

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**March 12, 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 Vice President David L. Hess, David E. Foutz, Randall D. Yohn, David M. Ashe, Darryl J. Riegsecker and Thomas W. Stump. Council President John K. Letherman was absent.

Also present were Pauline Graff, County Auditor; Craig Buche, County Attorney; and Mike Yoder, County Commissioner.

**MINUTES:** Approval of minutes for February 13, 2016.

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

**COMMITTEE REPORTS:**

COMMISSIONERS: Mike Yoder gave short report.  
COUNCIL: No report  
AUDITOR: No report  
SHERIFF: No report

**EDC MATTERS:**

**PUBLIC HEARING:** Resolution No. CC-2016-05 Setting Forth Final Action In Determining That The Qualifications For An Economic Revitalization Area Have Been Met And Confirming Resolution No. CC-2016-04.

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 Renegade.

On motion made by Riegsecker seconded by Ashe and unanimously carried, the Council closed the Public Hearing.

Craig Buche then briefly reviewed the Commitment Agreement.

On motion made by Yohn seconded by Foutz and unanimously carried, the Council approved the Commitment Agreement.

Craig Buche then briefly reviewed the Confirmatory Resolution.

On motion made by Ashe seconded by Riegsecker and unanimously carried, the Council approved the Confirmatory Resolution for Renegade CC-2016-05.

(Page 125-126)

**HUMAN RESOURCE MATTERS:**

**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 12, 2016.

GENERAL FUND

Sheriff

Capital Outlays 22,710.00

Superior Court No. 5

Personal Services 5,750.00

Other Services and Charges 1,000.00

TOTAL GENERAL FUND 

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 29,460.00

CAGIT CERTIFIED SHARES	
<u>Commissioners</u>	
Other Services and Charges	30,000.00
CLERK'S RECORD PERPETUATION	
<u>Clerk</u>	
Personal Services	22,000.00
CUMULATIVE DRAIN	
<u>Surveyor</u>	
Capital Outlays	41,021.00
DRUG FREE COMMUNITY	
<u>Commissioners</u>	
Other Services and Charges	210,000.00
MOTOR VEHICLE HIGHWAY	
<u>County Highway</u>	
Other Services and Charges	15,000.00
Capital Outlays	780,000.00
TOTAL MOTOR VEHICLE HIGHWAY	795,000.00
CUMULATIVE REASSESSMENT	
<u>County Assessor</u>	
Other Services and Charges	35,500.00
ELKHART COUNTY STORM WATER UTILITY	
MS4	
<u>County Highway</u>	
Capital Outlays	610,000.00
PARK & RECREATION DONATION FUND	
<u>Park Department</u>	
Personal Services	517.00
FAMILY COURT GRANT	
<u>Superior Court No. 6</u>	
Other Services and Charges	10,000.00
REDUCTIONS	
CUMULATIVE BRIDGE	
<u>County Highway</u>	
Capital Outlays	-238,172.81

COUNTY HIGHWAY OPERATING

Motor Vehicle Highway

Capital Outlays

-152,941.36

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 2, 2016.

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000)

1. Sheriff (105) withdrew the request for \$22,710 for funds to purchase a body cam, mini crime scope replacement bulb, squad car and other capital equipment.

Jim Bradberry explained this request to the Council.

2. Superior Court No. 5 (166) request \$6,750 for funds to pay increase to Law Clerk, additional pay increase approved 2/3/2016 and additional money needed for competency evaluations.

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.

(Page 127)

B. CAGIT CERTIFIED SHARES (#1110)

1. Commissioners (980) request \$30,000 for funds to support the Humane Society.

Ann Reel, Director of the Humane Society 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.

(Page 128)

C. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$22,000 for funds to cover two (2) part-time positions as approved by the County on February 12, 2016. One position in Voter Registration and one position in the Superior Court No. 6 Clerk's Office.

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.

(Page 129)

D. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) request \$41,021 for funds needed for maintenance on County Regulated Drains.

Blake Doriot 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.

(Page 130)

E. DRUG FREE COMMUNITY (#1148)

1. Commissioners (980) request \$210,000 for annual allocation of funds to area agencies who have submitted qualified applications and successfully passed the application evaluation process.

Kris Krueger 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.

(Page 131)

F. MOTOR VEHICLE HIGHWAY (#1176)

1. County Highway (204) requests \$15,000 for funds needed to rent loader for material loading during plow season and crack seal machine for crack seal maintenance.

Jeff Taylor explained this request to the Council.

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

2. County Highway (980) requests \$780,000 for funds needed for equipment purchases including a generator for the New Paris garage, funds for various repairs and renovations to buildings. Block building at County Road 38 and County Road 17, new flooring for Steury Avenue and reserve funds for the numerous properties owned by the Highway Department and Commissioners. Funds requested for paving and chip seal. Funds requested to replace three (3) pick-up trucks. Funds needed to replace culverts in advance of the road paving program.

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.

(Page 132)

G. CUMULATIVE REASSESSMENT (#1188)

1. County Assessor (980) request \$35,500 for funds needed for a project which was approved in July of 2015 however, the invoice was not received until January of 2016. The project is a combined effort with MACOG.

Cathy Searcy explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.  
(Page 133)

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

1. County Highway (202) requests \$610,000 for funds to reimburse EDIT for storm water improvements to the County Road 38 project and funds to perform required MS 4 street sweeping and vactor work.

Jeff Taylor explained this request to the Council.

Discussion on whether this is appropriate use of the Storm Water Funds.

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.  
(Page 134)

I. PARK & RECREATION DONATION FUND (#4909)

1. Park Department (980) requests \$517 for funds to cover salary expenses for DeFries Garden Employees.

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

The preceding Emergency Appropriation Ordinance was not adopted.  
(Page 135)

J. FAMILY COURT GRANT (#9109)

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

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.  
(Page 136)

**REDUCTIONS:**

K. CUMULATIVE BRIDGE (#1135)

1. County Highway (980) request a reduction of \$238,172.81 due to projects being completed. Funds to be returned to the Cumulative Bridge Fund.

Jeff Taylor 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 Reduction was then duly adopted.

(Page 137)

L. COUNTY HIGHWAY OPERATING (#1176)

1. Motor Vehicle Highway (204) request a reduction of \$152,941.36 due to projects being completed. Funds to be returned to the Motor Vehicle Highway Fund.

Jeff Taylor 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 Reduction was then duly adopted.

(Page 138)

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

No transfers.

The preceding Emergency Transfer Ordinance was then duly adopted.

## **OTHER BUSINESS**

- (a) Approval Interlocal Agreement for a Redevelopment Commission project for a couple of waterlines serving the former Carriage Facility with the Town of Millersburg.

Craig Buche explained this request to the Council.

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

(Page 139)

\*\*\*Presentation by Todd Samuelson from Umbaugh to discuss a preliminary analysis of the proposed Elkhart County, Indiana Corrections Complex Refunding Bonds, Series 2016. No action required.

(Page 140)

## **AUDIENCE ITEMS**

Joe Dervin discussed retention ponds.

## **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 9:15 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.

