

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**March 14, 2015**

The meeting of the Elkhart County Council was called to order by Under Sheriff Sean Holmes at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Vice President David L. Hess, David E. Foutz, David M. Ashe, Darryl J. Riegsecker and Thomas W. Stump. Absent were Council President John K. Letherman and Randall D. Yohn.

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

**MINUTES:** Approval of minutes for February 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:	No report.
AUDITOR:	No report.
SHERIFF:	No report

**EDC MATTERS:** Confirmatory Resolution CC-2015-04, Resolution Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution No. CC-2015-01 for Automotive Climate Control, Inc.

Craig Buche gave a brief introduction and explanation of the process.

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council opened the public hearing.

Chris Stager gave a brief overview of the proposal for Automotive Climate Control, Inc.

There were no questions from the Council and no questions from the audience.

On motion made by Foutz seconded by Stump and unanimously carried, the Council closed the public hearing.

Craig Buche then briefly reviewed the Commitment and Payment Agreement.

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved the Commitment and Payment Agreement for Automotive Climate Control, Inc.

Craig Buche then briefly reviewed the Confirmatory Resolution.

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved the Confirmatory Resolution for Automotive Climate Control, Inc. CC-2015-04.

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Confirmatory Resolution CC-2015-05, Resolution Setting Forth Final Action in Determining that the Qualifications for an Economic Revitalization Area have been met and Confirming Resolution No. CC-2015-02 for Universal Trailer.

Craig Buche gave a brief introduction and explanation of the process.

On motion made by Ashe seconded by Riegsecker and unanimously carried, the Council opened the public hearing.

Chris Stager gave a brief overview of the proposal for Universal Trailer. Barnes and Thornburg representative was also present and explained the requested Bond Ordinance No. CC-2015-06.

There were several questions from the Council and no questions from the audience.

On motion made by Stump seconded by Riegsecker and unanimously carried, the Council closed the public hearing.

Craig Buche then briefly reviewed the Commitment and Payment Agreement.

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved the Commitment and Payment Agreement for Universal Trailer.

Craig Buche then briefly reviewed the Confirmatory Resolution.

On motion made by Ashe seconded by Stump and unanimously carried, the Council approved the Confirmatory Resolution for Universal Trailer CC-2015-05.

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First Reading on Universal Trailer Bond Ordinance CC-2015-06 by representative from Barnes and Thornburg.

**HUMAN RESOURCE MATTERS:** None

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, March 14, 2015.

GENERAL FUND

Auditor

Other Services and Charges	95.00
TOTAL GENERAL FUND	95.00

EDIT

County Highway

Capital Outlays	500,000.00
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CUMULATIVE DRAIN

Surveyor

Capital Outlays	18,500.00
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LOCAL HEALTH MAINTENANCE FUND

Health Department

Supplies	2,418.00
Other Services and Charges	685.00
Capital Outlays	64,309.00
TOTAL FOR LOCAL HEALTH MAINTENANCE FUND	67,412.00

COUNTY HIGHWAY OPERATING

County Highway

Other Services and Charges	200,000.00
Capital Outlays	470,000.00
TOTAL COUNTY HIGHWAY OPERATING	670,000.00

ALTERNATIVE DISPUTE RESOLUTION

Superior Court No. 6

Other Services and Charges	30,000.00
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NORTHWEST GATEWAY TIF <u>Planning and Development</u> Capital Outlays	300,000.00
NORTHEAST CORRIDOR TIF DISTRICT <u>Planning and Development</u> Capital Outlays	17,108.00
STATE INDOOR RADON GAS GRANT <u>Health Department-Environmental</u> Supplies	1,805.00
Other Services and Charges	<u>1,195.00</u>
TOTAL FOR STATE INDOOR RADON GAS GRANT	3,000.00
FAMILY COURT GRANT <u>Superior Court No. 6</u> Other Services and Charges	10,000.00
INDIANA ECONOMIC DEVELOPMENT CORPORATION <u>Commissioners</u> Capital Outlays	250,000.00
REDUCTIONS	
GENERAL FUND <u>Code Enforcement</u> Personal Services	-6,000.00
EDIT <u>County Highway</u> Capital Outlays	-0.27
CUMULATIVE BRIDGE <u>County Highway</u> Capital Outlays	-82,415.26

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: March 4, 2015.

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000)

1. Auditor (102) request \$95 be returned to the Auditor's Budget due to the room fee for the AIC Meeting was returned to the County General.

Pauline Graff explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. EDIT (#1112)

1. County Highway (980) requests \$500,000 for funds needed to continue purchasing right of way for the Kercher Bridge/County Road 38 project. It is estimated there will be another \$500,000 appropriation needed at a later time.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$18,500 for funds to pay for maintenance on Regulated Drains.

Gordon Lord 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. LOCAL HEALTH MAINTENANCE FUND (#1168)

1. Health Department (980) request \$4,095 for funds needed to purchase a Just-rite, Heavy Duty Deluxe Electric Seal Embosser for Vital Records, and \$63,317 to purchase two pharmaceutical grade freezers, equipment for x-rays and software for dental program, six computers and three monitors.

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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E. COUNTY HIGHWAY OPERATING (#1176)

1. County Highway (202) request \$200,000 for funds needed to contract snow plowing on numbered county roads and subdivisions.

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 (980) request \$470,000 for funds needed to contract snow plowing on numbered county roads and subdivision, funds for additional paving from budget cuts in 2014 and funds needed to replace (3) three pickups. A 2000 Chevy with 172,000 miles, a 2003 Chevy with 187,395 and a 2003 Chevy with 179,769 miles.

Jeff Taylor 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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F. ALTERNATIVE DISPUTE RESOLUTION (#2200)

1. Superior Court No. 6 (980) requests \$30,000 for monies that will be collected through the court system.

Judge Bonfiglio 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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G. NORTHWEST GATEWAY TIF (#4504)

1. Planning and Development (980) requests \$300,000 for funds to purchase the right of way in conjunction with the expansion of Ash Road and Old US Highway 20.

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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H. NORTHEAST CORRIDOR TIF (#4511)

1. Planning and Development (980) request \$17,108 for funds needed for sewer reimbursement of developer who installed infrastructure in 2006/2007. The agreement was to pay back the developer as increment from construction of new buildings.

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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I. STATE INDOOR RADON GAS GRANT (#8116)

1. Health Department – Environmental (980) request \$3,000 for funds to disperse Radon Grant to increase radon testing by 10% in the County.

Dr. Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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J. FAMILY COURT GRANT (#9109)

1. Superior Court No. 6 (980) requests \$10,000 for funds to be collected from Grant money received.

Judge Bonfiglio 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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K. INDIANA ECONOMIC DEVELOPMENT CORPORATION (#9118)

1. Commissioners (980) requests \$250,000 for funds to be used to construct infrastructure to serve Grand Design RV, LLC. Grand Design RV, LLC will be contributing \$270,000 toward construction. No county funds are being utilized for the project.

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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**REDUCTIONS:**

L. GENERAL FUND (#1000)

1. Code Enforcement (131) requests \$6,000 for reduction to help offset costs for new technology utilized by the building department. In addition, the part-time spot this money was supposed to pay for will be absorbed in the building department along with other staff.

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 Reduction Ordinance was then duly adopted.

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M. EDIT (#1112)

1. County Highway (980) requests \$0.27 reduction due to project being completed.

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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N. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) requests \$82,415.26 reduction due to projects being completed.

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. IDOC  
GRANT

1. Community Corrections

From	43630 Equipment Leasing	5,000.00
	42195 Other Office	
To	Supplies	5,000.00

B. DIGITAL DENTAL X-RAY EQUIPMENT

1. Health Department

From	42195 Other Operating Supplies	529.00
To	44510 Other Equipment	529.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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## **OTHER BUSINESS**

## **AUDIENCE ITEMS**

## **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 9:00 a.m. on motion by Stump seconded by Riegsecker 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.

