

MINUTES
ELKHART COUNTY COUNCIL
September 12, 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; Mike Yoder, County Commissioner; and Tom Byers, County Administrator.

MINUTES: Approval of minutes for August 8, 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

EDC MATTERS:

PUBLIC HEARING- Resolution No. CC-2015-15 Granting A Waiver Of Non-Compliance for Creative Bus Sales.

Tom Byers explained this request to the Council.

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

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

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

On motion made by Foutz seconded by Stump and unanimously carried, the Council approved Resolution No. CC-2015-15 Granting a Waiver of Non-Compliance for Creative Bus Sales.

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HUMAN RESOURCE MATTERS:

A. Superior Court #4

1. General Fund (1000-165-41140): Request individual rate increase for Court Reporter (Adkins), PG5/JF3, MP, \$18.57. Effective 9-20-15.

On motion made by Lucchese seconded by Yohn and unanimously carried, the CCPC approved the request, 3-0, Hess recused himself from the discussion and vote.

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

B. Prosecuting Attorney

1. General Fund (1000-159): Review of positions funded by VOCA grant, grant period 10-1-15 to 9-30-16.

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

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

C. Park and Recreation

1. Park and Recreation Donation Fund (4909-980-41230): Request increase in part time rate to \$12.00/hr, retroactive to 8-9-15.

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

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

D. Surveyor

1. General Fund (1000-106-41125): Request increase in hours from 60 hours per pay period to 72 hours per pay period for Drainage Tech II, PG5/JF3, effective 11/29/15.

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

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

Added item: 2. General Fund (1000-106-41125): Request to hire up to the maximum of the pay grade, for Drainage Tech II, \$20.69, PG5/JF3, if needed to recruit qualified individual.

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

E. Health Department

1. WIC Grant (8101-312/612): Establish career development plan for Clerk I, II, and Intake Specialist. Effective retroactive to 8-9-15.

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

2. WIC Grant (8101-312/612): Request reclassification of one Clerical Supervisor III position (Dulaney), PG5/JF6, to one Office Coordinator position, PG5/JF6, no change in pay rate, title change only. Effective 10-4-15.

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

3. WIC Grant/MCH Program Income (8101-612/8127-614): Request individual rate increase to the maximum of the hiring range for Clerical Supervisor III (Friedauer), PG5/JF6, \$1315.20, effective 10-4-15.

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

4. WIC Grant (8101-312/612): Review and approval of positions within grant. Grant period 10-1-15 to 9-30-16.

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

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

5. Breastfeeding Peer Counselors Grant (8102-981-41135): Request that RPT Breastfeeding Peer Counselor (Odierna), 52 hours per pay period, PG2/JF3, become full time, 72 hours per pay period, retroactive to 8-23-15.

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

6. Breastfeeding Peer Counselors Grant (8102-980): Review and approval of positions within grant. Grant period 10-1-15 to 9-30-16.

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

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

7. Fetal Infant Mortality Review/Baby and Me Tobacco Free (8127-981/2):
 - Revise and update career development plan and staffing patterns for Social Service Worker staff.
 - Reclassification of new position title, Social Service Worker, PG5/JF5 to Social Service Worker I, PG4/JF5.
 - Classification of new position, Social Service Worker II, PG4/JF5.
 - Title change of Certified Social Service Worker, PG5/JF5, becomes Certified Social Service Worker I, PG5/JF5.
 - Classification of new position, Certified Social Service Worker II, PG5/JF5.
 - Inactivate Community Health Worker I and II.

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

8. Fetal Infant Mortality Review Grant (8127-981): Review and approval of new grant that will support one RPT Certified Social Service Worker II (Leiby), PG5/JF5, \$16.44, grant period 10-1-15 to 9-30-17.
9. Baby and Me Tobacco Free (8127-982): Review and approval of new grant that will support one RPT Certified Social Service Worker II (Williams), PG5/JF5, \$16.44, grant period 10-1-15 to 9-30-17.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC approved requests 8&9, 4-0.

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

10. Public Health Preparedness Grant (8145-980-41140): Review and approval of new grant that will support one RPT Health Education Assistant, PG4/JF1, effective 9/20/15. Also request to hire up to the maximum of the pay grade \$18.81/hr, if needed, to recruit qualified applicant. Grant period 7-1-15 to 6-30-16.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC approved the request and gave permission to go above midpoint to attract a qualified applicant, 4-0.

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

Added Item:

F. Highway

1. Highway (1176-202): Request to reclassify a vacant Multi-purpose CDL position, PG3/JF2, MP, 41150, to an Engineering Tech II, PG5/JF3, MP, 41125, effective 9-20-15.

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

II. Miscellaneous Items

A. 2016 Budget Review

The preceding Emergency Salary Ordinances were then duly adopted.

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PUBLIC HEARING: Ordinance No. CC-2015-16 Approval of Harrison Township Budget.

Kerry Yaw explained this request to the Council.

On motion made by Hess seconded by Stump and unanimously carried, the Council opened the public hearing.

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

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

On motion made by Hess seconded by Stump and unanimously carried, the Council approved Ordinance No. CC-2015-16.

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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, September 12, 2015.

GENERAL FUND

Superior Court No. 5

Other Services and Charges	1,000.00
TOTAL GENERAL FUND	<u>1,000.00</u>

CUMULATIVE CAPITAL DEVELOPMENT

Commissioners

Capital Outlays	150,000.00
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CUMULATIVE DRAIN

Surveyor

Capital Outlays	10,000.00
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MOTOR VEHICLE HIGHWAY

County Highway

Capital Outlays	775,000.00
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PARK & RECREATION NON/REVERTING OPERATING

Park Department

Capital Outlays	2,000.00
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SOLID WASTE DISPOSAL FEES

Commissioners

Capital Outlays	2,040,000.00
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ELKHART COUNTY STORM WATER UTILITY MS4

County Highway

Capital Outlays	50,000.00
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MILLERSBURG II TIF

Planning and Development

Other Services and Charges	6,263.00
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Capital Outlays	<u>44,000.00</u>
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TOTAL MILLERSBURG II TIF	50,263.00
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WESTERN GATEWAY TIF
Planning and Development
 Other Services and Charges 48,667.00

MIDDLEBURY AGRICULTURE TIF
Planning and Development
 Other Services and Charges 18,000.00

NORTHEAST CORRIDOR TIF DISTRICT
Planning and Development
 Other Services and Charges 28,019.00
 Capital Outlays 70,000.00
 TOTAL NORTHEAST CORRIDOR TIF DISTRICT 98,019.00

NORTH BAUGO TIF
Planning and Development
 Other Services and Charges 5,856.00

WOMAN INFANT AND CHILD GRANT
Health Department WIC
 Personal Services 1,174,174.00
 Supplies 31,530.00
 Other Services and Charges 41,846.00
 TOTAL WOMAN INFANT AND CHILD GRANT 1,247,550.00

BREASTFEEDING PEER COUNSELORS
Health Department
 Personal Services 108,279.00
 Other Services and Charges 1,573.00
 TOTAL BREASTFEEDING PEER COUNSELORS 109,852.00

MATERNAL CHILD AND HEALTH GRANT MCH
Fetal and Infant Mortality Review
 Personal Services 22,990.00
 Supplies 1,050.00
 Other Services and Charges 960.00
 TOTAL MATERNAL CHILD AND HEALTH GRANT 25,000.00

MATERNAL CHILD AND HEALTH GRANT MCH
Baby and Me Tobacco Free
 Personal Services 30,713.00
 Supplies 20,641.00
 Other Services and Charges 1,278.00
 Capital Outlays 560.00

TOTAL MATERNAL CHILD AND HEALTH GRANT	53,192.00
REDUCTIONS	
SUPPLEMENTAL ADULT PROBATION SERVICES	
<u>Court Services</u>	
Personal Services	-135,000.00
PROSECUTING ATTORNEY SPECIAL PROJECTS FEES	
<u>Infraction Deferral</u>	
Supplies	-14,200.00
Other Services and Charges	-35,000.00
Capital Outlays	-15,000.00
TOTAL PROSECUTING ATTORNEY SPECIAL PROJECTS FEES	-64,200.00
INDIANA TOBACCO PREVENTION AND CESSATION	
<u>Health Department</u>	
Personal Services	-4,884.00
Other Services and Charges	-373.00
TOTAL INDIANA TOBACCO PREVENTION AND CESSATION	-5,257.00

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: September 2, 2015.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Superior Court No. 5 (166) request \$1,000 for funds needed for Competency Evaluations.

Judge Wicks 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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B. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Commissioners (980) request \$150,000 for funds to be allocated back to Buildings and Grounds for a project that was already underway.

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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C. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$10,000 for funds needed for maintenance on County Regulated Drains.

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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D. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (980) request \$725,000 for funds needed for a salt shed at the truck barn at County Road 38 and County Road 17, for the purchase and installation of a dump bed, plow and up fits for a previously approved truck chassis purchase and for road paving and maintenance.

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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E. PARK & RECREATION NON-REVERTING OPERATING (#1179)

1. Park Department (980) request \$2,000 for funds to lease a new pick up.

Diane Madison 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. SOLID WASTE DISPOSAL FEES (#1194)

1. Commissioners (338) request \$2,040,000 for funds used to supplement the County General Fund. Additionally, to develop and present a plan for Council's consideration outlining the most optimum way to utilize landfill revenues in the County Budget process.

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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G. ELKHART COUNTY STORM WATER UTILITY MS4 (#1197)

1. County Highway (202) request \$50,000 for funds to sweep streets and clean catch basins in compliance with Storm Water requirements.

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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H. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) request \$50,263 for funds to pay the biannual payment for wastewater project for Millersburg and the water main project extension in Carriage Development.

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 Appropriation Ordinance was then duly adopted.

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I. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) request \$48,667 for funds to pay the biannual payment for water and sewer line projects for American Countryside.

Chris Godlewski 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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J. MIDDLEBURY AGRICULTURE TIF (#4508)

1. Planning and Development (980) request \$18,000 for funds to conduct a Farmland Feasibility study for the Middlebury Agricultural TIF. Request was tabled until further notice.

Chris Godlewski and Mike Yoder explained this request to the Council.

Numerous individuals from the Elkhart County Community voiced their concerns and opposition to this appropriation.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council tabled this request.

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K. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) request \$98,019 for project reimbursement to developer per Interlocal Agreement dated 12-21-2006, and transfer of TIF funds from cash balance to pay for bond interest and principal for first payment in 2016.

Chris Godlewski 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 Ordinance was then duly adopted.

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L. NORTH BAUGO TIF (#4512)

1. Planning and Development (980) request \$5,856 for biannual payment for water projects off County Road 24.

Chris Godlewski 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 Ordinance was then duly adopted.

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M. WOMAN INFANT & CHILD GRANT (#8101)

1. Health Department WIC (312) request \$1,247,550 to set the budget for the 2016 fiscal year WIC grant.

Dr. Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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N. BREASTFEEDING PEER COUNSELORS (#8102)

1. Health Department (980) request \$109,852 to set the budget for the 2016 fiscal year for the Breastfeeding Peer Counselor grant.

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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O. MATERNAL CHILD AND HEALTH GRANT MCH (#8127)

1. Fetal and Infant Mortality Review (981) request \$25,000 to set the budget for the 2016 fiscal year for MCH.

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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P. MATERNAL CHILD AND HEALTH GRANT MCH (#8127)

1. Baby and Me Tobacco Free (982) request \$53,192 to set the budget for the 2016 fiscal year for MCH.

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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REDUCTIONS:

Q. SUPPLEMENTAL ADULT PROBATION SERVICES (#2100)

1. Court Services (980) request \$135,000 reduction to ensure the fund balance exceeds the appropriated amounts for the year.

Pauline Graff 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 Reduction Ordinance was then duly adopted.

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R. PROSECUTING ATTORNEY SPECIAL PROJECTS FEES (#2525)

1. Infraction Deferral (155) request \$64,200 reduction due to decreased income from Programs.

Pauline Graff 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 Reduction Ordinance was then duly adopted.

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S. INDIANA TOBACCO PREVENTION AND CESSATION (#9104)

1. Health Department (980) request \$5,257 reduction due to funding was approved \$5,257 less than the original budget.

Dr. Nafziger explained this request to the Council.

On motion made by Foutz 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. GENERAL FUND (#1000)

1. Juvenile Court (161)

From	41510	Pauper Counsel	4,500.00
To	43020	Medical Service	4,500.00

2. Court Service (168)

From	42310	Food	2,500.00
To	43090	Other Professional Services	2,500.00

B. LOCAL HEALTH MAINTENANCE (#1168)

1. Health Department (980)

From	44510	Other Equipment	3,350.00
To	43110	Sustenance	1,250.00
	43130	Mileage	250.00
	43835	Training Programs	1,850.00

C. WOMAN INFANT AND CHILD GRANT (#8101)

1. Health Department (980)

From	42195	Supplies	600.00
	43130	Mileage	600.00

On motion made by Stump seconded by Foutz 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 to appoint Ann Stewart to the Middlebury Public Library Board, 4 year term, expiring 6/30/2019.

Terry Rheinheimer explained this request to the Council.

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

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AUDIENCE ITEMS

Jim Kuhlenschmidt discussed Regional Development Authority and several other issues.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:05 a.m. on motion by Hess seconded by Foutz 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.

