

MINUTES
ELKHART COUNTY COUNCIL
February 5, 2011

The meeting of the Elkhart County Council was called to order by Lt. Jim Bradberry at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Dennis E. Sharkey, David Hess, Darryl Riegsecker, Randall D. Yohn, David Foutz and David Ashe.

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

MINUTES: Approval of minutes for January 8, 2011.

On motion made by Yohn seconded by Riegsecker and unanimously carried, the minutes of January 8, 2010 Council meeting were approved as received.

COMMITTEE REPORTS:

COMMISSIONERS: No report.

COUNCIL: Hess and Sharkey gave short report.

AUDITOR: Graff stated that the budget order has come in and we are set for on time tax billings.

SHERIFF: No report

PERSONNEL MATTERS:

- A. Prosecuting Attorney – COPS Grant (COPS Methamphetamine Initiative)
 - i. Request new grant-funded position, Systems Analyst I (Criminal Intelligence Analyst), PG7/JF5. Grant runs through 12-31-12 or until funding is exhausted. CCPC recommended approval, 3-0.

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

- B. Sheriff's Department
 - i. Request to establish part-time rate of \$19.31/hr. in Account 4127. CCPC recommended approval, 3-0.

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

- C. County Assessor
 - i. Request exception to policy to waive the two-year experience requirement and promote James Allen from Assessor NC to Assessor I effective 2-13-11. CCPC recommended a 3% individual rate increase effective 2-13-11, 3-0.

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

D. Health Department

- i. Community Health Nursing: Request part-time rate of \$12/hr. in Account 4128 for a grant-funded Outreach Specialist position for the tuberculosis program. CCPC recommended approval, 3-0.

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

- ii. Healthy Beginnings: Motherhood & More Grant – Request continuation of existing grant that supports part-time positions providing breastfeeding support. CCPC recommended approval, 3-0.

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

- iii. ADDED ITEM – Public Health Emergency Response Grant: Request part-time rate in Account 4128. CCPC recommended a part-time rate of \$11/hr., 3-0. THIS REQUEST WAS SUBSEQUENTLY WITHDRAWN BY DR. NAFZIGER.

E. County Administrator – Lead Hazard Grant

- i. Request part-time rate of \$15/hr. in Account 4125 for Lead Hazard Grant. CCPC recommended approval, 3-0.

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

F. ADDED ITEM: Community Corrections Grants

- i. Community Corrections requests to establish the rates of positions that are grant funded in funds 208,209 and 210. It is also to establish the rates for positions that are funded in their general fund budget. This was not voted on by the CCPC for recommendation.

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

The preceding Emergency Salary Ordinances were then duly adopted.

(Pages 57-66)

ADDITIONAL APPROPRIATIONS REQUESTS

Auditor Graff 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 January 26, 2011.

GENERAL FUND

Sheriff

Supplies

6,618.00

Other Services and Charges	1,421.00
<u>Emergency Management</u>	
Supplies	719.00
TOTAL GENERAL FUND	8,758.00
CUMULATIVE REASSESSMENT	
<u>County Assessor</u>	
Other Services and Charges	428,616.00
COUNTY PROPERTY SOLD	
<u>Commissioners</u>	
Capital Outlays	422,200.00
COUNTY HIGHWAY	
<u>Highway Maintenance and Repair</u>	
Supplies	1,000.00
LOCAL ROAD AND STREET	
<u>Local Road and Street-Maintenance</u>	
Capital Outlays	115,000.00
ABANDONED VEHICLES	
<u>Sheriff</u>	
Other Services and Charges	4,000.00
DIABETES EDUCATION EMPOWERMENT PROGRAM	
<u>Health Department</u>	
Supplies	2,500.00
PUBLIC HEALTH PREPAREDNESS GRANT	
<u>Health Department</u>	
Supplies	1,200.00
Other Services and Charges	1,100.00
Capital Outlays	7,700.00
TOTAL PUBLIC HEALTH PREPAREDNESS GRANT	10,000.00
HIV GRANT	
<u>Health Department</u>	
Personal Services	35,150.00
Other Services and Charges	3,850.00
TOTAL HIV GRANT	39,000.00

ACCIDENT REPORT FEES

Sheriff

Other Services and Charges 6,464.00

FIREARMS TRAINING

Sheriff

Supplies 6,000.00

Other Services and Charges 25,000.00

TOTAL FIREARMS TRAINING 31,000.00

COUNTY CONTINUING EDUCATION

Sheriff

Other Services and Charges 14,541.00

COUNTY EXTRADITION

Sheriff

Other Services and Charges 70,000.00

PRISONER RE-ENTRY GRANT

Community Corrections

Personal Services 197,208.00

Capital Outlays 3,600.00

TOTAL PRISONER RE-ENTRY GRANT 200,808.00

CTP GRANT

Community Corrections

Personal Services 143,258.00

Supplies 4,740.00

Other Services and Charges 20,750.00

Capital Outlays 52,796.00

TOTAL CTP GRANT 221,544.00

IDOC GRANT

Project Income

Personal Services 528,990.00

Supplies 130,600.00

Other Services and Charges 237,500.00

Capital Outlays 99,400.00

Community Corrections

Personal Services 569,817.00

Supplies 22,000.00

Other Services and Charges 263,338.00

TOTAL IDOC GRANT 1,851,645.00

COPS METHAMPHETAMINE GRANT

Prosecuting Attorney

Personal Services 142,803.00

Supplies 4,427.00

Other Services and Charges 51,837.00

Capital Outlays 50,933.00

TOTAL COPS METHAMPHETAMINE GRANT 250,000.00

TUBERCULOSIS GRANT

Health Department

Personal Services 5,276.00

Supplies 24.00

Other Services and Charges 2,900.00

TOTAL TUBERCULOSIS GRANT 8,200.00

MILLERSBURG II TIF

Planning and Development

Other Services and Charges 6,400.00

NORTHWEST GATEWAY TIF

Planning and Development

Other Services and Charges 10,400.00

SOUTH BENTON TIF

Planning and Development

Other Services and Charges 2,900.00

WESTERN GATEWAY TIF

Planning and Development

Other Services and Charges 2,400.00

MILLERSBURG I/CLINTON TWP TIF

Planning and Development

Other Services and Charges 2,400.00

MIDDLEBURY'S AGRICULTURE TIF

Planning and Development

Other Services and Charges 2,400.00

MIDDLEBURY SOUTHEAST TIF

Planning and Development

Other Services and Charges 3,900.00

MIDDLEBURY EAST TIF

Planning and Development

Other Services and Charges 24,400.00

NORTH BAUGO TIF

Planning and Development

Other Services and Charges 2,400.00

EDIT

Commissioners

Capital Outlays 27,000.00

NORTHEAST (CR 6 & CR 17) TIF

Planning and Development

Other Services and Charges 56,400.00

Capital Outlays 135,609.00

TOTAL NORTHEAST (CR 6 & CR 17) TIF 192,009.00

CUMULATIVE BRIDGE

Cumulative Bridge- Maintenance & Repair

Supplies 8,000.00

Capital Outlays 40,000.00

TOTAL CUMULATIVE BRIDGE 48,000.00

CUMULATIVE DRAIN

Drainage Board

Capital Outlays 193,000.00

MAJOR BRIDGE

Highway

Other Services and Charges 1,800,000.00

REDUCTIONS

EDIT

Highway

Capital Outlays (95,219.21)

ENVIRONMENTAL SPECIAL PROJECTS

Commissioners

Capital Outlays (9,063.14)

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: January 26, 2011

Pauline E. Graff, Elkhart County Auditor

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$8039 for indigent inmate supplies, other capital supplies and for a copier lease.

Bill Fletcher explained this request to the Council.

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

2. Emergency Management (137) requests \$719 for uniforms, capital supply items and other office supplies. This was supposed to come from 2010 funds via a transfer, but was missed and now an additional appropriation is required to use 2010 monies that were given back to the general fund.

Jennifer Tobey explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. CUMULATIVE REASSESSMENT (#105)

1. Assessor (980) requests \$428,616 for the 2011 portion of payments for the reassessment contract.

Cathy Searcy 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 Appropriation Ordinance was then duly adopted.

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C. COUNTY PROPERTY SOLD (#108)

1. Commissioners (980) requests \$422,200 for project #1101, which includes software patch mgmt (10,000), server replacement program (100,000), SAN Central Storage (250,000), and annual software (62,200). These amounts are consistent with the IT plan.

Tom Byers explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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D. COUNTY HIGHWAY (#112)

1. Highway Maintenance and Repair (202) requests \$1000 for lumber.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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E. LOCAL ROAD AND STREET (#114)

1. Local Road and Street Maintenance (222) requests \$115,000 to replace skid loader and other aging vehicles.

Jeff Taylor 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.

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F. ABANDONED VEHICLES (#119)

1. Sheriff (980) requests \$4,000 for payment of towing impounded vehicles.

Bill Fletcher 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 Appropriation Ordinance was then duly adopted.
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G. DIABETES EDUCATION EMPOWERMENT PROGRAM (#125)

1. Health Department (980) requests \$2500 for materials used to support the diabetes empowerment program.

Dr. Daniel Nafziger 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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H. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (980) requests \$10,000 for 2011 grant period.

Dr. Nafziger explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.
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I. HIV GRANT (#141)

1. Health Department (981) requests \$39,000 for 2011 grant period. This grant supports one full time position.

Dr. Nafziger explained 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.
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J. ACCIDENT REPORT FEES (#151)

1. Sheriff (980) requests \$6464 to pay copy machine lease.

Bill Fletcher 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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K. FIREARMS TRAINING (#152)

1. Sheriff (980) requests \$31,000 for materials and education expense for the training of officers.

Bill Fletcher explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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L. COUNTY CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$14,541 for the continuing education of officers.

Bill Fletcher explained this request to the Council. He explained that officers can choose where they want to attend college, however, they are only reimbursed at the state college tuition fee.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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M. COUNTY EXTRADITION (#167)

1. Sheriff (980) requests \$70,000 for expense in transporting inmates.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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N. PRISONER RE-ENTRY GRANT (#208)

1. Community Corrections (980) requests \$200,808 for 2010-2011 grant budget.

Tara Booher explained N thru P to the Council.

O. CTP GRANT (#209)

1. Community Corrections (981) requests \$221,544 for 2010-2011 grant budget.

P. IDOC GRANT (#210)

1. Project Income (614) and Community Corrections (980) requests \$1,851,645 for 2010-2011 grant budget.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved requests N thru P.

The preceding Emergency Appropriation Ordinances were then duly adopted.

(Pages 80-82)

Q. COPS METHAMPHETAMINE INITIATIVE GRANT (#224)

1. Prosecuting Attorney (980) requests \$250,000 for grant period ending 12/15/2012.

Amy Bechtal and Ed Windbigler were present to explain this new grant to the Council. This grant will fund a Criminal Intelligence Analyst position in the Prosecutor's Office. Everything needed from supplies to positions will be funded by the grant. The data that is collected and processed by the new analyst will be from all cities and towns within the county. The information will not only be shared with and benefit the Sheriff's department but also local law enforcement departments in our jurisdiction.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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R. TUBERCULOSIS GRANT (#227)

1. Health Department (980) requests \$8200 to support temporary part-time TB outreach worker.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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S. MILLERSBURG II TIF (#321)

1. Planning and Development (980) requests \$6,400.00 for annual reimbursement agreement.

T. NORTHWEST GATEWAY TIF (#322)

1. Planning and Development (980) requests \$10,400.00 for annual reimbursement agreement.

U. SOUTH BENTON TIF (#323)

1. Planning and Development (980) requests \$2,900.00 for annual reimbursement agreement.

V. WESTERN GATEWAY TIF (#324)

1. Planning and Development (980) requests \$2,400.00 for annual reimbursement agreement.

W. MILLERSBURG I/CLINTON TWP TIF (#325)

1. Planning and Development (980) requests \$2,400.00 for annual reimbursement agreement.

X. MIDDLEBURY'S AGRICULTURE TIF (#326)

1. Planning and Development (980) requests \$2,400.00 for annual reimbursement agreement.

Y. MIDDLEBURY SOUTHEAST TIF (#327)

1. Planning and Development (980) requests \$3,900.00 for annual reimbursement agreement.

Z. MIDDLEBURY EAST TIF (#328)

1. Planning and Development (980) requests \$24,400.00 for annual reimbursement agreement.

AA. NORTH BAUGO TIF (#330)

1. Planning and Development (980) requests \$2,400.00 for annual reimbursement agreement.

On motion made by Foutz seconded by Riegsecker and unanimously carried, the Council approved requests S thru AA.

The preceding Emergency Appropriation Ordinances were then duly adopted.

(Pages 85-93)

BB. EDIT (#331)

1. Commissioners (980) request \$27,000.00 for project # 1106, contribution to NCI.

Phil Penn, Jim Walsh and Julie Gilmour were all present to explain this request to the Council. They also handed out information on NCI to the Council. Foutz questioned whether NCI works with the EDC of Elkhart County or whether their services overlap with the EDC. Phil Penn stated that NCI works closely with Dave Ogle of the EDC and that the two entities complement each other.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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CC. NORTHEAST (CR 6 & CR 17) TIF (#332)

1. Planning and Development (980) \$192,009.00 for annual reimbursement agreement (\$56,400) and project #802, Fall Creek Pkwy (\$135,609).

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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DD. CUMULATIVE BRIDGE (#335)

1. Cumulative Bridge- Maintenance & Repair (212) requests \$48,000 for a one ton dump truck and materials to control weeds along bridges and guardrails.

Jeff Taylor 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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EE. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) requests \$193,000.00 for the following projects:

1102	\$ 10,000
1103	\$ 8,000
1104	\$ 20,000
1105	\$110,000
1106	\$ 45,000

Lynn Loucks explained these requests to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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FF. MAJOR BRIDGE (#338)

1. Highway (980) requests \$1,800,000.00 for the 2010 payment back to the Major Moves Fund.

Graff explained this is our annual payment to re-pay our Major Moves loan.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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REDUCTIONS:

GG. EDIT (#331)

1. Highway (980) returns \$95,219.21 for project #2916.

HH. ENVIRONMENTAL SPECIAL PROJECTS (#541)

1. Commissioners (980) returns \$1,741.09 for project #601 and \$7,322.05 for project #901.

On motion made by Foutz seconded by Yohn and unanimously carried, the Council approved requests GG and HH.

The preceding Emergency Reduction Ordinances were then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

1. County Assessor (109)

From	4315	Printing-Non- Office Supplies	352.00
To	4541	Office Furniture	352.00

B. WIC GRANT (#127)

1. WIC (612)

From	4219	Operating Supplies	4,800.00
To	4315	Printing-Non-Office Supplies	4,800.00

C. LEAD HAZARD CONTROL GRANT (#199)

1. Commissioners (980)

From	4309	Other Professional Services	5,000.00
To	4105	Personnel	5,000.00

D. COMMUNITY DRUG FREE-NICOTINE (#200)

1. Health Department (980)

From	4549	Other Office Equipment	600.00
To	4219	Operating Supplies	600.00

On motion made by Yohn seconded by Hess and unanimously carried, the Council approved these transfer 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:

Added Item: Approval of Uniform Conflict of Interest Disclosure Statement for Darryl Riegsecker and M & M Security Corp.

Gordon Lord explained this disclosure statement to the Council.

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

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AUDIENCE ITEMS: None

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 9:29 a.m. on motion by Riegsecker seconded by Hess 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.