

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**July 11th, 2020**

The meeting of the Elkhart County Council was called to order by Chief Deputy Sheriff Sean Holmes at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council President John K. Letherman, Council Vice President David L. Hess, Tina M. Wenger, Doug S. Graham, Randy Yohn, Darryl J. Riegsecker, and Thomas W. Stump.

Also present were Patricia A. Pickens County Auditor; Fred Avery First Deputy Auditor; Craig Buche, County Attorney; Mike Yoder, Commissioner, Suzie Weirick, Commissioner and Jeff Taylor, County Administrator.

**MINUTES:** Approval of minutes for June 13th, 2020.

On Motion made by Riegsecker and seconded by Yohn, the Council unanimously approved the June 13th, 2020 minutes.

**COMMITTEE REPORTS:**

COMMISSIONERS:

COUNCIL: Wenger on AIC Conference & Virtual meeting  
AUDITOR: Pickens gave financial report.

SHERIFF: None

**EDC MATTERS:**

\*\*\* Public Hearing \*\*\*  
\*\*\*\* Barletta Boats \*\*\*\*

Open Public Hearing: On motion made by Riegsecker and seconded by Yohn to open the public hearing, the Council unanimously carried and approved this request.

Closed Public Hearing: On motion made by Yohn and seconded by Riegsecker to close the public hearing, the Council unanimously carried and approved this request.

1. Commitment & Payment Agreement
2. Confirmatory Resolution CC-2020-13

On motion made by Yohn and seconded by Riegsecker to vote on the Commitment & Payment Agreement and the Confirmatory Resolution CC-2020-13 together, the Council unanimously carried and approved the Commitment & Payment Agreement and Confirmatory Resolution CC-2020-13.

Elkhart Public Library-Atty Philip Faccenda explained the process of the Bond request and the financial aspects of the Bond. He talked about the impact on taxpayers. Judge James Rickhoff & Lisa Cabrerra gave details of the project, discuss the bond request and had the first reading for:

Ordinance CC-2020-11 Ordinance of the Elkhart County Council approving the Issuance of General obligation bonds by the Elkhart Public Library and approving an additional appropriation for the Elkhart Public Library regarding various improvements at various branch locations of the library.

On motion made by Graham and seconded by Riegsecker the Council unanimously carried and approved the request.

Consideration and Approval to support the Center for Business Excellence operating out of the Elkhart County Chamber of Commerce. Request to submit application later for consideration for \$27,000.00 from the EDIT Fund for this year's Elkhart County Budget.

Merritt Dilts spoke on this request. He explained the details of the program that the money will be spent on.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request.

### **HUMAN RESOURCE MATTERS:**

None

### **ADDITIONAL APPROPRIATION EXPLANATIONS:**

#### A. GENERAL FUND (#1000)

1. Sheriff (105) requested \$39,000.00 to purchase inmate books and workbooks.

Chief Deputy Sheriff Sean Holmes explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request.

#### B. GENERAL FUND (#1000)

1. Building & Grounds (140) requested \$44,528.00 for funds needed to repair the gym and various offices at the Lincoln Center Facility.

Bruce MacLachian presented this request to the Council.

On motion made by Hess and seconded by Wenger, the Council unanimously carried and approved this request.

C. GENERAL FUND (#1000)

1. Building & Grounds (140) requested \$78,776.00 for funds needed for repair and replacement of the roof at the Elkhart County 911 Center.

Bruce MacLachian presented this request to the Council.

On motion made by Riegsecker, and seconded by Yohn, the Council unanimously carried and approved the request.

D. EDIT (#1112)

1. Commissioners (980) requested \$207,199.00 for the 2020 contribution to the Economic Development Corporation of Elkhart County.

Jeff Taylor explained this was the Annual EDC contribution.

On Motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request.

E. CLERK'S PERPETUATION FUND (#1119)

1. Clerk (980) requested \$9,000.00 to purchase copier for Archives.

Christopher Anderson presented this request to the Council.

(Voted on together with F&G)

F. CLERK'S PERPETUATION FUND (#1119)

1. Clerk (980) requested \$5500.00 for IT to transfer Marriage Records to an upgraded System.

Christopher Anderson presented this request to the Council.

(Voted on together with E&F)

G. CLERK'S PERPETUATION FUND (#1119)

1. Clerk (980) requested \$12,000.00 to cover negative balance from payment to Information & Records and monies to cover new Information and Records Invoices.

Christopher Anderson explains request to the Council.

On motion made by Stump to vote on the 3 Clerk's Perpetuation Fund #1119 together (E.F&G) and seconded by Riegsecker, the Council unanimously carried and approved these requests.

H. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requested \$196,000.00 for Funds to replace COVID related expenses. It is anticipated these expenditures will be reimbursed by the CARES ACT. Funds for painting, floor restoration, cabinets, carpeting, etc. at the Goshen Court House and for medical service contract with Wellpath at Work Release.

Jeff Taylor explained this request to the Council.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request.

I. ABANDONED VEHICLES (#1223)

1. Sheriff (980) requested \$10,000.00 to pay claims of abandoned vehicles.

Sean Holmes explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request.

J. NORTHWEST GATEWAY TIF (#4504)

1. Planning & Development (980) requested \$60,613.00 to pay for Spring Bond payment.

Jeff Taylor explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request.

K. NORTHEAST CORRIDOR TIF (#4511)

1. Planning & Development (980) requested \$5139, 275.00 for annual bond payments.

Jeff Taylor presented this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request.

L. ENVIRONMENTAL SPECIAL PROJECTS (#4803)

1. Commissioners (980) requested \$50,000.00 to support the Elkhart County Drug free Partnership.

Jeff Taylor presented this request to the Council.

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

M. COMMUNITY CORRECTIONS JUVENILE (#4924)

1. Juvenile Community Corrections (980) requested \$47,000.00 to set-up JCC – Project Income Fund to coincide with the 2020-2021 JCC Grant.

Ross Maxwell presented this request to the Council.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request.

N. PUBLIC HEALTH PREPAREDNESS (#8119)

1. Health (980) requested \$31,985.00 for the Base Budget for the Public Health Preparedness and Emergency Grant 7/1/2020-6/30/2021.

Dr. Lydia Mertz presented this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request.

O. EBOLA GRANT (#8147)

1. Health (980) requested \$10,000.00 to appropriate funds for the purchase of supplies to help fight the spread of COVID-19 (Coronavirus).

Dr. Lydia Mertz presented this request to the Council.

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

P. COVID-19 CARES CRF (#8902)

1. Commissioners (980) requested \$500,000.00 for funds for CARES ACT expenditures. Funds anticipated to be reimbursed by the State of Indiana.

Jeff Taylor & Commissioner Suzie Weirick explained the details on the COVID-19 Cares ACT and the requirements. Graham asked for a report so the County knows how much was spent and where it was spent on COVID-19.

On motion made by Stump and seconded by Wenger, the Council unanimously carried and approved this request.

Q. JUVENILE COMMUNITY CORRECTIONS (#9113)

1. Juvenile Community Corrections (980) requested \$59,139.00 to set-up the 2020 JDAI Grant.

Ross Maxwell presented this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council, unanimously carried and approved this request.

R. JUVENILE COMMUNITY CORRECTIONS GRANT(#9120)

1. Court Services (980) request \$151,802.00 to set-up the 2020-2021 JDAI Grant Funds.

Ross Maxwell presented this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council, unanimously carried and approved this request.

S. PROBLEM SOLVING COURT GRANT (#9135)

1. Court Services (980) requested \$9,992.00 for funds to be appropriated in order to use the grant funds that were awarded.

Ross Maxwell presented this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request.

**REDUCTIONS: None**

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A.	GENERAL FUND (#1000)		
	1. Clerk(101)		
	From: 42090 Office Supplies		\$290.00
	To: 44515 Office Furn.		\$290.00
B.	GENERAL FUND (#1000)		
	1. Juvenile Court (161)		
	From: 43090 Other Prof. Services		\$700.00
	To: 42090 Supplies		\$700.00
C.	BREASTFEEDING PEER COUNSELOR (#8102)		
	1. Health (980)		
	From: 41135 Paraprofessional		\$5,200.00
	To: 41310 Gr. Insurance		\$5,200.00
D.	ITPC (#9104)		
	1. Health (980)		
	From: 41310 Insurance		\$3,000.00
	43110 Sustenance		\$339.00

To:	43220 Printing Otr/Legal	\$3,000.00
	42195 Oper. Supplies	\$339.00
	Total	\$3,339.00
E.	ITPC (#9104)	
	1. Health (980)	
From:	43660 Rent	\$350.00
	42195 Oper. Supplies	\$350.00
F.	JDAI GRANT (#9113)	
	1. Court Services (980)	
From:	42310 Food	\$150.00
To:	43090 Otr. Prof. Services	\$150.00
	Total	\$10,029.00

On motion made by Hess seconded by Stump, the Council unanimously carried and approved these transfers.

**OTHER BUSINESS:**

- (a) Elkhart County Public Defender Board member-Commissioner Suzie Weirick Public Defender Reimbursement /Grant Program.

Interim Chief Public Defender Jeff Majerek explained the program to the Council along with Commissioner Suzie Weirick. Part of the requirements for the reimbursement program is the Chief Public Defender salary has to be the same as the Prosecuting Attorney and the Public Defender's office would have to hire 2 new Attorney's to be able to meet the State's Case Cap requirements. The program would reimburse \$1,000,000.00 (\$1 Million) dollars to the County.

Council member Riegsecker questions the net cost on the program when you factor in salary, benefits, office space, office equipment, etc.

Hess discussed earlier in the year the Council raised the Chief Public Defender's salary substantially and had added 2 new full-time Attorneys at the salary of \$68,000 each, discussed issues with the prosecutor's office, staff space and reopening other issues.

Letherman concerned with State program reimbursement.

Prosecuting Attorney Vicki Becker expresses her concerns over the program.

Public Defender Board member Ed Chester expressed his views on the program to the Council.

On motion made by Yohn and seconded by Stump to vote for approval for participation in the State's Public Defender Reimbursement /Grant Program.

The roll call vote are as follows:

Letherman-Nay  
Hess-Nay  
Wenger-Aye  
Graham-Nay  
Yohn-Aye  
Riegsecker-Nay  
Stump-Aye

With a vote of 4:3 the request was denied by the Elkhart County Council.

- (b) Consideration for Approval: COUNCIL ORDINANCE NO. CC-2020-12  
AN ORDINANCE OF THE ELKHART COUNTY COUNCIL ESTABLISHING  
THE COVID-19 EMERGENCY SUPPLEMENTAL GRANT FUND FOR THE  
ELKHART COUNTY SHERIFF'S DEPARTMENT.

Craig Buche explains this ordinance to the Council.

On motion made by Riegsecker and seconded by Wenger, the Council  
unanimously carried and approved Ordinance CC-2020-12.

- (c) Consideration for Approval: COUNCIL ORDINANCE NO. CC-2020-14  
AN ORDINANCE OF THE ELKHART COUNTY COUNCIL ESTABLISHING  
THE SHERIFF'S LAW ENFORCEMENT RECORDING FEE FUND

Craig Buche explains this ordinance to the Council.

On motion made by Graham and seconded by Stump, the Council unanimously  
carried and approved Ordinance CC-2020-14.

- (d) Consideration for Approval: COUNCIL ORDINANCE NO. CC-2020-15  
AN ORDINANCE OF THE ELKHART COUNTY COUNCIL RE-  
ESTABLISHING THE ACCIDENT REPORT FEE AND ACCOUNT

Craig Buche explains this ordinance to the Council.

On motion made by Stump and seconded by Riegsecker, the Council  
unanimously carried and approved Ordinance CC-2020-15.



- (e) Emergency Management Director Jen Tobey requested additional pay for salaried employees due to extra-long hours due to the COVID-19 Pandemic and would be reimbursed by the CARE's ACT.

Commissioner Suzie Weirick spoke in favor of this request.

Several Council members were not in favor of this request as the positions were salaried positions when they accepted the positions and that includes you work extra hours when emergency's arise but then there are other times they may not work full hours.

A roll call vote was called by Stump for approval for additional compensation for salaried employees for additional hours during the months of March-June 2020 due to COVID-19 issues.

The roll call votes are as follows:

Letherman-Nay

Hess-Nay

Wenger-Aye

Graham-Nay

Yohn-Aye

Riegsecker-Nay

Stump-Nay

With a vote of: 5 to 2 the request was denied by the Elkhart County Council.

- (f) Jeff Taylor explains the process of reviewing the CF-1's to ensure the companies are compliant. The following company is considered in substantial compliance and recommended for approval:

Entetech- PP

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request.

The following Companies are not in substantial compliance and are to be notified to appear at the August Council Meeting.:

Innovation LLC.-PP

Travel Lite- PP

## **AUDIENCE ITEMS**

Glenn Null questions what formula is used for establishing if a company is in compliance, thanked the Commissioners for the flag on the Courthouse, discussed concerns about the courthouse lawn and the maintenance of sidewalks.

Taxpayer Adam Bujalski discusses the formula that was created by the City of Goshen and the City of Elkhart for approving CF-1's.

## **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 11:45 am on motion made by Graham seconded by Riegsecker, 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.