

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

September 8, 2015

Vice President Mike Yoder called the meeting to order at 9:00 a.m. in room 104 of 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 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 after duly vacating the chair and carried, the Board approved the Minutes of the August 17th, 24th, & 31st, 2015 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 the Allowance of Claims, as presented by the county auditor's office.

Gordon Lord, county attorney, said a public hearing will be held regarding the possible sale of surplus county owned real estate. Also there will be receipt of bids for the possible sale of such surplus real estate. There are two (2) pieces of real estate – one at the end of Sunset Lane near Six Span Bridge in Elkhart and the other is the county's old highway garage at 600 E. Jackson Street in Goshen, Indiana. The public hearing was opened and there was no one that wanted to speak either in favor or against the sale of the properties. On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board closed the public hearing. The Commissioners are comfortable with opening the bids. There was only one bid submitted for each property.

Mr. Lord noted that the Commissioners will not accept the bids today and they have up to 60 days to consider them. There are also some conditions in the bidding specifications for each property. The bid for the 600 E. Jackson Street, Goshen (Parcel #1) property is from Matthew W. Scott & Lora L. Scott (dba Scott Signs, LLC and HTK Holdings, LLC) for \$15,751.00. Their property was acquired and the building will be demolished by the State of Indiana for an overpass project and they need to relocate. Mr. Lord said the bid is in order with the state requirements. On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted the bid and referred it to the appropriate people for evaluation.

The bid for Parcel #2 with an address of 22053 Sunset Lane, Elkhart is from Formation Development, LLC for \$111,000.00. There are a number of detailed components in the bid and their intentions are to build two (2) multi-family residential, owner-occupied structures. On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted the bid and referred it to the appropriate people for evaluation.

Bob Girard, Director of Court Services, explained a Juvenile Accountability Block Grant (JABG) agreement that they are applying for from the Indiana Criminal Justice Institute. It is for the "School Safety Through Restorative Justice" grant and is for \$46,437.00. It is hoped the project will increase juvenile accountability through training School Resource Officers (law enforcement officers) and Elkhart Community School staff in the principles of restorative justice,

and evidence based program, and through implementation of Victim Offender Mediation as an alternative criminalization of juvenile misbehavior in Elkhart County Schools.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved the grant application as presented & will allow Bob Girard to sign as needed.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved Amendment No. 3 to Management Operating Agreement with Aramark Correctional Services, LLC for food services for Elkhart County Community Corrections Center, as requested by Lauren Duesler, Acting Director of Community Corrections. Ms. Duesler is to send a letter to Aramark making them aware of the termination clause in the original agreement & make sure that it is still in place. A copy of the Amendment is on file in the Commissioners' office.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board gave approval to advertise for RFPs for the demolition of two (2) houses, as requested by Chris Godlewski, Director of Planning. The RFPs are due for the October 19, 2015 meeting.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the CR 6 & CR 17 improvement TIF fund for \$96,019 to pay bond interest and principal and to reimburse a developer per an interlocal agreement, as requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 8/12/2015

DEPARTMENT

CR 6 & CR 17 IMPROVEMENT TIF
NAME

4511-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 28,019.00		Refunds & Other	43850	CR 6 & CR 17 Improvement TIF	4511	
2 70,000.00		Transfer between funds	45100	CR 6 & CR 17 Improvement TIF	4511	
3						
4						
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7						
8						
TOTAL \$ 98,019.00						
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

4511-980-43850 - Project reimbursement to developer per Interlocal Agreement dated 12/21/06.

4511-980-45100 - Transfer of TIF funds from cash balance to pay for bond interest and principal for first payment in 2016.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the North Baugo TIF fund for \$5,856.00 for the bi-annual payment for water line projects off CR 24, as requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 8/12/2015

DEPARTMENT

North Baugo TIF
NAME

4512-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 5,856.00		Refunds & Other	43850	North Baugo TIF	4512	
3						
4						
5						
6						
7						
8						
TOTAL \$ 5,856.00						
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

Biannual payment for water line projects off CR 24.

An additional appropriation for the Middlebury Agricultural TIF fund for \$18,000 for a farmland feasibility study was tabled until the 9/14/2015 meeting. Mike Yoder was not able to vote on the item because his farm is part of the study & Terry Rodino is absent today. It will still be presented to the County Council at their meeting on 9/12/15,

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the Western Gateway TIF fund for \$48,667 for the bi-annual payment for the water/sewer line project for American Countryside, as requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 8/12/2015

DEPARTMENT

Western Gateway TIF
NAME

4506-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO				
1 \$ 48,667.00		Refunds & Other	43850	Western Gateway TIF	4506.				
3									
4									
5									
6									
7									
8									
TOTAL \$ 48,667.00									
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

Biannual payment for water/sewer line project for American Countryside.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation for \$50,263 from the Millersburg II TIF fund for the bi-annual payment for the wastewater project in Millersburg and the water main project extension in Carriage development, as also requested by Chris Godlewski, Director of Planning.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 8/12/2015

DEPARTMENT

Millersburg II TIF
NAME

4503-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 6,263.00		Refunds & Other	43850	Millersburg II TIF	4503	
2 44,000.00	152504	Construction/Reconstruction	44600	Millersburg II TIF	4503	
3						
4						
5						
6						
7						
8						
TOTAL \$ 50,263.00						
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
1						
2						
3						
4						
5						
6						
7						
8						
TOTAL \$						

REASON FOR REQUEST

4503-980-43850 - Biannual payment for wastewater project for Millersburg.
 4503-980-44600 - Water main project extension in Carriage development.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the Motor Vehicle Highway fund for \$725,000 for a salt shed, upfits for a truck chassis & road paving and maintenance, as requested by Jeff Taylor, Manager of Transportation. There was also \$50,000 on this appropriation for street sweeping but it was determined this would should be funded and appropriated from the Stormwater fund.

The additional appropriation is as follows:

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board tabled an additional appropriation for \$50,000 from the Stormwater fund for street sweeping/vactor until it has been approved by the Stormwater Board at their meeting on 9/28/2015.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted final street acceptance of Park Side Drive-1,050 feet in Yellow Creek Trails Phase 2 and released Bond Safeguard Insurance Company, Bond No. 5030893 for \$3,675 and Fidelity & Deposit Company Bond No. 8935762 for \$7,350 and Bond No. 7626068 for \$7,350, as 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 approved and forwarded to the County Council an additional appropriation for \$150,000 from the Cumulative Capital Development fund for buildings & grounds, as requested by Tom Byers, County Administrator.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council an additional appropriation from the Solid Waste Disposal fund for \$2,040,000 for transfer to the General fund and an audit at the landfill to make sure the county is maximizing the revenue from the county landfill, as requested by Tom Byers, County Administrator.

The two (2) above additional appropriations are as follows:

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted the Weights & Measures report for July 16th-August 15th, 2015 and the Solid Waste-Landfill report for August 2015 and placed them on file.

Gordon Lord, County Attorney, addressed the Board regarding the bids that were received for the properties earlier in this meeting. The bidder for the Sunset Lane property had a deadline of September 11, 2015 for the county to accept the bid and the bid for this property had contingencies. Mr. Yoder said he is okay with all of the contingencies listed on the bid and noted the project that is planned is very favorable.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted the bid for the Sunset Lane property from Formation Development, LLC.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board accepted the bid for the 600 East Jackson Street in Goshen property from Matthew W. Scott & Lora L. Scott, as recommended by Gordon Lord, County Attorney.

Christina Bromley addressed the Board regarding some industry related issues in her neighborhood. She is here on behalf of her family and the neighborhood that is located along CR 133 & CR 4. This area is primarily agriculture & residential with a small amount of industry. A foundry was built in the 1980's which brought some increased traffic but didn't disrupt the community in any significant way. It was well maintained and the volume and quality of employees was not disruptive to the quality of life in the neighborhood. However, when the property was taken over by Chassix, particularly in the last 1-2 years, life in the community has changed. Traffic is very heavy and goes above the speed limit of 45 MPH. Ms. Bromley said there are many more Amish people in the area & it is dangerous for them when they are on the roads. Semis have also become problematic & block both lanes of traffic at times. She also noted the road sides look like the landfill with the litter that is along them. Some of the neighbors have reported trespassing & there has also been vandalism in the neighborhood. There are now so many employees, the septic system is not adequate & they have trucks pumping them 2-3 times per week. Ms. Bromley is requesting the Commissioners become actively involved on behalf of their community and assist in resolving the quality of life issues and safety hazards that are occurring there. She is suggesting reducing the speed on CR 4, permanently assigning a law enforcement officer at peak times of traffic, possibly closing CR 133 to thru traffic at the railroad just north of the factory, create some legislation that protects agriculture areas from being taken over by industry, create legislation that increases accountability between industry and their neighbors, place "slow moving vehicle" signs along those county roads, and investigation of septic, air quality and zoning regulations concerning Chassix. Ms. Bromley also would like CR 4 to be restriped.

Mr. Yoder said the county's code enforcement department needs to visit the site and the health department check on the septic issues. The highway department will also investigate their concerns. Mr. Yoder thanked Ms. Bromley for coming and said the county will look into the situation and she can telephone every so often.

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

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

September 14, 2015

President Terry Rodino called the meeting to order at 9:00 a.m. in the Commissioners' meeting room of 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 Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved a Master Agreement for Professional Services and Leased Products with 3M Electronic Monitoring, Inc. for GPS monitors for Juvenile Community Corrections, as requested by Sam Ludwig, JDAI Coordinator. The cost will be paid from the juvenile corrections grant. The agreement has been reviewed by the county attorney's office. 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 approved an out of state travel request for the county highway department engineer to go to Washington, DC in January 2016 for a Transportation Research Board Annual Meeting.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a County Road 36 Ditch Access Agreement with Maplewoods Homeowners Association/Blue Diamond Communities, as requested by Tom Byers, County Administrator. This gives authorization to extend drainage pipes from residential units to be constructed on Autumn Blaze Lane in Maplewood Estates to the Ditch. 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 appointed Jane Mestach to a four (4) year term on the Wakarusa Public Library Board. Her term will expire September 30, 2019.

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

September 21, 2015

President Terry Rodino called the meeting to order at 9:00 a.m. in room 104 of 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 September 8th & 15th, 2015 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 and the Payroll 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 a Contract Labor & Service Agreement with Dr. Robert D. Windsor, DDS for the health department for \$87.55 per hour, as requested by Dr. Dan Nafziger, Health Officer. 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 approved Secondary approval of a DPUD E-3 known as Elkhart East Area 'D' Phase IV located on the southwest corner of CR 6 & CR 17 in Osolo Township, as requested by Mark Kanney, Planning and Development.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a traffic control recommendation and adopted a traffic control ordinance to RESCIND Ordinance No. 10-286 "25 MPH When Flashing" & Ordinance No. 09-354 "25 MPH When Flashing" on CR 24 from CR 3 to 1500 feet east of CR 3 and CR 3 from CR 118 to CR 22 and approved a traffic control recommendation and adopted a traffic control ordinance for a School Zone Speed Limit 25 MPH from 7:30-9:00 a.m. and 2:30-4:00 p.m., Monday thru Friday for CR 24 from CR 3 to 1500 feet east of CR 3 and CR 3 from 740 feet south of CR 118 to 800 feet north of CR 22, as requested by Jeff Taylor, Manager of Transportation.

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

TRAFFIC CONTROL ORDINANCE

Rescind ordinances 10-286 and 09-354 "25 MPH when flashing"

WHEREAS, the Engineer has conducted an engineering and traffic investigation and upon the basis of this engineering and traffic investigation has recommended the following:

Rescind ordinance number 10-286: "25 MPH When Flashing"

And

Rescind ordinance number 09-354: "25 MPH When Flashing"

NOW THEREFORE BE IT ORDAINED that Elkhart County Highway Department is authorized to remove:

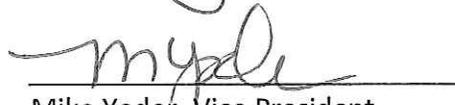
"25 MPH When Flashing" signs at these locations:

**CR24 from CR3 to 1500 feet east of CR3
CR3 from CR118 to CR22**

**Board of Commissioners
Elkhart County, Indiana**



Terry J. Rodino, President



Mike Yoder, Vice President



Frank R. Lucchese, Member

DATE OF ORDINANCE: September 21, 2015
ORDINANCE NUMBER: 2015-288

TRAFFIC CONTROL ORDINANCE

TYPE OF SIGN: **School Zone, 25 MPH Speed Limit, during times posted**

WHEREAS, the Engineer has conducted an engineering and traffic investigation and upon the basis of this engineering and traffic investigation has recommended that the following sign(s):

School Zone, Speed Limit 25 MPH, 7:30-9:00 AM and 2:30-4:00 PM, MON-FRI

be posted at the following location(s):

CR24 from CR3 to 1500 feet east of CR3

CR3 from 740 feet south of CR118 to 800 feet north of CR22

NOW THEREFORE BE IT ORDAINED that Elkhart County Highway Department is authorized to post

School Zone, Speed Limit 25 MPH, 7:30-9:00 AM and 2:30-4:00 PM, MON-FRI

Sign(s) at these location(s):

CR24 from CR3 to 1500 feet east of CR3

CR3 from 740 feet south of CR118 to 800 feet north of CR22

**Board of Commissioners
Elkhart County, Indiana**



Terry J. Rodino, President



Mike Yoder, Vice President



Frank R. Lucchese, Member

DATE OF ORDINANCE: September 21, 2015

ORDINANCE NUMBER: 2015-289

SEPTEMBER 21, 2015

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Jeff Taylor, Manager of Transportation, explained that INDOT has agreed to pave a portion of CR 52 between CR 29 and CR 127, which is currently a gravel road, under an "official detour contract". INDOT will be closing CR 29 north and south of US 6 which necessitates the detouring of CR 29 onto CR 52 and CR 127. The cost is not to exceed \$150,000.

On a motion made by Frank Lucchese, seconded by Mike Yoder and unanimously carried, the Board approved the Official Detour Contract with INDOT as presented. A copy of 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 approved an Agreement for Engineering Services with DLZ Indiana, LLC for the design of the CR 17 and CR 6 intersection improvement project after review by the county attorney, as requested by Jeff Taylor, Manager of Transportation. There were three (3) proposals submitted and after interviews with each, DLZ Indiana, LLC was chosen. The cost is \$295,955.00. 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 gave approval for the highway department to purchase a dump truck chassis from Peterbilt at a cost of \$125,700, as requested by Jeff Taylor, Manager of Transportation.

On a motion made by Mike Yoder, seconded by Frank Lucchese and unanimously carried, the Board approved a Uniform Conflict of Interest Disclosure Statement for Kent Myers, an employee in the highway department, who has an interest in Myers Implement, Inc. and the highway department sometimes purchases equipment from them.

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 BOARD OF COMMISSIONERS MEETING

September 28, 2015

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.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and 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 after duly vacating the chair and carried, the Board adopted an Ordinance Establishing the Healthy Babies Donation Fund for the health department and a Memorandum of Understanding (MOU) with Elkhart General Hospital for prenatal care coordination support, as requested by Tom Byers, County Administrator. They will fund the county health department's Healthy Babies Program because of the recent termination of state funding. A copy of the MOU is on file in the Commissioners' office.

The Ordinance is as follows:

AN ORDINANCE ESTABLISHING THE HEALTHY BABIES DONATION FUND

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 municipal 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 performance of functions within the County of Elkhart, Indiana;

WHEREAS the Elkhart County Health Department has recommended the creation of a fund that will exclusively receive donations made to pay or reimburse expenses for the Healthy Babies Program that will offer a place for pregnant women and parents of infants to receive education and support in order to give birth to and nurture babies in the healthiest manner possible;

WHEREAS the Board of Commissioners of Elkhart County, Indiana is by law authorized to create such a fund;

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

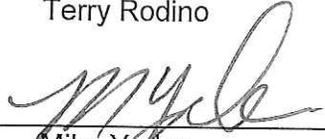
1. Fund Establishment. There is hereby established a separate and distinct fund to be named the Healthy Babies Donation Fund.
2. Fiscal Administration. The Elkhart County Treasurer shall serve as the custodian of the Healthy Babies Donation Fund and the County Auditor shall serve as the auditing agent for and is hereby authorized to oversee the administration of the Healthy Babies Donation Fund.
3. Receipts. Monies deposited to the Fund are limited to donations made only for the use and benefit of the Healthy Babies program. No General fund tax dollars or other monies will be utilized to supplement the Fund.
4. Expenditures. Monies in the Healthy Babies Donation Fund are not subject to appropriation since all deposits are donations, the Fund has a narrow and limited purpose, and the expenditures will be subject to the approval of the Elkhart County Health Officer. All expenditures are to be used for the payment or reimbursement of expenses of the Healthy Babies Program, subject to the approval of the Elkhart County Health Officer.
5. Non-Reverting Fund. Any and all monies in the Healthy Babies Donation Fund at the end of the calendar year shall not revert to another fund but shall remain in said Fund as a separate non-reverting fund.
6. Effective Date. The Ordinance shall take effect immediately upon the date of

passage by the Board of Commissioners of the County of Elkhart, Indiana.

IN WITNESS THEREOF, the Board of Commissioners of the County of Elkhart, Indiana has adopted this Ordinance this 28 day of September, 2015.

BOARD OF COMMISSOINERS OF THE
COUNTY OF ELKHART, INDIANA

By: ABSENT
Terry Rodino

By: 
Mike Yoder

By: 
Frank Lucchese

ATTEST:


Pauline E. Graff, Elkhart County Auditor

Laura Coyne from planning and development requested approval of an additional appropriation from the Solid Waste User Fees fund for \$3,230,000 for a loan for the Corwin/Old US 20 intersection improvement. The loan will be repaid from the Northeast Corridor TIF District fund. There will be a 15 year maximum term and a 1% APR interest rate. Tom Byers, County Administrator, noted that loans from the Major Moves fund are being paid back at a 2% interest rate and if this is approved, and to be consistent, this loan should also be paid back at a 2% APR rate.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board approved and forwarded to the County Council the additional appropriation as presented but with the repayment at a 2% APR interest rate.

The additional appropriation is as follows:

**ELKHART COUNTY
ADDITIONAL APPROPRIATION REQUEST**

DATE: 9/22/2015

DEPARTMENT

Solid Waste User Fees
NAME

1194-980
NUMBER

AMOUNT REQUESTED	PROJ. NO.	ACCOUNT/PROJECT NAME	ACCT. NO.	FUND NAME	FUND NO	
1 \$ 3,230,000.00	152505	Construction/Reconstruction	44600	Solid Waste User Fees	1194	
3						
4						
5						
6						
7						
8						
TOTAL \$ 3,230,000.00						
ORIGINAL AMOUNT		If Prior Add'l Appropriation Was Approved This Year	Can Transfers Be Effected		APPROVED BY COUNCIL	
Approp.	Unspent as of Request Date		YES	NO	Amount	Date
		AMOUNT DATE				
1						
2						
3						
4						
5						
6						
7						
8						
TOTAL \$						

REASON FOR REQUEST

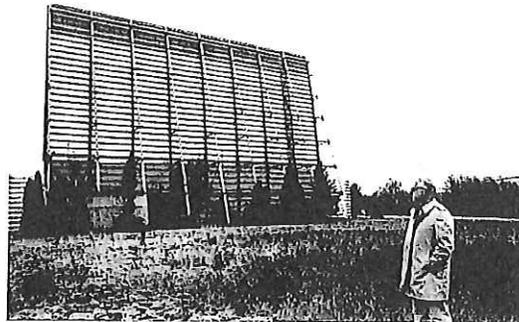
1194-338-44600 - Loan for Corwin/Old US 20 intersection improvement - scheduled repayment plan attached

To Elkhart County Board of Commissioners (Sept 8 or 21 or Oct 5)
and Elkhart County Council Members (Oct. 10)
From Elkhart County Redevelopment Commission and staff Coyne/Godlewski

The Corwin Intersection Appropriation

September, 2015

The Northeast Corridor TIF that surrounds this intersection was created to give new life to a blighted county gateway, by using its dollars to generate new business activity there. The TIF followed on a few other situations well timed to support an area turnaround. A new Walmart went in where the Starlite Drive-had fallen down in pieces. Several of the other buildings are empty or for sale in this neighborhood-in-transition. And, next year, St. Joseph County's federal road project – along McKinley -- will cross into Elkhart County and terminate just before the Corwin Intersection.



The federal phase of the Old US 20 transformation is the first use of the TIF, to pay the County's 20 percent share for added lanes, lights, sidewalk, median and landscaping, scheduled to be completed in 2016.

The County's next responsibility is to carry that transformation through the four-way intersection at Corwin, up to Sheridan, where residential becomes the primary land use. The Redevelopment Commission is requesting a TIF-backed short term loan to complete the supporting infrastructure for this economic engine. The amount of funds going into the TIF (and ultimately to all jurisdictions) will accelerate with every improvement in the area. The other benefits and loan structure are shown in the next section.

The design for the next phase – the intersection and segment to Sheridan – has been concept-engineered



and studied by DLZ. The preferred configuration will accommodate a number of new businesses, again, meeting our overarching goal of **new economic activity** and the welcoming impression of a thriving Elkhart County. By their request, a roundabout best serves the businesses interested in locating here, as well as other functions having to do with aesthetics and safety.

1. It will deliver safe access to businesses on both sides of the road where a traditional intersection will not, because of the median.
2. It will be a feature visible from St. Joseph County at the approach to Ash Road. The verticality of the welcome feature at its center will raise anticipation and expectations.
3. The two businesses most interested in a roundabout configuration will have drive-thrus that keep the momentum of traffic movement and customer transactions moving along. This is the appeal of a roundabout for retail businesses. Imagine a commute where picking up a prescription or making a bank deposit requires only one stop... at the drive-up window.

The Federal project does necessitate intersection improvements to improve function from a level C-D to level B or better.

Infrastructure loan provisions

1. Intersection Costs as projected by DLZ
 - i. Construction 2,280,000
 - ii. Property acquisition ¹ 1,150,000 \$ 3,430,000
2. The TIF is prepared to pay upfront \$200,000 cash for the project. - 200,000
3. Loan proceeds \$ 3,230,000
4. The TIF is anticipated to continue to raise at least \$300,000 per year
5. Terms of Loan from Environmental Fund
 - a. No penalty for early payback, with accelerated schedule negotiable (as the goal).
 - b. Interest paid by TIF @ 1% (one percent) a.p.r.
 - c. 15 year maximum term
 - d. 77 percent of annual revenue, a minimum of \$231,976.44, whichever is greater.
6. Note: The remaining annual revenue (23%) is reserved for annual administration costs and for cushion in case of unanticipated costs.

Questions?

Thank you for your support of this well timed, much needed economic development project.

Elkhart County Redevelopment Commission

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On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board granted permission to purchase a truck chassis up-fit for the highway department from Lindco Equipment Sales for \$107,494, as requested by Jeff Taylor, Manager of Transportation. There were four (4) quotes submitted and Lindco was \$499 more than the lowest quote submitted, but the other vendor only had a 12 month warranty so it was determined Lindco was a better value.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board gave permission to the highway department to purchase a mower from Myers Implement for \$14,995 and dispose of the current mower that is not worth having repaired, as requested by Jeff Taylor, Manager of Transportation. There were three (3) quotes submitted and the Woods mower quoted by Myers Implement was the least expensive mower.

On a motion made by Frank Lucchese, seconded by Mike Yoder after duly vacating the chair and carried, the Board gave permission to decommission two (2) dump trucks for the highway department, as requested by Jeff Taylor, Manger of Transportation. The estimated cost of repairs is more than the trucks are worth. They will be taken to an auction.

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