

MINUTES
ELKHART COUNTY COUNCIL
117 N. 2nd St. Room 104, Goshen, In. 46526
August 13th,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; 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: July 9th,2022

On motion made to approve by Yohn and seconded by Riegsecker, with a vote of 7 to 0 the Council carried and approved the July 9th,2022 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: Weirick gave an update on the new Courthouse project.

COUNCIL: Bujalski on Jackie Walorski's death and reminds everyone to slow down for school busses as school has started again.

AUDITOR: - Pickens gave financial report.

SHERIFF: None

** Fiscal body review of the taxing districts levies and circuit breaker deductions. **

On motion made for the review of the taxing district's levies and circuit breaker deductions made by Graham and seconded by Riegsecker, the Council unanimously confirmed the review with a 7 to 0 vote.

HUMAN RESOURCES:

Craig Buche:

- (a) Consideration and Approval of Ordinance CC-2022-10. Ordinance Adopting Amendment to Elkhart County Government Personnel Policy and Standard Procedure Manual.

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

EDC MATTERS:

Chris Stager: Consideration for Approval of CF-1 Forms:

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

Chris Stager introduced The Bristol Indiana Corporation's representative Michelle Schildknecht. She updated the Council on the status of the company. Graham questioned the numbers of employees the company currently has. Michelle stated they have a shortage of approximately 75-80 people to be fully staffed. She stated it has been a challenge, but they are holding job fairs, interviews and working with Work One to hire more employees.

On motion to find the company in substantial compliance by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request with a 7 to 0 vote.

COUNCIL APPOINTMENTS:

1. Elkhart County Council- Consideration of Re-Appointment of Dominick "Nick" Ambrose to the Local Alcoholic Beverage Board. 1(one) year term. Expires 8/31/2023.

Mr. Ambrose introduced himself to the new Council members and talk with some that he knew. He states he wished to be re-appointed to the Local Alcoholic Beverage Board.

On motion to re-appoint Dominick "Nick" Ambrose to the Local Alcoholic Beverage Board by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request with a 7 to 0 vote.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Emergency Management (137) requested \$5,282.00 for funds to hire Cops Gear out of Columbia City to install lights and sirens package on a new grant purchased 2022 Chevy Tahoe.

Emergency Management Jennifer Tobey presented this request to the Council.

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

B. GENERAL FUND (#1000) -Withdrawn by Commissioner Weirick

1. Microfilm/Recorder (143) requested \$7400.00 for funds to replace carpet in the Microfilm Department are at 3022 Wilden Ave in Goshen. The carpet had been damaged due to a water issue several years ago. The carpet is a hazard to those working there. It is torn and rippled in areas.

Recorder Jennifer Doriot presented this request to the Council.

Riegsecker questioned that this is a rented building so wouldn't it be the landlord's responsibility to take care of the carpet repair? Doriot stated that she understands the inside of the building is the County's responsibility and the outside is the landlords. Stump questioned the Microfilm department has been the responsibility of the Clerk's office and he wonders if this requested shouldn't come out of the Clerk's budget. Hess questioned why the request didn't come from the commissioners since the building and maintenance of the buildings fall under their responsibility. Commissioner Weirick stated that they were unaware of this issue until recently. After a brief conversation with the County Administrator Commissioner Weirick made a request to withdraw the request.

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

C. GENERAL FUND (#1000)

1. Prosecuting Attorney/ Victim Assistance (159) requested \$4,300.00 to purchase 5 laptops and docking stations for Victim Assistance staff. VOCA grant has approved purchase and can be submitted for reimbursement.

Prosecuting Attorney Vicki Becker presented this to the Council.

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

D. EDIT (#1112)

1. Highway (980) requested \$725,000.00 for funds to pay engineering services to replace BR 265-Warren St. over the Little Elkhart River in Middlebury. The bridge requires replacement. This is a federal aid project in which 80% of these funds will be reimbursed to the County.

Jeff Taylor presented this to the Council.

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

E. CUMULATIVE BUILDING FUND (#1138)

1. Commissioners (980) requested \$185,403.38 to contribute to the Goshen Courthouse steps and close out this fund.

Chris Godlewski presented this request to the Council.

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

F. MOTOR VEHICLE HIGHWAY (#1173)

1. Highway (980) requested \$153,985.00 for funds received from the City of Goshen to repave CR 33 from CR36 to CR 38 in advance of the City's College Avenue project to carry detour traffic. These funds are a 50% match as agreed in an interlocal agreement.

Jeff Taylor presented this request to the Council.

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

G. MISDEMEANANT (#1175)

1. Sheriff (105) requested \$145,000.00 to appropriate monies for fleet vehicles and fuel through the end of the year.

Chief Deputy Sean Holmes presented this request to the Council.

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

H. PARK & RECREATION (#1178)

1. Park Department (980) requested \$100,000.00 to be appropriated in project #192604 for park and facility repairs such as heating and cooling units, Shelter roofs and repairs and other park and facility construction, maintenance/development costs.

Ronda DeCaire presented this request to the Council.

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

I. SOLID WASTE USER FEES (#1194)

1. Commissioners (980) requested a Transfer Between Funds of \$300,000.00 to be transferred to Environmental Special Projects (#4803) \$100,000.00 - Center for Community Justice, \$100,000.00- Horizon Education Alliance and \$100,000.00 - Council on Aging.

On motion made by Bujalski to approve the transfer of \$200,000.00 to the Environmental Special Projects Fund (#1194) and seconded by Graham, Stump called for a roll call vote. The Council's votes are as follows: Stump-Aye, Hess-Aye, Clark-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Nay and Bujalski-Aye. With a vote of 6 to 1 the Council approved to transfer \$200,000.00 to the Environmental Special Projects Fund (#1194).

J. PARK & RECREATION (#1219)

1. Park & Recreation (320) requested \$2500.00 to cover staff wages in the part-time account to assist with operations at the Elkhart County Historical Museum. The \$2500.00 has been received and is in the account #36500.

Ronda DeCaire presented this request to the Council.

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

K. 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 it is account #36500.

Ronda DeCaire presented this request to the Council.

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

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

1. Planning & Development (980) requested \$55,000.00 for the CR 20 extension road design fees in coordination with the County Highway Department & CR 15 drainage improvements the funds needed over bid price.
Chris Godlewski presented this request to the Council.

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

M. NORTH BAUGO TIF (#4512)

1. Planning & Development (980) requested \$3,145.00 for debt payment sewer/water project-short payment due to higher revenue.

Chris Godlewski presented this request to the Council.

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

N. ENVIRONMENTAL SPECIAL PROJECT (#4803)

1. Commissioners (980) requested a total of \$300,000.00: \$100,000.00 for Center For Community Justice, \$100,000.00 for Horizon Education Alliance and \$100,000.00 for Council on the Aging to paid out of Environmental Special Project Fund (#1194 with funds to be transferred from Solid Waste User Fees (#1194).

(a) Center For Community Justice-\$100,000.00

Executive Director for Center for Community Justice Irwin Larrier presented their request to the Council. CCJ has been working in the community for around 40 years to help create safer communities by providing pathways to healing for those in need. He discussed the Victim Offender Reconciliation Program-(VORP). He introduced Anne Lehman Coordinator Mediation and Facilitation Services to explain the program more in depth.

Council members had questions on whether the program was part of probation. They talked about the impact on young lives and the impact on the communities.

Prior to taking the vote Riegsecker explained his reasoning for voting no to any of these requests from the Solid Waste User Fees Fund and that is had to do with Taxpayers dollars and not the organizations themselves.

On motion to approve \$100,000.00 for Center for Community Justice made by Graham and seconded by Yohn. President Stump asks for a roll call vote, the council members votes are as follows: Stump-Aye, Hess-Aye, Clark-Aye, Graham-Aye, Yohn- Aye, Riegsecker-NAY and Bujalski-Aye. With a vote of 6 to 1 the Council approved the request.

(b) Horizon Education Alliance-\$100,000.00

Brian Wiebe Director of Horizon Education Alliance presented this request to the Council. He briefly described the programs they offer to the community and the schools. Commissioners Weirick spoke in support of HEA and their

programs.

Clark was concerned with the handout HEA provided talked about the 16 initiatives the organization is working on. One was comprehensive counseling collaborative of Elkhart County, mentioned education counselors and administration by Hatching Results. Clark's concern came from a question he believes to be Critical Race Theory from a June 2020 blog entitled " #blacklivesmatterstatement from Hatching results". Clark read an excerpt from the article. Hess discussed his views in support of HEA. After a lengthy discussion on topics for the organization and against.

President Stump opened the floor to audience members which included:

Pam Keyser of Middlebury spoke of the declining numbers in student proficiency scores. Among other issues she spoke on was the percentages of the different schools that received large Lilly Endowment funds have the lowest scores.

President of Purple for Parents Rhonda Miller offered a handout and presented to the Council an outline of changes the Purple for Parents believes are happening in education which are dangerous for children. Others who spoke against funding the appropriation to HEA were Susan Chilberg, Cindi Hajicek, Glenn Null, and Amy Rainey.

On motion to approve moved by Hess and seconded by Yohn, Stump called or a roll call vote. The Council votes are as follows: Stump-Aye, Hess-Aye, Clark-Nay, Graham-Nay, Yohn-Aye, Riegsecker-Nay and Bujalski-Nay. The motion was denied with a 3 to 4 roll call vote. The appropriation of \$100,00.00 was denied.

(c) Council on Aging-\$100,000.00

Commissioners requested \$100,000.00 for the Council on Aging. Mr. David Toney Director of Council on Aging spoke about the services they provide. Bujalski asked about the VA services they provide to the community. He spoke in favor of the Council on Aging receiving this appropriation. Others who spoke in support of this program were board members Celesta Vaughan and Dale Bennett. Taxpayer Glenn Null spoke in support of this agency and their programs.

On motion to approve made by Yohn and seconded by Clark, Stump called for a roll call vote, the Council's votes are as follows:

Stump-Aye, Hess-Aye, Clark-Aye, Graham-Aye, Yohn-Aye, Riegsecker-Nay and Bujalski-Aye. The motion was approved with a 6 to 1 with a roll call vote.

O. WOMAN INFANT & CHILD (#8101)

1. Health Department requested \$1,307,902.00 to set-up WIC Grant (October 1,2022 through September 30,2023).

Concetta Sanfilippo presented this request to the Council.

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

P. WIC PEER COUNSELOR (#8102)

1. Health Department (981) requested \$137,189.00 to set-up WIC Peer Counselor Grant (October 1,2022 through September 30,2023).

Concetta Sanfilippo 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.

Q. STOP GRANT (#8108)

1. Prosecuting Attorney (980) requested \$20,001.00 to fund a portion of DPA payroll \$20,000.00 annually. STOP Grant awarded annually over 20+ years of 20,000.00. DPA is assigned to domestic battery cases.

Prosecuting Attorney Vicki Becker presented this request to the Council.

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

R. EBOLA FUNDS (#8147)

1. Health Department (980) requested \$2,500.00 to help members of the public that must be quarantined or in isolation.

Concetta Sanfilippo presented this request to the Council.

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

S. CORSON RIVERWOODS PARK (#8182)

1. Park & Recreation (980) requested \$250,000.00 be appropriated in fund# 8182 for the development of Corson Riverwoods County Park.

Ronda DeCaire presented this request to the Council.

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

T. COMMUNITY CROSSING GRANT FUND (#9138)

- 1. Highway (980) requested \$1,000,000.00 be appropriated from funds received from INDOT for the 2022-1 Community Crossing Matching Grant. This request is to appropriate received funds.

Jeff Taylor presented this request to the Council.

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

REDUCTIONS:

U. EDIT (#1112)

- 1. Highway (980) requested a reduction in the amount of -\$900,000.00 to reduce the entirety of the construction budget appropriated in 2019 for the reconstruction of BR410-on CR 36 east of US 33. The project has been delayed due to conflict with city utilities that need relocated. There is no current schedule for the city to relocate those utilities.

V. COUNTY SEIZURE OF ASSETS (#4912)

- 1. Prosecuting Attorney (980) requested a reduction in the amount of -\$98,000.00 in the 2022 budget for 2023 budget.

W. AMERICAN RESCUE PLAN (#8951)

- 1. Commissioners (980) requested a reduction in the amount of -\$11,736.00 to close out project #222642.

On motion made to approve reductions U-EDIT (#1112) for -\$900,000.00, V-County Seizure of Assets (#4912) for -\$98,000.00 and W -American Rescue Plan (#8957) for -\$11,736.00 together by Graham and seconded by Riegsecker, the Council carried and approved these reductions with a vote of 7 to 0.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#1000)

1. Human Resources (142)

From:	42320 Training Materials	2,000.00
	43110 Sustainance	1,300.00
	43130 Mileage	1,500.00
	43220 Publication-Otr. than legal	3,000.00
	43835 Training Programs	5,000.00
		Total
To:	41135 Paraprofessional	12,800.00

B. IMMUNIZATIONS & VACCINES FOR CHILDREN (#9149)

1. Health (980)

From:	42180 Medical Supplies	2,760.00
	42380 Capital Supplies	1,498.00
	42110 Gasoline	546.00
	43835 Training Programs	500.00
	43570 Cleaning	337.00
	Total	5,641.00
To:	41120 Professional	4,038.00
	41300 FICA	242.00
	41305 Medicare	56.00
	41310 Insurance	852.00
	41400 PERF	453.00
	Total	5,641.00
	Total Between Transfer	\$18,441.00

On motion made to approve the transfers above together by Bujalski and seconded by Clark, the Council unanimously carried and approved these transfers with a 7 to 0 vote.

OTHER BUSINESS:

Jeff Taylor:

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

- (a) Champagne Metals, LLC. -PP
Champagne Metals, LLC. -RE

County Administrator Jeff Taylor presented this CF-1 to the Council and states he finds Champagne Metals, LLC. PP & RE in substantial compliance.

On motion made to approve both Champagne Metals, LLC-RE & PP by Graham and seconded by Riegsecker, the Council unanimously carried and approved these requests with a vote of 6 to 0. Clark stepped out.

- (b) Smart, LLC. -PP

County Administrator Jeff Taylor presented this CF-1 to the Council and states he finds the company Smart, LLC. -PP in substantial compliance.

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.

Craig Buche:

1. Consideration and Approval of Ordinance CC-2022-11 An Ordinance of Elkhart County Council Establishing the 15.916 Corson Riverwoods Park Grant Fund for the Elkhart County Parks & Recreation Department. 93.354 Coop Emergency Response Grant Fund for the Elkhart County Health Department.

On motion made to approve by Graham and seconded by Bujalski, the Council unanimously carried with a vote of 7 to 0 and approved ordinance CC-2022-11.

AUDIENCE ITEMS

Glenn Null expressed points of interest and disinterest.

ADJOURN

There being no further business to come before the Council, on motion made by Clark seconded by Riegsecker, the Council carried and approved the adjournment of the meeting at 10:52. 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.