

MINUTES
ELKHART COUNTY COUNCIL
February 13, 2016

The meeting of the Elkhart County Council was called to order by Deputy Jim Bradberry 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; Craig Buche, County Attorney; Gordon Lord, County Attorney; Tom Byers, County Administrator and Mike Yoder, Commissioner.

MINUTES: Approval of minutes for January 9, 2016.

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

COMMITTEE REPORTS:

COMMISSIONERS: Mike Yoder gave short report.
COUNCIL: No report
AUDITOR: Pauline Graff gave report on year end balances.
SHERIFF: No report

***Pauline Graff also gave Gross Wages and Salary Report.

EDC MATTERS:

Approval of Declaratory Resolution CC-2016-04, Declaratory Resolution Designating Economic Revitalization Area And Qualifying Certain Real Estate Improvements And Certain Personal Property For Property Tax Phase-In for Renegade.

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

Chris Stager gave a brief overview of the proposal for Renegade.

Mike Sullivan, Company Representative for Renegade, discussed several projects which Renegade is currently undertaking.

There were several questions from the Council.

Craig Buche then briefly reviewed the Declaratory Resolution.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved the Declaratory Resolution for Renegade CC-2016-04.

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HUMAN RESOURCE MATTERS:

A. Elkhart County Court System

1. General Fund (1000-dept varies-41120): Request revision to Elkhart County's "Schedule of Annual Pay Rates for Law Clerks."

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

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

B. Sheriff

1. General Fund (1000-105-41135): Request exception to policy to allow a rate increase for a lateral transfer of one Secretary III to one Administrative Assistant, both PG4/JF1, and at a rate up to \$18.33/hr after six months. This request also asks for an exception to policy to allow for a 60 day overlap for training purposes.

On motion made by Yohn 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.

C. Health Department

1. WIC Grant (8101-312-41135): Request to reinstate a RPT Intake Specialist, PG2/JF1, \$12.26, effective 2-21-16.

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. MCH Program Income (8127-614-41140): Request to formally eliminate the RPT Clerk II position.

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

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

D. Clerk

1. General Fund (1000-101-41105): Reorganization pursuant to IC 36-2-16-9, that allows an additional Chief Deputy. Request reclassification of Clerical Supervisor III (Whisler), PG5/JF6, to Chief Deputy, Courts, PG7/JF6, with promotional increase to maximum of hiring range with additional 6% at six months, if meeting performance expectations. Also request reclassification of First Deputy (Anderson) to Chief Deputy, Elections with no change in pay grade or compensation. Effective 2-21-16.

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

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

2. Voter Registration (1143-191-41125): Request new position, Voter Outreach Coordinator, PG4/JF3, up to max of hiring range, \$14.25, effective 2-21-16.

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

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

3. Establish part-time administrative support rate of \$12.00/hr in both 1119-980-41220 (Clerk's Perpetuation Fund) and 1143-190-41220 (Election Board). Effective 2-21-16.

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

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

II. Miscellaneous Items

- A. Discussion on new Fair Labor Standards requirements.

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, February 13, 2016.

GENERAL FUND

Commissioners

Other Services and Charges 194,044.00

EDIT

County Highway

Capital Outlays 150,000.00

CLERK'S RECORD PERPETUATION

Clerk

Supplies 23,000.00

Capital Outlays 49,000.00

TOTAL CLERK'S RECORD PERPETUATION 72,000.00

CUMULATIVE BRIDGE

County Highway

Capital Outlays 32,000.00

CUMULATIVE DRAIN

<u>Surveyor</u>	
Capital Outlays	5,000.00
 MAJOR BRIDGE	
<u>Major Bridge</u>	
Capital Outlays	80,000.00
 MOTOR VEHICLE HIGHWAY	
<u>County Highway</u>	
Personal Services	54,000.00
 MOTOR VEHICLE HIGHWAY	
<u>County Highway</u>	
Capital Outlays	30,000.00
 PARK & RECREATION NON/REVERTING OPERATING	
<u>Park Department</u>	
Capital Outlays	34,443.00
 SOLID WASTE DISPOSAL FEES	
<u>Commissioners</u>	
Other Services and Charges	30,000.00
 ELKHART COUNTY STORM WATER UTILITY MS4	
<u>Commissioners</u>	
Other Services and Charges	50,000.00
 UNSAFE BUILDING	
<u>Planning and Development</u>	
Other Services and Charges	2,821.00
 AUDITOR INELIGIBLE DEDUCTION FUND	
<u>Auditor</u>	
Other Services and Charges	42,750.00
Capital Outlays	55,000.00
TOTAL AUDITOR INELIGIBLE DEDUCTION FUND	97,750.00
 MILLERSBURG II TIF	
<u>Planning and Development</u>	
Other Services and Charges	6,651.00
 WESTERN GATEWAY TIF	
<u>Planning and Development</u>	
Other Services and Charges	31,297.00

NORTHEAST CORRIDOR TIF <u>Planning and Development</u> Other Services and Charges	184,769.00
NORTH BAUGO TIF <u>Planning and Development</u> Other Services and Charges	1,735.00
WEED LIEN COLLECTIONS <u>Planning and Development</u> Other Services and Charges	202.00
COURT IMPROVEMENT GRANT <u>Circuit Court Juvenile</u> Other Services and Charges	17,700.00
HIV GRANT <u>Health Department</u> Supplies	2,965.00
Other Services and Charges	1,600.00
TOTAL HIV GRANT	<hr/> 4,565.00
REDUCTIONS	
NORTHWEST GATEWAY TIF <u>Planning and Development</u> Capital Outlays	-3,720.00
NORTHEAST CORRIDOR TIF DISTRICT <u>Planning and Development</u> Capital Outlays	-652,037.37

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: February 3, 2016.

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) request for \$194,044 for funds to pay the Humane Society on behalf of the communities who will reimburse the County in (2) two installments in an Interlocal Agreement for animal control services. The following Communities are responsible for the reimbursement amounts: Elkhart - \$115,000; Goshen - \$64,644; Middlebury - \$5,400; Wakarusa - \$5,000; Bristol - \$4,000.

Tom Byers 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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B. EDIT (#1112)

1. Highway (980) requests \$150,000 for funds to complete right of way acquisition for the County Road 38 project and funds to repair guardrail from crash damage.

Jeff Taylor 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. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$72,000 for the purchase of copy machines for Clerks Offices and Voter Registration. Also, the purchase of desktop scanners for all Clerks Offices to scan court case documents and for purchasing case files for all Clerks Offices.

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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D. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) request \$32,000 for funds to replace a small bridge on County Road 42 between County Road 15 and County Road 17 over Swoveland Ditch.

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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E. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$5,000 for maintenance on County Regulated Drains.

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. MAJOR BRIDGE (#1171)

1. County Highway (980) requests \$80,000 for funds required to perform some work on the pier on the County Road 17 bridge over County Road 45.

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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G. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (202) request \$54,000 for funds needed in the proper account for one of the employee engineers.

Jeff Taylor explained this request to the Council.

2. County Highway (980) request \$30,000 for funds needed to refurbish various gravel roads.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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

1. Park Department (980) requests \$34,443 to appropriate proceeds from an equipment auction and insurance settlement to purchase new equipment.

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. SOLID WASTE DISPOSAL FEES (#1194)

1. Commissioner (338) requests \$30,000 for funds to increase the total 2016 contribution to the Humane Society from the County from \$170,000 to \$200,000.

Tom Byers explained this request to the Council.

Ann Reel, Director of the Humane Society also explained this request.

On motion made by Hess seconded by Riegsecker the Council denied this request and asked that this item be addressed at the March Meeting. It was requested that this money be appropriated out of the CAGIT fund. Stump voted Nay.

The preceding Emergency Appropriation Ordinance was not adopted.

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J. STORM WATER UTILITY MS4 (#1197)

1. Commissioners (130) requests \$50,000 for funds to be loaned to the Elkhart County Regional Sewer District for legal and financial services incurred in establishing a sanitary sewer service area within the State Road 13 Interchange TIF District. Said loan is for 24 months at 0% interest.

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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K. UNSAFE BUILDINGS (#1207)

1. Planning and Development (980) requests \$2,821 for funds to pay contractors to conduct demolitions.

Chris Godlewski 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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L. AUDITOR INELIGIBLE DEDUCTION FUND (#1216)

1. Auditor (980) request \$97,750 for funds to establish the 2016 budget including remodeling of the office.

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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M. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) requests \$6,651 for funds for long term debt service payment to the Town of Millersburg.

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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N. WESTERN GATEWAY TIF (#4506)

1. Planning and Development (980) request \$31,297 for funds for long term debt service payment to the Environmental Special Projects Fund.

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. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) requests \$184,769 for funds for legal services to establish TIF district, for final payment of sign on County Road 17 and the Toll Road, for two (2) NE TIF bond payments and for TIF reimbursement for Beck Drive utility extensions.

Chris Godlewski 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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P. NORTH BAUGO TIF (#4512)

1. Planning and Development (980) requests \$1,735 for funds for long term debt service payment to the Environmental Special Projects Fund.

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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Q. WEED LIEN COLLECTIONS (#6041)

1. Planning and Development (980) request \$202 for establishing funds for paying contractors to mow yards.

Chris Godlewski 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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R. COURT IMPROVEMENT GRANT (#8122)

1. Circuit Court Juvenile (980) request \$17,700 for funds to host the yearly Summit.

Tom Byers 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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S. HIV GRANT (#8124)

1. Health Department (980) requests \$4,565 for funds to spend down the grant.

Carol Caviness 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:

T. NORTHWEST GATEWAY TIF (#4504)

1. Planning and Development (980) request a reduction of \$3,720 due to project closure.

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 Reduction was then duly adopted.

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U. NORTHEAST CORRIDOR TIF DISTRICT (#4511)

1. Planning and Development (980) original request was for a reduction of \$652,037.37. That figure has since changed and the reduction request on this date was for \$152,037.37. This reduction is due to closure of the County Road 15 bike trail project and closure of 2014 fiber projects.

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 Reduction was then duly adopted.

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TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A. GENERAL FUND (#1000)

1. Circuit Juvenile Court (161)

From	41510	Pauper Counsel	5,500.00
To	43020	Medical Service	5,500.00

B. BABY & ME TOBACCO FREE (#8127)

1. Health Department (982)

From	42195	Operating Supplies	1,440.00
To	43510	Maintenance/Service Contract	1,440.00

C. JUVENILE DETENTION ALTERNATIVES INITIATIVE (#9113)

1. Court Services (980)

From	42180	Medical Service	1,124.00
	42090	Other Office Supplies	922.00
	44535	Data Processing Hardware	270.00
	42380	Capital Supply Items	1,252.00
To	43090	Other Professional Services	3,568.00

On motion made by Hess 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

- (a) Approval of Elkhart County Solid Waste Management District Appropriation and Budget.

Tom Byers explained this request to the Council.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council approved the additional appropriation.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council approved the 2016 Budget.

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- (b) Approval of Ordinance No. CC-2016-03 Adopting Elkhart County Investment Policy Authorizing The Investment Of Public Funds In Investments Lasting More Than Two (2) Years And Not More Than Five (5) Years Pursuant To IC 5-13-9-5.7.

Tom Byers and Craig Buche explained this request to the Council.

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

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AUDIENCE ITEMS

Glen Null discussed points of interest, and disinterest.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 9:35 a.m. on motion by Foutz 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.

