

MINUTES
ELKHART COUNTY COUNCIL
August 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 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 July 11th, 2020.

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

COMMITTEE REPORTS:

COMMISSIONERS:

COUNCIL: Wenger on NACO Conference
Stump on council packet downloaded on website.

AUDITOR: Pickens gave financial report. Letherman & Hess talked about the estimated LIT numbers.
Todd Samuelson from Baker-Tilly discussed the estimated LIT numbers.

SHERIFF: None

EDC MATTERS:

*** Public Hearing ***
**** Elkhart Public Library****

(a)

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

Atty. Philip Faccenda represented the Elkhart Public Library.

Ronda DeCaire of the Elkhart County Parks Department spoke in support of the library.

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

Atty. Philip Faccenda presented this request to the Council.

Second Reading & Approval:

**ORDINANCE NO. 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 approved the second reading and approval of Ordinance CC-2020-11.

- (b) CF-1 Compliance Hearing-Innovations, LLC –RE
Travel-Lite-PP

Chris Stager & Atty Craig Buche requested to table this compliance hearing until September in order to contact the new CEO of the company.

On motion made by Hess, to table the compliance hearing until September’s Council meeting, and seconded by Riegsecker, the Council unanimously carried and approved this request.

Craig Buche: Consideration and Approval-Declaratory Resolution CC-2020-16-Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In (Premium Rock, LLC.)

Graham expressed concern that the company owner and the land owner both be named in the tax phase-in to protect public interest. Stager discussed a joiner agreement between both the land owner and the company owner.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved the Declaratory Resolution No. CC-2020-16.

HUMAN RESOURCE MATTERS:

None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$2,175,000.00 for:
 1. The purchase of land for the new combined Courthouse (\$1,600,000.00)
 2. Consultant fees for project management for the first phase of the project. (\$500,000.00)
 3. To paint ward floors at Community Corrections. (\$75,000.00)

Jeff Taylor discussed the shape of existing buildings and concern with the safety of them. The recommendation is to build a safe, secure & efficient new courthouse. Taylor also discussed the estimate total of the project to be around \$80 million dollars. Taylor goes on to discuss the location and the benefits of this particular land the Commissioners want to purchase e.g. road access, zoning, future expansions, shovel ready.

Wenger expressed her concerns for the project which include: the county purchasing more land and not using land that the County already owns. Wenger also stated that the timing is wrong to consider any large purchases.

Graham pointed out that the Commissioners have looked into the potential sites of land that the County owns and were evaluated and none were suitable based on the needs of this project. He also explained there is never a good time to spend this amount of money, but delaying could be negligent from a safety & security standpoint.

Yohn expressed concern at first that after the approval of the additional appropriation the Council would have no future say as to the land purchase. Buche explained in order to actually purchase the land a Resolution would have to come before the Council for approval.

Stump supported the location.

Riegsecker is in favor of moving forward with the project. Riegsecker stated the Commissioners have already looked and evaluated the current land the County owns and none are suitable for this project.

A roll call vote was called by Wenger and seconded by Stump for approval for additional appropriations for the Commissioners to purchase land for a new combined courthouse, funds for consultant on project and to paint ward floors at Community Corrections,

The roll call vote is as follows:

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

With a vote of 6 to 1 the request was approved by the Council.

B. EDIT (#1112)

1. Commissioners (980) requested \$27,000.00 in support of the Center for Business Excellence Program operated by the Greater Elkhart Chamber of Commerce. The County has financially supported this program in the past.

Jeff Taylor presented this request to the Council.

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

C. EDIT (#1112)

1. Highway (980) requested \$1,050,000.00 for funds to pay for design of bridge #145 replacement and for funds to pay for the design of CR 17 extension. This will be the first appropriation of the design contract that will be followed by 2 additional appropriation requests as funds are required in the following years. This project is federally funded and will be reimbursed 80%.

Charlie McKenzie presented this request to the Council.

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

D. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$15,000.00 for funds to transfer records to microfilm.

Darryl Riegsecker explained this request to the Council.

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

E. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requested \$300,000.00 for funds needed to supplement the contract for finishing the shell space at the Juvenile Detention Center and the visitation area at the jail. Also to purchase a copier for Archives.

Jeff Taylor presented this request to the Council.

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

F. PARK & RECREATION NON-RIVERTING CAPITAL (#1178)

1. Park & Recreation (980) requested \$50,000.00 to be added to project #192604 to continue with park repair and maintenance projects.

Ronda De Caire presented this request to the Council.

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

G. PARK & RECREATION (#1219)

1. Park & Recreation (320) requested \$2000.00 to cover staff wages in the part-time account to assist with operations at the Elkhart County Historical Museum. The \$2000.00 has been received and is in the account #36500 to cover negative balance from payment to Information & Records and monies to cover new Information and Records invoices.

Ronda DeCaire explained request to the Council.

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

H. PARK & RECREATION (#1219)

1. Park & Recreation (320) requested \$5100.00 to cover staff wages in the part-time account to assist with maintenance at the Six Span Landing as outlined in the agreement with the Commissioners. The \$5100.00 has been received and is in account #36500.

Ronda De Caire explained this request to the Council.

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

I. ROAD MAINTENANCE & CONSTRUCTION (#4901)

1. Highway (980) requested \$726,598.00 to appropriate State Community Crossings Grant funds for paving.

Charlie McKenzie explained this request to the Council.

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

J. FIBER (#4928)

1. Highway (980) requested \$592,753.00 to pay for the Town of Middlebury redundancy fiber project will connect the town's buildings and offices and create a loop back to Goshen. This project is a partnership between the County and the

Town of Middlebury. County funds have been appropriated previously, this is a request to appropriate the Town of Middlebury's financial contribution that was paid back to the County.

Charlie McKenzie explained this request to the Council.

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

K. ECHD-BREASTFEEDING PEER COUNSELOR (#8102)

1. Health Department (980) requested \$17,300.00 to cover shortfall in the Breastfeeding Peer Counselor grant due to an employee taking health benefits. Therefore we under budgeted for the grant, however the WIC grant will cover this. This will be approved by the State WIC office. No County dollar are needed.

Concetta Sanfilippo presented this request to the Council.

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

L. COVID-19 CORONAVIRUS SUPPLEMENTAL (#8102)

1. Sheriff (105) requested \$58,008.00 for reimbursement grant from the Dept. of Justice for Coronavirus supplies and equipment.

Sheriff Jeff Siegel presented this request to the Council.

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

REDUCTIONS:

M. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requested a reduction in the amount of -\$200,000.00 as the awarded bid was lower than the appropriated amount.

N. ECHD-WIC GRANT (#8101)

1. Health Department (312) requested a reduction in the amount of -\$17,300.00 due to a shortfall in the Breastfeeding Peer Counselor Grant due to an employee taking full health benefits. Therefore the Health department under budgeted for the grant: however the WIC grant will cover this. No county dollars are needed.

On motion made by Wenger and seconded by Stump that both reduction requests from Cumulative Bridge (#1135) and ECHD-WIC Grant (#8101) be voted on and approved, the

Council unanimously carried and approved these requests.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	GENERAL FUND (#1000)		
	1. Commissioners (130)		
	From:	43580 Co Owned Prop. Main.	\$1,500.00
	To:	42110 Gas, Diesel, Fuel & Oil	\$1,500.00
B.	CLERK'S RECORDS PERPETUATION (#1119)		
	1. Clerk(980)		
	From:	43090 Otr. Prof. Serv.	\$850.00
	To:	44515 Off. Furn.	\$850.00
C.	FIREARMS TRAINING (#1156)		
	1. Sheriff (980)		
	From:	43090 Otr. Pro. Serv.	\$7,000.00
	To:	42195 Otr. Oper. Supplies	\$7,000.00
D.	HEALTH (#1159)		
	1. Health Viatal Records (340)		
	From:	43520 Rebinding Records	\$2,500.00
	To:	42195 Oper. Supplies	\$2,500.00
E.	FIBER(#4928)		
	1. Highway (980)		
	From:	43090 Otr. Prof. Serv.	\$25,000.00
	To;	41120 Professional	\$25,000.00
F.	INDIANA TOBACCO PROGRAM (#9104)		
	1. Health (980)		
	From:	43660 Rent	\$350.00
	To:	42195 Oper. Supplies	\$350.00
		Total	\$37,200.00

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

OTHER BUSINESS:

- (a) Consideration and Approval of Dominick “Nick” Ambrose be appointed to the Local Alcoholic Beverage Board. One (1) year term. Expires 8/31/2021.

On motion made by Graham and seconded by Yohn the Council carried and unanimously approved the appointment of Dominick “Nick” Ambrose to the Local Alcoholic Beverage Board.

AUDIENCE ITEMS

Glenn Null- expressed his feelings on the Council packet being published on the Elkhart County website prior to Council meetings, flags being at half-staff and about the land the County owns and questioned the purchase of more land to build new courthouse.

Adam Bujalski concerned about purchase price of land, discussed interest rates and thanked the Council for returning calls when he has questions.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:05 am on motion made by Riegsecker 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.