

MINUTES
ELKHART COUNTY COUNCIL
December 8th, 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 Administration 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, Thomas W. Stump and Tina M. Wenger

Also present were: Pauline Graff Auditor; Patty Pickens Chief Deputy Auditor; Craig Buche, County Attorney; Mike Yoder, Commissioner; and Tom Byers, County Administrator

MINUTES: Approval of minutes for November 10th, 2018

On motion made by Foutz and seconded by Stump, the Council unanimously carried and approved the November 10th, 2018 minutes.

COMMITTEE REPORTS:

COMMISSIONERS: Mike Yoder Discusses the highlight of the year. He states he doesn't recall ever having so many projects starting and completing in a years' time. Yoder discusses the ICC Convention and was reminded how nice it is to work with the Council and have a good working relationship. Yoder acknowledged the Retirees, Pauline Graff, Sheriff Brad Rogers, David Foutz and Tom Byers.

He wishes everyone a Merry Christmas and looks forward to working together in 2019.

COUNCIL: John Letherman publically commends Sheriff Brad Rogers for excellent job, years of service and the great working relationship with the Council and the Commissioners

Jeff Taylor will transition into County Administrator when Tom Byers retires on January 4th, 2019.

Letherman presented the following plaques for Outstanding Service to the People of Elkhart County:

David Foutz Councilman 2007-2018 -12 years on the County Council
Foutz was an Economics teacher prior to sitting on the Council.

Pauline Graff Auditor 1999-2018 Pauline Served as Payroll Supervisor, Chief Deputy Auditor and Auditor for 19 + years at Elkhart County Letherman states that Graff was voted Auditor of the Year for 2 years by her peers in Indianapolis.

Letherman states it has been a pleasure working with both and appreciates all the hard work. He wishes them both the best for the future.

Wenger on NACO. She states she has been appointed to serve on several committees with the NACO which include: Immigration Reform Task Force Committee, International Economic Reform Task Force Committee, and the Human Services & Education Steering Committee.

SHERIFF: Sheriff Brad Rogers introduces Liam Tuttle & Jackson Kuhn. He explains these 2 young men are working on their Citizenship of Community Merit Badge for the Boy Scouts and are required to attend a government meeting. Sheriff Rogers also states that this is his last Council meeting as Sheriff he went on to discuss that he has been asked to stay on as Jail Commander. He feels honored to have had the opportunity to serve and to continue to serve our Community and County.

Foutz on Dredging on Simonton Lake.

AUDITOR: Graff on Financial Report. Graff thanked everyone and states she has enjoyed her years at the County.

EDC MATTERS:
REPORT-COUNCIL COMMISSIONER PERSONNEL COMMITTEE

Elkhart County Council Commissioner Personnel Committee
117 N. Second Street, Room 104, Goshen, Indiana
November 27, 2018 at 8:30am
For Presentation to County Council on December 8, 2018

I. Human Resource Requests

A. Public Defender

1. ~~General Fund (1000-175-41120): Request one new full time Public Defender, NC, \$73,600 annually. Effective 12-9-18. Withdrawn.~~
2. Public Defender Supplemental (1200-980-41135): Request to reinstate one Legal Assistant II, PG4/JF1, \$16.39/hr, that was not funded for 2019. Effective 12-9-18. (Revised from agenda request)

On motion made by Yohn and seconded by Lucchese, the CCPC approved request #2, as amended, with 3 in favor and 1 against.

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

B. Concord Assessor

1. General Fund (1000-114-41105): Request reclassification of First Deputy Concord Assessor from PG6/JF6 to PG7/JF6, \$1863.55 bi-weekly, effective 12-9-18.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request, 4-0.

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

C. Landfill

1. Landfill (1194-338-41150): Request two new Multipurpose positions, PG3/JF2, \$14.89/hr. Only one of the two positions is career development eligible. Effective 12-9-18.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved the request, 4-0.

On motion made by Foutz and seconded by Stump, the Council carried and unanimously approved this request.

D. Sheriff

1. General Fund (1000-105-41140): Request reclassification of one Process Server, PG3/JF4, 41130, to Sex and Violent Offender Registry Clerk, PG4/JF4, 41130. Effective 12-9-18.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved the request, 4-0.

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

E. Prosecuting Attorney

1. General Fund (1000-108-41120): Request two new full time Deputy Prosecuting Attorneys, NC, \$75,000 annually. Effective 12-9-18.
2. General Fund (1000-108-41135): Request one new Legal Assistant III and two new Legal Assistant II positions, PG4/JF1, \$16.39/hr. Effective 12-9-18.
3. General Fund IV-D (1000-158-41120): Request one new full time Deputy Prosecuting Attorney, NC, \$68,000 annually. Effective 12-9-18.
4. General Fund IV-D (1000-158-41135): Request one new Legal Assistant III, PG4/JF1, \$16.39/hr. Effective 12-9-18.
5. General Fund IV-D (1000-158-41135): Request one new Legal Assistant I, PG3/JF1, \$14.89/hr. Effective 12-9-18.

On motion made by Stump and seconded by Lucchese, the CCPC voted on two new full time Deputy Prosecuting Attorneys and one new Legal Assistant position and will take the other requests under advisement, with 2 in favor and 2 against.

Vicki Becker Prosecuting Attorney presented this to the request to the Council. Councilman David Hess states he believes that this should have been dealt with at Budget time. Councilman Randy Yohn states that to ask for a ½ million dollars in additional appropriations with no discussion at budget time, he feels the timing is off.

Stump states that Becker wrote a letter to the committee discussing her primary reason for the request, which is she needed several months to evaluate her office's needs. Becker discussed numbers in caseloads and the need for additional prosecutors.

Audience member Glenn Null states that Becker has been in the Prosecutor's office for 2 years and feels that she should have brought this up in her budget. He states he feels it is poor planning and feels it should be tabled and looked at again. He also suggest they take a look at the current spending.

Letherman asks Becker if she could get by with 2 new Prosecutors and 1 new Legal Assistant and discuss the other requests at a later date. Becker said she could.

On Motion made by Stump and seconded by Riegsecker, the Council carried by a vote of 5-2 with Hess and Yohn voting no. The request was approved with 2 new prosecutor's and 1 new legal assistant.

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II. Miscellaneous Items

A. Review and approval of 2019 CCPC Schedule

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC approved the schedule, as amended, 4-0.

B. Discussion on review of positions procedure

III. Adjournment

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC adjourned the meeting at 11:09 a.m.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. CLOCK TOWER RESTORATIONS (#9132)

1. Commissioners (980) requests \$40,000.00 for funds that were awarded for the Clock Tower Restoration Fund Grant from Elkhart County Community Foundation.

Tom Byers presented this request to the Council.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved this request.

B. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway Department (204) requests \$80,000.00 to pay for group insurance for the remainder of 2018.

Jeff Taylor presented this to the Council.

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

REDUCTIONS:

TOTAL ALL APPROPRIATIONS WITH REDUCTIONS: \$120,000.00

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	GENERAL FUND (#1000)		
	1. Treasurer (103)		
		43050 Data	
	From:	Processing	5,000.00
		42380 Capital	
	To:	Supply	5,000.00
B.	GENERAL FUND (#1000)		
	1. County Council (129)		
	From:	43130 Mileage	319.00
	To:	42330 Service Awards Program	319.00
C.	GENERAL FUND (#1000)		
	1. Planning & Development (132)		
	From:	43830 Ed & Conference Costs	267.00
	To:	44515 Office Furniture	267.00
D.	GENERAL FUND (#1000)		

	1. Buildings & Grounds (140)		
	From:	43550 Office & Other Equip.	38,000.00
	To:	42195 Operating Supplies	10,000.00
		42205 Repair Parts	15,000.00
		42270 Other Repair & Supplies	2,000.00
		41145 Skilled Craft Worker	1,000.00
		41165 Excess Hours	3,500.00
		42210 Repair Parts Auto & TK	5,000.00
		42130 Tires & Tubes	1,500.00
		Total:	<u>38,000.00</u>
E.	GENERAL FUND (#1000)		
	1. Extension (145)		
	From:	42380 Capital Supplies	2,500.00
	To:	44520 Office Equipment	2,500.00
F.	GENERAL FUND (#1000)		
	1. IV-D Prosecuting Attorney (158)		
	From:	42090 Office Supplies	1,200.00
	To:	43090 Other Professional Services	1,000.00
		43110 Sustainance	200.00
		Total	<u>1,200.00</u>
G.	GENERAL FUND (#1000)		
	1. Court Services (168)		
	From:	43090 Other Professional Services	460.00
	To:	41310 Group Insurance	460.00
H.	LOCAL ROAD & STREET (#1169)		
	1. Highway (222)		
	From:	42110 Fuel	10,000.00
	To:	43590 Repairs	10,000.00
I.	MOTOR VEHICLE HIGHWAY (#1176)		
	1. Co. Highway Maint. & Repair(202)		
	From:	42215 Stone & Gravel	200,000.00
	To:	43090 Other Professional Services	200,000.00

On motion made by Foutz and seconded by Riegsecker, the council unanimously carried and an approved A through I transfers.

TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:
(Available in the Auditor's office)

OTHER BUSINESS

Craig Buche presented the following to the Council:

- (a) Review of Loan Resolution No. CC-2016-12 –RESOLUTION AUTHORIZING THE LOANING OF MONEY FROM THE LOCAL MAJOR MOVES CONSTRUCTION FUND FOR THE COUNTY ROAD 38 AND KERCHER ROAD BRIDGE RECONSTRUCTION PROJECT.
- (b) Review of Loan Resolution, Resolution No. CC-2011-07- RESOLUTION RE-AMORTIZING LOAN FROM THE LOCAL MAJOR MOVES CONSTRUCTION FUND FOR THE JOHNSTON STREET BRIDGE PROJECT AND THE SIX SPAN BRIDGE PROJECT.
- (c) Current Loan Draw Schedule-Bristol Bypass

Craig Buche reviewed & updated 2008 payment schedules. Letherman asked the current interest rate, which is currently at 2%. The Council discussed possibly increasing the interest rate to 2.75%. Commissioner Mike Yoder weighed in and he states he doesn't think that an increase is warranted at this time.

Other Council members concerns are if 1 loan is increased that would increase all the other loans interest.

Craig Buche suggest we leave as it is now and review in 6 months. The Council asked for an amortization schedule at the next review.

Audience Members Glenn Null and Ron Norman asked questions and voiced their opinions.

On motion made by Stump and seconded by Riegsecker to leave it like it is now and review it in 6 months, the Council carried and unanimously approved the motion.

- (d) Craig Buche gave a brief overview for RESOLUTION NO. CC-2018-21 RESOLUTION AUTHORIZING THE LOANING OF MONEY FROM THE LOCAL MAJOR MOVES CONSTRUCTION FUND FOR THE ELKHART COUNTY 911 CENTER 800 MHZ RADION SYSTEM UPGRADE PROJECT for consideration and approval.

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

AUDIENCE ITEMS:

Glenn Null states he was happy to see the flag flying at half-staff for President Bush. He thanks Councilwoman Tina Wenger on asking questions on different items. He would like to see more transparency with the Prosecutor's office with more information going out to the public.

Councilman Stump questions what info the public has access to concerning the Prosecutor's office.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:35am on motion made by Foutz, seconded by Yohn, 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.

