

MINUTES
ELKHART COUNTY COUNCIL
August 14, 2010

The meeting of the Elkhart County Council was called to order by Undersheriff Julie Dijkstra at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were John K. Letherman, Donald E. Abel, C. J. Yoder, Dennis E. Sharkey, Randall D. Yohn, David Foutz and David Ashe.

Also present were David Hess, County Auditor; Pauline Graff, Chief Deputy Auditor; Gordon Lord, County Attorney; Tom Byers, County Administrator and Mike Yoder, Commissioner.

MINUTES: Approval of minutes for July 10, 2010.

On motion made by Sharkey seconded by Able and unanimously carried, the minutes of the July 10, 2010 Council meeting were approved as received.

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.
 COUNCIL: Foutz, Sharkey and Letherman gave short reports.
 AUDITOR: Hess gave short report.
 SHERIFF: No report.

PERSONNEL MATTERS:

A. Parks and Recreation

1. Request from Elkhart County Park Board for 6% rate increase for Superintendent while acting as Interim Director of Parks effective August 1, 2010 until a replacement is hired. CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-\$14,000
Impact on General Fund	-0-	2010 Impact	-\$14,000

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

B. Prosecuting Attorney

1. Request increase in market premium range of pay for Chief Investigator from (Hiring Range \$1915.71 - \$2203.07 Maximum \$2681.99) to (Hiring Range \$2200.00 - \$2640.00 Maximum \$3080.00). CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on General Fund	-0-	2010 Impact	-0-

On motion made by Yoder seconded by Foutz, the Council denied this request, 1-6.

C. Community Corrections/Sheriff's Department

1. Request to transfer staff from the Sheriff's Department to Community Corrections (21 Corrections Officers, 1 Work Release Coordinator, and 1 Secretary). CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on General Fund	-0-	2010 Impact	-0-

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

D. Health Department

1. General: Request to shift 15% of the salary for Manager, MCH/WIC, to ECHD funding (102-346) effective August 15, 2010. CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on Health Fund	-0-	2010 Impact	-0-

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

2. Healthy Beginnings (MCH Grant):

- a. Request renewal of grant that supports six full-time and several part-time staff members effective October 1, 2010.
- b. Request to reclassify a full-time Community Health Worker position to regular part-time status.

CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on Grant Fund	-0-	2010 Impact	-0-

On motion made by Yoder seconded by Foutz and unanimously carried, the Council approved both a & b requests.

3. Healthy Beginnings (WIC Grant):

- a. Request renewal of grant that supports 23 full-time and several part-time positions.
- b. Request two new positions (full-time Registered Dietitian/Nutritionist, PG7/JF5, and regular part-time Breastfeeding Peer Counselor, PG2/JF3, 21 hrs./wk - requires classification approval). Note: The two new positions requested are included in the total number of positions in the WIC grant.

CCPC recommended approval, 3-0 (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on Grant Fund	-0-	2010 Impact	-0-

On motion made by Foutz seconded by Sharkey and unanimously carried, the Council approved both a & b requests.

4. Lead Grant-Health: Request renewal of grant that supports one regular part-time position effective July 1, 2010. CCPC recommended approval 3-0, (Yoder was not present).

Annualized cost	-0-	2010 Cost	-0-
Impact on Grant Fund	-0-	2010 Impact	-0-

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

Added Item: Veteran's Services: Request an overlap of 60 days to fill and train for the Veteran's Service Officer position. Current Service Officer will be retiring January 1, 2011. CCPC recommended approval, 3-1.

Judge Roberts was present and explained this request.

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

The preceding Emergency Salary Ordinances were then duly adopted.

(Pages 242-248)

ADDITIONAL APPROPRIATIONS REQUESTS

Auditor Hess presented the proofs of publication for Notice to Taxpayers of Additional Appropriations to be considered by the County Council at this meeting as appeared in the Goshen News and the Elkhart Truth on August 4, 2010.

GENERAL FUND

Sheriff

Supplies	200.00
Other Services and Charges	1,185.00
Capital Outlays	3,536.00

Commissioners

Personal Services	63,000.00
Other Services and Charges	326,000.00

Superior Court #1

Personal Services	10,000.00
-------------------	-----------

TOTAL GENERAL FUND	403,921.00
---------------------------	-------------------

PARK AND RECREATION OPERATING

Park and Recreation Department

Personal Services	2,500.00
-------------------	----------

COUNTY PROPERTY SOLD

Commissioners

Capital Outlays	240,000.00
-----------------	------------

COUNTY HIGHWAY	
<u>County Highway Construction</u>	
Capital Outlays	15,000.00
<u>County Highway General and Undistributed</u>	
Capital Outlays	6,000.00
TOTAL County Highway	<u>21,000.00</u>
HEALTH MCH GRANT	
<u>MCH Grant</u>	
Personal Services	188,401.00
CONTINUING EDUCATION	
<u>Sheriff</u>	
Other Services and Charges	9,000.00
LOCAL OPTION CERTIFIED SHARES SPECIAL DISTRIBUTION	
<u>Commissioners</u>	
Capital Outlays	385,000.00
SALES DISCLOSURE FEES	
<u>County Assessor</u>	
Capital Outlays	2,235.00
EDIT	
<u>Highway</u>	
Capital Outlays	250,000.00
CUMULATIVE DRAIN	
<u>Drainage Board</u>	
Capital Outlays	10,000.00
MAJOR BRIDGE	
<u>Highway</u>	
Capital Outlays	3,000.00
SOLID WASTE DISPOSAL FEES	
<u>Solid Waste Disposal</u>	
Capital Outlays	21,560.00

REDUCTIONS

COUNTY HIGHWAY

Highway Maintenance and Repair

Supplies (6,000.00)

PSUPP GRANT

Health Department

Personal Services (173.00)

Supplies (3,642.00)

Other Services and Charges (1,080.00)

MAJOR BRIDGE

Highway

Capital Outlays (78,817.01)

SOLID WASTE DISPOSAL FEES

Solid Waste Disposal

Capital Outlays (1,422,465.66)

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 4, 2010

David L. Hess, Elkhart County Auditor

ADDITIONAL APPROPRIATIONS EXPLANATIONS

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$4921 to place monies in the appropriate accounts for postage, capital supply items, furniture and intercom equipment. Quietus 52156,52052,51860.

Bill Fletcher explained this request to the Council.

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

2. Commissioners (130) requests \$389,000 for unemployment, legal expense, professional

fees to SRI, and legal ads.

Byers explained this request to the Council.

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

3. Superior Court #1 (162) requests \$10,000 for transcription of appeal cases.

Judge Roberts was present to explain this request.

On motion made by Yoder seconded by Abel and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 249)

B. PARK AND RECREATION OPERATING (#104)

1. Park and Recreation Department (320) requests \$2,500 be appropriated for money that was donated from the Elkhart County Historical Society for a part-time clerical position at the Elkhart County Historical Museum, Rush Memorial.

Larry Neff was present to explain this request.

On motion made by Yoder seconded by Sharkey and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 250)

C. COUNTY PROPERTY SOLD (#108)

1. Commissioners (980) request \$240,000 for project #1001 to implement further enhancements to the County's IT system. This request combined with the \$385,000 request from 176 Special CAGIT is consistent with the 5 year IT plan presented at the County's 2010 Leadership Summit. Items included in this are active directory security (15,000), software patch management (10,000), server replacement (100,000), implementation of VOIP (250,000) and network security (250,000).

Byers was present to explain this request. The Council discussed their concern with using funds that are not going to be replenished with tax dollars. However, it was decided to keep moving forward with this 5 year IT plan that we have already started and cannot very well stop in the middle of it.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 251)

D. COUNTY HIGHWAY (#112)

1. County Highway Construction (203) requests \$15,000 for project #2124 to install an oil burner furnace at the Elkhart Highway Garage.

Jeff Taylor was present for this request. He stated that the garage currently generates enough used motor oil to heat an additional facility. Adding this oil burner will all but eliminate the need for natural gas, saving thousands of dollars per year.

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

2. County Highway General and Undistributed (204) requests \$6,000 to purchase chain saws and pole saws for maintenance crews to clear brush and trees during storms.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 252)

E. HEALTH MCH GRANT (#126)

1. MCH Grant (311) requests \$188,401 for grant period 10-1-10 to 9-30-11. This grant will provide two programs: Health Babies Prenatal Care and the Pediatric Dental Program.

Jenny Schrock was present to explain this request.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 253)

F. CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$9,000 for educational expense incurred by employees.

Fletcher explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 254)

G. LOCAL OPTION CERTIFIED SHARES SPECIAL DISTRIBUTION (#176)

1. Commissioners (980) requests \$385,000 for project #1001 for further enhancements to the County IT System. *See request from County Property Sold (108).

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 255)

H. SALES DISCLOSURE FEES (#195)

1. County Assessor (980) requests \$2235 for an additional copy/fax/scanner/printer. The current copier does not scan nor does it have color.

Cathy Searcy was present to explain this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 256)

I. EDIT (#331)

1. Highway (980) requests \$250,000 for project #2125 to replace one payloader at the Elkhart Garage and two dump trucks that replace two 1997 models.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 257)

J. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) requests \$10,000 for project #1015, Berlin Court.

On motion made by Sharkey seconded by Abel and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 258)

K. MAJOR BRIDGE (#338)

1. Highway (980) requests \$3,000 for project #2123, Six Span ROW purchase obligation.

Jeff Taylor explained this request to the Council.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 259)

L. SOLID WASTE DISPOSAL FEES (#533)

1. Solid Waste Disposal (338) requests \$21,560 for project #2001 for gas wells and probes.

Kim Davis was present to explain this request to the Council.

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.

(Page 260)

M. COUNTY HIGHWAY (#112)

1. Highway Maintenance and Repair (202) requests a reduction of \$6000 in the Calcium Chloride/Salt account. The amount of this reduction is being requested for the previous additional appropriation for chain saws.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

The preceding Emergency Reduction Ordinance was then duly adopted.

(Page 261)

N. PSUPP GRANT (#123)

1. Health Department (980) requests a reduction of \$4,895 in their grant award for period 7-1-10 to 6-30-11.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

The preceding Emergency Reduction Ordinance was then duly adopted.

(Page 262)

O. MAJOR BRIDGE (#338)

1. Highway (980) requests a reduction in the amount of \$78,817.01 for project #2818 Johnson Street Bridge ROW.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

The preceding Emergency Reduction Ordinance was then duly adopted.

(Page 263)

P. SOLID WASTE DISPOSAL FEES (#533)

1. Solid Waste Disposal (338) requests a reduction in the amount of \$1,422,465.66 for project #0901.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request.

The preceding Emergency Reduction Ordinance was then duly adopted.

(Page 264)

TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

1. County Council (129)

From	4405	Refunds & Other	695.00
To	4310	Sustenance	695.00

2. Personnel (142)

From	4317	Publications	320.00
To	4259	Capital Supply	320.00

B. COUNTY HEALTH OPERATING (#102)

1. Health Department (340)

From	4217	Medical Supplies	8,450.00
To	4544	Copier Machines	8,000.00
To	4541	Office Furniture & Fixtures	450.00

2. Community Health Nursing (342)

From	4392	Subscriptions	24.00
To	4405	Refund	24.00

C. WIC GRANT (#127)

1. WIC (312)

From	4209	Office Supplies	540.00
To	4315	Printing	540.00

2. WIC (312)

From	4128	PT Professional	2,250.00
	4155	Wellness	150.00
	4157	Medicare	750.00
	4326	Gas	1,800.00
	4343	Rental-Office Equip	850.00
To	4217	Medical Supplies	5,246.00
	4219	Operating Supplies	554.00

D. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (980)

From	4314	Telephone	490.00
	4203	Copy Supplies	342.00
To	4542	Office Equipment	832.00

E. HIV GRANT (#141)

1. Health Department (980)

From	4153	Insurance	6,068.00
	4155	Wellness	100.00
	4310	Sustenance	200.00
	4397	Education and Conf Costs	295.00
To	4217	Medical Supplies	3,063.00
	4245	Incentives	3,600.00

On motion made by Sharkey seconded by Ashe and unanimously carried, the Council approved the transfer requests.

The preceding Emergency Transfer Ordinance was then duly adopted.

(Page 265)

TRANSFERS NOT REQUIRING COUNCIL ACTION: Available in Auditor's Office.

OTHER BUSINESS: None

AUDIENCE ITEMS: Darryl Riegsecker addressed the Council and stated that he has been researching the State Statute on not-for-profit entities not paying property taxes. He stated that rental properties are to be taxed except those classified as redevelopment. He stated there are quite a few rentals in the area that are not paying property taxes and should be. He asked the Council to look into this matter. Jeff Burbrink gave an update on the turn out of the Elkhart County 4-H Fair. He stated there were 6,000 exhibits, with an estimated 275,000 attending the fair.4-H He also gave an update on the entrepreneurial workshops. He stated that he was approached by several Amish Bishops that were concerned for the safety of their children when riding bicycles down the road. Burbrink stated that they offer bicycle safety classes and informed them of such. He also let the Council know that there is an impact study being done at Goshen College on what the fair does for our economy locally. The results are not yet available.

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 10:00 a.m. on motion by Foutz seconded by Yoder and unanimously carried.

Audie Hostetler
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.