

MINUTES
ELKHART COUNTY COUNCIL
February 9, 2013

The meeting of the Elkhart County Council was called to order by Under Sheriff Sean Holmes at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were John K. Letherman, David L. Hess, David E. Foutz, Darryl J. Riegsecker, Randall D. Yohn, David M. Ashe and Thomas W. Stump.

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

MINUTES: Approval of minutes for January 12, 2013.

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

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.
COUNCIL: Riegsecker, Foutz, Hess and Letherman gave short reports.
AUDITOR: Graff gave short report.
SHERIFF: No report.

PERSONNEL MATTERS:

A. County Clerk

1. Request reclassification of Assistant Archivist from PG4/JF3 to PG6/JF3 with a 6% rate increase from \$13.28 to \$14.08 per hour effective February 10, 2013. CCPC recommended approval 4-0. Note: The committee also recommended that the job title of Manager, Archives and Microfilm be changed to Manager/Archivist.

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

B. Concord Assessor

1. The Department Head is requesting an individual rate increase for the First Deputy, PG6/JF6, from \$1336.80 to \$1427.20 effective February 10, 2013. CCPC recommended approval 4-0.

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

C. County Highway

1. A discussion took place over plans for Highway Maintenance. Discussion only, no approval or action needed at this time.

D. Prosecuting Attorney

1 & 2. IV-D Program requests individual rate increase for Attorney Wells from \$68,502 to \$76,502 per pay period and for Attorney Stewart-Brown from \$48,271 to \$53,271 effective February 10, 2013 and requests additional compensation at a maximum of \$120.57 per pay period for four current attorneys for providing additional IV-D duties effective February 10, 2013.

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

3. Prosecuting Attorney requests to restructure compensation for seven deputy prosecuting attorneys due to redistribution of wages. The additional compensation ranges from a high of \$5000/year to a low of \$1135/year effective February 10, 2013.

On motion made by Stump seconded by Hess and unanimously carried, the Council approved this request with a 6-1 vote (Ashe).

4. Prosecuting Attorney-Withdrawn item.

5. Prosecuting Attorney requests remuneration of a newly hired attorney. Discussion only, no action taken.

The preceding Emergency Salary Ordinances were then duly adopted.

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ADDITIONAL APPROPRIATIONS REQUESTS

Proofs of publication for Notice to Taxpayers of Additional Appropriations to be considered by the County Council at this meeting as appeared in the Goshen News and the Elkhart Truth on January 30, 2013.

GENERAL FUND

Emergency Management

Supplies 1,334.00

COUNTY HIGHWAY

General and Undistributed

Supplies 1,000.00

Capital Outlays 45,000.00

Highway

Capital Outlays 10,000.00

TOTAL COUNTY HIGHWAY 56,000.00

MEDICAL RESERVE CORP
Health Department

Other Services and Charges 5,000.00

COURT IMPROVEMENT GRANT
Circuit Court Juvenile

Other Services and Charges 5,000.00

RADIO EQUIPMENT GRANT
Emergency Management

Supplies 653.00

Other Services and Charges 510.00

Capital Outlays 490.00

TOTAL RADIO EQUIPMENT GRANT 1,653.00

JUVENILE PROBATION USER FEES
Court Services

Other Services and Charges 10,700.00

SALES DISCLOSURE FEES
County Assessor

Capital Outlays 1,500.00

JAIL PROGRAM ENHANCEMENTS
Sheriff

Supplies 15,834.00

Capital Outlays 7,840.00

TOTAL JAIL ENHANCEMENT PROGRAMS 23,674.00

EMAI CONFERENCE GRANT
Emergency Management

Other Services and Charges 8,800.00

PERSONAL RADIATION DETENTION MONITORS
Emergency Management

Capital Outlays	3,000.00
EDIT	
<u>Highway</u>	
Capital Outlays	2,000,000.00
CUMULATIVE CAPITAL DEVELOPMENT	
<u>Commissioners</u>	
Capital Outlays	200,000.00
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	240,000.00
SOLID WASTE DISPOSAL FEES	
<u>Solid Waste Disposal</u>	
Capital Outlays	55,000.00
ENVIRONMENTAL SPECIAL PROJECTS	
<u>Commissioners</u>	
Capital Outlays	150,000.00
<u>REDUCTIONS</u>	
CR 17 PHASE 2C PROJECT	
<u>Highway</u>	
Capital Outlays	(1,100,000.00)
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	(110,780.93)

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Emergency Management (137) requests \$1334 be re-appropriated for a 2012 bill that was not able to be paid by 2012 deadline. This is for supplies from Staples.

Michael Pennington 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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B. COUNTY HIGHWAY (#112)

1. General and Undistributed (204) requests \$46,000 for capital supply items, a brush chipper and various small equipment.

Jeff Taylor explained this request to the Council.

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

2. Highway (980) requests \$10,000 for project 1307, buggy plates.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. MEDICAL RESERVE CORP (#122)

1. Health Department (981) requests \$5,000 for sustenance and education/conference costs. This is a grant.

Dr. Daniel Nafziger 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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D. COURT IMPROVEMENT GRANT (#135)

1. Circuit Court Juvenile (161) requests \$5000 grant be appropriated for this year's Summit.

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.

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E. RADIO EQUIPMENT GRANT (#137)

1. Emergency Management (980) requests \$1653 be appropriated for this grant. It is for radio equipment for the EOC radio room.

Michael Pennington 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. JUVENILE PROBATION USER FEES (#166)

1. Court Services (980) requests \$10,700 be transferred to fund a Coordinator for the Juvenile Detention Alternatives Initiative, grant period 10/1/12 to 9/30/13.

Bob Girard explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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G. SALES DISCLOSURE FEES (#195)

1. County Assessor (980) requests \$1500 for computer hardware.

Tom Byers 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.

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H. JAIL PROGRAM ENHANCEMENTS (#244)

1. Sheriff (980) requests \$23,674 be appropriated for this grant which includes projectors and supplies for projectors, barcode labels, instructor teaching materials, library books fund, teaching video funds, laptop computers, software, etc.

Sean Holmes explained this 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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I. EMAI CONFERENCE GRANT (#245)

1. Emergency Management (980) requests \$8800 for a contractor.

Michael Pennington explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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J. PERSONAL RADIATION DETENTION MONITORS (#246)

1. Emergency Management (980) requests \$3000 for equipment. This grant was awarded to County's that participated in the Radiological Ingestive Pathway and National level REPP exercise.

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

The preceding Emergency Appropriation Ordinances were then duly adopted.

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K. EDIT (#331)

1. Highway (980) requests \$2,000,000 for project 1306, construction of CR 17 from CR 38 to CR 40, along with a storage building at CR 17 and CR 38 to park trucks and for salt to maintain CR 17.

Jeff Taylor explained this request is for a "super 2" road with wide paved shoulders and 150 ft of right of way. There will be approximately \$700,000 coming back to EDIT from phase 2C of CR 17, which will help fund this project. Discussion ensued regarding whether TIF monies could be used for this.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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L. CUMULATIVE CAPITAL DEVELOPMENT (#334)

1. Commissioners (980) request \$200,000 for project 1304, purchase of new software for the public services building.

Chris Godlewski explained that back in 2009 they purchased new software. However, the company did not provide everything agreed to and only 75% of what they have works. He indicated that there is no intention from the company to fix this or do any upgrades. Therefore, new software needs to be purchased to replace the software installed in 2009. Legal action will be looked into and weighed with a cost/benefit analysis.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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M. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$240,000 for projects 1305 through 1313.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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N. SOLID WASTE DISPOSAL FEES (#533)

1. Solid Waste Disposal (338) requests \$55,000 for an outbound scale.

Kim Davis explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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O. ENVIRONMENTAL SPECIAL PROJECTS (#541)

1. Commissioners (980) requests \$150,000 for project 1301, cooling tower at the criminal justice complex. The balance of the cost of this cooling tower will be covered with monies that remain in the original jail construction budget.

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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~~P. CR 17 PHASE 2C PROJECT (#228)~~

- ~~1. Highway (980 returns \$1,100,000 for project 1109.~~

This item was withdrawn at the meeting. Instead of reducing this fund, they spent down the fund, by giving 1/3 back to the redevelopment commission and 2/3 back to EDIT.

Q. CUMULATIVE DRAIN (#337)

- 1. Surveyor (980) returns \$110,780.93 for the following completed projects: 1012, 1016, 1019, 1024, 1123, 1125, 1126, 1200, 1201, 1202, 1204, 1207, 1209, 1212, 1215, 1216, 1217, 1218, 1220.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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TRANSFER REQUESTS REQUIRING COUNCIL ACTION:

A. COUNTY HEALTH OPERATING (#102)

- 1. Health Department (340)

From	4313	Travel	800.00
To	4542	Office Equipment	800.00

B. JURY PAY FEE FUND (#156)

- 1. Auditor (980)

From	4172	Petit Jurors	75,000.00
To	4399	Transfer of Funds	75,000.00

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

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 ratified service contract with the IDNR.

Gordon Lord explained the IDNR has agreed that the design and engineering fees are to be considered part of the total cost, meaning that up to the \$78,478, IDNR will pay one-half of the design, engineering, and permitting fees.

On motion made by Hess seconded by Stump and carried with a 6-0 vote, the Council approved this request. Foutz abstained from voting.

AUDIENCE ITEMS: None

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 9:19 a.m. on motion by Hess seconded by Stump 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.