

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**July 2018**

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

Also present were: Pauline Graff County Auditor, Dawn Truex Deputy County Auditor, Craig Buche, County Attorney; Mike Yoder Commissioner; Suzie Weirick, Commissioner and Tom Byers, County Administrator.

**MINUTES:** Approval of minutes for June 9, 2018.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved the June 9<sup>th</sup>, 2018 minutes. (pg. 257)

**COMMITTEE REPORTS:**

COMMISSIONERS: Mike Yoder on Fiber Optics, Study of IT System.

COUNCIL: Dave Foutz on clarifying whether Capital Outlays should be put in budget or Tom Byers to approve Capital Outlays versus putting them in budget.

Dave Hess on Agriculture Report, Commodities, Trade Deals

John Letherman on salaries and making sure that we can budget the increases in future budgets to insure availability of funds in the future

SHERIFF: No Report

AUDITOR: Pauline Graff on financial update, Bond Report and Rainy Day Fund Report.

Craig Buche: Ordinance CC-20108-08 Reconfirming Rainy Day Fund

**EDC MATTERS:** (pg. 295)

Mark Dobson on RV Industry, discussed the lack of Service Technicians in Elkhart and the RV Technical Institute in Elkhart.

He talked about some of the RV companies laying off employees and calls it a healthy pause. Discussed 2017 open house many dealers ordered extra units now lots are full and they don't want to order 2018 models but want to wait for the 2019 models coming out in September.

EDC reports on the following programs:

Ex-offenders-Leadership Certificate, Purdue MVP Program. To re-engage successfully into society.

Vets- Working with IN.vet Reports of ongoing projects

John Letherman thanked the EDC for their hard work and their foresight into the future. 247

Mark Dobson talk about Phase 2 of the Project Banana East-West, North-South INC. - RV Company. He discuss the company simplifying future floor plans. Discussed that this is a Division of Forest River and they project 650 future jobs with an average wage of \$25.50 per hour, 5 year tax phase in. Mr. Michael Stump representative of Forest River was present.

Elkhart County Council President John Letherman recuses himself as his son is currently involved in the project.

Craig Buche introduces Resolution CC-2018-11 Declaratory Resolution designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements for Property Tax Phase In.

On Motion by Foutz and seconded by Stump, the Council unanimously carried and approved the Declaratory Resolution CC-2018-11. (pg. 298)

**HUMAN RESOURCE MATTERS:**

Kirt Hunsberger reintroduces Salary Ordinances from June’s meeting that didn’t pass due to David Hess recusing himself and 2 other Council members absent. Council could not get 2/3 majority to pass the ordinances.

Hunsberger asks Council members to vote on Salary Ordinances: Superior Court 4- General Fund (1000-168)

Court Recidivism Grant (9130-981)  
Superior Court 4- General Fund (1000-165)  
Soil & Water- General Fund (1000-144)  
Stormwater- (1197-980)

On Motion by Stump and seconded by Riegsecker, the Council passed the Ordinances with 2/3 majority. Let the record show David Hess abstained from the vote. (pg.260)

Kirt Hunsberger presents Salary Ordinance Human Resources Assistant Director (1000-142) to the Council.

On motion by Foutz and seconded by Stump, the Council unanimously carried and passed the Salary Ordinance. (pg. 261)

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000

1. Superior II (163) requests \$458.00 to replace law books at the end of the year. (pg. 262)

Pauline E. Graff read this request to the Council.

On motion by Yohn and seconded by Stump, the Council unanimously carried and approved this request. 248

B. EDIT (#1112)

1. Commissioners (980) requests \$207,199.00 for 2018 contribution to the Economic Development Corporations. Mark Dobson, Sherm Hansen and Denise Hoke representatives from the EDC were present.

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

C. EDIT (#1112)

1. Highway (980) requests \$3,014,500.00 for funds to replace tower lighting on the New Paris Tower, Engineering CR 17 and paving additional roads.

On motion by Stump and seconded by Riegsecker, the council unanimously carried and approved the appropriation. (pg. 264)

1. Highway (980) requests \$400,000.00 for June 2018 Major Moves principal payment. (pg. 265)

On motion made by Hess and seconded by Yohn, the Council unanimously carried and approved the appropriation.

D. LIT SPECIAL PURPOSE (#1114)

1. Sheriff's Department request \$25,000.00 to fund purchase of products needed in the housing of inmates.

Sheriff Brad Rogers presented this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved the appropriation. (pg. 266)

E. CLERK'S PERPETUATION (#1119)

1. Clerk (980) request 36,000.00 to replace 2 microfilm readers at the Archives facility. (pg. 267)

Chris Anderson explains to the council that both readers mandate they be run on Windows XP. Windows 7, 8 and 10 are not compatible with this old technology.

On motion made by Yohn and seconded by Stump, the Council unanimously carried, and approved the appropriation. 249

E. CUMULATIVE BRIDGE (#1135)

1. HIGHWAY (980) requests \$51,000.00 for funds needed to seal the following bridge decks: #126-\$11,515.00, #15 \$4521.00.

Jeff Taylor explains this request to the council.

On motion made by Hess and seconded by Stump, the Council unanimously carried, and approved the appropriation. (pg. 268)

F. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$108,000.00 for maintenance on County Regulated drains.

Phil Barker explains this request to the council.

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

G. EXTRADITION (#1155)

1. Sheriff's Department request \$14,633.00 to make monies available to pay invoices for the return of fugitives per court order.

Sheriff Brad Rogers explains to the Council that this expense used to be taken care of by the Bondsmen, which is not the case today. So the expense is falling back on the Sheriff's Department.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried, and approved the appropriation. (pg. 270)

H. LOCAL ROAD & STREET (#1169)

1. Highway (222) request \$20,000 for funds for equipment repair parts.

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

2. Highway (980) requests \$50,000.00 for funds to prepare gravel roads for calcium chloride and chip seal. (pg. 272)

Jeff Taylor explained these request to Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously, carried and approved the appropriation.

I. MAJOR BRIDGE (#1171)

1. Highway ( 980) requests \$27,390.00 for funds needed to seal the following bridges: #12, #156- \$10,645. #387- \$16,744. (pg. 273)
2. Highway (980) requests #750,000.00 for June 20108 Major Moves principal payments for Six Span Bridge Project. (pg. 274)

On motion made by Foutz and seconded by Stump, the Council unanimously carried, and approved these appropriation.

J. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (201) requests \$20,000.00 for funds needed to pay for data processing services at the Highway Department. (pg. 275)

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved the appropriations.

2. Highway (204) requests \$10,000.00 for funds needed to upgrade various software programs. (pg. 276)
3. Highway (980) requests \$50,000.00 for funds required to repair the main bed frames and/or cross members on several trucks. (pg. 277)

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved both of these appropriations.

K. CUMULATIVE REASSESSMENT (#1188)

1. County Assessor (980) request \$37,061 to cover the cost of Elkhart County's share of the 2017 aerials for GIS. Note: MACOG covers the majority of the cast.

Tom Byers explained this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried, and approved the appropriation. (pg. 278)

J. AUDITOR'S INELIGIBLE HOMESTEAD FUND (#1216)

1. Auditors (980) request \$15,320 for a Tax Refund for an ineligible payment. (pg. 279)

Pauline E. Graff explained to the Council, she states the Taxpayer brought proof of homestead eligibility.

On motion made by Yohn and seconded by Stump, the Council unanimously carried, and approved the appropriation.

N. PARKS & RECREATION (#1219)

1. Park Department (320) request \$2,500.00 for funds to cover staff wages in the part-time account to assist. (pg. 280)
2. Park Department (320) request \$5,100.00 for funds to cover staff wages in the part-time account. (pg. 281)

Ronda DeCaire presented both requests to the Council.

On motion made by Foutz, and seconded by Yohn, the Council unanimously carried, and approved the appropriation.

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

1. Planning & Development (980) request \$68,216 for funds for a Project billing error, Bond fee paid to Region's bank & for Fiber Optic line for Love's drive to serve the business park.

Natasha Kauffmann explained that funds are needed to cover a project billing error, it was paid twice. She explains that the appropriation needs approval prior to the reduction of funds to close out the project. She goes on to explain the Bond fee payment, and the Fiber Optic lines for the Love's drive to serve the business park.

On motion made by Foutz, and seconded by Riegsecker, the Council unanimously carried, and approved the appropriation. (pg. 282)

P. PARK & RECREATION DONATIONS (#4909)

1. Park Board (980) is requesting \$4000.00 to set up the accounting from the Elkhart County Community Foundation Defries Garden Endowment . (pg. 284)

Ronda DeCaire explains to the Council that the funds are needed for the continuing payroll of the Defries Gardens at the River Preserve County Park for 2018.

On motion made by Foutz and seconded by Riegsecker, the Council unanimously carried and approved the appropriation.

**REDUCTIONS:**

S. EDIT (#1112)

1. County Highway (980) request a reduction of -15,500.00 due to closeout of Ash Road & CR 12 ROW funds left over after project. Can be returned to cash balance. (pg. 285)

T. CR 8 & 17 NE TIF (#4511)

1. County Highway (980) request a reduction of -88,202.37 for project closeout for contract services of JPR regarding PCR project and project closeout of Lilac Street water line in PCR. (pg. 286)

U. NORTH WEST GATEWAY TIF (#4504)

1. County Highway (980) requests a reduction in the amount of -26,615.00 for project closeout of Ash/Old 20 design. (pg. 287)

V. STORMWATER (#1197)

1. County Commissioners (130) request a reduction in the amount of -29,445.00 for project closeout for storm water funds associated with PCR lilac water line construction on private property. (pg. 288)

W. INFRACTION DEFERRAL (#2525)

1. Prosecuting Attorney's office request a reduction of -63,000.00 for reductions in their budget. (pg. 289)

X. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway requests a reduction in the amount of -35,755.00 for project closeout of CR 35 Salt Barn Roof. (pg. 290)

Y. CUMULATIVE BRIDGE (#1135)

1. County Highway requests a reduction in the amount of -22,322.00 for project closeout of Henke St. Bridge. (pg. 291)

On motion made by Foutz and seconded by Yohn, the Council unanimously carried and approved the above 7 reductions.

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A. GENERAL FUND (1000)

1. Code Enforcement (131)

From:	42110 Fuel	1,500.00
To:	41135 Paraprofessional	1,500.00

B. GENERAL FUND (1000)

1. Elkhart Circuit Court (160)

From:	42060 Law Books	3,000.00
	43140 Telephone	200.00
	43200 Printing	300.00

	43550 Office Repairs	700.00
	43825 Change of Venue Costs	500.00
To:	41165 Excess Hours	4,700.00
C. GENERAL FUND (1000)		
1. Superior Court (163)		
From:	43510 Maint. Contract	800.00
To:	44520 Office Equipment	800.00
D. GENERAL FUND (1000)		
1. Superior Court 5 (166)		
From:	43090 Professional Services	1,470.00
To:	44515 Office Equipment	1,470.00
E. GENERAL FUND (1000)		
1. Court Services (168)		
From:	42380 Capital Supply	590.00
To:	44515 Office Equipment	590.00
F. HEALTH (1159)		
1. Health Operating (340)		
From:	42090 Office Supplies	398.00
	43140 Telephone	1,249.00
	43090 Other Services	380.00
To:	42380 Capital Supply	398.00
	44545 Other Equipment	1,249.00
	44515 Office Furniture and Fixture	380.00
G. HEALTH (1159)		
1. Health Operating (340)		
From:	43140 Telephone	436.00
To:	44545 Other Machine	436.00
H. HEALTH (1159)		
1. Health Operating (340)		
From:	43050 Data Processing Services	1,574.00
	43520 Rebinding Records	821.00
To:	44540 Data Processing Software	1,574.00
	44535 Data Processing Hardware	821.00
	Total	2,395.00
H. WIC (8101)		
1. Women, Infants, Children's Grant (312)		
From:	43090 Other Professional Services	430.00
To:	44510 Other Equipment	430.00
I. WIC (8101)		
1. Women, Infants, Children's Grant (312)		
From:	43090 Other Professional Services	1,666.00
To:	44510 Other Equipment	1,666.00
J. MATERNAL & CHILD HEALTH (8127)		



1. Program Income (614)		
From:	41135 Paraprofessional	386.00
To:	43310 Liability Insurance	386.00

On motion made by Foutz and seconded by Stump, the Council unanimously carried and approved the above transfer requests. (pg. 291)

**TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:**

(Available in the Auditor’s office)

**OTHER BUSINESS**

**(a) Presentation by Horizon Education Alliance:**

Brian Weibe Executive Director of Horizon Education Alliance talked about the different grants they were awarded also about local dollars and how that has impacted the Alliance positively. Brian goes on to discuss the different programs they offer and the Alliance’s goals for the future. Talks about Partnership’s with local companies, schools, workforce development to enhance local talent pool.

Council President John Letherman asked if any schools or programs are addressing the need for our young people to be taught valuable financial management skills e.g. checking accounts, credit cards, school loans. He states this is Critically Important our youth be taught these skills.

Mary Ann Leinhart Cross reports that Purdue Extension offers programs for finance.

**(b) Consideration for Approval of CF1 form:**

Entech Incorporated/PP

Tom Byers explained that he reviewed the submitted CF-1 form and in June 9<sup>th</sup> council meeting, a 1 year extension for Entech was passed

On motion made by Foutz and seconded by Yohn, the Council unanimously carried and approved the CF-1 for the above named company. (pg. 294)

Diversified Machine Bristol, LLC / PP

Tom Byers asked the Council to table this. He wanted to give the above named company an opportunity to come in and talk to the Council.

On motion made by Riegsecker and seconded by Stump, the Council carried and approved the request.

- (c.) Approval of appointment of Mary Deters Hesser to the Middlebury Public Library Board of Trustees. Four year term which will expire 7/14/2022.

On motion made by Hess and seconded by Stump, the Council unanimously carried and approve the appointment. (pg. 292)

- (d.) Craig Buche presents the following Ordinance/Resolution to the Council:

1. An Ordinance Reconfirming and Continuing and Restating a Local Option County Motor Vehicle Excise Tax and Wheel Tax for Elkhart County, Indiana-CC-2018-09.

On motion made by Foutz and seconded by Stump, the council unanimously carried and adopted the Ordinance. (pg. 296)

1. Resolution of the Elkhart County Council Supporting a sale of Surplus Real Estate for County Road 38 Project, Resolution NO. CC-2018-10.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved the resolution. (pg.297)

### **AUDIENCE ITEMS:**

Mary Ann Leinhart Cross spoke about the 4H Fair and some of the exciting events taking place out there this week. She also discussed the Extension's Work & Share Program, Work Indiana Program. Mary Ann introduced Erica Stutzman an active 4H member. Erica states that this is her last year in 4H as she is a senior, states she has been a 4H officer since the 8<sup>th</sup> grade. She spoke about the things that 4H has taught her through the years e.g. working together, responsibility, practice talking in front of people. The Council thanked Erica for coming and wished her luck in her future endeavors.

Glenn Null talked about the Memorial at the Courthouse. He also inquired about who the Veteran Affairs Contact is on the Council. (Tina Wenger). Glenn also discussed the high price for gas in Elkhart County compared to other areas. Talked about the Wheel tax and questioned if that money was being used on roads.

### **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 10:10 am on motion made by Foutz, seconded by Riegsecker, 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.

