

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**March 11, 2017**

The meeting of the Elkhart County Council was called to order by Sheriff Brad Rogers at 8:01 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council Vice President David L. Hess, David E. Foutz, Tina M. Wenger, 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 and Mike Yoder, County Commissioner.

**MINUTES:** Approval of minutes for February 11, 2017.

On motion made by Riegsecker and seconded by Wenger, the motion was carried and the minutes were added. (page 123)

**COMMITTEE REPORTS:**

COMMISSIONERS: Legislative Matters by Mike Yoder  
COUNCIL: Tina Wenger; Dave Foutz on Youth Form  
AUDITOR: Update by Pauline Graff  
SHERIFF: Bed Rentals by Brad Rogers

**EDC MATTERS:**

Chris Stager, VP Business Ret. & Expansion, explained the 10-year tax phase-in project Entech Phase-In (CC-2017-03).

On motion made by Foutz and seconded by Stump, the declaratory resolution was unanimously approved. (page 124-125)

Chris Stager then explained the second 10-year tax phase-in project Travel Lite (CC-2017-04).

On motion made by Riegsecker and seconded by Stump, the declaratory resolution was then unanimously approved. (page 126-127)

Mark Dobson, President and CEO, updated the council of the past year related to job creation and retention in Elkhart County. He also discussed the proposed score sheet in regards

to a proposed business relocating to Elkhart County. Dave Hess mentioned the importance of educating the upcoming working generation of career opportunity; the difference between the path to the workforce or the path towards college education.

**HUMAN RESOURCE MATTERS:**

Approval of Ordinance No. CC-2017-02. An Ordinance Adopting Amendment to Elkhart County Government Personnel Policy and Standard Procedures Manual.

Commissioner Mike Yoder explained this modification of the ethics policy to the council.

On motion made by Foutz and seconded by Riegsecker, the ordinance was then unanimously adopted. (page 128)

**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 11, 2017.

GENERAL FUND

Sheriff

Supplies 5,200.00

EDIT

Highway

Capital Outlays 1,000,000.00

Capital Outlays 1,000,000.00

TOTAL EDIT 2,000,000.00

CUMULATIVE BRIDGE

Highway

Capital Outlays 75,000.00

CUMULATIVE DRAIN

Surveyor

Capital Outlays 25,000.00

COUNTY MISDEMEANANT	
<u>Sheriff</u>	
Other Services & Charges	2,730.00
Capital Outlays	15,210.00
TOTAL COUNTY MISDEMEANANT	17,940.00
MOTOR VEHICLE HIGHWAY	
<u>Highway</u>	
Capital Outlays	100,000.00
STORM WATER MANAGEMENT	
<u>Commissioners</u>	
Capital Outlays	375,000.00
<u>Highway</u>	
Capital Outlays	160,000.00
TOTAL STORM WATER MANAGEMENT	535,000.00
LIT SPECIAL DISTRIBUTION	
<u>Highway</u>	
Capital Outlays	1,000,000.00
MIDDLEBURY AGRICULTURE TIF	
<u>Planning and Development</u>	
Other Services & Charges	39,396.00
PARK & RECREATION DONATION FUND	
<u>Park Department</u>	
Personal Services	9,000.00
Capital Outlays	47,288.00
TOTAL PARK & RECREATION DONATION	56,288.00
REDEVELOPEMENT COMMISSION	
<u>Planning and Development</u>	
Supplies	550.00
Other Services & Charges	1,660.00
Capital Outlays	300.00
TOTAL REDEVELOPEMENT COMMISSION	2,510.00
WEED LIEN COLLECTIONS	
<u>Planning and Development</u>	
Other Services & Charges	4,408.00
SAMSHA SYSTEM OF CARE	

Commissioners	
<hr/>	
Other Services & Charges	783,468.00
DIGITAL DENTAL	
Delta Dental	
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Capital Outlays	4,000.00
REDUCTIONS	
SUPPLEMENTAL ADULT PROBATION SERVICES	
Adult Probation User Fees	
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Personal Services	-108,710.00
MILLERSBURG II TIF	
Planning and Development	
Capital Outlays	-14,110.00

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: March 1, 2017.

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

A. GENERAL FUND (#1000)

1. Sheriff (105) requests \$5,200 to capture social security monies (inmate) and make available for purchase of goods needed by the department such as bodycams.

Sheriff Brad Rogers explained this request to the Council.

On motion made by Foutz and seconded by Stump, the Council unanimously carried this request and the appropriation was approved. (page 129)

B. EDIT (#1112)

1. Highway (980) requests \$1,000,000 to transfer to rainy day fund. This appropriation is linked to other appropriations related to the Paving Program.

Jeff Taylor explained this request to the Council.

On motion made by Riegsecker and seconded by Stump and unanimously carried, the Council approved this request. (page 130)

2. Highway (980) requests \$1,000,000 for funds to cover the grant funds until such time as grant funds are received. If and when grant funds are received, they will be placed back into the EDIT fund. This appropriation is linked to other appropriations related to the Paving Program.

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 131)

C. CUMULATIVE BRIDGE FUND (#1135)

1. Highway (980) requests \$75,000 for funds required for the Henke Street Bridge bid. \$200,000 was appropriated earlier. \$75,000 is needed to fulfill the bid requirement.

Jeff Taylor explained this request to the Council.

On motion made by Foutz and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 132)

D. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) is requesting \$25,000 for funds for maintenance on regulated drain at Baugo Creek.

Phil Barker explained this request to the Council.

On motion made by Foutz and seconded by Stump and unanimously carried, the Council approved this request. (page 133)

E. COUNTY MISDEMEANANT (#1175)

1. Sheriff (980) requests \$17,940 to place monies in the appropriate accounts regarding

purchase of Guardian RFID interface which will allow Corrections software to “talk” to other entities software.

Sheriff Brad Rogers explained this request to the Council.

On motion made by Wenger and seconded by Stump and unanimously carried, the Council approved this request. (page 134)

#### F. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$100,000 for funds needed to rehab various gravel roads (\$30,000) and for roadside mowing from contractor services (\$70,000).

Jeff Taylor explained this request to the Council.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 135)

#### G. STORM WATER MANAGEMENT (#1197)

1. Commissioners (130) request \$375,000 for dredging of Simonton Lake.

Mike Yoder explained to the Council that since this request had been submitted, the land owners around Simonton Lake have since requested that this request be withdrawn with purpose of requesting at a later date.

THIS REQUEST HAS BEEN WITHDRAWN. (page 136)

2. Highway (981) requests \$160,000 for funds to perform required MS 4 good housekeeping components. \$60,000 for Street Sweeping and \$100,000 for vector work.

Jeff Taylor explained this request to the Council.

On motion made by Foutz and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 137)

#### H. LIT SPECIAL DISTRIBUTION (#1229)

1. Highway (981) requests \$1,000,000 for funds for paving from LOIT Special Distribution to qualify for Community Crossings Grant. This request is linked to other appropriations related to the Paving Program.

Jeff Taylor explained this request to the Council.

On motion made by Foutz and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 138-139)

I. MIDDLEBURY AGRICULTURE TIF (#4508)

1. Planning and Development (980) requests \$39,396 for refunds to property owners who participate in the conservation easement.

Chris Godlewski explained this request to the Council.

On motion made by Foutz and seconded by Wenger and unanimously carried, the Council approved this request. (page 140)

J. PARK & RECREATION DONATION FUND (#4909)

1. Park Department (980) requests \$56,288 to set up the accounting from the Elkhart County Community Foundation DeFries Garden Endowment for the continuing maintenance and development of the DeFries Gardens at the River Preserve County Park for 2017.

Ronda DeCaire explained this request to the Council.

On motion made by Foutz and seconded by Wenger and unanimously carried, the Council approved this request. (page 141)

K. REDEVELOPEMENT COMMISSION (#4911)

1. Planning and Development (980) requests \$2,510 to pay CR 6 & 17 for phone purchase in 2016, monthly cell phone bill, supplies for RDC purposes, meals during conference trips and other travel expenses and conferences in 2017.

Chris Godlewski explained this request to the Council.

On motion made by Foutz and seconded by Stump and unanimously carried, the Council approved this request. (page 142)

L. WEED LIEN COLLECTIONS (#6041)

1. Planning and Development (980) requests \$4,408 for recouped fine money to be spent on mowing nuisance grass complaints.

Chris Godlewski explained this request to the Council.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 143)

M. SAMSHA SYSTEM OF CARE (#8152)

1. Commissioners (980) request \$783,468 for funds from a new grant program being implemented in cooperation with Oaklawn. This is the first installment of grant money for mental health.

Mike Yoder explained this request to the Council.

On motion made by Foutz and seconded by Stump and unanimously carried, the Council approved this request. (page 144)

N. DIGITAL DENTAL X-RAY EQUIPMENT (#9108)

1. Health Department (981) requests \$4,000 to set the budget for year 2017 for the Delta Dental Fund.

Dave Hess explained this request per conversation with Dr. Nafzinger.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this request. (page 145)

**REDUCTIONS:**

O. SUPPLEMENTAL ADULT PROBATION SERVICES (#2100)

1. Adult Probation User Fees (980) requests \$108,710 reduction due to State Board of Accounts required separation of Administrative Fees from Probation User Fees, which began in the fall of 2016. Reduction of Probation User Fees budget equals the Probation Administrative Fee additional appropriation request in new Dept/Fund.

Pauline Graff explained this reduction to the Council.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this reduction. (page 146)



P. MILLERSBURG II TIF (#4503)

1. Planning and Development (980) requests \$14,110 reduction due to project closeout for Millersburg water line project.

Pauline Graff explained this request to the Council.

On motion made by Stump and seconded by Riegsecker and unanimously carried, the Council approved this reduction. (page 147)

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A. GENERAL FUND

(1000)

1. Weights and Measures (135)

From 43540 Vehicle Repairs 400.00

To 44510 Other Equipment 400.00

2. Superior Court No. 2

(163)

43510 Maintenance

From Contract 1,115.00

To 44535 Computer 1,115.00

3. Superior Court No. 6 Title IV-D (171)

From 42060 Law Books 200.00

42090 Other Office

From Supplies 500.00

To 42380 Office Equipment < 300 700.00

4. Superior Court No. 6 Title IV-D (171)

From 43510 Main/Serv/Contracts 1,000.00

44520 Office Equipment

To >300 1,000.00

B. HEALTH (1159)

1. County Health Operating (340)

From 43140 Telephone 320.00

To 44535 Data Processing Hardware 320.00

C. PUBLIC SAFETY LIT (1170)

1. Sheriff (980)

From 42110 Fuel & Motor Oil 100,000.00

To 44500 Motor Vehicles 100,000.00

D. SOLID WASTE DISPOSAL FEES (1194)

1. Solid Waste (338)		
From	42110 Fuel	125,000.00
To	43550 Equipment Repair	125,000.00
E. WOMAN, INFANT & CHILD GRANT (8101)		
1. WIC (612)		
	42090 Other Office	
From	Supplies	340.00
To	44515 Office Furniture	340.00
F. DIGITAL DENTAL X-RAY EQUIPMENT (9108)		
1. Dental Equipment (980)		
From	44535 Data Processing Hardware	68.00
To	42180 Medical Supplies	68.00

On motion made by Stump and seconded by Wenger and unanimously carried, the Council approved these transfers. (page 148)

### **OTHER BUSINESS**

- (a) Approval of reappointment of Jane Erickson to the Goshen Public Library Board of Trustees. Four year term which would expire 3/31/2021.

On motion made by Riegsecker and seconded by Stump and unanimously approved, the Council approved this reappointment.

### **AUDIENCE ITEMS**

Vicki Becker, resident of Elkhart County and member of the Horizon Educational Alliance (HEA), spoke of initiatives that this group is promoting that helps kids and their parents become more educated on the direction that school-aged children need to make more informed decision in their paths toward the workforce and/or higher education.

### **ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 9:32a.m. on a motion made by Riegsecker and seconded by Stump and unanimously carried.

Cassie Seminario  
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.