for the County as well for any indigent families.

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

J. PROBLEM SOLVING COURT GRANT (#9135)

1. Court Services (984) requested \$9,160.00 for fund to be appropriated in order to use the grant funds that have been awarded.

Ross Maxwell presented this request to the Council.

On motion made by Graham to approve and seconded by Riegsecker, with a vote of 7 to 0, the Council unanimously carried and approved this request.

REDUCTIONS: None

TRANSFER REQUESTS REQUIRING COUNCIL ACTION:

GENERAL FUND (#1000)

1. Extension (145)

From:	42380 Capital Supplys	2,375.00
	42030 Copy Supplys	2,500.00
	42090 Office Supplys	<u>1,100.00</u>
To:	44515 Office Furniture	5,975.00

PRISONER REIMBURSEMENT (#1140)

1. Community Corrections (614)

From:	43190 Operating Supplys	1,690.00
	44545 Facility	
To:	Equipment	1,690.00

HEALTH (#1159)

1. Vital Records (340)

From:	42380 Capital Supplys	2,300.00
	42160 Clothing	400.00
	42195 Operating Supplys	<u>300.00</u>
To:	44535 Data Processing Hardware	3,000.00

STORMWATER MANAGEMENT OPERATING (#1197)

1. Surveyor (106)

From:	44400 Machinery	7200.00
To:	43350 Insurance	7200.00

On motion made by Yohn to approve the transfers and seconded by Riegsecker, with a vote of 6 to 0 the Council unanimously carried and approved these transfer requests.

OTHER BUSINESS:

Jeff Taylor: Consideration for Approval of CF-1 forms:

General RV Center, INC.

Tabled until the August 14th, 2021 Council meeting.

AUDIENCE ITEMS:

Taxpayer Glenn Null- Glenn asked the Council to remind people who speak at the meetings, they should be giving their name, so that everyone knows who they are. Glenn also spoke about the 2 minute time limit and not given a chance to rebuttal, while other officials are allowed to speak over the 2 minutes. Stump explained the reasoning for the 2 minute time limit on the Elkhart County Solar Project.

ADJOURN

There being no further business to come before the Council, on motion made by Bujalski seconded by Riegsecker to adjourn, with a vote of 7 to 0, the Council unanimously carried and approved the adjournment at 11:00 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.