

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**June 11, 2011**

The meeting of the Elkhart County Council was called to order by Undersheriff Sean Holmes 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; Gordon Lord, County Attorney; Craig Buche, County Attorney; Tom Byers, County Administrator and Mike Yoder, Commissioner.

**MINUTES:** Approval of minutes for May 14, 2011.

On motion made by Yohn seconded by Riegsecker and unanimously carried, the minutes of the May 14, 2011 Council meeting were approved.

**COMMITTEE REPORTS:**

COMMISSIONERS: Yoder spoke on the \$300,000 loan that was withdrawn.  
COUNCIL: Ashe and Sharkey gave short reports.  
AUDITOR: Graff gave short report.  
SHERIFF: No report.

**ADDED ITEM:** Jackie Hughes from the Elkhart County Convention and Visitor's Bureau gave a report on the 2011 Quilt Gardens along the Heritage Trail. The quilt gardens have grown to 18 gardens and quilt murals. She explained this is a huge economic development opportunity for the county.

**EDC MATTERS:**

Approval of Compliance Forms for Truck Accessories Group, Creative Bus, Specialty Heat Treating, All American Group (aka Coachmen) and SID Tool.

Tom Byers explained the CF-1's to the Council and the process of approving these forms. He also reviewed a memo from Attorney Craig Buche that summarized the forms into basic deadlines and compared what the commitment agreement required versus what the company had reported on the compliance forms. He also explained that the Council's approval is to approve that the companies are in substantial compliance with the commitment agreement.

Ashe questioned the Coachmen compliance form. He was concerned that their numbers are very low. Letherman stated he feels we need to speak with Coachmen to question the substantial difference in numbers with a fast approaching deadline. Sharkey feels we should have the companies come in once a year for a report on how they are doing based on the anniversary of when the confirmatory resolution was approved for the company.

On motion made by Sharkey seconded by Riegsecker and unanimously carried, the Council agreed that the company's will be asked to come in on the anniversary date of when their confirmatory resolution was approved for the company.

approved for a review of their progress.

On motion made by Sharkey seconded by Riegsecker and unanimously carried, the Council agreed the CF-1 forms are in substantial compliance and ask that All American Group aka Coachmen come in for a review of their progress as soon as possible.

(Page 212-216)

**PERSONNEL MATTERS:**

A. Public Services-Landfill

1. Follow-up and approval of revised Career Development Program for Operators I, II, and III. CCPC recommended approval, 3-0 (Hess absent).

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

B. Prosecuting Attorney-Victim Assistance

1. Request continuation of Victim of Crime Act (VOCA) grant that supports four full-time and four part-time staff.
  2. Request continuation of STOP Domestic Violence Grant that supports one full-time staff member.
- CCPC recommended approval (pending written approval of grants), 3-0 (Hess absent).

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

C. Health Department

1. Health Beginnings-Request continuation of PSUPP grant that partially supports one full-time position. CCPC recommended approval, 4-0.

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

2. Health Education-Request continuation of LHMTF grant that supports one full-time Health Promotion Specialist. CCPC recommended approval, 4-0.

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

D. Veteran's Affairs Office

1. Request new position- Regular part-time Intake Specialist, up to \$12.95/hr effective June 19, 2011. CCPC recommended approval pending the Commissioners' approval of filling the position, 4-0. (Note: On Tuesday, May 31<sup>st</sup>, the Commissioners approved filling a regular part-time Intake Specialist position)

Drew McClain explained this request to the Council, stating that his current part-time position is training for a full-time position in the office, since that employee will be retiring soon. He needs to hire a part-time person to take her place.

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

E. Sheriff's Department

1. Request reclassification of Public Information Supervisor PG8/JF6 to Public Information Specialist PG7/PG5. CCPC recommended approval, 4-0.

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

2. Request correction to pay rate for Patrol III from \$20.98 to \$21.34 retroactive to March 14, 2010 due to a clerical error. CCPC recommended approval, 4-0.

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

F. County Assessor

1. Request reclassification of First Deputy from PG6/JF6, \$1603.69 to PG8/JF6 \$1699.91. CCPC recommended approval, 3-1.

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

G. County Clerk

1. Request one new full-time Office Manager position, PG6/JF6, at \$1446.72 bi-weekly. Zero cost impact to the General Fund. CCPC recommended approval, 4-0.
2. Request two new full-time Voter Registration Specialist positions, PG4/JF3 at up to \$14.25/hr (replaces board members in Voter Registration). CCPC recommended approval, 4-0.

Wendy Hudson explained these requests to the Council.

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

H. Information Technology (IT)

1. Request part-time rate in Account 4125 at \$28.50/hr effective April 14, 2011. CCPC recommended approval, 4-0.

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

Added Item: Planning Director requests that 2 part-time positions (20/hr) revert back to one full time  
June 11, 2011 ELKHART COUNTY COUNCIL Page 204

position which is in the 2011 budget. This request was not heard by the personnel committee.

On motion made by Hess seconded by Riegsecker and unanimously carried, the Council made a motion to have this item come back through the system and go to the personnel committee, 6-1.

The preceding Emergency Salary Ordinances were then duly adopted.

(Page 217-222)

**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 June 1, 2011.

GENERAL FUND

Sheriff

Supplies	1,546.00
Other Services and Charges	926.00
Capital Outlays	11,274.00
<u>Title IV-D Court</u>	
Personal Services	2,000.00
Other Services and Charges	<u>3,000.00</u>
TOTAL GENERAL FUND	18,746.00

COUNTY HIGHWAY

County Highway Administration

Supplies	1,000.00
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PRENATAL SUBSTANCE USE PREVENTION PROGRAM GRANT

Health Department

Personal Services	34,971.00
Supplies	3,984.00
Other Services and Charges	<u>2,650.00</u>
TOTAL PSUPP GRANT	41,605.00

ACCIDENT REPORT FEES

Sheriff

Capital Outlays 3304.00

COUNTY CONTINUING EDUCATION

Sheriff

Other Services and Charges 3,107.00

CTP GRANT

Community Corrections

Supplies 15,000.00

Other Services and Charges 60,000.00

Capital Outlays 20,000.00

TOTAL CTP GRANT 95,000.00

IDOC GRANT

Community Corrections

Supplies 5,000.00

Other Services and Charges 210,000.00

TOTAL IDOC GRANT 215,000.00

EDIT

Highway

Capital Outlays 300,000.00

CRIMINAL JUSTICE FACILITIES

Sheriff

Supplies 8,400.00

ENVIRONMENTAL/ SPECIAL PROJECTS

Commissioners

Capital Outlays 300,000.00

**Review and Approval of Goshen Public Library Capital Projects Plan, Resolution #CC-2011-11**

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: June 1, 2011

Pauline E. Graff, Elkhart County Auditor

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

**A. GENERAL FUND (#001)**

1. Sheriff (105) requests \$ 13,746 for data processing software, cameras and printers, copier rental and car parts.

Bill Fletcher explained this request to the Council.

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

2. Title IV-D Court (171) requests \$5,000 for overtime and other professional services (interpreter). These funds will be two-thirds reimbursable by the State, making the net cost to the County of \$1,000.

Judge Bonfiglio explained this request to the Council and gave a handout regarding interpreter services.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 223)

**B. COUNTY HIGHWAY (#112)**

1. County Highway Administration (201) requests \$1,000 for office furniture.

Jeff Taylor explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 224)

**C. PRENATAL SUBSTANCE USE PREVENTION PROGRAM GRANT (#123)**

1. Health Department (981) requests \$41,605 to establish their grant period of 7/1/11 to 6/30/12.

Jenny Schrock explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 225)

D. ACCIDENT REPORT FEES (#151)

1. Sheriff (980) requests \$3,304 for camera for squad car.

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.

(Page 226)

E. COUNTY CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$3,107 for continuing education of officers.

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.

(Page 227)

F. CTP GRANT (#209)

1. Community Corrections (980) requests \$95,000 for medical, operating supplies, professional services, building repairs, office furniture and equipment. Construction work has been done to the work release center and Elkhart electronic monitoring office and will need funds for the new K-9 for the work release facility.

Sharkey explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 228)

G. IDOC GRANT (#210)

1. Community Corrections (614) requests \$215,000 for sentinel invoices, medical and building repairs.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 229)

H. EDIT (#331)

1. Highway (980) requests \$300,000 for project #1115, design of intersection of CR 6 and West County Line Road. This includes, but not limited to, contractual agreements, meetings, surveys, legal expenses and all other costs related to the design.

Jeff Taylor 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.

(Page 230)

I. CRIMINAL JUSTICE FACILITIES (#336)

1. Sheriff (105) requests \$8,400 for purchase of goods related to the housing of the inmate population.

Bill Fletcher explained this request to the Council. Through the Social Security Administration, there is a National Program they are asked to participate in. It is to reward the people that report their social security while incarcerated for a felony. He stated it has been a couple years since we received any money back from this. Hess asked why this revenue was put in Fund 336 instead of the General Fund. Fletcher said it is generated within the jail, so he thought it was common sense to put it back into 336. Graff said it should be transferred into the General Fund, then appropriated from there.

On motion made by Hess seconded by Sharkey and unanimously carried, the Council tabled this request.

The preceding Emergency Appropriation Ordinance was then duly adopted.

(Page 231)

~~J. ENVIRONMENTAL/SPECIAL PROJECTS (#541)~~

~~1. Commissioners (980) request \$300,000 for project #1101, to issue a low interest loan to a solar manufacturing and distribution company considering to relocate to Elkhart County.~~

This request was withdrawn.

**TRANSFERS REQUIRING COUNCIL ACTION:**

A. FACT GRANT (#146)

1. Prosecutor (981)

From	4309	Other Professional Services	613.00
To	4539	Other Equipment	613.00

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

request.

The preceding Emergency Transfer Ordinance was then duly adopted.

(Page 232)

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

**OTHER BUSINESS:**

- (a) Review of Goshen Public Library Capital Projects Plan, Resolution CC-2011-11.

Andy Waters, Director of Goshen Public Library, explained the Capital Projects Plan to the Council. He stated he would like to point out that they are not asking for a new levy in 2012. He stated their intention is to spend down the cash balance on projects that are built into the plan. He further stated they would like to keep their capital projects fund available as long as possible.

On motion made by Yohn seconded by Foutz and unanimously carried, the Council approved Resolution CC-2011-11.

(Page 233)

- (b) Reappointment of Linda Pladson to the Middlebury Public Library Board, term expires 6/30/11.

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

(Page 234)

- (c) Reappointment of Scott Troger to the Elkhart Public Library Board, term expires 6/30/11.

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

(Page 235)

- (d) Reappointment of Jane Abel to the Wakarusa Public Library Board, term expires 6/30/11.

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

(Page 236)

- (e) Approval of tentative 2012 Budget Hearing Schedule and Budget Department Assignments. Motion required.

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

(Page 237)

- (f) Review and approval of Resolution CC-2011-10, Sheriff Commissary Fund Expenditures.

Gordon Lord explained this Resolution to the Council.

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

(Page 238)

**AUDIENCE ITEMS:**

Randy Wilson addressed the Council and spoke on economic development and low interest loans.

**ADJOURN:**

There being no further business to come before the Council the meeting was adjourned at 9:45 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.