

MINUTES
ELKHART COUNTY COUNCIL
April 8, 2017

The meeting of the Elkhart County Council was called to order by Sheriff Brad Rogers at 7:57 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council President John K. Letherman, Council Vice President David L. Hess, David E. Foutz, Randall D. Yohn, Tina M. Wenger, Darryl J. Riegsecker and Thomas W. Stump.

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

MINUTES: Approval of minutes for March 11, 2017.

On motion made by Stump and seconded by Riegsecker, the motion was unanimously carried and approved. (page 159)

COMMITTEE REPORTS:

COMMISSIONERS:	Legislative Update by Mike Yoder
COUNCIL:	Tina Wenger
AUDITOR:	Financial Update by Pauline Graff
SHERIFF:	Brad Rogers

EDC MATTERS:

Craig Buche explained the next steps in process regarding Entch, Inc. CC-2017-05

On motion made by Stump and seconded by Riegsecker, the council unanimously voted to open the public hearing regarding Entech, Inc. There being no persons to speak, on motion made by Riegsecker and seconded by Stump, the public hearing was then closed.

On motion made by Hess and seconded by Stump, the council adopted the Entech, Inc. Commitment Agreement. (page 160)

On motion made by Yohn and seconded by Stump, the council then adopted the Entech, Inc. Confirmatory Resolution. (page 161)

On motion made by Stump and seconded by Riegsecker, the council unanimously voted to open the public hearing regarding Travel Lite, Inc. Denise Hoke of the EDC introduced the President of Travel Lite, Inc. Dustin Johns who then answered council questions. He also explained the unique characteristics of the company that differs their company from their competitors. This plan includes the simultaneous building of four buildings at the proposed location.

On motion made by Yohn and seconded Riegsecker, the council unanimously voted to close the public hearing for Travel Lite, Inc.

On motion made by Stump and seconded by Riegsecker, the council unanimously adopted the Commitment Agreement for Travel Lite, Inc. (page 162)

On motion made by Stump and seconded by Riegsecker, the Confirmatory Resolution was unanimously adopted by the Council. (page 163)

HUMAN RESOURCE MATTERS:

Human Resource Requests

A. Superior Court 6

1. General Fund (1000-170-41135): Request two 6% individual rate increases for Legal Assistant II (Anglemyer and Boyll), PG4/JF1, \$15.28 and \$15.86/hr. Effective 4-16-17.

Impact to General Fund \$2180 for remainder of 2017

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 unanimously approved this request. (page 164)

B. Auditor

1. General Fund (1000-102) and Auditor's Ineligible Deduction (1216-980): Request 14 individual rate increases varying from 2-14%, as outlined in the Auditor's request "Attachment A". Effective retroactive to 4-2-17.

2. General Fund (1000-102): Request to return Property Compliance Manager (Jensen), PG7/JF6, back to exempt, \$1975.84 bi-weekly. Effective retroactive to 4-2-17.

Impact to General Fund \$ 23,750 for 2017

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

On motion made by Stump and seconded by Riegsecker, the Council unanimously approved this request. (page 164)

C. Public Defender

1. General Fund (1000-175-41120): Request individual rate increases for Investigators (Brown and Clark), PG7/JF5, phased in as follows:

<i>Brown</i>	Rate	Effective
Current	19.53	
12%	21.87	4/16/2017
10%	24.06	10/15/2017
<i>Clark</i>		
Current	20.49	
12%	22.95	4/16/2017
10%	25.25	10/15/2017

2. General Fund (1000-175-41120): Request individual rate increases for 10 full time and 6 part time Public Defender Attorneys, both non-classified, phased in as follows:

FT Public Defender	Rate	Effective
Current	\$56,049	
12%	\$62,000	4/16/2017
10%	\$68,200	10/15/2017
PT Public Defender		
Current	\$30,360	
12%	\$34,000	4/16/2017
10%	\$37,500	10/15/2017

Impact to General Fund \$ 47,375 for remainder of 2017 (part of which will be absorbed by Public Defender Supplemental Fund in 2017)

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved requests 1&2, 4-0.

On motion made by Hess and seconded by Yohn, the Council unanimously approved this request. (page 165)

D. Court Services

1. Adult Administrative Fees (2000-980-41120/41140): Request to move two positions, Probation Officer (Horton) and Bookkeeper II (Willink) from Adult Probation User Fees (2100-980) to Adult Probation Administrative Fees (2000-980), per the State Board of Accounts request. Effective retroactive to 12-11-16.
2. General Fund (1000-168): Request 9 individual rate increases for Youth Care Workers, varying from 3-8%, as outlined in Court Services request "Attachment A". Effective 4-16-17.

Impact to General Fund \$13,940 for remainder of 2017

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 1&2, 4-0.

On motion made by Yohn and seconded by Wenger, the Council unanimously approved this request. (page 166)

E. Health Department

1. MCH Dental Program Income (8127-614-41120): Request a new non-classified Dentist position, up to \$160,000 annual salary with benefits. Effective 4-16-17.

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

On motion made by Yohn and seconded by Riegsecker, the Council unanimously approved this request. (page 167)

F. Landfill

1. Landfill (1194-338-41130): Request reclassification of one Fee Collector position (vacant), 30 hrs per week, PG1/JF1, to one Work Crew Supervisor position, 40 hrs per week, PG4/JF4, up to \$16.39/hr. Effective 4-16-17.
2. Landfill (1194-338-41220): Request part time Solid Waste Secretary (Burleson) be moved from the Commissioner's budget (1000-130) to the Landfill budget (1194-338), account 41220, approved up to \$15.00/hr. Effective 4-16-17.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved requests 1&2, 4-0.

On motion made by Hess and seconded by Foutz, the Council unanimously approved this request. (page 167)

G. Prosecuting Attorney

1. General Fund (1000-108): Request ~~44~~ 12 individual rate increases, varying from 13-18%, as outlined in the Prosecutor's request, "Attachment A". Effective 4-16-17.
2. General Fund (1000-158): Request 24 individual rate increases, varying from 13-15%, as outlined in the Prosecutor's request, "Attachment B". Effective 4-16-17.
3. General Fund (1000-159): Request 6 individual rate increases, varying from 13-15%, as outlined in the Prosecutor's request, "Attachment C". Effective 4-16-17.
4. Pre-Trial Services (2525-155, 156, 157): Request 3 individual rate increases, varying from 13-15%, as outlined in the Prosecutor's request, "Attachment D". Effective 4-16-17.
5. Child Support Incentive (8897-980): Request 2 individual rate increases on additional duties pay, varying from 15-18%, as outlined in the Prosecutor's request, "Attachment E". Effective 4-16-17.

6. General Fund (1000-108-41135): Request reclassification of two regular part time positions, 40 hrs per pay period, Legal Assistant II (Bonham), PG4/JF1 and Legal Assistant III (Arndt), PG4/JF1 to two full time positions, 80 hrs per pay period, with rate increases up to \$16.39/hr. Effective 4-16-17.
7. General Fund (1000-158-41135): Request to re-instate full time Legal Assistant I position that was previously cut, PG3/JF1, up to \$14.89/hr. Effective 4-16-17

Impact to General Fund 2017 \$74,445 \$79,045 for requests 1-5, for remainder of 2017

\$22,290 plus benefits for request 6, for remainder of 2017

\$6,885 (after 2/3 reimbursement) plus benefits (also 2/3 reimbursed) for request 7, for remainder of 2017

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 1-7, 4-0.

On motion made by Wenger and seconded by Stump, the Council unanimously approved this request. (page 168-169)

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, April 8, 2017.

EDIT

Highway

Capital Outlays	53,000
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CUMULATIVE BRIDGE

Highway

Capital Outlays	250,000
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CUMULATIVE DRAIN

Surveyor

Capital Outlays	34,500
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STORM WATER MANAGEMENT OPERATING

Commissioners

Capital Outlays 375,000

ST GRANT 2017 ED BRYNE JAG GRANT

Sheriff

Capital Outlays 198,149

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: March 29, 2017.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. HIGHWAY (#1112)

1. Highway (980) requests (1) funds for guardrail repairs. When possible, costs are recovered through billing party responsible for damage. Any recovered funds are placed back into EDIT. (2) Funds to purchase worn traffic counters and to replace tubes and other parts for existing traffic counters. (3) St. Joe County has a project on the County line at the CR 12 intersection. They are requesting funds for right-of-way for two parcels in Elkhart County estimated at \$15,000.

Tom Byers explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried this request and the appropriation was approved. (page 170)

B. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requests \$250,000 for Bridge 152 (CR 20 west of US33) requires replacement. Elkhart County has received 80/20 federal funding. Funds are requested for all fees associated with the engineering phase. Elkhart County will be reimbursed 80% and such reimbursements will go back into the Cumulative Bridge Fund.

Tom Byers explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried this request and the appropriation was approved. (page 171)

C. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$34,500 for maintenance on a regulated drain. Phil Barker explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried this request and the appropriation was approved. (page 172)

D. STORM WATER MANAGEMENT (#1197)

1. Commissioners (130) requests \$375,000 for the dredging of Simonton Lake. This request was tabled at last month's (March) meeting.

Jim Donahoe of Aquatic Weed Control spoke on behalf of the Simonton Lake residents and explained this request to the Council.

Yohn made a motion to approve this request and was seconded by Hess. Wenger abstained and Riegsecker voted NAY. With five (5) votes AYE, the request was then approved by the Council. (page 173)

E. ST GRANT 2017 ED BRYNE JAG GRANT (#9129)

1. Sheriff (980) requests \$198,149. The Sheriff's Department has received a grant from the Edward Bryne Memorial Justice Assistance Grant Program 42 U.S.C. 3750 and administered by the State pursuant to IC 85-2-6-3. This grant requires that the ECSD pay for agreed upon product purchased and submit proof of payment for reimbursement. The appropriation will be canceled upon receipt of the reimbursement.

Sheriff Brad Rogers explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried this request and appropriation was approved. (page 174)

REDUCTIONS:

F. MAJOR BRIDGE (#1171)

1. Highway (980) requests \$30,110 reduction due to the completion of the project and the funds to be returned to the Major Bridge Fund. (page 175)

G. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$1,400,000 reduction. This request was appropriated twice, once in 203 and once in 980. Therefore, the 980 is a reduction of the redundant request. (page 176)

H. HEALTHY BABIES DONATION FUND (#9122)

1. ECHD – Healthy Beginnings (981) requests \$37,966 reduction due to a short fall in funding. (page 177)

On motion made by Hess and seconded by Foutz, the Council unanimously carried all reductions (F, G, and H) and the requests were approved.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND

(1000)

1. Court Magistrate (167)

From	42090 Other Office Supplies	500.00
To	43110 Sustenance & Other Travel	500.00

B. HEALTH (1159)

1. County Health Operating (340)

	43140	
From	Telephone	4,438.00
To	44535 Data Processing	4,438.00

C. STORM WATER MANAGEMENT OPERATING (1197)

1. Planning and Development (132)

From	42320 Training Materials	1,000.00
To	43830 Education & Conference Costs	1,000.00

D. CTP - COMMUNITY CORRECTIONS (4913)

1. Community Corrections (980)

From	44545 Other Office Equipment	15,000.00
To	43090 Professional Services	15,000.00

E. PUBLIC HEALTH PREPAREDNESS GRANT (8119)

1. Health Department (981)

From	43090 Other Professional Services	470.00
	43110 Sustenance	107.00
To	42380 Captial Supplies	530.00
	44510 Other Equipment	47.00

On motion made by Riegsecker and seconded by Wenger, the Council unanimously approved all (A,B,C,D and E) the above transfers. (page 178)

OTHER BUSINESS

Craig Buche brought two business items to the Council:

The Interlocal Agreement with Syracuse

Craig explained this to the Council. On motion made by Stump and seconded by Riegsecker, the Council unanimously approved this Agreement.

Resolution Draft for Love's Travel Plaza CC-2017-07

Craig explained this to the Council. On motion made by Yohn and seconded by Wenger, the Council approved this Resolution with six (6) votes. Letherman did not speak on this and abstained from the vote. (page 179)

AUDIENCE ITEMS

Ron Norman of Bristol thanked the Council regarding the Universal Trailer Corporation. They recently had their grand opening and wanted to thank everyone who had a part in bringing the business local. He also mentioned that with the upcoming businesses in Bristol, it does increase the traffic in the area and hopes to start a project to address the issue with assistance of a grant in the near future.

Glenn Null of Goshen expressed how he feels there should be an opportunity for the public to speak on appropriations. He also voiced his opinion how money should not be spent previous to obtaining the money, especially in the form of a grant, as this money is not guaranteed.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:08am on motion made by Riegsecker and seconded by Stump 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.