

MINUTES
ELKHART COUNTY COUNCIL
117 N. 2nd St. Room 104, Goshen, In. 46526
April 9th,2022

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 Thomas W. Stump, Council Vice President David L. Hess, Douglas S. Graham, Darryl J. Riegsecker, Randy D. Yohn, Adam M. Bujalski and Steven E. Clark.

Also present were Patricia A. Pickens, County Auditor; Tiara Jackson First Deputy Auditor; Craig Buche, County Attorney; Commissioner Brad Rogers, Commissioner Suzi Weirick 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: March 12th,2022

On motion made to approve by Graham and seconded by Riegsecker. With a vote of 7 to 0 the Council carried and approved the March 12th,2022 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: Weirick on the new Courthouse groundbreaking. Report on H5N1/Avian Flu and the effect on local farms.

COUNCIL: Graham on voting and encouraged everyone to get out and exercise their right to vote. Yohn on an Employment Report on Amazon and RV industry. Bujalski on Health Dept and Vaccinations. He encouraged people to get out and vote as well.

AUDITOR: - Pickens gave financial report.

SHERIFF: None

COUNCIL APPOINTMENTS: None

EDC MATTERS:

Craig Buche:

- (1) Consideration and requested approval of an Interlocal Agreement between the RDC and the Town of 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. This was tabled in the March 12th, 2022 Elkhart County Council Meeting.

On motion made by Graham to table this until further notice and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 7 to 0.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$1,595.09 for funds needed to zero out the COVID-19 CARES CRF Fund.

Jeff Taylor presented this request to the Council.

On motion made to approve by Yohn and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 7 to 0.

B. GENERAL FUND (#1000)

1. Commissioners (130) requested \$63,926.30 for funds required to close out the remaining payment for the jail demolition.

Jeff Taylor presented this request to the Council.

On motion to approve made by Bujalski and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 7 to 0.

C. GENERAL FUNDS (#1000)

1. Commissioners (130) requested \$86,000.00 for funds required to complete the necessary remodeling to utilize the additional space leased last year in the DRTY building (Prosecutor's Office location).

Jeff Taylor presented this request to the Council.

On motion made to approve by Yohn and seconded by Riegsecker, the Council carried and approved this appropriation with a vote of 6 to 1. With Graham voting No.

D. EDIT (#1112)

1. Highway (980) requested \$500,000.00 for funds to repair a major erosion and slope failure on CR 19 between CR 21 (Indiana Ave) where CR 19 meets the Elkhart River. The river is eroding the roadside slope and encroaching on the road itself. These funds are for design engineering, right of way, construction, and associated costs. More funds may be needed to adequately repair the problem, this is based on preliminary estimates only.

Jeff Taylor presented this request to the Council.

Council members discussed several issues including the design of road, right of ways, moving the road, and funds available from the State if any.

On motion made to approve by Graham and seconded by Riegsecker, the Council carried and approved this request with a 7 to 0 vote.

E. CLERK'S PERPUTUATION (#1119)

1. Clerks (980) requested \$25,000.00 for additional Estate Records were sent out for scanning and to be placed on microfilm with Information & Records, Inc.

Christopher Anderson presented this request to the Council.

On motion made to approve by Yohn and seconded by Riegsecker, the Council unanimously and approved this appropriation with a vote of 7 to 0.

F. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requested \$2,203,558.00 for increased costs of services (Cloud, Citrix, Seamless Docs, O365) and project that were not added to the budget this year. New security upgrades, purchasing more cables to meet the needs of County employees. To cover costs of migration of mail, phones & network issues along with the costs of switching phone provider & increase of phone services, new hardware for the security services to become compliant with insurance and SAN equipment for the County.

Tony Peffley presented this request to the Council.

On motion made by Riegsecker and seconded by Yohn, the Council carried and approved this appropriation with a vote of 6 to 1 with Graham voting no.

G. CUMULATIVE DRAINAGE (#1141)

1. Surveyor (980) requested \$30,000.00 for maintenance and reconstruction projects on County regulated drains.

Phil Barker presented this request to the Council

On motion made by Riegsecker and seconded by Yohn, the Council unanimously carried and approved this request with a 7 to 0 vote.

H. 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. This request was tabled at the March Council meeting.

Craig Buche presented this request to the Council.

On motion made by Bujalski to table this appropriation until the further notice and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0.

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

1. Planning & Development (980) requested \$2,855,000.00 to cover additional road/utility costs of CR 4 construction per bid. Utility cost reimbursed by developer during project construction.

Chris Godlewski presented this to the Council.

On motion made to approve by Riegsecker and seconded by Bujalski, the Council carried with a vote of 6 to 1 with Hess voting no.

J. FOOD COUNCIL (#4926)

1. Health (982) requested \$4,000.00 to appropriate donations for the Food Council.

Concetta Sanfilippo presented this to the Council.

On motion made by Yohn and seconded by Riegsecker to approve the Council unanimously carried with a vote of 7 to 0 and approved this request.

K. FEMA COVID-19 (#8907)

1. Emergency Management (980) requested \$2,500.00 for generators used at COVID testing sites need repaired, 2 propane tanks need refilled, used to heat area at COVID site.

Adam Bujalski presented this to the Council on behalf of Jennifer Tobey.

On motion made by Graham and seconded by Riegsecker with a vote of 7 to 0 the Council unanimously carried with a vote of 7 to 0 and approved this request.

L. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$300,000.00 to acquire the home and parcel at the Southeast corner of the new courthouse parcel. The acquisition will be combined with the rest of the courthouse parcel.

Jeff Taylor presented this to the Council.

On motion made to approve made by Riegsecker and seconded by Yohn, the Council unanimously carried with a 7 to 0 vote and approved this request.

M. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$375,000.00 for funds required to pay for construction inspection for the new courthouse.

Jeff Taylor presented this to the Council.

On motion to approve made by Yohn and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0 and approved this request.

N. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$50,000.00 for funds to pay for legal services associated with the Foraker Southwest sewer project.

Jeff Taylor presented this request to the Council.

On motion to approve by Yohn and seconded by Bujalski, the Council unanimously carried with a vote of 7 to 0 and approved this request.

O. STAR GRANT (#9119)

1. Sheriff (105) requested \$ 52,464.00 to appropriate STAR Grant funds for 2022 and 2021 carry forward amount.

Sean Holmes presented this request to the Council.

On motion to approve Clark seconded by Bujalski, the Council unanimously carried with a 7 to 0 vote and approved this request

REDUCTIONS:

P. PROBATION GRANT FUND (#9126)

1. Court Services (984) requested a reduction in the amount of -\$15,627.00. This reduction is necessary because this was completed at budget time with the amounts requested, however we received less than requested.

Q. DRUG COURT (#9131)

1. Court Services (984) requested a reduction in the amount of -\$4,843.00. This reduction is necessary because this was completed at budget time with the amounts requested, however we received less than requested.

On motion made to vote on and approve the 2 reductions together item P. PROBATION GRANT FUND (#9126) and item Q. DRUG COURT (CRRP) GRANT FUND (#9131) by Riegsecker and seconded by Bujalski, the Council unanimously carried with a vote of 7 to 0 the Council approved these requests.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	PSCC EMERGENCY TELEPHONE SYSTEM (#1153)		
	1. PSCC 911 Center (323)		
	From:	42090 Office Supplies	160.00
	To:	45100 Transfer btn Funds	160.00
B.	HEALTH (#1159)		
	1. Health Department (340)		
	From:	43090 Otr. Prof. Services	1221
	To:	44510 Otr, Equip.	340
		44535 Data Processing Equip.	881
		Total	1221
C.	PUBLIC HEALTH PREPAREDNESS (#8119)		
	1. Health (980)		
	From:	42195 Operating Supplies	200.00
		43110 Sustenance	500.00
		43830 Ed. & Conf.	400.00
	To:	44510 Ptr. Equip.	1,100.00
D.	DENTAL PROGRAM INCOME (#8178)		
	1. Health (614)		
	From:	42180 Medical Supplies	2,415.00
		43510	
	To:	Maintenance/Service	2,415.00
		Total	
		Transfers	3,796.00
			(revised)

On motion made to approve by Bujalski and seconded by Clark. With a vote of 7 to 0 the Council carried and approved all the transfers.

OTHER BUSINESS:

Craig Buche: 1. Consideration and approval of Virtual Meeting Policy

On motion made to table this request by Graham and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0 and approved to table this request.

Jeff Taylor presented the following to the Council for consideration:

1. Consideration for Approval of CF-1 Forms:

- (a) Innovations, LLC. -RE (Lot# 8)
Innovations, LLC. -RE (Lot #10)
Travel Lite, INC.-PP

On motion made by Hess to ask Innovation, LLC and Travel Lite, Inc's representative to come to the May council meeting to give Elkhart County Council more information before deciding to approve and seconded by Clark. A roll call vote was called by Stump, the votes are as follows: Stump-Nay, Hess-Aye, Clark-Aye, Graham-Nay, Yohn-Aye, Riegsecker-Nay and Bujalski-Aye. With a vote of 4 to 3 the request was approved.

- (b) Smoker Craft, INC.-RE (CC-2014-14 & 18)
Smoker Craft, INC.-PP (CC-2014-14 & 18)

Jeff Taylor presented this request to the Council and stated he found this company in substantial compliance.

On motion made to approve by Graham and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0 and approved this request.

- (c) Smoker Craft, INC.-RE (CC-2021-19 & 22)
Smoker Craft, INC.-PP (CC-2021-19 & 22)

Jeff Taylor presented this request to the Council and stated he found this company in substantial compliance.

On motion made to approve by Graham and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0 and approved this request.

- (d) Vista Building, LLC. -RE

Jeff Taylor presented this request to the Council and stated he found this company in substantial compliance

On motion made to approve by Graham and seconded by Riegsecker, the Council unanimously carried with a vote of 7 to 0 and approved this request

AUDIENCE ITEMS

There were no audience members that wished to speak.

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 9:15 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.