

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

January 7, 2013

President Terry Rodino called the meeting to order at 9:00 a.m. in room 104 in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other two (2) Board members, Frank Lucchese and Mike Yoder, were also present. Others present were Sheriff Brad Rogers; Pauline Graff, County Auditor; Gordon Lord, County Attorney; Tom Byers, County Administrator; and Kathy Erschen, Executive Assistant.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the Minutes of the December 17th, 26th & 31st, 2012 meetings and placed them on file.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved their offices and various assignments for 2013, the appointments to county positions for 2013 and their appointments to various boards for 2013.

All of those offices, assignments and appointments are as follows:

President – Terry Rodino
Vice President – Mike Yoder
MACOG – Frank Lucchese
St. Joe Valley River Basin – Frank Lucchese
Drainage Board – Mike Yoder
Plan Commission – Frank Lucchese
Oaklawn – Frank Lucchese
Local Coordinating Council – Kris Krueger
Community Corrections Advisory Board (CCAB) – Terry Rodino
CCPC – Personnel Liaison – Frank Lucchese
Affirmative Action (EEOC) – Frank Lucchese
Emergency Management Board – Terry Rodino

County Departments Appointments:

Superintendent, Buildings and Grounds – Matt Grubb
Veteran's Service Officer – Ron Lundy
County Highway Engineer – Tom Rushlow
Manager of Transportation – Jeff Taylor
Human Resources Director – Carol Caviness
Weights & Measures – Todd Barrows
Director of IT – Scott Mills
Emergency Management Director – Jennifer Tobey
County Administrator – Tom Byers
County Attorney – Gordon Lord

Appointments to Various Boards:

Alcoholic Beverage Commission – Greg Barberio – 1 year term
Convention & Visitors Commission – 2 year term
Dan Boecher
Anant Patel

Gita Patel
Drainage Board – 3 year term
Glen Showalter
Elkhart County Park Board – 4 year term
Larry Andrews
Plan Commission – 4 year term
Roger Miller
Douglas Miller
Board of Zoning Appeals -4 year term
Tony Campanello
Solid Waste District Board – 1 year term
Larry Thompson
Township Assistance Appeal Office – 1 year term
Mark Ledbetter
County Redevelopment Commission – 1 year term
Randy Wilson
Douglas Hasler
Evan Bontrager
Brent Weddell
Property Tax Assessment Boar of Appeals (PTA/BOA) – 1 year term
Iverson Grove
Harrison Haynes
Board of Directors of the Elkhart County Corrections Complex Building Corporation
Philip J. Hahn
James G. Hiatt
Wood-Land-Lakes RC & D Council – 3 year term
Mike Yoder

The Commissioners have also been requested to appoint an alternate delegate to the plan commission & the Board of Zoning Appeals. They will do that at a meeting later in the year.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the Allowance of Claims, as presented by the county auditor's office.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the General fund for \$65,500 for legal services for the Redevelopment Commission attorney, as requested by Chris Godlewski, Director of Planning. He pointed out that all of these expenses will be reimbursed to the General fund from the various TIF district funds.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Planning
NAME

001-132
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 65,500.00		Legal Services	4301	Planning	001	
2						
3						
4						
5						
6						
7						
8						
TOTAL \$ 65,500.00						
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request		as of Date	YES	NO	Amount
		AMOUNT	DATE			
1						
2						
3						
4						
5						
6						
7						
8						
TOTAL \$						

REASON FOR REQUEST

To pay for 2012 shortfall of \$27,546 for legal services which was already paid to the general fund by annual Reimbursement Agreement. Also, to budget \$65,000 for legal services of Redevelopment Commission Attorney and \$7,403 for Plan Commission Attorney in 2013. Budgeted amount in 2013 was \$34,500.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Unsafe Building fund for \$21,293 for legal services and professional services, as requested by Chris Godlewski, Director of Planning. He noted that \$19,763 will be given to the highway department for the cost of their services in demolishing two houses.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Unsafe Building
NAME

118-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 \$ 19,763.00		Professional Services	4309	Unsafe Building	118
2 1,530.00		Legal Services	4301	Unsafe Building	118
3					
4					
5					
6					
7					
8					
TOTAL \$ 21,293.00					

ORIGINAL AMOUNT			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request	as of Date		YES	NO	Amount	Date
TOTAL \$							

REASON FOR REQUEST

Annual operation expenses for the Unsafe Building Fund.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Redevelopment Commission fund for \$4,500 for their annual expenses, as also requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Redevelopment Commission
NAME

197-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1 \$ 300.00		Food	4240	Redevelopment Commission	197		
2 500.00		Training Materials	4241	Redevelopment Commission	197		
3 200.00		Sustenance	4310	Redevelopment Commission	197		
4 1,000.00		Mileage	4313	Redevelopment Commission	197		
5 200.00		Legal Notices	4316	Redevelopment Commission	197		
6 1,800.00		Education & Conference Costs	4397	Redevelopment Commission	197		
7 500.00		Dues	4390	Redevelopment Commission	197		
8							
TOTAL \$ 4,500.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
Approp.	Unspent Request						as of Date
		AMOUNT	DATE	YES	NO	Amount	Date
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual operation expenses for the Redevelopment Commission.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council seven (7) additional appropriation requests totaling \$42,500 from various TIF district funds for annual reimbursements to the county for administrative fees and expenses for Umbaugh Associates, as requested by Chris Godlewski, Director of Planning.

The seven (7) additional appropriations are as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Millersburg II TIF
NAME

321-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO.		
1 \$ 8,000.00		Administrative Fees	4449	Millersburg II TIF	321		
2 500.00		Other Professional Services	4309	Millersburg II TIF	321		
3							
4							
5							
6							
7							
8							
TOTAL \$ 8,500.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
Approp.	Unspent Request						as of Date
		AMOUNT	DATE	YES	NO	Amount	Date
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

South Benton TIF
NAME

323-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1 \$ 500.00		Administrative Fees	4449	South Benton TIF	323		
2 500.00		Professional Services	4309	South Benton TIF	323		
3							
4							
5							
6							
7							
8							
TOTAL \$ 1,000.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
Approp.	Unspent Request						as of Date
		AMOUNT	DATE	YES	NO	Amount	Date
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Western Gateway TIF
NAME

324-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 4,000.00		Administrative Fees	4449	Western Gateway TIF	324	
2 500.00		Professional Services	4309	Western Gateway TIF	324	
3						
4						
5						
6						
7						
8						
TOTAL \$ 4,500.00						
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request as of Date		YES	NO	Amount	Date
		AMOUNT	DATE			
1						
2						
3						
4						
5						
6						
7						
8						
TOTAL \$						

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Middlebury S. AG TIF
NAME

326-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO.		
1 \$ 1,000.00		Administrative Fees	4449	Middlebury S. AG TIF	326		
2 500.00		Professional Services	4309	Middlebury S. AG TIF	326		
3							
4							
5							
6							
7							
8							
TOTAL \$ 1,500.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
Approp.	Unspent Request						as of Date
		AMOUNT	DATE	YES	NO	Amount	Date
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Middlebury SE TIF
NAME

327-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1 \$ 5,000.00		Administrative Fees	4449	Middlebury SE TIF	327		
2 500.00		Professional Services	4309	Middlebury SE TIF	327		
3							
4							
5							
6							
7							
8							
TOTAL \$ 5,500.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
^prop.	Unspent Request						as of Date
		AMOUNT	DATE	YES	NO	Amount	Date
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Middlebury East TIF
NAME

328-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO.
1 \$ 20,000.00		Administrative Fees	4449	Middlebury East TIF	328
2 500.00		Professional Services	4309	Middlebury East TIF	328
3					
4					
5					
6					
7					
8					
TOTAL \$ 20,500.00					

ORIGINAL AMOUNT			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request	as of Date		YES	NO	Amount	Date
			AMOUNT	DATE			
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

North Baugo TIF
NAME

330-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 \$ 500.00		Administrative Fees	4449	North Baugo TIF	330
2 500.00		Other Professional Services	4309	North Baugo TIF	330
3					
4					
5					
6					
7					
8					
TOTAL \$ 1,000.00					

ORIGINAL AMOUNT			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request	as of Date		YES	NO	Amount	Date
			AMOUNT	DATE			
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses.

Chris Godlewski also presented an additional appropriation request from the Northwest Gateway TIF District fund for \$106,500, of which \$46,000 is for administrative fees to the county, \$30,500 for Umbaugh Associates expenses and \$30,000 for marketing, preparing, planning and help incentivize an "option" agreement for land purchase of an incoming business. Mike Yoder questioned the request for \$30,000 for land. Mr. Godlewski said this funding would possibly be used as earnest money for a developer to buy some property. Mr. Rodino commented that a developer should have their own funding and not expect the county to help them purchase the land. Mr. Yoder said he is not comfortable with the county giving money to a developer to hold a property and Mr. Rodino agreed. Mr. Yoder suggested the \$30,000 be pulled from this appropriation and then possibly another plan prepared to entice developers to come to the area.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council the additional appropriation request for \$76,000 for administrative fees and other professional services from the Northwest Gateway TIF fund and denied the additional \$30,000 for an "option agreement" for land purchase of an incoming business.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

Northwest Gateway TIF
NAME

322-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 46,000.00		Administrative Fees	4449	Northwest Gateway TIF	322	
2 30,500.00		Other Professional Services	4309	Northwest Gateway TIF	322	
3 30,000.00		Land	4501	Northwest Gateway TIF	322	
4 No						
5						
6						
7						
8						
TOTAL \$ 106,500.00 76,000						
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent Request as of Date		YES	NO	Amount	Date
1						
2						
3						
4						
5						
6						
7						
8						
TOTAL \$						

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses. Professional services are for marketing, preparing, planning and help incentivise an "option" agreement for land purchase of an incoming business.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request for \$160,500 from the Northeast TIF District fund for administrative fees, professional services and two sign requests, as requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12/20/12

DEPARTMENT

NE TIF CR 6 & CR 17
NAME

332-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1 \$ 80,000.00		Administrative Fees	4449	NE TIF CR 6 & CR 17	332		
2 50,500.00		Other Professional Services	4309	NE TIF CR 6 & CR 17	332		
3 30,000.00	1301	Sign request for entryways		NE TIF CR 6 & CR 17	332		
4							
5							
6							
7							
8							
TOTAL \$ 160,500.00							
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effectuated		APPROVED BY COUNCIL		
Approp.	Unspent Request as of Date		AMOUNT	DATE	YES	NO	Amount
1							
2							
3							
4							
5							
6							
7							
8							
TOTAL \$							

REASON FOR REQUEST

Annual Reimbursement Agreement and Umbaugh expenses. Umbaugh study under contract - need to reappropriate funding. Two sign requests similar to Beck Drive for Industrial Park entryways.

Jeff Taylor, Manager of Transportation, addressed the Board regarding the bids that were submitted for materials and supplies for 2013. He said there was only one bid received for fuel but he wants to be assured that he is permitted to purchase fuel from other vendors if there would happen to be a county vehicle somewhere in the county that needs fuel and is not located near the vendor that submitted the bid.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board awarded the bids for 2013 supplies and materials subject to the highway department having the right to purchase items from other vendors if it is more convenient and cost effective at that time.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board awarded the bid for the Monroe Street Bridge widening project to Northern Indiana Construction Company, Inc. for \$453,891.40, as requested by Jeff Taylor, Manager of Transportation. They submitted the lowest bid of the five that were submitted.

The following appropriation reduction requests were presented by Jeff Taylor, Manager of Transportation:

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an appropriation reduction request from the Cumulative Bridge fund for \$135,095 for completed projects.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an appropriation reduction request from the Motor Vehicle Highway fund for \$70,000 for personnel changes.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an appropriation reduction request from the Cumulative Bridge fund for \$110,508 for personnel changes.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an appropriation reduction request from the Motor Vehicle Highway fund for \$216,211 for personnel changes.

The above reductions are as follows:

**ELKHART COUNTY
APPROPRIATION REDUCTION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

112-201
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	70,000		Professional	4105	Motor Vehicle Highway	112		
2								
3								
4								
5								
6								
7								
8								
TOTAL	70,000							
	ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp. as of Date							
			AMOUNT	DATE	YES	NO	Amount	Date
	109	1/1/2013	0			X		

REASON FOR REQUEST 1. Position moved to Cumulative Bridge

**ELKHART COUNTY
APPROPRIATION REDUCTION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

335-212
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1	80,506		Technicians	4106	Cumulative Bridge	335	
2	30,000		Office & Clerical	4109	Cumulative Bridge	335	
3							
4							
5							
6							
7							
8							
TOTAL	110,506						
			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effectuated		APPROVED BY COUNCIL	
	ORIGINAL AMOUNT						
	Approp.	as of Date		YES	NO	Amount	Date
	127506	1/1/2013	0		X		
	32864	1/1/2013	0		X		

REASON FOR REQUEST 1. Positions moved from Cumulative Bridge fund to MVH fund

Jeff Taylor, Manager of Transportation, presented the following seven (7) additional appropriations for approval.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request for \$60,000 from the Motor Vehicle Highway fund for the purchase of two (2) dump truck beds.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Major Bridge fund for \$750,001 for the payment to the Major Moves fund for the Johnson Street & Six Span bridges.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the EDIT fund for \$575,000 for three (3) items. Mr. Taylor noted that \$300,00 of this appropriation is for acquisition of more right-of-way for CR 17 between CR 38 and CR 40 non access easements.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Cumulative Bridge fund for \$140,000 for miscellaneous bridge repairs for 2013.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the EDIT fund for \$55,617 for the Major Moves interest payment for CR 17 2C.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Motor Vehicle Highway fund for \$65,250 for personnel changes.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Cumulative Bridge fund for \$233,555 for personnel and benefits changes.

The above seven (7) additional appropriation requests are as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-12-12

DEPARTMENT

Major Bridge

338-980

NAME

NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1	589,720		Principal Major Moves Loan	4352	Major Bridge	338	
2	160,281		Interest Major Moves Loan	4357	Major Bridge	338	
3							
4							
5							
6							
7							
8							
TOTAL	750,001						
			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
	ORIGINAL AMOUNT						
	Approp. Unspent as of Reques Date			YES	NO	Amount	Date
					X		

REASON FOR REQUEST December 2012 Major Moves Loan payment, Johnson St & Six Span Bridges

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

331-980
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	75,000	1302	CR 3 & CR 32 Right of Way	4730	EDIT	331		
2	200,000	1303	Misc Repairs & Closeouts	4730	EDIT	331		
3	300,000	1304	CR 17 Right of Way	4730	EDIT	331		
4								
5								
6								
7								
8								
TOTAL	575,000							
	ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp.	as of Date						
			AMOUNT	DATE	YES	NO	Amount	Date
	0							
	0							
	0							

REASON FOR REQUEST 1. Funds needed for the Right of Way Phase of the CR 3 & CR 32 project. Funds will be used for all aspects of the right of way acquisition including, but not limited to parcel purchase, appraisals, legal fees, meetings, travel, and any other expenses relative to the acquisition of the right of way required for the project.

2. Annual appropriation for various projects undertaken by the Highway Department. Funds are utilized for smaller scale capital improvement projects and to supplement shortfalls for road and bridge projects. 3. Additional funds required for the acquisition of right of way for CR 17 between CR 38 and CR 40 (Non access easements primarily)

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

335-980
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1	140,000	1305	Misc Bridge Repairs	4730	Cumulative Bridge	335	
2							
3							
4							
5							
6							
7							
8							
TOTAL	140,000						
			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
	ORIGINAL AMOUNT						
	Approp.	as of Date		YES	NO	Amount	Date
			AMOUNT	DATE			

REASON FOR REQUEST 1. Funds needed to make various repairs to bridges based on bridge inspections.

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-12-12

DEPARTMENT

EDIT

331-980

NAME

NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	55,617		Interest Major Moves Loan	4357	EDIT	331		
2								
3								
4								
5								
6								
7								
8								
TOTAL	55,617							
	<u>ORIGINAL AMOUNT</u>		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp. Unspent as of Request Date							
			AMOUNT	DATE	YES	NO	Amount	Date
						X		

REASON FOR REQUEST December 2012 Major Moves interest payment, CR 17 2C

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

112-202
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	65,250		Technicians	4106	Motor Vehicle Highway	112		
2								
3								
4								
5								
6								
7								
8								
TOTAL	65,250							
	ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp. as of Date							
			AMOUNT	DATE	YES	NO	Amount	Date
	77335	1/1/2013	0			X		

REASON FOR REQUEST 1. One F.T. Tech (RE) moved from CBF to MHV and one 1/2 time position moved from 112-201-4105 Professional (AB).

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 12-20-12

DEPARTMENT

Highway
NAME

335-212
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	75,000		Professional	4105	Cumulative Bridge	335		
2	73,000		Service Maintenance Workers	4111	Cumulative Bridge	335		
3	25,000		Excess Hours	4118	Cumulative Bridge	335		
4	4,000		Social Security	4150	Cumulative Bridge	335		
5	1,700		Retirement-PERF	4151	Cumulative Bridge	335		
6	50,000		Group Insurance	4153	Cumulative Bridge	335		
7	4,155		Wellness	4155	Cumulative Bridge	335		
8	700		Medicare	4157	Cumulative Bridge	335		
TOTAL	233,555							
	ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp. as of Date							
			AMOUNT	DATE	YES	NO	Amount	Date
	55825	1/1/2013	0			X		
	0	1/1/2013	0			X		
	10,000	1/1/2013	0			X		
	14,644	1/1/2013	0			X		
	22,054	1/1/2013	0			X		
	0	1/1/2013	0			X		
	0	1/1/2013	0			X		
	3,425	1/1/2013	0			X		

REASON FOR REQUEST 1. Bridge Engineer position moved to Bridge fund from Motor Vehicle Highway Fund
2. Two Bridge Maintenance positions moved from MVH to Cumulative Bridge. 3 thru 8. Benefits for Bridge Positions.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and forwarded to the County Council appropriation reduction requests from the Sales Disclosure Fees fund for \$7,538.75; the Major Bridge fund for \$16,388.22; the Jail CAGIT fund for \$450.00; the Northeast TIF fund for \$167,781.75 and the Stormwater fund for \$1,013.75, as requested by Tom Byers, County Administrator. These are to close out old projects.

The appropriation reduction requests are as follows:

**ELKHART COUNTY
APPROPRIATION REDUCTION REQUEST**

DATE 12-6-2012

DEPARTMENT

Commissioners
NAME

320/980
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO		
1	\$ 1,013.75	801		2005	Stormwater	320		
2								
3								
4								
5								
6								
7								
8								
TOTAL	\$ 1,013.75							
	ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL		
	Approp. as of Date							
			AMOUNT	DATE	YES	NO	Amount	Date

REASON FOR REQUEST Close out project.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the EDIT fund for \$27,000 for the county's contribution to the North Central Business Assistance Center (NCI), as requested by Tom Byers, County Administrator.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE 12-14-2012

DEPARTMENT

Commissioners
NAME

331/980
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1	27,000	1301	Cons/Recon	4730	EDIT	331	
2							
3							
4							
5							
6							
7							
8							
TOTAL	27,000						
			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effectcd		APPROVED BY COUNCIL	
	ORIGINAL AMOUNT						
	Approp.	as of Date		YES	NO	Amount	Date
			AMOUNT	DATE			

REASON FOR REQUEST Contribution to the North Central Business Assistance Center (NCI). Representatives of the Elkhart Chamber and NCI will be in attendance at the meeting to answer questions and concerns.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council an additional appropriation request from the Cumulative Capital Development fund for \$654,175 for sheriff's vehicles, VOIP in several county buildings, replacement PC's and capital items for county departments, as requested by Tom Byers, County Administrator.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE 12-17-2012

DEPARTMENT

Commissioners
NAME

334/980
NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1	275,000	1301	Vehicles	4531	Cum Cap Dev	334	
2	179,175	1302	Cons/Recons	4730	Cum Cap Dev	334	
3	100,000	1303	Data Proc Equipment	4545	Cum Cap Dev	334	
4	100,000	1304	Capital Items	4539	Cum Cap Dev	334	
5							
6							
7							
8							
TOTAL	654,175						
			If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effectuated		APPROVED BY COUNCIL	
	ORIGINAL AMOUNT						
	Approp.	as of Date					
			AMOUNT	DATE	YES	NO	Amount
							Date

REASON FOR REQUEST See attached explanation & 5 year CCDF plan.

Elkhart County Council
Cum Cap Development Funding Requests
January 12, 2013

Vehicles: \$275,000 – Funds will be used by the sheriff's department to purchase vehicles

VOIP: \$179,175 – Funds are needed to complete the installation of the VOIP system in the following county buildings: courthouse (\$33,076); Public Defender office (\$6,450); Parks Administration office (\$5,615); Elkhart courts building (\$76,030); Health Department (\$33,865); and Hudson Clinic (\$24,139)

PC Replacement: \$100,000 – Set aside dollars to replace PCs for county general fund departments. Decisions on which PCs are to be replaced are made by the IT department.

Capital Items: \$100,000 – Each year we try to set aside \$100,000 for capital needs (other than PCs) of various county departments. Decisions on expenditures are made by the commissioners' office.

**ELKHART COUNTY
5 YEAR FINANCIAL PLAN
CUM CAP DEVELOPMENT PLAN**

CCDF Income	2013	2014	2015	2016	2017
Estimated Balance 12/31/2012	\$ 1,794,300	\$ 656,556	\$ 534,025	\$ 438,949	\$ 393,873
Estimated Income	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Total Funds Available	\$ 2,794,300	\$ 1,656,556	\$ 1,534,025	\$ 1,438,949	\$ 1,393,873

CCDF Expenditures

Carry Over Projects						TOTAL
Buildings & Grounds	\$ 172,956					\$ 172,956
Financial Software Project	\$ 300,000					\$ 300,000
Capital Items	\$ 33,813					\$ 33,813
IT	\$ 290,144					\$ 290,144
Sheriff Cars	\$ 275,000	\$ 200,000	\$ 200,000	\$ 150,000	\$ 150,000	\$ 975,000
Hudson Clinic	\$ 52,455	\$ 52,455				\$ 104,910
Prosecutor's Cars	\$ 20,076	\$ 20,076	\$ 20,076	\$ 20,076	\$ 20,076	\$ 100,380
Bldgs. & Grounds Budget	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 750,000
Capital Items	\$ 100,000	\$ 100,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 575,000
IT Plan*	\$ 743,300	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 3,143,300
Total Expenditures	\$ 2,137,744	\$ 1,122,531	\$ 1,095,076	\$ 1,045,076	\$ 1,045,076	\$ 6,445,503
Est. CCDF Balance	\$ 656,556	\$ 534,025	\$ 438,949	\$ 393,873	\$ 348,797	

*See sheet #2 for detailed list of 2013 IT related expenditures

12/14/2012

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board accepted the Weights & Measures report for November 16th – December 15th, 2012 and placed it on file.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

January 14, 2013

President Terry Rodino called the meeting to order at 9:00 a.m. in the Commissioners' meeting room in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other two (2) Board members, Frank Lucchese and Mike Yoder were also present. Others present were Pauline Graff, County Auditor; Gordon Lord, County Attorney; Tom Byers, County Administrator; and Kathy Erschen, Executive Assistant.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the Allowance of Claims, as presented by the county auditor's office.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board appointed Jay Grossman as the county highway engineer correcting an error at last Monday's meeting (7th) that mistakenly appointed Tom Rushlow as county highway engineer.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved an out-of-state travel request for an employee in the health department to go to Leesburg, VA in February for the Medical Reserve Corp. Yearly Leadership Summit.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the contract for Gordon Lord, County Attorney, for 2013. The contract is on file in the Commissioners' office.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board adopted a Resolution to Conduct a Commissioners Sale of Tax Sale Certificates for Properties that are Delinquent in Payment of Property Taxes Under I.C. 6-1.1-24-6.1, as requested by Gordon Lord, County Attorney. The list of properties for this sale is part of the resolution.

The Resolution is as follows:

RESOLUTION NO. 2013- 47

**RESOLUTION TO CONDUCT A COMMISSIONERS SALE OF TAX
SALE CERTIFICATES FOR PROPERTIES THAT ARE DELINQUENT IN
PAYMENT OF PROPERTY TAXES UNDER I.C. 6-1.1-24-6.1**

WHEREAS, there are various properties in Elkhart County that are delinquent in the payment of property taxes, having been offered for tax sale on one or more occasions, and having received no bids equal to or in excess of the minimum sales price required by law;

WHEREAS, the Board of Commissioners of the County of Elkhart, Indiana have received tax sale certificates for various such properties, under I.C. 6-1.1-24-6;

WHEREAS, under I.C. 6-1.1-24-6.1, the Board of Commissioners of the County of Elkhart, Indiana may sell the certificates for each tract or item of real property the Board has acquired, by public sale, and standards set forth within such statute;

WHEREAS, attached hereto, labeled Exhibit A, and made a part of this Resolution, is copy of "Notice of Real Property Tax Certificate Sale ...," as to certain specific tracts or items of real property for which the Elkhart County Commissioners hold a tax certificate; that the tracts and/or items of real property identified on Exhibit A have been particularly problematical to Elkhart County as to their condition, lack of payment of accruing property taxes and assessments, or both, and which tracts or items of real property identified on Exhibit A have been singled out for sale at a specific sale dealing only with those tracts or items of real property;

WHEREAS, the Elkhart County Commissioners desire to have those items or tracts of real property back on the tax rolls with taxes being collected, and the Elkhart County Commissioners have determined to sell the tax certificates as to the tracts or items of real property identified on Exhibit A for less than the amount which such tracts or items of real property were offered for sale at the October 2, 2012 County tax sale;

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners shall sell at public auction, set for March 4, 2013, at 10:00 a.m., after property notice shall be given, the tax sale certificates for the specific tracts or items of real property identified on Exhibit A, for a minimum bid (to include costs and expenses to the County) as identified on Exhibit A;

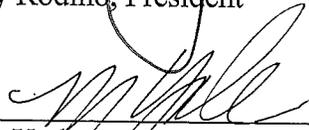
BE IT FURTHER RESOLVED that the certificates held by the Elkhart County Commissioners for the tracts or items of real property listed on Exhibit A may also be set for an additional sale, at public auction, with numerous other tax sale certificates held by the County

Commissioners, should said tax sale certificates for the tracts or items of real property identified on Exhibit A not sell at the March 4, 2013 auction herewith authorized.

Adopted this 14th day of January, 2013.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: 
Terry Rodino, President

By: 
Mike Yoder

By: 
Frank Lucchese

ATTEST:


Pauline E. Graff
Elkhart County Auditor

EXHIBIT A

Township / Tax Unit: Jackson Township

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-21-300-011-018
Brief Legal Description: 666.7X144.63X604X
Property Address: 70929 SR 15, New Paris, IN 46553
Minimum Bid: \$500.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-21-300-012-018
Brief Legal Description: Pt. of SE Frac SW
Property Address: 70995 SR 15, New Paris, IN 46553
Minimum Bid: \$730.00

Owner of Record: Korprop Realty, LLC
Parcel ID#/Tax Code #: 15-21-300-014-018
Brief Legal Description: Pt. SE1/4 SW ¼ SE
Property Address: Pt. building 71103 CR 23, New Paris, IN 46553
Minimum Bid: \$2,000.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-102-001-018
Brief Legal Description: PT NW 14 NW ¼
Property Address: ADJ W 71237/71567 SR 15, New Paris, IN 46553
Minimum Bid: \$200.00

Owner of Record: NTA Property Management
Parcel ID#/Tax Code #: 15-28-103-001-018
Brief Legal Description: Pleasant View Lot
Property Address: 21237 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$670.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-002-018
Brief Legal Description: Pleasant View Lot
Property Address: ADJ S 71237 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$190.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-003-018
Brief Legal Description: Pleasant View Lot
Property Address: 71567 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$420.00

Owner of Record: Hoskins Manufacturing Company

Parcel ID#/Tax Code #: 15-28-103-004-018
Brief Legal Description: Pleasant View Lot
Property Address: ADJ S 71567 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$310.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-005-018
Brief Legal Description: Pleasant View Lot
Property Address: ADJ N 71105 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$320.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-006-018
Brief Legal Description: 50X100FT ADJ TO
Property Address: ADJ W 71105 State Rd. 15, New Paris, IN 46553
Minimum Bid: \$235.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-007-018
Brief Legal Description: Pleasant View Lot
Property Address: 71105 SR 15, New Paris, IN 46553
Minimum Bid: \$535.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-103-008-018
Brief Legal Description: Pleasant View Lot
Property Address: 71131 SR 15, New Paris, IN 46553
Minimum Bid: \$715.00

Owner of Record: Hoskins Manufacturing Company
Parcel ID#/Tax Code #: 15-28-126-001-018
Brief Legal Description: PT N1/2 NW EX 4.0
Property Address: PT BUILDING 71103 County Rd. 23, New Paris, IN 46553
Minimum Bid: \$5,000.00

Township / Tax Unit: Concord-Elkhart Corp. Township

Owner of Record: Orbitron Products, Inc.
Parcel ID#/Tax Code #: 06-06-203-003-012
Brief Legal Description: IN NW NE SEC 6 4.6
Property Address: 1100 W. Beardsley, Elkhart, IN 46514
Minimum Bid: \$55,000.00

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and signed a grant for radios for Emergency Management for \$1,652.87, as requested by Jennifer Tobey, Director of Emergency Management.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

January 22, 2013

President Terry Rodino called the meeting to order at 9:00 a.m. in room 104 in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other two (2) Board members, Frank Lucchese and Mike Yoder, were also present. Others present were Sheriff Brad Rogers; Dawn Truex from the county auditor's office; Gordon Lord, County Attorney; Tom Byers, County Administrator; and Kathy Erschen, Executive Assistant.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the Minutes of the January 7th & 14th, 2013 meetings and placed them on file.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the Allowance of Claims, as presented by the county auditor's office.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved Secondary approval of a DPUD known as Agdia DPUD for Agdia, Inc., represented by JPR, Inc., located on the northeast corner of CR 1 and CR 10 in Cleveland Township, as requested by Duane Burrow from planning and development.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved Secondary approval of a 2 lot major subdivision known as Replat of Lots 3 & 4 of 13 North Industrial Park for William C. Fenech, represented by JPR, Inc. located on the west side of SR 13 (US 131), 100 feet north of CR 2 in York Township, as requested by Mark Kanney from planning and development.

Brian Mabry from planning and development presented a request for Olha Ustymchuk (seller) and Mark H. Hinds (buyer) for a zoning map amendment (rezoning) from R-1 to B-1 located on the south side of US 33, 125 feet of CR 113 in Concord Township. The Plan Commission has sent this to the Board with a recommendation for approval. Mr. Mabry said the buyer wants to make this an office for his insurance business. Mark Hinds said he leases an office about 1/3 miles from this property and would like to move his office to this location. There were no other comments from anyone in the audience. On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board closed the public hearing.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the rezoning and adopted an ordinance establishing the zoning change from R-1 to B-1.

The Ordinance is as follows:

ORDINANCE NO. PC13-01

AN ORDINANCE TO AMEND THE COUNTY CODE 36-7-4-600 KNOWN AS THE ZONING ORDINANCE FOR ELKHART COUNTY INDIANA BY REZONING THE AREA OF REAL ESTATE HEREIN AFTER DESCRIBED FROM R-1 TO B-1

WHEREAS, Mark Hinds submitted an application to rezone real estate hereinafter described from R-1 to B-1 and after proper legal notice a public hearing was held as provided by Law, and the Plan Commission did find that all elements of the Law have been met and did on the 20th day of December, 2012, recommend a zone change from R-1 to B-1 and filed their recommendation for adoption of this Ordinance with the Board of County Commissioners of Elkhart County Indiana.

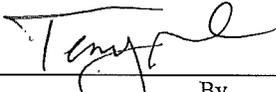
BE IT THEREFORE ORDAINED BY THE COUNTY COMMISSIONERS FOR ELKHART COUNTY, INDIANA THAT:

Legal Description

See attached

BE rezoned from R-1 to B-1 effective immediately, and the zone maps dated October 30, 1959 and made a part of Article II, Section 2 of the Master Plan of Zoning for Elkhart County Indiana as amended are hereby ordered amended and changed to reflect the said rezoning of said real estate.

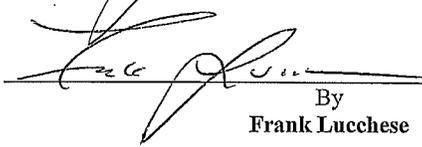
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR ELKHART COUNTY, INDIANA THIS 22nd DAY OF JANUARY, 2013



By
Jerry Rodino



By
Mike Yoder



By
Frank Lucchese

Attest: 

Pauline Graff, Elkhart County Auditor

O.U. 10-1-07
N.U.

Legal

PROPERTY ADDRESS: 23482 U. S. 33
ELKHART, INDIANA 46517
SURVEY REQUESTED BY: MERIDIAN TITLE CORPORATION
BUYER: YURLY AND OLHA USTYMCHUK
SELLER: JOSHUA & RUTHANNE VIDA



LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ASSUMING THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION TO HAVE A BEARING DUE NORTH AND SOUTH, BEGINNING AT A CROSS IN THE CONCRETE PAVEMENT AT THE INTERSECTION OF THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) WITH THE CENTERLINE OF THE GOSHEN-ELKHART ROAD; THENCE NORTH FORTY-EIGHT (48) DEGREES TWENTY-SIX (26) MINUTES WEST ALONG THE CENTERLINE OF SAID ROAD, A DISTANCE OF EIGHTY-ONE AND NINETY-SIX HUNDREDTHS (81.96) FEET FOR A BEGINNING POINT OF THIS DESCRIPTION; THENCE CONTINUING NORTH FORTY-EIGHT (48) DEGREES TWENTY-SIX (26) WEST ALONG THE CENTERLINE OF SAID ROAD, ONE HUNDRED (100) FEET; THENCE SOUTHWESTWARDLY, THREE HUNDRED ELEVEN AND FORTY-SEVEN HUNDREDTHS (311.47) FEET TO A POINT WHICH IS TWO HUNDRED NINETY-THREE AND ELEVEN HUNDREDTHS (293.11) FEET WEST OF THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4); THENCE NORTH EIGHTY-NINE (89) DEGREES THIRTY-SEVEN (37) MINUTES EAST, FIFTY-SIX (56) FEET; THENCE NORTHEASTERLY ON A STRAIGHT LINE TO THE POINT OF BEGINNING.

SURVEYOR'S REPORT

ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 29 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A) VARIANCES IN THE REFERENCE MONUMENTS;
- B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
- C) INCONSISTENCIES IN LINES OF OCCUPATION;
- D) RANDOM ERRORS IN MEASUREMENTS (THEORETICAL UNCERTAINTY)

THE THEORETICAL UNCERTAINTY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A CLASS B (0.25 FEET) SURVEY. THIS SURVEY IS A RETRACEMENT SURVEY OF A PART OF THE NW 1/4 OF SECTION 26, CONCORD TOWNSHIP, ELKHART COUNTY, INDIANA. ALL IRONS OF THE SUBJECT LOT WERE FOUND, BEARINGS AND DISTANCES WERE CHECKED ON THESE POINTS. DISCREPANCIES IN MEASUREMENTS ARE OWN AS MEASURED (M) AND RECORD (R) ON DRAWING. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:

DUE TO VARIANCES IN THE REFERENCE MONUMENTS: AS SHOWN
DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: NONE
DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: AS SHOWN
NO CORRECTION OF BEARINGS IS TAKEN FROM THE PLAT OF RUSSMORE HEIGHTS ADDITION ON WHICH THIS SURVEY IS BASED. BEARINGS FOUND ALONG THE WEST LINE OF SAID PROPERTY.

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN REPRESENTS A TRUE AND CORRECT STATEMENT OF FACTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA SURVEYING ACT, AS AMENDED, JANUARY 7, 2009 IN ACCORDANCE WITH 865 IAC 12-2-1. REGISTERED LAND SURVEYORS
SIGNATURE: *Ronnie L. Justice*
RONNIE L. JUSTICE
IND. REG. NO. 00000304

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY APPEARS TO BE IN A ZONE C OF THE FLOOD INSURANCE RATE MAP. CONSULT A LICENSED ENGINEER UNDER 180096 0020 B EFFECTIVE DATE OF JUNE 5, 1985.

ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
1840 W. LINCOLN AVENUE,
GOSHEN, INDIANA 46526
(974) 534-2660 - FAX (974) 535-8565
RONNIE L. JUSTICE R.L.S.

DATE: JANUARY 11, 2015
PROJECT NUMBER: 2015013
AUTHORIZED BY: R. L. J.
DRAWING BY: T. D. J.
SCALE: 1" = 40'
SHEET 1 OF 1

Brian Mabry from planning and development presented a request for approval of Amendments to the text of the Elkhart County Zoning Ordinance listed as follows: Article 5 ADMINISTRATION by allowing the Zoning Administrator to grant Administrative Adjustments for minor specified deviations from otherwise applicable standards of the Zoning Ordinance. Mr. Mabry explained the situations and special uses this change would apply to. There were no comments from anyone in the audience. On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the request and adopted an ordinance establishing these amendments.

The Ordinance is as follows:

AN ORDINANCE TO AMEND THE TEXT OF THE ELKHART COUNTY ZONING ORDINANCE COUNTY CODE 36-7-4-600 BY AMENDING DEFINITIONS, PERMITTED USES, AND SPECIAL USES AS DETAILED IN THIS ORDINANCE.

Whereas, the Elkhart County Advisory Plan Commission did publish notice of Public Hearing in The Elkhart Truth on the 1st day of December 2012 and in The Goshen News on the 1st day of December 2012;

Whereas, the Elkhart County Advisory Plan Commission did hold a public hearing on the 20th day of December 2012 and at that public hearing did take and consider public input;

Whereas, the Elkhart County Advisory Plan Commission did on the 20th day of December 2012 review and consider a form of Ordinance written by the Staff for the Plan Commission;

Whereas, the Elkhart County Advisory Plan Commission did give reasonable regard as required by Indiana Code 36-7-4-603 to the proposal for a text amendment to the Elkhart County Zoning Ordinance; And did forwarded the proposal with a favorable recommendation for adoption by the Board of Commissioners of Elkhart County.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA AS FOLLOWS:

Section 1. Add the following text as a new Section 5 to follow "SECTION 4. Improvement Location Permit Required Within a Flood Hazard Area" in "ARTICLE 5. ADMINISTRATION":

SECTION 5. Administrative Adjustment

a. Applicability

- (1) Administrative Adjustments are minor specified deviations from otherwise applicable standards of this Ordinance as specified in this Section.
- (2) Except as provided in subsection c. below, the Zoning Administrator has the authority to approve an Administrative Adjustment of up to 10 percent of any front, side or rear setback standard as set forth in this Ordinance.
- (3) Structures receiving an Administrative Adjustment must comply with all other requirements of this Ordinance not specifically relieved by the Adjustment.
- (4) Any requested Adjustment not in accordance with what is permitted in this Section must be processed as a Developmental Variance in accordance with Article 6.
- (5) A request for an Administrative Adjustment may be submitted along with an Improvement Location Permit application; however, the Improvement Location Permit may not be approved until the Administrative Adjustment is approved.

b. Review Process

Considering the Review Criteria in subsection d. below, the Zoning Administrator must approve, approve with conditions or deny the Administrative Adjustment.

c. Standards Ineligible for Relief

- (1) No condition, commitment or site plan approved by the County Commission, Plan Commission, Board of Zoning Appeals or Hearing Officer is eligible for an Administrative Adjustment.
- (2) No Administrative Adjustment is allowed for work that originally occurred without the appropriate permits.
- (3) No Administrative Adjustment is allowed that would result in the location of a structure within any easement without the land owner first receiving approval from the Plan Commission or Plat Committee, as appropriate, for the modification of the easement, vacation of the easement or a change in the recorded plat regarding the easement to accommodate the Administrative Adjustment.
- (4) No Administrative Adjustment is allowed that would result in a separation between any two buildings of less than five feet.

d. Review Criteria

In determining whether to approve, approve with conditions or deny an Administrative Adjustment, the Zoning Administrator must consider the following criteria.

- (1) The Administrative Adjustment does not adversely affect the permitted use of adjacent property or the physical character of the surrounding area
- (2) Granting the Administrative Adjustment will be generally consistent with the purpose of this Ordinance.
- (3) The Administrative Adjustment requested is the minimum adjustment necessary for reasonable use of the property and compliance with this Ordinance.

e. Relief Not Cumulative

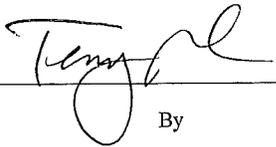
The Zoning Administrator may grant only one form of administrative relief established in this Ordinance related to the standard for which relief is being sought. Other forms of administrative relief include, but are not limited to, those established in Specifications B, Section B, subsection C.1.g(1) and (4).

f. Expiration

- (1) An Administrative Adjustment applies only to the structure and associated setback shown on the approved site plan for the Adjustment.
- (2) An approved Administrative Adjustment expires unless an Improvement Location Permit for the associated structure is approved within 90 calendar days from the date of approval of the Adjustment. In addition, an Administrative Adjustment expires unless construction work is completed within one year from the date of the issuance of the Building Permit for the associated structure.

Section 2. This ordinance shall be established effective the day of adoptions by the Board of Commissioners.

ORDAINED AND ADOPTED THIS 22ND DAY OF JANUARY 2012 BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART COUNTY, INDIANA.



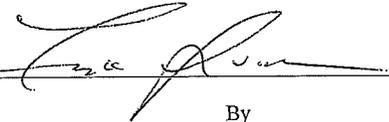
By

Terry Rodino



By

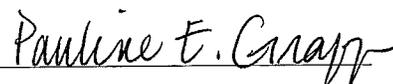
Mike Yoder



By

Frank Lucchese

Attest:



Pauline E. Graff Auditor for Elkhart County

PC13-02

Page 2 of 2

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved two (2) traffic control recommendations and adopted two (2) traffic control ordinances for a 15 TON WEIGHT LIMIT on bridge #354 on CR 43, 0.5 miles south of US 6 and the second ordinance for a 13 TON WEIGHT LIMIT on bridge #141 on CR 3, 0.2 miles south of CR 22, as requested by Jeff Taylor, Manager of Transportation.

The two (2) traffic control ordinances are as follows:

TRAFFIC CONTROL ORDINANCE

TYPE OF SIGN: **"13 TON WEIGHT LIMIT"**

WHEREAS, the Engineer has conducted an engineering and traffic investigation and upon the basis of this engineering and traffic investigation has recommended that a **"13 TON WEIGHT LIMIT" SIGNS be posted** at the following location:

BRIDGE #141 ON COUNTY ROAD 3, 0.2 MILES SOUTH OF COUNTY ROAD 22

NOW THEREFORE BE IT ORDAINED that Elkhart County Highway Division is authorized to **POST "13 TON WEIGHT LIMIT" SIGNS** at this location:

BRIDGE #141 ON COUNTY ROAD 3, 0.2 MILES SOUTH OF COUNTY ROAD 22

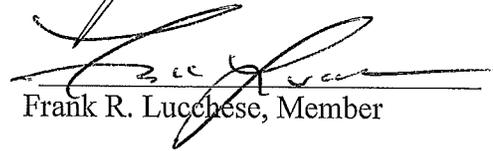
**Board of Commissioners
Elkhart County, Indiana**



Terry J. Rodino, President



Mike Yoder, Vice President



Frank R. Lucchese, Member

DATE OF ORDINANCE: January 22, 2013

ORDINANCE NUMBER 13-59

TRAFFIC CONTROL ORDINANCE

TYPE OF SIGN: **"15 TON WEIGHT LIMIT"**

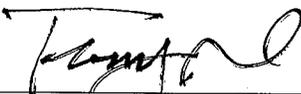
WHEREAS, the Engineer has conducted an engineering and traffic investigation and upon the basis of this engineering and traffic investigation has recommended that a **"15 TON WEIGHT LIMIT" SIGNS be posted** at the following location:

BRIDGE #354 ON COUNTY ROAD 43, 0.5 MILES SOUTH OF US 6

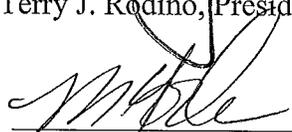
NOW THEREFORE BE IT ORDAINED that Elkhart County Highway Division is authorized to **POST "15 TON WEIGHT LIMIT" SIGNS** at this location:

BRIDGE #354 ON COUNTY ROAD 43, 0.5 MILES SOUTH OF US 6

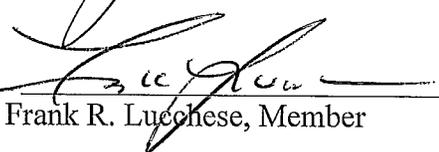
**Board of Commissioners
Elkhart County, Indiana**



Terry J. Rodino, President



Mike Yoder, Vice President



Frank R. Lucchese, Member

DATE OF ORDINANCE: January 22, 2013

ORDINANCE NUMBER 13-60

Jeff Taylor, Manager of Transportation, asked the Board for approval to enter into a contract with Hahn Auctioneers to hold an auction for the highway department to sell some equipment. They will combine the county's equipment with others and the equipment will be advertised on the internet. They will pay for the advertising and charge a 10% buyer's premium so there is no charge to the county.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved entering into a contract with Hahn Auctioneers.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the contract for 2013 for the Elkhart County Humane Society, as requested by Tom Byers, County Administrator. The cost is the same as last year which is \$170,000. A copy of the contract is on file in the Commissioners' office.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved a Resolution to Conduct a Commissioners Sale of Tax Sale Certificate for Properties that are Delinquent in Payment of Property Taxes Under I.C. 6-1.1-24-6.1, as requested by Tom Byers, County Administrator. SRI will be conducting the sale via internet but a date has not been set at this time. A minimum price of 10% of the back taxes will be set.

The Resolution is as follows (without Exhibit A):

RESOLUTION NO. 2013- 62

**RESOLUTION TO CONDUCT A COMMISSIONERS SALE OF TAX
SALE CERTIFICATES FOR PROPERTIES THAT ARE DELINQUENT IN
PAYMENT OF PROPERTY TAXES UNDER I.C. 6-1.1-24-6.1**

WHEREAS, there are various properties in Elkhart County that are delinquent in the payment of property taxes, having been offered for tax sale on one or more occasions, and having received no bids equal to or in excess of the minimum sales price required by law;

WHEREAS, the Board of Commissioners of the County of Elkhart, Indiana have received tax sale certificates for various such properties, under I.C. 6-1.1-24-6;

WHEREAS, under I.C. 6-1.1-24-6.1, the Board of Commissioners of the County of Elkhart, Indiana may sell the certificates for each tract or item of real property the Board has acquired, by public sale, and standards set forth within such statute;

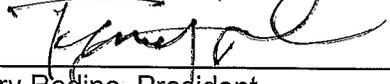
WHEREAS, attached hereto, labeled Exhibit A, and made a part of this Resolution, is copy of "Notice of Real Property Tax Certificate Sale..." as to certain specific tracts or items of real property for which the Elkhart County Commissioners hold a tax certificate;

WHEREAS, the Elkhart County Commissioners desire to have those items or tracts of real property back on the tax rolls with taxes being collected, and the Elkhart County Commissioners have determined to sell the tax certificates as to the tracts or items of real property identified on Exhibit A;

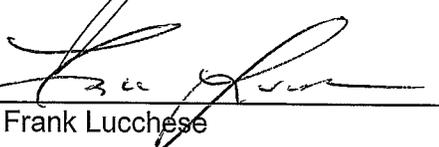
NOW, THEREFORE, BE IT RESOLVED that the County Commissioners shall sell at public auction, after property notice shall be given, the tax sale certificates for the specific tracts or items of real property identified on Exhibit A, for a minimum bid (to include costs and expenses to the County) as identified on Exhibit A.

Adopted this 22nd day of January, 2013.

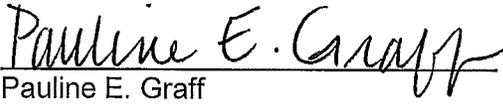
BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: 
Terry Rodino, President

By: 
Mike Yoder

By: 
Frank Lucchese

ATTEST:


Pauline E. Graff
Elkhart County Auditor

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a Communications Agreement with Commercial Broadband Services, Inc. (CBS) as requested by Gordon Lord, County Attorney. This will allow this company to have access to two (2) of the fiber of the 24 the county has control of along US 33. The county has been paying \$800 per month for wireless internet to the administration building & that will now be free. A copy of the agreement is on file in the Commissioners' office.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board appointed Randy Wilson as an alternate member for the Board of Zoning Appeals.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board accepted the Solid Waste-Landfill report for December 2012 and placed it on file.

Matt Grubb, Director of Buildings & Grounds, explained to the Board the emergency situation at the corrections facility. It needs a cooling tower installed before the summer season and in order to have that done, the products need to be ordered now because they are manufactured when the order is placed. There isn't enough time to bid the project. Gordon Lord, County Attorney, said the Commissioners need to declare an emergency.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a Resolution Declaring Emergency for Work on the Cooling System at the Elkhart County Corrections Complex.

The Resolution is as follows:

RESOLUTION NO. 2013-65

**RESOLUTION DECLARING EMERGENCY FOR WORK ON
COOLING SYSTEM AT ELKHART COUNTY CORRECTIONS COMPLEX**

WHEREAS, the Department of Buildings and Grounds for Elkhart County Government has encountered continued difficulties in the operation of the cooling system and chiller for the Elkhart County Corrections Complex situated at County Road 26 and County Road 7 in Elkhart County, Indiana;

WHEREAS, it has been determined by the Department of Buildings and Grounds, and various advisors or consultants to Elkhart County Government that a cooling tower is needed to augment the cooling system and chiller at the Corrections Complex;

WHEREAS, without the acquisition, installation, and implementation of a cooling tower at the Corrections Complex by mid to late spring 2013 there is a substantial risk of there being no cooling capacity, or meaningfully reduced cooling capacity, at the Corrections Complex, when the hotter months of May-September 2013 arrive;

WHEREAS, there is a substantial timeline for the acquisition of an appropriate cooling tower, and the proper installation and implementation of such, which necessitates the declaration of an emergency, and the receipt of proposals, as opposed to formal advertised bids, for the acquisition, installation, and implementation of a cooling tower into the cooling system and chiller at the Corrections Complex;

WHEREAS, Indiana Code Section 36-1-12-9 states that upon a declaration of an emergency, the Board of Commissioners of the County of Elkhart may contract for a public works project without advertising for bids if bids or quotes are invited from at least two persons known to deal in the public work required to be done;

NOW, THEREFORE, BE IT ESTABLISHED AND RESOLVED by the Board of Commissioners of the County of Elkhart as follows:

1. A cooling tower, to be installed and implemented, as part of the cooling system and chiller network at the Elkhart County Corrections Complex, is needed, and should be promptly acquired.

2. Based on information secured by the Elkhart County Department of Buildings and Grounds, and shared with the Board of Commissioners, there is a substantial timeline required

for the purchase, installation, and implementation of a cooling tower for the cooling system at the Corrections Complex, and that sufficient time does not exist for the development of formal specifications, the advertisement of bids, the securing of the equipment and manpower, and the shutdown of the old system while the tower and related components are installed and implemented, for such cooling tower to be or become functional, and for the cooling system at the Corrections Complex to be in full and proper operation, by late spring or early summer.

3. The acquisition of a cooling tower, and the installation and implementation of such, can be undertaken and completed in a timely way, and before the hot weather months of 2013, if an emergency is declared, and bids or proposals are secured under I.C. 36-1-12-9, as opposed to a more formal advertised bidding process.

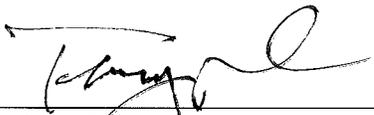
4. The tower acquisition, installation, and implementation contains elements of maintenance, repair, and restoration for a cooling system and chiller of the magnitude of that existing at the Corrections Complex, and it is crucial that the cooling tower acquired, installed and implemented, be compatible with the existing chiller and related equipment, which compatibility can effectively be achieved through a bid or quote process under I.C. 36-1-12-9.

5. An emergency is herewith declared, and the Department of Buildings and Grounds is herewith authorized and directed to seek bids or quotes from at least two persons known to deal in the delivery, installation, and implementation of a cooling tower to be compatible with and function properly with the existing cooling system and chiller for the Corrections Complex.

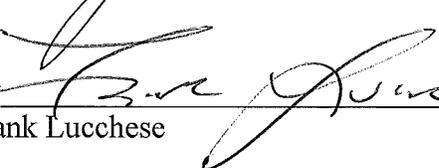
6. That the persons invited to bid or provide quotes on such Work shall include Hydronic & Steam Equipment Co., Inc., 224 W. Garst St., South Bend, IN 46601 and Shambaugh & Son, L.P., 7614 Opportunity Dr., Fort Wayne, IN 46801-1287, each known by the Department of Buildings and Grounds to be competent to provide an appropriate cooling tower, and the installation and implementation of the same, within the time frame needed at the Corrections Complex.

Dated this 22nd day of January, 2013.

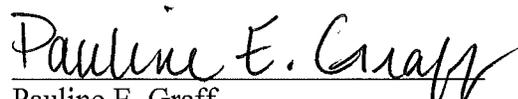
BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By 
Terry Rodino, President

By 
Mike Yoder

By 
Frank Lucchese

ATTEST:


Pauline E. Graff
Elkhart County Auditor

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

January 28, 2013

President Terry Rodino called the meeting to order at 9:00 a.m. in the Commissioners' meeting room in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other two (2) Board members, Mike Yoder and Terry Rodino, were also present. Others present were Pauline Graff, County Auditor; Tom Byers, County Administrator; and Kathy Erschen, Executive Assistant.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the Allowance of Claims, as presented by the county auditor.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved out-of-state travel for Gwen Jaeger and Whitney Pierle from the health department to go to Atlanta, GA in March for the Public Health Preparedness Summit.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board selected LOW Associates as the preferred vendor for the county's financial software and instructed the county administrator to move forward with a contract, as requested by Tom Byers, County Administrator. Mr. Byers said final discussions were held with two (2) vendors which included LOW and RDS and the committee members determined LOW was the best for Elkhart County. They also have an option of tax and billing services if the county should need those services.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board awarded the quote and contract for a new cooling tower at the corrections facility to Hydronic & Steam Equipment CO., Inc., as requested by Tom Byers, County Administrator. They were the lower of the two quotes submitted. The other was from Shambaugh & Son, LP. A contract will be prepared by the county attorney's office for approval.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

January 28, 2013

PAGE 69