

MINUTES
ELKHART COUNTY COUNCIL
June 16, 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 and Craig Buche, County Attorney.

MINUTES: Approval of minutes for May 19, 2012.

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

COMMITTEE REPORTS:

COMMISSIONERS: No report.
COUNCIL: Sharkey and Letherman gave a short report.
AUDITOR: Graff gave short report.
SHERIFF: No report.

EDC MATTERS: PUBLIC HEARING AND CONSIDERATION OF FINAL ACTION ON ECONOMIC REVITALIZATION AREA DESIGNATION FOR CHAMPAGNE METALS.

Craig Buche, County Attorney, gave brief introduction of the procedure to follow.

On motion made by Riegsecker seconded by Sharkey and unanimously carried, the Council opened the public hearing.

Council President Letherman asked if anyone from the audience wished to speak on this matter.

There being no audience participation, the Council made a motion to close the public hearing, on motion made by Hess seconded by Riegsecker and unanimously carried.

Craig Buche explained the commitment and payment agreement for Champagne Metals and Confirmatory Resolution CC-2012-04 to the Council.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved the commitment and payment agreement for Champagne Metals.

(Page 199)

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council approved CC-2012-04.

(Page 200)

PERSONNEL REQUESTS:

Floyd Hindbaugh, Director of Personnel, explained the following requests to the Council.

A. Community Corrections Advisory Board

1. Request individual rate increase for Director of Community Corrections (Boocher-Whaley), PG9/JF6, at 1.5% above the maximum of the hiring range, from \$1719.75 to \$2063.70 effective retroactive to 12-18-11. CCPC recommended approval with the effective date of June 17, 2012, 4-0.

On motion made by Sharkey seconded by Yohn and unanimously carried, the Council approved this request, effective June 17, 2012.

B. Magistrate's Office-Elkhart

1. Request individual rate increase for Legal Assistant IV (Weiss), PG5/JF1 from \$15.68 to \$15.81 effective retroactive to March 26, 2012. CCPC recommended approval 4-0.

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

C. County Commissioners

1. Request part-time rate of \$25/hr in account 4125, not to exceed 30 hours, effective retroactive to May 15, 2012. CCPC recommended approval retroactive to May 15, 2012, 4-0.

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

D. Planning and Development

1. Request 2.5% individual rate increase for MS4 Field Coordinator/Investigator (Heilliger), PG7/JF5 from \$16.72 to \$17.14/hr, retroactive to 12-18-11. CCPC recommended approval of a 1% pay increase effective June 17, 2012, 3-1 (Hess).

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved this request, 6-1 (Hess).

A member of the audience voiced his concern with the Council approving raises when they have said that our tax collections/funding is low and our unemployment is high. He questioned where this money is coming from to give raises. Hindbaugh explained that many of the raises approved today are from grants or setting up rates or are small increases 1-2%. Foutz mentioned the number of positions that we aren't filling and that we are using current employees to pick up the slack. He also stated we are staying within our budget. Foutz recommended the audience members attend our budget hearings in September. Letherman explained that we have had one across the board 1.5% pay raise in last 5 years and that we have combined many positions and are shrinking our workforce through attrition. Letherman also stated that there are several levels of screening that happen before it is presented to the Council.

E. Highway Maintenance

1. Request temporary rate increase from \$14.47 to \$16.92 from 4-22-12 through 9-1-12 for Multipurpose Non-CDL (Mahaffey), PG3/JF2, while setting up computer system to manage department
June 16, 2012

inventory and parts. CCPC recommended approval, 4-0.

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

2. Request the Prairie Street Bridge Construction be added to the list of projects eligible for overtime pay for designated Highway positions while doing inspections effective 5-20-12. This request was removed from the agenda by the Department Head until a later date.

F. Health Department

1. Health Beginnings: Request continuation of PSUPP grant that supports one full-time position. CCPC recommended approval 4-0.

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

2. Healthy Beginnings (MCH): Request temporary change in funding source for a Certified Social Worker position from 7-1-12 through 9-30-12. CCPC recommended approval 4-0.

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

G. Human Resources

1. Request 3% individual rate increase for Secretary III (Appenzeller), PG4/JF1, from \$17.29 to \$17.81/hr. CCPC recommended approval 4-0.

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

The preceding Emergency Salary Ordinances were then duly adopted.

(Pages 201-206)

ADDITIONAL APPROPRIATIONS REQUESTS

GENERAL FUND

Emergency Management

Personal Services 5,076.00

Supplies 2,265.00

Extension

Personal Services 1,840.00

Superior Court 1

Personal Services 15,000.00

Superior Court 6

Personal Services	15,000.00
Other Services and Charges	<u>565.00</u>
TOTAL GENERAL FUND	39,746.00

ELKHART COUNTY EMERGENCY PHONE SYSTEM
PSCC

Personal Services	9,340.00
Capital Outlays	<u>1,342,000.00</u>
TOTAL ELKHART COUNTY EMERGENCY PHONE SYSTEM	1,351,340.00

TOBACCO PRENATAL SUBSTANCE USE PREVENTION PROGRAM
Health Department

Personal Services	39,614.00
Supplies	991.00
Other Services and Charges	<u>1,000.00</u>
TOTAL PSUPP GRANT	41,605.00

CONTINUING EDUCATION
Sheriff

Other Services and Charges	6,603.00
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HOMELAND SECURITY GRANT PROGRAM
Emergency Management

Supplies	10,632.00
Capital Outlays	<u>44,639.00</u>
TOTAL HOMELAND SECURITY GRANT PROGRAM	55,271.00

STIMULUS REVENUE-LEAD HAZARD CONTROL GRANT
Commissioners

Personal Services	422.00
Other Services and Charges	<u>42,785.00</u>
TOTAL LEAD HAZARD CONTROL GRANT	43,207.00

CTP GRANT	
<u>Community Corrections</u>	
Personal Services	143,258.00
Supplies	4,740.00
Other Services and Charges	20,750.00
Capital Outlays	52,796.00
TOTAL CTP GRANT	<u>221,544.00</u>

IDOC GRANT	
<u>Program Income</u>	
Personal Services	1,331,212.00
Supplies	22,600.00
Other Services and Charges	779,000.00
Capital Outlays	161,400.00
<u>Community Corrections</u>	
Personal Services	567,817.00
Supplies	22,000.00
Other Services and Charges	415,140.00
TOTAL IDOC GRANT	<u>3,299,169.00</u>

LAW ENFORCEMENT TERROISM PREVENTION PROGRAM	
<u>Emergency Management</u>	
Capital Outlays	90,000.00

HOMESTEAD INELIGIBLE DEDUCTION FUND	
<u>Auditor</u>	
Supplies	810.00
Other Services and Charges	9,000.00
TOTAL HOMESTEAD INELIGIBLE DEDUCTION FUND	<u>9,810.00</u>

EMERGENCY MANAGEMENT PERFORMANCE GRANT	
<u>Emergency Management</u>	
Supplies	3,623.00

EDIT	
<u>Highway</u>	
Other Services and Charges	111,233.00
Capital Outlays	750,000.00
TOTAL EDIT	<u>861,233.00</u>

CUMULATIVE BRIDGE

Highway

Capital Outlays 69,376.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 70,000.00

MAJOR BRIDGE

Highway

Capital Outlays 1,390,001.00

REDACTION FUND

Recorder

Capital Outlays 12,000.00

REDUCTIONS

COUNTY HIGHWAY

County Highway

Supplies (197,308.97)

EDIT

County Highway

Capital Outlays (30,337.00)

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: June 6, 2012

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Emergency Management (137) requests \$7341 for supplies and overtime for deployment to Henrysville, Indiana /Clark County Tornados.

Mike Pennington explained this request to the Council.

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

2. Extension (145) requests \$1840 for part time summer assistants.

Judge Terry Shewmaker and Maryann Leinhart-Cross, Interim Extension Director, made presentations to the Council explaining Extension's benefits to the community.

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

3. Superior Court 1 (162) requests \$15,000 for court reporters that prepare indigent counsel appellate cases.

Judge Roberts explained this request to the Council.

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

4. Superior Court 6 (170) requests \$15,565 for an equipment lease and overtime.

Judge Bonfiglio explained this request to the Council. He stated that he has had several employees on maternity leave and is just now back to a full staff. He stated that his new staff is learning and that the one staff member that stayed is returning from maternity leave this week. He feels they will now finally begin to see some pay off for the staff changes and addition that was made.

Hess said he would feel more comfortable approving the \$565 for the equipment lease and half of the request of the overtime (\$7500), which would make the appropriation \$8065. He stated we can review overtime at budget time.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council approved this request, in the amount of \$8065.

B. ELKHART COUNTY EMERGENCY PHONE SYSTEM (#109)

1. PSCC (980) requests \$1,351,340 for projects 1201 through 1203. These costs are associated with the 9-1-1 PSAP consolidation with the City of Nappanee, including the costs for the new phone system and radio upgrades. Also, unemployment costs for the remainder of 2012.

Egbert Dijkstra explained this request to the Council. The new phone system will be digital and have many more capabilities.

An audience member questioned whether the decrease in landlines will affect the tax that is used to pay for this. Letherman explained that there is a tax on cell phones, as well, so as the landline decreases the cell phones increase. Jackie Draggo also questioned if people are charged a 911 service fee. Dijkstra

explained that you are charged a fee on your phone bill and that is the only fee 911 charges. If an ambulance is called then you are charged for the ambulance through whatever provider is used.

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

C. PRENATAL SUBSTANCE USE PREVENTION PROGRAM (#123)

1. Health Department (980) requests \$41,605 for grant period July 1, 2012 to June 30, 2013. This will support one full time professional, supplies, education, sustenance and mileage.

Dr. Daniel Nafziger explained this request to the Council.

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

D. CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$6603 for continuing education of officers.

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

E. HOMELAND SECURITY GRANT PROGRAM (#178)

1. Emergency Management (980) requests \$55,271 for equipment and supplies for deploying teams representing the District in the event of a disaster. Items include trailers, tent system, hand tools, hardware and accessories, material handling equipment, solar panels and trailer ID.

Mike Pennington explained this request to the Council.

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

F. STIMULUS REVENUE-LEAD HAZARD CONTROL GRANT (#199)

1. Commissioners (980) request \$43,207 for other professional services and wellness to allocate remainder of match in preparation of grant close out.

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

G. CTP GRANT (#209)

1. Community Corrections (980) requests \$221,544 for personnel, supplies, other services and charges and capital outlays for budget year 2012-2013.

Tara Booher-Whaley explained this request to the Council.

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

H. IDOC GRANT (#210)

1. Program Income (614) requests \$2,294,212 for personnel, supplies, other services and charges and capital outlays for budget year 2012-2013.

2. Community Corrections (980) requests \$1,004,957 for personnel, supplies, other services and charges and capital outlays for budget year 2012-2013.

Tara Booher-Whaley explained this request to the Council.

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

I. LAW ENFORCEMENT TERROISM PREVENTION PROGRAM (#216)

1. Emergency Management (980) requests \$90,000 for equipment purchases for the district.

Mike Pennington explained this request to the Council.

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

J. HOMESTEAD INELIGIBLE DEDUCTION FUND (#223)

1. Auditor (980) requests \$9810 for postage and printed forms.

Graff explained this request to the Council.

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

K. EMERGENCY MANAGEMENT PERFORMANCE GRANT (#225)

1. Emergency Management (980) requests \$3623 for electrical runs in EOC and phone line hardware. This is 100% reimburseable grant.

Mike Pennington explained this request to the Council.

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

L. EDIT (#331)

1. Highway (980) requests \$861,233 for major moves interest and project 1220 paving and 1221 street repair.

Jeff Taylor explained this request to the Council.

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

M. CUMULATIVE BRIDGE (#335)

1. Highway (980) requests \$69,376 for projects 1217, 1218 and 1219 (Elkhart, Wilden, Cottage Ave).

Jeff Taylor explained this request to the Council.

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

N. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$70,000 for projects 1212 through 1216.

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

O. MAJOR BRIDGE (#338)

1. Highway (980) requests \$750,001 for major moves payment (principal and interest) and \$640,000 for project 1215 and 1216 (prairie street bridge construction and inspection), total request \$1,390,001.

Jeff Taylor explained these requests to the Council.

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

P. REDACTION FUND (#697)

1. Recorder (980) requests \$12,000 for annual payment to Deketo for redaction technology maintenance.

Chuck Teall explained this request and stated it is to remove social security numbers from public records.

On motion made by Sharkey seconded by Riegsecker and unanimously carried the Council approved this
June 16, 2012 ELKHART COUNTY COUNCIL Page 195

request.

The preceding Emergency Appropriation Ordinances were then duly adopted.

(Pages 207-222)

Q. COUNTY HIGHWAY (#112)

1. County Highway (202) returns \$197,308.97 for stone, gravel that was moved to Wheel Tax Fund 237.

R. EDIT (#331)

1. Commissioners (980) return \$30,337 for project 1107, contribution to EDC for the Michiana Regional Partnership in 2011.

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

The preceding Emergency Reduction Ordinances were then duly adopted.

(Pages 223-224)

TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

1. Community Corrections (179)

From	4219	Other Operating Supplies	3,500.00
To	4118	Excess Hours	3,500.00

B. COUNTY HEALTH OPERATING (#102)

1. Environmental Health (340)

From	4259	Capital Supply Items	250.00
To	4539	Other Equipment	250.00

C. PSUPP Grant (#123)

1. Health Department (981)

From	4397	Education & Conference Costs	61.00
	4310	Sustenance	109.00
	4313	Mileage	40.00
To	4150	FICA	15.00
	4157	Medicare	5.00
	4219	Other Operating Supplies	190.00

D. STORMWATER UTILITY MS4 (#320)

1. Health Department (340)

From	4304	Laboratory Services	250.00
To	4539	Other Equipment	250.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

(Page 225)

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

OTHER BUSINESS:

- (a) Approval of CF-1 for Ferret, Inc.

The Council found Ferret to be substantially compliant at this time.

On motion made by Hess seconded by Ashe and unanimously carried, the Council approved the CF-1 for Ferret, Inc.

(Page 226)

- (b) Tax Sale Ordinance, CC-2012-05

Craig Buche briefly reviewed this ordinance with the Council and also stated that the Auditor and Treasurer are both in favor of this ordinance.

On motion made by Foutz seconded by Riegsecker and unanimously carried the Council approved CC-2012-05.

(Page 227)

- (c) Approval of 2013 Budget Hearings Schedule

On motion made by Ashe seconded by Sharkey and unanimously carried the Council approved the 2013 budget hearing schedule.

(Page 228)

- (d) Reappointment of Bill Wuthrich to the PSCC Commission for a four year term ending 6/30/16.

Egbert Dijkstra and David Hess both spoke in favor of this appointment.

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

AUDIENCE ITEMS:

Craig Buche reviewed the Major Moves and Six Span/Johnson Street interest rates with the Council. It was found to be adequate and will be reviewed again in six months.

Jackie and Keith Draggoo were present through the entire meeting as concerned citizens wanting to know where their tax dollars are going.

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 9:55 a.m. on motion by Yohn 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.