

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**117 N. 2<sup>nd</sup> St. Room 104, Goshen, In. 46526**  
**March 12<sup>th</sup>,2022**

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, Darryl J. Riegsecker and Steven E. Clark. Council members absent: Randy D. Yohn and Adam Bujalski.

Also present were Patricia A. Pickens, County Auditor; Tiara Jackson First Deputy Auditor; Craig Buche, County Attorney; Commissioner Brad Rogers; and Jeff Taylor, County Administrator.

\*\* This meeting commenced pursuant to public notice under the Indiana open door law. This meeting was made available for the public and press to attend in-person and virtually in remote real-time observation via Web-Ex.

**MINUTES:** Approval of CC Meeting Minutes: February 12<sup>th</sup>,2022

On motion made to approve by Riegsecker and seconded by Graham. With a vote of 5 to 0 the Council carried and approved the February 12<sup>th</sup>,2022 minutes.

**COMMITTEE REPORTS:**

COMMISSIONERS: None

COUNCIL: Graham on MACOG, Stump on Norfolk Southern Trains

AUDITOR: - Pickens gave financial report.

SHERIFF: None

**COUNCIL APPOINTMENTS:**

Craig Buche: Bristol Economic Development Commission:

1. Re-appointment of Christopher Garner to the Bristol Economic Development Commission for a Four (4) year term. Expires: 02/01/2026.

On motion made to approve by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

Sheriff Jeff Siegel:

1. Approval and re-appointment of Bill Wuthrich to the PSCC Commission. Four (4) year term. Expires 03/31/2026.

On motion made to approve by Riegsecker and seconded by Graham. With a vote of 5 to 0 the Council carried and approved the re-appointment of Bill Wuthrich to the PSCC Commission.

**EDC MATTERS:**

Craig Buche:

1. Consideration and requested approval of an Interlocal Agreement between the RDC and Middlebury. This would allocate \$150,000.00 of Middlebury East TIF revenues to the York Drive/SR 13 Intersection Improvement Project.

On motion to approve made by Riegsecker and seconded by Hess, with a vote of 5 to 0 the Council carried and approved the Interlocal.

2. Consideration and requested approval of an Interlocal Agreement between the RDC and Middlebury. This would allocate \$256,211.44 of the remaining Middlebury AG TIF revenues and close out that fund for roadway improvements and connected to the TIF area.

On motion made to table this Interlocal until the April's Council meeting by Riegsecker and seconded by Graham. With a vote of 5 to 0 the Council voted to table this request until the April Council meeting.

3. Consideration and requested approval of an Interlocal Agreement between the City of Goshen, Goshen Board of Public Works and Safety, Stormwater Board, and the Goshen Redevelopment Commission for CR 33 reconstruction from CR 38 to CR 36.

On motion made to approve by Riegsecker and seconded by Graham. With a vote of 5 to 0 the Council carried and approved this Interlocal.

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$18,000.00 for funds to pay Baker Tilly Wealth Management for professional services rendered in accordance with Engagement Letter, professional services in reference to American Rescue Plan and analysis of tax phase-ins, etc.

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 5 to 0.

B. GENERAL FUND (#1000)

1. Clerk -Archives & Microfilm (143) requested \$11,000.00 for Veteran Affairs and Coroner documents transferred to Microfilm rolls.

Carol Smith presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Clark, the Council carried and approved this appropriation with a vote of 5 to 0.

C. CLERK'S RECORDS PERPETUATION (#1119)

1. Clerk (980) requested \$4000.00 for anticipated expense to replace desk top printers during the remainder of the 2022 in all clerk's offices, both Goshen & Elkhart.

Carol Smith presented this request to the Council.

On motion made by Riegsecker and seconded by Graham, the Council carried and approved this appropriation with a vote of 5 to 0.

D. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requested \$250,000.00 for funds for the bridge inspection program for 2022-2023. This program is a federal requirement to be eligible for federal funds for bridge projects. The program itself is federally funded and this amount is reimbursable up to 80%.

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Riegsecker, the Council carried and approved this request with a 5 to 0 vote.

E. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (130) requested \$165,000.00 for funds to design the repairs to the west steps at the Goshen Courthouse (\$60,000.00) and funds to design the primary and balcony roof replacement at the Goshen Courthouse (\$105,000.00) total combined design fees-\$165,00.00. The fees are earned and billed hourly. Work is slated to be done in 2022 construction season.

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 5 to 0.

F. CUMULATIVE DRAINAGE (#1141)

1. Surveyors (980) requested \$22,251.00 for maintenance and/or reconstruction projects on County Regulated Drains.

Phil Barker presented this request to the Council.

On motion made by Graham and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 5 to 0.

G. LOCAL ROAD AND STREET (#1169)

1. Highway (980) requested \$500,000.00 for funds for road paving, construction and associated costs.

Jeff Taylor presented this request to the Council

On motion to approve made by Hess and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 5 to 0.

H. MOTOR VEHICLE HIGHWAY (#1173)

1. Highway (980) requested \$2,500,000.00 for funds for road paving, construction and associated costs.

Jeff Taylor this request to the Council.

On motion made by Graham and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 5 to 0.

I. MIDDLEBURY AG TIF (#4508)

1. Planning & Development (980) requested \$256,211.44 for design and construction costs of improvements to CR 20 and CR 37 in conjunction with Middlebury closeout costs of TIF in effort to go to zero balance

Craig Buche and Chris Godlewski presented this request to the Council.

On motion made by Riegsecker to table this appropriation until the April Council meeting and seconded by Graham, the Council, carried with a vote of 5 to 0.

J. MIDDLEBURY SE TIF (#4509)

1. Planning & Development (980) requested \$500.00 for Baker Tilly Expenses for TIF Neutralization Chris Godlewski presented this request to the Council.

On motion made to approve items J. Middlebury SE TIF (#4905) for \$500.00 and K. Middlebury EAST TIF (#4510) for \$150,500.00 together by Riegsecker and seconded by Graham, with a vote of 5 to 0 the Council carried and approve these requests.

K. MIDDLEBURY EAST TIF (#4510)

1. Planning & Development (980) requested 150,500.00 for Baker Tilly expenses for TIF Neutralization and for York Drive Road reconstruction project in conjunction with the Town of Middlebury.

Chris Godlewski presented this to the Council.

\*\*See action and vote above\*\*

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

1. Planning & Development (980) requested \$8,500.00 for Baker Tilly to conduct financial tax analysis of AMZ collection area in the NE TIF.

Chris Godlewski presented this request to the Council.

On motion made by Riegsecker and seconded by Graham with a vote of 5 to 0 the Council carried and approved this request

M. NORTH BAUGO TIF (#4512)

1. Planning & Development (980) requested \$500.00 for Baker Tilly Expenses for TIF Neutralization.

Chris Godlewski presented this to the Council.

On motion made to vote on and approve both M. North Baugo TIF (#4512) for \$500.00 and item N. SR 13 TIF (#4514) for \$500.00 together by Riegsecker and seconded by Graham, with a vote of 5 to 0 the Council carried and approved this request.

N. SR 13 TIF (#4514)

1. Planning & Development (980) requested \$500.00 for Baker Tilly Expenses for TIF Neutralization.

Chris Godlewski presented this to the Council.

\*\*See action and vote above\*\*

O. LOVES TIF (#4515)

1. Planning & Development (980) requested \$100,500.00 for Baker Tilly Expenses for TIF Neutralization and reimbursement to developer for road/sewer/water improvements.

Chris Godlewski presented this request to the Council.

On motion made by Riegsecker and seconded by Graham, with a vote of 5 to 0 the Council carried and approved this request.

P. ROAD MAINTENANCE & CONSTRUCTION (#4901)

1. Highway (980) requested \$1,000,00.00 for funds to chip seal, road paving and associated costs.

Jeff Taylor presented this request to the Council.

On motion made by Riegsecker and seconded by Graham, with a vote of 5 to 0 the Council carried and approved this request.

Q. MCH-PROGRAM INCOME (#8127)

1. Health (614) requested \$49,685.02 to move Dental Program Income out from the MCH Block Grants, giving it a new fund number (8178-614)

Concetta Sanfilippo presented this request to the Council.

On motion made by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

R. MCH-DONATION (#8127)

1. Health (982) requested \$2,114.80 to move donated funds out of the MCH Block Grants (they do not have the MCH grants any longer) Moving \$1057.40 to fund #9122-982 and \$1057.40 to fund #8178-982.

Concetta Sanfilippo presented this to the Council.

On motion to approve made by Riegsecker and seconded by Clark, with a vote of 5 to 0 the Council carried and approved this request.

S. DENTAL DONATIONS (#8178)

1. Health (982) requested \$1,057.40 to move donations from 2021 to 2022 for the dental program.

Concetta Sanfilippo presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Clark, with a vote of 5 to 0 the Council carried and approved this request.

T. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$50,000.00 for funds to pay costs associated with maintaining an office (utilities, internet, etc.)

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

U. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$300,000.00 for funds for ongoing legal services to the project.

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Hess, with a vote of 5 to 0 the Council carried and approved this request.

V. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$889,525.00 to pay the remaining balance on contract with PMSI for the duration of the project for project management.

Jeff Taylor presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Clark, with a vote of 5 to 0 the Council carried and approved this request.

W. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$50,000.00 for funds for reimbursable to PMSI per contract (printing, travel, meals, etc.)

Jeff Taylor presented this request to the Council.

On motion made to approve by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

X. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$200,000.00 for funds to pay Builders Risk insurance for the duration of the project.

Jeff Taylor presented this request to the Council.

On motion to approve made by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

Y. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$7,150,000.00 for funds required for the construction contract with PMSI. This amount includes \$5,000,000.00 in contingency. The contract provides for up to \$10,217,197.00 in contingency.

Jeff Taylor presented this request to the Council.

On motion to approve made by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

Z. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$5,000.00 for document service utilized for sharing documents with County Elected Officials and Departments.

Jeff Taylor presented this to the Council.

On motion made to approve made by Graham and seconded by Riegsecker, with a vote of 5 to 0 the Council carried and approved this request.

AA. HOSPITAL'S PCCS (Healthy Babies) (#9142)

1. Health (982) requested \$1,057.40 to move donations from 2021 to 2022 for the Healthy Babies program.

Concetta Sanfilippo presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Clark, with a vote of 5 to 0 the Council carried and approved this request.

BB. COURT INTERPRETER GRANT (#9142)

1. Health (980) requested \$46,292.00 for 2022 Court Interpreter Grant Award. Grant is fully reimbursable.

Jeff Taylor presented this request to the Council.

On motion to approve made by Graham and seconded by Hess, with a vote of 5 to 0 the Council carried and approved this request.

**REDUCTIONS:**

CC. IDOC GRANT (#1130)

1. Community Corrections (981) requested a reduction of funds in the amount of \$366,539.00 to match the total of IDOC Grant awarded.

DD. LOCAL ROAD & STREET (#1169)

1. Highway (222) requested a reduction of left over 2021 encumbered funds of \$50,000.00 used to purchase a pickup truck and upfits in the amount of - \$4631.78

EE. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested a reduction in the amount of -\$34,105.99 due to the Council was provided with a new appropriation.

On motion made to vote on and approve the 3 reductions together CC. IDOC Grant (#1130) - \$366,539.00, DD. Local Road & Street (#1169) -\$4634.78 and EE. American Rescue Plan (#8951)-34,105.99 by Riegsecker and seconded by Clark, with a vote of 5 to 0 the Council carried and approved this request.



**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A.	PLAT BOOK (#1181)		
	1. Auditor (102)		
	From:	43150 Photo, Microfilm	500.00
	To:	44535 Data. Process Hard.	500.00
B.	JDAI GRANT FUND (#9113)		
	1. Court Services		
	From:	42310 Food	1,808.00
		43130 Mileage	300.00
	To:	42110 Sustenance	408.00
		43830 Ed. & Cost. Costs	1,400.00
		42350 Prog. Supplies	300.00
		Total	2,608.00

On motion made to approve by Graham and seconded by Riegsecker. With a vote of 5 to 0 the Council carried and approved both transfers.

**OTHER BUSINESS:**

Jeff Majerek: Public Defender Commissions Title IV-E Reimbursement:

The Public Defenders office requested an approval to sign up for the 4<sup>th</sup> quarter for the reimbursement program. Graham clarified by saying it is for work we already do but we would get money back from the State. Prosecuting Attorney Vicki Becker spoke in favor of the Grant.

On motion made to approve made by Clark and seconded by Hess. With a vote of 5 to 0 the Council carried and approved the request.

**AUDIENCE ITEMS**

Taxpayer Glenn Null discusses his concerns on the rising cost of gas and the effect it is going to have on the RV business. He urges the County to “tighten their belts”. He questioned how often the bridges get inspected and reports exposed wired and conduit on the Lincoln Avenue bridge. County Administrator Jeff Taylor reported that the bridges get inspect on a yearly basis.

Carol Smith questions if the money for the American Rescue Plan is going to be spent on the new Courthouse or if some would be used to make some needed repairs to the current Courthouse? She stated that numerous little things have been let slide through the cracks and now have become issues. Commissioner Rogers stated that they are starting the rehab on the steps and will be working on plans to renovate the current Courthouse.

## **ADJOURN**

There being no further business to come before the Council, on motion made by Graham seconded by Riegsecker, the Council carried and approved the adjournment of the meeting at 9:20 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.