

MINUTES
ELKHART COUNTY COUNCIL
June 13, 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 May 9, 2015.

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

COMMITTEE REPORTS:

COMMISSIONERS:	No report.
COUNCIL:	No report.
AUDITOR:	No report.
SHERIFF:	No report.

2015 Quilt Garden Presentation by Jackie Hughes

2nd Reading

Approval of Ordinance No. CC-2015-09. Ordinance Of The Elkhart County Council Approving The Issuance Of General Obligation Bonds By The Elkhart Public Library and Approving An Additional Appropriation For The Elkhart Public Library Regarding Various Improvements To The Main Library Location Of The Library.

Philip Faccenda from Barnes and Thornburg explained this request to the Council.

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

EDC MATTERS:

Approval of Ordinance No. CC-2015-11. An Ordinance Authorizing Elkhart County, Indiana To Participate In The Establishment Of A Regional Development Authority.

James Turnwald, Executive Director of MACOG, explained this request to the Council.

Mayor Kauffman, Mayor Moore and numerous other individuals and leaders from the public and private sector showed their support to approve Ordinance No. CC-2015-11, Authorizing Elkhart County to Participate in the Regional Development Authority.

On motion made by Foutz seconded by Ashe the Council approved this request. Hess voted, nay.

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HUMAN RESOURCE MATTERS:

None of the requests below have any impact on the General Fund.

A. Commissioners

1. Stormwater/MS4 (1197-980-41120): Request new Engineering position at County Highway, MP, career development. Position will serve as the coordinator of the County’s Stormwater/ MS4 funds. Position will be paid from Stormwater/MS4 funds. Effective 6-14-15.

On motion made by Stump and seconded by Yohn, the CCPC made the motion to forward this request without recommendation to the County Council for their consideration, 3-0.

This request was withdrawn by the Commissioners after a lengthy discussion.

B. Sheriff

1. Various Grants: Request to increase part time rate for salaried merit employees when working in enforcement grants, \$45.00/hr. Hourly employees will no longer receive a flat part time rate and will begin to receive time and a half for overtime hours worked on the enforcement grants listed below. Retroactive 4-19-15.

Grants:

8113-980-41165	Operation Pullover
8141-980-41165	DUI
9114-980-41165	FACT
1000-105-41155	STAR
9112-980-41165	Social Norming

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request, 3-0.

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

C. Prosecuting Attorney

1. STOP Domestic Violence Grant (8108-981-41120): Review and approval of position within grant. Grant period July 1, 2015-June 30, 2016.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved this request, 3-0.

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

D. Health Department

1. ITPC Grant (9104-980-41120): Review and approval of positions within grant. This includes a new position that was previously reviewed and classified by CCPC. Grant period July 1, 2015-June 30, 2017.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved this request, 3-0.

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

E. Highway

1. Maintenance and Repair (1176-202-41125): Request to officially reclassify Information Management Specialist position from 40 hours per week to 30 hours per week. Effective 6-14-15.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request, 3-0.

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

2. Maintenance and Repair (1176-202-41150): Request exception to highway step guidelines to allow one Multipurpose Non-CDL (Baker), \$13.87/hr, MP, to remain in a Non-CDL position, due to health reasons. Effective 6-14-15.

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

3. Maintenance and Repair (1176-202-41150): Request 3% individual rate increase for Multipurpose Non-CDL (Baker), MP, \$14.29/hr, effective 6-14-15.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved requests 2&3, 3-0.

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

4. Request to add Dunlap Grade Separation and CR 6 & 17 to the list of projects eligible for overtime.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved this request, 3-0.

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

F. Landfill

1. Solid Waste (1194-338-41210): Request to establish part time rate in account 41210, protective services, \$21.90/hr. Effective 6-14-15.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved a part time rate not to exceed one and half times the current employee's regular rate of pay, 3-0.

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

G. Community Corrections

1. IDOC Program Income (1130-614-41130): Request to reclassify one Corrections Officer III position to a Sergeant Corrections position, effective 6-14-15.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request, 3-0.

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

2. IDOC Grant (1130-980): Review and approval of positions within grant. Grant period July 1, 2015-June 30, 2016.

3. IDOC Program Income (1130-614): Review and approval of positions within grant. Grant period July 1, 2015-June 30, 2016.
4. CTP Grant (4913-980): Review and approval of positions within grant. Grant period July 1, 2015-June 30, 2016.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 2-4, 3-0.

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

H. Court Services- JDAI Grant and New Grant

1. Juvenile Detention Alternatives Initiative (JDAI) Grant (9113-981-41115) and Community Corrections Juvenile Fund (9120-980-41115)-tentative: Request reclassification of JDAI Coordinator, PG7/JF4, to Manager of Juvenile Services, PG8/JF6, effective 7-1-15.

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

2. Community Corrections Juvenile Fund (9120-980-41120)-tentative: Request new Intensive Case Manager II position, PG5/JF4, \$15.68, effective 7-1-15.

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

3. Juvenile Detention Alternatives Initiative (JDAI) Grant (9113-981): Review and approval of all positions within grant. Grant period July 1, 2015-June 30, 2016.

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests 1-3, 3-0.

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

I. Soil and Water

1. Stormwater/MS4 (1197-980-41120): Request reclassification of Urban Conservationist, PG6/JF5, and Stormwater Coordinator, PG7/JF6, to Conservationist I (new), PG6/JF5, and Conservationist II (new), PG7/JF5, effective 6-14-15.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved request I-1, 3-0.

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

The preceding Emergency Salary Ordinances were then 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, June 13, 2015.

GENERAL FUND

Sheriff

Supplies	581.00
Other Services and Charges	6,473.00
Capital Outlays	3,882.00

Public Defender

Personal Services	7,000.00
TOTAL GENERAL FUND	<u>17,936.00</u>

EDIT

County Highway

Capital Outlays	277,081.00
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County Highway

Capital Outlays	<u>750,000.00</u>
TOTAL EDIT	<u>1,027,081.00</u>

CUMULATIVE CAPITAL DEVELOPMENT

Commissioners

Capital Outlays	249,500.00
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HEALTH DEPARTMENT

Tobacco Settlement

Capital Outlays	123,996.00
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MAJOR BRIDGE FUND

Major Bridge

Capital Outlays	750,001.00
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COUNTY MISDEMEANANT	
<u>Sheriff</u>	
Other Services and Charges	15,000.00

MOTOR VEHICLE HIGHWAY	
<u>County Highway</u>	
Other Services and Charges	29,000.00
Capital Outlays	600,000.00
TOTAL MOTOR VEHICLE HIGHWAY	629,000.00

INDIANA TOBACCO PREVENTION AND CESSATION GRANT	
<u>Health Department</u>	
Personal Services	98,485.00
Supplies	2,429.00
Other Services and Charges	12,854.00
Capital Outlays	1,500.00
TOTAL INDIANA TOBACCO PREVENTION AND CESSATION	115,268.00

SOCIAL NORMING	
<u>Sheriff</u>	
Supplies	23,406.00

REDUCTIONS

CUMULATIVE CAPITAL DEVELOPMENT	
<u>Commissioners</u>	
Capital Outlays	-29,814.48

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 3, 2015.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Sheriff (105) request \$10,936 for funds paid to the Department by Office Depot, for money refunded to the Department by MPH Industries, for funds paid in postage for the Sheriff Sale Fees, to fund accounts for payment of services incurred by the Department and to fund account for purchase of bullet/stab resistant vests for Officers and in car camera.

Brad Rogers explained this request to the Council.

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

2. Public Defender (175) request \$7,000 for funds needed due to increased case loads in both the Elkhart and Goshen Public Defenders Office requiring staff to increase the amount of hours worked. Additional overtime funds have been used for mitigation work completed by Goshen Legal Assistant in murder case of Michael Shoun, Circuit Court.

Cliff Williams 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 Ordinances were then duly adopted.

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B. EDIT (#1112)

1. County Highway (980) request \$277,081 for funds for June 2015 Major Moves interest payment, CR 17 2C.

Jeff Taylor explained this request to the Council.

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

2. County Highway (980) request \$750,000 for funds needed to continue purchasing right of way for the Kercher Bridge/County Road 38 project and funds for road paving and chip and seal.

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. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requests \$249,500 for funds needed for an upgrade to e-mail server and software, network switch for the data center, PVD server, e-mail backup software license, e-mail and network security appliance and redundant firewalls.

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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D. HEALTH (#1159)

1. Tobacco Settlement (349) request \$123,996 for funds to transfer between funds.

Dr. Nafziger 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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E. MAJOR BRIDGE (#1171)

1. County Highway (980) request \$750,001 for funds to make the June 2015 Major Moves Payment due for Six Span Bridge.

Pauline Graff 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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F. COUNTY MISDEMEANANT (#1175)

1. Sheriff (980) requests \$15,000 to make funds available for off-site housing of Mayweather Brown.

Brad Rogers 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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G. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (201) requests \$5,000 for funds requested for employees training and education programs.

Jeff Taylor explained this request to the Council.

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

2. County Highway (204) requests \$24,000 for funds required to pay additional utility costs at truck barn County Road 38 and County Road 17. Additional funds may be required later until actual annual costs are known.

Jeff Taylor explained this request to the Council.

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

3. County Highway (980) requests \$600,000 for funds for road paving and chip seal. Funds are from savings from budget cuts.

Jeff Taylor 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. INDIANA TOBACCO PREVENTION & CESSATION GRANT (#9104)

1. Health Department (980) requests \$115,268. This is a two year grant July 1, 2015 through June 30, 2017. At this time the Health Department is only appropriating for one year. This grant is meant to decrease youth smoking rates, increase proportion of Hoosiers not exposed to secondhand smoke. To decrease Indiana's adult smoking rates and to protect and maintain a state and local infrastructure necessary to lower tobacco use rates and thus making Indiana competitive on economic fronts.

Dr. Nafziger 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. SOCIAL NORMING (#9112)

1. Sheriff Department (980) requests \$23,406 for funds to be available for the purchase of materials needed in the operation of the grant operation.

Brad Rogers 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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REDUCTIONS:

J. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) requests \$29,814.48 reduction do to all projects being completed.

On motion made by Yohn 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 (#1000)

1. Sheriff (105)

From 43540 Repair Parts, Auto 14,000.00

To 42210 Vehicle Repairs 14,000.00

2. Concord Township Assessor (114)

From 42195 Other Operating Supplies 500.00

To 41165 Excess Hours 500.00

3. Superior Court No. 2 (163)

From 41510 Attorneys 4,000.00

To 43090 Other Professional 4,000.00

B. PRISONER REIMBURSEMENT FOR INCARCERATION (#1130)

1. Community Corrections (980)

From 41130 Custody Salaries 7,000.00

41300 FICA 9,000.00

41305 Medicare 3,000.00

41310 Group Insurance 7,000.00

41340 Workman's Compensation 3,000.00

To 42090 Office Supplies 5,000.00

42150 Uniforms 10,000.00

42195 Operating Supplies 5,000.00

43090 Professional Services 4,000.00

43550 Equipment Repairs 5,000.00

C. SOLID WASTE USER FEES (#1194)

1. Solid Waste Disposal (338)

From 42110 Fuel 10,000.00

To 41210 Part Time Protective Services 10,000.00

D. INDIANA TOBACCO PREVENTION & CESSATION (#9104)

1. Health Department (981)

From 41140 Clerical 7,041.00

41300 FICA 500.00

To	42380	Capital Supplies	270.00
	43995	Miscellaneous	6,663.00
	44540	Data Processing Software	371.00
	44535	Data Processing Equipment	237.00

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

- Dynamic Metals, LLC
- Bodycote Thermal Processing, Inc. [Specialty Heat Treating]
- Forest River, Inc
- Vista Building, LLC
- BVAC, LLC [Agdia, Inc.]
- SMCO, Inc. [Ferret, Inc.]
- Alliance Sheets, LLC
- Truck Accessories Group, Inc
- Automotive Climate Control, Inc
- Lippert Components Manufacturing, Inc.
- Alliance Aluminum

Tom Byers explained this request to the Council.

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

(b) Approval of Ordinance No. CC-2015-11. An Ordinance Authorizing Elkhart County, Indiana To Participate In The Establishment Of A Regional Development Authority. (Addressed in the EDC section.)

- (c) Semi-annual review of the outstanding loans for the Local Major Moves Fund and the Bristol Loan repayment.

Craig Buche explained this request to the Council.

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

- (d) Presentation Mary Ann Lienhart Cross of the Elkhart County Purdue Extension Program.

***Let the record reflect, Motion to hear the Ordinance No. CC-2015-11 Establishing a Regional Development Authority in Elkhart County, Indiana.

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

AUDIENCE ITEMS

Glenn Null discussed points of interest, and disinterest.

Jeff Taylor discussed his concern over the way MS4 Storm Water is being handled. He advised that the County has “created a monster” with this program. Jeff also stated that there needs to be a Storm Water Coordinator and a “go to person.”

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:35 a.m. on motion by Foutz seconded by Ashe 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.

