

MINUTES
ELKHART COUNTY COUNCIL
May 10, 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, Darryl J. Riegsecker and Thomas W. Stump.

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

MINUTES: Approval of minutes for April 12, 2014.

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

COMMITTEE REPORTS:

COMMISSIONERS: No report.

COUNCIL: No report.

AUDITOR: No report.

SHERIFF: No report.

EDC MATTERS: None

HUMAN RESOURCE MATTERS:

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 10, 2014.

GENERAL FUND

Sheriff

Other Services and Charges 125.00

Capital Outlays 25,809.00

TOTAL SHERIFF 25,934.00

Superior Court No. 5

Other Services and Charges 1,000.00

TOTAL GENERAL FUND 26,934.00

COUNTY HIGHWAY OPERATING

County Highway

Capital Outlays 56,000.00

PARK AND RECREATION DONATIONS

Park Department

Personal Services 7,550.00

ROAD MAINTENANCE AND CONSTRUCTION

County Highway

Capital Outlays 1,300,000.00

ELKHART COUNTY STORM WATER UTILITY MS4

County Highway

Capital Outlays 84,000.00

MIDDLEBURY SOUTHEAST TIF

Planning and Development

Capital Outlays 275,000.00

NORTHEAST CORRIDOR TIF DISTRICT

Planning and Development

Capital Outlays 270,000.00

CUMULATIVE CAPITAL DEVELOPMENT

Commissioners

Capital Outlays 200,000.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 250,000.00

MAJOR MOVES CONSTRUCTION

Commissioners

Capital Outlays 700,000.00

SOLID WASTE DISPOSAL FEES

Commissioners

Other Services and Charges

1,000,000.00

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: April 30, 2014.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$25,809 to purchase equipment and parts for a new squad car.

Sheriff Rogers 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) requests \$125 for monies for testing Correctional and Patrol Officers.

Sheriff Rogers explained this request to the Council.

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

3. Superior Court No. 5 requests \$1,000 for additional funds needed for competency evaluations.

Judge Wicks 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 Ordinances were then duly adopted.

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B. COUNTY HIGHWAY OPERATING (#112)

1. County Highway (980) requests \$56,000 for funds needed to vector debris from storm sewer catch basins and street sweeping as required by MS4 rules.

John Bowers 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. PARK & RECREATION DONATION FUND (#181)

1. Park Department (980) requests \$7,550 for funds from an endowment account to financially maintain and operate the DeFries Gardens.

Larry Neff 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. ROAD MAINTENANCE AND CONSTRUCTION (#237)

1. County Highway (980) requests \$1,300,000 for funds to be used for 2014 road paving and maintenance program.

John Bowers 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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E. ELKHART COUNTY STORM WATER UTILITY MS4 (#320)

1. County Highway (980) requested \$84,000. The request was withdrawn/tabled.

The preceding Emergency Appropriation Ordinance was withdrawn.

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F. MIDDLEBURY SOUTHEAST TIF (#327)

1. Planning and Development (980) requests \$275,000 for a water line extension for the Town of Middlebury. The County's portion per Interlocal Agreement is \$275,000.

Craig Buche 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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G. NORTHEAST CORRIDOR TIF (#332)

1. Planning and Development (980) requests \$270,000 for road repair and resurfacing projects in the NE TIF to be completed by Elkhart County Highway Department.

Craig Buche 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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H. CUMULATIVE CAPITAL DEVELOPMENT (#334)

1. Commissioners (980) requests \$200,000 for funds to be used to upgrade the SAN system which is basically disc space. Funds also used to replace the current backup system which is a combination of tapes and disc to a total disc backup system.

Tom Byers 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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I. CUMULATIVE DRAIN (#337)

1. Surveyor (980) requests \$250,000 for a two stage ditch project.

Blake Doriot 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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J. MAJOR MOVES CONSTRUCTION (#342)

1. Commissioners (980) requests \$700,000 for funds to be used to help fund the 2014 road paving program.

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 Ordinances were then duly adopted.

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K. SOLID WASTE DISPOSAL FEES (#533)

1. Commissioners (980) requests \$1,000,000 per discussions which took place at the 2014 budget hearings.

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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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#001)

1. Treasurer (103)

From	4305	Data Processing Services	1,400.00
		Equipment	
	4343	Leasing	1,200.00
To	4102	Deputies	2,600.00

2. Sheriff (105)			
From	4219	Other Operating Supplies	610.00
To	4259	Capital Supplies	610.00
B. COUNTY EXTRADITION (#167)			
1. Sheriff (980)			
From	4397	Education and Conference	29,773.00
To	4539	Other Equipment	29,773.00
C. CTP (#209)			
1. Community Corrections (614)			
From	4309	Other Professional Services	50,000.00
To	4539	Other Equipment	50,000.00
D. PREA (#247)			
1. Sheriff (980)			
From	4546	Data Processing Software	5,755.00
To	4309	Other Professional Services	1,975.00
	4324	Licenses	3,000.00
	4331	Maintenance	630.00
	4305	Data Processing Services	150.00

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 Resolution No. CC-2014-07 Appropriation Resolution of the County Council of the Elkhart County Indiana Correctional Complex Refunding Bonds.

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

- (b) Approval of 1st Reading Ordinance No. CC-2014-08, Ordinance Amending, Reconfirming and Continuing the Local Option County Motor Vehicle Excise Surtax and Wheel Tax for Elkhart County Indiana.

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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(c) Approval of Uniform Conflict of Interest Disclosure Statement for Brad Newcomer.

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

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(d) Presentation by Mary Ann Lienhart-Cross from the Elkhart County Extension Office explaining the “Make a Difference” program.

AUDIENCE ITEMS

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 8:45 a.m. on motion by Foutz seconded by Yohn 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.

