

MINUTES
ELKHART COUNTY COUNCIL MEETING
117 N. 2nd St. Room 104, Goshen, IN 46526
February 16th2023

The meeting of the Elkhart County Council was called to order by Sheriff Jeff Siegel at 4:00 p.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, Darryl J. Riegsecker, Douglas S. Graham, Adam M. Bujalski and Steven E. Clark. Council member Randy L. Yohn was absent. Also present were Patricia A. Pickens County Auditor, Tiara Jackson First Deputy Auditor, and Craig Buche, County Attorney.

** 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:

- (a) Approval of CC Meeting Minutes: January 19th,2023

On motion made to approve January 19th,2023 minutes by Clark and seconded by Bujalski, the Council unanimously carried and approved the minutes as presented with a vote of 6 to 0.

(pg. 76)

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: None

AUDITOR: - Patricia A. Pickens gave the financial report.

SHERIFF: None

COUNCIL APPOINTMENT:

Craig Buche:

- (a) For Consideration and Approval to appoint Adam M. Bujalski as the Legislative Liaison for the Council.

On motion made to appoint Adam Bujalski by Graham and seconded by Riegsecker as the Legislative Liaison for the Council. With a vote of 6 to 0 the Council unanimously carried and approved this request.

(pg. 77)

HUMAN RESOURCES:

Equal Employment Opportunity: Vivian Schmucker

- (a) Consideration and Approval of the July 2022-July 2024 Equal Employment Opportunity and Affirmative Action Plan.

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

(pg. 81)

EDC MATTERS: None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$2,561,862.00 for funds required for the balance of the Courthouse construction project. ARP interest earned. \$14,491,549.00 total needed to meet the fixed price contract with PSI. This balance of \$2,561,862.00 is to come from interest earned on ARP funds that is deposited into the General Fund.

Jeff Taylor 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. (pg. 82)

B. GENERAL FUND (#1000)

1. Commissioners (137) requested \$100,000.00 for funds required to pay Moser Consulting.

Jeff Taylor 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 6 to 0 vote. (pg. 83)

C. GENERAL FUND (#1000)

1. Planning & Development/Code Enforcement (131) originally requested \$75,000.00 for costs for code enforcement, demolition, nuisance, tall grass and \$56,000.00 for maintenance costs and Tyler (Energygov) software licensing. Chris Godlewski has reduced the request to only include the maintenance costs making the amount 34,729.00 instead of the original amount of 56,000.00. The total appropriation amount requested is \$109,729.00.

Chris Godlewski presented this to the Council.

On motion to approve made by Bujalski and seconded by Graham, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 84)

D. EDIT (1112)

1. Highway (980) requested \$1,475,000.00 total. The appropriation is 2 different projects:

- (a) \$925,000.00 to appropriate matching funds for construction costs for the CR 18,13 & 115 round-a-bout project. Construction estimate is \$3.325M = \$2.4M federal aid, \$925k EDIT.

- (b) \$550,000.00 funds for construction inspection services for the project. 80% of these funds will be reimbursed with federal funds.

Charlie McKenzie presented this to the Council.

Taxpayer Glenn Null expressed his concerns on the Round-A-Bout.

On motion to approve made by Graham and seconded by Riegsecker, Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 85)

E. EDIT (#1112)

- 1. Highway (980) requested \$105,000.00 to appropriate grant funds awarded by the Community Foundation for design costs associated with design revisions to project such that future pedestrian facilities can be accommodated.

Charlie McKenzie presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Graham, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 86)

F. ~~EDIT (#1112)~~ **Withdrawn along with Item L on the Agenda.**

- ~~1. Highway (980) requested \$1,625,000.00 for 2 projects:
 - 1. \$1,200,000.00 matching funds for construction costs for the CR 17 Multi Use Path Bridge project. Construction estimate is \$5.5 M = \$2.8M federal aid, \$1.5M NE TIF \$1.2M EDIT.
 - 2. \$425,000.00 for funds for construction inspection services for the project. 80% of these funds will be reimbursed with federal funds.~~

G. CUMULATIVE BRIDGE (#1135)

- 1. Highway (980) requested \$550,000.00 funds for engineer design of Bridge 385-CR 18/Hively over Yellow Creek. The bridge is on CR 18 located between US 33 and CR 13. The bridge is structurally deficient and has a posted weight limit. The County was awarded federal funds for the design and construction of this project. 80% of these funds will be reimbursed.

Charlie McKenzie presented this request to the Council. (pg. 87)

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

H. CUMULATIVE DRAINAGE (#1141)

- 1. Surveyor (980) requested \$15,000.00 for maintenance and/or reconstruction projects on County Regulated Drains.

Phil Barker presented this request to the Council.

On motion made to approve by Hess and seconded by Graham the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 88)

I. LOCAL ROAD & STREETS (#1169)

1. Highway (980) requested \$750,000.00 for funds for paving, construction and associated costs.

Charlie McKenzie explained to the Council, items I, J & N on the Agenda are similar.

On motion made to approve Items I. Local Road & Streets (#1169) \$750,000.00, J. Motor Vehicle Highway-Restricted (#1173) \$1,000,000.00 and Item N. Road Maintenance & Construction (#4901) \$500,000.00 be voted on together by Riegsecker and seconded by Graham, the Council unanimously carried and approved these requests with a vote of 6 to 0.

(pg. 89)

J. MOTOR VEHICLE HIGHWAY-RESTRICTED (#1173)

1. Highway (980) requested \$1,000,000.00 for funds for paving, construction, and associated costs.

See action and vote above

(pg. 90)

K. MIDDLEBURY SE TIF (#4509)

1. Planning & Development (980) requested \$33,000.00 for SR 13/CR 20 change order request for design.

Natasha Kauffmann presented this request to the Council.

On motion made by Riegsecker and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 91)

L. ~~CR 6 & 17 NE TIF (#4511)~~ Withdrawn with Item F

1. ~~Planning & Development (980) requested \$1,500,000.00 for CR 17 bike bridge partial road construction costs. (982) requested \$1,919.00 to appropriate donations for 2023.~~

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

1. Planning & Development (980) requested \$750,000.00 for CR 20 access road construction costs.

Natasha Kauffmann presented this request to the Council.

On motion made to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 92)

N. ROAD MAINTENANCE & CONSTRUCTION (#4901)

1. Highway (980) requested \$500,000.00 for funds for paving, construction and associated cost.

***See action and vote above with item I & J.** (pg. 93)

O. 2019 MITIGATION PLAN UPDATE (#8165)

1. Emergency Management (980) requested \$19,457.00 for 100% reimbursable grant for the Mitigation Plan update that is required every 3 to 5 years. depending on grant funding availability.

Patricia Pickens 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 6 to 0. (pg. 94)

P. HEALTH CARES EPIDEMIOLOGY & LAB (#8904)

1. Health (981) requested \$37,680.00 to pay the Fire Department for services at the testing site.

Melanie Sizemore presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Clark, the Council unanimously carried and approved this request with a 6 to 0 vote. (pg. 95)

Q. AMERICAN RESCUE PLAN (#8951)

1. Commissioner (980) requested \$11,929,687.00 for funds for the balance of the Courthouse construction project. ARP portion only. \$14,491,549.00 total needed to meet the fixed price contract with PSI. The balance of \$2,561,862.00 is to come from interest earned on ARP funds that is deposited into the General Fund.

Jeff Taylor presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Clark, the Council unanimously carried and approved his request with a vote of 6 to 0. (pg. 96)

R. COURT INTERPRETER GRANT (#9142)

1. Elkhart County Judiciary (981) requested \$10,000.00 to appropriate for a Grant renewal and is the 2023 grant set-up.

Ross Maxwell presented this request to the Council.

On motion made to approved by Riegsecker and seconded by Graham, the Council unanimously. carried and approved this request with a vote of 6 to 0. (pg. 97)

Total Appropriations: \$19,946,415.00

REDUCTIONS:

S. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Planning & Development/Commissioners (130) requested a reduction in the amount of -\$46,987.00. (pg. 98)

T. COUNTY ROAD 6 & COUNTY ROAD 17 TIF (#4511)

1. Planning & Development (980) requested a reduction in the amount of -\$500,000.00. (pg. 99)

Total Reductions: -\$546,987.00

On motion to approve both S. Cumulative Capital Development (#1138) and T. County Road 6 & County Road 17 TIF (#4511) together made by Riegsecker and seconded by Clark, the Council unanimously carried and approved both reductions with a vote of 6 to 0.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION:

A.	GENERAL FUND (#1000)		
	Planning & Development (132)		
		41120	
	From:	Professional	3,600.00
	To:	43090 Otr. Prof. Services	3,600.00
B.	IMMUNIZATIONS & VACCINES FOR CHILDREN (#9149)		
	Health (981)		
	From:	42380 Capital Supplies	800.00
	To:	44535 Data Process. Hard.	800.00
		Total	4,400.00

On motion made to approve both A & B transfers between funds by Riegsecker and seconded by Graham, the Council unanimously carried and approved these transfers with a vote of 6 to 0. (pg. 104)

TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:
(Available in the Auditor's office)

OTHER BUSINESS:

Craig Buche:

- (a) Consideration and Approval of Resolution CC-2023-05 Resolution Authorizing the Loaning of Money from the Major Moves Construction Fund for the County Road 38 East Reconstruction Project (Phase II) and combining with Existing County Road 38 and County Road 17 Loans.

On motion to approve made by Graham and seconded by Clark, the Council unanimously carried and approved Resolution CC-2023-05 with a 6 to 0 vote. (pg. 101)

- (b) Consideration and Approval of Court Reform Tech Grant Fund Ordinance for the Elkhart County Court Services Department CC-2023-03.

On motion to approve made by Riegsecker and seconded by Graham, the Council unanimously carried and approved Ordinance CC-2023-03 with a 6 to 0 vote. (pg. 100)

- (c) Consideration and Approval of 93.391 Together We Will Grant Fund for the Elkhart County Health Department. CC-2023-04.

On motion to approve made Riegsecker and seconded by Graham, the Council unanimously carried and approved Ordinance CC-2023-04 with a 6 to 0 vote. (pg. 75)

Council:

- (a) Consideration and Approval of the 2024 Budget Schedule.

On motion to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved the 2024 Budget Schedule with a 6 to 0 vote. (pg. 75)

AUDIENCE ITEMS:

Taxpayer Glenn Null expressed his concerns over the CR 18, CR13 and CR115 Peanut Round-A-Bout. Discussed interest rates for on going loans and projects.

(pg. 75)

ADJOURN

There being no further business to come before the Council, on motion to adjourn made by Graham seconded by Clark the Council unanimously carried and approved the adjournment of the meeting at 5:04pm.

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.