

MINUTES
ELKHART COUNTY COUNCIL
August 13, 2016

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

MINUTES: Approval of minutes for July 9, 2016.

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

COMMITTEE REPORTS:

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

***According to a new law, Senate Enrolled Act 321, the Council's Non-Binding Review has been eliminated. The Council instead needs to Review Estimated Levies, Circuit Breakers and Tax Rates and make a recommendation. The minutes from the meeting then need to be distributed to all the units. The recommendation of the County Council is to review Umbaugh numbers and then make a final decision.

There were several comments and questions from the audience.

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

EDC MATTERS:

HUMAN RESOURCE MATTERS:

A. Superior Court #6

1. General Fund (1000-170-41135): Request to hire a former employee (Vosburgh) as a Legal Assistant II, PG4/JF1, at the rate she was making when she left county government, \$17.20/hr. Effective 8-21-16.

Impact to General Fund: \$2250

Request revised to \$15.25/hr (above max of hiring range) with 3/6 month increases. No impact to General Fund.

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

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

B. Superior Court #3

1. General Fund (1000-164-41140): Request New Full Time position as Transcriptionist, PG2/JF1. Request authorization to pay above the maximum of the hiring range at \$13.22/hr. Retroactive to 6-26-16.

Impact to General Fund: \$24,748 a year plus benefits

**Not included in 2017 budget estimate*

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

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

C. Park and Recreation

1. Park and Recreation (1219-320-41140): Request reclassification of Secretary II (Lantzer), PG3/JF1 to Secretary III, PG4/JF1, with 3% increase to \$17.21. Effective 8-21-16.

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

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

2. Park and Recreation (1219-320-41150): Request new FT Park Services III, PG5/JF2, \$17.50 (above the max of the hiring range), to manage Boot Lake Nature Preserve. Effective 8-21-16
**Revised from previous approved request which was for two full time positions.*

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request pending the transfer of Boot Lake to the County, 4-0.

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

3. Park and Recreation (1219-320): Establish a part time rate of \$15.00 in professional account 41200. Effective 8-21-16.

Impact to Park and Recreation: Absorbed in 2016 budget
Included in 2017 budget estimate

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

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

D. Auditor

1. General Fund (1000-102-41140): Request to reclassify Clerical Supervisor I (M. Miller), PG3/JF1, to a Clerk III, PG2/JF1, no change in pay rate, effective 8-21-16.
2. Auditor's Plat Book Fund (1181-980-41125): Request 6% individual rate increase for GIS Technician (M. Cripe), PG5/JF3, \$19.99, for assuming additional supervisory responsibility, effective 8-21-16.

Impact to General Fund: No impact

On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved requests D 1&2, 4-0.

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

E. Treasurer

1. General Fund (1000-103-41140): Request reclassification of Clerk II position, PG1/JF1, to a Secretary II position, PG3/JF1, with promotional increases as allowed by policy, effective 8-21-16.

Impact to General Fund: Absorbed in current and future budgets

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

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

F. Recorder

1. Recorder's Perpetuation (1189-104-41220) and General Fund (1000-104-41220): Request to increase part time rate to \$13.00/hr. Effective 8-21-16.

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

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

G. Health Department

1. Health Operating (1159-340-41140): Request exception to policy to allow for 3/6 month increases, up to \$10.69/hr, for a lateral transfer of a RPT Clerk II to a FT Clerk II (Varela), effective 8-21-16.

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

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

H. Highway

1. Adjust and adopt a new Highway worker wage scale for market premium positions. Current employees will be adjusted considering such factors as where they fall in the current step program, performance and other factors. Adjustments will be made with the approval of the Human Resource department in accordance with the new wage scale. Effective 8-21-16.

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

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

2. Highway (1176-202-41140): Request to eliminate one Secretary II position (vacant) and give 6% individual rate increases to Information Management Specialist (Blessing), \$12.82/hr and Secretary II (Eisenhour), \$15.69/hr, for assuming the duties and responsibilities. Effective 8-21-16.

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

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

3. Highway (1176-202-41130): Review and confirm current classification of Work Crew Inmate Supervisor, PG4/JF4. Also, request to reclassify one Work Crew Inmate Supervisor position (Lynch) to a new classification of Work Crew Foreman, PG5/JF4, with 3% increase to \$18.30/hr. Effective 8-21-16.

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

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

I. Planning and Development

1. Code Enforcement (1000-131-41135): Request new RPT Planning Assistant position (Easton), PG4/JF1, \$11.75/hr, 50 hrs per pay period. Effective 8-21-16.

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

On motion made by Foutz seconded by Stump, the Council approved this request. Yohn abstained.

2. Planning (1000-132-41120): Request new RPT Planner III position (Kanney), PG6/JF5, \$26.02/hr, 22 hours per week. Effective 1-8-17.

Impact to General Fund: Absorbed in 2016 budget
Included in 2017 budget estimate

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

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

II. Miscellaneous Items

- A. Discussion on FLSA (Fair Labor Standard Act) requirements effective December 1, 2016

No motion required. Discussion only.

The preceding Emergency Salary Ordinances were then duly adopted.

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*****Approval of Ordinance No. CC-2016-13 An Ordinance Of The Elkhart County Council Amending The 2016 Salary Ordinance.**

On motion made by Stump seconded by Riegsecker 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, August 13, 2016.

GENERAL FUND

Clerk

Other Services and Charges 9,000.00

Soil and Water

Personal Services 9,300.00

Elkhart Superior Court No. 1

Personal Services 15,000.00

Supplies 5,000.00

Public Defender

Personal Services 23,125.00

TOTAL GENERAL FUND 61,425.00

EDIT	
<u>County Highway</u>	
Capital Outlays	550,000.00
CLERK'S RECORD PERPETUATION	
<u>Clerk</u>	
Capital Outlays	10,000.00
CUMULATIVE BRIDGE	
<u>County Highway</u>	
Capital Outlays	200,000.00
CUMULATIVE VOTING SYSTEM	
<u>Election Board</u>	
Supplies	4,000.00
Other Services and Charges	52,500.00
TOTAL CUMULATIVE VOTING SYSTEM	56,500.00
STORM WATER MANAGEMENT OPERATING	
<u>Commissioners</u>	
Other Services and Charges	100,000.00
<u>County Highway</u>	
Capital Outlays	60,000.00
TOTAL STORM WATER MANAGEMENT OPERATING	160,000.00
SURVEYOR'S CORNER PERPETUATION	
<u>Surveyor</u>	
Capital Outlays	10,000.00
MILLERSBURG II TIF	
<u>Planning and Development</u>	
Other Services and Charges	16,943.00
WESTERN GATEWAY TIF	
<u>Planniing and Development</u>	
Other Services and Charges	40,384.00
MIDDLEBURY EAST TIF	
<u>Planning and Development</u>	
Other Services and Charges	318,679.00

NORTHEAST CORRIDOR TIF DISTRICT	
<u>Planning and Development</u>	
Capital Outlays	270,000.00
NORTH BAUGO TIF	
<u>Planning and Development</u>	
Other Service and Charges	4,966.00
ENVIROMENTAL SPECIAL PROJECTS	
<u>Planning and Development</u>	
Capital Outlays	8,000.00
ROAD MAINTENANCE AND CONSTRUCTION	
<u>County Highway</u>	
Supplies	25,000.00
COMMUNITY CORRECTIONS JUVENILE	
<u>Court Services</u>	
Personal Services	119,800.00
Supplies	1,700.00
Other Services and Charges	30,302.00
TOTAL COMMUNITY CORRECTIONS JUVENILE	151,802.00
JUVENILE DETENTION ALTERNATIVES INITIATIVE	
<u>Court Services</u>	
Personal Services	34,000.00
Supplies	2,700.00
Other Services and Charges	20,300.00
TOTAL JUVENILE DETENTION ALTERNATIVES INITIATIVE	57,000.00
REDUCTIONS	
EDIT	
<u>County Highway</u>	
Capital Outlays	-85,456.75

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: August 3, 2016.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Clerk (101) request \$9,000 for funds to pay for the bonded courier service that delivers bank deposits to the Clerk's banking institution.

Chris Anderson explained this request to the Council.

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

2. Soil & Water (144) request \$9,300 for funds to pay current Program Manager one month overlap to train new Program Manager.

Nancy Brown explained this request to the Council.

On motion made by Foutz seconded by Stump, the Council approved this request. Hess abstained.

3. Elkhart Superior Court No. 1 (162) request \$20,000 for funds needed for upcoming jury trials, to assist in payroll needs, indigent appeals filed, transcripts requested and Law Books.

Judge Roberts explained this request to the Council.

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

4. Public Defender (175) original request was for \$23,125, however, was revised to \$12,000. This request was for funds needed to cover the salary for the Deputy Public Defender position approved by the County Council on June 11, 2016. This is a full-time position.

Cliff Williams 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 Ordinances were then duly adopted.

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B. EDIT (#1112)

1. County Highway (980) request \$550,000 for funds required to acquire (1) one remaining parcel for the County Road 38/Kercher Bridge project, and to transfer \$500,000 into the Rainy Day Fund.

Jeff Taylor explained this request to the Council.

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

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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C. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$10,000 for funds needed to purchase office furniture for the Juvenile Clerk's Office and the Clerk's Voter Registration Office.

Chris Anderson explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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D. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) request \$200,000 for funds requested for the replacement of bridge #121. (Triple culvert on Henke Street.)

Jeff Taylor explained this request to the Council.

On motion made by Ashe 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. CUMULATIVE VOTING SYSTEM (#1143)

1. Election Board (190) request \$56,500 for funds needed for the printing of absentee and vote center postcards along with the poll-worker training manuals for use as election day reference. Request is also for the purchase of envelopes and other supplies to conduct the General Election.

Chris Anderson 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. STORM WATER MANAGEMENT OPERATING (#1197)

1. Commissioners (130) requests \$100,000 for funds needed for (3) three projects approved by the Storm Water Utility Board for storm drain improvements. The (3) three projects are located in the following subdivisions: Pheasant Ridge, Green Valley and Oxbow. Design is completed and funds are needed for construction.

Tom Byers explained this request to the Council.

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

2. County Highway (202) request \$60,000 for funds needed to perform required MS4 good housekeeping components and vector work.

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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G. SURVEYOR'S CORNER PERPETUATION (#1202)

1. Surveyor (980) request \$10,000 for funds to purchase a copier to replace the old copier that was purchased in 2007 which is now having issues.

Blake Doriot explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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H. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) request \$16,943 for funds needed for long term repayment for Millersburg II TIF for sewer plant improvements.

Chris Godlewski 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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I. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) request \$40,384 for funds needed for long term repayment to the County Environmental Special Projects Fund for water and sewer project for American Countryside.

Chris Godlewski 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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J. MIDDLEBURY EAST TIF (#4510)

1. Planning and Development (980) request \$318,679 for funds needed for long term debt payment to the town of Middlebury for sewer plant expansion. Additional funding needed for Warren Street improvement project.

Chris Godlewski 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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K. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) originally requested \$270,000 for funds for the preliminary design, environmental funding proposal for Old County Road 17 but withdrew their request.

Chris Godlewski explained this request to the Council.

The preceding Emergency Appropriation Ordinance was withdrawn.

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L. NORTH BAUGO TIF (#4512)

1. Planning and Development (980) request \$4,966 for funds needed for long term repayment to the county environmental special projects fund for water and sewer project for Charlotte Avenue.

Chris Godlewski 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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M. ENVIRONMENTAL SPECIAL PROJECTS (#4803)

1. Planning and Development (980) request \$8,000 for funding for weed and grass mowing on blighted properties.

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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N. ROAD MAINTENANCE AND CONSTRUCTION (#4901)

1. County Highway (980) request \$25,000 for funds needed for signs, hardware and related items.

Jeff Taylor 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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O. COMMUNITY CORRECTIONS JUVENILE (#4924)

1. Court Services (980) request \$151,802 to appropriate the funds awarded by an Indiana Department of Corrections grant for Juvenile Community Corrections.

Sam Ludwig explained this request to the Council.

On motion made by Yohn 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. JUVENILE DETENTION ALTERNATIVES INITIATIVE (#9113)

1. Court Services (980) request \$57,000 to appropriate the funds awarded by an Indiana Department of Corrections grant for the continuation of the Juvenile Detention Alternatives Initiative.

Sam Ludwig 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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REDUCTIONS:

Q. EDIT (#1112)

1. County Highway (980) request \$84,456.75 reduction due to project being completed. Funds to be returned to the EDIT Fund.

On motion made by Foutz 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. PTABOA (146)

From	42030 Copy Supplies	400.00
To	43830 Education & Conference Cost	400.00

2. Elkhart Superior Court No. 1 (162)

From	43020 Medical Services	2,000.00
To	41220 Office & Clerical	300.00
	41165 Excess Hours	1,700.00

B. IDOC GRANT (#1130)

1. Community Corrections (981)

From	42090 Office Supplies	554.00
	42150 Uniforms	916.00
	42195 Other Operating Supplies	7.00
	42320 Training Supplies	921.00
To	41120 Case Managers	2,398.00

2. Community Corrections (981)

From	43020 Medical Services	174.00
	43110 Travel and Training	1,853.00
	43120 Postage	283.00

	43130 Mileage	40.00
	43140 Telephones	642.00
	43150 Printing	444.00
	43330 Fees and Permits	10.00
	43800 Dues and Subscriptions	110.00
To	41120 Case Managers	3,556.00
C. HEALTH (#1159)		
1. County Health Operating (340)		
From	43140 Telephones	5,391.00
To	44535 Data Hardware	4,650.00
	44545 Data Software	741.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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OTHER BUSINESS

- (a) Approval of Amendment to the Interlocal Agreement for the East Warren Street Project between the Town of Middlebury and the Elkhart County Redevelopment Commission.

Craig Buche explained this request to the Council.

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

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- (b) Approval of Ordinance No. CC-2016-14. An Ordinance Of The Elkhart County Council Encumbering 2015 Funds For 2016 Budget Year.

Craig Buche explained this request to the Council.

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

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***Discussion of the refinancing of the Correctional Complex Jail Bonds. Gross savings over time is estimated at \$1,863,000.00.

Mike Yoder and Gordon Lord explained this to the Council.

AUDIENCE ITEMS

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:45 a.m. on motion by Ashe 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.

