

MINUTES
ELKHART COUNTY COUNCIL
September 14, 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; Craig Buche, County Attorney; Tom Byers, County Administrator and Mike Yoder, Commissioner.

MINUTES: Approval of minutes for August 10, 2013.

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

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.
COUNCIL: Letherman made tribute to Don Able.
AUDITOR: Graff announced State Auditor to visit.
SHERIFF: Sheriff Rogers gave short report.

EDC MATTERS: Confirmatory Resolution No. CC-2013-14 and proposed Commitment Agreement for Smart, LLC Tax Phase-In project. Setting forth final action in determining that the qualifications for an Economic Revitalization Area have been met and Confirming Resolution No. CC-2012-24.

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

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

Dave Ogle gave a brief overview of the proposal for Smart, LLC Phase-In.

There were no questions from the Council or the audience.

On motion made by Yohn seconded by Ashe and unanimously carried, the Council closed the public hearing.

Craig Buche then briefly reviewed the Commitment Agreement.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved the Commitment Agreement for Smart, LLC.

Craig Buche then briefly reviewed the Confirmatory Resolution.

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved CC-2013-14 for Smart, LLC.

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Amendatory Resolution No. CC-2013-15 for the Economic Revitalization Area for Lifetime Industries, INC. d/b/a/ Boyd Corporation

Craig Buche briefly reviewed the Amendatory Resolution.

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved CC-2013-15 for Boyd Corporation.

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Declaratory Resolution No. CC-2013-16, Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In for Pison Stream Solutions.

Dorinda Heiden briefly reviewed the Declaratory Resolution.

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved CC-2013-16 for Pison Stream Solutions.

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HUMAN RESOURCE MATTERS:

A. Health Department

1. MCH Program Income (126-614-4104): Request to pay two hours per week for Manager of WIC/MCH (Schrock) from program income, effective 10-1-13.

On motion made by Yohn and seconded by Stump, CCPC recommended approval, 4-0.

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

2. MCH Program Income (126-614-4105): Request to pay additional hours, up to one day per week, of one Social Service Worker (Gilbert) out of program income, effective 8-19-13 to 9-30-13.

On motion made by Yohn and seconded by Stump, CCPC recommended approval, 4-0.

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

B. Auditor

1. General Fund (001-102-4109): Request individual rate increase for Secretary III (Mock) from \$13.65 to \$14.25, with 3 and 6 month increases based on performance, effective 8-25-13.

On motion made by Stump and seconded by Yohn, CCPC recommended approval, 4-0.

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

2. Auditor's Ineligible Deduction Fund (223-980): Request to give 11 employees a one-time bonus, ranging from \$250 to \$1000 per employee based on years of service for work done on Homestead Verification forms.

On motion made by Lucchese and seconded by Stump, CCPC recommended approval, 4-0.

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

C. Court Services

1. Request to move funding of one JDAI Coordinator from Juvenile Detention Alternatives Initiative Grant (243-980-4105) to Community Corrections Project income (210-615-4105), effective 10-1-13.

On motion made by Lucchese and seconded by Yohn, CCPC recommended approval, 4-0. Note that the account number will now be 4106 (210-615-4106).

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

II. August Human Resources Requests for Consideration and Recommendation - Prosecuting Attorney Requests

A. Prosecuting Attorney

1. IV-D (001-158-4129): Request to change non-classified part-time clerical employee (Rheinheimer) to RPT Legal Assistant III (PG4/JF1) (001-158-4108), effective 09/22/2013.
2. IV-D (001-158-4129): Request to change non-classified part-time clerical employee (Smith) to RPT Legal Assistant III (PG4/JF1) (001-158-4108), effective 09/22/2013.

3. IV-D (001-158-4129): Request to change two (2) part time employees (McDaniel-currently in 001-158-4129 and Weeks-currently in 148-980-4733) to full time (40 hrs/wk), Legal Assistant I (PG3/JF1), effective 9-22-13.
4. County General IV-D Incentive (150-980-4105): Request to add a new Investigator position (PG7/JF5), hiring range \$1350.40-\$1620.48, effective 09/22/2013.
5. County General IV-D Incentive (150-980-4105): Request to add a new Training Specialist position (PG6/JF5), hiring range \$1205.60-\$1446.72, effective 09/22/2013, subject to review of job analysis questionnaire and determination of proper classification and title.
6. Prosecutor IV-D Incentive (148-980): Request additional compensation for DPA (Williams), \$192.31 pp, for supervising and working with DPA's in IV-D, effective 10/01/2013.

On motion made by Stump and seconded by Lucchese, CCPC recommended approval, 4-0, for items A-1-6.

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

7. Request to continue extra duties pay, from the general fund budget (001-108-4105), for 5 DPA's, previously funded by FACT grant. Max of \$384.62 pp, combined annual total of \$40,000 per year, effective 9-29-13.
8. Request to change one part-time clerical position in Victim Assistance to regular part-time Clerk III, PG2/JF1, no change in pay (001-159-4109). Although request is regular part time (20-29 hrs/wk) preferred would be full time (36 hrs/wk).

On motion made by Stump and seconded by Yohn, CCPC recommended to refer items A-7-8 to discussion at the 2014 budget hearings.

On motion made by Yohn seconded by Riegsecker and unanimously carried, the Council recommended to refer these items to the 2014 budget hearings.

The preceding Emergency Salary Ordinances were duly adopted.

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ADDITIONAL APPROPRIATIONS REQUESTS

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of Elkhart County, Elkhart County, Indiana,
that the proper legal officers will consider the following additional appropriations
in excess of the budget for the current year at their regular meeting place at
Room 104, 117 N. 2nd Street, Goshen, Indiana, at 8:00 o'clock a.m. on Saturday, September 14, 2013

GENERAL FUND

Clerk

Other Services and Charges 10,000.00

Sheriff

Personal Services 18,250.00

Supplies 1,000.00

Other Services and Charges 1,539.00

Capital Outlays 8,548.00

TOTAL SHERIFF

 29,337.00

TOTAL GENERAL FUND

 39,337.00

COUNTY HEALTH OPERATING

County Health Operating

Cash Change Fund 100.00

PARK AND RECREATION OPERATING

Park and Recreation Operating

Personal Services 2,500.00

MOTOR VEHICLE HIGHWAY

County Highway

Capital Outlays 155,384.00

COUNTY RAINY DAY FUND

Commissioners

Other Services and Charges 500,000.00

LOCAL ROAD AND STREET

County Highway-Maintenance and Repair

Supplies 200,000.00

DENTAL PROJECT MCH	
<u>County Health Department</u>	
Personal Services	2,500.00
Other Services and Charges	47,500.00
TOTAL DENTAL PROJECT MCH	50,000.00
MEDICAL RESERVE CORE	
<u>County Health Department</u>	
Personal Services	7,150.00
Other Services and Charges	2,850.00
TOTAL MEDICAL RESERVE CORE	10,000.00
MATERNAL & CHILD HEALTH GRANT (MCH)	
<u>Health Department</u>	
Personal Services	139,325.00
Other Services and Charges	7,000.00
TOTAL MCH GRANT	146,325.00
WOMAN INFANT & CHILD GRANT	
<u>Health Department</u>	
Personal Services	873,785.00
Supplies	20,168.00
Other Services and Charges	31,285.00
TOTAL WIC GRANT	925,238.00
ACCIDENT REPORT FEES	
<u>Sheriff</u>	
Other Services and Charges	1,790.00
FIREARMS TRAINING	
<u>Sheriff</u>	
Supplies	4,200.00
JUVENILE PROBATION USER FEES	
<u>Court Services</u>	
Other Services and Charges	2,000.00
PARK & RECREATION NON-REVERTING OPERATING	
<u>Park Department</u>	
Supplies	7,250.00
Other Services and Charges	13,750.00
Capital Outlays	1,750.00
TOTAL PARK & REC NON-REVERTING OPERATING	22,750.00

DISTRICT TASK FORCE #4	
<u>Emergency Management</u>	
Supplies	5,590.00
Other Services and Charges	3,700.00
Capital Outlays	50,710.00
TOTAL DISTRICT TASK FORCE #4	60,000.00

INDIANA TOBACCO PREVENTION & CESSATION	
<u>Health Department</u>	
Personal Services	168,117.00
Supplies	4,649.00
Other Services and Charges	8,134.00
Capital Outlays	1,100.00
TOTAL INDIANA TOBACCO PREVENTION & CESSATION	182,000.00

IDOC GRANT	
<u>Community Corrections</u>	
Capital Outlays	1,324.00

FOUNDATION GRANT	
<u>Emergency Management</u>	
Capital Outlays	3,870.00

BREASTFEEDING PEER COUNSELOR	
<u>Health Department</u>	
Personal Services	58,304.00
Other Services and Charges	1,749.00
TOTAL BREASTFEEDING PEER COUNSELOR	60,053.00

MCH GRANT - DENTAL	
<u>Health Department</u>	
Personal Services	48,968.00
Supplies	900.00
TOTAL MCH GRANT - DENTAL	49,868.00

EDIT	
<u>County Highway</u>	
Capital Outlays	15,000.00

NORTHEAST TIF DISTRICT	
<u>Commissioners</u>	
Capital Outlays	125,000.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 160,000.00

PARK & RECREATION NON-REVERTING

Park Department

Capital Outlays 24,500.00

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: September 4, 2013

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Clerk (101) requests \$10,000 additional postage monies needed to make it through the end of the year and into January.

Wendy Hudson explained this request to the Council.

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

2. Sheriff (105) request \$11,087 for testing for new officers, Sheriff sales and to purchase computer equipment and office equipment for Officers.

Sheriff Rogers explained this request to the Council.

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

3. Sheriff (105) request \$18,250 for payroll expenses reference "Operation Star."

Sheriff Rogers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinances were then duly adopted.

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B. COUNTY HEALTH OPERATING (#102)

1. Health Department (340) request \$100 to provide change for the Health Department Divisions at the Lincoln Center.

Dr. Nafziger 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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C. PARK AND RECREATION OPERATING (#104)

1. Park Department (320) request \$2,500 to supplement the part time clerical position at the Elkhart County Historical Museum. The money was donated by the Elkhart County Historical Society.

Larry Neff 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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D. MOTOR VEHICLE HIGHWAY (#112)

1. County Highway (980) request \$155,384 for paving and chip/seal projects. Funds requested are from the August additional funds from the new legislative action providing more funding for roads.

Jeff Taylor 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.

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E. RAINY DAY (#113)

1. Commissioners (980) request \$500,000 for additional funds needed due to higher amount of claims than anticipated for 2013 in the Group Insurance Trust Fund.

Carol Caviness 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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F. LOCAL ROAD AND STREET (#114)

1. County Highway (222) request \$200,000 for additional funds needed for fuel.

Jeff Taylor 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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G. FLU GRANT (#120)

1. Health Department (980) request \$50,000 for funds to increase awareness of seasonal flu vaccine and to increase knowledge of healthcare providers in our county regarding vaccines and the diseases they prevent.

Dr. 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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H. MEDICAL RESERVE CORE (#122)

1. Health Department (980) request \$10,000 for funds to provide structure for Indiana's Medical Reserve Core units and increase unit sustainability.

Dr. Nafziger 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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I. MATERNAL CHILD & HEALTH GRANT (#126)

1. Health Department (611) request \$146,325, the funds requested represent the amount that has been submitted in the MCH/PNCC Grant application to the Indiana State Department of Health for fiscal year 2014.

Jenny Schrock 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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J. WOMAN INFANT & CHILD (#127)

1. WIC (312) request \$925,238, the funds requested represent the amount of money submitted in the Women Infant & Child grant application to the Indiana State Department of Health for fiscal year 2014.

Jenny Schrock 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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K. ACCIDENT REPORT FEES (#151)

1. Sheriff Department (980) request \$1,790 for monies needed regarding copier lease at the Law Enforcement Center and the Correctional Complex.

Sheriff Rogers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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L. FIREARMS TRAINING (#152)

1. Sheriff Department (980) request \$4,200 for monies needed to purchase ammunition, taser cartridges and ferret powder used in the training of Officers.

Sheriff Rogers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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M. JUVENILE PROBATION USER FEES (#166)

1. Court Services (980) request \$2,000 for additional funds for the Title V Grant to fund the Coordinator of the Juvenile Detention Alternatives Initiative through the end of October 2013.

Bob Girard 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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N. PARK & RECREATION NON-REVERTING OPERATING (#168)

1. Park Department request \$22,750 for miscellaneous supplies, equipment and vehicle repairs, computer hardware and software and legal services.

Larry Neff 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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O. DISTRICT TASK FORCE #4 (#184)

1. Emergency Management (980) request \$60,000 for District #2 task force equipment to support district and state deployments. This is a 100% reimbursable grant.

Tom Byers 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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P. INDIANA TOBACCO PREVENTION & CESSATION (#185)

1. Health Department (981) request \$182,000 for funds directed at decreasing youth smoking rates, increase proportion of Hoosiers not exposed to second hand smoke and to decrease Indiana's adult smoking rate and to protect and maintain a state and local infrastructure necessary to lower tobacco use. This is a two (2) year grant.

Dr. Nafziger 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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Q. IDOC GRANT (#210)

1. Community Corrections (980) request \$1,324 for monies needed to pay refund to the State of Indiana for this grant.

Pauline Graff 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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R. FOUNDATION GRANT (#226)

1. Emergency Management (980) request \$3,870 for monies needed to purchase a mobile air conditioning unit for the EOC. This is a 100% reimbursable grant.

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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S. BREASTFEEDING PEER COUNSELOR (#240)

1. Health Department (980) request 60,053 for funds requested which represent the amount of money submitted in the WIC Peer Counselor Grant application to the Indiana State Department of Health for the fiscal year of 2014.

Jenny Schrock explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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T. MCH GRANT – DENTAL (#248)

1. Health Department (980) request \$49,868 for funds requested which represent the amount that has been submitted in the MCH Dental Grant application to the Indiana State Department of Health for the fiscal year of 2014.

Jenny Schrock 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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U. EDIT (#331)

1. County Highway (980) request \$15,000 for funds needed to repair and replace numerous catch basins in various subdivisions.

Jeff Taylor 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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V. NORTHEAST TIF DISTRICT (#332)

1. Commissioners (980) request \$125,000 for additional monies needed for additional paving on County Road 6.

Tom Byers 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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W. CUMULATIVE DRAIN (#337)

1. Surveyor (980) request \$160,000 for monies needed for maintenance work on County Regulated Drains.

Pauline 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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X. PARK & RECREATION NON-REVERTING (#341)

1. Park Department (980) request \$24,500 for monies needed to supplement previous appropriations in order to complete numerous projects.

Larry Neff 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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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#001)

1. Microfilm (143)

From	4205	Photographic Supplies	210.00
To	4309	Other Professional Services	210.00

B. COUNTY HEALTH OPERATING (#102)

1. County Health Operating (340)

From	4390	Dues	16.00
To	4405	Refunds & Other	16.00

C. LOCAL HEALTH MAINTENANCE (#121)

1. Health Department (980)

From	4531	Motor Vehicles	2,186.00
To	4317	Publication	2,186.00

D. H.I.V. GRANT (#141)

1. Health Department (981)

From	4153	Group Insurance	1,300.00
To	4219	Other Operating Supplies	1,300.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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OTHER BUSINESS

- (a) Sale of surplus property previously owned by Ken and Kathy Coffman at 21914 County Road 38.

Gordon Lord explained this request to the Council.

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

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- (b) Presentation made by Mary Ann Lienhart-Cross explaining the Fiscal History of the Extension Office.

- (c) Approval of Interlocal Agreement for the Connection of Fiber between the Goshen Highway Garage and the Elkhart County Administration Building.

Craig Buche explained this request to the Council.

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

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AUDIENCE ITEMS

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:50 a.m. on motion by Foutz seconded by Riegsecker 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.

