

# MINUTES

## ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

August 3, 2020

President Mike Yoder called the meeting to order at 9:00 a.m. in room 104 in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other Board members, Frank Lucchese and Suzie Weirick, were present. Others present were Patricia Pickens, County Auditor; Craig Buche, County Attorney; Jeff Taylor, County Administrator and Anita Mock, Executive Assistant.

On a motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved the Minutes of the July 20<sup>th</sup> & July 27<sup>th</sup>, 2020 meetings and placed them on file.

On a motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved the Allowance of Claims as presented by the County Auditor's office.

### **BUSINESS ITEMS:**

Director of Landfill, John Bowers, received bids for Cell E Part 2. The Bids received are as follows:

- |                                |                              |
|--------------------------------|------------------------------|
| 1) Ryan Incorporated Central   | <b>Total: \$851,140.00</b>   |
| 2) C & E Excavating            | <b>Total: \$728,200.00</b>   |
| 3) Phend & Brown, Inc.         | <b>Total: \$1,282,000.68</b> |
| 4) Fox Contractors Corporation | <b>Total: \$924,780.00</b>   |

On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved to accept and review the bids.

Planning & Development, Mae Kratzer, requested approval of Falcon's Nest Development, LLC represented by Innovative Communities, Inc. for Secondary approval of a 19-lot major subdivision to be known as **FALCONS NEST AT BARRINGTON, SECTION 3A**, North & South sides of Lanner Court, East & West sides of Kestrel Lane, West side of County Road 25, 1,500 feet North of County Road 46, in Jackson Township. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of additional appropriation from Fiber Fund for \$592,753 for the Middlebury redundancy fiber project to connect the Town's buildings and offices and create a redundant loop back to Goshen. This project is a partnership between the Elkhart County and the Town of Middlebury.

County Funds have been appropriated previously; this is a request to appropriate the Town's financial contribution that was paid to the County. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of additional appropriation from EDIT Fund for \$1,050,000. The amount of \$550,000 are for funds to pay for design of Bridge 145 replacement located on County Road 26 west of State Road 19, over Baugo Creek. This project is federally funded and will be reimbursed 80%. The amount of \$500,000 are for funds to pay for the design of County Road 17 extension from County Road 38 to County Road 142. The sum of the design contract is \$1,634,500 that will be required between 2020 and 2024. This project is federally funded and will be reimbursed 80%. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of additional appropriation from Road Maintenance & Construction Fund for \$726,598 to appropriate State Community Crossings Grant Funds for paving. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of additional REDUCTION from Cumulative Bridge Fund for \$200,000. Awarded bid for Bridge 269 County Road 1 south of County Road 144 was lower than appropriated amount. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of BETWEEN transfer in the Fiber Fund to transfer \$25,000 from Other Professional Services to Professional to cover payroll for remainder of 2020. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of Bridge 269 Agreement & Performance Bond for Northern Indiana Construction Company, Inc. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval of Fiber Segment Agreement between County of Elkhart and Commercial Broadband Solutions, Inc., including the connection tower located at County Road 20 and County Road 17, Goshen, Indiana. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval of additional appropriation from General Fund for \$2,175,000. Funds needed for the purpose of acquiring land for a new courthouse and consultant fees for project management for first phase of the project. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval of additional appropriation from Cumulative Capital Development Fund for \$300,000 for funds needed to supplement the contract for finishing the shell space at the Juvenile Detention Center and the Visitation Area at the jail.

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County Administrator, Jeff Taylor, requested approval of additional appropriation from EDIT Fund for \$27,000 in support of the Center for Business Excellence Program operated by the Greater Elkhart Chamber of Commerce. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval of Memorandum of Understanding between Elkhart County Government and Oaklawn Psychiatric Center, Inc. for the use and management of SAMSHA Grant Fund. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved the Weights & Measures Report for June 16<sup>th</sup> to July 15<sup>th</sup>, 2020.

Goshen Highway Engineering Summer Intern Presentation.

### **BOARD ITEMS:**

County Attorney, Steve Olsen, requested approval of the following. The Commissioners discussed the authority issued in April to allow Elkhart County Emergency Management to work with K-12 schools in Indiana, public and private to determine appropriate community uses for school facilities and coordinate such cooperative efforts. With schools moving toward reopening, the Commissioners considered alternative options. Based upon a motion made by Suzie Weirick, seconded by Frank Lucchese, the Commissioners unanimously encouraged Jennifer Tobey, as the Director of the Elkhart County Department of Emergency Management, to consider ways to utilize private facilities and authorized her to enter into agreements and/or requests for assistance for use of private facilities as needed to address the COVID-19 state-declared disaster emergency.

County Administrator, Jeff Taylor, requested approval of AIA Document Agreement between Elkhart County Board of Commissioners and Larson-Danielson Construction Company, Inc. for the project of the New Courtroom and Juvenile Detention Remodel Projects. On motion made Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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**AUDIENCE ITEMS:**

The following people spoke in opposition of the Face Mask Declaration:

Nancy Hannon  
Susie Chilberg  
Jim Montgomery  
Julian Bontrager  
Jim Kuhlenschmidt  
Andrea Boval

On a motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,  
Anita Mock