

MINUTES
ELKHART COUNTY COUNCIL
August 11, 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 July 14, 2012.

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

COMMITTEE REPORTS:

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

EDC MATTERS:

PUBLIC HEARING AND CONSIDERATION OF FINAL ACTION ON ECONOMIC REVITALIZATION AREA DESIGNATION FOR FOREST RIVER.

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.

Dave Ogle, of the EDC and Mike Stump, Forest River, gave a brief explanation of the project.

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 Riegsecker seconded by Ashe and unanimously carried.

Craig Buche explained the commitment and payment agreements for Forest River and Confirmatory Resolutions CC-2012-11 and CC-2012-12 to the Council.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved the commitment and payment agreement for Forest River Millersburg.

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On motion made by Riegsecker seconded by Yohn and unanimously carried, the Council approved the commitment and payment agreement for Forest River Middlebury.

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On motion made by Sharkey seconded by Ashe and unanimously carried the Council approved Confirmatory Resolution CC-2012-11 for Forest River Millersburg.

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On motion made by Ashe seconded by Ashe and unanimously carried the Council approved Confirmatory Resolution CC-2012-12 for Forest River Middlebury.

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Other EDC Matters: Approval of CF-1 for Dynamic Metals and Creative Bus Sales.

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council approved the CF-1 for Dynamic Metals and Creative Bus Sales.

(Pages 265-266)

PERSONNEL REQUESTS:

A. Superior Court 1

1. Request individual rate increase for Court Reporter ([Earl] Thompson), PG5/JF3, from \$16.75 to \$17.75 effective retroactive to June 29, 2012. CCPC recommended approval of a 3% increase effective August 12, 2012, 4-0.

On motion made by Sharkey seconded by and unanimously carried, the Council approved the recommendation of the CCPC.

B. Superior Court 5

1. Request individual rate increase for Legal Assistant IV (Jeske), PG4/JF1, from \$16.89 to \$18.53/hr. CCPC recommended approval of a 3% increase effective August 12, 2012, 4-0.

On motion made by Foutz seconded by Yohn and unanimously carried, the Council approved the recommendation of the CCPC.

C. Building and Grounds

1. Request reinstatement of full-time Custodian position, PG1/JF2, up to \$11.10/hr. CCPC recommended approval, 4-0.

On motion made by Sharkey seconded by Hess and unanimously carried, the Council approved the recommendation of the CCPC.

D. Soil & Water Conservation District

1. Request approval to maintain existing summer intern through the end of this year by additional appropriation from the Stormwater Partnership Budget. CCPC recommended approval, 4-0.

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

E. Highway Maintenance

2. 1. Request reclassification of a Multipurpose CDL (Mahaffey), PG3/JF2, to Inventory Mechanic, PG5/JF2, \$16.92/hr. (market premium position). CCPC recommended approval, 4-0.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

3. Request to be able to offer a qualified candidate for Project Engineer, PG8/JF5, above the maximum of the market premium hiring range.

This request was temporarily withdrawn by the Department Head pending receipt of applications for the position.

4. Request to reclassify/downgrade vacant Regular Part-time Project Engineer, PG8/JF5, \$32.95, to Regular Part-time Engineering Tech I, PG4/JF3, up to \$14.69. CCPC recommended approval, 4-0.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

5. Request to add the "Prairie Street Bridge Construction" to the list of projects eligible for additional hours compensation program for staff inspections when hours exceed 42 per week. CCPC recommended approval, 4-0.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved the recommendation of the CCPC.

F. Community Corrections

1. Request continuation of all Community Corrections grants (210-615, 209-980, and 210-980) that supports 36 full-time and 6 part-time positions. CCPC recommended approval, 3-0.

On motion made by Ashe seconded by Yohn and unanimously carried, the Council approved the recommendation of the CCPC.

2. Review of Community Corrections positions in the general fund. This budget will go through regular budget preparation. CCPC recommended these grant positions be reviewed during the 2013 budget.

No action necessary

G. Health Department – Healthy Beginnings

1. Request continuation of MCH grant that supports five full-time and one part-time position. CCPC recommended approval, 4-0.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved the recommendation of the CCPC.

2. Request continuation of WIC grant that supports 20 full-time and four part-time positions. CCPC recommended approval, 4-0.

On motion made by Sharkey seconded by Riegsecker and unanimously carried, the Council approved the recommendation of the CCPC.

3. Request approval of WIC Peer Counselor grant that supports one full-time and two Regular Part-time positions. CCPC recommended approval, 4-0.

On motion made by Hess seconded by Foutz and unanimously carried, the Council approved the recommendation of the CCPC.

4. Request approval of revisions to Career Development programs and staffing patterns for Social Workers and Nutrition staff. CCPC recommended approval, 4-0.

On motion made by Sharkey seconded by Yohn and unanimously carried, the Council approved the recommendation of the CCPC.

H. Planning and Development

1. Request to combine job duties of Code Manager/Zoning Administrator with Manager-Planning (Mabry), PG8/J6, along with incremental rate increases, based on performance, as follows: at 3 months to \$1754.57 bi-weekly effective 9-9-12; at six months to \$1,923.08; and at one year on May 20, 2013 to \$2,115.38. Maximum of hiring range is \$1,815.36. Request continuation of funding for Code Manager/Zoning Administrator although it is unlikely that the position will be filled. CCPC recommended: (1) to approve combining Code Manager/Zoning Administrator with Manager-Planning (Mabry) and 6% rate increase (\$1754.57) effective September 9, 2012, and 6% rate increase (with satisfactory performance -- \$1,815.36) effective 12-2-12 with recommendation that a Job Analysis Questionnaire be completed and reviewed for the combined position; and (2) issue related to continuation of the funding for Code Manager/Zoning Administrator should be deferred to budget hearings, 4-0.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved the recommendation of the CCPC.

2. Request exempt status for reclassified position of MS4 Supervisor (Heiliger), PG7/JF5, from \$16.88/hr. to \$1,350.42 bi-weekly (minimum of hiring range) effective 9-9-12. CCPC recommended approval, 4-0.

On motion made by Hess seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

3. Request individual rate increase for Office Manager (Wilson), PG6/JF6, from \$1393.58 to \$1,508.96 effective 8-12-12. CCPC recommended approval of a 3% increase and recommended the completion of a Job Analysis Questionnaire on the position, 4-0.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved the recommendation of the CCPC.

I. Sheriff's Department – added item

1. Revision of salary schedule for Job Family 7, Protective Services. The positions involved are Corporals and Level III officers in the Patrol and Corrections divisions as well as Lieutenants and Detective III's. The revised schedule is attached. CCPC recommended approval, using the schedule prepared by Human Resources, 4-0.

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

J. Prosecuting Attorney – added items

1. FACT Grant: Review of grant position (Deputy Prosecuting Attorney). CCPC recommended approval, 4-0.

On motion made by Hess seconded by Ashe and unanimously carried, the Council approved the recommendation of the CCPC.

2. COPS Methamphetamine Grant: Review of grant position (Criminal Analyst). CCPC recommended approval, 4-0.

On motion made by Ashe seconded by Sharkey and unanimously carried, the Council approved the recommendation of the CCPC.

The preceding Emergency Salary Ordinances were then duly adopted.

(Pages 267-278)

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, August 11, 2012

GENERAL FUND

Sheriff

Personal Services 36,500.00

Other Services and Charges 288,000.00

Commissioners

Other Services and Charges 22,515.00

Circuit Court Juvenile

Other Services and Charges 1,100.00

Court Services

Capital Outlays 1,480.00

Superior Court 6

Other Services and Charges 1,135.00

TOTAL GENERAL FUND 350,730.00

PARK AND RECREATION OPERATING

Park and Recreation

Personal Services 2,500.00

ELECTION BOARD-VOTER REGISTRATION

Voter Registration

Other Services and Charges 4,000.00

COUNTY HIGHWAY

Administration

Other Services and Charges 3,400.00

Maintenance & Repair

Supplies 30,000.00

General and Undistributed

Other Services and Charges 25,000.00

| | |
|--|-----------------|
| TOTAL COUNTY HIGHWAY | 58,400.00 |
| LOCAL ROAD AND STREET <u>Maintenance and Repair</u> | |
| Capital Outlays | 5,000.00 |
| CHILDHOOD LEAD POISONING GRANT <u>Health Department</u> | |
| Personal Services | 2,989.00 |
| Supplies | <u>76.00</u> |
| TOTAL CHILDHOOD LEAD POISONING GRANT | 3,065.00 |
| MATERNAL AND CHILD HEALTH GRANT <u>Health Department</u> | |
| Personal Services | 184,774.00 |
| Other Services and Charges | <u>3,627.00</u> |
| TOTAL MATERNAL AND CHILD HEALTH GRANT | 188,401.00 |
| ED BYRNES JUSTICE ASSIST GRANT <u>Prosecutor</u> | |
| Capital Outlays | 5,000.00 |
| STOP DOMESTIC VIOLENCE GRANT <u>Victim Assistance</u> | |
| Personal Services | 23,330.00 |
| Supplies | 3,000.00 |
| Capital Outlays | <u>1,600.00</u> |
| TOTAL STOP DOMESTIC VIOLENCE GRANT | 27,930.00 |
| CONTINUING EDUCATION <u>Sheriff</u> | |
| Other Services and Charges | 3,620.00 |

ADULT PROBATION USER FEES

Court Services

Other Services and Charges 60,000.00

PARK AND RECREATION NON-REVERTING OPERATING

Park and Recreation

Supplies 8,500.00

Other Services and Charges 6,000.00

Capital Outlays 7,500.00

TOTAL PARK AND RECREATION NR OPERATING 22,000.00

LEAD HAZARD CONTROL GRANT

Commissioners

Personal Services 218,400.00

Supplies 23,100.00

Other Services and Charges 2,237,000.00

Capital Outlays 1,500.00

TOTAL LEAD HAZARD CONTROL GRANT 2,480,000.00

COUNTY BOND AND INTEREST

Auditor

Other Services and Charges 4,500.00

CTP GRANT

Program Income-Community Corrections

Supplies 25,000.00

Other Services and Charges 134,760.00

Capital Outlays 40,000.00

TOTAL CTP GRANT 199,760.00

IDOC GRANT

Program Income-Community Corrections

Supplies 18,000.00

Other Services and Charges 24,529.00

Capital Outlays 5,000.00

Community Corrections

Other Services and Charges 234,466.00

TOTAL IDOC GRANT 281,995.00

IU GOSHEN GENERAL HOSPITAL CHILD ABUSE GRANT

Prosecutor

Other Services and Charges 5,000.00

STORMWATER UTILITY MS4

Commissioners

Other Services and Charges 20,000.00

ELKHART COUNTY STORMWATER UTILITY MS4

Planning and Development

Personal Services 3,365.00

Soil and Water

Personal Services 6,500.00

TOTAL ELKHART COUNTY STORMWATER UTILITY MS4 9,865.00

NORTHWEST GATEWAY TIF

Planning and Development

Other Services and Charges 15,100.00

EDIT

County Highway

Capital Outlays 470,000.00

NORTHEAST TIF- CR 6/CR 17 IMPROVEMENT FUND

Planning and Development

Other Services and Charges 24,900.00

CUMULATIVE CAPITAL
DEVELOPMENT

Commissioners

Capital Outlays 548,100.00

CUMULATIVE BRIDGE

Cumulative Bridge Maintenance and Repair

Supplies 4,000.00

County Highway

Capital Outlays 815,500.00

TOTAL CUMULATIVE BRIDGE 819,500.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 13,000.00

PARK AND RECREATION NON-REVERTING

Park and Recreation

Capital Outlays 26,000.00

REDUCTIONS

LOCAL OPTION CERTIFIED SHARES SPECIAL DISTRIBUTION

Commissioners

Capital Outlays (88,089.59)

CUMULATIVE BRIDGE

County Highway

Capital Outlays (45,844.79)

CUMULATIVE DRAIN

Surveyor

Capital Outlays (81,378.58)

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 1, 2012

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$36,500 to place STAR grant monies in the appropriate payroll account.

Bill Fletcher explained this request to the Council.

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

2. Sheriff (105) requests \$288,000 for medical expense of housing inmates.

Bill Fletcher explained this request to the Council. He explained that the contract involves a \$200,000 medical expense cap (vendor is responsible for the first 200,000). This year we have significantly went over this amount, 1 patient alone cost us \$89,000. There is not money in the budget for overage since we don't know ahead of time what it is going to be. The contract itself has also increased 5%.

Foutz asked that they attempt to budget some of this so that we can avoid large appropriations throughout the year.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved this request, with the understanding that next month a reduction will be done for this amount in the General Fund and an Additional Appropriation in Fund 336 for this amount.

3. Commissioners (130) request \$22,515 for additional Oaklawn contribution per State statute.

Tom Byers explained this request to the Council.

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

4. Circuit Court Juvenile (161) requests \$1100 for a new printer.

Magistrate Domine explained this request to the Council.

Hess questioned whether she had spoken to Byers about taking this from the Cum Cap fund. Magistrate Domine had not. Byers stated that this can come from Cum Cap.

On motion made by Hess seconded by Sharkey and unanimously carried, the Council denied this request and asked that it be paid from the Cum Cap fund.

5. Court Services (168) requests \$1480 for a refrigerator for the storage of food for the juvenile detention center.

Bob Girard explained this request to the Council.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council denied this request and asked that it be paid from the Cum Cap fund.

6. Superior Court 6 (170) requests \$1135 for a copier for attorney use.

Judge Bonfiglio was not present, but sent a memo stating he hopes that the fees generated from copies made on this machine will help pay for the copier payments. Hess reminded the Council that there is an ordinance in place that only allows the County to charge .15 per copy. Hess didn't feel that was enough to pay for the continuing payments on this copier. He also felt we shouldn't be paying for a copier for the attorneys and also is this only for Superior Court 6 or all courts in the building. Hess made a motion to deny this request based on lack of information.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. PARK AND RECREATION OPERATING (#104)

1. Park and Recreation (320) requests \$2500 for a part time clerical person for the Elkhart County Historical Society. This money has been donated by the Historical Society.

Larry Neff 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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C. ELECTION BOARD-VOTER REGISTRATION (#106)

1. Voter Registration (191) requests \$4000 for postage.

Graff 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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D. COUNTY HIGHWAY (#112)

1. Administration (201) requests \$3400 for sustenance and postage.

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

2. Maintenance & Repair (202) requests \$30,000 for paint center and edge line.

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

3. General and Undistributed (204) requests \$25,000 for building repairs.

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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E. LOCAL ROAD AND STREET (#114)

1. Maintenance and Repair (222) requests \$5,000 for costs related to garage inventory control, bar coding and scanning.

Jeff Taylor 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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F. CHILDHOOD LEAD POISONING GRANT (#124)

1. Health Department (340) requests \$3065 to cover lapse in grant year for July and August.

Dr. Daniel Nafziger 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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G. MATERNAL AND CHILD HEALTH GRANT (#126)

1. Health Department (311) requests \$188,401 for personal services and cleaning for grant period Oct 1, 2012 to Sept 30, 2013.

Dr. Daniel Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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H. ED BYRNES JUSTICE ASSIST GRANT (#139)

1. Prosecutor (980) requests \$5000 for 6 new computers for prosecutor's office. Grant period July 1, 2012 to December 31, 2012.

Amy Bechtal 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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I. STOP DOMESTIC VIOLENCE GRANT (#142)

1. Victim Assistance (981) requests \$27,930 for personal services, supplies and capital outlays for grant period 7/1/12 to 6/30/13.

Amy Bechtal 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.

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J. CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$3620 for continuing education of officers.

Bill Fletcher 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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K. ADULT PROBATION USER FEES (#165)

1. Court Services (980) requests \$60,000 for drug screens for probationers for the rest of 2012.

Bob Girard 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.

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L. PARK AND RECREATION NON-REVERTING OPERATING (#168)

1. Park and Recreation (980) requests \$22,000 for supplies, legal services, printing, equipment repairs and machinery.

Larry Neff 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.

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M. LEAD HAZARD CONTROL GRANT (#199)

1. Commissioners (980) requests \$2,480,000 for phase 2 of lead hazard control.

Kris Krueger 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.

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N. COUNTY BOND AND INTEREST (#201)

1. Auditor (980) requests \$4500 for Umbaugh continuing disclosure requirement for 2011.

Graff 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.

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O. CTP GRANT (#209)

1. Program Income-Community Corrections (614) requests \$199,760 for supplies, professional services, equipment repairs, office equipment, crime control and hardware.

Tara Booher-Whaley 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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P. IDOC GRANT (#210)

1. Program Income-Community Corrections (614) requests \$47,529 for surplus CTP/PI funds transferred from 143-982 and 143-985 from 2004 through 2009 to 2012-13 PI fund. Included in this request are supplies, professional services, travel, telephone, office equipment rent, dues, and conference costs and hardware.

Tara Booher-Whaley explained this request to the Council.

2. Community Corrections (981) requests \$234,466 for refund to DOC for unused grant funds from ECCC, Bashor and Center for Community Justice. These are monies that were unspent in the 2010/2011 grant and is being returned to the DOC.

Tara Booher Whaley explained this request to the Council. She explained that this is basically unspent salary and benefits. Sharkey questioned whether we can use this somewhere else rather than returning it. Whaley feels the DOC will likely argue that. Letherman asked if there is some way we can change this so that we don't send it back, due to tightness in the general fund. Whaley stated it all depends on the flow of employees and turnover rate, which is hard to control.

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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Q. IU GOSHEN GENERAL HOSPITAL CHILD ABUSE GRANT (#241)

1. Prosecutor (980) requests \$5000 for professional services and sustenance to provide training on child abuse investigations.

Amy Bechtal explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 295)

R. ELKHART COUNTY STORMWATER UTILITY MS4 (#320)

1. Commissioners (130) request \$20,000 for professional services from Wightman Petrie Associates to prepare an analysis of wastewater treatment options for the Foraker and Southwest

communities. Wightman Petries, the surveyor and commissioners will be working with the local residents to develop a cost effective treatment solution for these unincorporated areas.

Tom Byers explained this request to the Council.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved this requests if they are going to look at wetlands technology.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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2. Planning and Development (132) requests \$3365 to pay salary and benefits for MS4 Field Investigator that was moved from an hourly to a salary position.

Chris Godlewski 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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3. Soil and Water (980) requests \$6500 for an intern to assist with truthing impervious area with the GIS system. Having the intern do the job will result in substantial savings over hiring a consultant.

Eric Kurtz explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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S. NORTHWEST GATEWAY TIF (#322)

1. Planning and Development (980) requests \$15,100 to pay for legal services.

Chris Godlewski explained this request to the Council. Legal services incurred November 2010-Feb 2012.

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.

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T. EDIT (#331)

1. County Highway (980) requests \$20,000 for project 1223 (guardrail CR 17/US 20), \$400,000 for project 1224 (CR 38 and CR 17 right of way) and \$50,000 for project 1228 (gravel roads).

Jeff Taylor explained these requests 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.

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U. NORTHEAST TIF- CR 6/CR 17 IMPROVEMENT FUND (#332)

1. Planning and Development (980) requests \$24,900 for legal 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.

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V. CUMULATIVE CAPITAL DEVELOPMENT (#334)

1. Commissioners (980) request \$548,100 for project 1203 for annual maintenance for Network Solutions (100,000), annual maintenance for NetTech (48,100), software licenses (150,000), SAN central storage (150,000) and work station replacement (100,000).

Scott Mills 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 302)

W. CUMULATIVE BRIDGE (#335)

1. Cumulative Bridge Maintenance and Repair (212) requests \$4,000 for fuel for bridge department.

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

2. County Highway (980) requests \$28,000 for project 1222 for bridge resurfacing, \$625,000 for project 1225 bridge 400 construction, \$62,500 for project 1226 bridge 400 inspection and \$100,000 for project 1227 misc bridge engineering.

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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X. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$8000 for project 1217 sailor ditch and \$5000 for project 1218 whetten ditch.

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 304)

Y. PARK AND RECREATION NON-REVERTING (#341)

1. Park and Recreation (980) requests \$26,000 for project 1202 goshen dam inspection, wetland mitigation, parking lot construction, museum library remodel and building repairs/boiler.

Larry Neff 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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REDUCTIONS

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

1. Commissioners (980) return \$88,089.59 for project 2101 (44,000), project 2501 (23,089.59) and project 2801 (21,000).

AA. CUMULATIVE BRIDGE (#335)

1. County Highway (980) return \$45,844.79 for project 1103 (21,499.37) and project 2517 (24,345.42)

BB. CUMULATIVE DRAIN (#337)

1. Surveyor (980) return \$81,378.58 for projects 1021,1024,1103,1117,1118,1119,1121, 1122.

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

The preceding Emergency Reduction Ordinances were then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. COUNTY HEALTH OPERATING (#102)

1. Health Department-CHN (340)

| | | | |
|------|------|--------------------------|----------|
| From | 4210 | Gasoline | 325.00 |
| | 4217 | Medical Supplies | 1,725.00 |
| To | 4545 | Data Processing Hardware | 325.00 |
| | 4546 | Data Processing Software | 1,725.00 |

B. CUMULATIVE REASSESSMENT (#105)

1. Assessor (980)

| | | | |
|------|------|-----------------------------|----------|
| From | 4203 | Copy Machine Supplies | 5,200.00 |
| To | 4309 | Other Professional Services | 5,200.00 |

C. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (980)

| | | | |
|------|------|-----------------------------|-------|
| From | 4219 | Operating Supplies | 44.00 |
| | 4549 | Other Office Equipment | 70.00 |
| To | 4309 | Other Professional Services | 44.00 |
| | 4209 | Office Supplies | 70.00 |

D. HIV GRANT (#141)

1. Health Department-CHN (980)

| | | | |
|------|------|--------------------------|----------|
| From | 4153 | Insurance | 3,562.00 |
| To | 4545 | Data Processing Hardware | 1,000.00 |
| | 4313 | Travel Expense-Mileage | 2,000.00 |
| | 4245 | Incentives | 562.00 |

E. HOMESTEAD INELIGIBLE DEDUCTION FUND (#223)

1. Auditor (980)

| | | | |
|------|------|-------------------------------|----------|
| From | 4541 | Office Furniture and Fixtures | 1,510.00 |
| | 4209 | Other Office Supplies | 1,975.00 |
| To | 4259 | Capital Supply Items | 3,485.00 |

On motion made by Hess seconded by Ashe 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) Middlebury Public Library Bond Issue

Terri Rheinheimer, Middlebury Public Library and Belvia Gray, Umbaugh explained the need for the bond for improvements to the library.

On motion made by Hess seconded by Foutz and unanimously carried, the Council approved this request.
(Page 310)

(b) Ordinance Establishing the County Offender Transportation Fund, CC-2012-10.

Craig Buche explained this ordinance to the Council.

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved this request.
(Page 311)

(c) Interlocal Agreement for Intersection of CR 38 and SR 15.

Gordon Lord explained this request to the Council.

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

Glenn Null asked that the County keep up with the veteran's memorials and expressed his disgust over the stormwater fee and the retaining ditch in his back yard.

Dick Longcor expressed his frustration with the road he lives on (CR 137) being turned back to gravel. He explained that this was not discussed with him and that it has decreased his property value. He also explained that the other residents that live on his road are also very upset. He also stated that the condition of the gravel road is poor. The asphalt that was ground up is still laying on the side of the road and the gravel has not been rolled down to compact it.

Lonnie Bontrager also a resident of CR 137 expressed his frustration with this change and his decreased property value.

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 10:56 a.m. on motion by Sharkey seconded by Yohn 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.