

MINUTES
ELKHART COUNTY COUNCIL
May 11, 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, Randall D. Yohn, David M. Ashe, Darryl J. Riegsecker 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 April 13, 2013.

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

COMMITTEE REPORTS:

COMMISSIONERS: No report.
COUNCIL: Stump and Ashe gave short report.
AUDITOR: Graff gave brief Finance Committee report.
SHERIFF: No report.

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

ADDITIONAL APPROPRIATIONS REQUESTS

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of Elkhart County, Elkhart County, Indiana, that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at Room 104, 117 N. 2nd Street, Goshen, Indiana, at 8:00 o'clock a.m. on Saturday, May 11, 2013

COUNTY HEALTH OPERATING

Local Health Maintenance Trust Account

Personal Services	737.00
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COUNTY HIGHWAY

County Highway General & Undistributed

Supplies	5,000.00
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County Highway

Capital Outlays	50,000.00
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TOTAL COUNTY HIGHWAY	<hr/> 55,000.00
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ALTERNATIVE DISPUTE RESOLUTION

Superior Court #6

Other Services and Charges 16,000.00

FAMILY COURT FUND

Superior Court #6

Other Services and Charges 17,000.00

ROAD MAINTENANCE AND CONSTRUCTION

County Highway

Capital Outlays 1,200,000.00

HAZMAT

Emergency Management

Capital Outlays 6,250.00

ELKHART COUNTY STORM WATER UTILITY MS4

County Highway

Capital Outlays 21,000.00

E.D.I.T.

County Highway

Capital Outlays 1,500,000.00

CUMULATIVE CAPITAL DEVELOPMENT

Commissioners

Capital Outlays 96,000.00

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: May 1, 2013

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. COUNTY HEALTH OPERATING FUND (#102)

1. Local Health Maintenance Trust Account (348) requests \$737 to appropriate funds for 2013 to pay an employee to complete the deliverables for emergency preparedness.

Dr. Daniel Nafziger 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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B. COUNTY HIGHWAY (#112)

1. County Highway (204) requests \$5,000 for funds needed to pay for supplies primarily for facility/building repairs.
2. County Highway (980) requests \$50,000 for funds needed for a storage tank for oil used for chip and seal and oil used in patching roads with the 5 Total Patcher spray patch units. Funds will purchase a tank, hardware, plumbing, footer, etc.

Tom Byers 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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C. ALTERNATIVE DISPUTE RESOLUTION (#235)

1. Superior Court #6 (980) requests \$16,000 for monies to be collected through the Court System.

Pauline Graff 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.

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D. FAMILY COURT FUND (#236)

1. Superior Court #6 (980) requests \$17,000 for monies to be collected from Grant money received.

Pauline Graff 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.

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E. ROAD MAINTENANCE AND CONSTRUCTION (#237)

1. County Highway (980) requests \$1,200,000 for funds to be used for 2013 road paving and maintenance program.

Pauline Graff 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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F. HAZMAT (#245)

1. Emergency Management (980) requests \$6,250 for Hazmat Team equipment. This grant has been awarded to District #2 and is 100% reimbursable.

Mike Pennington explained this request to the Council.

On motion made by Riegsecker 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. ELKHART COUNTY STORM WATER UTILITY MS4 (#320)

1. County Highway (980) requests \$21,000. The vactor was sold at auction for \$21,000 and the amount requested are the proceeds which will be used to subcontract storm sewer/MS4 good housekeeping cleaning.

Pauline Graff 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.

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H. EDIT (#331)

1. County Highway (980) requests \$1,500,000 to provide funds for 2013 road paving and maintenance program.

Tom Byers and Mike Yoder explained this request to the Council.

Mike Yoder presented a 2013 paving needs map. He advised the paving program needs a total of \$7,000,000 however Commissioners are requesting only \$1,500,000. Yoder proposed to delay payment to Major Moves until November, or after the first of the year when there is a much better idea of what demands will be for EDIT this year.

Motion was made by Hess to table this item because there are so many unknowns at this point whether the money is available right now or not. However, no second motion was made, the motion died.

After lengthy discussion, motion was made by Foutz for \$1,000,000 instead of \$1,500,000, seconded by Ashe and carried with a 5-2 vote approving \$1,000,000. Roll Call: Stump-aye, Riegsecker-nay, Ashe-aye, Yohn-aye, Foutz-aye, Hess-nay and Letherman-aye.

Stump did advise that he approved this motion with the expectation that the Commissioners will come back with a report and request for additional monies if needed at the next meeting.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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I. CUMULATIVE CAPITAL DEVELOPMENT (#334)

1. Commissioners (980) request \$96,000 to add shelving to the archives building. This represents the last phase of shelving in the current facility. It is anticipated, unless there are changes to requirements for records retention, we will be at capacity in two years. Steps are already being taken to develop options for meeting future archival requirements.

Tom Byers and Sam White explained this request to the Council.

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

Glenn Null also offered comments in reference to this topic.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. COUNTY HEALTH OPERATING (#102)

1. County Health Operating (340)

From	4305	Data Processing Serivces	1,194.00
To	4545	Data Processing Hardware	540.00
	4546	Data Processing Software	654.00

B. INDIANA HOMELAND SECURITY FNDA GRANT (#137)

1. Emergency Management (980)

From	4259	Capital Supply Items	54.00
To	4335	Office and Equipment Rep	54.00

Brief Comments made by Stump in reference to there being no minimal monetary amount when brought before Council for approval.

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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OTHER BUSINESS

(a) Approval of Interlocal Agreement for Animal Shelter for City of Elkhart

On motion made by Stump seconded by Ashe and unanimously carried, the Council approved this request.
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(b) Approval of Uniform Conflict of Interest Disclosure Statement for Brad Newcomer.

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

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AUDIENCE ITEMS

Glenn Null spoke on several different topics of interest, or disinterest.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:10 a.m. on motion by Ashe seconded by Stump and unanimously carried.

Anita Mock
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.

