

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**January 12, 2013**

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, 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; Craig Buche, County Attorney; Tom Byers, County Administrator and Mike Yoder, Commissioner.

**REORGANIZATION** - Auditor Graff assumed the chair and opened the floor for nominations of Officers:

Graff said she would accept nominations for President of the Council. Hess said he would nominate John Letherman for President. Riegsecker said he would second that. Graff said she has a motion and a second and asked if there were any other nominations. If not, she would accept a motion to close the nominations. Hess said he moved to close the nominations and Yohn seconded. Graff said she had a motion and a second, all in favor of the motion to close the nominations say Aye, none were opposed and Graff said the motion was carried. Graff said that all in favor of retaining John Letherman as President of the Council say aye, none were opposed and the motion was carried.

Letherman said thank you and asked for nominations for Vice-President. Yohn nominated David Hess for Vice-President. Stump said he would second that nomination. Letherman asked if there were any other nominations. He then asked if there was a motion to close the nominations. Riegsecker moved to close the nominations and Yohn seconded. Letherman asked all in favor of that nomination to say aye, none were opposed. All in favor of David Hess as Vice-President please say aye none were opposed.

Letherman read the 2013 Committee Appointments as follows:

ADEC	David Ashe
AFFIRMATIVE ACTION	David Ashe Darryl Riegsecker
CCAB	Randy Yohn
COURT SERVICES	Randy Yohn
ECONOMIC DEVELOPMENT CORPORATION OF ELKHART COUNTY	John Letherman
EMERGENCY MANAGEMENT	Darryl Riegsecker Alternate Randy Yohn

HEALTH BOARD	David Hess
HUMANE SOCIETY BOARD LIAISON	David Ashe
MACOG	John Letherman
OAKLAWN	Darryl Riegsecker
PARK BOARD	David Foutz Alternate, Darryl Riegsecker
PERSONNEL COMMITTEE	David Hess, Chairman Thomas Stump Randy Yohn
PLAN COMMISSION	Thomas Stump
PROSECUTOR	David Hess
REDEVELOPMENT COMMISSION	David Foutz
SHERIFF	David Hess
SOLID WASTE	David Ashe
STATE LEGISLATURE	John Letherman
TOWNSHIP & COUNTY ASSESSING	David Hess
YOUTH SERVICES	David Foutz

**MINUTES:** Approval of minutes for December 8, 2012.

On motion made by Foutz seconded by Ashe and unanimously carried, the minutes of December 8, 2012 were approved as received.

**COMMITTEE REPORTS:**

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

**EDC MATTERS/PUBLIC HEARING:** Confirmatory Resolutions Designating Economic Revitalization Areas and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In:

Craig Buche, gave a brief introduction and explanation of the process.

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

Dave Ogle thanked the Council and expressed his excitement for opportunities in 2013.

Tod Tieszen, Vista Manufacturing, thanked the Council, as well, and asked if there were any questions.

There were no questions from the Council or the audience.

Ramon Barnes Jr, Alliance, thanked the Council as well and looks forward to many more years in Elkhart County.

Ryan Monnig, Monnig Industries, thanked the Council and asked if there were any questions.

There being no questions or audience participation, the Council closed the public hearing on motion by Hess seconded by Riegsecker and unanimously carried.

Craig Buche then briefly reviewed the Commitment and Payment Agreements.

Vista Manufacturing includes \$2,480,000 in real estate improvements and 15 new full time positions with an annual payroll of \$538,200.

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved the Commitment and Payment Agreement for Vista Manufacturing. (Page 24)

Alliance includes \$1,300,000 in real estate improvements and 10 new full time positions with an annual payroll of \$343,200.

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved the Commitment and Payment Agreement for Alliance. (Page 25)

Monnig Industries includes \$1,000,000 in real estate and personal property improvements with \$10,000 in new information technology. It also includes 60 new full time positions with annual salaries of \$2,246,000.

On motion made by Stump seconded by Ashe and unanimously carried, the Council approved the Commitment and Payment Agreement for Monnig. (Page 26)

Craig Buche then briefly reviewed the Confirmatory Resolutions.

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved CC-2013-1 for Vista. (Page 24a)

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved CC-2013-2 for Alliance. (Page 25a)

On motion made by Stump seconded by Riegsecker and unanimously carried, the Council approved CC-2013-3 for Monnig. (Page 26a)

**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 2, 2013.

GENERAL FUND

<u>Planning and Development</u>	
Other Services and Charges	65,500.00
<u>Emergency Management</u>	
Capital Outlays	4,019.00
<u>Victim Assistance</u>	
Personal Services	39,057.00
Supplies	347.00
Other Services and Charges	1,448.00
TOTAL GENERAL FUND	<u>110,371.00</u>

COUNTY HEALTH OPERATING

<u>Program Income-BCCP</u>	
Supplies	5,600.00

CUMULATIVE REASSESSMENT

<u>County Assessor</u>	
Personal Services	87,181.00
Other Services and Charges	62,000.00
TOTAL CUMULATIVE REASSESSMENT	<u>149,181.00</u>

COUNTY HIGHWAY

<u>General and Undistributed</u>	
Capital Outlays	60,000.00
<u>Maintenance and Repair</u>	
Personal Services	65,250.00
TOTAL COUNTY HIGHWAY	<u>125,250.00</u>

UNSAFE BUILDING

<u>Planning and Development</u>	
Other Services and Charges	21,293.00

ABANDONED VEHICLES

<u>Sheriff</u>	
Other Services and Charges	8,000.00

LOCAL HEALTH MAINTENANCE/TOBACCO SETTLEMENT

<u>Health Department</u>	
Personal Services	58,530.00
Other Services and Charges	98.00
Capital Outlays	19,118.00
TOTAL LOCAL HEALTH MAINTENANCE	<u>77,746.00</u>

MATERNAL AND CHILD HEALTH GRANT

<u>Program Income</u>	
Personal Services	256,093.00
Supplies	37,300.00
Other Services and Charges	157,850.00
Capital Outlays	16,000.00
TOTAL MATERNAL AND CHILD HEALTH	<u>467,243.00</u>

PUBLIC HEALTH PREPAREDNESS

<u>Health Department</u>	
Supplies	2,000.00
Capital Outlays	18,000.00
TOTAL PUBLIC HEALTH PREPAREDNESS	<u>20,000.00</u>

LOCAL EMERGENCY PLANNING COMMITTEE

<u>LEPC</u>	
Supplies	7,275.00
Other Services and Charges	101,075.00
Capital Outlays	36,000.00
TOTAL LOCAL EMERGENCY PLANNING	<u>144,350.00</u>

HIV PREVENTION GRANT

<u>Health Department</u>	
Personal Services	36,452.00
Supplies	1,448.00
Other Services and Charges	7,100.00
TOTAL HIV PREVENTION GRANT	<u>45,000.00</u>

ACCIDENT REPORT FEES

Sheriff

Other Services and Charges 9,974.00

FIREARMS TRAINING

Sheriff

Supplies 8,000.00

Other Services and Charges 27,000.00

TOTAL FIREARMS TRAINING 35,000.00

JURY PAY FUND

Auditor

Personal Services 75,000.00

COUNTY EXTRADITION

Sheriff

Other Services and Charges 90,000.00

PARK AND RECREATION N/R OPERATING

Park and Recreation

Supplies 60,950.00

Other Services and Charges 63,750.00

TOTAL PARK AND RECREATION NR OPERATING 124,700.00

SURVEYOR'S CORNER PERPETUATION

Surveyor

Supplies 5,000.00

Other Services and Charges 14,000.00

Capital Outlays 20,000.00

TOTAL SURVEYOR'S CORNER PERPETUATION 39,000.00

AUDITOR'S PLAT BOOK FUND

Auditor

Personal Services 26,050.00

Supplies 5,400.00

Other Services and Charges 18,680.00

Capital Outlays 7,350.00

TOTAL AUDITOR'S PLAT BOOK FUND 57,480.00

SALES DISCLOSURE FUND

Concord Twp Assessor

Other Services and Charges 1,790.00

County Assessor

Other Services and Charges 24,765.00

TOTAL SALES DISCLOSURE FUND 26,555.00

REDEVELOPMENT COMMISSION

Planning and Development

Supplies 800.00

Other Services and Charges 3,700.00

TOTAL REDEVELOPMENT COMMISSION 4,500.00

AUDITOR'S INELIGIBLE HOMESTEAD

Auditor

Personal Services 25,143.00

Supplies 6,900.00

Other Services and Charges 3,500.00

TOTAL AUDITOR'S INELIGIBLE HOMESTEAD 35,543.00

MILLERSBURG II TIF

Planning and Development

Other Services and Charges 8,500.00

NORTHWEST GATEWAY TIF

Planning and Development

Other Services and Charges 76,500.00

Capital Outlays 30,000.00

TOTAL NORTHWEST GATEWAY TIF 106,500.00

SOUTH BENTON TIF

Planning and Development

Other Services and Charges 1,000.00

WESTERN GATEWAY TIF

Planning and Development

Other Services and Charges 4,500.00

MIDDLEBURY AG TIF

Planning and Development

Other Services and Charges 1,500.00

MIDDLEBURY SOUTHEAST TIF

Planning and Development

Other Services and Charges 5,500.00

MIDDLEBURY EAST TIF

Planning and Development

Other Services and Charges 20,500.00

NORTH BAUGO TIF	
<u>Planning and Development</u>	
Other Services and Charges	1,000.00
EDIT	
<u>Commissioners</u>	
Capital Outlays	27,000.00
<u>Highway</u>	
Other Services and Charges	55,617.00
Capital Outlays	575,000.00
TOTAL EDIT	<hr/> 657,617.00
NORTHEAST TIF CR 6 & CR 17	
<u>Planning and Development</u>	
Other Services and Charges	130,500.00
Capital Outlays	30,000.00
TOTAL NORTHEAST TIF	<hr/> 160,500.00
CUMULATIVE CAPITAL DEVELOPMENT	
<u>Commissioners</u>	
Capital Outlays	654,175.00
CUMULATIVE BRIDGE	
<u>Highway</u>	
Capital Outlays	140,000.00
<u>Maintenance and Repair</u>	
Personal Services	233,555.00
TOTAL CUMULATIVE BRIDGE	<hr/> 373,555.00
CRIMINAL JUSTICE FACILITIES	
<u>Sheriff</u>	
Other Services and Charges	1,592,000.00
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	54,000.00
MAJOR BRIDGE	
<u>Highway</u>	
Other Services and Charges	750,001.00



**REDUCTIONS**

GENERAL FUND

County Council

Personal Services (5,267.00)

COUNTY HIGHWAY

Administration

Personal Services (70,000.00)

Maintenance and Repair

Personal Services (216,211.00)

TOTAL COUNTY HIGHWAY (286,211.00)

SALES DISCLOSURE FEES

Commissioners

Capital Outlays (7,538.75)

ELKHART COUNTY STORMWATER UTILITY MS4

Commissioners

Capital Outlays (1,013.75)

NORTHEAST TIF

Commissioners

Capital Outlays (167,781.75)

CUMULATIVE BRIDGE

Highway

Capital Outlays (135,095.00)

Maintenance and Repair

Personal Services (110,506.00)

TOTAL CUMULATIVE BRIDGE (245,601.00)

CRIMINAL JUSTICE FACILITIES

Commissioners

Capital Outlays (450.00)

MAJOR BRIDGE

Commissioners

Capital Outlays (16,388.22)

PARK AND RECREATION NON-REVERTING

Park and Recreation

Capital Outlays (39,262.43)

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: January 2, 2013

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#001)

1. Planning and Development (132) requests \$65,500 for legal services.

Chris Godlewski explained that this will be reimbursed by the TIF's.

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

2. Emergency Management (137) requests \$4019 for data processing hardware.

Mike Pennington explained that this was requested and appropriated in 2012. However, once the items were ordered it was discovered that the wrong account number was appropriated, so they are reappropriating it now in 2013, using 2012 funds that they left unspent for this purpose.

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

3. Victim Assistance (159) requests \$40,852 to appropriate funds for the regular voca grant from the Indiana Criminal Justice Institute. The grant period covers 10/1/12 to 9/30/13. These funds will be used for personnel, supplies, postage, telephone and equipment rental.

Amy Bechtal 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.

(Page 27)

B. COUNTY HEALTH OPERATING (#102)

1. BCCP Program Income (614) requests \$5600 for supplies for 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.  
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The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. CUMULATIVE REASSESSMENT (#107)

1. County Assessor (980) requests \$149,181 for a new Cyclical Reassessment Administrator position and for half of the yearly maintenance fee to GUTS.

Cathy Searcy explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 29)

D. COUNTY HIGHWAY (#112)

1. Maintenance and Repair (202) requests \$65,250 for one full time technician and one half time technician that were moved from Administration (201).

2. General and Undistributed (204) requests \$60,000 for dump truck beds.

Tom Byers explained these requests 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.

(Page 30)

E. UNSAFE BUILDING FUND (#118)

1. Planning and Development (980) requests \$21,293 for legal and professional services for 2013.

Chris Godlewski 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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F. ABANDONED VEHICLES (#119)

1. Sheriff (980) requests \$8000 for towing of vehicles.

Bill Fletcher explained this request to the Council.

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.

(Page 32)

G. LOCAL HEALTH MAINTENANCE/TOBACCO SETTLEMENT (#121)

1. Health Department (980) requests \$77,746 to appropriate funds for 2013, including personnel, vehicle repairs and motor vehicles.

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.

(Page 33)

H. MATERNAL AND CHILD HEALTH GRANT (#126)

1. Program Income (614) requests \$467,243 to establish a budget for 2013. This fund is for the Pediatric Dental program and the Healthy Babies Prenatal Care Coordination program. Both programs collect fees based on a sliding income scale.

Jenny Schrock 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 34)

I. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (981) requests \$20,000 for supplies and data processing equipment.

Dr. Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 35)

J. LOCAL EMERGENCY PLANNING COMMITTEE (#136)

1. LEPC (980) requests \$144,350 to set up budget for year 2013, for supplies, other services and charges and capital outlays.

Mike Pennington explained this request to the Council. He will be the treasurer for LEPC for the year 2013.

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.

(Page 36)

K. HIV PREVENTION GRANT (#141)

1. Health Department (981) requests \$45,000 for one full time position in HIV counseling, testing and referrals.

Dr. Daniel Nafziger 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. ACCIDENT REPORT FEES (#151)

1. Sheriff (980) requests \$9974 for copier rental.

Bill Fletcher 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.

(Page 38)

M. FIREARMS TRAINING (#152)

1. Sheriff (980) requests \$35,000 for training, tasers and gun patches.

Bill Fletcher explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 39)

N. JURY PAY FEE FUND (#156)

1. Auditor (980) requests \$75,000 for petit jurors to reimburse General Fund.

Graff explained this request to the Council.

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.

(Page 40)

O. COUNTY EXTRADITIONS (#167)

1. Sheriff (980) requests \$90,000 to pay for transporting of prisoners.

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 41)

P. PARK AND RECREATION N/R OPERATING (#168)

1. Park and Recreation (980) requests \$124,700 to set up their 2013 budget including supplies, utilities, repairs and other services.

Larry Neff 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.

(Page 42)

Q. SURVEYOR'S CORNER PERPETUATION (#170)

1. Surveyor (980) requests \$39,000 for supplies and services to manage perpetuation projects.

Hess had spoke with Blake Doriot prior to the meeting and explained this request to the Council on his behalf.

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.

(Page 43)

R. AUDITOR'S PLAT BOOK FUND (#172)

1. Auditor (980) requests \$57,480 to establish the 2013 budget, including one position plus part time help, supplies, other services and a software license for docuware.

Graff explained this request to the Council.

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.

(Page 44)

S. SALES DISCLOSURE FUND (#195)

1. Concord Assessor (114) requests \$1790 for copy machine rent.

Kris Rowe explained this to the Council.

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

2. County Assessor (980) requests \$24,765 for copier rent, yearly fee for MLS access and fee for hosting 39 degrees north website.

Cathy Searcy explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 45)

T. REDEVELOPMENT COMMISSION (#197)

1. Planning and Development (980) requests \$4500 for annual operation expenses of the Redevelopment Commission.

Chris Godlewski 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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U. AUDITOR'S INELIGIBLE HOMESTEAD (#223)

1. Auditor (980) requests \$35,543 to establish 2013 budget, this includes one full time  
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position and part time help, supplies, postage and copy machine rent.

Graff 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.

(Page 47)

V. MILLERSBURG II TIF (#321)

1. Planning and Development (980) requests \$8500 for reimbursement agreement and Umbaugh expenses.

Chris Godlewski explained this request to the Council.

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.

(Page 48)

W. NORTHWEST GATEWAY TIF (#322)

1. Planning and Development (980) requests \$106,500 for reimbursement agreement, Umbaugh expenses and land acquisition.

Chris Godlewski explained this request to the Council. He asked to have the \$30,000 for land acquisition withdrawn. This would make the total appropriation request \$76,500.

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.

(Page 49)

X. SOUTH BENTON TIF (#323)

1. Planning and Development (980) requests \$1000 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 50)

Y. WESTERN GATEWAY TIF (#324)

1. Planning and Development (980) requests \$4500 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 51)

Z. MIDDLEBURY AG TIF (#326)

1. Planning and Development (980) requests \$1500 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 52)

AA. MIDDLEBURY SOUTHEAST TIF (#327)

1. Planning and Development (980) requests \$5500 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 53)

BB. MIDDLEBURY EAST TIF (#328)

1. Planning and Development (980) requests \$20,500 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 54)

CC. NORTH BAUGO TIF (#330)

1. Planning and Development (980) requests \$1000 for annual reimbursement agreement and Umbaugh expenses.

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.

(Page 55)

DD. EDIT (#331)

1. Commissioners (980) request \$27,000 for project 1301, contribution to North Central Business Assistance Center.

Kyle Hannon, President of Elkhart Chamber of Commerce, explained that NCI is really a sister organization to the chamber and explained that they are a big help to them and our community. He requested the Council's continued support of NCI.

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

2. Highway (980) requests \$55,617 for Major Moves loan interest and \$575,000 for projects 1302-1304, CR 3 & CR 32 right of way, misc repairs and closeouts and CR 17 right of way.

Tom Byers explained this request to the Council. Discussion ensued between Council and Commissioner Yoder on whether to continue with a 2 lane right of way or to move forward with a four lane right of way acquisition. Letherman asked what the difference in cost would be. Yoder stated he did not know at this time.

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.

(Page 56)

EE. NORTHEAST TIF CR 6 & CR 17 (#332)

1. Planning and Development (980) requests \$160,500 for reimbursement agreement and Umbaugh expense and also for project 1301 sign requests for Industrial Park entryways.

Tom Byers 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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FF. CUMULATIVE CAPITAL DEVELOPMENT (#334)

1. Commissioners (980) request \$654,175 for the following projects: 1301 vehicles, 1302 for capital projects, 1303 for data processing equipment and 1304 for capital items. This is all part of the five year CCDF plan.

Tom Byers explained this to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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GG. CUMULATIVE BRIDGE (#335)

1. Maintenance and Repair (212) requests \$233,555 for bridge engineer position with benefits that was moved from fund 112 and two bridge maintenance positions with benefits that were also moved from fund 112.

2. Highway (980) requests \$140,000 for project 1305 bridge repairs.

Tom Byers explained these requests to the Council.

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.

(Page 59)

HH. CRIMINAL JUSTICE FACILITIES (#336)

1. Sheriff (105) requests \$1,592,000 to appropriate funds for part of 2013 medical expense. This was reduced out of the General Fund budget at budget time.

Graff 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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II. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$54,000 for projects 1300-1304, maintenance on County regulated drains.

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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JJ. MAJOR BRIDGE (#338)

1. Highway (980) requests \$750,001 for major moves principal and interest payment for December 2012.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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KK. GENERAL FUND (#001)

1. County Council returns \$5267 to reduce salaries back to last year's level.

After much discussion, the Council decided to follow through with the reduction. However, they will not grant another raise in anyone's salary without their own salary being reinstated.

Glenn Null expressed that he felt the Council should not reduce their pay.

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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LL. COUNTY HIGHWAY (#112)

1. Highway Administration (201) returns \$70,000, position was moved to Cumulative Bridge.

2. Maintenance and Repair (202) returns \$216,211 for one and half positions that were moved to other departments and also for vacant positions that will not be filled.

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.

(Page 64)

MM. SALES DISCLOSURE FEES (#195)

1. Commissioners (980) return \$7538.75 for project 1001, 39 degrees north project complete.

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.

(Page 65)

NN. ELKHART COUNTY STORMWATER UTILITY MS4 (#320)

1. Commissioners (980) return \$1013.75 for project 801.

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.

(Page 66)

OO. NORTHEAST TIF (#332)

1. Commissioners (980) return \$167,781.75 for projects 801,2610 and 2720.

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.

(Page 67)

PP. CUMULATIVE BRIDGE (#335)

1. Maintenance and Repair (212) returns \$110,506 for positions that were moved to fund 112.
2. Construction (213) returns \$135,095 for projects 2114 and 1225.

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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\*\*\*Note: After the meeting it was found that the reduction in construction (213) can only be for January 12, 2013

\$125,000, as there is not \$135,095 to reduce. Project 2114 for \$10,095 is not available for reduction\*\*\*

QQ. CRIMINAL JUSTICE FACILITIES (#336)

1. Commissioners (980) return \$450 for project 803.

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.

(Page 69)

RR. MAJOR BRIDGE (#338)

1. Commissioners (980) return \$16,388.22 for project 2413.

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.

(Page 70)

SS. PARK AND RECREATION NON-REVERTING CAPITAL (#341)

1. Park and Recreation (980) returns \$39,262.43 for projects 601, 1002, 1102.

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

**OTHER BUSINESS:**

- (a) Reappointment of Nelson Nix and Douglas Thornton to the Property Tax Board of Appeals.

On motion made by Yohn seconded by Stump and unanimously carried, the Council approved this request. (Page 72)

- (b) Reappointment of David Foutz, Mike Huber and Jim Skillen to the Redevelopment Commission.

On motion made by Yohn seconded by Stump and unanimously carried, the Council approved this request. (Page 73)

- (c) Reappointment of Karen Mackowiak to the County Park and Recreation board, four year term.

On motion made by Stump seconded by Riegsecker and unanimously carried, the Council approved this request. (Page 74)

- (d) Approval of Interlocal Agreement for the Connection of Fiber Between the Goshen Police Department and the Elkhart County 911 Center.

Gordon Lord explained this agreement to the Council.

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved this request. (Page 75)

**AUDIENCE ITEMS:** Glenn Null expressed his pleasure in seeing that gun permit applications have increased. He also expressed his disgust in the no truck signs being on CR 38. He stated that the city and county need to work together. He also complained about the driving of the trolley buses in Goshen/Dunlap and the stop light issues on new CR 17 off CR 45. He also stated that he feels the lowering of the flags at the County buildings shouldn't be so difficult and that we should have a simpler system.

**ADJOURN:**

There being no further business to come before the Council the meeting was adjourned at 10:18 a.m. on motion by Foutz 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.