

MINUTES
ELKHART COUNTY COUNCIL
August 11, 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, Tina Wenger

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

MINUTES: Approval of minutes for July 14th, 2018.

On motion made by Riegsecker and seconded by Foutz, the Council unanimously carried and approved the July 14th, 2018 minutes and they were added. (pg. 311)

COMMITTEE REPORTS:

COMMISSIONERS:

COUNCIL: Tina Wenger on attendance at (NACO) National Association of Counties conference in Nashville Tennessee in July and the State Conference in June. She also discussed the Farm Bill Legislation.

David Foutz asked for Clarification of Capital Expenses, should they be included in the Budget or go through Tom Byers. Tom Byers explained the process. David Hess pointed out that if it is not included in the budget and advertised they cannot be added to it later.

John Letherman discusses the importance of having a backup plan in order to make ensure that we are cover in case of an Economic downturn.

SHERIFF: Sheriff Brad Rogers on Elkhart County being awarded the Triple Crown Award from the NSA. He explains this award is for achieving 3 accreditations simultaneously. Commission on the Accreditation of Law Enforcement Agencies, the American Correctional Association's Commission on Accreditation for Corrections and the National Commission on Correctional Healthcare. Rogers states that out of 3100 sheriff's departments nationwide, less than 3% receive this award.

AUDITOR: Pauline Graff on Financial Report.

Wendy Hudson (Clerk of Circuit Court) thanked the Council and said her goodbye before embarking on her new endeavor in California. John Letherman and the Council thanked her for her service and wished her the best. 301

EDC MATTERS:

Public Hearing:

On County of Elkhart, Indiana Declaration of Economic Revitalization Area East to West, North to South, INC

President John Letherman vacated chair and Vice President David Hess assumed the chair.

Craig Buche gave a brief introduction and explanation of the process.

Open Public Hearing: On motion made by Riegsecker and seconded by Yohn the council voted and approved to open a Public Hearing for East to West, North to South, INC.

Craig Buche and Mark Dobson gave a brief overview of the proposal for East to West, North to South, INC. (Division of Forest River) Dobson gave an overview of the company's investment and their plan to hire 650+ new employees. Mr. Michael Stump company representative was present to answer any questions.

No comments were made by the Public on this matter.

Close Public Hearing: On motion made by Yohn and seconded by Riegsecker the council voted and approved to close the Public Hearing for East to West, North to South, INC. (pg.347)

Craig Buche explains to the Council the two documents for approval would are as follows:

1. Resolution NO. CC-2018-12 Resolution Setting Forth Final Action in Determining That the Qualifications for an Economic Revitalization Area Have Been Met and Confirming Resolution NO CC-2018-11.

On motion made by Riegsecker and seconded by Stump the council carried and approved this request. (pg. 348)

2. Commitment and Payment Arrangement:

On motion made by Foutz and seconded by Riegsecker, the council carried and approved this request. (pg. 349)

President John Letherman takes back the Chair.

HUMAN RESOURCE MATTERS:

Kirt Hunsberger presented the following Salary Ordinances to the Council:

B. Auditor

1. General Fund (1000-102-41140): Request exception to policy to allow for additional 3% increase above the top of the hiring range for Clerk III, \$14.20/hr, effective 8-19-18. 302

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

On motion of Riegsecker and seconded by Stump, the council unanimously carried and approved the request. (pg. 314)

C. Health Department

1. Health Operating (1159-340-41115): Request reclassification of Secretary III (Mast), PG4/JF1, \$16.39/hr, to Executive Assistant, PG6/JF6, \$20.79/hr. Effective 8-19-18.

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

On motion made by Yohn and seconded by Riegsecker, the council unanimously carried and approved this request. (pg. 315)

2. Health Operating (1159-340-41120): Request two new Environmentalist II positions, PG6/JF5, MP, \$22.87/hr, effective 8-19-18.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved the request, 2-1.

On motion made by Stump and seconded by Riegsecker, the council carried and approved this request. Hess voted Nay. (pg. 316)

3. MCH Program Income (8127-614-41120): Request Dentist position (Maxwell) be converted from exempt to non-exempt, 36 hrs a week. Effective retroactive to 7-9-18.

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

On motion made by Hess and seconded by Riegsecker, the council carried and approved this request. (pg. 317)

D. Planning and Development

1. General Fund (1000-131-41115): Request Administrative Manager position (Britton), be converted from non-exempt to exempt and a 6% individual rate increase to \$2074.50 bi-weekly. Effective 12-9-18.

On motion made by Stump seconded by Hess (vacated chair) and unanimously carried, the CCPC approved the request, 2-0, Yohn abstained. 303

On motion made by Foutz and seconded by Hess, the council carried with a vote of 6-0 approved this request. Yohn abstained. (pg. 318)

2. General Fund (1000-132-41135): Request new RPT Process Editor

position, PG4/JF1, \$15.50/hr. Effective 12-9-18.

On motion made by Stump and seconded by Yohn, the CCPC recommended the request be a part time position (2-1 vote) and the request will be forwarded to budget hearings for review.

3. General Fund (1000-131-41125): Request new Code Inspector position, PG5/JF3, \$18.03/hr. Effective 12-9-18.

On motion made by Stump and seconded by Yohn, the CCPC recommended the request be a part time position (3-0 vote) and the request will be forwarded to budget hearings for review.

E. Highway

1. Highway (1176-202-41125): Request new Engineering Tech II position, PG6/JF3, MP, up to \$27.58/hr. Effective 8-19-18.

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

On motion made by Stump and seconded by Foutz, the council unanimously carried and approved this request. (pg. 319)

2. Stormwater MS4-Highway (1197-204-41150): Request that one of the two new Multipurpose CDL positions approved at May CCPC, be funded through stormwater funds. Previously approved that both positions be funded through 1176-202.

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

On motion of Stump and seconded by Foutz, the council unanimously carried and approved this request. (pg. 319)

F. Sheriff

1. General Fund (1000-105-41120): Request one new Manager, Accreditation, PG8/JF5, \$2087.66. Effective 8-19-18.

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

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Sheriff Brad Rogers explains this request with the emphasis on importance of being compliant. Yohn and Hess discussed accreditation and someone watching to make sure we are in compliance.

On motion of Foutz and seconded by Stump. The council unanimously carried and approved this request. (pg. 320)

2. PS LOIT (1170-980-41115): Request one new Programming Director, NC, to follow Lieutenants pay scale in Sheriff's salary ordinance, 0-1 year \$66,225/year plus benefits. Newly approved grant to cover partial salary and benefits. Effective 8-19-18.

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

On motion of Foutz and seconded by Stump, the council unanimously carried and approved this request. (pg. 321)

3. PS LOIT (1170-980-41130): Request one new Patrol Officer position, NC, \$23.10/hr. Effective 8-19-18.

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

On motion of Foutz and seconded by Stump, the council unanimously carried and approved this request.

4. Discussion on market rate increase included in 2019 budget.

Discussion only, to be heard at budget hearings.

G. Superior Court #1

1. General Fund (1000-162-41135): Request reclassification of one Legal Assistant II position (vacant), PG4/JF1, to one (new) Bailiff position, PG6/JF4. Also request exception to policy, to allow for current pay to be retained if a current county employee is hired, not to exceed maximum of paygrade. Effective 8-19-18.

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

Judge Kristi Osterday explained the need to have an armed Bailiff in her courtroom. She discussed reason for that position to be under her direct supervision versus the sheriff's department. She discussed the importance due to difficult cases in her courtroom.

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Jim Ramer from the audience states he would feel more at ease if this position would be under the Sheriff's department supervision instead of under the courts. Judge Osterday states they are working with the Sheriff's department.

On motion of Hess and seconded by Foutz the council unanimously carried and approved this request. (pg. 323)

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. EDIT (#1112)

1. Highway (980 requests \$150,000.00 for funds to run fiber in various locations throughout the county. Funds to install dark fiber to Bristol. Taylor estimated the total cost to the project at \$350,000.

Jeff Taylor explains the request to the Council.

On motion by Wenger and seconded by Foutz, the Council unanimously carried and approved this appropriation. (pg. 324)

B. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) requests \$40,000 for funds needed to engineer the replacement of bridge #361-N. Main St. Elkhart

Jeff Taylor explains to the Council the design will be completed in house by engineering staff and the funds are for survey, permitting and any other associated costs for designing the project in-house.

On motion made by Stump and seconded by Foutz, the Council unanimously carried and approved this appropriation. (pg. 325)

C. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) request \$200,000.00 for Contract with Rebecca Meissen for IT strategies.

Tom Byers Explain this request to the Council.

On motion made by Stump and seconded by Foutz, the Council unanimously carried and approved this appropriation (pg. 326)

D. CUMULATIVE DRAIN (#1141)

1. Surveyor(980) requests \$60,000.00 for maintenance on county regulated drains.

Phil Barker explains this request to the Council. 305

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved the appropriation. (pg. 327)

E. LOCAL ROAD AND STREET (#1169)

1. Highway Department (980) request 520,000 for funds needed for annual road striping, replacement of culvert and supplies/materials.

Jeff Taylor explains to the Council that the culvert on CR 111 between CR. 36 needs to be replaced. The work will be performed in-house by drainage crews.

On motion made by Yohn and seconded by Stump, the Council unanimously

carried, and approved the appropriation.

(pg. 328)

F. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (980) requests 265.00 to bring project from -264.59 balance to a zero balance.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried, and approved the appropriation. (pg. 329)

G. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) request \$22,600.00 for Budget for FY 2019. (pg. 330)

H. SOUTH BENTON TIF (#4503)

1. Planning and Development (980) requests \$26,272.00 for long term debt payment to Syracuse for water/sewer line extension. (pg. 331)

I. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) requests \$38,411.00 for long term debt payment to Environmental Sp. Projects for sewer/water line. (pg. 332)

J. MIDDLEBURY EAST (#4510)

1. Planning and Development (980) requests \$319,159.00 for long term payment to Middlebury for Sewer Plant upgrade.

Natasha Kauffman explains the precious 4 TIF requests to the Council. She request they be voted on together. No objections were made.

On motion made by Stump and seconded by Riegsecker, the council unanimously carried and approve these appropriations. (pg. 333)

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

1. Planning and Development (980) requests \$80,960.00 for fiber optic infrastructure in various parts of NE TIF, and for final payment to DJ Construction/Schrock Real Estate for Beck Drive sewer line.

Natasha Kauffman presented this request to the Council.

On motion made by Riegsecker and seconded by Stump, the council unanimously carried and approved this appropriation. (pg. 334)

L. NORTH BAUGO (#4512)

1. Planning and Development (980) requests \$11,202.00 for long term payment to

Environmental Sp Projects for sewer line.

Natasha Kauffman presented this request to the Council,

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved the appropriations. (pg. 335)

M. PUBLIC HEALTH PREPAREDNESS AND EMERGENCY (#8119)

1. Health Department (981) requests 22,600.00 for Budget for FY 2019 (July 1, 2018 to June 30, 2019).

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved both of these appropriations. (pg. 336)

REDUCTIONS: None

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (1000)

1. Council (129)

From:	43110 Sustenance & Other	255.00
To:	43830 Education	255.00

B. GENERAL FUND (1000)

1. Superior Ct. 5

From:	43090 Other Professional Services	155.00
To:	44515 Office Furniture & Fixtures	155.00

C. WIC(8101)

1. WIC (312)

From:	43570 Laundry, Cleaning, Custodial	127.00
To:	44540 Data Processing Software	127.00

D. WIC (8101)

1. WIC (312)

From:	43130 Mileage	1,000.00
To:	42180 Medical Supplies	1,000.00

E. Public Health Preparedness & Emergency (8119)

1. Health (980)

From:	Operating Supplies	185.00
To:	Data Processing Hardware	185.00

F. Public Health Preparedness & Emergency (8119)

1. Health (980)

From:	42195 Other Operating Supplies	35.00
To:	42130 Mileage	35.00

G. Maternal & Child Health (8127)

1. Baby & Me Tobacco Free (315)

From:	42090 Other Office Supplies	127.00
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To:	44540 Data Processing Software	127.00
H. Maternal & Child Health (8127)		
1. Program Income		
From:	43830 Education & Conference	507.00
To:	44540 Data Processing Software	507.00
I. Equipment Sustainment Maintenance		
1. Emergency Management (980)		
From:	44510 Other Equipment	2,822.00
From:	42270 Other Repairs & Maintenance	<u>341.00</u>
	Total	3,163.00
To:	43550 Office & Other Equipment Repairs	3,163.00

Transfers A-H were voted on together.

On motion made by Hess and seconded by Stump, the council unanimously carried and approved the request. (pg. 337)

On Item I. the council denied to request. Council had questions on the request and no one from Emergency Management Department was in attendance to answer the questions. Council request they resubmit next month and have someone at the Council meeting to answer questions.

TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:

(Available in the Auditor’s office)

OTHER BUSINESS

- (a) Craig Buche –Consideration and Approval requested for:
Interlocal Agreement with City of Goshen for Use of Ordinance Violations Bureau and City Court.

Craig Buche explained the specific details of this Interlocal, and states that Stormwater is not included in this Interlocal. 309

Chris Godlewski talked about the process and how it would benefit the County and the City of Goshen.

On motion made by Stump and seconded by Foutz, the council unanimously carried and approved this Interlocal. Agreement with the City of Goshen. (pg. 352)

- (b) Approval of Resolution of the Elkhart County Council supporting a Sale of Surplus Real Estate on County Road 4 CC-20108-13.

On motion made by Riegsecker and seconded by Stump, the council unanimously carried and an approved the request. (pg. 353)

AUDIENCE ITEMS:

Mary Ann Lienhart- Cross of the Purdue Extension came with a Blueberry Treat and spoke about the attendance at the Elkhart County Fair, discussed the Indiana State Fair. She announced that Miranda Muir is the new General Manager of the Fair. She will take Bryan Blair's position as he has accepted a new position at the York County Fair in Pennsylvania.

Glenn Null, resident of Goshen, expressed his opinions on the Interlocal between the Elkhart County and the City of Goshen in regards to the use of Goshen City's Violations Bureau.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:55 am on motion made by Hess, 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.