

**MINUTES**  
**ELKHART COUNTY COUNCIL MEETING &**  
**2023 2nd Budget Reading and Adoption**  
**117 N. 2<sup>nd</sup> St. Room 104, Goshen, In. 46526**  
**October 8th, 2022**

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 Thomas W. Stump, Council Vice President David L. Hess, Douglas S. Graham, Darryl J. Riegsecker, Randy D. Yohn, and Adam M. Bujalski. Council 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: September 10<sup>th</sup>, 2022.

On motion made to approve by Riegsecker and seconded by Bujalski, with a vote of 6 to 0 the Council carried and approved the September 10<sup>th</sup>, 2022 minutes.

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**COMMITTEE REPORTS:**

COMMISSIONERS: None

COUNCIL: None

AUDITOR: - Pickens gave financial report.

SHERIFF: None

**HUMAN RESOURCES:**

Sheriff Jeff Siegel:

- (a) Consideration and Approval to Reclassify (2) Two Corrections Officers \$19.90/hr. Non-Exempt to (2) Two Booking Specialists, COMOT B, up to \$19.72/hr. Non-Exempt, effective 10/09/2022.

On motion to approve made by Riegsecker and seconded by Graham, by roll call vote the Council member votes are as follows: Stump-Aye, Hess-Nay, Clark-Absent, Graham-Aye, Yohn-Aye, Riegsecker-Aye, Bujalski-Aye. With a vote of 5 to 1 the request was approved.

(pg. 405,406)

- (b) Consideration and Approval for (1) one additional Booking Specialist position COMOT B, up to \$19.72/hr., Non-Exempt, effective 10/09/2022.

On motion made to approve by Graham and seconded by Riegsecker, by roll call vote the Council members votes are as follows: Stump-Aye, Hess-Nay, Clark-Absent, Graham-Aye, Yohn-Aye, Riegsecker-Aye and Bujalski-Aye. With a vote of 5 to 1, the Council approved this request. (pg.407)

**COUNCIL APPOINTMENTS:**

**1. ADDITIONAL APPROPRIATION EXPLANATIONS:**

~~A. GENERAL FUND (#1000) Withdrawn~~

- ~~1. Sheriff (105) requested \$75,000.00 to appropriate funds to cover extraditions and COVID related increases.~~

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B. GENERAL FUND (#1000)

1. Building & Grounds (140) requested \$100,000.00 for funds required to pay for increased costs in hiring labor. Funds request are from a corresponding reduction in 1000-140-41154.

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.

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C. GENERAL FUND (#1000)

1. Planning & Development (132) requested \$60,000.00 for a partial cost to hire a consultant for the Unified Development Ordinance legal fees for Plan Commissioner/Board of Zoning.

Chris Godlewski presented this 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.

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D. GENERAL FUND (#1000)

1. Commissioners (980) requested \$213,550.00 for funds for investigative phase, design, construction inspection, prep of construction docs, bidding for the window rehabilitation at the Goshen courthouse. Total needed for the contract is \$213,550.00. There will be a lesser, correlating reduction from a project in the General fund to offset this expense.

Jeff Taylor presented this to the Council.

On motion made to approve by Riegsecker and seconded by Bujalski. With a roll call vote the Council members votes are as follows: Stump-Aye, Hess-Aye, Clark-Absent, Graham -Nay, Yohn-Aye, Riegsecker-Aye and Bujalski-Aye. The Council carried and approved this request with a vote of 5 to 1.

Taxpayer Glenn Null expressed concerns about having to pay a consultant prior to a contractor bidding on the project. He states he thinks it is a waste of taxpayers' money. (pg. 411)

E. EDIT FUND (#1112)

1. Highway (980) requested \$900,000.00 to appropriate matching funds for construction costs for CR 40 to SR 19 to CR 7 Buggy Lane project. Construction estimate is \$2.3 million: \$600k local and \$1.7 million federal funds. Funds for construction inspection services for the project, 80% of these funds will be reimbursed with federal funds.

Jeff Taylor 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 6 to 0. (pg. 412)

F. LIT SPECIAL PURPOSE (#1114)

1. SHERIFF (105) requested \$1,143,886.00 for a transfer for 2022 Bond payments. Bonds were issued after budgets were completed and submitted.

Patricia Pickens presented this request to the Council.

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\*\* (See action and vote on Item G) \*\*

G. DEBT SERVICE (#4600)

1. Bond And Interest (180) requested \$1,143,886.00 for funds needed to cover 2022 Bond payments. Bond was not issued until after budgets were already complete and submitted.

Patricia Pickens presented this request to the Council.

On motion made to approve both of Item F. Lit Special Purpose (#1114) \$1,143,886.00 and item G. Debt Service (#4600) \$1,143,886.00 together by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with 6 to 0 vote.

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H. LIT SPECIAL PURPOSE (#1114)

1. Building & Grounds (140) requested \$100,000.00 for a new water softener system at the jail. The existing system is 17 years old and needs to be replaced. The steel tanks are showing signs of corrosion, rust and may develop some leaks in the near future. The new system would come with parts and labor

warranty. Building and Grounds will pay Hawkins Water Tech annually for a Preventive Maintenance Program.

Jeff Taylor presented this request 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.  
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I. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (130) requested \$160,000.00 for funds to contribute to the Goshen Courthouse steps to supplement the former appropriation of funds from the Cumulative Building Fund for \$185,403.00 at the August Council meeting. Total needed for contract is \$345,000.00.

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 6 to 0.  
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J. HEALTH FUND (#1159)

1. Health (340) requested \$28,500.00 to install ballistic glass for the security and protection of employees that work in the reception area on the first floor at the Lincoln Center. To appropriate awarded grant money to the program.

Melanie Sizemore presented this request to the Council.

On motion made to table request until Commissioners and Council have more discussion on building security by Bujalski and seconded by Riegsecker, the Council unanimously carried and approved to table the request with a vote of 6 to 0.

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K. MAJOR BRIDGE (#1171)

1. Highway (980) requested \$700,000.00 for funds required to overlay and replace the joints on the northbound Johnson St. Bridge in Elkhart.

Jeff Taylor presented this to the Council.

On motion made to approve by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0.  
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L. NORTHWEST GATEWAY TIF (#4504)

1. Planning & Development (980) requested \$2,000.00 for the partial costs for consultant to create Unified Development Ordinance.

Chris Godlewski presented this request to the Council.

On motion to approve made by Bujalski to approve Items: L. Northwest Gateway TIF (#4504) \$2,000.00, M. Middlebury SE TIF (#4509) \$2,000.00, item N. Middlebury East TIF (#4510) \$2,000.00 and P. SR 13 TIF (#4514) \$2,000.00. together because these requests are for the Unified Development Ordinance and seconded by Graham, the Council unanimously carried and approved this request with a vote of 6 to 0.

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M. MIDDLEBURY SE TIF (#4509)

1. Planning & Development (980) requested \$2,000.00 for partial costs for consultant to create Unified Development Ordinance.

Chris Godlewski presented this request to the Council.

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\*\* (See action and vote on Item L) \*\*

N. MIDDLEBURY EAST TIF (#4510)

1. Planning & Development (980) requested \$2,000.00 for partial costs for consultant to create Unified Development Ordinance.

Chris Godlewski presented this to the Council.

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\*\* (see action and vote on Item L) \*\*

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

1. Planning & Development (980) requested \$25,250.00 for legal fees for NE TIF district & fees for continuing disclosure/TIF Neutralization/Bond fees. Partial cost of consultant to fund Unified Development Ordinance.

Chris Godlewski presented this 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 6 to 0.

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P. SR 13 TIF (#4514)

1. Planning & Development (980) requested \$2,000.00 for partial costs of consultant to create Unified Development Ordinance.

Chris Godlewski presented this request to the Council.

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\*\* (see action and vote on Item L) \*\*

Q. SCHOOL LUNCH PROGRAM GRANT (#4925)

1. Elkhart County Judiciary (981) requested \$65,308.63 for the Federal School Lunch Program Reimbursable Grant setup for FY 2023. The breakfast and lunch meals for juvenile detention are reimbursable at 100% through this grant. In addition, we receive Supply Chain Assistance (SCA) Funds in the amount of \$5,308.63.

Nathan Tipton 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 6 to 0.

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**REDUCTIONS:**

R. GENERAL FUND (#1000)

1. Commissioners (130) requested a reduction in the amount of -\$192,948.73. Parking lots that were addressed last year and this is the amount remaining to be returned to the General Fund.

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S. GENERAL FUND (#1000)

1. Building & Grounds (140) requested a reduction in the amount of -\$100,000.00 This fund and account are being reduced to be utilized for a corresponding additional appropriation for utilizing contract labor for various building repairs.

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T. EDIT (#1112)

1. Highway (980) requested a reduction in the amount of -\$1,700,000.00 for Bridge 152 Mishawaka Road over Yellow Creek just west of US 33 Construction is nearing completion and under budget and CR. 38 to CR31 to CR 35. Construction completed and under budget.

Auditor Patricia Pickens presented all 3 reduction requests to the Council. On motion made to approve all 3 reductions together Item R. General Fund (#1000) -\$192,948.73, Item S. General Fund (#1000) -\$100,000.00, and Item T.-\$ 1,700,000.00 EDIT Fund (#1112) by Yohn and seconded by Riegsecker, with a vote of 6 to 0 the Council unanimously carried and approved these reductions.

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**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A. GENERAL FUND (#1000)

1. Coroner (#107)

From:	43090 Otr. Prof Services	11,000.00
To:	41235 Per Diem	11,000.00

B. HEALTH EDUCATION (#1159)

1. Health Department (340)

From:	44540 Software	750.00
	44535 Data Equip.	125.00
To:	42110 Gasoline	250.00
	42160 Clothing	500.00
	42130 Tires & Tubes	125.00

Total		<u>875.00</u>
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C.	SOLID WASTE (#1194)		
	1. Solid Waste (338)		
	From:	45100 Otr. Transfer	100,000.00
	To:	42110 Fuel	100,000.00
D.	WIC (#8101)		
	1. Health Department (312)		
	From:	41135 Paraprofessional	1,530.00
		41310 Group Insurance	10,844.00
		42195 Otr. Oper.	
	To:	Supplies	6,067.00
		42180 Medical Supplies	1,804.00
		44510 Otr. Equip.	3,789.00
		44535 Data Process Hardware	399.00
		42380 Capital Supplies	315.00
		Total	12,374.00
		Total Transfers	124,249.00

On motion made to approve all the between transfer Item A thru D together made by Bujalski and seconded by Riegsecker, the Council unanimously carried with a vote of 6 to 0 and approved these requests. (pg. 428)

**OTHER BUSINESS:**

Craig Buche:

1. Consideration and Approval Interlocal Agreement with the Town of Middlebury for SR 13 Interchange TIF District Wastewater Treatment Plant Capacity Study.

On motion to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved this Interlocal Agreement. (pg. 431)

2. Consideration and Approval -Town of Bristol-Resolution CC-2022-17 A resolution of the Elkhart County Council Approving Amendment to the South State Road 15 Allocation Area.

Bristol Town Manager Mike Yoder presented this to the council.

On motion to approve made by Bujalski and seconded by Hess, the Council unanimously carried and approved this request. (pg. 432)

3. Consideration and Approval - Ordinance CC-2022-16 An Ordinance of the Elkhart County Council Establishing the PCR Adam St. Community Grant Fund for the Elkhart County Planning and Development Department.

Craig Buche presented this request to the Council.

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

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4. Consideration and Approval- Ordinance CC-2022-20 An Ordinance of the Elkhart County Council Establishing the 93.354 CAER COVID Test Site Grant Fund for the Elkhart County Health Department.

Craig Buche 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 6 to 0.

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### **AUDIENCE ITEMS**

Glenn Null expressed points of interest and disinterest.

### **BUDGET SECOND READING & ADOPTION:**

#### **Second Reading and Adoption of the Elkhart County 2023 Budget:**

First Deputy Auditor Tiara Jackson presented the second reading of the 2023 Budget Form 3. Jackson read the approved individual budget totals and reductions previously made by the Council. (Budget Form 4).

#### **2023 Net Tax Levy and Tax Rates:**

Auditor Patricia A. Pickens read the net amounts of the tax levies and tax rates by funds, using the estimated valuations shown on the bottom of the 17-line statement and budget Form 4 for Elkhart County.

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Council President Stump asks for a motion/second to approve all CCPC requests, as recommended by CCPC members on the CCPC report; with the exception of Items B-4 and G-3.

On motion made by Yohn to approve all CCPC requests recommended by the CCPC members on the CCPC report, with the exception of Items B-4 and G-3 and seconded by Graham, the Council unanimously carried and approved this request with a 6 to 0 vote.

1. Item B-4- Council President asks for a motion/second to deny the Planning and Development request of one new full-time position, County Utilities Coordinator and recommends the position be filled as part time.



On motion made to deny the Planning & Development request of one new full-time position, County Utilities Coordinator and recommends the position to be filled as part-time made by Graham and seconded by Riegsecker, the Council unanimously carried and approved the request with a 6 to 0 vote.

2. Item G-3-Council President asks for a motion/second to deny the Public Defender's request of one new full-time position, Programs Specialist, and recommends the position be filled as part time.

On motion made to deny the Public Defender's requests of one new full-time position, Program Specialist, and recommends the position be filled as part-time by Riegsecker and seconded by Bujalski, the Council unanimously carried and approved the request with a 6 to 0 vote.

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#### 2023 Salary Ordinance CC-2022-18:

Attorney Denise Davis presented the 2023 Salary Ordinance to the Council.

President Stump asks for a motion/second to approve the 2023 Salary Ordinance CC-2022-18 as presented. On motion made to approve the 2023 Salary Ordinance CC-2022-18 as presented by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0.

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#### 2023 Recorders Perpetuation Ordinance CC-2022-15:

Attorney Craig Buche presented the 2023 Recorder's Perpetuation Ordinance to the Council.

President Stump asks for a motion/seconded to approve the Recorder's Perpetuation Fund CC-2022-15 as presented.

On motion to approve the Recorder's Perpetuation Fund CC-2022-15 as presented made by Hess and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0.

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#### 2023 Budget Ordinance CC-2022-19:

President Stump asks for a motion/second to approve Budget Ordinance CC-2022-19 as presented.

On motion to approve 2023 Budget Ordinance CC-2022-19 as presented made by Riegsecker and seconded by Bujalski, the Council unanimously carried and approved the request, with a 6 to 0 vote.

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2023 Elkhart County Council Meeting Schedule:

President Stump asks for discussion on the 2023 Elkhart County Council Meeting Schedule.

Graham makes a motion to table the request until the November 2022 Council Meeting seconded by Bujalski, the Council unanimously carried and approved the motion to table the request, with a 6 to 0 vote. (pg. 403)

**ADJOURN**

President Stump asks for a motion/second to adjourn the meeting.

There being no further business to come before the Council, on motion to adjourn made by Graham seconded by Bujalski, the Council carried and approved the adjournment of the meeting at 9:50 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.