

# ELKHART COUNTY COUNCIL AGENDA

Saturday, August 8, 2015

8:00 a.m., Room 104

1. CALL TO ORDER
  
  2. APPROVAL OF MINUTES – Approval of minutes for July 11, 2015
  
  3. COMMITTEE REPORTS:  
Commissioners -  
Council -  
Sheriff -  
Auditor –
  
  4. EDC MATTERS: **PUBLIC HEARING-** Resolution No. CC-2015-14. Resolution Setting Forth Final Action In Determining That The Qualifications For An Economic Revitalization Area Have Been Met And Confirming Resolution No. CC-2015-12 For Furion, LLC. Also, Consideration Of The Commitment And Payment Agreement.
  
  5. HUMAN RESOURCE MATTERS:  
  
\*\*\*2015 Salary Ordinance for 911 Center. Ordinance No. CC-2015-13
  
  6. ADDITIONAL APPROPRIATIONS:  
  
A. GENERAL FUND (#1000)
    1. Sheriff (105)

Supplies	1,962.00
Other Services and Charges	165.00
Capital Outlays	3,986.00
    2. Coroner (107)

Personal Services	3,500.00
Other Services and Charges	<u>23,900.00</u>
- TOTAL GENERAL FUND 31,386.00

B. EDIT (#1112)		
1. Commissioners (980)	Capital Outlays	200,000.00
2. County Highway (980)		<u>120,000.00</u>
TOTAL EDIT		320,000.00
C. CLERK'S RECORD PERPETUATION (#1119)		
1. Clerk (980)	Capital Outlays	2,000.00
D. CUMULATIVE DRAIN (#1141)		
1. Surveyor (980)	Capital Outlays	15,000.00
E. MOTOR VEHICLE HIGHWAY (#1176)		
1. County Highway (980)	Capital Outlays	250,000.00
F. SURVEYOR'S CORNER PERPETUATION (#1202)		
1. Surveyor (980)	Other Services and Charges	1,000.00
G. HIV GRANT (#8124)		
1. Health Department (980)	Other Services and Charges	1,000.00
H. PUBLIC HEALTH PREPAREDNESS (#8145)		
1. Health Department (980)	Personal Services	14,236.00
	Supplies	770.00
	Other Services and Charges	3,529.00
	Capital Outlays	<u>7,090.00</u>
TOTAL PUBLIC HEALTH PREPAREDNESS		25,625.00



D. STORM WATER MANAGEMENT OPERATING (#1197)

1. MS4 Environmental Health (340)

From 43040 Laboratory 967.00

To 44510 Other Equipment 967.00

2. Storm Water (980)

From 41115 Supervisors & Other Admin 7,500.00

To 43090 Other Professional Services 7,500.00

E. DISTRICT 2 EQUIPMENT #6 (8138)

1. Emergency Management (980)

From 42195 Other Operating Supplies 1,495.00

To 44510 Other Equipment 1,495.00

8. TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:  
(Available in the Auditor's office)

9. OTHER BUSINESS:

(a) Approval of CF1's for the following businesses:

Smart, LLC  
Champagne Metals

10. AUDIENCE ITEMS: Members of the public who wish to speak will be provided that opportunity. Persons should sign in. Presentation will be limited to three (3) minutes.

11. ADJOURN

RESOLUTION NO. 2015-241

**A RESOLUTION APPROVING THE TRANSFER OF EDIT FUNDS TO THE  
GENERAL FUND FOR THE 2015 CALENDAR YEAR**

WHEREAS, the approved 2015 Elkhart County budget was predicated in part on the transfer of \$200,000 (Two Hundred Thousand Dollars) of Economic Development Income Tax (EDIT) dollars to the General fund;

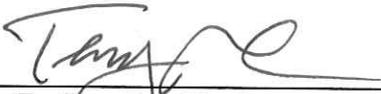
WHEREAS, the Elkhart County Commissioners will submit to the Elkhart County Council an additional appropriation for \$200,000 (Two Hundred Thousand Dollars) from the EDIT fund to be transferred to the General fund;

WHEREAS, upon approval of the additional appropriation by the Elkhart County Council the \$200,000 (Two Hundred Thousand Dollars) shall be transferred to the General fund;

NOW, THEREFORE BE IT RESOLVED the Board of Commissioners of Elkhart County, Indiana approves the transfer of \$200,000 (Two Hundred Thousand Dollars) from the Economic Development Income Tax (EDIT) fund to the General fund subject to the approval of an additional appropriation by the Elkhart County Council.

RESOLVED this 20 day of July, 2015.

BOARD OF COMMISSIONERS OF THE  
COUNTY OF ELKHART, INDIANA

By:   
Terry Rodino, President

By:   
Mike Yoder, Vice President

By:   
Frank Lucchese, Member

ATTEST:

  
Pauline E. Graff, Elkhart County Auditor



**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

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**Michael R. Pence**  
*Governor*

**Thomas W. Easterly**  
*Commissioner*

To: Elkhart County Regional Sewer District  
117 N. Second Street  
Goshen, IN  
46256

July 20, 2015

Dear District,

The District has met the statutory requirements for requesting to change their Order regarding Board members. Enclosed is the First Order modifying your original Order. If you have any questions, please feel free to contact me at 317-233-0476.

Sincerely,

Lynne Newlon  
Regional District Coordinator  
IDEM



In all other respects, the Order dated November 4, 2004, shall remain the same. Pursuant to IC § 4-21.5-3-5(f) and IC § 4-21.5-3-2(e), this Order to amend the Order dated November 4, 2004 forming the Elkhart County Regional Sewer District, becomes effective eighteen (18) days after its mailing. If you wish to challenge this decision, IC 4-21.5-3-7 requires that a petition for administrative review be filed. The petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, IGC-N, Indianapolis, Indiana 46204, within eighteen (18) days from the mailing of this notice. This petition must be filed in accordance with IC 4-21.5-3-7, and must include facts demonstrating that the petitioner is the petitioner, a person aggrieved by this decision, or a person entitled to review by law.

DATED in Indianapolis, Indiana, on this 20<sup>TH</sup> day of JULY, 2015.



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Thomas W. Easterly

Commissioner

Indiana Department of Environmental Management

**DRAFT**

ORDINANCE NO. CC-2015-13

(AMENDING ORDINANCE NO. CC-2014-21)

AN ORDINANCE OF THE ELKHART COUNTY COUNCIL AMENDING THE  
2015 SALARY ORDINANCE

WHEREAS Indiana Code Sections 36-1-3-1 et seq. permit any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Elkhart County Council is the County fiscal body and is by law authorized to adopt ordinances and resolutions for the administration of the fiscal affairs of the County of Elkhart, Indiana;

WHEREAS the Elkhart County Council adopted Ordinance No. CC-2014-21 as the 2015 Elkhart County Salary Ordinance on the 1<sup>st</sup> day of October, 2014;

WHEREAS the Elkhart County Council adopted Ordinance No. CC-2015-08 amending the 2015 Elkhart County Salary Ordinance on April 11, 2015;

WHEREAS the Elkhart County Council deems it reasonable and appropriate and desires to further amend the 2015 Elkhart County Salary Ordinance in accordance with the provisions contained in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Elkhart County Council as follows:

1. Effective the 9<sup>th</sup> day of August, 2015, the following Job Family 4 employment positions within the Elkhart County 911 Public Safety Communications Center will be governed by the terms and provisions of this Ordinance for the remainder of calendar and fiscal year 2015 with respect to wages and salaries:

Job Family 4 Positions Covered by this Ordinance

Communications Technician I

Communications Technician II

Communications Technician III (Assistant Shift Supervisor)

Training Supervisor

Shift Supervisor

The 2015 Wage Schedule for individual County employees in non-exempt “Classified Positions” with respect to Job Family 4 as contained in Exhibit A of Ordinance No. 2014-CC-21 will no longer be applicable to the Job Family 4 positions covered by this Ordinance. In the event of a conflict between the terms and provisions of this Ordinance and the Elkhart County Wage and Salary Administration Policy and Procedure Manual, the terms and provisions of this Ordinance shall control. Otherwise, the Elkhart County Wage and Salary Administration Policy and Procedure Manual will continue to be applicable to the Elkhart County 911 Public Safety Communications Center.

2. Effective the 9<sup>th</sup> day of August, 2015, the following Job Family 6 employment positions within the Elkhart County 911 Public Safety Communications Center will be governed by the terms and provisions of this Ordinance for the remainder of calendar and fiscal year 2015 with respect to wages and salaries:

Job Family 6 Positions Covered by this Ordinance

Assistant Director

Director

The 2015 Wage Schedule for individual County employees in non-exempt “Classified Positions” with respect to Job Family 6 as contained in Exhibit A of Ordinance No. 2014-CC-21 will no longer be applicable to the Job Family 6 positions covered by this Ordinance.

3. The Wage Schedules attached hereto for the positions covered by this Ordinance are hereby adopted and incorporated by reference as follows:

a. The Communications Technician I position will be governed by the Wage Schedule attached hereto as Exhibit 1.

b. The Communications Technician II position will be governed by the Wage Schedule attached hereto as Exhibit 2.

c. The Communications Technician III (Assistant Shift Supervisor) position will be governed by the Wage Schedule attached hereto as Exhibit 3.

d. The Shift Supervisor/Training Supervisor positions will be governed by the Wage Schedule attached hereto as Exhibit 4.

e. The Assistant Director position will be governed by the Wage Schedule attached hereto as Exhibit 5.

f. The Director position will be governed by the Wage Schedule attached hereto as Exhibit 6.

3. The designated Shift for purposes of the Wage Schedules attached hereto as Exhibit 1, Exhibit 2, and Exhibit 3 will be determined based upon the regular full-time shift to which an employee is assigned. An employee temporarily assigned to another shift or temporarily working hours during another shift will be paid, subject to overtime requirements, their hourly rate based upon their regularly assigned full-time shift.

4. Upon the effective date of this Ordinance, current and future employees hired by the Elkhart County 911 Public Safety Communications Center in the positions governed by this Ordinance who have or come to the Elkhart County 911 Public Safety Communications Center with previous experience may qualify for a years of service credit under the Experienced Employee Pay Rate Schedule which is hereby adopted and incorporated herein by reference as Exhibit 7.

4. For employees covered by this Ordinance within the Elkhart County 911 Public Safety Communications Center who are promoted, demoted, or otherwise move from a position to another position that is governed by a different Wage Schedule, that employee will be placed in the new Wage Schedule at the wage rate for Years in position greater than zero and Less than or equal to one; provided, however, that if an employee moves from a position to a position governed by a different Wage Schedule at the Elkhart County 911 Public Safety Communications Center, which Wage Schedule the employee had previously been governed by in an earlier position at the Elkhart County 911 Public Safety Communications Center, the employee will be placed at the wage rate in the Wage Schedule to which he or she is returning with the number of years of service he or she would have been at if he or she had stayed in that position originally.

5. The positions covered by this Ordinance will not be entitled to Position Incentive Pay (PIP) under the provisions of Section 5.1 of the Elkhart County Wage and Salary Administration Policy and Procedure Manual.

6. The part-time hourly rate approved for 2015 for the Elkhart County 911 Public Safety Communications Center is hereby increased from Twelve Dollars (\$12.00) per hour to Fifteen Dollars (\$15.00) per hour. The 2015 appropriation approved for part-time hourly rates for the Elkhart County 911 Public Safety Communications Center remains unchanged at Three Thousand Dollars (\$3,000.00).

7. The responsibility for the administration of the terms and provisions of this Ordinance lies with the Elkhart County 911 Public Safety Communications Center. Any

employee of the Elkhart County 911 Public Safety Communications Center in a position covered by this Ordinance who disagrees or otherwise questions any decision applicable to him or her with respect to the administration of this Ordinance may file a grievance and follow the internal grievance policy of the Elkhart County 911 Public Safety Communications Center.

8. This Ordinance and all exhibits attached hereto, along with Ordinance No. CC-2014-21 and Ordinance No. CC-2015-08, shall hereinafter be referred to and constitute the 2015 Elkhart County Salary Ordinance.

9. This Ordinance is effective the 9<sup>th</sup> day of August, 2015.

ORDAINED this 8<sup>th</sup> day of August, 2015.

COUNTY COUNCIL OF THE COUNTY  
OF ELKHART, INDIANA

By: \_\_\_\_\_  
John K. Letherman

By: \_\_\_\_\_  
David L. Hess

By: \_\_\_\_\_  
David M. Ashe

By: \_\_\_\_\_  
David E. Foutz

By: \_\_\_\_\_  
Randall D. Yohn

By: \_\_\_\_\_  
Darryl J. Riegsecker

By: \_\_\_\_\_  
Thomas W. Stump

ATTEST:

\_\_\_\_\_  
Pauline E. Graff, Elkhart County Auditor

**Exhibit 1**  
**Wage Schedule - Comm Tech I**  
**Non-Exempt Hourly Pay**

Years in Position		Shift		
		Day 7AM-3PM	Midnight 11PM-7AM	Afternoon 3PM-11PM
Greater than	Less than or = to			
<b>0</b>		15.80	16.15	16.30

**Exhibit 2**  
**Wage Schedule - Comm Tech II**  
**Non-Exempt Hourly Pay**

Years in Position		Shift		
		Day 7AM-3PM	Midnight 11PM-7AM	Afternoon 3PM-11PM
Greater than	Less than or = to			
0	1	17.06	17.41	17.56
1	2	17.23	17.58	17.73
2	3	17.40	17.75	17.90
3	4	17.57	17.92	18.07
4	5	17.75	18.10	18.25
5	6	17.93	18.28	18.43
6	7	18.11	18.46	18.61
7	8	18.29	18.64	18.79
8	9	18.47	18.82	18.97
9	10	18.65	19.00	19.15
10	11	18.84	19.19	19.34
11	12	19.03	19.38	19.53
12	13	19.22	19.57	19.72
13	14	19.41	19.76	19.91
14	15	19.60	19.95	20.10
15	16	19.80	20.15	20.30
16	17	20.00	20.35	20.50
17	18	20.20	20.55	20.70
18	19	20.40	20.75	20.90
19	20	20.60	20.95	21.10
20	21	20.81	21.16	21.31
21	22	21.02	21.37	21.52
22	23	21.23	21.58	21.73
23	24	21.44	21.79	21.94
24	25	21.65	22.00	22.15
25	26	21.87	22.22	22.37
26	27	22.09	22.44	22.59
27	28	22.31	22.66	22.81
28	29	22.53	22.88	23.01
29	30	22.76	23.11	23.26

**Exhibit 3**  
**Wage Schedule - Asst. Shift Supervisor/Comm Tech III**  
**Non-Exempt Hourly Pay**

Years in Position		Shift		
		Day 7AM-3PM	Midnight 11PM-7AM	Afternoon 3PM-11PM
Greater than	Less than or = to			
0	1	19.60	19.95	20.10
1	2	19.80	20.15	20.30
2	3	20.00	20.35	20.50
3	4	20.20	20.55	20.70
4	5	20.40	20.75	20.90
5	6	20.60	20.95	21.10
6	7	20.81	21.16	21.31
7	8	21.02	21.37	21.52
8	9	21.23	21.58	21.73
9	10	21.44	21.79	21.94
10	11	21.65	22.00	22.15
11	12	21.87	22.22	22.37
12	13	22.09	22.44	22.59
13	14	22.31	22.66	22.81
14	15	22.53	22.88	23.03
15	16	22.76	23.11	23.26
16	17	22.99	23.34	23.49
17	18	23.22	23.57	23.72
18	19	23.45	23.80	23.95
19	20	23.68	24.03	24.18
20	21	23.92	24.27	24.42
21	22	24.16	24.51	24.66
22	23	24.40	24.75	24.90
23	24	24.64	24.99	25.14
24	25	24.89	25.24	25.39
25	26	25.14	25.49	25.64
26	27	25.39	25.74	25.89
27	28	25.64	25.99	26.14
28	29	25.95	26.30	26.45
29	30	26.21	26.56	26.71

**Exhibit 4**  
**Wage Schedule - Shift Supervisor/Training Supervisor**  
**Non-Exempt Hourly Pay**

Years in Position		Shift		
		Day 7AM-3PM	Midnight 11PM-7AM	Afternoon 3PM-11PM
Greater than	Less than or = to			
0	1	21.44	21.79	21.94
1	2	21.65	22.00	22.15
2	3	21.87	22.22	22.37
3	4	22.09	22.44	22.59
4	5	22.31	22.66	22.81
5	6	22.53	22.88	23.03
6	7	22.76	23.11	23.26
7	8	22.99	23.34	23.49
8	9	23.22	23.57	23.72
9	10	23.45	23.80	23.95
10	11	23.68	24.03	24.18
11	12	23.92	24.27	24.42
12	13	24.16	24.51	24.66
13	14	24.40	24.75	24.90
14	15	24.64	24.99	25.14
15	16	24.89	25.24	25.39
16	17	25.14	25.49	25.64
17	18	25.39	25.74	25.89
18	19	25.69	25.99	26.14
19	20	25.95	26.30	26.45
20	21	26.21	26.56	26.71
21	22	26.47	26.82	26.97
22	23	26.73	27.08	27.23
23	24	27.00	27.35	27.50
24	25	27.27	27.62	27.77
25	26	27.54	27.89	28.04
26	27	27.82	28.17	28.32
27	28	28.10	28.45	28.60
28	29	28.38	28.73	28.88
29	30	28.66	29.01	29.16

**Exhibit 5**  
**Wage Schedule -Assistant Director**  
 Exempt Salaried Position with Bi-Weekly Pay

Years in Position		Salary
Greater than	Less than or = to	
0	1	\$2,240.00
1	2	\$2,262.40
2	3	\$2,285.02
3	4	\$2,307.87
4	5	\$2,330.95
5	6	\$2,354.26
6	7	\$2,377.81
7	8	\$2,401.58
8	9	\$2,425.60
9	10	\$2,449.86
10	11	\$2,474.35
11	12	\$2,499.10
12	13	\$2,524.09
13	14	\$2,549.33
14	15	\$2,574.82
15	16	\$2,600.57
16	17	\$2,626.58
17	18	\$2,652.84
18	19	\$2,679.37
19	20	\$2,706.16
20	21	\$2,733.23
21	22	\$2,760.56
22	23	\$2,788.16
23	24	\$2,816.05
24	25	\$2,844.21
25	26	\$2,872.65
26	27	\$2,901.37
27	28	\$2,930.39
28	29	\$2,959.69
29	30	\$2,989.29

**Exhibit 6**  
**Wage Schedule - Director**

Exempt Salaried Position with Bi-Weekly Pay

Years in Position		Salary
Greater than	Less than or = to	
0	1	\$2,474.35
1	2	\$2,499.10
2	3	\$2,524.09
3	4	\$2,549.33
4	5	\$2,574.82
5	6	\$2,600.57
6	7	\$2,626.58
7	8	\$2,652.84
8	9	\$2,679.37
9	10	\$2,706.16
10	11	\$2,733.23
11	12	\$2,760.56
12	13	\$2,788.16
13	14	\$2,816.05
14	15	\$2,844.21
15	16	\$2,872.65
16	17	\$2,901.37
17	18	\$2,930.39
18	19	\$2,959.69
19	20	\$2,989.29
20	21	\$3,019.18
21	22	\$3,049.37
22	23	\$3,079.87
23	24	\$3,110.67
24	25	\$3,141.77
25	26	\$3,173.19
26	27	\$3,204.92
27	28	\$3,236.97
28	29	\$3,269.34
29	30	\$3,302.34

## Exhibit 7

### Experienced Employee Pay Rate Schedule

Current employees and future applicants who seek a position covered by this Ordinance with the Elkhart County 911 Public Safety Communications Center upon the effective date of this Ordinance will be given consideration for certain previous experience. Current employees and future employees hired with full-time prior employment experience serving as a 911 center, police, fire, or EMS dispatcher or who served as a certified police officer or jail officer/corrections officer/prison officer from any federal, state, or local agency will be given consideration, as it relates to their pay rate, in the following manner:

- One year of experience will be credited one year; two years of experience will be credited two years; and three years of experience will be credited three years; on the Elkhart County 911 Public Safety Communications Center Wage Schedules for their respective position.
- Those having more than three years of experience will be credited three years plus one year for every four additional years of experience, up to a maximum of six total years of credit on the Elkhart County 911 Public Safety Communications Center Wage Schedules for their respective position.

#### **Example:**

Years of experience = Placement within Elkhart County 911 Public Safety Communication Center Wage Schedule

1 year	=	1-2 Years in Position	7 years	=	4-5 Years in Position
2 years	=	2-3 Years in Position	11 years	=	5-6 Years in Position
3 years	=	3-4 Years in Position	15 + years	=	6-7 Years in Position

When crediting years of experience under this Exhibit, only those years that have been fully completed (365 days) will be considered. A year of experience does not have to be a calendar year but any consecutive 365 day period.