

MINUTES
ELKHART COUNTY COUNCIL
April 14, 2012

The meeting of the Elkhart County Council was called to order by Sheriff Brad Rogers at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were John K. Letherman, Dennis E. Sharkey, David Foutz, David Hess, Darryl Riegsecker, Randall D. Yohn and David Ashe.

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

MINUTES: Approval of minutes for February 4, 2012.

On motion made by Yohn seconded by Riegsecker and unanimously carried, the minutes were approved as received.

COMMITTEE REPORTS:

COMMISSIONERS: No report.

COUNCIL: Hess, Ashe, Yohn, Foutz, Sharkey and Letherman gave short reports.

AUDITOR: Graff gave short report.

SHERIFF: Rogers gave short report.

PERSONNEL REQUESTS:

A. Superior Court 6

1. Title IV-D Court: Request exception to policy on promotion for starting rate of \$12.25 for Legal Assistant II (Simasy), PG4/JF1 (Hiring range is \$11.40 to \$14.25) effective March 12, 2012. CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Sharkey seconded by Yohn and unanimously carried, the Council approved this request.

B. Sheriff's Department

1. Request approval of fourth operative in I.C.E. unit and 6% individual rate increase for Patrolman as previously authorized effective January 29, 2012. CCPC recommended approval, 3-0 (Sharkey was not present).

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

C. Prosecuting Attorney

1. Request to change Job Family designation for Investigators from 4-Public Safety to 5-Professional (same pay grade) effective March 11, 2012. Note: This change affects

Investigators in Prosecuting Attorney, IV-D, and Public Defender offices. CCPC recommended approval, 3-0 (Sharkey was not present).

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

D. Clerk's Office

1. Request new position (reinstate), Legal Assistant I, PG3/JF1, up to \$12.95/hr., to float between three Clerk's offices to assist with workloads. CCPC recommended approval, 2-1 (Sharkey was not present).

*Note: Hess voted against this request at the Personnel Committee meeting, however, since then he stated the Personnel office has run the budget numbers and states that there is money already in the budget for this position, due to unpaid leaves and attrition.

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

E. Highway Maintenance

1. Request reclassification of Section Leader, PG4/JF2, Market Premium, \$16.19 to \$17.51, to Mechanic Supervisor, PG6/JF6, Market Premium, \$18.65 to \$26.11, with a 6% promotion increase for employee filling the position. CCPC recommended approval, 3-0 (Sharkey was not present).

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

2. Request new rates to pay additional compensation for hours worked over 42 per week to provide inspections applicable to the County Road 38 project effective April 22, 2012 as follows:

Tom Rushlow -	\$53.21/hr.	Jay Grossman -	\$50.32/hr.
John Bowers -	\$39.99/hr.	Justin Zimmer -	\$40.26/hr.
Jeff Taylor -	\$51.42/hr.		

CCPC recommended approval, 3-0 (Sharkey was not present).

Jeff Taylor spoke on this request.

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

F. Park & Recreation

1. Request reclassification of Area Supervisor (Parks), PG8/JF6, to Asset Supervisor, PG8/JF6. No change in pay. CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Foutz seconded by Ashe and unanimously carried, the Council

approved this request.

2. Request reclassification of Curator of Collections (Haeuptle), PG4/JF5 to PG7/JF5, with 3% increase at this time and increase to minimum of pay grade at 3/6 months based on continued excellent performance. CCPC recommended approval, 3-0 (Sharkey was not present).

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

G. Soil & Water Conservation District - Stormwater Utility

1. Request 6% individual rate increase for Urban Conservationist (Kauffman) from \$15.75 to \$16.70. CCPC recommended approval, 3-0 (Sharkey was not present).

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

H. Health Department

1. Healthy Beginnings:

- a. MCH Program Income: Request classification of Dental Supervisor. Request 6% increase for employee being promoted (King-Small) from \$29.91 to \$31.71 (remain non-exempt). CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Yohn seconded by Sharkey and unanimously carried, the Council approved this request.

- b. Breastfeeding Peer Counselor Funding: Change funding source of this part of the program from WIC to Peer Counseling funds 240-980. This affects three current positions and one new position, and the time period is 2-1-12 through 9-30-12, effective February 1, 2012. CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved this request.

- c. Request continuation of Motherhood & More grant that supports two part-time professional positions. CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Ashe seconded by Yohn and unanimously carried, the Council approved this request.

2. Health Education:

- a. Request reclassification of Health Education Assistant (Kane), PG4/JF1, to Health Promotion Specialist, PG6/JF5, and request 6% promotional increase for employee from \$14.46 to \$15.33.(Funding supplemented by grant) CCPC recommended approval, 3-0 (Sharkey was not present).

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

- b. Request reclassification of grant-funded part-time professional position to Regular Part-Time Clerk III, PG2/JF1, \$11.99/hr./ up to 25 hours per week. CCPC recommended approval, 3-0 (Sharkey was not present).

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

I. Planning Department

1. Discussion and agreement on an option regarding recent demotions of two staff members effective February 22, 2012. CCPC recommended approval, 3-0 (Sharkey was not present).

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

J. Market Premium Rates of Pay

1. Request approval of revised Market Premium rates. Additions include Mechanic Supervisor and Dental Supervisor. CCPC recommended approval, 3-0 (Sharkey was not present).

On motion made by Ashe seconded by Yohn and unanimously carried, the Council approved this request.

K. Lead Hazard Control Grant – Added Item

1. Request continuation of Lead Hazard Control Grant which supports one full-time position from April 15, 2012 through April 14, 2015. This was not heard at the CCPC meeting.

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

The preceding Emergency Salary Ordinances were then duly adopted.

(Pages 107-116)

EDC MATTERS: Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In, CC-2012-01 and CC-2012-02.

Craig Buche reviewed Declaratory Resolution CC-2012-01.

Automotive Climate Control (ACC) is located at 22428 Elkhart East Blvd, in Elkhart, Indiana. The project would include estimates of the following: \$920,000 of rehabilitation/redevelopment in real estate,

\$3,800,000 in new manufacturing equipment, \$90,000 in tooling/retooling equipment, \$46,000 in new furniture and fixtures, \$140,000 in new computer equipment and software, the creation of 40 new full time positions (\$1,460,000 in new salaries) and 51 retained positions.

Dave Ogle, of the EDC, introduced ACC to the Council.

Scott Hamilton, Director of Operations ACC, thanked the Council for this opportunity. He stated they are a heating and air condition systems business that supplies to commercial bus markets and specialty vehicle markets. He stated they have been very blessed to be growing every year, since 2006, during this economically difficult time. He stated that this expansion will allow them to become more vertically integrated and competitive in this market.

On motion made by Yohn seconded by Riegsecker and unanimously carried the Council approved Declaratory Resolution CC-2012-01.

Craig Buche then reviewed Declaratory Resolution, CC-2012-02.

Champagne Metals is located in Greenfield Industrial Park in York Township. The project would include estimates of the following: value of \$4,900,000 for redevelopment/rehabilitation in real estate, \$4,992,000 in new manufacturing equipment, \$85,000 in new furniture/fixtures, \$255,000 in new computer equipment/software, creation of 39 new full time positions (\$1,780,000 in new salaries).

Dave Ogle, of the EDC, introduced Champagne Metals to the Council.

Rex Allen, CFO of Champagne Metals, gave a brief history of the company. He stated that Champagne Metals was formed in 1996 by Mike Champagne, out of his home. He stated they are a first step processing for manufacturers in the boat, horse trailer, RV trailer and gas tank industries. Champagne Metals begins by purchasing aluminum coil from the mill, processing it by cutting it to length and squaring it for the customer. Mr. Allen stated he feels Elkhart County is an excellent location for their business.

On motion made by Foutz seconded by Ashe and unanimously carried the Council approved Declaratory Resolution CC-2012-02.

ADDITIONAL APPROPRIATIONS REQUESTS

GENERAL FUND

Sheriff

Supplies	6,687.00
Other Services and Charges	1,108.00

Commissioners

Other Services and Charges 194,044.00

Buildings and Grounds

Other Services and Charges 75,000.00

Superior Court #2

Supplies 282.00

Superior Court #3

Other Services and Charges 5,000.00

TOTAL GENERAL FUND 282,121.00

PUBLIC SAFETY COMMUNICATION CENTER (PSCC)

PSCC

Personal Services 4,100.00

Other Services and Charges 7,800.00

TOTAL PSCC 11,900.00

COUNTY HIGHWAY

County Highway Administration

Personal Services 50,000.00

TOBACCO SETTLEMENT

Health Department

Supplies 1,069.00

Other Services and Charges 5,890.00

Capital Outlays 24,617.00

TOTAL TOBACCO SETTLEMENT 31,576.00

DIABETES (DEEP) GRANT

Health Department

Supplies 4,100.00

Other Services and Charges 940.00

TOTAL DEEP GRANT 5,040.00

COURT IMPROVEMENT GRANT

Circuit Court-Juvenile

Other Services and Charges 3,800.00

PROSECUTING ATTORNEY SPECIAL PROJECT
FEES

Bad Check Collections

Personal Services 5,000.00

FIREARMS TRAINING

Sheriff

Other Services and Charges 3,100.00

COUNTY EXTRADITIONS

Sheriff

Other Services and Charges 90,000.00

CLERK'S RECORD PERPETUATION

Clerk

Capital Outlays 6,000.00

SALES DISCLOSURE FEES

County Assessor

Other Services and Charges 12,000.00

REDEVELOPMENT COMMISSION

Planning and Development

Supplies 1,000.00

Other Services and Charges 4,000.00

TOTAL REDEVELOPMENT COMMISSION 5,000.00

STIMULUS REVENUE-LEAD HAZARD
CONTROL

Commissioners

Personal Services 15,000.00

Other Services and Charges 105,000.00

TOTAL LEAD HAZARD CONTROL 120,000.00

COUNTY ELECTED OFFICIAL TRAINING
FUND

Recorder

Other Services and Charges 225.00

ALTERNATIVE DISPUTE
RESOLUTION

Superior Court #6

Other Services and Charges 15,000.00

FAMILY COURT FUND

Superior Court #6

Other Services and Charges 25,000.00

STATE INDOOR RADON GAS

Health Department-Environmental

Supplies 2,340.00

Other Services and Charges 2,660.00

TOTAL STATE INDOOR RADON
GAS 5,000.00

BREASTFEEDING PEER
COUNSELORS

Health Department

Personal Services 29,491.00

Other Services and Charges 3,509.00

TOTAL BREASTFEEDING PEER COUNSELORS 33,000.00

MILLERSBURG II TIF

Planning and Development

Other Services and Charges 1,500.00

NORTHWEST GATEWAY TIF

Planning and Development

Other Services and Charges 87,000.00

Capital Outlays 200,000.00

TOTAL NORTHWEST GATEWAY
TIF 287,000.00

SOUTH BENTON TIF

Planning and Development

Other Services and Charges 1,000.00

WESTERN GATEWAY TIF

Planning and Development

Other Services and Charges 5,500.00

MILLERSBURG FOREST RIVER/CLINTON TWP
TIF

Planning and Development
Other Services and Charges 1,500.00

MIDDLEBURY AGRICULTURE TIF

Planning and Development
Other Services and Charges 71,500.00

MIDDLEBURY SE TIF

Planning and Development
Other Services and Charges 5,500.00

MIDDLEBURY EAST TIF

Planning and Development
Other Services and Charges 16,500.00

NORTH BAUGO TIF

Planning and Development
Other Services and Charges 1,000.00

EDIT

County Highway
Capital Outlays 2,665,000.00

NE TIF CR 6 & CR 17

Planning and Development
Other Services and Charges 153,573.00
Capital Outlays 271,000.00
TOTAL NE TIF CR 6 & CR 17 424,573.00

CUMULATIVE DRAIN

Surveyor
Capital Outlays 140,600.00

REDUCTIONS

GENERAL FUND

Community Corrections
Other Services and Charges (75,000.00)

CUMULATIVE CAPITAL
DEVELOPMENT

Commissioners
Capital Outlays (96.05)

CUMULATIVE DRAIN

Surveyor

Capital Outlays

(213,997.74)

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: April 4, 2012

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$7795 for postage and indigent inmate supplies. This recaptures money from quietus 56142, 56413 and 56247.

Bill Fletcher explained this request to the Council.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved this request.

2. Commissioners (130) request \$194,044 for the Humane Society. This is an interlocal agreement between the County and Cities/Towns. Communities are responsible for the following reimbursement amounts: Elkhart \$115,000, Goshen \$64,644, Middlebury \$5,400, Wakarusa \$5000 and Bristol \$4,000.

Tom Byers explained this request to the Council.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved this request.

3. Buildings and Grounds (140) requests \$75,000 for water and sewage.

Graff noted this is to correct a budget error. There will be a reduction in the same amount out of 001-179 later in the meeting.

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

4. Superior Court #2 (163) requests \$282 for capital supplies, recaptures quietus 56389.

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

5. Elkhart Superior Court #3 (164) requests \$5,000 for interpreters for Defendants.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 117)

B. Public Safety Communication Center (#103)

1. PSCC (323) requests \$11,900 for unemployment expense and legal services regarding the consolidation with Nappanee.

Egbert Dijkstra explained this request to the Council.

On motion made by Ashe seconded by Yohn and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 118)

C. COUNTY HIGHWAY (#112)

1. Highway Administration (201) requests \$50,000 for overtime for management of road and bridge projects.

Jeff Taylor explained this request to the Council, he stated this is appropriating money for personnel request heard earlier in the meeting. Sharkey questioned whether they saved a lot of overtime money by not having to plow snow as much this year. Taylor said that yes they did, however, the driver's that plow snow are paid out of department 202.

On motion made by Yohn seconded by Ashe and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 119)

D. TOBACCO SETTLEMENT (#121)

1. Health Department (981) requests \$31,576 for supplies, travel, training programs, copier machines and data processing hardware. These appropriated dollars are carry-over funds.

Dr. Daniel Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 120)

E. DIABETES (DEEP) GRANT (#125)

1. Health Department (980/981) requests \$5040 for supplies, professional services, travel and printing related to the grant.

Dr. Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 121)

F. COURT IMPROVEMENT GRANT (#135)

1. Juvenile Court (980) requests \$3800 for other professional services and travel/education expense. This grant is reimbursable.

Magistrate Deborah Domine explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 122)

G. PROSECUTING ATTORNEY SPECIAL PROJECT FEES (#144)

1. Bad Check Collection (156) requests \$5,000 for unemployment.

Jean Willard explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 123)

H. FIREARMS TRAINING (#152)

1. Sheriff (980) requests \$3100 for membership dues to the Indiana Sheriff's Association.

Bill Fletcher explained this request to the Council.

On motion made by Ashe seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 124)

I. COUNTY EXTRADITIONS (#167)

1. Sheriff (980) requests \$90,000 for return of fugitives.

Bill Fletcher explained this request to the Council.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 125)

J. CLERK'S RECORD PERPETUATION (#173)

1. Clerk (980) requests \$6,000 for roller-shelving in the Superior 6 Clerk's Office file room.

Wendy Hudson explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 126)

K. SALES DISCLOSURE FUND (#195)

1. County Assessor (980) requests \$12,000 for annual amount to 39 Degrees North for hosting our website.

Tom Byers explained this request to the Council.

On motion made by Hess seconded by Ashe and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 127)

L. REDEVELOPMENT COMMISSION (#197)

1. Planning and Development (980) requests \$5,000 for food, training, other professional services, travel, publications and education costs in 2012.

Chris Godlewski explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 128)

M. STIMULUS REVENUE- LEAD HAZARD CONTROL (#199)

1. Commissioners (980) requests \$120,000 for professional services and insurance for this grant. Grant dollars were already appropriated in 2009. This money is from project collected owner match which was collected for the express purpose of completion of program implantation.

Tom Byers explained this request to the Council.

On motion made by Ashe seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 129)

N. COUNTY ELECTED OFFICIAL TRAINING FUND (#233)

1. Recorder (980) requests \$225 for Indiana Recorder's Association State Called Conference.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 130)

O. ALTERNATIVE DISPUTE RESOLUTION (#235)

1. Superior Court #6 (980) requests \$15,000 to appropriate money that will be collected through the court system for dispute resolution in divorce/custody cases.

Judge Bonfiglio was present to explain this request to the Council.

On motion made by Yohn seconded by Ashe and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 131)

P. FAMILY COURT FUND (#236)

1. Superior Court #6 (980) requests \$25,000 for professional services. This is a grant.

Judge Bonfiglio explained this request to the Council.

On motion made by Yohn seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 132)

Q. STATE INDOOR RADON GAS (#238)

1. Health-Environmental (980) requests \$5000 for radon grant including travel and education expense, supplies, postage and publications.

John Hulewicz explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 133)

R. BREASTFEEDING PEER COUNSELORS (#240)

1. Health Department (980) requests \$33,000 for grant period 2-1-12 to 9-30-12. Funding will support three part-time peer counselors and a portion of the breastfeeding grant coordinator.

Jenny Schrock explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 134)

S. MILLERSBURG II TIF (#321)

1. Planning and Development (980) requests \$1500 for legal and professional services.

Chris Godlewski explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 135)

T. NORTHWEST GATEWAY TIF (#322)

1. Planning and Development (980) requests \$287,000 for land acquisition (\$200,000), legal services (\$40,000) and professional services (\$47,000).

Godlewski explained this request to the Council. He also requested that the \$200,000 land acquisition be tabled, at this time. He also requested that of the \$47,000 for professional services, only \$22,000 is needed at this time. The total request is now \$62,000.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 136)

U. SOUTH BENTON TIF (#323)

1. Planning and Development (980) requests \$1000 for legal services and professional services.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council approved requests U through W.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 137)

V. WESTERN GATEWAY TIF (#324)

1. Planning and Development (980) requests \$5500 for legal services and professional services.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 138)

W. MILLERSBURG FOREST RIVER/CLINTON TWP TIF (#325)

1. Planning and Development (980) requests \$1500 for legal services and professional services.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 139)

X. MIDDLEBURY AGRICULTURE TIF (#326)

1. Planning and Development (980) requests \$71,500 for legal services (\$1,000), professional services (\$40,500), and refund/other (\$30,000).

Godlewski explained that he would like to table \$40,000 of the professional services at this time. There by making the total request \$31,500.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 140)

Y. MIDDLEBURY SE TIF (#327)

1. Planning and Development (980) requests \$5500 for legal services and professional services.

On motion made by Foutz seconded by Hess and unanimously carried, the Council approved requests Y through AA.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 141)

Z. MIDDLEBURY EAST TIF (#328)

1. Planning and Development (980) requests \$16,500 for legal and professional services.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 142)

AA. NORTH BAUGO TIF (#330)

1. Planning and Development (980) requests \$1000 for legal and professional services.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 143)

BB. EDIT (#331)

1. County Highway (980) requests \$2,665,000 for projects 1206 through 1210. These include signal upgrades, plow trucks, resurfacing of CR 17, road maintenance and CR 6 and Ash Right of Way.

Jeff Taylor explained this request to the Council.

Council decided to approve the request, including the resurfacing of CR 17 (project 1208), with the intention to work with the redevelopment commission to possibly use TIF dollars for this resurfacing, instead of EDIT dollars. Taylor agreed to follow up with a reduction if this does happen.

On motion made by Hess seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 144)

CC. NE TIF CR 6 & CR 17 (#332)

1. Planning and Development (980) requests \$424,573 for project 1201 Beck Drive (\$271,000), legal services (\$70,000) and professional services (\$83,573).

Godlewski explained this request to the Council. He stated he would like to table \$50,000 of the professional services at this time. This would make the request \$374,573. He stated the capital outlays is for road paving, a new sign, and landscaping to enhance the entrance of that area. He also felt it would be most favorable just to approve the landscaping and sign at this time in the amount of \$40,000. Letherman questioned if we are going to try to put a consistent view as we go down through all of the side roads off CR 17. Godlewski stated that Beck Drive was picked out because it seemed to be dilapidated. Foutz said they were also thinking about this as a pilot project that we would use to set standards of aesthetics on CR 17. Then we can either replicate through our own initiative or encourage developers to replicate it as we go. Letherman said he drove over that way and said it is just awful. Hess said he did the same, and had pictures to show the council. He said something needs to be done and Protecta Drive isn't much better. However, the question becomes whether this is an appropriate use of TIF dollars. Hess asked if this could be part of the Highway's road paving plan for the summer, thus saving our TIF dollars to pave CR 17 (CR 6 north) which is heavily traveled. Foutz said they were having a conversation on this, and the redevelopment commission (RDC) is open to discussion on what would be the best way to share this responsibility. He stated that the RDC just kicked in \$3 million to do CR 17, and feels they are cooperating. Foutz said he feels strongly this is something we need to address if we are going to sell these properties to people that come into the area and the RDC thinks this is a very appropriate economic redevelopment project that is going to enhance the area. Hess said he had a conversation with one of the companies that is located back there and they are a division of a company out of Indianapolis and they want to expand here. However, when their corporate employees from Indianapolis come here they are wondering what kind of place you are running back here. Hess feels this is an appropriate policy discussion on what TIF dollars are to be used for. Letherman asked if we could cover this with EDIT money. Taylor said yes we could. Commissioner Yoder agreed that this is a good policy discussion. He stated the Commissioners went to the RDC last year and asked for some additional money to pave CR 17 (CR 6 north) and the RDC said they would rather not. Yoder stated that he had just been with an EDC client and had drove down that drive and the client pointed out the condition of the road. He questioned why some of the Council felt that this was not an appropriate use of TIF dollars, when it is being used for infrastructure. He stated that every time we pull EDIT dollars, another highway/bridge project gets pushed out. Hess stated he felt this is a discussion on how do we manage our dollars best to accomplish everything that needs to be done. Yoder said CR 17 north needs to be done and beck drive also really needs to be done this year. He suggested using the TIF money, not EDIT for both projects. Sharkey said

that our county roads should be under the responsibility of the Highway department, but redevelopment should talk with highway to plan what they are going to do. Yoder said this has been done. Foutz said this has been done about 7 different times and this is what we came up with. Randy Wilson spoke and said he felt there is no reason to use EDIT money when there is a significant amount of money in this TIF fund. Godlewski said there is approximately \$2.2 million in the fund. Riegsecker felt we should use TIF dollars, not EDIT. Letherman asked if we can do CR 17 north with TIF dollars, in addition to doing this. Godlewski said that should be an additional request in the following month, but that is a discussion the RDC has also had. Hess asked Taylor if he had estimates on the cost of resurfacing CR 17 (CR 6 north). He said it is a very rough estimate, but likely \$500,000. Foutz suggested that we go ahead and do Beck Drive like we have presented, then we look at CR 17 and we split it with you. Yoder said we should find out what was the original intent of this TIF and share it with RDC. Foutz felt we should approve what has been presented, then sit down and discuss the CR 17 project at the RDC meeting. Sharkey stated he feels we should do CR 17 first before Beck drive. Hess said there is sufficient revenues to do both projects, but further discussion is needed. Foutz stated he felt that Beck drive was being held hostage to do CR 17. Foutz felt a discussion on CR 17 needs to happen at the next RDC meeting, to decide what is an adequate amount of sharing of TIF dollars for CR 17. Yoder stated that the Commissioners have been very clear that they want to use these TIF dollars for CR 17, not EDIT dollars.

On motion made by Riegsecker seconded by Foutz and carried with a 5-2 vote, the Council approved this request for \$374,573. Hess-aye, Riegsecker-aye, Ashe-aye, Yohn-aye, Foutz-aye, Sharkey-nay, Letherman-nay.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 145)

DD. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$140,600 for projects 1204 through 1211.

Gordon Lord explained this request to the Council.

On motion made by Ashe seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 146)

EE. GENERAL FUND (#001)

1. Community Corrections (179) returns \$75,000 for utilities.

On motion made by Foutz seconded by Sharkey and unanimously carried the Council approved requests EE through GG.

The preceding Emergency Reduction Ordinance was then duly adopted.
(Page 147)

FF. CUMULATIVE CAPITAL DEVELOPMENT (#334)

- 1. Commissioners (980) return \$96.05 for project 0903.

The preceding Emergency Reduction Ordinance was then duly adopted.
(Page 148)

GG. CUMULATIVE DRAIN (#337)

- 1. Surveyor (980) returns \$213,997.74 for projects 951, 952, 1006, 1014, 1015, 1019, 1026, 1028, 1130, 1104 through 1109, 1111 through 1113, 1115 and 1116.

The preceding Emergency Reduction Ordinance was then duly adopted.
(Page 149)

TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

- 1. Sheriff (105)

From	4219	Operating Supplies	2,387.00
To	4545	Data Processing Hardware	1,590.00
	4546	Data Processing Software	797.00

- 2. Court Magistrate-Goshen (167)

From	4209	Other Office Supplies	530.00
To	4545	Data Processing Hardware	530.00

- 3. Community Corrections (179)

From	4219	Operating Supplies	6,600.00
To	4155	Wellness	6,600.00

B. Elkhart County Storm Water Utility MS4 (#320)

- 1. Commissioners (130)

From	4309	Professional Services	1,710.00
To	4545	Data Processing Hardware	1,100.00
	4546	Data Processing Software	610.00

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved these transfer requests.

The preceding Emergency Transfer Ordinance was then duly adopted.
(Page 150)

TRANSFERS NOT REQUIRING COUNCIL ACTION: Available in Auditor’s Office.

OTHER BUSINESS:

- (a) Reappointment of Josh Swathwood to the Alcoholic Beverage Board, one year term.

On motion made by Foutz seconded by Sharkey and unanimously carried the Council approved this appointment. (Page 151)

- (b) Approval of 911 Interlocal Agreement.

Egbert Dijkstra explained this agreement to the Council.

On motion made by Sharkey seconded by Ashe and unanimously carried the Council approved this Interlocal Agreement. (Page 152)

- (c) Approval of Uniform Conflict of Interest Statement for Nappanee Public Library/Newcomer.

On motion made by Hess seconded by Yohn and unanimously carried the Council approved this request. (Page 153)

AUDIENCE ITEMS: None

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 10:20 a.m. on motion by Sharkey seconded by Riegsecker and unanimously carried.

Audie Hostetler
Recording Secretary

A complete recording of this meeting is available in the Auditor's Office.
The recording of this meeting will be available for one year and then erased.