

MINUTES
ELKHART COUNTY COUNCIL
April 12, 2014

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 Council President John K. Letherman, Vice President David L. Hess, David E. Foutz, Randall D. Yohn, David M. Ashe, and Darryl J. Riegsecker. Thomas W. Stump was absent.

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

MINUTES: Approval of minutes for February 8, 2014.

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

Approval of minutes for March 19, 2014.

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

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.

COUNCIL: No report.

AUDITOR: Graff announced tax bills have been sent out.

SHERIFF: No report.

EDC MATTERS: Confirmatory Resolution CC-2014-05 Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In and Confirming Resolution No. CC-2014-03 for Alliance Sheets.

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

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

Dorinda Heiden-Guss gave a brief overview of the proposal for Alliance Sheets.

There were several questions from the Council and no questions from the audience.

On motion made by Riegsecker seconded by Hess and unanimously carried, the Council closed the public hearing.

Craig Buche then briefly reviewed the Commitment and Payment Agreement.

Commitment agreement included \$6,300,000.00 in real estate improvements and \$14,900,000.00 in equipment and forty (40) new employees with an annual payroll of \$1,700,000.00.

On motion made by Riegsecker seconded by Foutz and unanimously carried, the Council approved the Commitment and Payment Agreement for Alliance Sheets.

Craig Buche then briefly reviewed the Confirmatory Resolution.

On motion made by Foutz seconded by Ashe and unanimously carried, the Council approved CC-2014-05 for Alliance Sheets.

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HUMAN RESOURCE MATTERS:

A. Planning and Development

1. General Fund (001-132-4125): Request to establish part time professional rate of \$15.00/hr for a summer intern, effective 5-12-14.

Impact to General Fund: \$6500

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval with the understanding that Godlewski would try to find money within his budget to do a transfer instead of an additional appropriation, 3-0.

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

B. Sheriff

1. Social Norming Grant: Independent contractor agreement with all associated costs provided by grant. Does not require action- for informational purposes only. Effective 4-20-14.
2. General Fund (001-105-4104): Request 2% individual rate increase for Lt Detective (Holloman), JF7, from \$2105.32 per pay period to \$2147.43 per pay period, effective 4-20-14.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

3. In order to recruit and retain qualified individuals, the request is to include language in the guidelines for the application of Protective Services Salary Schedule, Exhibit B of 2014 Elkhart County Salary Ordinance that allows the Director of Human Resources to approve hiring rates for patrol officers and corrections officers at the experienced rate, without the required experience. In addition, this request includes individual rate increases for 17 recently-hired employees to bring them up to the experienced rate. Effective 4-20-2014.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

4. Request to additionally revise the 2014 Salary Ordinance to remove the Patrol Corporal and Patrol Sergeant from the Transfers section of Exhibit B. Effective 4-20-14.

Impact to General Fund: \$21,730 (can be absorbed by 2014 budget)

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

C. Surveyor

1. Request revision of market premium rate for the Survey Technical Coordinator position and change the job family from technical, JF3 to professional, JF5. Effective 4-14-14.

Impact to General Fund: \$0

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

D. Court Services

1. Juvenile Detention Alternatives Initiative Grant (251-980-4106): Request to change JDAI Coordinator position (vacant), PG7/JF4, from 30 hours per week to 40 hours per week. Retroactive to 3-23-14.

Impact to General Fund: \$0

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

2. Review of JDAI report, for informational purposes only.

E. Treasurer

1. General Fund (001-103-4102): Request 6% individual rate increase for First Deputy Treasurer (Kozlowski), PG7/JF6, from \$1475.63 per pay period to \$1564.17 per pay period, effective 4-20-14.

Impact to General Fund: \$1594

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval with the understanding that Meyers would try to find money in her budget to do a transfer instead of an additional appropriation, 3-0.

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

F. Commissioners

1. Solid Waste Disposal (553-338-4103): Request to hire above the maximum of the hiring range for the new Landfill Manager, PG9/JF6, \$2326.92 per pay period, effective 4-20-14.

Impact to General Fund: \$0

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

G. Highway

1. Highway Maintenance and Repair (112-202-4111): Request to hire at the step 2 market premium rate of \$15.61/hr for one Multipurpose CDL candidate, PG3/JF2, effective 4-20-14.

Impact to General Fund: \$0

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

***Several Ex-County Highway individuals spoke about their concerns regarding what they perceived as poor management at the County Highway Department.

Following lengthy discussion Foutz withdrew his motion of approval.

Ashe made a motion of disapproval and Riegsecker seconded that motion.

Lengthy discussion followed and Sheriff Rogers advised order in the room or he would remove individuals from the meeting.

This issue was then TABLED with no objections.

H. Prosecuting Attorney

1. General Fund (001-108-4105): Request reclassification of Administrative Manager position, PG7/JF6, 4104, to Communications Director/Investigative Analyst, PG9/JF5, 4105, \$2033.20 per pay period, effective 4-20-14.

*Staff recommendation is Communications Coordinator/Investigative Analyst, PG8/JF5, \$1815.36 per pay period, effective 4-20-14.

Impact to General Fund: \$7,429 (as requested- can be absorbed by 2014 budget)
 \$3,507 (as recommended- can be absorbed by 2014 budget)

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval as requested, 2-0.

On motion made by Foutz seconded by Ashe and carried with a 5-1 vote, Hess voted nay. The Council approved this request.

I. Health Department

1. WIC Grant (127-312-4105): Request to temporarily increase hours for Breastfeeding Coordinator position (J. Miller), PG5/JF5, from 30 hours to 36 hours, until Nutritionist position is filled. Effective 4-7-14.

Impact to General Fund: \$0

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

J. Park Department (added item)

1. Park and Recreation Donation Fund (181-980-4131): Request Part-Time Service Maintenance Worker at PT rate, \$10.00/hr. 4131, eff. 4-6-14 at the Defreeze Gardens with the Endowment Fund.

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

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, April 12, 2014.

GENERAL FUND

Emergency Management

Supplies	3,663.00
Other Services and Charges	6,182.00
TOTAL EMERGENCY MANAGEMENT	<hr/> 9,845.00

Planning and Development

Personal Services and Charges	6,500.00
TOTAL GENERAL FUND	16,345.00

COUNTY HEALTH OPERATING

Local Health Maintenance Trust Account

Personal Services	56,245.00
Other Services and Charges	17,131.00
TOTAL COUNTY HEALTH OPERATING	73,376.00

COUNTY HIGHWAY

County Highway Administration

Personal Services	30,535.00
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COUNTY HIGHWAY

County Highway Maintenance and Repair

Personal Services	80,000.00
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LOCAL ROAD & STREET

Road and Street Maintenance and Repair

Other Services and Charges	96,000.00
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PUBLIC HEALTH PREPAREDNESS GRANT

Health Department

Supplies	500.00
Capital Outlays	22,786.00
TOTAL PUBLIC HEALTH PREPAREDNESS GRANT	23,286.00

SURVEYOR'S CORNER PERPETUATION

Surveyor

Other Services and Charges	5,000.00
Capital Outlays	7,000.00
TOTAL SURVEYOR'S CORNER PERPETUATION	12,000.00

EMERGENCY MANAGEMENT PERFORMANCE GRANT

Emergency Management

Other Services and Charges	600.00
Capital Outlays	4,578.00
TOTAL EMERGENCY MANAGEMENT PERFORMANCE GRANT	5,178.00

HAZMAT GRANT

Emergency Management

Supplies	2,088.00
Capital Outlays	4,241.00

TOTAL HAZMAT GRANT	6,329.00
EDIT	
<u>County Highway</u>	
Capital Outlays	125,000.00
CUMULATIVE BRIDGE	
<u>County Highway Maintenance and Repair</u>	
Personal Services	10,000.00
CUMULATIVE BRIDGE	
<u>County Highway</u>	
Capital Outlays	310,000.00
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	91,000.00
PARK AND RECREATION NON-REVERTING	
<u>Park and Recreation</u>	
Capital Outlays	41,300.00
REDACTION FUND	
<u>Recorder</u>	
Other Services and Charges	15,000.00
REDUCTIONS	
CUMULATIVE BRIDGE	
<u>County Highway</u>	
Personal Services	-30,535.00

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: April 2, 2014.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Planning and Development (132) requests \$6,500 to hire a summer intern.

Chris Godlewski explained this request to the Council.

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

2. Emergency Management (137) requests \$9,845 to reimburse for monies received from Sprint due to programming issues and corrections made to all 800 MHZ radios.

Jennifer Tobey 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 Ordinances were then duly adopted.

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B. COUNTY HEALTH OPERATING (#102)

1. Local Health Maintenance Trust Account (349) requests \$73,376 to pay a Public Health Emergency Preparedness Coordinator to work with and to coordinate pandemic preparedness for Elkhart County.

John Hulewicz 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.

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C. COUNTY HIGHWAY (#112)

1. County Highway Administration (201) requests \$30,535 for funds for Administrative Assistant position approved last fall by Council.

Tom Byers 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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2. County Highway Maintenance and Repair (202) requests \$80,000 for funds needed to replenish the overtime account for workers.

Tom Byers explained this request to the Council.

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

***Several Ex-County Highway individuals again expressed their concerns regarding the County Highway Administration.

Riegsecker motioned to table this request.

Following lengthy discussion among the Council Members and Commissioner Yoder, Riegsecker withdrew his motion to table this request.

Motion stands with motion by Foutz seconded by Hess and unanimously carried, the Council approved this request.

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D. LOCAL ROAD AND STREET (#114)

1. Road and Street Maintenance and Repair (222) requests \$96,000 to replenish funds needed for expenses throughout the year.

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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E. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (980) requests \$23,286 to support the achievement of Public Health Preparedness Capabilities in Elkhart County.

John Hulewicz explained this request to the Council.

On motion made by Hess 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. SURVEYOR'S CORNER PERPETUATION (#170)

1. Surveyor (980) requests \$12,000 for funds to manage Perpetuation projects for 2014.

Blake Doriot 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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G. EMERGENCY MANAGEMENT PERFORMANCE GRANT (#225)

1. Emergency Management (980) requests \$5,178 for 2012 EMPG reward money for EOC/EMA department. This money is 100% reimbursable.

Jennifer Tobey 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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H. HAZMAT GRANT (#245)

1. Emergency Management (980) requests \$6,329 for District 2 Hazmat Team equipment and supplies. This money is 100% reimbursable.

Jennifer Tobey 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. EDIT (#331)

1. County Highway (980) requests \$125,000 for funds needed for 10% match to Federal Aid. Elkhart City and Goshen City partnering on this project and will reimburse the County proportionately for their share of the cost. Also, 15% Construction inspection

fee for INDOT to improve traffic signals throughout the Goshen City, Elkhart City and Elkhart County.

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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J. CUMULATIVE BRIDGE (#335)

1. County Highway Maintenance and Repair (212) requests \$10,000 for funds needed to replenish the overtime account for workers.

Tom Byers explained this request to the Council.

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

2. County Highway (980) requests \$310,000 for funds required for the replacement of the bridge on County Road 4 east of County Road 7, and for inspection funds required for the bridge project. INDOT will reimburse the County 80%.

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 Ordinances were then duly adopted.

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K. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$91,000 for maintenance work on County Regulated Drains.

Blake Doriot 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.

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

1. Park and Recreation (980) requests \$41,300 for various 2014 projects.

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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M. REDACTION FUND (#697)

1. Recorder (980) requests \$15,000 for funds needed for Fidlar Software System annual payment for year two (2) of five (5). Total cost of \$30,000 split between Redaction Fund and Perpetuation Fund.

Jerry Weaver 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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REDUCTIONS:

N. CUMULATIVE BRIDGE (#335)

1. Cumulative Bridge (212) returns \$30,535 due to a position being eliminated and a new position created in 112-201-4108.

On motion made by Ashe 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. GENERAL FUND (#001)

1. Emergency Management (137)

From	4209	Other Office Supplies	450.00
	4309	Professional Services	350.00

	4397	Education and Conference	200.00
To	4533	Radio Equipment	1,000.00
2. Elkhart Superior Court 1			
From	4259	Capital Supplies	995.00
To	4542	Office Equipment	995.00
B. COUNTY HEALTH OPERATING (#102)			
1. County Health Operating (340)			
From	4210	Gasoline	522.00
	4217	Medical Supplies	499.00
To	4542	Office Equipment	522.00
	4549	Other Office Equipment	499.00
C. INDIANA TOBACCO PREVENTION & CESSATION (#185)			
1. Health Department (981)			
From	4209	Other Office Supplies	500.00
To	4397	Education and Conference	250.00
	4349	Rental	250.00
D. IDOC GRANT (#210)			
1. Community Corrections (981)			
From	4343	Equipment Leasing	13,000.00
To	4209	Office Supplies	5,000.00
	4219	Other Office Supplies	8,000.00

On motion made by Hess 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) Approval of Appointment of Mike Settles to the Elkhart County Property Tax Board of Appeals.

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

- (b) Approval of revised Harrison Township Assistance Standards.

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

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- (c) Approval of First Amendment to Trust Agreement for Elkhart County Police Retirement Plan and Benefit Plan.

Craig Buche explained this request to the Council.

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

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- (d) Approval of Interlocal Agreement in connection with the Redevelopment Commission and the Town of Middlebury for a water main project serving (2) two TIF Districts.

Craig Buche explained this request to the Council.

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

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- (e) Approval of Interlocal Agreement to support the Ivy Tech Training Center.

Craig Buche explained this request to the Council.

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

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- (f) Approval of Interlocal Agreements for the Humane Shelter including; Town of Wakarusa, City of Goshen, Town of Middlebury, Town of Bristol and City of Elkhart.

Tom Byers explained this request to the Council.

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

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- (g) Approval of Ordinance CC-2014-04 Enacting a Code of Ordinances for the County of Elkhart, Indiana, Codifying, Revising, Rearranging, and Compiling Certain of its Existing General Ordinances, Orders and Resolutions and Dealing with Subjects Embraced in such Code of Ordinances.

Craig Buche and Nat Jordan explained this request to the Council.

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

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(h) Approval of Ordinance No. CC-2014-06 of the Elkhart County Council Authorizing the Issuance of Bonds for the Purpose of Providing Funds to Refund the County's Corrections Complex Bonds, Series 2004, and Pay the Costs of Issuance of the Bonds.

Todd Samuelson explained this request to the Council.

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

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AUDIENCE ITEMS

Bob Kronemyer expressed his concern on Outdoor Leaf Burning.

Glenn Null expressed his concern on several issues of interest, or disinterest.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 11:20 a.m. on motion by Yohn seconded by Foutz 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.

