

MINUTES
ELKHART COUNTY COUNCIL
September 8, 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 Hess, Darryl Riegsecker, Randall D. Yohn and David Ashe. David Foutz absent.

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

MINUTES: Approval of minutes for August 11, 2012.

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

COMMITTEE REPORTS:

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

EDC MATTERS:

Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In.

Dave Ogle, EDC, gave a brief introduction of the project.

Baziel Vrient, President of Agdia, also explained the project to the Council.

Gordon Lord gave a brief explanation of the Declaratory Resolution. The project includes \$6,600,000 in redevelopment of real estate; \$1,075,000 in new manufacturing equipment; \$20,000 in new information technology equipment; creation of twenty two new full time positions with estimated annual salaries of \$1,372,800.

On motion made by Sharkey seconded by Ashe and unanimously carried the Council approved Declaratory Resolution CC-2012-16.

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Approval of CF-1 for Lippert Components and SID Tool.

Tom Byers reviewed the CF-1's with the Council.

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council approved the
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CF-1 for Lippert Components.

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On motion made by Yohn seconded by Riegsecker and unanimously carried, the Council approved the CF-1 for SID Tool. (Page 325)

PERSONNEL REQUESTS:

Approval of Ordinance Adopting Amendment to Elkhart County Government Personnel Policy and Standard Procedures Manual, CC-2012-13. (Page 326)

On motion made by Sharkey seconded by Riegsecker and unanimously carried, the Council approved CC-2012-13.

Public Defender requests to establish part time rate of \$30/hr in 4125-001-175 and 4125-160-980 effective September 9, 2012. CCPC recommended approval.

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

The preceding Emergency Salary Ordinance was then duly adopted.

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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, September 8, 2012

GENERAL FUND

Clerk

Personal Services 3,500.00

Auditor

Other Services and Charges 7,300.00

Commissioners

Other Services and Charges 180,000.00

TOTAL GENERAL FUND 190,800.00

COUNTY HIGHWAY

County Highway

Capital Outlays 5,000.00

LOCAL ROAD AND STREET
Maintenance and Repair

Supplies 170,000.00

WIC GRANT
WIC

Personal Services 992,914.00

Supplies 70,900.00

Other Services and Charges 40,438.00

Capital Outlays 1,000.00

TOTAL WIC GRANT 1,105,252.00

COURT IMPROVEMENT GRANT
Circuit Court-Juvenile

Other Services and Charges 2,737.00

CLERK'S RECORD PERPETUATION
Clerk

Supplies 28,395.00

CTP GRANT
Program Income-Community Corrections

Supplies 790.00

Other Services and Charges 644.00

TOTAL CTP GRANT 1,434.00

BREASTFEEDING PEER COUNSELOR GRANT
WIC

Personal Services 67,120.00

Supplies 1,672.00

Other Services and Charges 3,155.00

TOTAL BREASTFEEDING PEER COUNSELOR 71,947.00

GRANT

MIDDLEBURY EAST TIF

Planning and Development

Capital Outlays 1,448,600.00

NORTHEAST TIF

Commissioners

Capital Outlays 10,000.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 67,000.00

ENVIRONMENTAL SPECIAL PROJECTS

Commissioners

Capital Outlays 63,600.00

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: August 29, 2012

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Clerk (101) requests \$3500 for overtime during the JTAC conversion and to be able to manage workloads during staff vacations and illnesses.

Wendy Hudson explained this request to the Council.

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

2. Auditor (102) requests \$7300 for postage for SRI to send Tax Sale letters.

Graff explained this request to the Council.

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

3. Commissioners (130) request \$180,000 for legal expenses through the end of the year.
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Tom Byers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. COUNTY HIGHWAY (#112)

1. Highway (980) requests \$5000 for the cost associated with selling buggy plates (project 1229).

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. LOCAL ROAD AND STREET (#114)

1. Maintenance and Repair (222) requests \$170,000 for fuel for the remainder of the year.

Jeff Taylor 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.

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D. WIC GRANT (#127)

1. WIC (612) requests \$1,105,252 for grant period 10-1-12 to 9-30-13.

Jenny Schrock explained this request to the Council.

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.

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E. COURT IMPROVEMENT GRANT (#135)

1. Circuit Court-Juvenile requests \$2737 for monies spent at the Feb 2012 summit. The
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County will be reimbursed from the State through this grant.

Magistrate Deborah Domine explained this request to the Council.

On motion made by Yohn 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. CLERK'S RECORD PERPETUATION (#173)

1. Clerk (980) requests \$28,395 for various folders and folder labels, also laserjet color printer cartridges.

Wendy Hudson explained this request to the Council.

On motion made by Yohn 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. CTP GRANT (#209)

1. Program Income-Community Corrections (614) requests \$1434 for K9 expense and offender graduation expenses from January to July 2012.

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.

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H. BREASTFEEDING PEER COUNSELOR GRANT (#240)

1. WIC (981) requests \$71,947 for fiscal year 2013 (October 1, 2012-September 30, 2013).

Jenny Schrock explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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I. MIDDLEBURY EAST TIF (#328)

1. Planning and Development (980) requests \$1,448,600 for project 1201 and 1202, water tower improvements in the Town of Middlebury (902,600) and for sewer infrastructure improvements in the Town of Middlebury (546,000).

Bodie Stegelmann of YAUB explained this request to the Council. He stated they would like to increase the pressure in both water and sewer so that there can be growth/expansion in this TIF district and possibly beyond. The annual appropriation from the Middlebury East TIF district will be \$546,000.

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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Approval of Interlocal Agreement for Water Services and Interlocal Agreement for Wastewater Services.

On motion made by Hess seconded by Ashe and unanimously carried, the Council approved the Interlocal Agreements.

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J. NORTHEAST TIF (#332)

1. Commissioners (980) request \$10,000 for project 1203, to construct a fiber vault on CR 17 near Verdant Dr that will allow for local connections to our CR 17 fiber.

Tom Byers explained this request to the Council.

On motion made by Sharkey seconded by Riegsecker and carried with a 5-0 vote, the Council approved this request. (Hess and Foutz absent)

The preceding Emergency Appropriation Ordinance was then duly adopted.

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K. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$67,000 for project 1219, Horn Tile.

On motion made by Ashe seconded by Sharkey and carried with a 5-0 vote, the Council approved this request (Riegsecker and Foutz absent).

The preceding Emergency Appropriation Ordinance was then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. PARK AND RECREATION OPERATING (#104)

1. Park and Recreation Operating (320)

From	4104	Supervisor	5,000.00
	4105	Professional	2,500.00
To	4303	Architecture & Engineering	5,000.00
	4301	Legal Services	2,500.00

B. CHILDHOOD LEAD POISONING GRANT (#124)

1. Health Department (340)

From	4397	Education and Conference	1,238.00
To	4219	Operating Supplies	1,129.00
	4259	Capital Supply Items	109.00

C. CRIMINAL JUSTICE FACILITIES (#336)

1. Sheriff (105)

From	4219	Other Operating Supplies	4,715.00
To	4309	Other Professional	41.00
	4335	Office & Equipment Repairs	1,706.00
	4545	Data Processing Hardware	969.00
	4539	Other Equipment	1,999.00

On motion made by Sharkey seconded by Ashe and carried with a 5-0 vote, the Council approved these transfer requests (Riegsecker and Foutz absent).

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) Third Amendment to Police Retirement Plan

Sheriff Rogers and Gordon Lord explained this to the Council.

On motion made by Ashe seconded by Riegsecker and unanimously carried, the Council approved the amendment to the Police Retirement Plan. (Page 341)

(b) Vote Center Study Findings

Wendy Hudson explained the findings to the Council. The current number of voting precincts is 117. The number would be reduced to between 13 and 17. She stated there will be a special election in May

2013 that they would like to test this reduction in voting centers at. The election board will need to vote on this change. If approved, a resolution will need to be adopted by the Commissioners and Council.

(c) PERF Resolution CC-2012-14 and CC-2012-15: Adding new Payroll Supervisor.

On motion made by Yohn seconded by Sharkey and unanimously carried, the Council approved Resolutions CC-2012-14 and CC-2012-15. (Page 342-343)

(d) Approval of revised Stormwater User Fee Ordinance.

Eric Kurtz explained the changes to the Council.

On motion made by Yohn seconded by Ashe and unanimously carried, the Council approved this request. (Page 344)

(e) Adoption of revised Elkhart County Council Budget Hearing Schedule.

On motion made by Sharkey seconded by Yohn and unanimously carried, the Council approved the changes to this schedule. (Page 345)

AUDIENCE ITEMS:

Susan Chillberg spoke on the European Bank Crisis and her disapproval of the County funding benefits for 1 ½ positions for the Horizon Education Alliance.

David Chillberg, Peter Requio, Paul (last name unknown) and Jim (last name unknown) also spoke on their disapproval of using County tax dollars to fund the Horizon Education Alliance.

Glenn Null spoke on putting the names on the War Memorial at the Court House. He also requested that the entire Council packet be placed on the website and spoke on his disapproval of the stormwater fee.

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 10:18 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.