

MINUTES
ELKHART COUNTY COUNCIL
117 N. Second St. Room 104, Goshen In. 46526
November 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, Randall D. Yohn, Darryl J. Riegsecker and Adam M. Bujalski.

Also present were Patricia A. Pickens, County Auditor; Steven Olsen, County Attorney's Office; 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 Budget 1st Reading, October 8th, 2021
CC Meeting & Budget 2nd Reading & Approval October 9th, 2021

On motion made by Riegsecker and seconded by Wenger, to approve minutes from:
CC Budget 1st Reading, October 8th,2021, CC Meeting and Budget 2nd Reading & Approval October 9th,2021 With a vote of 7 to 0 the Council unanimously carried and approved the minutes from October 8th,2021 & October 9th,2021.

COMMITTEE REPORTS:

COMMISSIONERS: Suzie Weirick announced the Groundbreaking Ceremony for the new Courthouse on Tuesday November 16th, 2021 @ 12:00 noon.

COUNCIL: Wenger on NACO and Virtual meetings. Wenger acknowledged the amount of taxpayers at the meeting and thank them for attending. Bujalski gave a report on the non-profit Horizon Education Alliance.

AUDITOR: Pickens gave financial report.

SHERIFF: None

COMMISSIONERS:

Suzie Weirick:

- (a) Ordinance No. CO 2021 -16A AN ORDINANCE AMENDING THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND.

On motion made to approve by Yohn and seconded by Bujalski, by roll call vote, the Council members votes are as follows: Stump-Aye, Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye and Bujalski-Aye. With a vote of 7 to 0 the Council unanimously carried and approved Ordinance No. CO 2021-16A and approved this request.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL (#1000)

1. Auditor (102) requested \$50,000.00 for funds needed for Baker Tilly services related to additional audit services required to complete updated GAAP financial reporting.

Patty Pickens presented this request to the Council.

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

B. GENERAL FUND (#1000)

1. Building & Grounds (140) requested \$120,000.00 to cover upcoming repairs and utility billings.

Don Tubicsak presented this request to the Council.

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

C. LIT-SPECIAL PURPOSE (#1114)

1. Buildings & Grounds (140) requested \$552,442.00 to upgrade the UPS Battery backup systems to prevent electrical surges in the event of a power outage.

Don Tubicsak presented this request to the Council.

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

D. LIT-SPECIAL PURPOSE (#1114)

1. Auditor (105) requested \$788,500.00 for a transfer between funds to (#4600) for funds needed to cover bond payments and administrative costs. With the bond issued late in 2020 it was too late to budget for payment of new 2020 Criminal Justice Complex Bonds & administrative costs. This request will cover the remainder for 2021.

Auditor Patty Pickens presented this to the Council.

On motion made by Riegsecker to approve both requests (D) and (E) together since they for the same bond payment. This request is transferring \$788,500.00 out of Fund (#1114) and depositing into Fund (#4600) for the bond payment and administrative costs ,seconded by Yohn, with a vote of 7 to 0 the Council unanimously carried and approved this request.

E. DEBT SERVICE (#4600)

1. Auditor (#180) requested \$796,500.00 for additional funds needed to cover bond payment and administrative costs.

Auditor Patty Pickens presented this request to the Council.

On motion made by Riegsecker to approve both requests (D) Fund (#114) and (E) (#4600) together and seconded by Yohn with a vote of 7 to 0 the Council unanimously carried and approved this request.

** See actions and vote above **

F. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$27,000.00 for additional monies needed for professional services, Information & Records scanning Estate Records.

Chris Anderson presented this to the Council.

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

G. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Sheriff (105) requested \$70,392.00 these are funds from vehicle auction to be used to purchase new corrections vehicles and equipment.

Sheriff Jeff Siegel presented this request to the Council.

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

H. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requested \$300,000.00 to cover upgrades for the highway and other projects.

Matt Dietz presented this to the Council.

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

I. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requested \$150,000.00 for increased costs to Aanalytics.

Matt Dietz presented this request to the Council.

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

J. PRISONER REIMBURSEMENT (#1140)

1. Community Corrections (614) requested \$200,000.00 to cover insurance costs for CY2021. For budgeting purposes, the insurance account was approved at \$0.00 per Budget Council, with the intent to appropriate monies based on fees collected during CY2021.

Karen Chandler presented this request to the Council.

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

K. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requested \$55,000.00 for maintenance on County regulated drain.

Phil Barker presented this request to the Council.

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

L. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requested \$480,000.00 for maintenance on County regulated drains.

Phil Barker presented this request to the Council.

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

M. ECONOMIC DEVELOPMENT FEE FUND (#1149)

1. Commissioners (980) requested \$5,000.00 to pay Northern Indiana Advocacy membership dues.

Jeff Taylor presented this request to the Council.

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

N. SOLID WASTE USER FEES (#1194)

Commissioners (980) requested \$300,000.00 for funds to be transferred between funds to Fund (#4803) Environmental Special Projects. The Commissioners requested the funds to go to 3 different non-profit groups as follows:

- (a) Center For Community Justice- Commissioners requested \$100,000.00 be transferred between funds out of N. Solid Waste User Fees Fund (#1194) and be appropriated out of request O. Environmental Special Projects (#4803) to be awarded to Center For Community Justice.

CCJ Coordinator Anne Lehman gave a brief overview of what programs the Center for Community Justice has and the impact on the community. Audience member Leah Butler spoke in favor of supporting the Center for Community Justice.

On motion made by Graham to approve \$100,000.00 to be transferred between funds out of N. Solid Waste User Fees (#1194) and appropriated \$100,000.000 to be awarded to CCJ out of request O. Environmental Special Projects (\$4803) and seconded by Riegsecker. By roll call votes the Council members votes are as follows: Stump-Aye, Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Nay, Bujalski-Aye, with a vote of 6 to 1 the Council carried and approved both requests N and O. Riegsecker stated that his vote had nothing to do with any of the non-profit groups.

- (b) Horizon Education Alliance- Commissioners requested \$100,000.00 be transferred between funds out of N. Solid Waste User Fees Fund (#1194) and be appropriated out of request O. Environmental Special Projects (#4803) to be awarded to Horizon Education Alliance.

Brian Wiebe, President and CEO of Horizon Education Alliance made a brief presentation to the Council and discusses the value it brings to the community.

Audience members that spoke in support of the appropriation and Horizon Education Alliance are as follows: Tin Van Duyne, Bianca J. Ortiz, Candy Yoder, Joel Irvin, Lynette Bachman, Randy Christophel, David Balkin, Dan Oakley, Sara Metzler, Rebecca Stoltzfus, Thomas Bonar, Aaron Mishler, Jen Soya, Hannah Swartsky, Howie Reckio and Debbie Detweiler.

Audience members who spoke against supporting Horizon Education Alliance are as follows: Pam Kiser, Jim Montgomery, Glenn Null, Cynthia Dunlop, Jim Kulhensmith, Angie Colin and Leah Butler.

On motion made by Bujalski to approve \$100,000.00 to be transferred between funds out of N. Solid Waste User Fees (#1194) and appropriated \$100,000.000 to be awarded to Horizon Education Alliance from out of request O. Environmental Special Projects (#4803) and seconded by Hess. By roll call votes the Council members votes are as follows: Stump-Aye, Hess-Aye, Wenger-Aye, Graham-Nay, Yohn-Aye, Riegsecker-Nay, Bujalski-Aye, with a vote of 5 to 2 the Council carried and approved both requests N and O.

- (c) Council on Aging- Commissioners requested \$100,000.00 be transferred between funds out of N. Solid Waste User Fees Fund (#1194) and be appropriated out of request O. Environmental Special Projects (#4803) to be awarded to Council on Aging.

Council on Aging representative David Toney gave a short presentation to the Council on what the Council on Aging brings to the Community.

On motion made by Graham to approve \$100,000.00 to be transferred between funds out of N. Solid Waste User Fees (#1194) and appropriated \$100,000.000 to be awarded to Council on Aging from out of request O. Environmental Special Projects (#4803) and seconded by Bujalski; By roll call vote the Council members votes are as follows: Stump-Aye, Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Nay, Bujalski-Aye, with a vote of 6 to 1 the Council carried and approved both requests N and O.

O. ENVIRONMENTAL SPECIAL PROJECTS (#4803)

- 1. Commissioners (980) requested \$300,000.00 to give the following funds to the following non-profit groups:

- (a) Center for Community Justice -\$100,000.00
- (b) Horizon Education Alliance- \$100,000.00
- (c) Council on Aging-\$100,000.00

* *See actions and vote above**

P. STORMWATER MANAGEMENT OPERATING (#1197)

- 1. Soil & Water (980) requested \$26,293.00 to finish out the year for Payroll/Insurance/PERF for Storm water employees.

Auditor Patty Pickens presented this request to the Council.

On motion to approve made by Wenger and seconded by Bujalski, the Council unanimously carried and approved this request. 7 to 0.

Q. NORTHWEST GATEWAY TIF (#4504)

- 1. Planning & Development (980) requested \$50,000.00 for a Northwest Gateway mobility study- to be reimbursed by St. Joe County.

Chris Godlewski presented this to the Council.

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

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

1. Planning & Development (980) requested 3,650,000.00 for CR 4 Construction, tree clearing and utility material purchased. The utility material purchase to be reimbursed by developer.

Chris Godlewski presented this request to the Council.

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

S. CTP (#4913)

1. Community Corrections (980) requested \$36,000.00 to cover the costs of insurance for the remainder of the CY2021.

Jeff Taylor presented this request to the Council.

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

T. DATA ACTION MINI GRANT (#8167)

1. Court Services (980) requested \$5000.00 these funds need to be appropriated to use the grant funds that were awarded and approved at a Commissioners meeting.

Ross Maxwell presented this request to the Council.

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

U. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$50,000.00 for funds needed for the Preliminary Engineering for Foraker & Southwest project.

Jeff Taylor presented this request to the Council.

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

V. LARE GRANT (#9105)

1. Park & Recreation (980) requested \$36,000.00 to be appropriated in the LARE Grant Fund to set up Reimbursable State Grant.

Ronda DeCaire presented this request to the Council.

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

W. COURT INTERPRETER GRANT (#9142)

1. Commissioners (980) requested \$20,000.00 for funds awarded for the 2021 Emergency Court Interpreter Grant Fund. This is a reimbursable grant.

Jeff Taylor presented this request to the Council.

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

X. JUSTICE PARTNERS ADDICTIONS RESPONSE GRANT (#9146)

1. Court Services (984) requested \$60,000.00 to set up the 2021-2022 JPAR Grant.

Ross Maxwell presented this request to the Council.

On motion to approve made by Wenger 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:

A. GENERAL FUND (#1000)

1. Coroner (107)

From:	43020 Medical		
	Srvs.		1,500.00
	43150 Photos		800.00
	43830 Education/Conf.		800.00
	43080 Autopsies		<u>2,940.00</u>
To:	44510 Asset Purchase	Total	6,040.00

B. GENERAL FUNDS (#1000)

1. Emergency Management (137)

From:	43830 Ed & Conference		465.00
	43835 Training Programs		935.00
	43510		
	Maint/Srvs.		1,788.00
	43330 License		100.00
	43200 Printing		150.00
To:	42380 Capital		1,400.00
	42110 Gas/Fuel		271.00
	42150 Uniforms		1,000.00
	42195 Otr. Operating		517.00

	42090 Otr. Office	250.00
		Total
		3,438.00
C.	GENERAL FUND (#1000)	
	1. Superior Court 1 (162)	
	41530 Petit	
	From: Jurors	6,000.00
	To: 42090 Otr. Office Supplies	6,000.00
D.	GENERAL FUND (#1000)	
	1. Superior Court II (163)	
	From: 41515 Guardian Ad Liem	3,000.00
	To: 42060 Law Books	3,000.00
E.	GENERAL FUND (#1000)	
	1. Superior Court 6 (170)	
	From: 41510 Pauper Attorney	2,500.00
	46200 Equip.	
	To: Lease	2,500.00
F.	DRUG COURT GRANT (#9135)	
	1. Court Services (984)	
	From: 42350 Program Supplies	1,000.00
	To: 43090 Otr. Prof. Srvs.	1,000.00
		Total
		21,978.00

On motion made by Yohn to approve the transfers and seconded by Riegsecker, with a vote of 7 to 0 the Council unanimously carried and approved these transfer requests.

OTHER BUSINESS:

Jeff Taylor:

- (a) Goshen Dam Pond Economic Improvement District (EID) –Submission of 2022 Budget.

Jeff Taylor presented this to the Council.

On motion made to accept the 2022 Goshen Dam Pond Economic Improvement District’s 2022 Budget made by Graham and seconded by Riegsecker, with a vote of 7 to 0 the Council unanimously carried and approved this request.

Steven Olsen:

- (a) Interlocal Agreement between Elkhart County and RDC with ITR Concession Company for coordination on CR 4 project between CR 17 & CR 19.

Steven Olsen from the County Attorney's office presented this Interlocal to the Council.

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

AUDIENCE ITEMS:

Chris Anderson talked about the Census and District lines.

Glenn Null discusses areas of interest and disinterest.

ADJOURN

There being no further business to come before the Council, on motion made by Yohn seconded by Graham, the Council unanimously carried and approved the request to adjourn. The meeting was adjourned at 11:27 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.