

MINUTES
ELKHART COUNTY COUNCIL
October 14th, 2017

The meeting of the Elkhart County Council was called to order by Sheriff Brad Rogers at 8 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were President John K. Letherman, 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; Craig Buche, County Attorney; Mike Yoder, County Commissioner; Suzanne Weirick, County Commissioner, and Tom Byers, County Administrator.

MINUTES: Approval of minutes for September 9, 2017
Approval of minutes for September 21st, 2017
Approval of minutes for September 22nd, 2017

On motion made by Riegsecker and seconded by Wenger and unanimously carried, all three of the above minutes sections were approved as presented.

COMMITTEE REPORTS:

COMMISSIONERS:

COUNCIL: Tina Wenger update on AIC conference, Dave Foutz on the Five Medals Gathering

SHERIFF:

AUDITOR:

**** Presentation of check from Indiana Department of Transportation for \$344,000 for Road Improvements to Elkhart County by Senator Blake Doriot.

**** **Public Hearing on Approval of Harrison Township 2018 Budget (CC-2017-20)** ****

Open Public Hearing: On motion made by Hess and seconded by Stump, the Council unanimously carried and approved to open the public hearing for the Harrison Township 2018 Budget.

Dave Hess, speaking on behalf of Trustee Kerry Yaw, explained that the only change in the budget additional work in the cemeteries and believes the budget should be approved.

Close Public Hearing: On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved to close the public hearing for the Harrison Township 2018 Budget.

Approval: On motion made by Hess and seconded by Riegsecker and unanimously carried, the Council approved the Harrison Township Budget for 2018. (page 408)

EDC MATTERS:

1. PUBLIC HEARING: Economic Revitalization Area Designation for proposed project for Barletta Boat Company, LLC in Elkhart County. CC-2017-21

Attorney Craig Buche and Mark Dobson of the EDC presented this item to the Council.

Open Public Hearing: On motion made by Yohn and seconded by Riegsecker and unanimously carried, the Council approved to open the public hearing for Barletta Boat Company.

Close Public Hearing: On motion made by Yohn and seconded by Riegsecker and unanimously carried, the Council approved to close the public hearing for Barletta Boat Company.

Stump expressed that another boat company in this area will only create more competition in the workforce. Bristol Town Councilman Ron Norman urged the County Council to approve this as it would benefit the area greatly and would add income from an empty building. Hess and Attorney Buche explained the likelihood of an appeal based on the language used in these agreement documents.

Approval of Commitment and Payment Agreement: On motion made by Hess and seconded by Yohn, the Council approved this Agreement after a roll call vote resulting in a 5:2 approval with Stump and Wenger voting Nay. (page 409)

Approval of Confirmatory Resolution CC-2017-21: On motion made by Hess and seconded by Foutz, the Council voted to approve the Resolution with a 6:1 vote with Stump voting Nay. (page 410)

HUMAN RESOURCE MATTERS:

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, October 14th, 2017.

GENERAL	
<u>Sheriff</u>	
Supplies	6,800
EDIT	
<u>Highway</u>	
Capital Outlays	84,000
CLERK'S RECORD PERPETUATION	
<u>Clerk</u>	
Capital Outlays	17,500
Clerk	
Other Services & Charges	2,900
TOTAL CLERK'S RECORD PERPETUATION	20,400
SALES DISCLOSURE - COUNTY SHARE	
<u>Assessor</u>	
Other Services & Charges	3,804
CUMULATIVE BRIDGE	
<u>Highway</u>	
Personal Services	20,000
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	47,500
ECONOMIC DEVELOPMENT FEE	
<u>Commissioners</u>	
Capital Outlays	48,000
LOCAL ROAD AND STREET	
<u>Highway</u>	
Supplies	55,000
Other Services & Charges	95,000
TOTAL LOCAL ROAD AND STREET	150,000

MISDEMEANANT	
Sheriff	
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Other Services & Charges	27,783
MOTOR VEHICLE HIGHWAY	
Highway	
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Personal Services	6,000
Other Services & Charges	4,000
	<hr/>
	10,000
Highway	
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Personal Services	12,000
TOTAL MOTOR VEHICLE HIGHWAY	<hr/>
	22,000
LOIT SPECIAL DISTRIBUTION	
Highway	
<hr/>	
Capital Outlays	457,000
CR 6 & CR 17 IMPROVEMENT TIF	
Planning and Development	
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Other Services & Charges	93,757
Capital Outlays	36,000
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TOTAL CR 6 & CR 17 IMPROVEMENT TIF	129,757
LOVE'S PRJOECT FUND	
Highway	
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Capital Outlays	1,900,000
Highway	
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Capital Outlays	243,000
TOTAL LOVE'S PROJECT FUND	<hr/>
	2,143,000
WOMEN, INFANT & CHILD GRANT (WIC)	
Health Department - WIC	
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Personal Services	1,090,408
Health Department - WIC	
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Supplies	25,000
Other Services & Charges	31,276
	<hr/>
	56,276
Health Department - WIC	
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Other Services & Charges	29,468
TOTAL WOMEN, INFANT & CHILD GRANT	<hr/>
	1,176,152
BREASTFEEDING PEER COUNSELORS	

<u>Health Department - WIC</u>	
Personal Services	91,297
Other Services & Charges	1,770
TOTAL BREASTFEEDING PEER COUNSELORS	93,067
FETAL AND INFANT MORTALITY REVIEW (MCH)	
<u>Health Department</u>	
Personal Services	16,686
Supplies	2,370
Other Services & Charges	295
	19,351
BABY AND ME TOBACCO FREE (MCH)	
<u>Health Department</u>	
Personal Services	23,737
Supplies	22,966
Other Services & Charges	3,297
	50,000
TOTAL MATERNAL & CHILD HEALTH GRANT	69,351
EMERGENCY MANAGEMENT PERFORMANCE GRANT	
<u>Emergency Management</u>	
Capital Outlays	3,215
HEALTHY BABIES DONATION FUND	
<u>Health Department</u>	
Personal Services	38,113
Other Services & Charges	3,600
TOTAL HEALTHY BABIES DONATION FUND	41,713
BABY BOX GRANT	
<u>Health Department</u>	
Supplies	13,000

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: October 4, 2017.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Sheriff (105) requests \$6,800.00 to place money in the appropriate account in regards to purchasing uniforms for officers.

Sheriff Brad Rogers explained this request to the Council.

On motion made by Yohn and seconded by Wenger, the Council unanimously carried and approved this request. (page 411)

B. EDIT (#1112)

1. Highway (980) requests \$84,000.00 to complete filling in pavement troughs left from horse & buggies along various roads. \$184,661 was appropriated in June and more was needed to complete the work. This amount is for the hot mix asphalt only and does not include the cost for chip seal over the roadway.

Jeff Taylor explained this request to the Council. He explained that the way they would repair this is significantly cheaper than the traditional way of repaving the entire road. There was talk about the enforcement of buggy plates to help assist in paying for such projects; however, there is a lot to determine in regards to cost efficiency. Mike Yoder expressed the idea of increasing plate costs.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved this request. (page 412)

C. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$17,500.00 for the purchase of 7 computers (6 desktops and 1 laptop), 12 screen monitors and 8 mid-grade printers. A majority of the equipment is being purchased using Perpetuation funds with one monitor and one printer coming out of the Title IV-D fund. (page 413)
2. Clerk (980) requests \$2,900.00 for the payment of the maintenance and service contract on Docket Vision calendars in the foyer and hallway in the Elkhart courts building. (page 414)

Chris Anderson explained both requests 1 & 2 to the Council.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved these requests together.

D. SALES DISCLOSURE – COUNTY SHARE (#1131)

1. Assessor (980) requests \$3,804.00. This money is being deposited by Advanced Imaging to pay the remaining balance on a copier that they are replacing.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 415)

E. CUMULATIVE BRIDGE (#1135)

1. Highway (212) requests \$20,000.00 to cover payroll for the remainder of 2017.

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 416)

F. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$47,500.00 for maintenance on a regulated drain.

Phil Barker explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 417)

G. ECONOMIC DEVELOPMENT FEE (#1149)

1. Commissioners (980) request \$48,000.00 to create a labor attraction plan as part of the County's Economic Development strategy effort.

Mark Dobson of the EDC explained this request to the Council. He explained that is plan is a website that would include all jobs in Elkhart County, real estate data, info on schools, local services in the County as well as other info potentially useful to attract outside people to attract them to Elkhart County. This website would target areas impacted by natural disasters and areas with low workforce percentages. This appropriation would help fund a 6-month campaign and then would be reassessed and potentially re-launched. Mike Yoder applauded Elkhart County as being one of the few counties in Indiana to be innovative in marketing.

Yohn questioned how the success of this website would be measured. Dobson explained that "click-throughs", talks with local realtors, and phone call referrals would help assist in the assessment of success. Riegsecker questioned why you would draw people in to an area that doesn't have sufficient housing and Wenger debated

that you don't build empty homes and then do not have enough people from this project to fill the housing. Stump mentioned that there are new apartments in construction and Wenger explained that this will not happen overnight and we have to start showcasing Elkhart County first.

On motion made by Foutz and seconded by Wegner, the Council voted to approve this request after a roll call vote resulting in a 6:1 approval with Riegsecker voting Nay. (page 418)

H. LOCAL ROAD AND STREET (#1169)

1. Highway (222) requests \$150,000.00 for equipment repair parts and vehicle repair parts and labor expenses.

Jeff Taylor explained this request to the Council.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 419)

I. MISDEMEANANT (#1175)

1. Sheriff (980) requests \$27,783.00 to pay for inmate laundry expenses through the end of 2017.

Sheriff Brad Rogers explained this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (page 420)

J. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (201) requests \$10,000.00 for payroll for 2017 and data processing services.

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 421)

2. Highway (202) requests \$12,000.00 to cover payroll for the remainder of 2017.

Jeff Taylor explained this request to the Council.

On motion made by Hess and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 422)

K. LOIT SPECIAL DISTRIBUTION (#1229)

1. Highway (981) requests \$457,000.00 to accelerate the construction of the CR 38/Kercher Road project.

Jeff Taylor explained this request to the Council. This is the estimated cost by Reith Riley to have this completed by December 31st with their employees working overtime and weekends. In that guarantee, they will pay \$4,570/day in liquidated damages if not open by December 31st.

Glenn Null of Goshen believes there should always include some incentive clause within every contract. Stump reiterated that the delay in this project was due to a third party (the utility company) and it was not necessarily of the fault of either the County or the contractor. Letherman explained that the utility companies do not want to pursue efforts if the project is not 100% going to precede which results in delays. Taylor explained that they have regular meetings with utility companies and the highway department has done everything necessary and this should have never happened.

On motion made by Foutz and seconded by Stump, the Council unanimously carried and approved this request. (page 423)

L. CR 6 & CR 17 IMPROVEMENT TIF (#4511)

1. Planning and Development (980) requests \$129,757.00 for repayment to Schrock Real Estate for sewer improvements on Beck Drive, Osolo Township funds for water line improvement, and additional legal services for additional CR 6 & CR 174 improvements.

Chris Godlewski explained this request to the Council.

On motion made by Foutz and seconded by Stump, the Council unanimously carried and approved this request. (page 424)

M. LOVE'S PROJECT FUND (#4660)

1. Highway (601) requests \$1,900,000.00. This is bond proceeds to construct the public roadway portion of the Love's project at CR 17 and US 20 Bypass and to pay bond issuance costs. (page 425)
2. Highway (701) requests \$243,000.00. These funds were received to construct the water and sewer portion of the Love's project at CR 17 & US 20 Bypass. (page 426)

Jeff Taylor explained both these requests to the Council.

On motion made by Foutz and seconded by Stump, the Council unanimously carried and approved both requests 1 & 2 with Letherman abstaining.

N. WOMEN, INFANT & CHILD GRANT (WIC) (#8101)

1. Health Department –WIC (312) requests \$1,090,408.00 to set the budget for fiscal year 2018 for the WIC grant. (page 427)
2. Health Department – WIC (312) requests \$56,276.00 to set the budget for fiscal year 2018 for the WIC grant. (page 428)
3. Health Department – WIC (312) requests \$29,468.00 to set the budget for fiscal year 2018 for the WIC grant. (page 429)

Melanie Sizemore explained this request to the Council.

On motion made by Stump and seconded by Foutz, the Council unanimously carried and approved all above requests 1-3.

O. BREASTFEEDING PEER COUNSELORS (#8102)

1. Health Department – WIC (980) requests \$93,067.00 to set the budget for fiscal year 2018 for the Breastfeeding Peer Counselor grant. (page 430)

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

P. FETAL AND INFANT MORTALITY REVIEW (#8127)

1. Health Department (311) requests \$19,351.00 to set the budget for fiscal year 2018 for the Fetal and Infant Mortality Review grant.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 431)

Q. BABY AND ME TOBACCO FREE (#8127)

1. Health Department (315) requests \$50,000.00 to set the budget for fiscal year 2018 for the Baby and Me Tobacco Free grant.

On motion made by Foutz and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 432)

R. EMERGENCY MANAGEMENT PERFORMANCE GRANT (#8128)

1. Emergency Management (980) requests \$3,215.00 to purchase two Surface Pro 4 laptop computers and accessories for Director and Deputy. Purchase was made via IT and is 100% IDHS reimbursable grant.

Pauline Graff explained this request to the Council on behalf of Emergency Management.

On motion made by Yohn and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 433)

S. HEALTHY BABIES DONATION FUND (#9122)

1. Health Department (980) requests \$41,713.00 to set the budget for Healthy Babies services.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (page 434)

T. BABY BOX GRANT (#9140)

1. Health Department – Healthy Beginnings (980) requests \$13,000.00 to set the budget for the Baby Box grant.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (page 435)

REDUCTIONS:

U. ADULT PROBATION ADMINISTRATIVE (#2000)

1. Court Services (980) requests a reduction of \$-23,060.00 to balance the budget through the end of 2018. (page 436)

V. SUPPLEMENTAL ADULT PROBATION SERVICES (#2100)

1. Court Services (980) requests a reduction of \$-20,000.00 to balance the budget through the end of 2018. (page 437)

W. SUPPLEMENTAL JUVENILE PROBATION SERVICES (#2150)

1. Court Services (980) requests a reduction of \$-6,800.00 to balance the budget through the end of 2018. (page 438)

On motion made by Foutz and seconded by Wenger, the Council unanimously carried and approved the above three requests U, V and W.

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL (1000)

1. Coroner (107)

From	43150 Photographic, Microfilming, Blueprints	800.00
To	44510 Other Equipment	800.00

2. Elkhart Superior Court 1 (162)

From	41515 Guardian Ad Litem	2,000.00
	43110 Sustenance	700.00
	43200 Print/Non Office Supplies	150.00
	43020 Medical	1,000.00
	43800 Dues Natl & State	600.00
	43810 Transcripts	200.00
	43140 Telephone	150.00
	43805 Subscriptions	300.00
	43830 Education & Conference	500.00
	42030 Copy Supplies	750.00
To	42060 Law Books	3,200.00
	41530 Petit Jurors	3,150.00

2. Superior Court 5 (166)

From	42090 Office Supplies	631.00
To	44520 Office Equipment	631.00

3. Public Defender (175)

From	41535 Witness Fees	2,500.00
To	43650 Rent Copy Machine	2,500.00

B. COUNTY HEALTH OPERATING (1159)

1. County Health Operating (340)

From	43130 Travel	3,000.00
	43110 Sustenance	1,500.00
	43830 Tuition	1,500.00
	42185 Vaccine	5,000.00
	42180 Medical Supplies	2,588.00
	42110 Gasoline	1,300.00
	43510 Maintenance	1,000.00
	42030 Copy Supplies	174.00
To	44535 Data Processing	16,062.00

C. LOCAL ROAD AND STREET (1169)

1.Highway (222)

From 42110 Gas, Diesel 1,500.00
To 43440 Bridge & Traffic Lights 1,500.00

2. Highway (222)

From 42110 Gas, Diesel 25,000.00
To 43540 Vehicle Repair Labor 25,000.00

D. LIT PUBLIC SAFETY (1170)

1. Sheriff (980)

From 43895 Expense of Inmates 35.00
43850 Refund & Other 163.00
43660 Rent, Other 1,926.00
43550 Office & Equipment Repairs 5,000.00
43115 Freight 300.00
43050 Data Processing 1,500.00
43140 Telephone 500.00
43800 Dues 3,200.00
To 42090 Office Supplies 2,424.00
42150 Uniforms 10,200.00

2. Sheriff (980)

From 43530 Uniform Repair 500.00
To 42090 Office Supplies 500.00

E. MISDEMEANANT (1175)

1. Sheriff (980)

From 44540 Software 15,210.00
To 43570 Laundry, Inmate 9,225.00
43020 Medical 5,985.00

F. SOLID WASTE USER FEES (1194)

1. Solid Waste Disposal (338)

From 44300 Land Improvement 10,000.00
44310 Improvements Other Than Building 10,000.00
44400 Machinery & Equipment 15,000.00
To 43050 Data Processing 2,000.00
43090 Other Professional Services 15,000.00
43530 Uniform Repair 2,000.00
43865 S.W. Distric Remittal Fee 16,000.00

G. STORM WATER MANAGEMENT OPERATING (1197)

1. Planning and Development (132)

From 42130 Tires 1,000.00
To 43110 Sustenance 1,000.00

H. SUPPLEMENTAL ADULT PROBATION SERVICES (2100)

1. Court Services (980)

From 43090 Other Professional Services 8,000.00
To 42180 Medical Supplies 8,000.00

I. WOMEN, INFANT & CHILD GRANT (8101)

1. County Health Operating (612)

From 43090 Other Professional Services 650.00
To 44530 Copier Machine 650.00

2. County Health Operating (612)

From 43110 Sustenance 731.00
43130 Mileage 500.00
To 42195 Other Operating Supplies 160.00
42380 Capital Supply Items 221.00
42180 Medical Supplies 850.00

J. STATE INDOOR RADON GAS GRANT (8116)

1. County Health Operating (980)

From 43120 Postage 200.00
43210 Publishing 170.00
To 42195 Other Operating Supplies 370.00

K. H.I.V. GRANT (8124)

1. County Health Operating (980)

From 43220 Publications 1,500.00
42360 Incentives 125.00
42195 Other Operating Supplies 500.00
42180 Medical Supplies 53.00
42090 Office Supplies 200.00
43830 Education / Conferences 80.00
43130 Mileage 100.00
43110 Sustenance 181.00
To 44535 Data Processing 2,739.00

L. MATERNAL & CHILD HEALTH GRANT (8127)

1. County Health Operating (611)

From 42090 Office Supplies 70.00
To 43830 Education / Conferences 70.00

On motion made by Yohn and seconded by Wenger, the Council unanimously carried and approved all the above (A-L) transfer requests. (page 439)

OTHER BUSINESS

- (a) Approval of 2018 County Council meeting schedule.

On motion made by Yohn and seconded by Wenger, the Council unanimously carried and approved the 2018 County Council meeting schedule as presented with no meetings in March or October. (page 440)

AUDIENCE ITEMS

Commissioner Suzie Weirick updated on the Quaker Trace/CR 8 multi-use path. She explained that projects along a state road and a county road are sometimes different in regards to the distance from the road that you can start a project and those will have to be addressed in the decision making of this project. A committee has been created, including CR 8 residents and civic and business leaders, to comment and review multiple path options and public comment will be on November 9th. Commissioner Weirick expressed that there are currently four different options to consider.

Suzie O'Donnell of the Purdue Extension presented apple cake and updates coming events.

Glenn Null of Goshen spoke of the traffic dangers of SR 15 and CR 20 and other traffic and highway issues including buggies and the CR 8 path.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:12 am on motion made by Hess and seconded by Foutz and then unanimously approved by the Council.

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.