

# MINUTES

## ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

July 17, 2023

President Brad Rogers called the meeting to order at 9:00 a.m. in room 104 in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other Board members, Suzie Weirick and Bob Barnes were also present. Others present were Craig Buche, County Attorney; Patricia Pickens, County Auditor; Jeff Taylor, County Administrator and Kelly Ropp, Administrative Manager.

\*\*\*This meeting commenced pursuant to public notice under the Indiana open door law and Governor Holcomb's Executive Orders. This meeting was made available for the public and press to attend in person or engage in remote real-time observation and remote electronic participation.

On a motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried, the Board approved the Minutes of the June 5th, June 12th, June 19th, 2023, meetings and placed them on file.

On a motion made by Bob Barnes, seconded by Suzie Weirick and unanimously carried, the Board approved the Allowance of Claims as presented by the County Auditor's office.

### **BUSINESS ITEMS:**

Adam Coleson, Planning, requested approval of RFC Elkhart III, LLC represented by Abonmarche Consultants for a zone map change from M-1/R-1 to M-1, south side of Phillips Street, 990 feet southeast of CR 12, common address of 28652 Phillips Street in Cleveland Township. Brad Rogers opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried, the Board closed the public hearing. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 263)

Adam Coleson, Planning, requested approval of Cesar Rodrigo Hernandez for a zone map change from B-2/R-1 to B-2, southwest corner of Liberty Drive & Oak Drive, common address of 55415 Liberty Drive in Cleveland Township. Brad Rogers opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried, the Board closed the public hearing. Mr. Hernandez was present to answer any questions. This request has a restriction put on it, that this will only be used for a car detailing business. On motion made by Suzie Weirick, with the restriction put on this that it can only be used for a car detailing business, seconded by Bob Barnes, and unanimously carried, the Board approved this request.

Jason Auvil, Planning, requested approval of Hubbard Hill Estates Inc. represented by Abonmarche Consultants for an amendment to an existing DPUD R-3 known as Hubbard Hill Estates to add a sign on the east side of CR24, 420 ft south of Charlotte Ave, west of SR 19, in Baugo Township. This sign has been approved by Highway. The sign will be on CR 24. Brad Rogers opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried, the Board closed the public hearing. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 264)

Jason Auvil, Planning, requested approval of Crossroads Community Church of the Nazarene Inc. represented by Abonmarche Consultants Inc. for an amendment to an existing DPUD A-1 known as Crossroads Church of the Nazarene DPUD for a building addition northwest corner of Alpha Drive & CR 18, common address of 57415 Alpha Drive in Jefferson Township. Brad Rogers opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried, the Board closed the public hearing. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.

Mae Kratzer, Planning, requested additional appropriation from Middlebury East TIF Fund in the amount of \$65,000.00 for Middlebury Water Tower Engineering for water tower & affected utility project. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 265)

Mae Kratzer, Planning, requested additional appropriation from Middlebury Southeast TIF Fund in the amount of \$65,000.00 for Middlebury Water Tower Engineering for water tower & affected utility project. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 266)

Mae Kratzer, Planning, requested additional appropriation from CR 6&17 NE TIF Fund in the amount of \$1,500,000.00 for CR 17 Pedestrian/Bike Bridge partial road construction costs. This project started in 2015 due to multiple accidents. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 267)

Charlie McKenzie, Highway, requested Additional Appropriation in the amount of \$1,300,000.00 for remaining funds to pay for design of CR 17 – to CR 142 Extension. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 268)

Charlie McKenzie, Highway, requested Additional Appropriation in the amount of \$200,000.00 for matching funds for construction costs for the CR 17 Multi Use Path Bridge project. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. (Page 269)

Charlie McKenzie, Highway, requested Addition Appropriation in the amount of \$425,000.00 for funds for construction inspection services for the Multi Use Path Bridge project. Funds will be used to hire a construction inspector for the project. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.  
(Page 269)

Cathy Searcy, Assessor, Requested approval of First Amendment to Professional Services Agreement between Elkhart County Assessor and Tax Management Associates. No Additional expense in this amendment, they just needed more time to complete personal property audit. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.  
(Page 270)

Jeff Taylor, County Administrator, requested approval of Elkhart County Series 2022 Bonds Disbursement of Funds from Project Fund for Performance Services Inc. to Pay App #14 Courthouse Construction. In the amount of \$1,623,201.00. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.

Craig Buche, County Attorney, presented an Ordinance amending the Elkhart County Code for the S-18 Supplement along with the Code Supplement. CO 2023-34. Recurring updates to the Code. This is updated every 6 months, and this will take us up to 1-31-2023. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.  
(Page 271)

Craig Buche, County Attorney, presented a Resolution updating the Restricted Address Policy for the GIS system along with the updated Request Form. CO 2023-36. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request.  
(Page 272)

Craig Buche, County Attorney, presented a Resolution Approving the Plan Commission Order to Amend the NE Corridor TIF District removing the parcel from the TIF District for the proposed Holladay apartment project along with the RDC Resolution and Plan Commission Order. CO 2023-35. On a motion made by Bob Barnes, seconded by Suzie Weirick and unanimously carried, The Board approved this request.  
(Page 273)

Craig Buche, County Attorney, presented an Interlocal Agreement for fencing project with the RDC and Ernest Miller/ERM Land Holdings for the Middlebury South Agricultural TIF District. This will close out the project. Funding established for this up to \$10,000 with 70% being covered by the project and 30% covered by the property owner. On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board approved this request. Brad Rogers called for a roll call vote. Rogers-yes, Barnes-yes, Weirick-yes.  
(Page 274)

Jeff Taylor, County Administrator, Requested approval of electrical proposals for the Foraker-Southwest-Tecumseh Project. Eleven proposals were presented for electrical service upgrades. On motion made by Suzie Weirick, to accept and approve the low bids for these eleven proposals, seconded by Bob Barnes, and unanimously carried, the Board approved this request.

**BOARD ITEMS:**

Jeff Taylor, County Administrator, presented a request to waive the electrical permit fee For the Foraker-Southwest-Tecumseh project. The planning department wants to know if the permit Fee should be waived for these electrical hook ups. It is not uncommon for departments to not Charge themselves for permit fees. On motion made by Suzie Weirick to not charge the Electrical permit fees, seconded by Bob Barnes, an unanimously carried, the Board approved This request.

**PRIVILEGE OF THE FLOOR;**

None

**ADJOURNMENT:**

On motion made by Bob Barnes, seconded by Suzie Weirick and unanimously carried, the Board adjourned the meeting.

Respectfully submitted,

Kelly Ropp