

MINUTES
ELKHART COUNTY COUNCIL
July 13th, 2019

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 John K. Letherman, Vice President David L. Hess, Doug S. Graham, Randall D. Yohn, Darryl J. Riegsecker and Thomas W. Stump. Members absent: Tina M. Wenger

Also present were Patricia A. Pickens County Auditor; Fred Avery First Deputy Auditor; Craig Buche, County Attorney; Mike Yoder, Suzie Weirick, Commissioners; and Jeff Taylor, County Administrator.

MINUTES: Approval of minutes for June 8th, 2019 County Council Meeting. Letherman abstained as he was absent for the June 8th,2019 meeting.

On motion made by Yohn and seconded by Riegsecker, the minutes were unanimously carried, approved and adopted. (pg. 259)

COMMITTEE REPORTS:

COMMISSIONERS: Weirick on MACOG meeting

COUNCIL: Hess on 4H Fair.

AUDITOR: Auditor Patty Pickens on Financial Report

SHERIFF: Sheriff Siegel on hiring 6 new Correction Officers. Reports they have a few beds available.

EDC MATTERS:

~~**Public Hearing**~~

~~*** Ameri-Kart, Corp. ***~~

- ~~1. Commitment & Payment Agreement~~
- ~~2. Confirmatory Resolution CC 2019-13~~

Craig Buche requests the above be vacated until further notice for Ameri-Kart's Public Hearing, Commitment & Payment Arrangement & Confirmatory Resolution CC-2019-13.

HUMAN RESOURCE MATTERS:

Kirt Hunsberger requests from the Council, Consideration and Approval to take the County Administrator's position out of a classification and into a contract position.

On motion made by Graham and seconded by Stump the Council unanimously carried and approved the request. (pg. 297)

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requests \$258,000.00 for Information Technology to enter into a Tax-Exempt Lease\Purchase Agreement.

Jeff Taylor presents this request to the Council.

On Motion made by Graham and seconded by Stump, the Council unanimously carried and approved the request. (pg. 260)

2. Commissioners (130) requests \$120,000.00 for funds needed for GAAP Financial Reporting.

Jeff Riegsecker explained this request to the Council.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved this request. (pg. 261)

B. EDIT (#1112)

1. Highway (980) requests \$650,000.00 for funds for clearing the right of way and funds for the purchase of right of way.

Charlie McKenzie explains to the Council that these funds are to purchase right of way including but not limited to appraisals, buying, legal, title work etc. for the CR 38 to SR 13 project.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (pg. 262)

2. Highway (980) requests \$500,000.00 for funds to pay for road paving and chip seal activities.

Charlie McKenzie presents this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved the request. (pg. 263)

C. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) request \$100,000.00 for funds for building & ground's vehicles that need to be replaced.

Jeff Taylor presents this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved the request. (pg. 264)

D. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$79,000.00 to pay for maintenance on County regulated drains. (pg. 265)
2. Surveyor (980) requests \$6,000.00 to pay for maintenance on County regulated drains. (pg. 266)

Phil Barker presents both requests to the Council.

On Motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved both these requests.

E. LOCAL ROAD & STREET (#1169)

1. Highway (980) requests \$70,000.00 for funds for roadside mowing from contractor services throughout the County.

Charlie Mc Kenzie presents this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 267)

F. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$15,000.00 for funds needed for buggy plates, stickers, supplies and paying Lake City for sales.

Charlie McKenzie presents this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 268)

G. STORM WATER MANAGEMENT OPERATING (#1197)

1. Highway (202) requests \$30,000.00 for funds to be used to perform street sweeping as required (MS 4 good housekeeping components).

Charlie McKenzie presents the request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved the request. (pg. 269)

H. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning & Development (980) requests \$70,000.00 for water line construction in ROW for homes in PCR.

Natasha Kauffmann presents this request to the Council.

On motion made by Graham and seconded by Yohn, the Council unanimously carried and approved the request. (pg. 270)

Commissioner Mike Yoder discusses where the funding for the next 2 request come from. Talks about the process of determining what non-profits they should support and the criteria. Yoder states that thy look at the Countywide Impact and how their mission ties in with the Communities needs or areas that need to be addressed.

I. ENVIRONMENTAL SPECIAL PROJECTS (#4803)

1. Commissioners (980) requests \$100,000.00 to support Center for Community Justice.

Irvin Larrier Executive Director of Community Justice along with Anne Lehman & Don French explained in detail what their organization does and the different program it offers to the Community. Riegsecker and Graham questions the fact that Elkhart County Community Foundation wrote a letter of support but their level of contribution is low.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (pg. 271)

2. Commissioners (980) request \$100,000.00 to support The Council on Aging.

CEO of Council on Aging David Toney gave a presentation to the Council on their various program and how their organization impacts the community.

Letherman has questions on the new administration as there had been issues I the past with the past administration. David Toney states they have a whole new board and they have addressed issues stemming from the past. Letherman requests they give a report to the Council at the end of the year with a breakdown of where the money that the taxpayer contributes goes.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved this request. (pg. 272)

Riegsecker questions that these funds come from Taxpayer dollars from overage from rate hike. Riegsecker states instead of a rate hike to give money away to non-profit organizations, why not give that money back to the Taxpayers?

J. ROAD CONSTRUCTION & MAINTENANCE (#4901)

1. Highway (980) requests \$900,000.00 for funds to be utilized for road paving and chip and seal activities.

Charlie McKenzie explain this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 273)

K. JUVENILE COMMUNITY CORRECTIONS (#4924)

1. Community Corrections (980) requests \$56,506.00 for funds to set-up 2019-2020 Grant.

Bob Gerard presents this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (pg. 274)

L. WOMEN INFANT & CHILD GRANT (#8101)

1. Health Department (312) requests \$1,233,138.00 for funds to establish the budget for FY 2020 WIC Grant. (pg. 275)

M. BREASTFEEDING PEER COUNSELORS (#8101)

1. Health Department (980) requests \$120,407.00 to set the budget for FY 2020 for the Breastfeeding Peer Counselor Grant. (pg. 276)

N. INDIANA TOBACCO PREVENTION & CESSATION GRANT (#9104)

1. Health Department (980) requests \$125,000.00 to set-up the budget for FY July 1, 2019- June 2020 Grant. (pg. 277)

O. DIGITAL DENTAL X-RAY EQUIPMENT (#9108)

1. Health Department (981) requests \$14,010.00 to set-up budget for FY 2019 Grant for dental equipment.

Melanie Sizemore presented items L-O to the Council. Since all of these requests are for monies to set up FY Budgets for Grants, the Council voted to vote on these items together.

On motion made by Graham and seconded by Riegsecker, the Council voted on Items L –O unanimously carried and approved these requests. (pg. 278)

P. JUVENILE DETENTION ALTERNATIVES INITIATIVE (#9113)

1. Community Corrections (980) requests \$54,523.00 for funds to set up FY Juvenile Detention Alternative Grant. (July 1,2019-June 30,2019)

Bob Gerard presented this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 279)

Q. JUVENILE COMMUNITY CORRECTIONS (#9120)

1. Community Corrections (980) requests \$14,450.00 for additional fund approval for FY 18-19. A Grant to start mentoring program.

Bob Gerard presented this request to the Council.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 280)

R. COURT SERVICES (#9126)

1. Community Corrections (980) request \$62,500.00 for funds for Grant Extension through December 31, 2019.

Bob Gerard presented this to the Council.

On motion made by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 281)

S. COURT RECIDIVISM REDUCTION GRANT (#9130)

1. Court Services (980) requests \$29,460.00 for funds for a grant extension through December 31, 2019.

Bob Gerard presented this request to the Council.

On motion made by Riegsecker and seconded by Yohn, the Council unanimously carried and approved this request. (pg. 282)

T. PROBLEM SOLVING COURT GRANT(#9135)

1. Court Services (980) requests \$9260.00 to set- Up accounts for FY 19-20 grant (July 1, 2019- June 30, 2019).

Bob Gerard presented this request to the Council.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (pg. 283)

REDUCTIONS:

U. EDIT (#1112)

1. Highway Department (980) requests a reduction in the amount of - \$962,200.00.

Jeff Taylor points out the Council that the highway department is asking for a reduction on the CR 38 project, but will need to re- appropriate at a later date.

On motion made by Hess and seconded by Stump the Council unanimously carried and approved this request. (pg. 286)

On motion made by Hess and seconded by Stump, the Council votes to vote on Items V-X Reductions together as they are all for the Highway department and they are due to the completion of projects.

V. MAJOR BRIDGE (#1171)

1. Highway (980) requests a reduction in the amount of -\$16,705.00.

Jeff Taylor explains to the Council the Kercher Bridge Engineering project is completed. (pg. 285)

W. STORM WATER (#1197)

1. Highway (202) requests a reduction in the amount of -\$44,665.00.

Jeff Taylor explains this reduction is from appropriated funds that were dedicated to Pheasant Ridge, Green Valley and Ox Bow. He states the projects are complete. (pg. 284)

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

1. Planning & Development (980) request a reduction in the amount of -\$32,318.75.

Jeff Taylor explains to the Council that this is a project closeout for PCR design, where County Highway will assist with the completion of the project. (pg. 287)

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved requests V through X.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	GENERAL FUND (#1000)		
	1. Veteran Services (134)		
	From:	43090 Other Prof. Svc.	450.00
	To:	44510 Other Equip.	350.00
		42370 Other Supplies	<u>100.00</u>
		Total	450.00
B.	GENERAL FUND (#1000)		
	1. Extension (145)		
	From:	42380 Capital Supplies	664.00
	To:	44515 Office Furniture	664.00
B.	GENERAL FUND (#1000)		
	1. Superior 1 (162)		
	From:	41530 Petit Jurors	10,000.00
	To:	43020 Medical	9000

43110 Sustenance	500
43830 Education	500
Total	10,000.00

C. LIT SPECIAL PROJECTS (#1114)

1. Sheriff (106)

From:	42195 Other Operating Supplies	\$25.00
To:	44535 Processing Hardware	\$25.00

On Motion Made by Stump and seconded by Riegsecker, the Council unanimously carried and approved these transfers. (pg. 288,289)

OTHER BUSINESS:

- (a) Approval for Wakarusa Library Appointee Darlene Byland, to complete Conflict of Interest Disclosure Statement.

Matt Bowers Wakarusa Library Director explained to the Council, Ms. Byland has requested to file a Conflict of Interest Disclosure Statement as she is an Employee of Miller’s Insurance Group, (Richard Miller & Sons Inc.)

Council President John Letherman asks Matt Bowers if he feels that this would be a issue with Ms. Byland serving on the Library Board of Director. Bowers state he believe there would not be an issue.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved the request for the Conflict of Interest Disclosure Statement to be completed. (pg. 295)

- (b) Approval of CF-1’s:
Dynamic Metals, LLC.

Jeff Taylor presents this to the Council. After careful review, Taylor states he believes they are in Compliance according to the Agreements, Resolutions & Ordinances.

On motion made by Stump and seconded by Graham, the council unanimously carried and approved thisCF-1.

- (c) Craig Buche: Resolution of the Elkhart County Council Supporting Purchase of Real Estate Adjacent to Elkhart County Landfill: CC-2019-15

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved Resolution CC-2019-15. (pg. 296)

AUDIENCE ITEMS

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:40 am on motion made by Yohn seconded by Graham, and unanimously approved by the Council.

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.