

MINUTES
ELKHART COUNTY COUNCIL
117 N. 2nd St. Room 104, Goshen, In. 46526
June 11th,2022

The meeting of the Elkhart County Council was called to order by Sheriff Jeff Siegal 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. Members absent: Steven E. Clark.

Also present were Patricia A. Pickens, County Auditor; Tiara Jackson, First Deputy Auditor; Craig Buche, County Attorney; 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: May 14th,2022

On motion made to approve by Riegsecker and seconded by Yohn. With a vote of 6 to 0 the Council carried and approved the May 14th,2022 minutes.

** Presentation by:

Indiana State Senator Blake Doriot and Indiana State Representative Joanna King presented Elkhart County a replica check for \$1,000,000.00 for the Community Crossroad Grant.

Stump awarded Service Awards to:

Yohn for 15 years of Service on the Elkhart County Council.

Riegsecker for 10 years of Service on the Elkhart County Council.

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL:

Yohn on Ivy Tech's Open House- He states he feels we are very fortunate for having such a facility in Robotics. He talked about the students in the program and the Employers are providing the training for their employees.

Bujalski on Youth Entrepreneurship Program @ ETHOS Building.

AUDITOR: - Pickens gave financial report.

SHERIFF: None

EDC MATTERS:

Craig Buche:

- (a) For Consideration and Approval of Declaratory Resolution CC-2022-04 for a possible Tax Phase-In. (Steel Harbor, LLC.)

Chris Stager EDC thanked the Council for the opportunity for reconsideration of Declaratory Resolution CC-2022-04 for a possible Tax Phase-In for Steel Harbor, LLC. Stager provided further clarity to the project. Steel Harbor will invest 4 million dollars, full healthcare benefits, 28 employees at 20.00 per hour.

On motion made to approve the Declaratory Resolution CC-2022-04 by Yohn and seconded by Bujalski. By roll call vote the Council members votes are as follows: Stump-Aye, Hess-Nay, Clark-Absent, Graham-Nay, Yohn-Aye, Riegsecker-Aye and Bujalski-Aye. With a vote of 4 to 2 the Declaratory Resolution CC-2022-04 was approved.

HUMAN RESOURCES:

1. Public Defender (175) requested to move 2 ½ positions from Public Defender Supplemental Fund (#1200) to the General Fund (#1000) Public Defender (1/2) Legal Assistant & Client Advocate Effective 6/19/2022.

Deputy Public Defender Matthew Johnson presented this request to the Council.

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

2. Highway (202) requested to move one Project Engineer from PT. to FT, 30 Hrs. Hourly, effective 6/19/2022.

On motion made to approve by Riegsecker and seconded by Yohn, the Council carried and approved this request with a vote of 6 to 0.

COUNCIL APPOINTMENTS:

Middlebury Public Library-Juli Wald

- (a) For approval and re-appointment of Mary Deters Hesser to the Middlebury Public Library Board of Trustees. Four (4) year term. Expires 6/30/2026

On motion made to approved by Yohn and seconded by Riegsecker, the Council carried and approved this request with a 6 to 0 vote.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Building & Grounds (140) requested \$149,000.00 for funds for a new roof on the Community Corrections building or a major roof restoration/coating system for the entire roof.

Don Tubicsak explained the different options that are available to fix the roof situation to the Council. Don also provided photos to the Council of the different options available.

On motion made to approve by Riegsecker and seconded by Graham, the Council carried and approved this request with a vote of 6 to 0.

B. GENERAL FUND (#1000)

1. Public Defender (175) requested \$43,056.00 be transferred from the General Fund into the Supplemental Fund bringing the Supplemental Fund to a zero balance which is currently in the red.

Deputy Public Defender Matthew Johnson presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker, the Council carried and approved this request with a vote of 6 to 0.

C. GENERAL FUND (#1000)

1. Public Defender (175) requested \$73,672.00 to start paying 2 professionals out of the General Fund instead of the Supplemental Fund. Guidelines from the State Public Defender Commission states that employees shall not be paid no more than 1 year out of the Supplement Account.

Deputy Public Defender Matthew Johnson presented this request to the Council. Sue Hobson gave some explanation of the reimbursement program.

On motion made by Bujalski and seconded by Riegsecker, The Council carried and approved this request with a vote of 6 to 0.

D. GENERAL FUND (#1000)

1. Public Defender (175) requested \$35,250.00 to pay employee from the General Fund instead of the Supplemental fund. This is the amount needed to meet 26 bi-weekly payments for her salary. Guidelines from the State Public Defender Commission states that employees shall be paid no more than year out of the Supplemental Account. Deputy Public Defender Matthew Johnson presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker, the Council carried and approved this request with a vote of 6 to 0.

E. GENERAL FUND (#1000)

1. Public Defender (175) requested \$5,000.00 for additional money to pay for hotel and meal expenses for employees who will be attending required training out of town in 2022.

Deputy Public Defender Matthew Johnson presented this request to the Council.

On motion made by Bujalski and seconded by Riegsecker, the Council carried and approved this request with a 6 to 0 vote.

F. LIT SPECIAL PURPOSE (#1114)

1. Buildings and Grounds (140) requested \$44,000.00 for a water heater at the jail. In addition, funds will be used to replace two steam traps for the water heater.

Don Tubicsak presented this request to the Council.

On motion made by Yohn and seconded by Riegsecker, the Council carried and approved this request with a 6 to 0 vote.

G. CLERK'S PERPETUATION (#1119)

1. Clerk (980) requested \$4,000.00 for funds to pay a temporary employee to assist with prepping files from 1820-1920. These dates are approximate as we have only started the work on this project.

Christopher Anderson presented this to the Council.

On motion made by Riegsecker and seconded by Hess, the Council carried and approved this request with a 6 to 0 vote.

H. CUMULATIVE DRAINAGE (#1141)

1. Surveyor (980) requested \$33,000.00 for maintenance and/or reconstruction projects on County Regulated Drains.

Phil Barker presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Graham, the Council carried and approved this request with a vote of 6 to 0.

I. MOTOR VEHICLE HIGHWAY (#1173)

1. Highway (980) requested \$1,200,000.00 funds for road paving and construction and associated costs.

Jeff Taylor presented this to the Council.

On motion made to approve by Riegsecker and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0.

J. SOLID WASTE (#1194)

1. Landfill (980) requested \$8,931,498.00 for the capital expenses for closure fund (#1166)- \$1,982,391.00 / Capital Reserve (#4915)- \$6,411,007.00 / Solid Waste (#4929) \$538,100.00.

Jeff Taylor presented this request to the Council on behalf of John Bowers.

On motion made by Riegsecker and seconded by Bujalski to approve, the Council unanimously carried with a vote of 6 to 0 and approved this request.

K. MIDDLEBURY AG TIF (#4508)

1. Planning & Development (980) requested \$10,000.00 for proposal of fence along CR 37 which is subject to project approval and TIF qualification.

Jeff Taylor presented this request to the Council. There will need to be 3 quotes presented prior to construction.

On motion made to approve by Graham and seconded by Riegsecker the Council carried and approved this request with a vote of 6 to 0.

L. 93.658 TITLE IV-E FOSTER CARE GRANT (#8179)

1. Public Defender (175) requested \$1,932.67 received from Federal Grant money for the 1st quarter in 2022 to be appropriated.

Deputy Public Defender Matthew Johnson presented this to the Council.

On motion made to approve made by Bujalski and seconded by Riegsecker, the Council carried with a 6 to 0 vote and approved this request.

M. CARES EPIDEMIOLOGY AND LAB (#8179)

1. Health Department (981) requested \$100,000.00 to pay the Fire Department and Center for Healing, Health and Hope to continue testing for COVID.

Concetta Sanfilippo presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Bujalski, the Council carried and approved this request with a vote of 6 to 0.

N. AMERICAN RESCUE PLAN (#8951)

1. Commissioners (980) requested \$25,758.00 for funds to pay for an ATV (Gator) for use at the Courthouse construction site.

Jeff Taylor presented this to the Council.

On motion to approve made by Graham and seconded by Riegsecker, the Council carried with a vote of 6 to 0 and approved this request.

O. PROBLEM SOLVING COURT GRANT (#9135)

1. Elkhart County Judiciary (983) requested \$7,975.00 for FY 2023 Problem Solving Court Grant from the Indiana Office of Court Services be appropriated.

Ross Maxwell presented this request to the Council. Bujalski asked how many people are presently in the program. Ross stated he believes around 45 people.

On motion to approve made by Yohn and seconded by Riegsecker, the Council carried and approved this request with a vote of 6 to 0.

REDUCTIONS:

P. NORTHWEST GATEWAY (#4904)

1. Planning & Development (980) requested a reduction in the amount of -\$85.00 to close out the County Connections Mobility Study.

On motion to approve made by Graham and seconded by Yohn, the Council carried and approved this reduction.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#1000)

1. Archives & Microfilm (143)

From:	41165 Excess Hours	6,000.00
To:	42070 Data Processing Supplies	6,000.00

B. GENERAL FUND (#1000)

1. Elkhart County Judiciary (172)

From:	41135 Paraprofessional	75,000.00
To:	43090 Otr. Prof. Svcs.	75,000.00

C. TOBACCO PREVENTION & CESSATION PROGRAM (#9104)

1. Health Department (980)

From:	41310 Insurance	6,500.00
	41120 Professional	1,765.00
To:	42195 Operating Supplies	1,400.00
	43090 Otr. Prof. Svcs.	2,000.00
	44535 Data Processing	3,100.00
	42090 Office Supplies	1,600.00
	43800 Dues	165.00
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	Total	8,265.00

D.	JDAI GRANT FUND (#9113)	
	1. Elkhart County Judiciary (984)	
From:	41300 Social Security	408.00
	41305 Medicare	836.00
	42090 Otr. Office Supplies	251.00
	42310 Food	403.00
	42350 Program Supplies	3,239.00
To:	43090 Otr. Prof. Svcs.	5,137.00
E.	JUVENILE COMMUNITY CORRECTIONS GRANT (#9120)	
	1. Elkhart County Judiciary (984)	
From:	41120 Professional	1,259.00
	41300 Social Security	130.00
	41305 Medicare	60.00
	41310 Group Insurance	7,865.00
To:	43090 Otr. Prof. Svcs.	9,314.00
	Total Transfers:	\$103,716.00

On motion made by Bujalski to approve transfers and seconded by Riegsecker, the Council unanimously carried and approved these transfers with a 6 to 0 vote.

OTHER BUSINESS:

Jeff Taylor:

1. Consideration for Approval for Substantial Compliance of CF-1 Forms:

- (a) QR AMZ Elkhart Propco, LLC. RE

County Administrator Jeff Taylor explained that he has reviewed this company and has found they are in Substantial Compliance.

On motion made by Bujalski to approve and seconded by Riegsecker, the Council carried and approved this request with a vote of 6 to 0.

- (b) The Bristol Indiana Corporation-PP
The Bristol Indiana Corporation-RE

Jeff Taylor presented this to the Council. Graham questioned the salary difference.

Graham made a motion to table this request until next month's meeting and the company needs to come in and explain their projects and pay, seconded by Bujalski, the Council carried and approved this motion.

(c) Detweiler Real Estate, LLC. -RE

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion to approve made by Riegsecker and seconded by Bujalski, the Council carried and approved this request.

(d) Dynamic Metals, LLC. -PP

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion made to approve made by Bujalski and seconded by Riegsecker, the Council carried and approved this request.

(e) Entech, INC. -PP

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion made by Riegsecker to approve and seconded by Bujalski, the Council carried and approved this request.

(f) Everance Trust Company (Operating Entity is Dynamic Metals, LLC. -RE

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion to approve made by Bujalski and seconded by Riegsecker, the Council carried and approved this request.

(g) Furrion, LLC. -RE (Lippert Components purchased this property)

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion to approve made by Bujalski and seconded by Riegsecker, the Council carried and approved this request.

(h) General RV Center, INC. -RE
General RV Center, INC. -PP

On motion made by Riegsecker to table this request and ask the company to come to the next Council meeting and answer additional questions the Council has seconded by Bujalski, the Council carried and approved this motion.

(i) Jomar Machining & Fabricating, INC. -PP

County Administrator Jeff Taylor explained that he reviewed this company and found them to be in Substantial Compliance.

On motion made to approve made by Riegsecker and seconded by Bujalski, the Council carried and approved this request.

Craig Buche presented the following to the Council:

1. Consideration and Approval of Ordinance CC-2022-05. And Ordinance of Elkhart County Council Establishing the 93.658 Title IV-E Foster Care Grant for the Elkhart County Public Defenders Department.

On motion made by Yohn and seconded by Riegsecker, the Council carried and approved this request with a vote of 6 to 0.

2. Consideration and Approval of Ordinance CC-2022-06 An Ordinance of the Elkhart County Council Establishing the Mileage Reimbursement Rate.

On motion to approve made by Graham and seconded by Bujalski, the Council carried and approved this request with a vote of 6 to 0.

3. Semi-annual review of internal loans:

- (a) Resolution CC-2011-07; Re-Amortizing Loan from the Local Major Moves Construction Fund for the Johnson Street Bridge Project and the Six Span Bridge Project.

Craig Buche reported the payments are \$750,000.00 x 2 payments per year, projected payoff is in 2023 and is currently at 2 % interest.

- (b) Resolution CC-2020-28: Resolution Authorizing the Loaning of Money from the Local Major Moves Construction Fund for the County Road 38 East Reconstruction Project and Combining Existing County Road 38 and County Road 17 loans.

Craig Buche reported the payment is \$800,000.00 per year and the projected payoff is in 2027 and is currently at 2% interest.

- (c) Amendment to Interlocal Agreement for Road Funding: Town of Bristol (Bypass).

Craig Bucher reported that Bristol pays \$400,000.00 a year and is currently at 2% interest and their payoff is in 2026.

(d) Resolution CC-2018-21 Resolution Authorizing the Loaning of Money from the Local Major Moves Construction Fund for the Elkhart County 911 Center 800 MHZ Radio System Upgrade Project.

Craig Buche Reported they currently pay \$340,000.00 per year. They are currently at 2% interest and the projected payoff is in 2031.

(e). Resolution CC-2019-24 Resolution Authorizing the Loaning of Money from the Local Major Moves Construction Fund for the Elkhart County Sheriff's Department 2019 Computer Equipment Upgrade Project

Craig Buche reported: The loan is currently at 2% and the projected payoff is in 2023.

(f). Resolution CC-2019-10 Resolution Authorizing the Loaning of Money from the Landfill Fund for the Elkhart County Election Board Voting Tabulation Upgrade Project.

Craig Buche: The loan is at 2.5% interest and the projected payoff is in 2024. Buche stated that the Budget needs to be reviewed.

The Council discussed increasing the interest rates from 2% to 2.5% on all loans.

On motion made to increase all the loans at 2.5% interest by Graham and seconded by Hess, the Council carried and approved interest on all the loans be increased to 2.5% interest.

4. Craig Buche:

(a) For Consideration and Approval of the Interlocal Agreement between the County, RDC and Middlebury for the road improvements on the south side of Middlebury to use the remaining funds from the Ag TIF District.

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

AUDIENCE ITEMS

Lisa Guedea Carreño from the Elkhart Public Library gave a report of the library branches renovations. She stated 2 of the 4 branches are finished and opened due to Bonds that the Council approved previously. The Dunlap branch Grand Opening was on 6/14/2022.

Taxpayer Glenn Null thanked the County's Building & Grounds Courthouse lawn looking good for Memorial Day. Concerned about the locked doors on Primary day. Stump answered Glenn on the doors being locked while the votes are being counted. Stump stated that the doors should be open and they will be from now on.

Chris Stager spoke in response to Glenn Null, and he spoke about Valmont Industries.

Taxpayer Ralph Spelbring spoke about County Council & Commissioners. He would like to see the State eliminate the sales tax on motor fuels.

ADJOURN

There being no further business to come before the Council, on motion made by Graham seconded by Bujalski, the Council carried and approved the adjournment of the meeting at 10:32 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.