

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**April 11, 2015**

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 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; Gordon Lord, County Attorney; Mike Yoder, County Commissioner; and Tom Byers, County Administrator.

**MINUTES:** Approval of minutes for March 14, 2015.

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

**COMMITTEE REPORTS:**

COMMISSIONERS:	No report.
COUNCIL:	Hess gave short report.
AUDITOR:	No report.
SHERIFF:	No report

**EDC MATTERS:**

Second Reading on Universal Trailer Bond Ordinance CC-2015-06.

Letherman has conflict, Hess conducting the hearing.

An Ordinance Authorizing The Issuance And Sale Of An Aggregate Principal Amount Not To Exceed Ten Million Dollars (\$10,000,000) Of Elkhart County, Indiana Economic Development Revenue Bonds, Series 2015 (Universal Trailer Project); Designating The Bonds As Limited Obligations Of The County; Approving The Form Of, And Authorizing The Execution And Delivery Of, The Bond And Loan Agreement And Other Documents Related To The Issuance And Sale Of The Bonds; And Authorizing Proper Officers To Do All Other Things Deemed Necessary Or Advisable In Connection Therewith And Approving And Authorizing Other Actions In Respect Thereto.

Brian Hoffer gave a brief introduction and explanation of the process.

Tim Emerick representing Barnes and Thornburg also gave a brief introduction of the project and answered several questions.

On motion made by Foutz seconded by Stump, the Council approved this request. Letherman had a conflict and did not vote.

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### **HUMAN RESOURCE MATTERS:**

#### **A. Landfill**

1. Solid Waste User Fees (1194-338-41120): Request reclassification of one Operator III position (Berkey), PG6/JF2, to one Landfill Analyst position (new), PG7/JF5, with 6% promotional increase to \$24.12/hr, effective 4-19-15.

**On motion made by Yohn and seconded by Stump, the CCPC unanimously approved this request, 4-0.**

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

#### **B. Auditor**

1. General Fund (1000-102-41140): Request exception to policy to allow an additional 30 day overlap for the General Accounting Specialist position.

**On motion made by Lucchese and seconded by Stump, the CCPC unanimously approved this request, 4-0.**

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

#### **C. Health Department**

1. County Health Operating (1159-340): Request revision to market premium rates for CHN staff.

**On motion made by Yohn and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

2. County Health Operating (1159-340-41135): Request increase in premium pay for Clinic Assistants from additional \$1.25/hr to \$2.00/hr when filled by a Certified Medical Assistant.

**On motion made by Yohn and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

3. County Health Operating (1159-340-41115): Request reclassification of one Clerical Supervisor II (Peacock), PG4/JF6, to Clerical Supervisor III, PG5/JF6, with 6% promotional increase to \$1342.68, effective 4-19-15.

**On motion made by Yohn and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

4. County Health Operating/Tobacco Settlement (1206-980/981): Request reclassification of one Health Promotion Specialist (Priest), PG6/JF5, to one Public Health Coordinator (new), PG7/JF5, \$19.16/hr, effective 4-5-15.

**On motion made by Yohn and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

5. Indiana Tobacco Prevention and Cessation (9104-981-41140): Request one new regular part time Health Education Assistant, PG4/JF1, \$14.25/hr, effective 7-1-15, with grant approval.

**On motion made by Lucchese and seconded by Yohn, the CCPC unanimously approved this request, 4-0.**

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

#### **D. Park Department**

1. Park and Recreation (1219-320-41150): Request two additional Park Services I positions, PG2/JF2, \$11.99/hr, effective 4-19-15.

**On motion made by Stump and seconded by Lucchese, the CCPC unanimously denied this request, 4-0, with the recommendation to use part time people initially and return to CCPC in a year to see if full time can be justified based on fees collected.**

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

2. Park and Recreation (1219-320-41150): Request individual rate increase for Park Services I (Bowen and Kunde), PG2/JF2, \$12.55. Due to a misunderstanding of the County policy on hiring ranges by then-management staff, this request is intended to compensate these two individuals with the rate they were offered at 6 months when they accepted the position. The effective date for Bowen is 12/14/2014 (first pay period of the year) and the effective date for Kunde is 2/8/2015 (6 month anniversary).

**On motion made by Lucchese and seconded by Stump, the CCPC unanimously approved this request, 4-0.**

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

3. Park and Recreation (1219-320-41115): Request title change only of one Museum Director/Curator to Museum Manager, no change in pay grade or job family, effective 4-19-15.

**On motion made by Stump and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

#### **E. Recorder**

1. Recorder Perpetuation (1189-104-41140): Request individual rate increase for Clerk III (McQuarie), PG2/JF1, from \$11.99/hr to \$14.99/hr, effective retroactive to 2-19-15.

**On motion made by Stump and seconded by Lucchese, the CCPC unanimously approved this request, 4-0.**

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

#### **F. Planning and Development**

1. General Fund (1000-132-41115): Request reclassification of Manager-Plan/Code/Zone (Auvil), PG9/JF6, to Planning Manager/Zone Administrator, PG8/JF6, effective 3-30-15.
2. General Fund (1000-131-41115): Request title change and individual rate increase of Building Commissioner (Williams), PG8/JF6, to Building Commissioner/Code Enforcement Manager, PG8/JF6, \$1730.76, effective 3-30-15, with 3 month review and increase to \$1884.61, effective 7-12-15.

**On motion made by Lucchese and seconded by Stump, the CCPC unanimously approved requests F 1&2, 4-0.**

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

#### **G. Highway**

1. Request revision to Engineering Career Development Program.

**On motion made by Lucchese and seconded by Stump, the CCPC unanimously approved this request, 4-0.**

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

#### **H. Information Technology**

1. General Fund (1000-141-41120): Request title change only of one Microcomputer Technician to Computer Technician, no change in pay grade or job family, effective 4-19-15.
2. General Fund (1000-141-41120): Request title change and downgrade of Systems Analyst/Programmer (vacant), PG9/JF5, to Systems Analyst, PG8/JF5, market premium. New hiring range \$2300-\$2760, effective 4/19/2015.

**On motion made by Lucchese and seconded by Yohn, the CCPC unanimously approved requests H 1&2, 4-0.**

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

#### **I. Sheriff**

1. Request approval of pay structure change for Sheriff's Department, effective 4-19-15. Also, added part time range structure.

**On motion made by Stump and seconded by Lucchese, the CCPC made the motion that they have reviewed it, they support it and that they are forwarding this to the County Council for their consideration, 4-0.**

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

The preceding Emergency Salary Ordinances were then duly adopted.

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\*\*\*Approval of Ordinance No. CC-2015-08, An Ordinance Of The Elkhart County Council Amending the 2015 Salary Ordinance.

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

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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 11, 2015.

#### GENERAL FUND

##### Sheriff

Capital Outlays 11,821.00

##### Code Enforcement

Personal Services 7,000.00

##### Public Defender

Personal Services 6,000.00

TOTAL GENERAL FUND 24,821.00

#### CLERK'S RECORD PERPETUATION

##### Clerk

Capital Outlays 3,100.00

#### LOCAL ROAD AND STREET

##### Road and Street Maintenance and Repair

Supplies	1,252.00
Other Services and Charges	1,898.00
TOTAL LOCAL ROAD AND STREET	3,150.00

LOCAL HEALTH TRUST FUND

Health Department

Personal Services	116,339.00
Supplies	817.00
Other Services and Charges	7,240.00
TOTAL FOR LOCAL HEALTH TRUST FUND	124,396.00

NORTHEAST CORRIDOR TIF DISTRICT

Planning and Development

Capital Outlays	525,000.00
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SOCIAL NORMING

Sheriff

Personal Services	6,694.00
Supplies	3,700.00
Other Services and Charges	28,700.00
TOTAL FOR SOCIAL NORMING	39,094.00

S.T.A.R. GRANT

Sheriff

Personal Services	42,514.00
Capital Outlays	1,500.00
S.T.A.R. GRANT	44,014.00

REDUCTIONS

GENERAL FUND

Sheriff

Personal Services	-27,964.00
<u>Planning and Development</u>	
Personal Services	-8,000.00
TOTAL GENERAL FUND	-35,964.00

LOCAL HEALTH MAINTENANCE TRUST FUND

Health Department

Personal Services	-43,647.00
Supplies	-661.00
Other Services and Charges	-6,712.00
TOTAL LOCAL HEALTH MAINTENANCE TRUST	-51,020.00

LOCAL HEALTH MAINTENANCE TRUST FUND

Health Department

Personal Services	-72,692.00
Supplies	-156.00
Other Services and Charges	-528.00
TOTAL LOCAL HEALTH MAINTENANCE TRUST FUND	-73,376.00

PARK AND RECREATION DONATIONS

Park Department

Capital Outlays	-7,490.62
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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 1, 2015.

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

\*\*\* ELKHART COUNTY SOLID WASTE MANAGEMENT DISTRICT  
Additional request for 25,000.00 for recycling bins to be placed at Landfill for e-waste and associated costs. (This request was not advertised when previously requested.)

Gordon Lord explained this request to the Council and advised this item was not published by the Elkhart Truth. Therefore, it will need to come back in front of the Council in May.

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

\*\*\* Approval of Ordinance No. CC-2015-07, (1) Establishing an E-Waste Disposal Fee for the Elkhart County Landfill and (2) Establishing the Authority of the Board of Commissioners of the County of Elkhart and the Elkhart County Solid Waste Management District Board to Adjust, Upward or Downward, and E-Waste Disposal Fee Associated with the Operation of the Elkhart County Landfill and/or the Programming of the Elkhart County Solid Waste Management District Board.

Gordon Lord 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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A. GENERAL FUND (#1000)

1. Sheriff (105) request \$7,514 for funds to be applied to the S.T.A.R Fund.

Brad Rogers explained this request to the Council.

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

2. Sheriff (105) request \$4,307 to make funds available for purchasing bullet resistant vests for Officers.

On motion made by Stump seconded by Ashe and unanimously carried, the Council tabled this request until a later date.

3. Code Enforcement (131) request \$7,000 for funds to pay an increase in salary for the Building Commissioner, who had had Code Enforcement Manager added to his duties.

Chris Godlewski explained this request to the Council.

On motion made by Ashe seconded by Stump and unanimously carried, the Council tabled this request until a later date.

4. Public Defender (175) withdrew their request for \$6,000.00

The preceding Emergency Appropriation Ordinances were then duly adopted.

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B. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) request \$3,100 for funds needed for the purchase of a computer desk for the Clerk's Office and a chair for the Clerk. Also, for the purchase of office chairs for the Superior Court 1 and 2 Clerk's Office.

Chris Anderson 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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C. LOCAL ROAD AND STREET (#1169)

1. Road and Street Maintenance and Repair (222) requests \$3,150.00 for funds returned from paying the wrong vendor in 2014 and needed to be appropriated to pay the correct vendor in 2015.

Pauline Graff 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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D. LOCAL HEALTH TRUST FUND (#1206)

1. Health Department (980) request \$51,020.00 per the Auditor's and State Office request, moving funds from 1159-359 to 1206-980 fund.

Dr. Nafziger 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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E. LOCAL HEALTH TRUST FUND (#1206)

1. Health Department (981) request \$73,376.00 per the Auditor's and State Office request, moving funds from 1159-350 to 1206-981 fund.

Dr. Nafziger 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. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) requests \$525,000.00. They explained \$160,000.00 is for the federal aid match to construct the County Road 8 bike trail in the Pheasant Ridge area, \$100,000.00 is for professional services to engineer and design the County Road 8 trail extending from Pheasant Ridge to Bristol. Further, \$170,000.00 is for highway resurfacing, \$75,000.00 is for highway maintenance, which is for signals and reflectors. Finally, \$20,000 is for the County Road 17 boat launch area, specifically for one time maintenance and provide County Highway with financial assistance for construction of the pier.

Chris Godlewski explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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G. SOCIAL NORMING (#9112)

1. Sheriff Department (980) requests \$39,094.00 for funds to pay Officer wages, to purchase supplies needed to operate the program, for sustenance in the operation of the program and to pay for services contracted.

Brad Rogers 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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H. S.T.A.R. GRANT (#9119)

1. Sheriff Department (980) request \$44,014.00 for funds needed to pay wages for Officers working the S.T.A.R. program and to purchase Intoximeters used in a breathalyzer test.

Brad Rogers 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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**REDUCTIONS:**

I. GENERAL FUND (#1000)

1. Sheriff Department (105) requests \$27,964.00 reduction to clear account of S.T.A.R. monies.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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2. Planning and Development (132) requests \$8,000.00 reduction in the Zoning Administrator/Planning Manager's salary.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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J. LOCAL HEALTH MAINTENANCE TRUST FUND (#1159)

1. Health Department (349) requests \$51,020.00 reduction due to moving funds to fund 1206-980.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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K. LOCAL HEALTH MAINTENANCE TRUST FUND (#1159)

1. Health Department (350) requests \$73,376.00 reduction due to moving funds to fund 1206-981.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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L. PARK DONATION FUND (#4909)

- 1. Park Department (980) requests \$7,490.62 reduction to clear out 2014 project before starting 2015 project.

On motion made by Riegsecker seconded by Stump 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

1. County Assessor

From	43120	Postage	1,151.00
To	44535	Data Processing Hardware	1,151.00

2. Superior Court No. 4

From	42060	Law Books	1,000.00
To	41545	Clerical and Other Services	1,000.00

B. CUMULATIVE JAIL

1. Sheriff

From	42195	Other Operating Supplies	960.00
To	44510	Other Equipment	960.00

C. LOCAL EMERGENCY PLANNING RIGHT TO KNOW

1. Emergency Management

From	43090	Other Professional Services	15,000.00
To	44510	Other Equipment	15,000.00

On motion made by Hess 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 CF-1 for the following business:

Diversified Machine Bristol, LLC.

Tom Byers explained this request to the Council.

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

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- (b) Approval of Interlocal Agreement for the Redevelopment Commission on the Elkhart East Project.

Craig Buche explained this request to the Council.

On motion made by Stump seconded by Riegsecker, the Council approved these requests. Letherman did not vote.

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- (c) Approval of Interlocal Agreement for the Redevelopment Commission on the Middlebury Signage Project.

Craig Buche explained this request to the Council.

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

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- (d) Approval for the continuation of the Storm Water fees for the County Storm Water Department for 2015.

Craig Buche explained this request to the Council.

On motion made by Hess seconded by Foutz 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 9:40 a.m. on motion by Riegsecker 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.

