

MINUTES
ELKHART COUNTY COUNCIL
May 9th, 2020

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 in person were: Council member Douglas S. Graham & Council member Tom Stump. Present via E-Communications in order to stay in compliance with the Indiana Governor's COVID-19 Travel Alert and Social Distancing: President John Letherman, Vice President David Hess, Randy Yohn, Darryl Riegsecker and Tina Wenger.

Present in person was: Patricia A. Pickens County Auditor; Fred Avery First Deputy Auditor; and Jeff Taylor, County Administrator.

Present via E-Communications were: Mike Yoder, Commissioner, Suzie Weirick, Commissioner.

** 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 in person or engage in remote real-time observation and remote electronic participation.

MINUTES: Approval of minutes for April 18th, 2020.

On motion made by Graham and seconded by Stump, the Council approved via roll call vote. Letherman-Aye, Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Stump-Aye, the Council approved the April 18th, 2020 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: Weirick-gives information on the COVID-19 policies & plan. Weirick states they have provided masks & gloves, cleaning supplies

COUNCIL: Graham & Letherman expresses concern over unknown upcoming economic realities and that we need to watch our spending.

AUDITOR: Pickens gave financial report.

SHERIFF: Sheriff Jeff Siegel has no positive COVID-19 tests at the jail.

EDC MATTERS:

Craig Buche:

- (a) Consideration for Approval: Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In. Resolution- CC-2020-08. (Barletta Boat)

Craig Buche asks the Council to table this item to be considered at a later date.

On motion made by Letherman to table declaratory resolution for Barletta Boat, seconded by Graham, the request was carried and unanimously approved by the Council.

- (b) Consideration for Approval: Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In. Resolution- CC-2020-09. (General RV)

Chris Stager presented and explained the details of this proposal to the Council. Requested a 5 year tax phase-in.

Letherman clarifies that they are asking today for support to proceed and voting to approve or disapprove the declaratory resolution next month. Letherman express that this is a controversial request and many showed up at the Commissioners meeting to express concerns and a remonstrance was file.

Hess verifies that this is not the opportunity for the public hearing and that will come at a later date. Hess expresses concerns that the taxpayers have the opportunity to weigh in on this request.

Craig Buche reiterates the public hearing will be advertised in the paper in order for the taxpayers to be heard.

On motion made by Wenger for support to proceed on request, seconded by Stump, the request was carried and unanimously approved by the Council.

HUMAN RESOURCE MATTERS:

None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Superior Court II (163) requested \$3,000.00 for funds to pay for interpreters.

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

B. EDIT (#1112)

1. Highway (980) requested \$75,000.00 for funds to pay for engineering design for the CR 17 Multi-Use Path over US 33.

On motion made by Riegsecker and seconded by Stump, by roll call vote the Council member's votes are as follows: Letherman-Aye, Hess-Nay, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, and Stump-Aye with a vote of 6-1 the request was approved by the Council.

C. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$32,000.00 for new copiers for Elkhart Superior 1&2, Circuit vault & 2 new printers for the Chief Deputies office.

D. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$300.00 for funds for Information & Records-scanning of files.

E. CLERK'S PERPETUATION (#1119)

1. Clerk (980) 10,000.00 requested \$10,000.00 to purchase laptop computer/tablet and supplies.

On motion made by Letherman to vote on requests C, D & E the Clerk's Perpetuation Fund (#1119) together since they were all from the same fund.

On motion made by Stump and seconded by Riegsecker, by roll call vote the Council member's votes are as follows: Letherman-Aye, Hess-Aye, Wenger-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Aye, and Stump-Aye with a vote of 7-0 the requests was carried and unanimously approved by the Council.

F. IDOC GRANT FUND (#1130)

1. Community Corrections (#1130) requested \$15,000.00 for unemployment claims for FY2020.

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

G. CUMULATIVE BRIDGE (#1135)

1. Highway Department (980) requested \$235,000.00 for right of way acquisitions and associated costs for the bridge west of US 33 over Yellow Creek project bridge #152

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

H. CUMULATIVE DRAINAGE (#1141)

1. Commissioners (980) requested \$10,000.00 for funds for maintenance on county regulated drains.

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

On motion made by Letherman to vote on all (3) three Fund 1143 Items (I-K) together and seconded by Wenger, the Council carried and unanimously approved this motion.

I. CUMULATIVE VOTING SYSTEM #(1143)

1. Election Board (190) requested \$86,500.00 for Election Software Systems, software license fees and hardware maintenance fees.

J. CUMULATIVE VOTING SYSTEM (#1143)

1. Election Board (190) requested \$32,400.00 for the balance of 15 new Express Election ballot marking equipment from Election Systems and software.

K. CUMULATIVE VOTING SYSTEM (#1143)

1. Election Board (190) requested \$20,000.00 for additional postage for voters urged to vote by mail due to COVID-19.

County Clerk Christopher Andersen presented these requests via remote electronic communications. Wenger publically thanked Andersen for all his hardwork.

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

L. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$500,000.00 for funds to be utilized for road paving and associated costs, funds for contractor services such as snow plowing. Funds were budgeted in Motor Vehicle Highway, there is a corresponding reduction to move funds to Local Road and Street.

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

M. MOTOR VEHICLE HIGHWAY-RESTRICTED (#1173)

1. Highway (980) requested \$250,000.00 for funds to be utilized for road paving and associated costs.

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

N. SOLID WASTE USER FEES/LANDFILL (#1194)

1. Commissioners (980) requested \$380,000.00 to be moved to Environmental Special Projects for Center for Community Justice (\$100,000), Council on Aging(\$80,000) and Bashor Home (\$100,000). The request for \$100,000 for Horizon Education Alliance was rescinded making the total request \$280,000.00.

Jeff Taylor presented this request to the Council.

On motion made by Stump and seconded by Yohn, by roll call vote the Council member's votes are as follows: Letherman-Aye, Hess-Aye, Wenger-Nay, Graham-Nay, Yohn-Aye, Riegsecker-Aye, and Stump-Aye with a vote of 5-2 the request carried and approved the request.

O. ALTERNATE DISPUTE RESOLUTION (#2200)

1. Superior Court 6 (980) requested \$35,000.00 for monies to be collected through the court system.

Ross Maxwell presented this request to the Council via remote electronic participation.

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

P. SPECIAL PROJECTS FUND (#4803)

1. Commissioners (980) requested \$380,000.00 for funds for the following projects: Center for Community Justice (\$100,000), Council on Aging (\$80,000), Bashor Home (100,000) and the request for \$100,000 for Horizon Education Alliance has been rescinded making the total request \$280,000.00

On motion made by Yohn and seconded by Stump, by roll call vote the Council member's votes are as follows: Letherman-Aye, Hess-Aye, Wenger-Nay, Graham-Nay, Yohn-Aye, Riegsecker-Aye, and Stump-Aye with a vote of 5-2 the request carried and approved the request.

Q. ROAD MAINTENANCE AND CONSTRUCTION (#4901)

1. Highway (980) requested \$1,000,000.00 for funds to be utilized for chip seal, road paving and associated costs.

Charlie McKenzie presented this request to the Council.

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

R. JUVENILE COMMUNITY CORRECTIONS-PROJECT INCOME(#4924)

1. Court Services (980) requested \$14,548.00 to put money back into the correct FY.

Ross Maxwell presented this request to the Council via electronic participation.

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

S. SCHOOL LUNCH PROGRAM (#4925)

1. Sheriff (105) requested \$15,000.00 to appropriate school lunch money.

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

T. ELKHART COUNTY FOOD COUNCIL (#4926)

1. Health (982) requested \$10,000.00 to appropriate donated money in 2020.

Dr. Lydia Mertz presented this to the Council.

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

U. JUVENILE ALTERNATIVE INTIATIVE #9113

1. Court Services (980) requested \$3,589.00 for funds to repay the 2017-2018 JDAI Grant, as these funds remained.

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

V. JUVENILE CC GRANT (#9113)

1. Court Services (980) requested \$19,262.00 to appropriate funds so they can be transferred into Fund #9142.

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

REDUCTIONS:

W. MOTOR VEHICLE HIGHWAY(#1176)

1. Highway (202) requested a reduction in the amount of -\$500,000.00. \$250,000.00 will be moved to Local Road and Street Fund.

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

TOTAL REDUCTIONS: -500,000.00

TOTAL ALL ADDITIONAL APPROPRIATIONS WITH REDUCTIONS: \$2,626,599.00

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	GENERAL FUND (#1000)			
	1. Elkhart Circuit Court (160)			
	From:	41530 Petit Jurors		\$2,000.00
		41510 Paup. Attys		\$5,000.00
		41545 Svs No/Emp		\$2,000.00
			Total	<u>\$9,000.00</u>
	To:	43550 Repairs		\$9,000.00
B.	BABY AND ME TOBACCO FREE (#8127)			
	1. Health (315)			
	From:	42195 Oper. Supp.		\$1,086.00
		43090 Oth. Prof.		
	To:	Svcs.		\$1,086.00

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

OTHER BUSINESS:

- (a) Approval and Consideration of Interlocal Agreement: Funding Agreement for Partial Close-Out of remaining Tax Incremental Finance Funds for the Town of Millersburg, Indiana.

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

- (b) Approval of CF-1 Forms:

Alliance Sheets, LLC-RE/PP
Alliance Aluminum Products, Inc.-RE
Barletta Boat Company, LLC-PP
Smoker-Craft, Inc.-PP
Smoker-Craft, Inc.-RE
Vista Building, LLC-RE

Jeff Taylor reported to Council, the above mentioned companies are in compliance.

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

AUDIENCE ITEMS

Taxpayer Glenn Null expresses his concerns.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:35am on motion made by Graham seconded by Stump, and unanimously approved by the Council.

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.