

MINUTES
ELKHART COUNTY COUNCIL
September 10, 2016

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, David E. Foutz, Randall D. Yohn, David M. Ashe, Darryl J. Riegsecker and Thomas W. Stump.

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

MINUTES: Approval of minutes for August 13, 2016.

On motion made by Riegsecker seconded by Yohn and unanimously carried, the minutes were approved as received.

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report
COUNCIL: No report
AUDITOR: Graff gave financial report
SHERIFF: Rogers gave bed rental report

EDC MATTERS:

HUMAN RESOURCE MATTERS:

- A. Juvenile Court
 - 1. General Fund (1000-161-41135): Request 3% individual rate increases for all staff, in addition to the 3% PIP, if approved, effective 12-11-16.

Impact to General Fund: Included in 2017 budget.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request effective 9/18/16, 3-0.

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

B. Health Department

1. Health Operating (1159-340-41140): Request individual rate increase for Clerk II (Romo), PG1/JF1, 3% increase to \$11.26/hr, effective 9/18/16; PIP if approved to \$11.60/hr, and additional 3% increase to \$11.95/hr, effective 3-19-17.

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

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

2. Health Operating (1159-340): Request approval of Educational Funding Agreement for Melanie Sizemore.

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

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

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3. WIC Grant (8101-312/612): Review and approval of positions within grant. Grant period 10-1-16 to 9-30-17.
4. Breastfeeding Peer Counselors Grant (8102-980/981): Review and approval of positions within grant. Grant period 10-1-16 to 9-30-17.
5. Fetal Infant Mortality Review Grant (8127-980/981): Review and approval of position within grant. Grant period 10-1-16 to 9-30-17.
6. Baby and Me Tobacco Free (8127-982): Review and approval of position within grant. Grant period 10-1-16 to 9-30-17.
7. Healthy Babies Hospital Donation Grant (9122-980/981): Review and approval of positions within grant. Grant period 10-1-16 to 9-30-17.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 3 through 7, 3-0.

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

C. Treasurer

1. General Fund (1000-103-41140): Request 6% individual rate increase for Clerk III (Beltran), PG2/JF1, \$12.85/hr, effective 9-18-16.
2. General Fund (1000-103-41140): Request to hire above the max of the hiring range for Clerk III position, PG2/JF1, \$12.50/hr, effective 9-18-16.

Impact to General Fund: Absorbed in current and future budgets

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 1 & 2, 3-0.

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

D. Highway

1. Highway Operating and Cum Bridge (1176-201/202 and 1135-212): Request revision to Engineering career development program.

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

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

E. Soil and Water

1. Storm Water (1197-980-41120): Request revision to Conservationist career development program.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request, 2-0, Hess recused himself from this request.

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

F. Park Department

1. Park and Recreation (1219-320-41120): Request a 6% individual rate increase for Interpretive Services II (Daniels), PG5/JF5, \$18.04/hr, effective 9-18-16.

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

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

2. Park and Recreation (1219-320-41150): Request individual rate increase for Park Services III (Hildebrandt), PG5/JF2, \$19.57/hr, retroactive to 6-26-16.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved this request, effective 9/18/16, 3-0.

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

II. Miscellaneous Items- 2017 Budget Item Review

Included in your personal services data from Human Resources, you will see the spreadsheet titled Summary of Requests not Equal to Guidelines. Most of these exceptions or variances are due to department heads projecting 3 and/or 6 month increases and making adjustments for other staffing changes that occurred between the time the 144 supplemental detail was generated and when it was submitted.

A couple of departments are leaving positions unfunded for 2017. The Recorder's office is continuing to leave two positions vacant and unfunded for 2017, totaling \$41,560. Court Services is leaving two positions unfunded for 2017 in their user fees fund. These are not potential cuts.

There are some exceptions that we have no control over, such as Probation Officers, due to the state guidelines for their pay.

There are variances/exceptions in both Sheriff's Department and PSCC. These are due in part to the new compensation systems they are using as well as confusion when the budgets went out. My recommendation, if you approve the 3% increase the Sheriff is requesting, is to approve their budgets as requested.

Items for your consideration and recommendation to full Council:

- A. Sheriff's Department – approve new wage schedules which include a 3% adjustment, as well as the 1% longevity previously approved.
- B. Assessor's Office – The account for technicians was over-budgeted. \$130,303 can be cut.
- C. Council – Increase of \$3000 in various additional duties pay.
- D. Circuit Court – Juvenile – request additional 3% increase for all staff.

- E. Court Services – transferred a grant funded Probation Officer (Horton) from Grant 9113 to General Fund in May. The recommendation was that we needed to look at this at budget time to see if it can permanently stay in General Fund in 2017 or not.

A Probation Officer (Olson) was moved from User Fees to a vacant General Fund position.

The two salaries together total \$86,424.

The budget comments from the department say “2 new PO positions added to budget when preparing budget for Intake/Resource Center”. After further discussion with Bob Girard, it appears that the positions are not new but will be reclassifications of two current vacant positions. Also, Olson actually replaced A. Letherman, but both salaries were included in the budget, so there is a little “wiggle room” if the two reclassifications require additional monies.

- F. PSCC and E911 – requesting 1% pay increase; no PIP as per agreement when new compensation program was approved.
- G. Park Department- requesting individual rate increases for one Interpretive Services II and one Park Services III employee, totaling \$8554. The reasoning behind the individual rate increases is to bring them more in line with others in the same position. This was heard earlier in the meeting and is included in their 2017 budget.
- H. New Positions –

Public Defender- has a new FT Public Defender that was previously approved at CCPC in May. Funding for this position is included in his budget and increased his personal services account by \$56,049. When it was approved by CCPC, he was asked to see if he could fund the position in their supplemental fund instead of General fund and discuss at budget time.

Park Department- has a new Park Services III position (Boot Lake Manager) that was approved by CCPC last month. Funding for this position is included in their budget for 2017, as well as the reclassification of their Secretary position.

Superior Court #3- Has a new Transcriptionist position that was approved by CCPC last month. This request is not in their budget and is therefore not in the Summary of Requests Not Equal to Guideline.

Planning and Development/Code Enforcement- One new RPT Planning Assistant and one new RPT Planner III were approved by CCPC last month and are included in their 2017 budgets.

Court Services- See letter E above.

No motions were made for the items above (II. Miscellaneous Items).

The preceding Emergency Salary Ordinances were then duly adopted.

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PUBLIC HEARINGS:

*****Public Hearing on Elkhart County 2017 Budget.**

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council opened the Public Hearing.

Glen Null commented on the 2017 Budget.

On motion made by Stump seconded by Hess and unanimously carried, the Council closed the Public Hearing.

*****Binding Review on Elkhart County Solid Waste Management District Budget.**

On motion made by Foutz seconded by Stump and unanimously carried, the Council opened the Public Hearing on the Binding Review of the Solid Waste Management District Budget.

Glen Null commented on the Binding Review and Budget.

David Hess commented on the Binding Review and Budget.

Jodi Jones commented on the Binding Review and Budget.

On motion made by Foutz seconded by Yohn and unanimously carried, the Council closed the Public Hearing.

*****Public Hearing on Elkhart County Solid Waste Management District 2017 Budget.**

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council opened the Public Hearing on the District Budget.

There were no comments or questions from the Council or the audience.

On motion made by Hess seconded by Ashe and unanimously carried, the Council closed the Public Hearing.

***** Public Hearing on Approval of Harrison Township 2017 Budget.**

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council opened the Public Hearing.

David Hess explained this request to the Council.

There were no comments or questions from the Council or the audience.

On motion made by Hess seconded by Stump and unanimously carried, the Council approved the 2017 Harrison Township Budget.

On motion made by Hess seconded by Stump and unanimously carried, the Council closed the Public Hearing.

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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, September 10, 2016.

GENERAL FUND

Elkhart Superior Court No. 1

Personal Services	8,500.00
TOTAL GENERAL FUND	<u>8,500.00</u>

EDIT

County Highway

Capital Outlays	250,000.00
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IDOC GRANT

Community Corrections

Supplies	2,266.00
Other Services & Charges	20,000.00
Capital Outlays	<u>10,000.00</u>
TOTAL IDOC GRANT	32,266.00

IDOC GRANT

Community Corrections

Personal Services	24,464.00
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CUMULATIVE DRAIN

Surveyor

Capital Outlays	15,000.00
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LOCAL ROAD AND STREET
County Highway
 Other Services and Charges 10,000.00

MOTOR VEHICLE HIGHWAY
County Highway
 Other Services and Charges 5,000.00

PARK & RECREATION NON/REVERTING CAPITAL
Park Department
 Capital Outlays 275,000.00

LOIT SPECIAL DISTRIBUTION
County Highway
 Capital Outlays 500,000.00

NORTHEAST CORRIDOR TIF DISTRICT
Planning and Development
 Capital Outlays 58,550.00

WOMAN INFANT & CHILD GRANT
Health Department WIC
 Personal Services 1,096,402.00
 Supplies 27,176.00
 Other Services and Charges 50,188.00
 TOTAL WOMAN INFANT & CHILD GRANT 1,173,766.00

BREASTFEEDING PEER COUNSELORS
Health Department
 Personal Services 111,610.00
 Other Services and Charges 2,051.00
 TOTAL BREASTFEEDING PEER COUNSELORS 113,661.00

BREASTFEEDING PEER COUNSELORS
Health Department
 Personal Services 89,499.00
 Other Services and Charges 2,127.00
 TOTAL BREASTFEEDING PEER COUNSELORS 91,626.00

MATERNAL CHILD AND HEALTH GRANT MCH
Health Department-Fetal and Infant Mortality
 Personal Services 22,990.00
 Supplies 1,050.00

Other Services and Charges	960.00
TOTAL MATERNAL CHILD AND HEALTH GRANT MCH	<u>25,000.00</u>

MATERNAL CHILD AND HEALTH GRANT MCH	
<u>Health Department-Baby and Me Tobacco Free</u>	
Personal Services	30,713.00
Supplies	20,641.00
Other Services and Charges	1,278.00
Capital Outlays	<u>560.00</u>
TOTAL MATERNAL CHILD AND HEALTH GRANT MCH	53,192.00

HEALTHY BABIES DONATION FUND	
<u>Health Department</u>	
Personal Services	135,950.00
Supplies	8,000.00
Other Services and Charges	<u>6,050.00</u>
TOTAL HEALTHY BABIES DONATION FUND	150,000.00

REDUCTIONS

EDIT	
<u>County Highway</u>	
Capital Outlays	4,050,000.00

EDIT	
<u>County Highway</u>	
Capital Outlay	-584.84

NORTHEAST CORRIDOR TIF DISTRICT	
<u>Planning and Development</u>	
Capital Outlays	-34,637.71

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: August 31, 2016.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Elkhart Superior Court No. 1 (162) request \$8,500 for funds needed due to Court Staff working extended hours to keep up with the work load and Jury Trial extended hours.

Judge Roberts explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. EDIT (#1112)

1. County Highway (980) request \$250,000 for funds to purchase a dump truck to replace a 2001 model. Funds are from the proceeds of (3) three parcels of surplus property along County Road 17.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. IDOC GRANT (#1130)

1. Community Corrections (614) request \$32,266 for funds approved by DOC retention of unexpended funds from fiscal year 2014/2015 grant. Appropriated to project income per DOC.

Pauline explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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D. IDOC GRANT (#1130)

1. Community Corrections – Project Income (981) request \$24,464 for funds approved by DOC to transfer funds from 1130.615 to 1130.981 to balance negative accounts in fiscal year 2016.

Pauline explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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E. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) request \$15,000 for funds needed for maintenance on County Regulated Drains.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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F. LOCAL ROAD AND STREET (#1169)

1. County Highway (222) requests \$10,000 for funds needed to pay labor costs of equipment repairs due to some major repairs on aging equipment.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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G. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (201) request \$5,000 for funds to continue with education, training and certification programs.

Jeff Taylor explained this request to the Council.

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved these requests.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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H. PARK & RECREATION NON/REVERTING CAPITAL (#1178)

1. Park Development (980) request \$275,000 for funds needed for the expenses associated with the gap on the Pumkinvine Trail which may include construction, and for the Pumkinvine Trail RTP Grant.

Ronda DeCaire explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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I. LOIT SPECIAL DISTRIBUTION (#1229)

1. County Highway (981) request \$500,000 for funds needed for paving and road maintenance chip and seal. This amount will be deducted from the EDIT portion of the LOIT distribution.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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J. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) request \$58,550 for funds needed for surveying, design and permitting for the Lilac Street water main extension in Prairie Creek Run.

Laura Coyne explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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K. WOMAN INFANT & CHILD GRANT (#8101)

1. Health Department-WIC (612) requested \$1,173,766 for funds to set up the budget for the 2017 fiscal year.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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L. BREASTFEEDING PEER COUNSELORS (#8102)

1. Health Department (980) request \$113,661 for funds needed for this amount which was not carried over into 2016.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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M. BREASTFEEDING PEER COUNSELORS (#8102)

1. Health Department (981) request \$91,626 for funding needed to set the 2017 budget for the fiscal year.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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N. MATERNAL CHILD AND HEALTH GRANT MCH (#8127)

1. Health Department-Program Income (611) request \$25,000 for funds needed to set the budget for Fiscal Year 2017 for the Fetal and Infant Mortality Review Grant.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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O. MATERNAL CHILD AND HEALTH GRANT MCH (#8127)

1. Health Department-Program Income (615) request \$53,192 for funds needed to set the budget for Fiscal Year 2017 for the Baby and Me Tobacco Free Grant.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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P. HEALTHY BABIES DONATION FUND (#9122)

1. Health Department (980) request \$150,000 for funds needed to set the budget for Fiscal Year 2017 for the Healthy Babies Grant.

Melanie Sizemore explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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REDUCTIONS:

Q. EDIT (#1112)

1. County Highway (980) request \$4,050,000 reduction due to it being a duplicate appropriation that was included in the previous appropriation for \$12,550,000 for the County Road 38 Kercher Bridge project.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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R. EDIT (#1112)

1. County Highway (980) request \$584.84 reduction due to project being completed.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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S. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) request \$34,637.71 reduction due to project closeout for 2015 highway projects.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#1000)

1. Elkhart Superior Court No. 6 (170)

From	42380 Capital Supply	500.00
	43660 Rental - Other	477.00
To	44520 Office Equipment	977.00

B. CUMULATIVE JAIL (#1142)

1. Sheriff (105)

From	42090 Office Supplies	4,400.00
	42190 Kitchen and Laundry Supplies	6,500.00
To	43570 Laundry Inmate	10,900.00

C. LOIT Public Safety (#1170)

1. Sheriff (980)

From	42110 Fuel and Motor Oil	2,600.00
To	44510 Other Equipment	2,600.00

D. WOMEN INFANT & CHILD GRANT (#8101)

1. Health Department WIC (312)

From	41140 Office and Clerical	17,129.00
To	42380 Capital Supply	1,750.00
	43090 Other Professional	11,284.00
	43110 Sustenance	4,095.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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OTHER BUSINESS

AUDIENCE ITEMS

Glenn Null talked about points of interest, and disinterest. Once again, pointing that not all flags are flying at half staff. The flag at the Goshen courthouse is not operational and cannot be lowered. He also discussed how he feels that the County Council does not follow any Rules of Order.

Mike Yoder addressed the issue of the flag, advising the Goshen Courthouse flag is designated as a "Flag of Hope" and will always fly at full staff.

Gordon Lord addressed the Rules of Order for the County Council. He advised the Council does a good job with the Open Door Law, and does not have to follow Roberts Rule of Order.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:30 a.m. on motion by Foutz seconded by Riegsecker and unanimously carried.

Anita Mock
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.