

MINUTES
ELKHART COUNTY COUNCIL
February 10, 2018

The meeting of the Elkhart County Council was called to order by Sheriff Brad Rogers 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, Tina M. Wenger, Darryl J. Riegsecker and Thomas W. Stump. Absent were David E. Foutz and Randall D. Yohn.

Also present were Pauline Graff, County Auditor; Craig Buche, County Attorney and Mike Yoder, Commissioner.

MINUTES: Approval of minutes for January 13, 2018.

On motion made by Riegsecker and seconded by Stump, the minutes were approved and adopted. (page 72)

COMMITTEE REPORTS:

COMMISSIONERS:

COUNCIL:

AUDITOR: Presented the Statement of Wages

SHERIFF:

EDC MATTERS:

PUBLIC HEARING: Economic Revitalization Area for Winnebago Industries

Craig Buche and Mark Dobson explained to the Council that the two documents for approval, the Commitment Agreement and the Confirmatory Resolution, would be delayed until the next Council meeting in April due to a change in the language on the documents per the request of Winnebago Industries. Craig explained that because the Public Hearing was advertised for this meeting, that the Public Hearing could still occur and then the documents would be brought before the Council again in April.

Open Public Hearing: On motion made by Hess and seconded by Riegsecker, the Council unanimously approved to open a public hearing for Winnebago Industries.

No comments were made from the public on this matter.

Close Public Hearing: On motion made by Riegsecker and seconded by Hess, the Council unanimously approved to close the public hearing for Winnebago Industries.

Glenn Null, resident of Goshen, questioned the process of a public hearing. Craig Buche explained that the need for another public hearing in regards to Winnebago Industries would be dependent upon the legal language changes in said documents.

HUMAN RESOURCE MATTERS:

I. Human Resource Requests

A. Superior Court #1

1. General Fund (1000-162-41135): Request temporary 6% individual rate increase for Legal Assistant II (Wesley), PG4/JF1, \$17.42/hr, while completing additional duties of the Legal Assistant IV position, until the new Judge and new Legal Assistant IV are appointed, effective 2-5-18.

Impact to General Fund: No impact to General Fund (due to turnover, potential savings)

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request. (page 73)

B. Superior Court #4

1. General Fund (1000-165-41135): Request 3% individual rate increases for two Legal Assistant II positions, PG4/JF1, Divietro \$14.20 and Krueger \$14.93/hr, effective 2-18-18.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request , 2-0, Hess abstained.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request after a roll call vote resulting in a 5:0 approval. (page 74)

2. Discussion only on proposal for new Drug Court and accompanying Drug Court Coordinator position.

Impact to General Fund: #1) \$1081

C. Sheriff

1. General Fund (1000-105-41130): Request approval of retroactive pay for four Corrections Officer positions as outlined in request.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 75)

2. General Fund (1000-105-41140): Request three new Administrative Support Clerk positions, PG2/JF1, \$13.79/hr, effective 2-18-18.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 76)

*Impact to General Fund: #1) no impact
#2) ~~\$154,890~~ \$77,445 in salaries plus up to \$82,285 in benefit costs for three positions- potential of \$13,104 in part time savings (Sheriff to cover the salary cost in current budget)*

D. Auditor

1. Auditor's Ineligible Deduction Fund (1216-980-41220): Request increase in part time rate to \$14.00/hr, retroactive to 1-2-18.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 77)

2. Auditor's Ineligible Deduction Fund (1216-980-41140): Request retroactive rate increase for Clerk II (Kauffman), \$12.36/hr, effective 12-10-17.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 78)

3. General Fund (1000-102-41140): Request reduction in hours and accruals for Payroll Specialist (Hawkins) from 36 hrs to 30 hrs per week, effective 3-4-18.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request , 3-0.

Tina Wenger sharply expressed her frustrations with local government and processes of the Council and made accusations of not receiving information.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request. (page 79)

Impact to General Fund: #3) (\$3682) savings for 2018

E. Community Corrections

1. General Fund (1000-179) and IDOC (1130-615/981): Request revision to career development plan for Intensive Case Managers and Correction Officers to eliminate the requirement of "Jail Officer School", effective 2-18-18.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC approved the request , 3-0.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 80)

ADDITIONAL APPROPRIATIONS REQUESTS

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of Elkhart County, Elkhart County, Indiana, that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at Room 104, 117 N. 2nd Street, Goshen, Indiana, at 8:00 o'clock a.m. on Saturday, February 10, 2018.

GENERAL FUND	
Commissioners	
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Other Services and Charges	565
Plan Commission	
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Other Services and Charges	20,000
Circuit Court Juvenile	
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Other Services and Charges	5,000
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TOTAL GENERAL FUND	25,565

EDIT FUND	
Highway	
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Capital Outlays	375,000

LIT - SPECIAL PURPOSE	
Auditor	
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Capital Outlays	1,025,918

LOCAL EMERGENCY PLANNING COMMISSION	
Local Emergency Planning Committee	
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Supplies	7,275
Other Services and Charges	72,075
Capital Outlays	36,000
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TOTAL LOCAL EMERGENCY PLANNING COMMISSION	115,350

MOTOR VEHICLE HIGHWAY	
Highway	
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Capital Outlays	3,775,000

UNSAFE BUILDING	
Planning and Development	
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Other Services and Charges	3,307

AUDITOR'S INELIGIBLE DEDUCTION FUND	
Auditor	
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Other Services and Charges	5,505

MILLERSBURG II TIF	
Planning and Development	
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Other Services and Charges	22,290

NORTHWEST GATEWAY TIF	
<u>Planning and Development</u>	
Other Services and Charges	50,500
SOUTH BENTON TIF	
<u>Planning and Development</u>	
Other Services and Charges	23,548
WESTERN GATEWAY TIF	
<u>Planning and Development</u>	
Other Services and Charges	6,547
MIDDLEBURY AGRICULTURE TIF	
<u>Planning and Development</u>	
Other Services and Charges	42,900
MIDDLEBURY SOUTHEAST TIF	
<u>Planning and Development</u>	
Other Services and Charges	10,500
MIDDLEBURY EAST TIF	
<u>Planning and Development</u>	
Other Services and Charges	320,773
NORTHEAST CORRIDOR TIF	
<u>Planning and Development</u>	
Other Services and Charges	189,500
Capital Outlays	562,000
<u>TOTAL NORTHEAST CORRIDOR TIF</u>	<u>751,500</u>
NORTH BAUGO TIF	
<u>Planning and Development</u>	
Other Services and Charges	4,151
STATE ROAD 13 TIF	
<u>Planning and Development</u>	
Other Services and Charges	2,500
DEBT SERVICE	
<u>Bond and Interest</u>	
Capital Outlays	1,025,918

ROAD MAINTENANCE & CONSTRUCTION	
<u>Highway</u>	
Capital Outlays	2,000,000
REDEVELOPMENT COMMISSION	
<u>Planning and Development</u>	
Other Services and Charges	1,294
WEED LIEN COLLECTIONS	
<u>Planning and Development</u>	
Other Services and Charges	2,962
STATE INDOOR RADON GAS GRANT	
<u>Health Department - Environmental</u>	
Supplies	2,000
Other Services and Charges	1,000
TOTAL STATE INDOOR RADON GAS GRANT	3,000
COURT IMPROVEMENT GRANT	
<u>Circuit Court Juvenile</u>	
Other Services and Charges	15,000
HS RADIO CASHE ACCESSORIES GRANT	
<u>Emergency Management</u>	
Capital Outlays	5,300
EMPG COMP FUNDS	
<u>Emergency Management</u>	
Other Services and Charges	7,700

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: January 31, 2018.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) request \$565 to reappropriate an overpayment that was returned by the Greater Elkhart Chamber of Commerce.

Mike Yoder explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 81)

2. Plan Commission (132) requests \$20,000 for a job-specific contractor to document and write processes for routine operations.

Chris Godlewski explained this request to the Council. Wenger questioned hiring an outside contractor as opposed to having current employees handle this and Godlewski explained this solution has proven beneficial.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 82)

3. Circuit Court Juvenile (161) requests \$5,000 for an updated competency evaluation on 14 year old charged with murder.

Magistrate Domine explained to the Council that she has been at the State Mental Hospital for two years and was recently evaluated and determined to be competent. They just recently received the invoice from the doctor.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 83)

B. EDIT FUND (#1112)

1. Highway (980) requests \$375,000 to construct a fiber connection along various parts of the County in conjunction with Jimtown and Concord Schools.

Jeff Taylor explained this to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 84)

C. LIT – SPECIAL PURPOSE (#1114)

1. Auditor (980) requests \$1,025,918 as part of a transfer to pay the bond payment for the Juvenile Detention Facility which was approved after the budgets were completed.

Pauline Graff explained this request to the Council.

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved this request. (page 85)

D. LOCAL EMERGENCY PLANNING COMMISSION (#1152)

1. Local Emergency Planning Committee (980) requests \$115,350.

Pauline explained that this money is to set up their budget.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 86)

E. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$3,775,000 for road paving and resurfacing, replace a dump truck, and replace bridge near CR 3 and CR 22 over Baugo Creek.

Jeff Taylor explained this request to the Council and also explained that this would likely be the only dump truck requested this year. Glenn Null questioned how we acquire this money. Pauline explained that this money comes back to the County from the State.

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved this request. (page 87)

F. UNSAFE BUILDING (#1207)

1. Planning and Development (980) requests \$3,307 for contractors to repair and demolish unsafe buildings.

Chris Godlewski explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 88)

G. AUDITOR'S INELIGIBLE DEDUCTION FUND (#1216)

1. Auditor (980) requests \$5,505 to reimburse General Fund for a refund at Settlement time.

Pauline Graff explained that the original payment went into the Auditor's Ineligible Fund and this is a transfer to put the funds back into the General Fund.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 89)

H. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) requests \$22,290 as an annual expense reimbursement fees to cover staff/administrative expense, Umbaugh TIF neutralization and debt payment to the town of Millersburg for sewer plant expansion.

H-Q voted together. (page 90)

I. NORTHWEST GATEWAY TIF (#4504)

1. Planning and Development (980) requests \$50,500 as an annual expense reimbursement fee to cover staff/ administrative expense and Umbaugh TIF neutralization.

H-Q voted together. (page 91)

J. SOUTH BENTON TIF (#4505)

1. Planning and Development (980) requests \$23,548 as an annual expense reimbursement fee to cover staff/administrative expense, Umbaugh TIF neutralization and debt payment to the town of Syracuse for sewer and water connects per interlocal agreement.

H-Q voted together. (page 92)

K. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) requests 6,547 as an annual expense reimbursement fee to cover staff/administrative expense, Umbaugh TIF neutralization and debt payment to the County Environmental Special Projects fund for a water and sewer expansion to American Countryside and Jail.

H-Q voted together. (page 93)

L. MIDDLEBURY AGRICULTURE TIF (#4508)

1. Planning and Development (980) requests \$42,900 as an annual expense reimbursement fee to cover staff/administrative expense, Umbaugh TIF neutralization and conservation easement payments to two land owners.

H-Q voted together. (page 94)

M. MIDDLEBURY SOUTHEAST TIF (#4509)

1. Planning and Development (980) requests \$10,500 as an annual expense reimbursement fee to cover staff/administrative expense and Umbaugh TIF neutralization.

H-Q voted together. (page 95)

N. MIDDLEBURY EAST TIF (#4510)

1. Planning and Development (980) requests \$320,773 as an annual reimbursement fee to cover staff/administrative expense, Umbaugh TIF neutralization and debt payment to the town of Middlebury for sewer plant expansion.

H-Q voted together. (page 96)

O. NORTHEAST CORRIDOR TIF (#4511)

1. Planning and Development (980) requests \$751,500 as an annual expense reimbursement to cover staff/administrative expense, Umbaugh TIF neutralization, reimbursement payment to Bob Schrock for Beck Drive sewer extension, bi-annual bond payment, design/surveying/permitting for Project 86 water line connections in PCR, CR 4 reconstruction between CR 15 and CR 17, fiber line extension at CR17 and US33 to assist Concord Schools.

H-Q voted together. (page 97)

P. NORTH BAUGO TIF (#4512)

1. Planning and Development (980) requests \$4,151 as an annual expense reimbursement fee to cover staff/administrative expense, Umbaugh TIF neutralization and debt payment to the County Environmental Special Projects for water line extension.

H-Q voted together. (page 98)

Q. STATE ROAD 13 TIF (#4514)

1. Planning and Development (980) requests \$2,500 as an annual expense reimbursement fee to cover staff/administrative expense and Umbaugh TIF neutralization.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved all requests H-Q. (page 99)

R. DEBT SERVICE (#4600)

1. Bond and Interest (180) requests \$1,025,918 to pay the bond payment for the Juvenile Detention Facility which was approved after the budgets were completed.

Pauline Graff explained this request to the Council. Glenn Null questioned the principle and interest payment amounts and the possibility of paying this loan off early. Hess explained that this is a set payment schedule.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 100)

S. ROAD MAINTENANCE AND CONSTRUCTION (#4901)

1. Highway (980) requests \$2,000,000 for road paving and resurfacing.

Jeff Taylor explained this appropriation would be combined with another to fund a large project. Pauline Graff clarified this money comes from the State Wheel Tax.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 101)

T. REDEVELOPMENT COMMISSION (#4911)

1. Planning and Development (980) requests \$1,294 for travel, conference and training costs.

Chris Godlewski explained this request to the Council.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 102)

U. WEED LIEN COLLECTIONS (#6041)

1. Planning and Development (980) requests \$2,962 for contractors to mow and trim nuisance properties.

Chris Godlewski explained this request is a similar concept as the unsafe building request.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 103)

V. STATE INDOOR RADON GAS GRANT (#8116)

1. Health Department – Environmental (981) requests \$3,000 to disperse grant to increase radon testing in the County by 10% over previous year.

Health Officer Lydia Mertz explained this is a grant from the State for free radon testing kits for the public and discussed the hazards of radon in homes.

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved this request. (page 104)

W. COURT IMPROVEMENT GRANT (#8122)

1. Circuit Court Juvenile (161) requests \$15,000. This amount is based upon a yearly Summit this department holds. The State has granted this department a reimbursable grant for the Summit as well as for Dual Status Facilitators.

Magistrate Domine explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 105)

X. HS RADIO CASHE ACCESSORIES GRANT (#8156)

1. Emergency Management (980) requests \$5,300 for multi-bank charger, speaker mic and replacement batteries.

Mike Pennington explained this is to replace some equipment used by responders and this is 100% reimbursable.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 106)

Y. EMPG COMP FUNDS (#8157)

1. Emergency Management (980) requests \$7,700 for Safety Officer specific training and ICS/NIMS 300 and 400.

Mike Pennington explained this request is to fund training especially for large-scale disasters.

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved this request. (page 107)

REDUCTIONS:

Z. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requests a reduction of \$117,005.31 as a result of the completion of design and purchase and closeout of project. (page 108)

AA. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests a reduction of \$600,000 as a result of bid coming in less than estimated. (page 109)

BB. WOMEN, INFANT & CHILD GRANT (#8101)

1. Health Department – WIC (312) requests a reduction of \$1,500 to correct an error on previous appropriation request where this amount was entered twice.(page 110)

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved all the above reductions Z, AA and BB.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (1000)

1. Sheriff (105)

From	42110 Fuel and Motor Oil	70,000.00
To	43820 Prisoner Transport	30,000.00
	44500 Motor Vehicles	40,000.00

2. Superior Court No. 5 (166)		
From	42090 Office Supplies	1,930.00
To	44520 Office Equipment	1,930.00
B. HEALTH (1159)		
1. Health Department - CHN (340)		
From	43130 Mileage	103.00
To	44540 Data Processing Software	103.00
C. MATERNAL & CHILD HEALTH GRANT (8127)		
1. MCH Program Income (614)		
From	43830 Education & Tuition	2,130.00
To	44510 Other Equipment	2,130.00

On motion made by Riegsecker and seconded by Hess, the Council unanimously carried and approved transfer requests A through C.

(page 111)

OTHER BUSINESS

- (a) Approval of Darryl Riegsecker for reappointment to the City of Goshen Economic Development Commission. One year term, expires 2/1/2019.

On motion made by Stump and seconded by Hess, the Council unanimously carried and approved Darryl to the Goshen EDC.

AUDIENCE ITEMS

Ron Norman of the Bristol Town Council updated the County Council on the road project in Bristol.

Glenn Null, resident of Goshen, requested the minutes have more details and other observations about how the local government is run.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:22 am on motion made by Hess, seconded by Riegsecker, and unanimously approved by the Council.

Cassie Seminario
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.