

MINUTES
ELKHART COUNTY COUNCIL
January 13, 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, Randall D. Yohn, Tina M. Wenger, Darryl J. Riegsecker and Thomas W. Stump. Absent was David E. Foutz.

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

MINUTES: Approval of minutes for December 9, 2017.

On motion made by Riegsecker and seconded by Wenger, the minutes were approved and adopted. (page 17)

*****ELECTION OF OFFICERS FOR 2018**

Auditor Pauline Graff assumed the chair and opened the floor for nominations of Officers:

Stump said he would nominate John Letherman for President. Yohn said he would second that motion. Graff asked if there were anymore nominations. Stump moved to close the nominations and Hess seconded. Graff said that all in favor of retaining John Letherman as President of the Council say Aye, none were opposed and the motion was carried.

Letherman asked for nominations for Vice-President. Randy nominated David Hess for Vice-President. Stump said he would second that nomination. Letherman asked if there were any other nominations. He then asked if there was a motion to close the nominations. Stump moved to close the nominations and Riegsecker seconded. Letherman asked all in favor Dave Hess as Vice President say Aye, none were opposed and the motion carried.

*****Approval of 2018 Budget Council Department Assignments.**

*****Approval of 2018 Additional Council Duty Appointments.**

Letherman explained that all the department assignments for the Council would stay the same as they are for 2018 and there would be no changes.

COMMITTEE REPORTS:

COMMISSIONERS: Mike Regional Alliance; Opioid Lawsuit – not joining at moment;
bills with potential impact to local government
COUNCIL: Tina appointment update; Randy mentioned the passing of local
officials; Hess impact of LIT regarding the recent tax act
AUDITOR: End-of-Year totals exceeded Pauline’s projections
SHERIFF: Corrections facility staff received first national accreditation award
and has received all three accreditation awards

EDC MATTERS:

(a) CC-2018-03 Chinook Motor Coach, LLC

Craig Buche, County Attorney and Mark Dobson of the EDC explained the tax phase in and Commitment and Payment Agreement. The tax phase in presented has changed since originally submitted in June 2017. The investment levels were on track; however the employment levels changed from 157 employees to 120. Dobson explained the scoring did not change so they are still moving forward with the tax phase in time frame originally submitted. Stump questioned where these employees would come from and Dobson explained that they are forecasting they could get people from surrounding counties based on location.

PUBLIC HEARING: On motion made by Riegsecker and seconded by Hess, the Council opened a public hearing.

CLOSE PUBLIC HEARING: On motion made by Riegsecker and seconded by Yohn, the Council closed the public hearing.

Hess explained the time frame of income back to the County of approving this project versus not approving this project and explained his view of income back to the County about a year sooner by approving it and believes it to be the best move.

APPROVAL OF COMMITMENT AND PAYMENT AGREEMENT: On motion made by Yohn and seconded by Hess, the Council unanimously carried and approved this commitment agreement of Chinook Motor Coach, LLC

(page 18)

APPROVAL OF CONFIRMATORY RESOLUTION: On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved the Confirmatory Resolution for Chinook Motor Coach, LLC

(page 19)

(b) CC-2018-04 Winnebago Industries

Craig Buche and Mark Dobson explained that there is still talk about specifics about this project. Dobson explained that the company is gearing towards Regional Headquarters and could potentially be a bigger project in Elkhart County with multiple facilities but right now the request is for a single manufacturing facility with the prospective site for a larger project. This Winnebago project has a higher level of automation and the scoring is based on a single facility project and the 175 jobs projected. Wenger disputed the scoring and Stump questioned who would fund water and sewer lines to the location. Dobson explained that this would be new infrastructure and the company would pay for the sewer loop and it would not come from TIF funds. Letherman expressed that approving this project would potentially incline the possibility of the much larger project. Craig responded to Stump's comments about limiting tax phase ins within TIF districts saying that it does in fact prohibit revenue but suggested that it's not the priority. Hess mentioned that on the flip side, if it never happens, there will never be any TIF revenue.

APPROVAL OF DECLARATORY RESOLUTION FOR WINNEBAGO: On motion made by Riegsecker and seconded by Yohn, the Council unanimously carried and approved CC-2018-04. (page 20)

HUMAN RESOURCE MATTERS:

None

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, January 13, 2018.

GENERAL FUND

Surveyor

Personal Services 6,964

Concord Township Assessor

Other Services and Charges 1,875

TOTAL GENERAL FUND 8,839

EDIT	
Commissioners	
Other Services and Charges	27,000
Highway	
Capital Outlays	225,000
TOTAL EDIT	252,000
SALES DISCLOSURE FEES	
Concord Township Assessor	
Other Services and Charges	2,025
County Assessor	
Other Services and Charges	26,500
TOTAL SALES DISCLOSURE FEES	28,525
CUMULATIVE BRIDGE	
Highway	
Capital Outlays	335,000
CUMULATIVE CAPITAL DEVELOPMENT	
Commissioners	
Other Services and Charges	128,000
CUMULATIVE DRAIN	
Surveyor	
Capital Outlays	5,000
Enhanced Access	
Recorder	
Other Services and Charges	30,000
COUNTY EXTRADITION	
Sheriff	
Other Services and Charges	80,000
COUNTY HEALTH OPERATING	
BCCP Program Income	
Supplies	6,700
Other Services and Charges	1,600
Capital Outlays	1,700
TOTAL COUNTY HEALTH OPERATING	10,000

IDENTIFICATION SECURITY PROTECTION REDACTION
FUND

Recorder

Other Services and Charges 14,000

LOCAL HEALTH MAINTENANCE FUND

Health Department

Personal Services 64,817

Supplies 3,067

Other Services and Charges 1,740

Capital Outlays 3,048

TOTAL LOCAL HEALTH MAINTENANCE FUND 72,672

MOTOR VEHICLE HIGHWAY

Highway

Capital Outlays 613,000

PARK & RECREATION NON-REVERTING OPERATING

Park Department

Supplies 72,100

Other Services and Charges 96,000

Capital Outlays 61,500

TOTAL PARK & RECREATION NON-REVERTING
OPERATING 229,600

AUDITOR'S PLAT BOOK FUND

Auditor

Personal Services 47,667

Supplies 1,900

Other Services and Charges 9,200

TOTAL AUDITOR'S PLAT BOOK FUND 58,767

SOLID WASTE DISPOSAL FEES

Solid Waste

Capital Outlays 3,500,000

STORM WATER MANAGEMENT OPERATING

Commissioners

Other Services and Charges 8,300

Plan Commission

Personal Services 10,335

TOTAL STORM WATER MANAGEMENT OPERATING 18,635

COUNTY SURVEYOR'S CORNER PERPETUATION FUND

Surveyor

Supplies	20,100
Other Services and Charges	25,500
Capital Outlays	64,000
TOTAL COUNTY SURVEYOR'S CORNER PERPETUATION FUND	109,600

LOCAL HEALTH TRUST FUND

Health Department

Personal Services	69,642
Supplies	2,735
TOTAL LOCAL HEALTH TRUST FUND	72,377

AUDITOR'S INELIGIBLE DEDUCTION FUND

Auditor

Personal Services	45,112
Supplies	4,500
Other Services and Charges	29,500
Capital Outlays	5,000
TOTAL AUDITOR'S INELIGIBLE DEDUCTION FUND	84,112

COUNTY ELECTED OFFICIAL TRAINING FUND

Recorder

Other Services and Charges	10,100
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ABANDONED VEHICLES

Sheriff

Other Services and Charges	80,350
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ENVIRONMENTAL SPECIAL PROJECTS

Commissioners

Capital Outlays	70,000
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MOBILE COMMAND CENTER

Emergency Management

Supplies	1,667
Other Services and Charges	2,000
TOTAL MOBILE COMMAND CENTER	3,667

MATERNAL CHILD AND HEALTH GRANT - MCH

Health Department - Program Income

Personal Services	532,658
Supplies	41,600
Other Services and Charges	138,301
Capital Outlays	4,750
TOTAL MATERNAL CHILD AND HEALTH GRANT	717,309

97.067 HS RADIO CASHE ACCESSORIES GRANT

Emergency Mangement

Capital Outlays	5,300
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97.042 2017 EMPG COMP FUNDS

Emergency Management

Other Services and Charges	7,700
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JUVENILE COMMUNITY CORRECTIONS GRANT

Juvenile Community Corrections

Personal Services	139,650
Supplies	12,152
TOTAL JUVENILE COMMUNITY CORRECTIONS GRANT	151,802

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 3, 2018.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Surveyor (106) requests \$6,964 to pay for a portion of an increased salary.

Phil Barker explained this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 21)

2. Concord Township Assessor (114) requests \$1,875 for MLS fee needed to access MLS information for sold properties for sales disclosure validation and assessment.

Kris Rowe explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 22)

B. EDIT (#1112)

1. Commissioners (980) request \$27,000 in support of the Center for Business Excellence program operated by the Greater Elkhart Chamber of Commerce. The County has financially supported this program for several years.

Tom Byers and Merritt Dilts explained this request to the Council.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request. (page 23)

2. Highway (980) requests \$225,000. \$25,000 to pay legal fees for various right-of-way matters and \$200,000 is the annual amount in 10-year plan for miscellaneous road projects which may include culverts, paving, storm sewer repairs and etc.

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 24)

C. SALES DISCLOSURE FEES (#1131)

1. Concord Township Assessor (114) requests \$2,025 for copy machine rent needed for sales disclosure validation and retention.

Kris Rowe explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 25)

2. County Assessor (980) requests \$26,500. This is an annual request for funds to cover the cost of three copiers, MLS service used to verify sales disclosures and for the cost of host of website.

Cathy Searcy explained this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 26)

D. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requests \$335,000. An annual request of \$100,000 is for miscellaneous bridge repairs that could include guard rails, log jams and painting, etc. \$150,000 is a 25% match to federal funding of the construction for bridge near CR 35 north of CR 8. \$85,000 is to cover construction inspection contract; the county will be reimbursed 80% from INDOT for the inspection costs.

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 27)

E. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) request \$128,000 to cover the annual maintenance of the GUTS software program that was paid for from the Cumulative Reassessment Fund prior to 2017.

Tom Byers explained this request to the Council.

On motion made by Stump and seconded by Wenger, the Council unanimously carried and approved this request. (page 28)

F. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) request \$5,000 for camera inspections to be conducted on county-regulated drains.

Phil Barker explained this request to Council.

On motion by Wenger and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 29)

G. ENHANCED ACCESS (#1154)

1. Recorder (980) requests \$30,000. This appropriation is an estimate of expenditures for 2018. Income for this fund is generated from fees and disbursement from this appropriation is a reimbursement to Fidlar Technologies for their contracted portion of the fees.

Jennifer Doriot explained this request to the Council.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 30)

H. COUNTY EXTRADITION (#1155)

1. Sheriff (980) requests \$80,000 to make monies available for the return of fugitives.

Sheriff Rogers reduced this request to \$12,345 and explained this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 31)

I. COUNTY HEALTH OPERATING (#1159)

1. BCCP Program Income (614) requests \$10,000 for the ongoing operation of the Breast & Cervical Cancer Program. Expenditures of income generated to cover expenses incurred for 2018 and to encourage women to take advantage of the program.

County Health Officer Lydia Mertz explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 32)

J. IDENTIFICATION SECURITY PROTECTION REDACTION FUND (#1160)

1. Recorder (980) requests \$14,000 for annual payment to Fidlar Software System. The total payment is split between this fund and the perpetuation fund.

Jennifer Doriot explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 33)

K. LOCAL HEALTH MAINTENANCE FUND (#1168)

1. Health Department (981) requests \$72,672 to set up accounts for 2018 funding.

Lydia Mertz explained this request to the Council.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 34)

L. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$613,000. This includes \$600,000 for the construction of bridge 410 and \$13,000 to replace the cutting edges on underbody blades for snow plows.

Jeff Taylor explained this request to the Council.

On motion made by Hess and seconded by Yohn, the Council unanimously carried and approved this request. (page 35)

M. PARK & RECREATION NON-REVERTING OPERATING (#1179)

1. Park Department (980) requests \$229,600 to appropriate funds from Non-Reverting revenues to supplement fund 1219 for 2018 fiscal year.

Ronda DeCaire explained this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 36)

N. AUDITOR'S PLAT BOOK FUND (#1181)

1. Auditor (980) requests \$58,767 to establish the 2018 budget.

Auditor Pauline Graff explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 37)

O. SOLID WASTE DISPOSAL FEES (#1194)

1. Solid Waste (980) requests \$3,500,000 for new Cell E-F construction. This includes engineering, plan preparation, QCQA, and building improvements.

John Bowers explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 38)

P. STORM WATER MANAGEMENT OPERATING (#1197)

1. Commissioners (130) request \$8,300 to supplement administrative fee in the 2018 Storm Water budget. This is intended to offset the increased wages in Surveyor's office as this office will be assuming coordination responsibilities for the Storm Water program in 2018.

Tom Byers explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 39)

2. Plan Commission (132) requests \$10,335 to cover increase portion of director salary, SS, Medicare and PERF to comp time earned as hourly in 2017 prior to changing salary.

Phil Barker explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 40)

Q. COUNTY SURVEYOR'S CORNER PERPETUATION FUND (#1202)

1. Surveyor (980) requests \$109,600 to set up budget for 2018 perpetuation.

Phil Barker explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 41)

R. LOCAL HEALTH TRUST FUND (#1206)

1. Health Department (980) requests \$72,377 for funding of 2018.

Lydia Mertz explained this request to the Council.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 42)

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

1. Auditor (980) requests \$84,112 to establish the 2018 budget. This includes monthly fee for LexisNexis to verify no other homestead deduction has been filed as well as Docuware for our online service which we collect a monthly fee to offset cost.

Pauline Graff explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 43)

T. COUNTY ELECTED OFFICIAL TRAINING FUND (#1217)

1. Recorder (980) requests \$10,100 as an estimate of expenditures to be spent for training costs for elected officials.

Jennifer Doriot explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 44)

U. ABANDONED VEHICLES (#1223)

1. Sheriff (980) requests \$80,350 to pay towing bills in relation to abandoned vehicles and for newspaper publications regarding the sale of seized property.

Brad Rogers explained the misprint in the amount of the request and reduced this request to \$8,350.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 45)

V. ENVIRONMENTAL SPECIAL PROJECTS (#4803)

1. Commissioners (980) request \$70,000 to offset the approximate cost of \$600,000 to replace the City of Elkhart's 1985 HAZMAT vehicle which serves the entire county and between 40-50% of all calls are in the unincorporated areas of the county.

Tom Byers explained this request to the County.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 46)

W. MOBILE COMMAND CENTER (#4927)

1. Emergency Management (980) requests \$3,667. These funds are received from Waste Management Fire Response.

With no one representing this department, Randy Yohn explained this request to the Council.

On a motion made by Yohn and seconded by Hess, the Council approved this request after a roll call vote of 4:2 with Stump and Wenger voting Nay. (page 47)

X. MATERNAL CHILD AND HEALTH GRANT – MCH (#8127)

1. Health Department – Program Income (614) requests a total of \$717,309 to set up the budget for 2018.

Lydia Mertz explained this request to the Council.

On motion made by Stump and seconded by Wenger, the Council unanimously carried and approved this request. (page 48)

Y. HS RADIO CASHE ACCESSORIES GRANT (#8156)

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

No one was available to speak on behalf of Emergency Management regarding this request.

This request was denied as a result of a 3:3 roll call vote with Letherman, Hess and Yohn voting Aye and Wenger, Riegsecker and Stump voting Nay. (page 49)

Z. EMPG COMP FUNDS (#8157)

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

No one was available to speak on behalf of Emergency Management regarding this request.

This request died after no motion was made and therefore was denied. (page 50)

AA. JUVENILE COMMUNITY CORRECTIONS GRANT (#9120)

1. Juvenile Community Corrections (980) requests \$151,802. These funds were appropriated to wrong fund in November. This is to correct resubmission of funds awarded by an Indiana Department of Corrections for Juvenile Community Corrections Grant FY2018.

Pauline Graff explained this request to the Council.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request. (page 51)

REDUCTIONS:

BB. SOLID WASTE DISPOSAL FEES (#1194)

1. Solid Waste (980) requests a reduction of \$-590.86 due to a finished project.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this reduction. (page 52)

CC. COMMUNITY CORRECTIONS JUVENILE (#4924)

1. Juvenile Community Corrections (980) requests a reduction of \$-151,802 to correct the November appropriation of misplaced grant money into wrong fund.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approved this request. (page 53)

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (1000)

1. Court Services (168)

From	42380 Capital Supply Items	431.00
To	44515 Other Office Equipment	431.00

Bob Girard explained this transfer request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 54)

OTHER BUSINESS

- (a) Approval of Cash Fund Transfer Resolution CC-2018-01 concerning transfer of responsibility for cash funds.

Pauline Graff explained this resolution to the Council.

On motion made by Hess and seconded by Wenger, the Council unanimously carried and approved this resolution. (page 55)

- (b) Approval of Ordinance No. CC-2018-02, and Ordinance of the Elkhart County Council Encumbering 2017 Funds for 2018 Budget Year.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this ordinance. (page 56)

AUDIENCE ITEMS

Mary Ann Lienhart-Cross discussed sickness prevention and quick healthy snacks as well as Purdue Extension events.

Melissa Kauffman noted that in the GOP newsletter included a year in review from a council person that said they rescinded their vote on the CR 8 multi-use path and questioned the action. Letherman responded that after contact with lawyers, the conclusion was that the rescinded vote could not happen months later so no action has been taken. Kauffman explained that she feels the County government has not been clear of their intentions regarding CR8 path.

Glenn Null of Goshen expressed his opinion of gas tax funds should be spent on roads only and suggested again using recovered/abandoned vehicles and repurposing them for other department use. He also discussed other issues.

Rick Hunsicker of Elkhart supports the Quaker Trace CR 8 path and appreciates the decision making the Council puts forth.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:22 a.m. on motion by Yohn seconded by Riegsecker and unanimously carried.

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.