

MINUTES
ELKHART COUNTY COUNCIL
February 8th, 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 were Council Vice President David L. Hess, Doug S. Graham, Darryl J. Riegsecker, Thomas W. Stump and Tina M. Wenger. Absent: President John Letherman and Randy Yohn.

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 January 11th, 2020

On Motion made by Riegsecker and seconded by Stump, the Council unanimously approved the January 11th, 2020 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: Graham on the War Memorial states the names will on the memorial by Memorial Day and that the families of the soldiers will be notified.

AUDITOR: Pickens gave financial report.

SHERIFF: None

EDC MATTERS:

Craig Buche brought the following items to the Council for approval:

1. Consideration and Approval of Commitment Agreement for Brinco:
Brinco has committed to investing no less than Seven Million Seven Hundred Five Thousand Dollars (\$7,705,000.00) in real estate improvements and will create 280 full-time employment positions and invest no less than Fifteen Million Five Hundred Thousand Dollars (\$15,500,000.00) in new manufacturing equipment on or before December 31, 2021.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved the Commitment Agreement for Brinco.

2. Approval of Confirmatory Resolution CC-2020-03. (Brinco)

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

3. Ordinance CC-2020-06- Pedcor Project Refunding Bonds-Chris Kashman & Dusty Israel, representatives from Ice Miller and Pedcor gave a short presentation and was on hand to answer questions that the Council had.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved Ordinance CC-2020-06.

HUMAN RESOURCE MATTERS:

None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Council (129) Council Member Tina Wenger requested \$3,300.00 for expenses for her to attend 2 NACO conferences this year, one is in Washington D.C. and the other one is in Florida.

Wenger discussed the benefits to Elkhart County on her attendance of out-of-state conferences to the Council.

On motion made by Wenger and seconded by Stump, not in favor of the request but to open the subject up for discussion.

Stump stated he feels that after the discussion on out of state conferences at budget time, that there would not be any reimbursement for out of state conferences, only for in state conferences. Stump expresses the County benefits more by attending the in state conferences.

Graham stated after looking at the subjects of the conferences he feels it is a better fit for the Commissioners to attend versus a council member.

Riegsecker agreed to reimburse in state conferences but not for out of state conferences.

The Council voted against (4-1) the request for reimbursement of expenses for out of state conferences.

Taxpayer Glenn Null expresses his opinion in favor of out of state conferences.

B. GENERAL FUND (#1000)

1. Emergency Management (137) requested \$6,600.00 to appropriate donation money for housing equipment and/or to support them.

Jen Tobey explained to the Council that normally they would carry over that amount but now are required to have it appropriated.

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

C. GENERAL FUND (#1000)

1. Victim Assistance (159) requested \$4,090.00 to fund the purchase of 5 new computers for Victims Assistance. The VOCA Grant will reimburse the County for the 5 new computers..

Prosecuting Attorney Vicki Becker presented this request to the Council.

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

D. GENERAL FUND (#1000)

1. Elkhart Circuit Court (160) requested \$105,000.00 for funds to pay the Court Administrator salary and for future competency evaluations.

Judge Michael Christofeno explained to the Council the Court Administrator position is a new position and was not included in this year's budget. He added that the price of competency evaluations have increased in price.

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

E. GENERAL FUND (#1000)

- ~~1. Community Corrections (179) had initially included \$749,513.00 in the budget for the set-up accounts for new fiscal year. FY 2020 County General.~~

Jeff Taylor requested to rescind this request.

F. EDIT FUND (#1112)

1. Commissioners (980) requested \$1,974,946.00 moved from the EDIT fund to set up the FIBER FUND (#4928)

Jeff Taylor explained to the Council to establish the FIBER FUND (#4928) we needed to move money out of the EDIT FUND (#1112). Graham asked for a report of the total the County has spent on the Fiber project so far.

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

G. FIBER FUND (#4928)

1. Highway Department (980) requested \$1,974,946.00 is to set-up a budget for the dark fiber.

Jeff Taylor explains to the Council, this will be the first of an annual budget for the fiber department. The budget will be seeded with EDIT funds for the first and second years of operation. The financial plan is to reduce the funds needed from EDIT as the income rises from the subscribers to the network.

Taxpayer -Glenn Null questions return on investment versus set-up costs.

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

H. EDIT (#1112)

1. Highway Department (980) requested \$1,400,000.00 for funds to complete right of way purchases.

Charlie McKenzie explained to the Council, these are costs associated with the CR 38 to SR 13 project. Funds to complete right of way purchases, including but not limited to appraisals, buying, legal, title work.

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

I. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections-Project Income (614) requested \$2,678,230.00 for funds To set-up accounts for new fiscal year. FY200 Project Income.

Jeff Taylor explained this request to the Council.

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

J. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections (980) requested \$614,031.00 for FY2019 grant extension July 2019 to December 2019.

Jeff Taylor presented this request to the Council.

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

K. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections (981) requested \$1,276,925.00 for funds to set up accounts for new fiscal year, FY2020 DOC Grant

Jeff Taylor presented this request to the Council.

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

L. SALES DISCLOSURE (#1131)

1. Concord Township Assessor (114) requested \$3461.00 for copy machine rent, and MLS access.

Chris Dickerson explained to the Council, the rent on the copy machine increased \$200.00 over prior years. The rest of the request will be used for MLS access to ensure accuracy of sales disclosures and assessments.

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

M. SALES DISCLOSURE (#1131)

1. Assessor (980) requested \$15,200.00 for funds to cover the cost of 3 copiers and MLS service.

Assessor Cathy Searcy presented this request to the Council.

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

N. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requested \$350,000.00 for migrating outdated servers to Aunalytics Secure Data Center in South Bend.

Matt Dietz presented this request to the Council.

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

O. EMERGENCY PLANNING –LEPC (#1152)

1. Emergency Management (980) requested \$78,944.00 for funds to set up LEPC 2020 Budget.

Jen Tobey presented this request to the Council.

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

On motion made that the following funds: Health Administration (#1159) (981), Health- CHN Donations (#1159) (982), Health –Lobley Donations (#1159) (983), Local Health Maintenance (#1168) be voted on together by Riegsecker as they are all for the same thing to appropriate donated funds and seconded by Stump, the council unanimous carried and approved these requests.

P. HEALTH-ADMINISTRATION (#1159)

1. Health Department (981) requested \$612.00 to appropriate donated funds.

Health Officer Lydia Mertz presented this request to the Council.

Q. HEALTH –CHN DONATIONS (#1159)

1. Health Department (982) requested \$8,419.00 to appropriate donated funds.

Health Officer Lydia Mertz presented this request to the Council.

R. HEALTH-LOBLEY DONATIONS (#1159)

1. Health Department (983) requested \$2,757.00 to appropriate donated funds

Health Officer Lydia Mertz presented this request to the Council.

S. LOCAL HEALTH MAINTENANCE (#1168)

1. Health Department (982) requested \$2,867.00 to appropriate donated funds.

Health Officer Lydia Mertz explained this request to the Council.

T. SOUTH BENTON (#4505)

1. Planning & Development (980) requested \$29,903.00 for funds to reimburse the town of Syracuse for water/sewer extension.

Natasha Kauffmann presented this request to the Council.

U. WESTERN GATEWAY (#4506)

1. Planning & Development (980) requested \$5,149.00 for reimbursement to Environmental Special Projects for sewer/water project.

Natasha Kauffmann presented this request to the Council.

V. MIDDLEBURY EAST (#4510)

1. Planning & Development (980) requested \$51,633.00 for reimbursement to town of Middlebury for sewer/water fees.

Natasha Kauffmann presented this request to the Council.

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

1. Planning & Development (980) requested \$50,000.00 for the last mile of fiber connections in NE TIF area

Natasha Kauffmann presented this request to the Council.

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

X. NORTH BAUGO (#4512)

1. Planning & Development (980) requested \$18,154.00 for reimbursement to Environmental Special Projects for sewer extension project.

Natasha Kauffmann presented this request to the Council.

On Motion made by Stump, to vote on the following items together: South Benton TIF (#4505), Western Gateway (#4506), Middlebury East (#4510) and North Baugo (#4512) and seconded by Riegsecker, the council unanimously carried these requests.

Y. SR 13 TIF (#4514)

1. Planning & Development (980) requested \$52,000.00 for funds to pay for a Water utility study for SR 13 TIF.

Natasha Kauffmann presented this request to the Council.

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

Z. PARK & RECREATION DONATIONS (#4909)

1. Planning & Development (980) requested \$63,968.00 for the Park Board to set-up the accounting for the Elkhart County Community Foundation Defries Garden Endowment for payroll and the continued maintenance and development of the Defries Gardens at the River Preserve County Park for 2020.

Ronda DeCaire presented this request to the Council.

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

AA.CTP (#4913)

1. Community Corrections (980) requested \$82,257.00 for FY 2019 grant extension July 2019 to December 2019.

Jeff Taylor presented this request to the Council.

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

BB. CTP (#4913)

1. Community Correction (981) requested \$164,514.00 for funds to set-up accounts for new fiscal year, FY2020 CTP Grant.

Jeff Taylor presented this request to the Council.

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

On motion made by Riegsecker to vote on the following items together: Elkhart County Food Council (#4926), WIC (#8101) and MCH Program Income (#8127) and seconded by Wenger, the Council unanimously carried and approved this request.

CC.ELKHART COUNTY FOOD COUNCIL (#4926)

1. Health Department (982) requested \$423.00 to appropriate donated funds for 2020.

DD.WIC (#8101)

1. Health Department (982) requested \$2,899.00 to appropriate donated funds for 2020.

FF. MCH PROGRAM INCOME (#8127)

1. Health Department (982) requested \$2,103.00 to appropriate donated funds for 2020.

Health Officer Lydia Mertz presented this request to the Council.

On motion made by Riegsecker and seconded by Wenger, the Council unanimously carried and approved requests Elkhart County Food Council (#4926), WIC (#8101) and MCH Program Income (#8127).

EE.FETAL & INFANT MORTALITY REVIEW (#8127)

1. Health Department (311) requested \$8,265.00 to purchase 50 Pack N Plays, 1500 Bassinet Sheets and other materials for Baby Boxes.

Health Officer Lydia Mertz presented this request to the Council.

On Motion made by Riegsecker and seconded by Graham, the Council unanimously carried and approved this request.

GG. 2016 DEOBLINGATED FUNDS GRANT (Software) (#8160)

1. Emergency Management (980) requested \$9,980.00 for funds to pay for software for Elkhart County Sheriff's Office Drone (2) licenses.

Jen Tobey presented this request to the Council.

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

HH. 2016 DEOBLINGATED FUNDS GRANT (Gemini) (#8161)

1. Emergency Management (980) requested \$176,965.00 to purchase a Gemini detector for unknown solids & liquids for the Hazmat Team and a Radiation/Nuclear go kit for the Bomb Squad.

Jen Tobey presented this request to the Council.

On motion made by Wenger and seconded by Riegsecker, then Council unanimously carried and approved this request.

II. 2020 EMPG EMA COMPETITIVE (#8162)

1. Emergency Management (980) requested \$5,000.00 for 100% reimbursable grants funds for PIO, Warning Course & Jail Evacuation tabletop exercise.

Jen Tobey presented this request to the Council.

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

JJ. 2020 EMPG LEPC COMPETITIVE (#8162)

1. Emergency Management (980) requested \$5,000.00 for 100% reimbursable grant funds for ICS/NIMS 300, ICS/NIMS 400 and Incident Response to Terrorist Bombing courses.

Jen Tobey presented this request to the Council.

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

KK. TOBACCO CONTROL OF ELKHART COUNTY (#9104)

1. Health Department (982) requested \$74.00 to appropriate donated funds for 2020.

Health Office Lydia Mertz presented this request to the Council.

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

LL. JAIL TREATMENT GRANT (#9125)

1. Sheriff (980) requested \$230,201.00 to appropriate funds for the approved 2019 HEA Jail Treatment Grant. 2020 Grant.

Sheriff Jeff Siegel presented this request to the Council.

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

MM. 2020 HMEP LEPC (#1) EXERCISE) #9144)

1. Emergency Management (980) requested \$15,000.00 for 100% reimbursable grant through Indiana Department of Homeland Security. This Grant will pay for EMAI Conference in Indy, 40 hour Hazwhopper Course for the Health Department & Lippert Facility LEPC Annual Exercise.

Jen Tobey presented this request to the Council.

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

NN. 2020 HMEP LEPC (#2) TOLL ROAD (#9145)

1. Emergency Management (980) requested \$8,000.00 for 100% reimbursable grant through Indiana Homeland Security. This will fund the creation of Ingress/Egress plan with tabletop exercise with toll road.

Jen Tobey presented this request to the Council.

On motion made by Graham and second by Riegsecker, the Council unanimously carried and approved this request.

OO. 2019 JCAP GRANT (#9147)

1. Sheriff (980) requested \$6,300.00 to appropriate funds for the approved 2019 JCAP Grant from Indiana Drug Enforcement Association.

Sheriff Jeff Siegel presented this request to the Council.

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

REDUCTIONS:

PP. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requested a reduction in the amount of -\$81,054.00 as projects are completed.

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

QQ. CR 6 & CR 17 NE TIF (#1135)

1. Planning & Development (980) requested a reduction in the amount of -300.00 for the project close out for Love's Drive fiber project.

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

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	MOTOR VEHICLE HIGHWAY (1176)		
	1. Highway (202)		
	From:	43090 Other Professional Services	\$9,000.00
		43050 Data	
	To:	Processing	\$9,000.00
	GENERAL FUND (1000)		
	1. Veterans Services (134)		
	From:	43120 Postage	\$800.00
	To:	42195 Other Operating Supplies	\$800.00

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

OTHER BUSINESS:

- (a) Vicki Becker, Craig Buche and Jeff Siegel did a presentation for the Council on BANJO. They explained to the Council BANJO is an Artificial Intelligence Company that uses technology to scan social media posts, 911 calls, traffic cameras, along with other sources to identify where possible criminal activity is happening before it occurs and contacts the proper authorities in order to prevent crimes from occurring. In cases where it has already happened they can use this program to help solve crimes in matters of minutes versus days, weeks or months. Elkhart County has been chosen as one of 3 counties that will be given a grant to cover the costs of this new program for 1 year to see how effective it is before committing to the program and committing taxpayer dollars. Becker states at this point they are looking for Council support to try this program. Council gives their support to trying the program out for 1 year before committing.

Craig Buche submitted the following Ordinance’s and Interlocal’s to the Council for Approval:

- (b) Consideration and Approval of Ordinance of the Elkhart County Council Establishing the JCAP 2019 Grant for the Elkhart County Sheriff’s Department. CC-2020-02

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved Ordinance CC-2020-02.

- (c) Approval of Interlocal Agreement with the City of Goshen for Design & Construction of (1) County Road 40 Connector Road and (2) A County Road 40 Connector and State Road 15 Intersection on South side of Goshen.

On motion made by Graham and seconded by Riegsecker, the Council unanimously

carried and approved this Interlocal Agreement.

- (d) Consideration and Approval of Ordinance CC-2020-04- Adopting Elkhart County Investment Policy Authorizing the Investment of Public Funds Investments lasting more than Two (2) Years and not more than Five (5) Years Pursuant to IC5-13-9-5.7.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved Ordinance CC-2020-04.

- (e) Consideration and Approval –Fiber Optic Fund Ordinance CC-2020-05.

On motion made by Graham and seconded by Riegsecker the Council unanimously carried and approved Ordinance CC-2020-05.

- (f) Craig Buche- Approval of Interlocal Agreement for Fiber Project with RDC and Middlebury.

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

AUDIENCE ITEMS

Ron Norman- would like to see a Quarterly report on how the BANJO program works. He also applauded Elkhart County on the Fiber Projects.

Glenn Null- Expresses concerns on new Court Administrator and the costs. He would also like to see some sort of overhead projector or a map that the audience can follow along when the Council is talking about certain areas so the public can see what they are talking about. Concerns on the BANJO Project.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:10 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.