

MINUTES
ELKHART COUNTY COUNCIL MEETING
117 N. 2nd St. Room 104, Goshen, In. 46526
May 16th,2024

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, Randall D. Yohn, Steven E. Clark. and Adam M. Bujalski. 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: April 18th,2024

On motion made to approve April 18th,2024 minutes by Yohn and seconded by Riegsecker, the Council unanimously carried and approved the minutes with a vote of 7 to 0.

(pg. 184)

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: Graham thanked poll workers and encouraged others to get involved.

SHERIFF: None

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Community Corrections (179) requested \$111,803.44 to add an additional full-time medical staff position, one time fee for EMR system (ERMA) and licensing fee. After receiving a pro-rated amount from the vendor, Helen Calvin Director of Community Corrections (179) requested a reduced amount of \$72,184.61.

Helen Calvin presented this request to the Council. (pg. 192)

On motion made to approve by Yohn and seconded by Bujalski, President Stump requested a roll call vote. The Council members votes are as follows: Bujalski-Aye, Clark-Nay, Graham-Nay, Hess-Aye, Riegsecker-Nay, Yohn-Aye and Stump-Aye. With a vote of 4 to 3 the Council approved the request. (pg. 193)

B. EDIT (#1112)

1. Highway (980) requested \$158,178.67 to appropriate 2023 Major Moves funds in excess of the target growth rate balance transferred from Major Moves to EDIT for paving, construction, and associated costs. Charlie McKenzie stated the request was submitted with a typo and the correct amount should be \$158,177.67.

Charlie McKenzie presented this request to the Council.

On motion to approve made by Clark and seconded by Yohn, the Council unanimously carried and approved this request with a vote of 7 to 0 vote. (pg. 194)

C. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requested \$125,000.00 for license compliance verification.

Lilia Eller 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 7 to 0 vote. (pg. 195)

D. HEALTH (#1159)

1. Health Department (340) requested \$43,000.00 to replace the floor and paint the STI Clinic.

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 7 to 0 vote. (pg. 196)

E. MAJOR MOVES (#1172)

1. Highway (980) requested \$158,177.67 Major Moves funds for road maintenance. At end of calendar year 2023, the Major Moves balance was \$158,177.67 greater than the Target Growth Rate balance of 1.9%. The Major Moves Ordinance allows for Council to appropriate these funds for road maintenance without repayment to be used for this year's summer paving, chip seal, maintenance and construction program. This transfer request to the EDIT fund.

Charlie McKenzie presented this request to the Council.

On motion made to approve by Clark and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 7 to 0. (pg. 197)

F. MISDEMEANANT (#1175)

1. Sheriff's Office (105) requested \$259,000.00 to appropriate current funds and anticipated funds for 2024 and for jail operation supplies and vehicle.

Jeff Siegel 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 7 to 0. (pg. 198)

G. NORTHWEST GATEWAY TIF (#4504)

1. Planning & Development (980) requested \$5,695.00 for the NWG Bond Arbitrage Compliance-Rebate & Yield Report.

Natasha Kauffmann presented this request to the Council.

On motion to approve made by Clark and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 7 to 0. (pg. 199)

H. MIDDLEBURY SOUTH AG TIF (#4508)

1. Planning & Development (980) requested \$6,379.89 to close out of AG TIF Funds. To be used on transportation projects south of US 20 outside of Middlebury such as CR 22 paving and resurfacing.

Natasha Kauffmann 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. (pg. 200)

I. MIDDLEBURY SE TIF (#4509)

1. Planning & Development (980) requested \$300,000.00 for paving & resurfacing for CR 22 between CR 35 & CR 37.

Natasha Kauffmann 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. (pg. 201)

J. MIDDLEBURY EAST TIF (#4510)

1. Planning & Development (980) requested \$200,000.00 for paving & resurfacing for CR 10 between SR 13 & CR 43.

Natasha Kauffmann presented this request to the Council.

On motion made by Graham and seconded by Bujalski, the Council unanimously carried and approved the request with a vote of 7 to 0. (pg. 202)

K. BREASTFEEDING PEER COUNSELOR (#8102)

1. Health (980) requested \$616.00 approved by the State WIC office to cover expenses for the Breastfeeding Peer Counselors to attend a retreat to be held in June 2024.

Melanie Sizemore 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. (pg. 203)

L. 21.027 2021 SWIF (#8195)

1. Commissioners (130) requested \$1,875,000.00 to appropriate awarded grant funds for materials for the Foraker, Southwest, Tecumseh Wastewater Project.

Jeff Taylor presented this request to the Council.

On motion to approve made by Clark and seconded by Hess, the Council unanimously approved this request with a vote of 7 to 0. (pg. 204)

M. 16.548 CONTINUUM OF CARE (#8197)

1. Elkhart County Judiciary (980) requested \$450,000.00 for a new Grant through the Justice Office of Juvenile Justice Delinquency prevention. This is the initial grant setup. Oaklawn is the sub-recipient and is responsible for managing and providing all of the activities under the project titled "Building Elkhart County's Continuum of Care to Support Youth Success".

Ross Maxwell presented this request to the Council.

On motion to approve made by Bujalski and seconded by Graham, President Stump asked for a roll call vote. The Council members votes are as follows: Bujalski-Aye, Clark-Nay, Graham-Aye, Hess-Aye, Riegsecker-Aye, Yohn-Aye and Stump-Aye. The Council unanimously approved this request with a roll call vote of 6 to 1. (pg. 205, 206)

Total Appropriations: \$3,653,230.84

REDUCTIONS:

Auditor Patty Pickens presented both reductions to the Council.

N. CUMULATIVE DRAINAGE (#1141)

1. Surveyor's Office (980) Requested a reduction in the Amount of -\$417,438.73 a return of funds remaining after Cumulative Drainage projects have been completed.

On motion made to approve by Clark and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 7 to 0. (pg. 207)

O. BREASTFEEDING PEER COUNSELOR (#8102)

1. Health Department (980) requested a reduction in the amount of -\$616.00 per WIC State Office, to reduce the funds in the Group Insurance line and reappropriate in the correct account.

On motion made to approve by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 7 to 0. (pg. 208)

TRANSFER REQUESTS REQUIRING COUNCIL ACTION:

A.	HEALTH ADMINISTRATION (#1159)		
	Health Department (340)		
	From: 43835 Training Programs	2740.00	
	To: 44530 Copier	2740.00	
B.	CUMULATIVE REASSESSMENT (#1188)		
	Assessor (980)		
	43090 Professional		
	From: Services	1045.00	
	To: 44535 Data Processing Hardware	1045.00	
C.	SCHOOL LUNCH PROGRAM (#4925)		
	Elkhart County Judiciary (980)		
	From: 43090 Oth. Prof. Services	2944.00	
	To: 42190 Kitchen & Laundry	2944.00	
		Total	
		Transfers	6,729.00

On motion to approve transfers made by Bujalski and seconded by Clark, the Council unanimously approved the request with a vote of 7 to 0. (pg. 188)

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) 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

On motion made to find the company in Non-Compliance due to the number of additional employees are significantly less than projected for the project, made by Clark and seconded by Graham, President Stump called for a roll call vote, the Council members votes are as follows: Bujalski-Aye, Clark-Aye, Graham-Aye, Hess-Nay, Riegsecker-Aye, Yohn-Nay and Stump-Nay. With a vote of 4 to 3 the Council finds the company in non-compliance. The Council has scheduled a hearing on June 20th, 2024. (pg. 209)

- (b) Smoker Craft, Inc. CC-2021-19 & 22 PP

On motion made to find Smoker-Craft-Inc in substantial compliance by Bujalski and seconded by Yohn, the Council unanimously carried and approved this request with a 7 to 0 vote. (pg. 210)

- (c) Alliance Sheets, LLC. CC-2014-05 RE
Alliance Sheets, LLC. CC-2014-05 PP

On motion made to find Alliance Sheets, LLC. in substantial compliance by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 7 to 0. (pg. 211,212)

- (d) Hull Lift Truck, LLC. CC-2021-13 RE
Hull Lift Truck, LLC. CC-2021-13 PP

On motion made to find Hull Lift Truck, LLC. in substantial compliance by Clark and seconded by Riegsecker, the Council unanimously carried and approved this request with a 7 to 0 vote. (pg. 213,214)

- (e) General RV Center, Inc. CC-2020-09 RE
General RV Center, Inc. CC-2020-09 PP

On motion made to find General RV Center, Inc. in substantial compliance by Bujalski and seconded by Clark, President Stump called for a roll call vote, the Council members votes are as follows: Bujalski-Aye, Clark-Aye, Graham-Nay, Hess-Nay, Riegsecker-Aye, Yohn-Aye and Stump-Aye. With a roll call vote of 5 to 2 the Council approved the request and found General RV, Inc. in substantial compliance. (pg. 215-217)

(f) Furrion, LLC. CC-2015-14 RE

On motion made to find Furrion, LLC in substantial compliance by Bujalski and seconded by Graham, the Council unanimously carried and approved the request with a 7 to 0 vote.

(pg. 218)

Furrion, LLC & Spirit Realty LP CC-2021-14 RE

On motion made to find Furrion, LLC. in substantial compliance by Clark, and seconded by Bujalski, the Council unanimously carried and approved the request with a 7 to 0 vote.

(pg. 219)

Furrion, LLC FKA Way Interglobal Network LLC. PP

On motion made to find Furrion, LLC in substantial compliance by Bujalski and seconded by Clark, the Council unanimously carried and approved the request with a vote of 7 to 0.

(pg. 220)

Craig Buche:

1. Consideration and requested approval of Interlocal Agreement for Pumpkinvine Trail project with the City of Goshen.

Craig Buche presented this request to the Council.

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

(pg. 221)

2. Consideration and requested approval of Amended and Restated Major Moves Fund Ordinance CC-2024-17.

Craig Bushe presented this request to the Council.

On motion made to approve Ordinance CC-2024-17 by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 7 to 0.

(pg. 222)

3. Consideration and Approval of Interlocal Agreement for Funding of River Mill Trail Project.

Craig Buche presented the request to the Council.

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

(pg. 223)

Chris Stager requested 2 possible tax phase-ins to be added the Agenda for the Council to vote on:

1. Cross Trailers, LLC.
2. GDC, INC.

On motion made to add the 2 possible tax phase-ins to the agenda made by Hess and seconded by Stump. President Stump called for a roll call vote.

The Council members' votes are as follows: Bujalski-Nay, Clark-Nay, Graham-Nay, Hess-Aye, Riegsecker-Nay, Yohn-Aye and Stump-Aye. With a vote of 4 to 3 the Council denied the request to add 2 possible tax phase-ins to the agenda. (pg. 224)

AUDIENCE ITEMS:

President Stump asked if any member of the audience wished to speak, and no one wanted to speak.

ADJOURN

There being no further business to come before the Council, on motion to adjourn made by Riegsecker seconded by Graham, the Council unanimously carried and approved the adjournment of the meeting at 5:32 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.