

MINUTES
ELKHART COUNTY COUNCIL
June 14, 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 Vice President David L. Hess, David E. Foutz, Randall D. Yohn, Darryl J. Riegsecker and Thomas W. Stump. Absent were Council President John K. Letherman and David M. Ashe.

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

MINUTES: Approval of minutes for May 10, 2014.

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

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.

COUNCIL: No report.

AUDITOR: No report.

SHERIFF: No report.

******2014 Quilt Garden Presentation******

Presented by Jackie Hughes, Public Relations Manager, Elkhart County Convention & Visitors Bureau.

EDC MATTERS:

Presentation by Dorinda Heiden-Guss promoting the approval of the request from Elkhart County for \$201,004 to fund the 2014 contribution to the Elkhart County Economic Development Corporation.

HUMAN RESOURCE MATTERS:

- (a) Approval of Ordinance CC-2014-09 Amending an Ordinance of the Elkhart County Council 2014 Salary Ordinance.

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

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- (b) Approval of Ordinance CC-2014-10 Adopting Amendment to the Elkhart County Government Personnel Policy and Standard Procedures Manual.

On motion made by Stump seconded by Riegsecker the Council Tabled this request until the July County Council Meeting.

A. Community Corrections

1. Various Funds: Request to adjust starting rate of pay for Corrections Officers (Custody Officers). Request to adjust Corrections Officer I to the experienced rate of \$13.37/hr with a 3% increase at six months to \$13.77/hr. After one year of service if promoted to a Corrections Officer II, a one-time 3% increase to \$14.18/hr will be applied. Requires individual rate increases for Corrections Officers that are below the new hiring and promotional rates of pay. Effective 6-15-14.

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

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

2. IDOC Grant (1130-981-41115): Request individual rate increase for Assistant Director (Duesler), PG8/JF6, from \$1558.00 to \$1745.00 per pay period. Effective 6-15-14.

On motion made by Stump seconded by Yohn 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.

3. Request four new Corrections Officer II positions, JF7, \$13.37/hr. Two positions would be paid from 1130-980, one from 1130-615 and one from 4913-981.

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

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

4. General Fund (1000-179-41115): Request change in title and classification for Work Release Coordinator position (Keim), JF4/PG7 to Manager of Security and Operations, JF6/PG7, no change in pay rate, effective 6-15-14.

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

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

5. Various Funds: Review Work Release Coordinator position (Zilm, Faigh, Bauman) for classification, JF5/PG7, no change.

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

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

6. Review all positions within Community Corrections grants, current grant periods ending June 30, 2014.

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

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

B. Auditor

1. General Fund (1000-102-41140): Request to downgrade position of Clerical Supervisor I, PG3/JF1, to Clerk III, PG2/JF1, after the retirement of current Clerical Supervisor I (Wray). Effective 6-29-14.

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

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

C. Highway

1. Request to update list of employees and projects that are eligible for overtime pay, when in excess of 42 hours per week. Effective 6-15-14.

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

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

2. Discussion on staffing matters.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC recommended approval, 3-0, of the request to move the Engineering Tech position to the MVH fund 1176 and out of the Cumulative Bridge fund 1135.

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

3. Discussion on eliminating the Assistant Manager of Highway position and combining the duties with the Operations Supervisor position. The committee agreed to give the Manager of Transportation flexibility to work with HR to determine proper classification if/when a new JAQ is required and come back for official approval at a later date. No motion required at this time.

D. Health Department

1. Indiana Tobacco Prevention and Cessation (9104-981-41140): Request to pay Clerk III (Contreras-Padilla) up to 6 hours per week from this grant, effective 5-12-14 to 6-30-15.

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

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

2. Review of position(s) within the Local Health Tobacco Settlement Grant (1159-348/349) and ITPC Grant (9104-980/981), current grant period ending June 30, 2014/2015.

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

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

3. Discussion on Nurse Practitioner position- no motion required.

E. Victim Assistance

1. Review all positions within the STOP Domestic Violence Grant (8108-981), current grant period ending June 30, 2014.

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

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

F. Public Defender

1. Public Defender Supplemental (1200-980-41200): Request to increase part-time professional rate from \$30 to \$50/hour, effective 6-2-14.

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

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

G. Assessor

1. General Fund (1000-109-41125): Request 6% individual rate increase for Assessor III (Woodiel), PG6/JF3, from \$17.08/hr to \$18.10/hr. Effective 6-15-14.

Impact to General Fund 2014: \$955

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

Request was withdrawn.

H. Sheriff

1. General Fund (1000-105-41210): Request to increase part-time protective services rate to \$13.00/hr for part-time inexperienced officers and to \$13.37/hr for part-time experienced officers, effective 5-5-14.
2. Request to additionally revise the 2014 Salary Ordinance to remove the Patrol Officer III position from the Transfers section of Exhibit B. Effective 6-15-14.

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

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

The preceding Emergency Salary Ordinances were duly adopted.

(Pages 213-216)

I. Miscellaneous Items

Brief discussion on EDC wage survey.

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, June 14, 2014.

GENERAL FUND

Sheriff

Personal Services	18,250.00
TOTAL GENERAL FUND	<u>18,250.00</u>

COUNTY HIGHWAY OPERATING

County Highway

Capital Outlays	930,000.00
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PARK & RECREATION NON-REVERTING OPERATING

Park Department

Other Services and Charges	4,500.00
Capital Outlays	<u>22,500.00</u>
TOTAL PARK & RECREATION NON-REVERTING OPERATING	27,000.00

COUNTY MISDEMEANANT

Sheriff

Other Services and Charges	3,100.00
Capital Outlays	<u>4,993.00</u>
TOTAL COUNTY MISDEMEANANT	8,093.00

PARK & RECREATION DONATION FUND

Park Department

Supplies	50,700.00
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CTP GRANT

Program Income

Supplies	1,000.00
Other Services and Charges	47,730.00
Capital Outlays	<u>233,000.00</u>
TOTAL CTP GRANT	281,730.00

CTP GRANT	
<u>Community Corrections</u>	
Personal Services	143,258.00
Supplies	4,740.00
Other Services and Charges	20,750.00
Capital Outlays	52,796.00
TOTAL CTP GRANT	221,544.00

IDOC GRANT	
<u>Program Income</u>	
Personal Services	1,820,312.00
Supplies	55,000.00
Other Services and Charges	825,000.00
Capital Outlays	233,000.00
TOTAL IDOC GRANT	2,933,312.00

IDOC GRANT	
<u>Community Corrections</u>	
Personal Services	567,807.00
Supplies	22,000.00
Other Services and Charges	415,140.00
TOTAL IDOC GRANT	1,004,947.00

STATE INDOOR RADON GAS GRANT	
<u>Health Department-Environmental</u>	
Supplies	1,100.00
Other Services and Charges	400
TOTAL STATE INDOOR RADON GAS GRANT	1,500.00

ELKHART COUNTY STORM WATER UTILITY MS4	
<u>Commissioners</u>	
Capital Outlays	400,000.00

NORTHWEST GATEWAY TIF	
<u>Planning and Development</u>	
Capital Outlays	37,000.00

WESTERN GATEWAY TIF	
<u>Planning and Development</u>	
Other Services and Charges	430.00

MILLERSBURG CLINTON TOWNSHIP TIF	
<u>Planning and Development</u>	
Capital Outlays	27,463.00

MIDDLEBURY AGRICULTURE
TIF

Planning and Development

Capital Outlays 41,000.00

MIDDLEBURY EAST TIF

Planning and Development

Capital Outlays 242,550.00

NORTH BAUGO TIF

Planning and Development

Capital Outlays 4,664.00

EDIT

Commissioners

Capital Outlays 201,004.00

EDIT

County Highway

Capital Outlays 700,000.00

EDIT

Major Moves

Capital Outlays 277,080.00

NORTHEAST CORRIDOR TIF DISTRICT

Planning and Development

Capital Outlays 690,000.00

CUMULATIVE CAPITAL DEVELOPMENT

Commissioners

Capital Outlays 300,000.00

CUMULATIVE BRIDGE

County Highway

Capital Outlays 365,500.00

MAJOR BRIDGE

Commissioners

Capital Outlays 250,000.00

MAJOR BRIDGE

Major Bridge

Capital Outlays 750,001.00

REDUCTIONS

IDOC GRANT

Community Corrections

Other Services and Charges -61,253.00

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: June 4, 2014.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Sheriff (105) requests \$18,250 to make monies available for Officers to work the Star Grant.

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 HIGHWAY OPERATING (#1176)

1. County Highway (980) requests \$930,000 for funds needed to replace (2) two dump trucks and (1) one 1999 pothole patching machine.

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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C. PARK & RECREATION NON-REVERTING OPERATING (#1179)

1. Park Department (980) requests \$27,000 for professional services, vehicle repairs, lease purchase, equipment and office furniture.

Larry Neff 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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D. COUNTY MISDEMEANANT (#1175)

1. Sheriff (980) requests \$8,093 for purchasing equipment needed in Correctional Complex relating to PREA, barcode license reader for booking and a JMS upgrade.

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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E. PARK & RECREATION DONATION FUND (#4909)

1. Park Department (980) requests \$50,700 to set up the accounting from the ECCF DeFries Endowment for the continuing maintenance and development of the DeFries Gardens at the River Preserve County Park.

Larry Neff 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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F. CTP GRANT (#4913)

1. Program Income (615) requests \$281,730 for funds to set up 2014/2015 grant year.

Tara Whaley explained this request to the Council.

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

2. Community Corrections (980) requests \$221,544 for funds to set up 2014/2015 grant year.

Tara Whaley 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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G. IDOC GRANT (#1130)

1. Program Income (614) request \$2,933,312 for funds to set up 2014/2015 grant year.

Tara Booher explained this request to the Council.

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

2. Community Corrections (980) request \$1,004,947 for funds to set up 2014/2015 grant year.

Tara Booher 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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H. STATE INDOOR RADON GAS GRANT (#8116)

1. Health Department-Environmental (980) requests \$1,500 to disperse Radon Grant to increase radon testing by 10% in Elkhart County.

John Hulewicz 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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I. ELKHART COUNTY STORM WATER UTILITY MS4 (#1197)

1. Commissioners (130) requests \$400,000 for the Horn Ditch Project Phase #2. The funding request consists of a \$200,000 grant and a \$200,000 loan to the city of Goshen that will be repaid to the County from TIF revenues.

Tom Byers and Gordon Lord 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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J. NORTHWEST GATEWAY TIF (#4504)

1. Planning and Development (980) request \$37,000 to pay for infrastructure projects. The project includes \$27,000 for a traffic study at Corwin Road and Old US Highway 20, determining if it should be a roundabout or signal intersection. This study also includes \$10,000 for appraisals on the NE side and SE side of Corwin Road.

Chris Godlewski explained this request to the Council.

On motion made by Foutz seconded by Yohn, however Stump requested a Roll-Call. Stump-nay, Riegsecker-nay, Yohn-aye, Foutz-aye and Hess-aye. This request not approved and to be addressed at a later date.

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K. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) request \$430 to pay for infrastructure projects.

Chris Godlewski 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. MILLERSBURG I CLINTON TOWNSHIP TIF (#4507)

1. Planning and Development (980) requests \$27,463 to pay for infrastructure projects.

Chris Godlewski 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.
(Page 230)

M. MIDDLEBURY AGRICULTURE TIF (#4508)

1. Planning and Development (980) requests \$41,000 for (2) two landowner reimbursements for their conservation easement.

Chris Godlewski 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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N. MIDDLEBURY EAST TIF (#4510)

1. Planning and Development requests \$242,550 to pay for infrastructure projects.

Chris Godlewski 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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O. NORTH BAUGO TIF (#4512)

Planning and Development (980) requests \$4,664 to pay for infrastructure projects.

Chris Godlewski 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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P. EDIT (#1112)

1. Commissioners (980) requests \$201,004 to fund the 2014 contribution to the Elkhart County Economic Development Corporation.

On motion made by Stump 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 (980) requests \$700,000 for funds needed to pave County Road 17 from County Road 40 to County Road 142, and funds needed to reconstruct the “S” curve on County Road 40 between County Road 19 and County Road 21.

Jeff Taylor 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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3. Major Moves (980) requests \$277,080 for July 2014 Major Moves interest payment for County Road 17 2C.

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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Q. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) requests \$690,000 to pay for infrastructure and professional services.

Chris Godlewski and Kenneth Jones 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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R. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requests \$300,000 due to the implementation of the new financial accounting system, all carry over Cumulative Cap funds for Buildings and Grounds were closed out and need to be re-appropriated to cover expenses already incurred, as well as, future expenses.

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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S. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) requests \$365,500 for funds: 1. Construction Inspection services for County Road 40 east of County Road 43 bridge. 2. Funds required to replace the bridge on County Road 46 west of County Road 15 over Dausman Ditch. 3. Funds needed for Construction Inspection and testing for Bridge 297.

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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T. MAJOR BRIDGE (#1171)

1. Commissioners (980) requests \$250,000 for funds to begin purchasing properties as they become available either by owner or foreclosure in the area of County Road 13 and Mishawaka Road to prepare for a grade separation.

Tom Byers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.
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2. Major Bridge (980) requests \$750,001 for funds needed for the Major Moves Payment due for Six Span Bridge.

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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REDUCTIONS:

U. IDOC GRANT (#1130)

1. Community Corrections (981) request reduction of \$61,253.

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

The preceding Emergency Reduction Ordinance was then duly adopted.
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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. WOMAN INFANT AND CHILD GRANT (#8101)

1. WIC Grant (312)

From	43630	Rent Office Equipment	236.00
To	42380	Capital Supplies	236.00

B. IDOC GRANT (#1130)

1. Program Income (615)

From	43630	Rent Office Equipment	14,000.00
To	41400	PERF	5,000.00
	41330	Wellness	9,000.00

2. Community Corrections (981)

From	41310	Group Insurance	5,000.00
	41305	Medicare Contribution	10,000.00

To	43630	Rent Office Equipment	5,000.00
	43140	Telephone	10,000.00
C. CUMULATIVE CAPITAL DEVELOPMENT (#1138)			
1. Commissioners (980)			
From	43500	Building Repairs	17,372.00
To	42270	Other Repairs	17,372.00
D. SOLID WASTE USER FEES (#1194)			
1. Solid Waste Disposal (338)			
From	44505	Radio Equipment	400.00
To	42380	Capital Supplies	400.00

On motion made by Yohn 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 CF1's for the following businesses:

Automotive Climate Control
Forest River, Millersburg
SMCO
Truck Accessories Group (TAG)
Vista Building
Alliance Aluminum

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

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(b) Semi-annual review of the outstanding loans for the Local Major Moves Fund.

No action needed. No changes made.

- (c) Approval of Ordinance No. CC-2014-08, Ordinance Amending, Reconfirming, and Continuing the Local Option County Motor Vehicle Excise Surtax and Wheel Tax for Elkhart County.

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

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- (d) Approval of Interlocal Agreement for Horn Ditch Project.

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

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- (e) Approval of Addendum to Interlocal Agreement for Water Services between the Elkhart County Redevelopment Commission and the Town of Middlebury.

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

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- (f) Approval of 2015 Budget Hearings Schedule.

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

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- (g) Presentation by the Elkhart County Purdue Extension.

- (h) Approval of Middlebury Library Board reappointment for Artha Juntunen – term expires 6-30-2014.

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

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AUDIENCE ITEMS

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:48 a.m. on motion by Foutz 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.

