

MINUTES
ELKHART COUNTY COUNCIL
September 11, 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 Dennis E. Sharkey, Donald E. Abel, C. J. Yoder, Randall D. Yohn, David Foutz and David Ashe.

Also present were David Hess, County Auditor; Pauline Graff, Chief Deputy Auditor; Gordon Lord, County Attorney; Craig Buche, County Attorney; Tom Byers, County Administrator; Mike Yoder, Commissioner and Floyd Hindbaugh, Director of Personnel.

MINUTES: Approval of minutes for August 14, 2010.

On motion made by Foutz seconded by Yohn and unanimously carried, the minutes of the August 14, 2010 Council meeting were approved as received.

COMMITTEE REPORTS:

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

EDC MATTERS: Consideration of Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property for Property Tax Phase-In for CMI (CC-2010-15). This request was withdrawn by CMI.

PERSONNEL MATTERS:

A. 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).

Prosecutor's Office brought this request before the Council again for their reconsideration. This request was brought before the Commissioner's for their recommendation. The Commissioners did recommend approval of this request. Amy Bechtal of the Prosecutor's Office was present to answer questions the Council might have. Ms. Bechtal and Mr. Hindbaugh explained that Curtis Hill, Prosecutor, did offer to supplement \$10,000 of the Chief Investigator's Salary into the IV-D budget, if this request was approved. Several Councilmen questioned whether this would be the case if the hiring range was not approved. Ms. Bechtal stated that it would not. Councilmen Yoder questioned the annual salary in the new hiring range and the maximum rate of pay. After much discussion of the Council, Ms. Bechtal stated she would be withdrawing this request.

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 September 1, 2010.

GENERAL FUND

Sheriff

Supplies 33,046.00

Other Services and Charges 7,152.00

Capital Outlays 4,860.00

Coroner

Other Services and Charges 90,410.00

Superior Court #1

Personal Services 10,000.00

Superior Court #2

Capital Outlays 1,070.00

TOTAL GENERAL FUND 146,538.00

COUNTY HIGHWAY

County Highway General and Undistributed

Supplies 25,000.00

Other Services and Charges 1,500.00

Capital Outlays 20,000.00

TOTAL County Highway 46,500.00

HEALTH WIC GRANT

WIC

Personal Services 990,035.00

Supplies 320,657.00

Other Services and Charges 32,250.00

Capital Outlays 1,200.00

TOTAL WIC GRANT 1,344,142.00

FIREARMS TRAINING

Sheriff

Supplies 10,000.00

CONTINUING EDUCATION

Sheriff

Personal Services 3,884.00

EDIT

Highway

Capital Outlays 197,000.00

CUMULATIVE BRIDGE

Cumulative Bridge Construction

Capital Outlays 100,000.00

CRIMINAL JUSTICE FACILITIES

Sheriff

Supplies 13,192.00

CUMULATIVE DRAIN

Drainage Board

Capital Outlays 5,000.00

MAJOR BRIDGE

Highway

Capital Outlays 170,000.00

REDUCTIONS

MAJOR BRIDGE

Highway

Capital Outlays (137,991.31)

SOLID WASTE DISPOSAL FEES

Solid Waste Disposal

Capital Outlays (90,001.19)

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: September 1, 2010

David L. Hess, Elkhart County Auditor

ADDITIONAL APPROPRIATIONS EXPLANATIONS

A. GENERAL FUND (#001)

1. Sheriff (105) requests \$45,058 to place monies in the appropriate accounts for office and jail supplies, to recapture monies relating to Sheriff Sale of foreclosure properties, copier lease, office equipment rent, and other rent. Quietus 52376,52265,51717,52369.

Bill Fletcher explained this request to the Council.

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

2. Coroner (107) requests \$90,410 for laboratory services, autopsies and other professional services (body removal) needed to cover expense through the end of the year.

John White was present to explain this request to the Council. He stated that the economy is really affecting our office, as it is other offices. We are seeing a lot of younger people with no medical care due to no insurance and no money. If I have no medical history on a patient, we have to do an autopsy to find the cause of death. He also stated that they are seeing a lot of people under the age of 40 that come back with positive toxicity screens and then we must find out how much is in their system (laboratory services). He further stated that we are trying to save where we can, but much of it we cannot control.

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 attorney fees, due to the large number of appeal cases filed.

Judge Evan Roberts was present to explain this request.

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

4. Superior Court #2 (163) requests \$1070, to recapture monies from copy fees to replace old and torn chairs in the Courtroom. Quietus # 50119,51722,51305,48985,51979.

Judge Stephen Bowers was present to explain this request.

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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B. COUNTY HIGHWAY (#112)

1. County Highway General and Undistributed (204) requests \$46,500 for a new roof on the salt shed; miscellaneous repairs to other buildings at the New Paris Garage; other supplies as they wear out such as air conditioner, garage door opener, band saws, etc; replace 1990 Crew Cab pickup and also DOT drug testing.

Jeff Taylor 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.

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C. HEALTH WIC GRANT (#127)

1. WIC (612) requests \$1,344,142 for grant period 10-1-10 to 9-30-11.

Jenny Schrock was present to explain this request.

On motion made by Yoder 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. FIREARMS TRAINING (#152)

1. Sheriff (980) requests \$10,000 for purchasing targets, ammunition and other supplies used in training officers.

Bill Fletcher was present to explain this request.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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E. CONTINUING EDUCATION (#161)

1. Sheriff (105) requests \$3,884 for continuing education of officers.

Bill Fletcher was present to explain this request.

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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F. EDIT (#331)

1. Highway (980) requests \$197,000 for project #2127, 2128 and 2129.

Jeff Taylor explained that this request is for sign replacement (\$42,000) that we received federal funds for and signal upgrades (\$95,000) which we will be reimbursed 90% for, and finally for reconstruction at CR 3 and CR 32 (\$60,000). He stated that we must pay for the design and right of way. He stated that the amount requested will go towards engineering expenses that will be done, for the most part, in house.

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.
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G. CUMULATIVE BRIDGE (#335)

1. Cumulative Bridge Construction (213) requests \$100,000 for project #2126, Bridge #127 Engineering.

Jeff Taylor explained that this appropriation is for the right of way services in the rehabilitation of the bridge on County Road 4, east of County Road 7.

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.
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H. CRIMINAL JUSTICE FACILITIES (#336)

1. Sheriff (105) requests \$13,192 to purchase indigent supplies.

Bill Fletcher explained this request.

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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I. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) requests \$5,000 for project #1017 (mow, brush, grind) and #1018 for Howard Ditch.

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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J. MAJOR BRIDGE (#338)

1. Highway (980) requests \$170,000 for project #2130, Kercher Bridge Right of Way.

Jeff Taylor explained 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.

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REDUCTIONS

K. MAJOR BRIDGE (#338)

1. Highway (980) returns \$137,991.31 for the following projects:

Project# 2903 \$79,637.05

Project# 2904 \$ 5,367.34

Project# 2717 \$52,986.92

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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L. SOLID WASTE DISPOSAL FEES (#533)

1. Solid Waste Disposal (338) returns \$90,001.19 for project #0901.

Kim Davis explained this reduction.

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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TRANSFERS REQUIRING COUNCIL ACTION:

A. PUBLIC HEALTH PREPAREDNESS GRANT (#128)

1. Health Department (980)

From	4105	Professional	878.00
	4150	FICA	54.00
	4151	PERF	55.00
	4157	Medicare	13.00
	4313	Travel	1,500.00
	4545	Data Processing	19.00
To	4315	Printing	507.00
	4549	Other Office Equipment	723.00
	4209	Office Supplies	427.00
	4219	Operating Supplies	862.00

B. STD PREVENTION GRANT (#183)

1. Health Department (980)

From	4313	Travel	335.00
To	4209	Office Supplies	335.00

C. CRIMINAL JUSTICE FACILITIES (#336)

1. Sheriff (105)

From	4455	Expenses of Inmates	15,000.00
To	4333	Uniform Cleaning	6,117.00
	4335	Equipment Repair	8,883.00

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

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. Amendment to Sheriff's Retirement Plan

Craig Buche, County Attorney, explained this amendment to the Council. He stated this plan was fully re-stated on January 1, 2008 and that this would be the first amendment to the plan. He stated this amendment is cost neutral.

On motion made by Foutz seconded by Abel and unanimously carried, the Council approved this request.
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AUDIENCE ITEMS: None

ADJOURN:

There being no further business to come before the Council the meeting was adjourned at 9:21 a.m. on motion by Yohn 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.