

MINUTES
ELKHART COUNTY COUNCIL
December 10, 2011

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 John K. Letherman, Dennis E. Sharkey, David Foutz, David Hess, Darryl Riegsecker, Randall D. Yohn and David Ashe.

Also present were Pauline Graff, County Auditor; Craig Buche, County Attorney; Gordon Lord, County Attorney; Mike Yoder, Commissioner and Tom Byers, County Administrator.

MINUTES APPROVAL: Approval of minutes for November 5, 2011

On motion made by Yohn seconded by Riegsecker and unanimously carried, the minutes of November 5, 2011 were approved.

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.
COUNCIL: Foutz, Sharkey and Letherman gave short reports.
AUDITOR: Graff gave short report.
SHERIFF: Rogers gave short report.

PERSONNEL MATTERS:

- A. MATERNAL AND CHILD HEALTH GRANT (#126)
1. MCH Program Income (614): Request to renew all grant positions, which includes five full time and three part time positions. CCPC recommended approval.

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

The preceding Emergency Salary Ordinance was then duly adopted.

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ADDITIONAL APPROPRIATIONS REQUESTS (ADVERTISING):

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given 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, December 10, 2011

GENERAL FUND

Concord Assessor

Personal Services 3,410.00

Veteran's Services

Personal Services 14,700.00

Victim Assistance

Personal Services 40,987.00

Supplies 1,032.00

Other Services and Charges 8,000.00

Superior Court 5

Personal Services 8,000.00

Magistrate-Elkhart

Supplies 2,579.00

Superior Court 6

Personal Services 5,500.00

Public Defender

Personal Services 2,000.00

TOTAL GENERAL FUND

 86,208.00

ELECTION BOARD/VOTER'S REGISTRATION

Voter's Registration

Personal Services 8,325.00

STOP Domestic Violence Grant

Prosecutor

Personal Services 22,955.00

Supplies 2,000.00

Other Services and Charges 2,950.00

Capital Outlays 1,000.00

TOTAL STOP GRANT

 28,905.00

IDOC GRANT

Community Corrections

Other Services and Charges 125,502.00

CUMULATIVE DRAIN

Drainage Board

Capital Outlays 62,000.00

REDUCTIONS

ELECTION BOARD/VOTER'S REGISTRATION

Election Board

Personal Services (8,325.00)

CTP GRANT

Community Corrections

Personal Services (105,997.00)

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: November 30, 2011

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Concord Township Assessor (114) requests \$3410 for payroll-technicians due to a payout for wages/severance that were paid in January 2011 for an employee that was employed through December 2010.

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

2. Veteran's Services (134) requests \$14,700 for paraprofessionals. This is for a final payment to employees who left in 2010 and other professional changes.

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

3. Victim Assistance (159) requests \$50,019 for grant period 7/1/11 to 9/30/12.

Amy Bechtal explained this request to the Council.

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

4. Superior Court #5 (166) requests \$8000 for attorneys and petit jurors.

Judge Wicks explained this request to the Council. He stated they only needed \$2174, not \$8000 for this request. They will be able to transfer \$2400 from their interpreter account into some of their 4100 accounts to lower the additional amount needed. Also, some jury trials have been less expensive than anticipated.

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

5. Elkhart Magistrate (169) requests \$2579 for law books and other office supplies. This is to pay for expenses that were purchased by a former employee who neglected to submit an additional appropriation request in advance.

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

6. Superior Court #6 (170) requests \$5500 for para-professional, part time clerical and overtime. This is due to a maternity leave and family medical leave act and adjustments for payroll account estimates through the end of the year.

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

7. Public Defender (175) requests \$2000 to cover salaries of two attorneys that were transferred into General Fund in August 2011.

Cliff Williams explained that he will be withdrawing this request. He stated they have enough money in another account that they will be able to transfer into this account instead of asking for additional monies.

On motion made by Sharkey seconded by Riegsecker and unanimously carried, the Council approved the withdraw of this additional and the approval of a transfer into this account instead.

The preceding Emergency Additional Appropriation Ordinance was then duly adopted.
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B. ELECTION BOARD/VOTER'S REGISTRATION (#106)

1. Voter's Registration (191) requests \$8325 for the Office Manager's position that should have been split between the two departments but was not set up that way. A reduction in the Election Board Department will follow.

Graff explained this request to the Council.

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

The preceding Emergency Additional Appropriation Ordinance was then duly adopted.
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C. STOP DOMESTIC VIOLENCE GRANT (#142)

1. Prosecuting Attorney (980) requests \$28,905 for grant period 7/1/11 to 6/30/12.

Amy Bechtal 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 Additional Appropriation Ordinance was then duly adopted.
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D. IDOC GRANT (#210)

1. Community Corrections (981) requests \$125,502 for professional services. This is to align the auditor's numbers with Community Corrections numbers to match what the grant was approved for.

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

The preceding Emergency Additional Appropriation Ordinance was then duly adopted.
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E. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) requests \$62,000 for projects 1125 through 1131.

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

The preceding Emergency Additional Appropriation Ordinance was then duly adopted.
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REDUCTIONS:

F. ELECTION BOARD/VOTER'S REGISTRATION (#106)

1. Election Board (190) returns \$8325 for the office manager position and part time clerical. The office manager position should have been split between 190 and 191. This reduction and the previous additional will clear up this matter.

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

The preceding Emergency Reduction Ordinance was then duly adopted.
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G. CTP GRANT (#209)

1. Community Corrections (980) returns \$105,997 in order to balance with auditor's numbers.

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

The preceding Emergency Reduction Ordinance was then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

1. Sheriff (105)

From	4390	Dues	7,225.00
	4314	Telephone	3,500.00
	4334	Vehicle Repairs	7,748.00
To	4545	Data Processing Hardware	2,938.00
	4541	Office Furniture	1,500.00
	4539	Other Equipment	10,535.00
	4221	Repair Parts-Auto & Truck	3,500.00

2. Coroner (107)

From	4318	Photo Microfilm	800.00
	4205	Photographic Supplies	300.00
To	4539	Other Office Equipment	1,100.00

3. Assessor (109)

From	4203	Copy Machine Supplies	1,000.00
	4210	Gasoline	2,000.00
To	4312	Postage	3,000.00

4. Elkhart County Council (129)

From	4209	Other Office Supplies	68.00
	4397	Education & Conf Costs	244.00
To	4101	Elected Officials	312.00

5. Emergency Management (137)

From	4209	Other Office Supplies	505.00
	4212	Tires	400.00
	4203	Copy Machine Supplies	50.00
	4334	Vehicle Repairs	9.00
	4390	Dues	145.00
	4310	Sustenance	200.00
To	4109	Office and Clerical	75.00

	4314	Telephone	450.00
	4210	Gasoline	430.00
	4214	Uniforms	156.00
	4219	Operating Supplies	198.00
6. Superior Court #2 (163)			
From	4203	Copy Machine Supplies	300.00
	4206	Law Books	1,000.00
	4209	Other Office Supplies	500.00
	4309	Other Professional Services	1,000.00
	4394	Juror Meals	400.00
	4397	Education & Conf Costs	750.00
	4393	Transcript of Testimony	200.00
	4396	Change of Venue	300.00
To	4546	Data Processing Software	1,500.00
	4542	Office Equipment	1,000.00
	4541	Office Furniture	400.00
	4259	Capital Supply Items	1,550.00
7. Court Services (168)			
From	4240	Food/Detainees	500.00
To	4312	Postage	500.00
8. Elkhart Magistrate (169)			
From	4397	Education & Conf Costs	500.00
	4313	Travel Expense	200.00
	4310	Sustenance	100.00
To	4108	Paraprofessional	500.00
	4206	Law Books	200.00
	4203	Copy Machine Supplies	100.00
B. COUNTY HEALTH OPERATING (#102)			
1. Health Department (340)			
From	4310	Sustenance	1,100.00
	4315	Printing	600.00
	4334	Vehicle Repairs	1,009.00
	4337	Laundry, Cleaning, Custodial	308.00
	4390	Dues	155.00
	4392	Subscriptions	100.00
	4397	Education & Conf Costs	230.00
	4398	Training Programs	70.00
	4313	Travel Expense	2,300.00
To	4259	Capital Supply Items	284.00
	4541	Office Furniture	655.00

	4217	Medical	1,122.00
	4304	Lab Services	3,500.00
	4219	Operating Supplies	311.00
C. ELECTION BOARD/VOTER'S REGISTRATION (#106)			
1. Election Board (190)			
From	4219	Operating Supplies	2,135.00
To	4549	Other Office Equipment	2,135.00
D. AUDITOR'S INELIGIBLE DEDUCTION FUND (#223)			
1. Auditor (980)			
From	4203	Copy Machine Supplies	400.00
	4209	Other Office Supplies	200.00
To	4301	Legal Services	600.00
E. ELKHART COUNTY STORMWATER UTILITY MS4 (#320)			
1. Planning and Development (132)			
From	4310	Sustenance	535.00
To	4156	Worker's Comp	535.00
F. CRIMINAL JUSTICE FACILITIES (#336)			
1. Sheriff (105)			
From	4219	Other Operating Supplies	10,000.00
To	4539	Other Equipment	10,000.00

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

The preceding Emergency Transfer Ordinance was then duly adopted.

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

OTHER BUSINESS:

- (a) Reappointment of Robert Homan to the Board of Zoning Appeals, current term expires 12/31/11.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved this appointment.

- (b) Review of interest rate on Local Major Moves Loan, CC-2011-07 and CC-2011-08.

Mr. Buche reviewed the current interest rate and after some discussion the Council decided to leave the interest rate where it is and review it again in six months.

On motion made by Hess seconded by Sharkey and unanimously carried, the Council approved leaving the interest rate where it is.

(c) Review and approval of revised 2012 County Council Meeting Schedule.

On motion made by Foutz seconded by Riegsecker and unanimously carried the Council approved the revised meeting schedule. (Page 427)

(d) Review and approval of Resolution Establishing Standards and Criteria for the Review of Applications for ERA Designation.

Tom Byers explained this resolution to the Council.

On motion made by Foutz seconded by Riegsecker and unanimously carried the Council approved Resolution CC-2011-20. (Page 428)

AUDIENCE ITEMS:

Glenn Null spoke on his approval of e-verify being included in Resolution CC-2011-20. He also spoke about his dissatisfaction with the County War Memorial not including the names of those that have given their life in the war since 9-11-2001. He feels it has been ten years and the family of those veterans who have given their life should have somewhere to go to remember and honor their loved ones. He stated he spoke to our Veteran's Service office and they told him that their standard is to list the names two years after the end of the war. Mr. Null was not satisfied with this answer.

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 9:02 a.m. on motion by Foutz seconded by Riegsecker 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.