

MINUTES
ELKHART COUNTY COUNCIL MEETING
117 N. 2nd St. Room 104, Goshen, In. 46526
April 18th,2024

The meeting of the Elkhart County Council was called to order by Chief Deputy Sean Holmes 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, Randall D. Yohn and Steven E. Clark. Council member Adam M. Bujalski 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: March 21st,2024

On motion made to approve March 21st,2024 minutes by Graham and seconded by Yohn, the Council unanimously carried and approved the minutes with a vote of 6 to 0.

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HUMAN RESOURCES:

Craig Buche:

- (a) Consideration and Approval of CC-2024-15 an Ordinance Amending the 2024 Salary Ordinance, (Sheriff's Department)

Craig Buche presented this request to the Council.

On motion to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved CC-2024-15 with a 6 to 0 vote.

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COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: Graham announced some upcoming community events:

Elkhart County Health Department 75th Anniversary Open House, Monday April 22nd,2024 from 5:30pm -7:00pm

The Goshen News is hosting a Candidate Forum at the Goshen Theatre Monday April 22,2024 starts at 6:30pm.

He encouraged everyone to take advantage of early voting and there is a need for Poll Workers. Anyone interested should contact their Party Chair or the Clerk's Office.

Yohn discussed the Major Moves Fund and program.

SHERIFF: None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requested \$330,000.00 funds needed for structured cable for new courthouse. After a review of the project County Administrator Jeff Taylor asked the Council to reduce the amount of the request to \$265,000.00. Clark questioned by adding this appropriation is the total still under the amount the Council had put a cap on? Taylor answered yes, it is.

Jeff Taylor presented this request to the Council.

Graham makes motion to approve reduced appropriation request to \$265,000.00 and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0.

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B. GENERAL FUND (#1000)

1. Commissioners (130) requested \$278,327.00 for funds to pay the Humane Society on behalf of the communities who will reimburse the County in 2 installments. Communities are responsible for the following reimbursement amounts: Elkhart-\$153,065.00, Goshen-\$93,940.00, Middlebury-\$6,534.00, Wakarusa-\$7290.00, Bristol-\$4,840.00 and Nappanee-\$12,688.00.

Jeff Taylor presented this request to the Council.

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

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C. GENERAL FUND (#1000)

1. Planning & Development (132) requested \$50,000.00 for GIS Data set up for transition to a new server.

Mae Kratzer presented this request to the Council.

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

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D. SALES DISCLOSURE (#1131)

1. County Assessor (109) requested \$50,000.00 for GIS Data set-up for transition to a new server.

Cathy Searcy presented this request to the Council.

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

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E. GENERAL FUND (#1000)

1. Extension (145) requested \$61,524.00 for the Commissioner approved purchase of Ricoh copiers rather than a five-year lease as it was more cost effective.

Robby Kelly presented this to the Council.

On motion to approve made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 157)

F. EDIT (#1112)

1. Highway Department (980) requested \$1,550,000.00 for Matching funds for construction for Bridge 145-CR 26 Baugo Creek Replacement Project. Construction estimate is \$2.9M=\$1.7M federal aid+\$1.2M local. Funds of \$350,000.00 for construction inspection services for the project. 80% of these funds will be reimbursed with federal funds.

Charlie McKenzie 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 vote of 6 to 0. (pg. 158)

G. LIT-SPECIAL PURPOSE (#1114)

1. Commissioners (140) requested \$300,000.00 for building repairs, electrical, plumbing and updates at the jail.

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 vote of 6 to 0. (pg. 159)

H. IDOC GRANT (#1130)

1. Community Corrections (981) requested \$30,844.16 to transfer of cash balance from the old grant fund number to the new grant number 9156-980 per IDOC Directive.

Helen Calvin presented this request to the Council.

On motion made by Hess and seconded by Clark the Council unanimously carried and approved the request with a vote of 6 to 0. (pg. 160)

I. CUMULATIVE BRIDGE (#1135)

1. Highway Department (980) requested \$560,000.00 for funds to pay the next four year bridge inspection cycle (2024-2027). This is a federal aid program and will be reimbursed 80% as funds are spent. Participation in the statewide bridge inspection program is required by the state for federal funding eligibility.

Charlie McKenzie 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 vote of 6 to 0. (pg. 161)

J. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$30,000.00 for funds to add locker room to CR 28 maintenance facility for employee use. Currently there is no place for employees to secure personal items or store issued county equipment.

Kyle Wagoner presented this request to the Council.

On motion to approve made by Graham and seconded by Hess, the Council unanimously approved this request with a vote of 6 to 0. (pg. 162)

K. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$20,000.00 for funds to replace two overhead garage doors at the New Paris facility. The doors are in disrepair.

Kyle Wagoner presented this request to the Council.

On motion made to approve by Hess and seconded by Yohn, the Council unanimously carried and approved this request, with a 6 to 0 vote. (pg. 163)

L. LOCAL ROAD & STREET (#1169)

1. Highway (980) requested \$35,000.00 for funds to upgrade manual lock gate to powered automatic gate. This gate will automatically close, which will increase security at our main maintenance facility.

Kyle presented this request to the Council.

Graham questioned how many times a day the gate is accessed and the necessity of the automatic gate. Hess talks about the inconvenience and the time it takes having to get out of the Truck and open and closed the gate.

On motion to approve made by Hess and seconded by Riegsecker, President Stump called for a roll call vote, the Council votes are as follows: Bujalski-Absent, Clark-Nay, Graham-Nay, Hess-Aye, Riegsecker-Aye, Yohn-Aye and Stump-Aye. With a vote of 4 to 2 the Council approved the request. (pg. 164,165)

M. LOIT SPECIAL DISTRIBUTION (#1229)

1. Highway (980) requested \$58,499.54 for funds that were left over from a special distribution from the State in 2016. Use of these funds is restricted to road & bridge projects. The Highway Department is requesting to use the remaining funds as part of this year's road paving program, therefore closing out the fund.

Charlie McKenzie 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. (pg. 166)

N. TITLE IV-E FOSTER CARE (#8179)

1. Public Defender (175) requested \$4,000.00 to purchase an additional four (4) laptops to be used by the attorneys. Most of the existing laptops being used were purchased in 2020 and these are being purchased to ensure that the attorneys always have functioning laptops.

Jeff Majerek presented this request to the Council.

On motion made to approve by Yohn and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 167)

O. 93.391 TOGETHER WE WILL (#8189)

1. Health Department (980) requested \$275.00 2023 carry forward for line 43830. Additional request completed and submitted by Auditor's office on behalf of the Health Department to correct omission of the account lines in the 2023 carry forward request total.

Melanie Sizemore presented this request to the Council.

On motion made to approve by Clark and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 168)

P. 93.323 ENHANCING DETECTION GRANT (#8196)

1. Elkhart County Judiciary (980) requested \$20,041.64 to appropriate a new grant through the Indiana Department of Health, and this is the initial grant set up. The funding will cover the purchase of tablets to broaden the use of zoom visitation in the detention center. Additionally, the tablets will broaden educational programming.

Ross Maxwell presented this request to the Council.

On motion made to approve by Yohn and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 169)

Q. STATE GRANT INDIANA TOBACCO PROGRAM (#9104)

1. Health Department (980) requested \$1,946.55 2023 carry forward for lines 43805 & 43835. Additional request completed and submitted by Auditor's office on behalf of the Health Department to correct omission of the two account lines in the 2023 carry forward request total.

Melanie Sizemore presented this request to the Council.

On motion made to approve by Graham and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 170)

R. COMMUNITY CROSSINGS GRANT FUND (#9138)

1. Highway (980) requested \$308,005.57 to appropriate funds received from INDOT for the 2023-2 Community Crossings Matching Grant. This request is to be used for paving.

Charlie McKenzie presented this request to the Council.

On motion made to approve by Clark and seconded by Yohn, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 171)

S. IMMUNIZATION & VACCINES FOR CHILDREN (#9149)

1. Health (980) requested \$1,859.00 to carry over from 2023.

Melanie Sizemore 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. 172)

Total Appropriations: \$3,616,322.46

TRANSFER REQUESTS REQUIRING COUNCIL ACTION:

A PUBLIC HEALTH PREPAREDNESS (#8119)

Health Department (980)

From: 41120 Professional		12,620.00
41300 FICA		783.00
41305 Medicare		183.00
41400 PERF		1,414.00
To: 42195 Operating Supplies		390.00
42380 Capital Supplies		3,000.00
44505 Radio Equip.		7,460.00
44510 Otr. Equipment		4,150.00

Total 15,000.00

B. IMMUNIZATIONS & VACCINES FOR CHILDREN (#9149)

Health Department (980)

From: 42030 Copy Supplies		2,000.00
To: 44535 Data Processing		2,000.00

Total
Transfers 17,000.00

On motion to approve transfers made by Graham and seconded by Yohn, the Council unanimously approved the request with a vote of 6 to 0. (pg. 173)

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

OTHER BUSINESS:

Chris Stager:

1. Consideration for Approval of CF-1 Forms:

(a) Delivery Concepts, INC. (T & T Marchetti, LLC.)-RE

Chris Stager presented this request to the Council, he stated that he found the company to be in substantial compliance.

On motion made to find Delivery Concepts, INC. in substantial compliance by Yohn and seconded by Hess, the Council unanimously carried and approved request with a 6 to 0 vote.
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(b) Smoker Craft, INC. CC-2021-14 & 18 RE

Chris Stager presented this request to the Council, he stated that he found the company to be in substantial compliance.

On motion made to find Smoker Craft, INC, CC-2021-14 & 18 in substantial compliance by Clark and seconded by Hess, the Council, unanimously carried and approved this request with a 6 to 0 vote.
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Smoker Craft, INC. CC-2021-19 & 22 RE

Chris Stager presented this request to the Council, he stated he found the company to be in substantial compliance.

On motion made to find Smoker Craft, INC, CC-2021-19 & 22 RE in substantial compliance by Clark and seconded by Hess, the Council, unanimously carried and approved this request with a 6 to 0 vote.

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(c) TLRV Properties, LLC (Travel Lite) (formerly Innovations, LLC) CC-2014-06-RE Lot #8
TLRV Properties, LLC (Travel Lite) (formerly Innovations, LLC) CC-2014-06-RE Lot # 10

Travel Lite, Inc. CC-2017-06 PP

Chris Stager presented this request the Council and asked Company President Bruce Korenstra to speak to the Council. Korenstra extended their appreciation to the Council for the confidence that they placed in the company with the Tax Abatement. He explained that since Elkhart County has been in an RV recession for the last 18 months, they were unable to meet the number of employees that were originally projected. However, he did state that the employees are enjoying a higher wage than originally projected. He stated that if the Council finds they are not in Substantial Compliance they understand but are hopeful you will take into consideration the overall RV economy.

Taxpayer Glenn Null spoke on the subject and is in favor of having “the company pay back the taxpayer’s money “He referred to it as a “clawback”.

On motion made to find Travel Lite, INC in Non-Compliance due to the number of Employees by Graham and seconded by Riegsecker. President Stump called for a roll call vote. The Council members votes are as follows: Bujalski-Absent, Clark-Aye, Graham-Aye, Hess -Nay, Riegsecker-Aye, Yohn-Nay and Stump-Nay. With a vote of 3 to 3 the Council’s vote is tied. Attorney Craig Buche suggested we bring it before the Council again next month.

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Craig Buche:

1. Consideration and Approval of CC-2024-16 An Ordinance of the Elkhart County Council Transferring Monies to the Rainy-Day Fund.

Craig Buche presented this request to the Council.

On motion to approve made by Graham and seconded by Hess, President Stump called for a roll call vote, the Council members votes are as follows: Bujalski-Absent, Clark-Aye, Graham-Aye, Hess-Aye, Riegsecker-Aye, Yohn-Aye and Stump-Aye. With a vote of 6 to 0 the Council unanimously carried ad approved this request.

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2. Interlocal Agreement:

- (a) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the Town of Bristol, Indiana for Animal Control Services.
- (b) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the City of Elkhart, Indiana for Animal Control Services.
- (c) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the City of Goshen, Indiana for Animal Control Services.
- (d) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the Town of Middlebury, Indiana for Animal Control Services.

- (e) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the City of Nappanee, Indiana for Animal Control Services.
- (f) Consideration and Approval of a Interlocal Agreement between Elkhart County, Indiana and the Town of Wakarusa, Indiana for Animal Control Services

Jeff Taylor discussed the details of the Agreements to the Council.
Communities are responsible for the following reimbursement amounts:
Elkhart: \$153,065.00 Goshen-\$93,940.00, Middlebury- \$6,534.00 Wakarusa-
\$7,200.00 Bristol-\$4,840.00 and Nappanee-\$12,688.00.

On motion made to approve Interlocal's A-F together by Clark and seconded by Graham, the Council unanimously carried and approved the Interlocal Agreements with a vote of 6 to 0.

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AUDIENCE ITEMS:

Pam Keyser presented her concerns on the Town of Middlebury approving the Middlebury Comprehensive Plan. She also had concerns that the Middlebury Public Library's minutes from their monthly meeting didn't match what occurred.

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Lucinda Nisley talked about an email that the Middlebury Public Library sent out regarding the event that was planned with Author John Green. She expresses that several items in the email were misleading, and she goes on to explain. She also had concerns about the amount of money that was going to be spent on the author and where that money had come from.

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Glenn Null discussed his tax bill and the increase in the assessed value.

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ADJOURN

There being no further business to come before the Council, on motion to adjourn made by Clark seconded by Riegsecker, the Council unanimously carried and approved the adjournment of the meeting at 5:45 pm.

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.