MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

June 2, 2014

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 May 19th & 27th, 2014 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 & the Payroll Claims, as presented by the county auditor's office.

Jackie Hughes from the Elkhart County Convention & Visitors Bureau did an update on the quilt garden display throughout the county. There are 20 this year & they expect even more in the years to come. They are featured in the Midwest Living magazine & there are many bus tours for the gardens.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved and signed a grant agreement with the Indiana Department of Corrections for a PREA Compliance grant for $12,500, as requested by Tara Boocher-Whaley, Director of Community Corrections.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved an Interlocal Memorandum of Understanding (MOU) with the City of Elkhart and the City of Goshen for the Justice Assistance Grant (JAG) and an authorization letter designating Kris Krueger as the signatory for all matters related to the submission, acceptance and implementation of the grant, as requested by Kris Krueger, Grants Procurement Specialist. The grant is for $32,061 and will be divided between the county, Elkhart City and Goshen City.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved Secondary approval of a DPUD known as Double L Woodworking, LLC, DPUD A-1 for Levi Lee and Laurene Yoder, represented by Brads-Ko Engineering & Surveying, Inc., located on the south side of CR 34, 2,300 feet west of SR 13 in Clinton 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 and forwarded to the County Council an additional appropriation from the CR 6 & CR 17 (Northeast) TIF District fund for $690,000 to pay for infrastructure and professional services, as requested by Chris Godlewski, Director of Planning. This project will be in conjunction with the city of Elkhart. They are doing a water project on CR 15 between CR

6 & CR 10 and in conjunction with this, there is going to be a bike path constructed in this area to help service the school and residents. The road will be torn up so it was felt this would be a good time to add the sidewalks.

The additional appropriation is as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT CR 6 & CR 17 TIF (NAME) 4511 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	$ 690,000	141435	Construction/Reconstruction	44600	CR 6 & CR 17 TIF	4511
2						
3						
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8						
TOTAL	$ 690,000					

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

REASON FOR REQUEST To pay for infrastructure and professional services.

On a motion made by Frank Lucchese, seconded by Terry Rodino after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the Middlebury Agricultural TIF District fund for $41,000 for landowner reimbursements for conservation easements, as requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT Middlebury's Agricultural TIF (NAME) 4508 (NUMBER)

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 $ 41,000	141438	Construction/Reconstruction	44600	Middlebury"s Ag TIF	4508
2					
3					
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8					
TOTAL $ 41,000					

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

REASON FOR REQUEST For two landowner reimbursements for their conservation easement.

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 from the North Baugo TIF District fund for $4,664, the Middlebury East TIF District fund for $242,550, the Millersburg/Forest River/Clinton Township TIF District fund for $27,463 and the Western Gateway TIF District fund for $430 for infrastructure projects, as requested by Chris Godlewski, Director of Planning.

The additional appropriations are as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT North Baugo TIF (NAME) 4512 (NUMBER)

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 $ 4,664.00	141436	Construction/Reconstruction	44600	North Baugo TIF	4512
2					
3					
4					
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6					
7					
8					
TOTAL $ 4,664.00					

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

REASON FOR REQUEST To pay for infrastructure projects.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT Middlebury East TIF (NAME) 4510 (NUMBER)

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 $ 242,550	141437	Construction/Reconstruction	44600	Middlebury East TIF	4510
2					
3					
4					
5					
6					
7					
8					
TOTAL $ 242,550					

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 To pay for infrastructure projects.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT Millersburg/Forest River/Clinton Twnsp TIF (NAME) 4507 (NUMBER)

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 $ 27,463	141439	Construction/Reconstruction	44600	Millersburg/Forest	4507
2				River/ Clinton Twnsp TIF	
3					
4					
5					
6					
7					
8					
TOTAL $ 27,463					

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							
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7							
8							
TOTAL $							

REASON FOR REQUEST To pay for infrastructure projects.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT Western Gateway TIF (NAME) 4506 (NUMBER)

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1 $ 430.00	141440	Construction/Reconstruction	44600	Western Gateway TIF	4506
2					
3					
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8					
TOTAL $ 430.00					

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							
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3							
4							
5							
6							
7							
8							
TOTAL $							

REASON FOR REQUEST To pay for infrastructure 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 additional appropriation for $37,000 from the Northwest Gateway TIF District fund, as requested by Chris Godlewski. This is for appraisals and a traffic study to be done by DLZ for the Corwin and Old US 20 intersection to see if there should be a traffic light or a round-a-bout. They are working in conjunction with the highway department.

The additional appropriation is as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 5/28/14 DEPARTMENT Northwest Gateway TIF (NAME) 4504 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	$ 37,000	141441	Construction/Reconstruction	44600	Northwest Gateway TIF	4504
2						
3						
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	TOTAL $ 37,000					

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

REASON FOR REQUEST To pay for infrastructure projects.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board gave approval to advertise for bids for the CR 46 over Dausman Ditch Bridge #297 rehabilitation project, as requested by Jeff Taylor, Manager of Transportation. Bids will be taken at the July 7, 2014 meeting.

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 from the Motor Vehicle Highway fund for $930,000 for two dump trucks, one pothole patching machine and road paving and maintenance, as requested by Jeff Taylor, Manager of Transportation.

The additional appropriation is as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Highway (NAME) 1176-980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	530,000	141419	Vehicle/Equipment Purchase	44600	Motor Vehicle Highway	1176
2	400,000	141421	Road Paving & Maint	44600	Motor Vehicle Highway	1176
3						
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TOTAL	**930,000**					

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

REASON FOR REQUEST 1. Funds needed to replace two dump trucks and one 1999 pothole patching machine. Truck # 52 - 1994 Ford, Truck # 39 - 1999 Volvo

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 from the Cumulative Bridge fund for $365,500 for bridge inspection services and bridge construction for two bridges, as requested by Jeff Taylor, Manager of Transportation.

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 from the Major Bridge fund for $750,001 for the Major Moves payment due for the loan for Six Span & Johnson Street bridges, as also requested by Jeff Taylor.

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 from the EDIT fund for $700,000 to pave CR 17 from CR 40 to CR 142 and also to straighten the S curve on CR 40 between CR 19 & CR 21, as again requested by Jeff Taylor. The funds are for right-of-way and all other costs associated with construction.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and forwarded to the County Council from the EDIT fund for $277,080 for Major Moves interest and principal payment for CR 17 2C, as again requested by Jeff Taylor.

The four (4) above additional appropriations are as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Highway (NAME) 1135-980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	90,000	141414	Bridge 189 Const Inspection	44600	Cumulative Bridge	1135
2	270,000	141417	Bridge 297 Construction	44600	Cumulative Bridge	1135
3	5,500	141418	Bridge 297 Const Inspection	44600	Cumulative Bridge	1135
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TOTAL	**365,500**					

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 1. Request for Construction Inspection services for Bridge 189 (CR 40 east of CR 43) This project is paid with Federal Funds and requires the assistance of a consultant and Elkhart County Engineers will supplement the inspection services. Elkhart County will be reimbursed up to 80%. 2. Funds required to replace the bridge on CR 46 west of CR 15 over Dausman Ditch. 3. Funds needed for Construction Inspection and testing for bridge 297. Birdge 297 is receiving no Federal Funds and is paid for by local funds only.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 05-27-14 DEPARTMENT Major Bridge 1171-980
NAME NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	624,559		Principal Major Moves Loan	46300	Major Bridge	1171
2	125,442		Interest Major Moves Loan	46600	Major Bridge	1171
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TOTAL	**750,001**					

ORIGINAL AMOUNT Approp. Unspent as of Reques Date	If Prior Add'l Appropriation Was Approved This Year		Can Transfers Be Effected		APPROVED BY COUNCIL	
	AMOUNT	DATE	YES	NO	Amount	Date
0				X		

REASON FOR REQUEST Major Moves Payment Due for Six Span Bridge

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Highway (NAME) 1112-980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	300,000	141420	CR 17 40-142	44600	EDIT	1112
2	400,000	141422	CR 40 19-21	44600	EDIT	1112
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TOTAL	**700,000**					

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

REASON FOR REQUEST Estimated funds needed to pave CR 17 from CR 40 to CR 142. Funds to be used for all necessary costs including gravel base, asphalt, striping, culverts, and any other associated costs.

2. Amount estimated to reconstruct S curve on CR 40 between CR 19 & CR 21. Funds are for right of way and all other costs associated with construction.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE: 05-27-14 DEPARTMENT EDIT 1112-980
NAME NUMBER

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	231,810		Principal Major Moves Loan	46300	EDIT	1112
2	45,270		Interest Major Moves Loan	46300	EDIT	1112
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TOTAL	**277,080**					

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

REASON FOR REQUEST July 2014 Major Moves interest payment, CR 17 2C

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 from the Cumulative Capital Development fund (CCDF) for $300,000 for buildings and grounds for improvements and repairs to county owned buildings, as requested by Tom Byers, County Administrator. These funds were in the 2012 & 2013 CCDF budget but were not all used in those years. With the new financial software the county is in the process of installing, the funds were not carried over and had to be appropriated again.

The additional appropriation is as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-28-2014 DEPARTMENT Commissioners (NAME) 1138/980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	300,000	141457	~~Building Repa~~irs	~~43500~~	Cumulative Capital Dev fund	1138
2			Cons I Recons	44600		
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TOTAL	**300,000**					

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

REASON FOR REQUEST Historically, we have allocated $150,000 annually from the Cum Cap fund to Buildings & Grounds for improvements/repairs to county owned buildings. If all the funds were not spent in a given year, the funds simply carried over to the following year. With the implementation of the new financial accounting system, all carry over Cum Cap funds for Buildings & Grounds were closed out & need to be reappropriated to cover expenses already incurred, as well as, future expenses.

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 for $400,000 from the Storm Water fund for the Horn Ditch Project 2 Phase, as requested by Tom Byers, County Administrator. This will be a joint project with the Drainage Board, City of Goshen and several local companies. $200,000 is a loan to the city of Goshen and will be repaid to the county from TIF revenues.

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 $250,000 for the purchase of properties needed for bridge projects, as also requested by Tom Byers, County Administrator.

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 from the EDIT fund for $201,004 for the 2014 contribution to the Economic Development Corporation (EDC), as requested by Tom Byers, County Administrator.

The three (3) above additional appropriations are as follows:

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Commissioners (NAME) 1197/130 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	400,000	141459	Horn Ditch Project 2 Phase	~~45100~~	Storm Water	1197
2			(transfer to fund # 4922)	44600		
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TOTAL	**400,000**					

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

REASON FOR REQUEST This is a joint project between the Elkhart County Stormwater Board, Elkhart County Drainage Board, City of Goshen and several local companies. The funding request consists of a $200,000 grant and a $200,000 loan to the city of Goshen that will be repaid to the county from TIF revenues.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Commissioners (NAME) 1171/980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	250,000	141458	Cons/Recons	44600	Major Bridge	1171
2						
3						
4						
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TOTAL	**250,000**					

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

REASON FOR REQUEST For a number of years the County has talked about a grade separation at CR 13 and Mishawaka Road. As properties in that area become available, either by owner or foreclosure, the Commissioners would like to begin purchasing properties.

ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST

DATE 5-27-2014 DEPARTMENT Commissioners (NAME) 1112/980 (NUMBER)

	AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO
1	~~200,000~~		Cons/Recons	44600	EDIT	1112
2	201,004					
3						
4						
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TOTAL	201,004 ~~200,000~~					

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

REASON FOR REQUEST 2014 contribution to the Elkhart County Economic Development Corporation. Dorinda Heiden-Guss will be in attendance.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board accepted the Weights & Measures report for April 16th-May 15th, 2014 and placed it on file.

Gordon Lord, County Attorney, asked the Board to approve as the Storm Water Board an Interlocal Agreement with the city of Goshen, the Drainage Board, the County Council, Supreme Corporation and Forest River for the Horn Ditch Project 2 Phase.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the Interlocal Agreement as presented by Gordon Lord. It will be ratified by the full Storm Water Board at their next meeting.

Gordon Lord told the Board that Judge Shewmaker has instructed the auditor to issue a tax deed for the former Holiday Inn property in Goshen, but in the last few days the former property owner has asked the city and the county to give them a break and give them back their property. Mr. Lord asked if the Commissioners want to do this & they determined the property owner has had plenty of chances to get the property back through the years. The county has given this property to the city of Goshen & the Commissioners want that to continue.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a Resolution Concerning Invitation for Quotes for Elkhart County Highway Department, as requested by Jeff Taylor, Manager of Transportation. This will allow the highway department to invite quotes for two small paving projects that are less than $150,000. These roads need to be paved as soon as possible and they prefer not to wait until the complete paving program is bid, accepted & awarded. That project will take until October 31, 2014.

The Resolution is as follows:

RESOLUTION NO. 2014 - 279

RESOLUTION OF THE ELKHART COUNTY COMMISSIONERS CONCERNING INVITATION FOR QUOTES FOR ELKHART COUNTY HIGHWAY DEPARTMENT

WHEREAS Indiana Code Sections 36-1-3-1 et seq. permit any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana, is the County executive and legislative body and is by law authorized to adopt ordinances and resolutions for the administration of its governmental functions including public works projects:

WHEREAS the Elkhart County Highway Department is in the process of letting public bids for 2014 for the annual paving contract;

WHEREAS the Elkhart County Highway Department has identified two small paving projects for which it would like to utilize the procedure specified in Indiana Code Section 36-1-12-4.7 for inviting quotes separate and apart from the bid for the annual paving contract;

WHEREAS these two small paving projects are each estimated to cost less than One Hundred Fifty Thousand Dollars ($150,000.00);

WHEREAS these two small paving projects are located on County Road 39 from State Road 120 to County Road 10 and on County Road 43 from County Road 26 to County Road 32;

WHEREAS the Elkhart County Highway Department has identified these two small paving projects as requiring particularized attention due to severe deterioration of these roads requiring ongoing and repetitive patching caused by weather events and potholes recurring;

WHEREAS the utilization of the invitation to quote procedure for these two small paving projects separately will afford Elkhart County the opportunity to have the repaving work completed sooner than the roads in the annual paving contract;

WHEREAS utilizing the invitation to quote process for these two small paving projects separately will also afford Elkhart County the opportunity to obtain more favorable pricing due to the separate geographical areas for which the projects are located and by having the contractors submit quotes on each paving project independently;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana finds and determines that these small paving projects are not being divided into two (2) or more projects for the purpose of avoiding the requirement to solicit bids, as the Elkhart County Highway Department is at the same time soliciting bids for the annual paving contract and the division of these small paving projects is being made in order to most efficiently and expeditiously address the paving needs and to get the most favorable pricing available to Elkhart County by having these two roads in separate geographical areas quoted independently;

WHEREAS utilization of the invitation to quote procedure will still allow competition and allow multiple contractors a fair opportunity to obtain the work;

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

1. That the Elkhart County Highway Department may utilize the procedure for inviting quotes for these two small paving projects on County Road 39 and on County Road 43 pursuant to Indiana Code Section 36-1-12-4.7.

2. That the Elkhart County Highway Department is authorized to release the invitation for quotes upon completion of the plans and specifications for the paving work.

RESOLVED this 2nd day of June, 2014.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: _____
Terry J. Rodino, President

By: _____
Mike Yoder, Vice President

By: _____
Frank R. Lucchese, Member

ATTEST:

_____
Pauline E. Graff, Elkhart County Auditor

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved and signed a letter to INDOT designating who the full time Resident Project Representative will be for the Bridge #189 on CR 40 over Stony Creek project, as requested by Jeff Taylor, Manager of Transportation.

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

June 9, 2014

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; 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.

Craig Buche from the county attorney's office explained an Addendum to an interlocal agreement for water services with the Town of Middlebury and the County Redevelopment Commission to the Board. There has been a change from the original interlocal agreement as to how the municipal water project is going to be done and he felt an addendum needed to be prepared to make this change. The funding is the same.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved the Addendum as presented. A copy of the Addendum is on file in the Commissioners' office.

Carol Caviness, Manager of Human Resources, explained the revisions and changes to the county's personnel policy and standard procedures manual. She said some of them were due to changes in the department's name and others were updates and procedural changes. An ordinance has been prepared by the county attorney's office to adopt these substantive policy changes.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the changes and adopted an ordinance establishing these changes. Exhibit A noted in the ordinance will not be included in these minutes as it is 146 pages long but is available in the Commissioners' office or Human Resources office.

The Ordinance is as follows:

COUNCIL ORDINANCE NO. **2014-10**
COMMISSIONER ORDINANCE NO. **2014-283**

ORDINANCE ADOPTING AMENDMENT TO ELKHART COUNTY GOVERNMENT PERSONNEL POLICY AND STANDARD PROCEDURES MANUAL

WHEREAS Indiana Code Sections 36-1-3-1 et seq. permit any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana is the County executive body and the County legislative body and is by law authorized to adopt ordinances and resolutions concerning personnel policies and operating procedures for Elkhart County Government;

WHEREAS the Elkhart County Council is the County fiscal body and is by law authorized to adopt ordinances and resolutions concerning Elkhart County fiscal matters;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana and the Elkhart County Council desire to have consistent and uniform policies and procedures applied to Elkhart County employees; and

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana and the Elkhart County Council desire to amend the Elkhart County Government Personnel Policy and Standard Procedures Manual by amending the following Sections: Section 3.03 - "Job Descriptions," Section 3.04 - "Recruitment and Selection," Section 3.06 - "Conduct and Major Work Rules," Section 3.07 - "General Employee Work Schedules," Section 3.09 - "Employee Grievance," Section 3.12 - "Personnel Records," Section 3.13 - "Employee Termination," Section 3.14 - "Exit Interview/Separation Questionnaire," Section 3.18 - "Vehicle and Business Expense Policy," Section 3.19 - "Employee Training," Section 3.20 - "Employee Identification Cards," Section 3.21 - "Pre-Employment Criminal History

Checks," Section 4.01 - "Vacation Time," Section 4.02 - "Sick Leave," Section 4.08 - "General Insurance Benefits," Section 4.09 - "Cafeteria Plan," Section 4.10 - "Retirement Benefits," Section 5.03 - "Position Classification," Section 5.04 – "Guidelines and Procedures for Wage and Salary Practices," Section 6.02 - "General Rules," Section 6.08 - "Miscellaneous Safety," Section 7.01 - "Substance Abuse Testing Policy," and Section 7.02 - "Substance Abuse Testing Policy – CDL Drivers."

NOW, THEREFORE, BE IT ORDAINED, ORDERED, AND ESTABLISHED by the Board of Commissioners of the County of Elkhart, Indiana and the Elkhart County Council, that the Elkhart County Government Personnel Policy and Standard Procedures Manual is hereby amended by deleting the following listed Sections and replacing them with the forms as attached hereto in Exhibit A: Section 3.03 - "Job Descriptions," Section 3.04 - "Recruitment and Selection," Section 3.06 - "Conduct and Major Work Rules," Section 3.07 - "General Employee Work Schedules," Section 3.09 - "Employee Grievance," Section 3.12 - "Personnel Records," Section 3.13 - "Employee Termination and Rehire," Section 3.14 - "Exit Interview/Separation Questionnaire," Section 3.18A - "Vehicle Use and Expense Policy," Section 3.18B – "Business Expense Policy," Section 3.19 - "Employee Training," Section 3.20 - "Employee Identification Cards," Section 3.21 - "Pre-Employment Criminal History Checks," Section 4.01 - "Vacation Time," Section 4.02 - "Sick Leave," Section 4.08 - "General Insurance Benefits," Section 4.09 - "Cafeteria Plan," Section 4.10 - "Retirement Benefits," Section 5.03 - "Position Classification," Section 5.04 – "Guidelines and Procedures for Wage and Salary Practices," Section 6.02 - "General Rules," Section 6.08 - "Miscellaneous Safety," Section 7.01 - "Substance Abuse Testing Policy," and Section 7.02 - "Substance Abuse Testing Policy – CDL Drivers;" all of which is hereby approved and adopted for Elkhart County government and ordained the 9th day of June, 2014 by the Board of Commissioners of the County of Elkhart, Indiana and the 14th day of June, 2014 by the Elkhart County Council, with the effective date, including retroactive effectiveness as applicable, as noted in the respective Sections as the effective or revision date.

BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA

By_____
Terry Rodino, President

By_____
Mike Yoder, Vice-President

By_____
Frank Lucchese, Member

ELKHART COUNTY COUNCIL, STATE OF INDIANA

By_____
John K. Letherman, President

By_____
David L. Hess

By_____
David M. Ashe

By_____
David E. Foutz

By_____
Randall D. Yohn

By_____
Darryl J. Riegsecker

By_____
Thomas W. Stump

ATTEST:

_____
Pauline E. Graff, Elkhart County Auditor

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved a Memorandum of Understanding (MOU) with MACOG for the annual traffic count program for the county, as requested by Jeff Taylor, Manager of Transportation. The traffic counts are used for the purposes of planning and project development. A copy of the MOU is on file in the Commissioners' office.

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

June 16, 2014

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 Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board approved the Minutes of the June 2nd & 9th, 2014 meetings and placed them on file.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board approved the Allowance of Claims and the Payroll Claims, as submitted by the county auditor's office.

Bids were received for up to four (4) tandem axle trucks for the county highway department. Bids were received from Selking International, Inc. in South Bend, Indiana - Bid A for 2 units for $480,364.98 and Bid B for 2 units for $396,470.98 and from Hill Truck Sales, Inc. – Bid A for 2 units $468,770.00 and Bid B for 2 units for $384,400.00.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board accepted the bids and forwarded them to Jeff Taylor, Manager of Transportation, for tabulation and recommendation.

Richard W. Bock, Jr., 27610 Midland Drive, Elkhart, Indiana, requested a variance to the County's Noise Ordinance. He is asking for approval to have a live band at a party on August 30, 2014 from 7:00 p.m. to 11:00 p.m. on his property. There will be approximately 200 people that will attend. Mr. Yoder questioned if there have been problems in the past & he said the sheriff's department shut him down in 2012 and he was told he needed to have a apply for a variance to the noise ordinance. Mr. Bock said he has 1 acre with woods and a fence. There will be alcohol and he hires a licensed bartender to serve the alcohol. Sheriff Rogers said he would like to check and see what issues there were in the past with this party & would suggest the Commissioners take it under advisement and then get back to Mr. Bock with their decision. Mr. Rodino told Mr. Bock there will be a decision made at the meeting next week & any questions to him will be via email.

Mark Kanney from planning and development presented a request for Koda Realty, Inc., represented by Marbach, Brady & Weaver, Inc., for a zone map change from M-1 PUD to M-1 located on the north side of CR 6, 940 feet east of John Weaver Parkway n Cleveland Township. He said the petitioner is going to consolidate the facilities into one unit and going to do some additions to the building and a PUD has no purpose at this point. The Plan Commission has recommended approval of the zone map change. Chris Marbach, representing the petitioner showed a map of the property and said they plan to build a 40,000 square foot building. He noted that M-1 zoning surrounds this property. There were no other

comments from anyone in the audience. On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board closed the public hearing.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board approved the rezoning from M-1 PUD to M-1 and adopted an ordinance establishing this zone map change.

The Ordinance is as follows:

ORDINANCE NO. PC 2014-11

AN ORDINANCE TO AMEND COUNTY CODE 36-7-4-600 KNOWN AS THE COMPREHENSIVE PLAN OF ZONING FOR ELKHART COUNTY, INDIANA BY REZONING THE AREA OF REAL ESTATE HEREINAFTER DESCRIBED FROM M-1 PUD TO M-1

WHEREAS, Koda Realty, LLC, submitted an application to rezone real estate hereinafter described from M-1 PUD to M-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 8th day of May, 2014, recommend a zone change from M-1 PUD to M-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 BOARD OF COUNTY COMMISSIONERS OF ELKHART COUNTY, INDIANA THAT:

Legal Description

See Attachment "A"

BE rezoned from M-1 PUD to M-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 16TH DAY OF JUNE, 2014

BY ABSENT
Frank Lucchese

BY
Mike Yoder

BY
Terry Rodino

Attest: Pauline E. Graff
Pauline E. Graff, Auditor for Elkhart County

ATTACHMENT "A"

Land Description

LOT NUMBER ONE (1) AS THE SAID LOT IS KNOWN AND DESIGNATED ON THE RECORDED PLAT OF GUN CLUB INDUSTRIAL PARK, A SUBDIVISION IN CLEVELAND TOWNSHIP; SAID PLAT BEING RECORDED IN PLAT BOOK 11, PAGE 78 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

EXCEPT:

A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 4 EAST, CLEVELAND TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTERLINE OF COUNTY ROAD 6 (HEATON LAKE ROAD) SAID CENTERLINE KNOWN AS LINE "A", BEARING NORTH 69°32' EAST, OF COUNTY HIGHWAY PLANS FOR PROJECT NO. 7601 AND ASSUMED TO BE THE SOUTH LINE OF THE SOUTHWEST QUARTER, SAID POINT BEING 1148.21 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24 MEASURED ALONG THE CENTERLINE OF SAID COUNTY ROAD; THENCE NORTH 00°28' WEST, 40 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 69°32' WEST, 140 FEET PARALLEL WITH THE CENTERLINE OF COUNTY ROAD 6 TO THE WEST LINE OF SAID PROPERTY; THENCE NORTH 00°28' WEST, 2 FEET ALONG WEST LINE OF SAID PROPERTY; THENCE SOUTH 89°38'50" EAST, 140 FEET TO THE POINT OF BEGINNING, CONTAINING .003 ACRES, MORE OR LESS.

ALSO

LOT NUMBERED 2 AS THE SAID LOT IS KNOWN AND DESIGNATED ON THE RECORDED PLAT OF GUN CLUB INDUSTRIAL PARK, A SUBDIVISION IN CLEVELAND TOWNSHIP; SAID PLAT BEING RECORDED IN PLAT BOOK 11, PAGE 78 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

EXCEPTING THEREFROM THE FOLLOWING:

A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 4 EAST, CLEVELAND TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTERLINE OF COUNTY ROAD 6 (HEATON LAKE ROAD) SAID CENTERLINE KNOWN AS LINE "A", BEARING NORTH 69 DEGREES 52 MINUTES 40 SECONDS EAST OF COUNTY HIGHWAY PLANS FOR PROJECT NO. 7601; AND ASSUMED TO BE THE SOUTH LINE OF THE SOUTHWEST QUARTER; SAID POINT BEING 1008.21 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24 MEASURED ALONG THE CENTERLINE OF SAID COUNTY ROAD; THENCE NORTH 0 DEGREES 7 MINUTES 20 SECONDS WEST, 40 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 69 DEGREES 52 MINUTES 40 SECONDS WEST, 314.21 FEET PARALLEL WITH THE CENTERLINE OF COUNTY ROAD NO.6 TO THE WEST LINE OF SAID PROPERTY; THENCE NORTH 0 DEGREES 7 MINUTES 20 SECONDS WEST, 4.6 FEET ALONG THE WEST LINE OF SAID PROPERTY; THENCE SOUTH 89 DEGREES 38 MINUTES 50 SECONDS EAST, 314 FEET TO THE EAST LINE OF SAID PROPERTY: THENCE SOUTH 0 DEGREES 7 MINUTES 20 SECONDS EAST, 2 FEET ALONG EAST TINE TO THE POINT OF BEGINNING.

ALSO

THAT PART OF THE WEST ONE-HALF (W 1/2) OF SECTION TWENTY-FOUR (24), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE FOUR (4) EAST, CLEVELAND TOWNSHIP, ELKHART COUNTY, INDIANA, WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT NUMBER TWO (2) IN THE RECORDED PLAT OF GUN CLUB INDUSTRIAL PARK AS RECORDED IN PLAT BOOK 11 AT PAGE 78 OF THE RECORDS OF ELKHART COUNTY, INDIANA; THENCE NORTH ONE DEGREE THIRTY-EIGHT MINUTES TWO SECONDS (01 DEGREES 38' 2") WEST, THREE HUNDRED SEVENTY-TWO AND SIXTY-ONE HUNDREDTHS (372.61) FEET; THENCE NORTH ZERO DEGREES ONE MINUTE FOUR SECONDS (0 DEGREES 1' 4") EAST, ONE HUNDRED ONE AND FIFTY-SIX HUNDREDTHS (101.56) FEET TO THE SOUTHWEST CORNER OF SACHS INDUSTRIAL PARK PHASE TWO; THENCE NORTH SEVENTY-NINE DEGREES FIFTY-SEVEN MINUTES SEVEN SECONDS (79 DEGREES 57' 7") EAST, SIX HUNDRED SIXTY AND EIGHTEEN HUNDREDTHS (660.18) FEET TO THE SOUTHEAST CORNER OF SACHS INDUSTRIAL PARK PHASE TWO; THENCE SOUTH ZERO DEGREES SIX MINUTES ZERO SECONDS (0 DEGREES 06' 0") WEST, FIVE HUNDRED SEVENTY-THREE AND FIFTY-EIGHT HUNDREDTHS (573.58) FEET TO THE NORTH EAST CORNER OF LOT NUMBER ONE (1) IN THE RECORDED PLAT OF GUN CLUB INDUSTRIAL PARK; THENCE NORTH EIGHTY-NINE DEGREES FIFTY-EIGHT MINUTES ZERO SECONDS (89 DEGREES 58' 0") WEST ALONG THE NORTH LINE OF LOT NUMBER ONE (1) IN GUN CLUB INDUSTRIAL PARK THREE HUNDRED TWELVE (312) FEET TO THE NORTHWEST CORNER OF SAID LOT NUMBER ONE (1); THENCE SOUTH ZERO DEGREES SIX MINUTES ZERO SECONDS (0 DEGREES 6' 0") WEST, SIXTEEN (16) FEET TO THE NORTHEAST CORNER OF LOT NUMBER TWO (2) IN SAID GUN CLUB INDUSTRIAL PARK; THENCE NORTH EIGHTY-NINE DEGREES FIFTY-EIGHT MINUTES ZERO SECONDS (89 DEGREES 58' 0") WEST ALONG THE NORTH LINE OF SAID LOT NUMBER TWO (2) IN GUN CLUB INDUSTRIAL PARK THREE HUNDRED TWENTY-SIX AND FORTY-FOUR HUNDREDTHS (326.44) FEET TO THE POINT OF BEGINNING.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board approved out-of-state travel for an employee in the prosecutor's office to go to Baltimore, MD in June for Investigation and Prosecution of Child Fatalities and Physical Abuse training.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board re-appointed Randy Myers to the Redevelopment Commission for another two (2) year term. His term will end June 30, 2016.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board accepted the Solid Waste – Landfill report for May 2014 and placed it on file.

Jim Gunn, who lives on CR 36, addressed the Board regarding the highway department and the employees that were eliminated several months ago. He said it should have not been reported they were "fired" when, if in fact, they were not. Mr. Rodino responded saying that the press was the ones that reported it in that way. Mr. Gunn is also upset with the way the county is berming along county roads. He feels it is actually making the roads worse than they were. He suggested the highway workers mow roadsides & fix potholes instead of berming.

On a motion made by Mike Yoder, seconded by Terry Rodino after duly vacating the chair and carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

MINUTES

ELKHART COUNTY BOARD OF COUNTY COMMISSIONERS

June 23, 2014

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 Pauline Graff, County Auditor; 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 approved an Independent Contractor Agreement for Services with Niblock Excavating, Inc. for a project for a cul-de-sac on Merry Drive at a cost of $9,337.20, as requested by Jay Grossman, county highway engineer. Quotes were taken and they submitted the lowest quote. A copy of the agreement is on file in the Commissioners' office.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved an Independent Contractor Agreement for Services with Jones Petrie Rafinski Corp. for a joint venture with city of Elkhart for a sidewalk project along CR 15 and Bristol Street at a cost of approximately $45,300, as requested by Jay Grossman, county highway engineer. 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 adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

June 30, 2014

Vice President Mike Yoder 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 was present and Terry Rodino was absent. Others present were Pauline Graff, County Auditor; Tom Byers, County Administrator; and Kathy Erschen, Executive Assistant.

Pauline Graff, county auditor, presented proofs of publication from the *Goshen News* and the *Elkhart Truth* for the acceptance of bids for the 2014 paving program for the highway department. Jeff Taylor, Manager of Transportation, read the bids. He explained the specifications are in four (4) parts for four (4) different sections of the county. Bids were received from: Rieth-Riley Construction Co. – Section 1-$683,495.67; Section 2-$1,129,080.24; Section 3-$1,539,136.90; Section 4-$836,098.33; Niblock Excavating, Inc. – Section 1-$614,573.84; Section 2-$918,232.14; Section 3-$1,399,339.60; Section 4-$783,266.55; Phend & Brown – Section 1-None; Section 2-None; Section 3-$1,437,446.89; Section 4-$915,287.85; and Walsh & Kelly – Section 1-$706,891.34; Section 2-$1,029,784.43; Section 3-$1,476,249.53; Section 4-$807,466.68.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted all the bids and forwarded them to the county highway engineers for tabulation and review. The bids will be awarded at the next Commissioners' meeting. All of the bids are on file at the county highway department.

On a motion made by Mike Yoder, seconded by Frank Lucchese after duly vacating the chair and carried, the Board approved an out-of-state travel request for five (5) employees in Community Corrections to go to New Orleans, LA in August for the American Probation and Parole Conference.

On a motion made by Mike Yoder, seconded by Frank Lucchese after duly vacating the chair and carried, the Board declined a request for a variance to the noise ordinance from Richard Bock, Jr. on August 30, 2014 to have a live band at a party from 7:00 p.m. to 11:00 p.m.. After review by the county sheriff's department, it was determined the variance should not be allowed.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board awarded the bid for four (4) dump trucks for the highway department to Hill Truck Sales, as requested by Jeff Taylor, Manager of Transportation. There were two (2) bids received and they submitted the lowest bid.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved hiring AirMarking, Inc. to do the county road striping at a cost of $120,000, as requested by Jeff Taylor, Manager of Transportation. It was determined that it would be more cost effective to hire a sub-contractor to do this project than for the highway department to do it.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board gave approval to close CR 40 near Millersburg from 7/14/2014 until 8/11/2014 for Norfolk Southern Railroad to do some repairs on the underpass, as also requested by Jeff Taylor, Manager of Transportation.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board adjourned their meeting.

Respectfully submitted,
Kathy L. Erschen