

MINUTES
ELKHART COUNTY COUNCIL
May 19, 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 April 14, 2012.

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

COMMITTEE REPORTS:

COMMISSIONERS: No report.

COUNCIL: Hess, Yohn, Foutz, Sharkey and Letherman gave a short report.

AUDITOR: Graff gave short report.

SHERIFF: Rogers gave short report.

PRESENTATION: Jackie Hughes of the Elkhart County Convention and Visitor's Bureau gave a presentation and update on the success of the Quilt Gardens.

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

Craig Buche, County Attorney, gave brief introduction of the procedure to follow. He explained that there was an issue with one of the publications so we are not going to be able to take final confirmatory action on Champagne Metals today until next Council Meeting.

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

Dave Ogle, of the EDC, thanked ACC and Champagne Metals for the opportunity to compete for their business in this marketplace.

Casey Cummings, President of ACC, also gave a brief explanation of the project and thanked the Council for their support and commitment.

Council President Letherman asked if anyone from the audience wished to speak on this matter. There was no audience participation.

Mr. Ogle spoke briefly on the letter from Rex Allen from Champagne Metals, who was not able to attend due to a prior commitment.

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

Craig Buche explained the commitment and payment agreement for ACC and Resolution CC-2012-03 to the Council.

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved the commitment and payment agreement for Automotive Climate Control.

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On motion made by Foutz seconded by Yohn and unanimously carried, the Council approved CC-2012-03.

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Craig Buche explained that we will need to table the approval of the commitment and payment agreement and confirmatory resolution until we can have a public hearing on it at next month's meeting.

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council tabled the Champagne Metals request until next month's meeting.

ADDITIONAL APPROPRIATIONS REQUESTS

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of Elkhart County, Elkhart County, Indiana, that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at Room 104, 117 N. 2nd Street, Goshen, Indiana, at 8:00 o'clock a.m. on Saturday, May 19, 2012

GENERAL FUND

Sheriff

Supplies 1,787.00

Other Services and Charges 1,077.00

Capital Outlays 2,622.00

Superior Court 6

Other Services and Charges 1,820.00

Title IV-D Court

Other Services and Charges 6,000.00

TOTAL GENERAL FUND 13,306.00

CUMULATIVE REASSESSMENT

County Assessor

Other Services and Charges 71,000.00

COUNTY HIGHWAY

County Highway General and Undistributed

Supplies 5,000.00

County Highway

Capital Outlays 1,050,000.00

TOTAL COUNTY HIGHWAY 1,055,000.00

LOCAL ROAD AND STREET

Maintenance and Repair

Capital Outlays 70,000.00

FIREARMS TRAINING

Sheriff

Capital Outlays 25,354.00

LOCAL OPTION CERTIFIED SHARES SPECIAL DISTRIBUTION

Commissioners

Other Services and Charges 150,000.00

GHS BREASTFEEDING GRANT

Health Department

Personal Services 5,000.00

ROAD MAINTENANCE AND CONSTRUCTION

County Highway

Supplies 200,000.00

NORTHWEST GATEWAY TIF

Planning and Development

Other Services and Charges 14,800.00

Capital Outlays 200,000.00

TOTAL NORTHWEST GATEWAY TIF 214,800.00

E.D.I.T.

County Highway

Capital Outlays 638,000.00

Commissioners

Capital Outlays 257,051.00

TOTAL EDIT 895,051.00

NORTHEAST CORRIDOR TIF DISTRICT

Commissioners

Capital Outlays 500,000.00

Planning and Development

Other Services and Charges 50,000.00

TOTAL NORTHEAST CORRIDOR TIF DISTRICT 550,000.00

ENVIRONMENTAL SPECIAL PROJECTS

Commissioners

Other Services and Charges 750,000.00

REDUCTIONS

COUNTY HIGHWAY

Maintenance and Repair

Supplies (992,804.51)

TUBERCULOSIS ASSIST GRANT

Health Department

Personal Services (5,039.00)

Other Services and Charges (1,997.00)

TOTAL TUBERCULOSIS GRANT (7,036.00)

EDIT

County Highway

Capital Outlays (638,389.51)

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: May 9, 2012

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$5486 for tasers with holsters, pre-employment tests, recapture monies related to sheriff's sale and indigent inmate supplies. This recaptures money from quietus 56955.

Bill Fletcher explained this request to the Council.

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

2. Superior Court 6 (170) requests \$1820 for psychological testing on a defendant.

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

3. Title IV-D Court (171) requests \$6000 for an interpreter for the rest of the year. This is 2/3 reimbursable by the State.

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.

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B. CUMULATIVE REASSESSMENT (#105)

1. County Assessor (980) requests \$71,000 for professional services to process Form 11's for 2012 reassessment and for automated valuation module used to review assessment appeals and valuations.

Cathy Searcy explained this request to the Council. She also passed out information on the vendors 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.

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C. COUNTY HIGHWAY (#112)

1. Highway General and Undistributed (204) requests \$5000 for supplies to maintain buildings and facilities.

Jeff Taylor explained both requests to the Council.

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

2. Highway (980) requests \$1,050,000 for project 1212.

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.

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D. LOCAL ROAD AND STREET (#114)

1. Local Road and Street Maintenance and Repair (222) requests \$70,000 for radio equipment.

Jeff Taylor 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.

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E. FIREARMS TRAINING (#152)

1. Sheriff (980) requests \$25,354 for guns and tasers for officers.

Bill Fletcher explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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F. LOCAL OPTION CERTIFIED SHARES SPECIAL DISTRIBUTION (#176)

1. Commissioners (980) request \$150,000 to be transferred to the General Fund to balance the 2012 budget.

Tom Byers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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G. GHS BREASTFEEDING GRANT (#206)

1. Health Department (980) requests \$5000 for a grant that supports two part-time International Board Certified Lactation Consultants who will help serve WIC mothers and other new moms through Elkhart County.

Jenny Schrock explained this request to the Council.

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.

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H. ROAD MAINTENANCE AND CONSTRUCTION (#237)

1. Highway (980) requests \$200,000 for road maintenance expenses (stone, gravel).

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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I. NORTHWEST GATEWAY TIF (#322)

1. Planning and Development (980) requests \$14,800 for professional services to conduct a survey of existing businesses and property owners within the district, rank sites in the area for development potential, establish the needs and level of commitment of the existing businesses and document findings in the report. The original request was for \$214,800, but the \$200,000 for land acquisition was withdrawn.

Jim Skillen, VP redevelopment commission, explained this to the Council. He stated that you “can’t chase a declining market, you have to get in front of it.” He stated that that is what we are doing with this study, staying ahead of the market.

On motion made by Yohn seconded by Sharkey and unanimously carried, the Council approved this request for \$14,800.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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J. EDIT (#331)

1. County Highway (980) requests \$638,000 for project 1213, CR 17 paving between CR 6 and CR 10 and for project 1214, purchase of replacement vehicles. These funds are due to the reduction in several other projects.

Jeff Taylor explained this request to the Council.

2. Commissioners (980) request \$257,051 for the EDC and Michiana Regional Partnership for 2012.

Dorinda Heiden-Guss, President of the EDC of Elkhart County, gave a presentation (a copy of which was emailed to the Council) on the EDC's progress this past year. She also passed out an Executive Summary to the Council. She also announced publicly their new mission "We create an economically vibrant community by recruiting, retaining and strengthening our economic base and being a catalyst for diversification, innovation and economic change". She stated that their funding comes from private and public sectors. The public sectors are broken down by population and funding requested accordingly.

The Michiana Partnership Region is a marketing effort that has been underway for several years with St Joe, Marshall, Kosciusko, Elkhart, Berrien, Cass and St Joe (MI) counties.

Sharkey asked Heiden-Guss if she feels they really need the money for the Michiana Regional Partnership. She stated that yes they do and feels it is worth it, in the long run. She would like to have seen more deliverables to date from what effort has been allocated to this point. However, if we are to position ourselves for the future, it is important that we partner. We do expect deliverables and we ask to create a contract for services. Sharkey said we want people to come here. Heiden-Guss stated that we all benefit from each other.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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K. NORTHEAST CORRIDOR TIF DISTRICT (#332)

1. Commissioners (980) request \$500,000 for project 1202, reconstruction of CR 17 between CR 6 and CR 10.

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

2. Planning and Development (980) requests \$50,000 for professional services, including a land use master plan for CR 17 from CR 4 to CR 20, identify future and imminent water/waste water utility connections in the CR 17 corridor; identify areas for anticipated annexation in the CR 17 corridor, provide financial analysis of benefits and hindrances regarding annexations of commercial business, and provide branding and marketing study for corridor.

Jim Skillen 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.

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L. ENVIRONMENTAL SPECIAL PROJECTS (#541)

1. Commissioners (980) request \$750,000 to be transferred to the General Fund to balance the 2012 budget.

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.

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REDUCTIONS

M. COUNTY HIGHWAY (#112)

1. Maintenance and Repair (202) returns \$992,804.51 for road signs, patch/AE mix, Chip and Seal and Road Salt.

N. TUBERCULOSIS ASSIST GRANT (#227)

1. Health Department (981) returns \$7,036 due to a reduction in the grant amount rewarded.

O. EDIT (#331)

1. County Highway (980) returns \$638,389.51 for project 1208 (\$500,000), project 2113 (\$95,959.24), project 2106 (\$33,087.40) and project 2805 (\$9,342.87).

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

The preceding Emergency Reduction Ordinances were then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. ELECTION BOARD/VOTER'S REGISTRATION (#106)

1. Election Board (190)

From 4219 Other Operating Supplies 6,000.00

To 4312 Postage 6,000.00

B. MEDICAL RESERVE CORE (#122)

1. Health Department (980)

From 4315 Printing 16.00

To 4545 Data Processing Hardware 16.00

C. FIREARMS TRAINING (#152)

1. Sheriff (980)

From	4241	Training Materials	2,230.00
To	4539	Other Equipment	2,230.00
D. STIMULUS REVENUE-LEAD HAZARD GRANT (#199)			
1. Commissioners (980)			
From	4219	Other Operating Supplies	17,599.00
	4240	Food	664.00
	4539	Other Equipment	500.00
To	4309	Other Professional Services	18,763.00
E. IDOC GRANT (#210)			
1. Program Income (615)			
From	4221	Repair Parts	3,000.00
	4210	Gas, Oil, Lube	5,000.00
	4153	Group Insurance	175,000.00
To	4533	Radio Equipment	3,000.00
	4545	Data Processing Hardware	5,000.00
	4309	Other Professional Services	175,000.00
F. TUBERCULOSIS GRANT (#227)			
1. Health Department (980)			
From	4313	Mileage	500.00
To	4245	Incentives	500.00
G. CRIMINAL JUSTICE FACILITIES (#336)			
1. Sheriff (105)			
From	4219	Other Operating Supplies	1,229.00
To	4539	Other Equipment	1,229.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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

OTHER BUSINESS:

(a) Approval of CF-1 for Truck Accessories Group (TAG).

On motion made by Yohn seconded by Foutz and unanimously carried, the Council approved this request.
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(b) Approval of 2013 Budget Hearings Schedule.

Per Graff's request, the Council tabled this request until next meeting.

AUDIENCE ITEMS: None

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 10:00 a.m. on motion by Hess 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.