

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**May 11, 2019**

The meeting of the Elkhart County Council was called to order by Sheriff Jeff Siegel at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council President John K. Letherman, Vice President David L. Hess, Doug S. Graham, Randall D. Yohn, Tina M. Wenger, Darryl J. Riegsecker and Thomas W. Stump.

Also present were Patricia A. Pickens County Auditor; Craig Buche, County Attorney; Suzie Weirick, Commissioner; Mike Yoder, Commissioner and Jeff Taylor, County Administrator.

**MINUTES:** Approval of minutes for April 13<sup>th</sup>, 2019 County Council Meeting.

On motion made by Riegsecker and seconded by Stump, the minutes were unanimously approved and adopted.

**COMMITTEE REPORTS:**

**COMMISSIONERS:**

**COUNCIL:** Letherman on the May 10<sup>th</sup>, 2019 County Leadership Summit  
Wenger on AIC meeting, Emergency Management Advisory Board meeting, EEOAAB, IUSB Event for Pacific Asian month.  
Yohn on Elkhart Area Career Center, Dual Credits  
Hess on Dual Credits

**AUDITOR:** Auditor Patty Pickens on Financial Report, Letherman on Major Moves Balance.

**SHERIFF:** Sheriff Siegel on hiring additional Correction Officers.

**\*\* Presentation by the Elkhart County Convention & Visitor's Bureau (ECCVB) \*\***  
Janis Logsdon thanked the Elkhart County Council for their continued support. She presented all the Council with a lovely live plant that is their newest Quilt Block Garden design. She mentioned this is the 12<sup>th</sup> Anniversary of the Quilt Gardens. Wenger asked about the area Logsdon answered her questions. She also discussed the Heritage Trail.

**EDC MATTERS:**

**\*\*Public Hearing\*\***

**\*\*\* Jomar Machining & Fabrication, Inc. \*\*\***

Craig Buche presents a proposed Economic Revitalization Area Designation for Jomar Machining & Fabrication, Inc. CC-2019-11.

Open Public Hearing: On motion made by Riegsecker and seconded by Stump, the Council unanimously approved to open the Public Hearing for Jomar.

Letherman opens the floor for questions or comments on the Jomar projects. No questions or comments from the floor.

Riegsecker moved to close the Public Hearing, seconded by Stump, the Council unanimously carried and closed the Public Hearing.

1. Approval of Commitment and Payment Agreement- Craig Buche explains the details of the Commitment and Payment Agreement with Jomar, which include: an investment no less than \$5,800,000.00 in real estate improvements for a new facility, \$1,650,000.00 in new manufacturing equipment, retain its current 42 full-time employment positions and create an additional 16 full-time positions with an annual payroll of at least \$928,000.00.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved the Commitment and Payment Agreement.

2. Approval of Confirmatory Resolution CC-2019-11 (Jomar): On motion made by Graham and seconded by Stump, the Council carried and approved the Confirmatory Resolution.
3. Approval of Declaratory Resolution Designating Economic Revitalization Area and Qualifying Certain Real Estate Improvements and Certain Personal Property Tax Phase-In's (Ameri Kart).

On Motion made by Graham and seconded by Stump, the Council unanimously carried and approved this resolution.

#### **HUMAN RESOURCE MATTERS:**

None

#### **ADDITIONAL APPROPRIATION EXPLANATIONS:**

##### A. GENERAL FUND (#1000)

1. Public Defender (175) requests \$15,000 for fees associated with the Drug Court.

Public Defender Peter Todd explains to the Council, in 2018 when the Drug Court was enacted, the costs were not prepared in the 2019 budget. He states they have also had a larger number of invoices for professionals who have charged for their time to testify when they have been subpoenaed on various client cases.

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

B. GENERAL FUND (#1000)

1. Public Defender (175) requests \$73,141.00 for funds to pay for new /additional employees.

Public Defender explains to the Council the additional employees were approved at an earlier Council meeting.

On Motion made by Graham and seconded by Hess, the Council carried and unanimously approved the request.

C. EDIT FUND (#1112)

1. Commissioners (980) requests \$207,199.00 for the 2019 Contribution to the Economic Development Corporations of Elkhart County.

Jeff Taylor explained this request to the Council.

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

D. EDIT FUND (#1112)

1. Highway Department (980) requests \$200,000.00 for costs associated with the closing on railroad on CR 40 east of SR 15.

Jeff Taylor explains to the Council, This is a joint project with INDOT & Norfolk Southern Railroad. The County is coordinating the work. The funds are associated with costs including ,but not limited to right of way, construction and design related services.

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

E. CUMULATIVE DRAIN (#1141)

1. Surveyor(980) requests \$25,000.00 for funds needed to do maintenance on County Regulated Drains.

Phil Barker Explains this request to the Council.

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

F. COUNTY EXTRADITION (#1155)

1. Sheriff (980) requests \$1,504.00 to make monies available for the transport pf prisoners to Elkhart County for disposition of their charges. Sheriff Jeff Siegel presents this to the Council.

On motion made by Wenger and seconded by Graham, the Council unanimously carried and approves this request.

G. LOCAL ROAD & STREET (#1169)

1. Highway (#980) requests \$500,000.00 for funds for the purchase of dump trucks and other vehicles for Highway use.

Jeff Taylor presents this request to the Council.

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

H. MOTOR VEHICLE HIGHWAY-RESTRICTED (#1173)

1. Highway (980) requests \$1,059,700.00 for costs to replace the small structure (Short Bridge less than 20 feet in length) on CR 46 East of CR 127. And for funds for road paving and maintenance. Jeff Taylor presented this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approves this request.

I. COUNTY MISDEMEANANT (#1175)

1. Sheriff (980) requests \$19,427.00 to make monies available for the purchase of inmates clothing and for training of the officers in the use of Equivant Northpointe classification program.

Sheriff Jeff Siegel presents the request to the Council.

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

J. SOLID WASTE USER FEES (#1194)

1. Landfill requests \$7,704,000.00 for funds to meet requirements of new Landfill Ordinance.

John Bowers explains to the Council the amounts that will go into each fund as follows: \$1,578,185.17 – 4915 Capital Reserve, \$5,824,912.99 -1166 Closure, \$300,000.00-4803 Special Projects.

On motion made by Wenger and seconded by Riegsecker, the Council carried and approved the request.

K. SOLID WASTE USER FEES (#1194)

1. Landfill (980) requests \$360,000.00 for the purchase of the Wogoman Land Purchase.

John Bowers discusses the specifics of this request.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved the request.

L. PUBLIC DEFENDER SUPPLEMENTAL (#1200)

1. Public Defender (980) requests \$40,927.00 for additional money needed as a result of new/additional employees.

Peter Todd presents this request to the Council. He explains that additional employees were approved to be hired after the budget was approved. He states that this coming year the additional monies will be added to his budget to cover the additional employees.

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

M. AUDITOR INELIGIBLE FUND (#1216)

1. Auditor (980) requests \$12,500.00 additional appropriation for funds to replace Computers and Monitors throughout the Auditor's office.

Auditor Patricia Pickens presents this request to the Council.

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

N. ENVIRONMENTAL SPECIAL PROJECT (# 4803)

1. Commissioners (980) requests \$100,000.00 for financial supports for local not for profit organization Horizon Education Alliance, who facilitate initiatives between county education providers and county businesses.

Ken Julian CEO Vice President of Horizon Education Alliance. He gives a brief overview of what their non-profit provided to the schools and the business in regards to the future workforce.

Letherman explains exactly what HEA does and the impact it has in the community and for students.

Riegsecker questions if the \$100,000.00 could be used for other projects in the county that they have been discussing. Mike Yoder answers his questions. Riegsecker states he struggles with this every year and questions whether the money would be better utilized in other areas including but are limited to:

Public dollars going to non-profits.

If other entities are contributing i.e. Elkhart City, Goshen City.

Percentage of monies going for payment of staff.

Hess states he feels that the collaboration between the schools systems and the workforce working together to build a workforce with the skills that are needed in our community.

Hess make a motion to support the additional appropriations. Riegsecker seconded.

Graham states he takes exception to the fact that it is not tax dollars it is public dollars. He states he also has an issue with the county picking and choosing non – profits where there are a lot of good programs .Commissioner Weirick explains that this program is not just a non-profit, but an economic development tool.

Jim Royce Superintendent of Baugo Schools from the Audience discusses his views in favor of HEA and how it has helped the education, industry and students in our community.

Stump states he does see some return on investment but would like to see the program update the Council periodically.

Wenger states she struggles with this, she states that the schools can collaborate on their own with businesses, versus having to have a third party. Wenger questions if after they are given the money that they may go public versus a private non profit.. Wenger states she believes they have plenty of other support in the community. Brian Wiebe from HEA states that is not their intention.

Roll Call Vote was called, Stump-Aye, Riegsecker-Aye, Wenger-Nay, Yohn-Aye, Graham-Nay, Hess-Aye, Letherman-Aye. With a vote of 5-2, the additional appropriation was approved.

O. ROAD MAINTENANCE & CONSTRUCTION (#4901)

1. Highway (980)request \$247,000.00 for funds for snowplowing and other subcontractor related services. Funds were in MVH and moved to this fund.

Jeff Taylor presented this request to the Council.

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

P. CTP GRANT (#4913)

1. Community Corrections (980) requests \$20,000.00 for funds to cover offender monitoring, drug screening and meal expenses for the remainder of Fiscal Year 2019. Current expenditure are \$29,545.00, Projected additional expense \$5,535.00 based on monthly average.

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

Q. HAZMAT GRANT LEPC (#8133)

1. Emergency Management (980) Director Jen Tobey requests this additional in the amount of \$10,000.00 be moved to the June Council meeting.

R. DIGITAL DENTAL X-RAY EQUIPMENT (#9108)

- 1. Health Department (980) requests \$4,000.00 for funds to setup the budget for FY 2019 for the Delta Dental Fund Grant.

Dr. Lydia Mertz presented this request to the Council.

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

**REDUCTIONS:**

S. MOTOR VEHICLE HIGHWAY (1176)

- 1. Highway (202) requested a reduction and moved to the Fund 4901 in the amount of -\$247,000.00.

T. MOTOR VEHICLE HIGHWAY (#1176)

- 1. Highway (202) requests a reduction and the money moved to Local Road and Street fund in the amount of -\$487,700.00.

On Motion made by Wenger and seconded by Stump both reductions S & T, the Council unanimously carried and approved both reductions and moved to the new funds.

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A. JUVENILE COMMUNITY CORRECTION (#4924)

- 1. Community Corrections (980)

From:	42310 Food	45,000.00
	43090 Other	
To:	Prof.Svc.	45,000.00

B. WIC (8101)

- 1. Health (612)

From:	41120 Professional	5,000.00
	43090 Other Prof.	
To:	Svc	5,000.00

C. GENERAL FUND (#1000)

- 1. Planning (132)

From:	43090 Other Prof.	
	Svc.	3,000.00
	41200 Prof. Pt.	
To:	Time	<u>3,000.00</u>

Total 53,000.00

On Motion Made by Hess and seconded by Stump, the Council unanimously carried and approved these transfers.

**OTHER BUSINESS:**

- (a) Reappointment of Mr. Carlos Esteves to the Elkhart Public Library Board of Trustees. 4 year term expires 6/30/2023.

On motion made by Stump and seconded by Yohn, the Council unanimously carried and approved the reappointment of Mr. Carlos Esteves to the Elkhart Public Library Board of Trustees.

- (b) Reappointment of Ms. Megan Miller to the Middlebury Community Public Library Board. 4 year term expires 6/30/2023.

On motion made by Stump and seconded by Graham, the Council carried and approved this request.

- (c) Approval of CF-1's:

Alliance Property Group, LLC.-RE  
Vista Building, LLC.-RE  
Barietta Boat Company, LLC.-PP  
Alliance Sheets, LLC.-RE/PP  
Innovation LLC-(Travel Lite Inc.) RE/PP  
Entech

Jeff Taylor presents these to the Council. After careful review, Taylor states he believes they are in Compliance according to the Agreements, Resolutions & Ordinances.

Wenger asks that the CF-1's be sent to the Council prior to the meeting. Jeff Taylor states he will send the first few pages to anyone that would like them sent to them. Wenger has the only request.

On motion made by Riegsecker and seconded by Stump, the council unanimously carried and approved these Cf-1's.

Craig Buche brought business items to the Council:

1. Interlocal Agreement with the City of Nappanee/transfer of jurisdiction.

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



2. Interlocal Agreement RDC for Grand Design Project. Craig Buche brings a revised Interlocal to the Council with a few minor changes.

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

### **AUDIENCE ITEMS**

Robby Kelly Director of Purdue Extension discusses the County extension office and highlights the programs they have currently.

Hess discusses about the Rainy Day Fund, to put in an Ordinance to transfer the Rainy Day Fund. Stump asks for an amount that will be transferred, Letherman suggest that the Executive Board or Finance Committee discuss the amount to be transferred. Buche states that if it is transferred prior to July 1<sup>st</sup> it would not be included in the budget. Letherman states this money is and extra distribution the State in the process of sending to us.

### **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 9:46 am on motion made by Graham seconded by Yohn, and unanimously approved by the Council.

Cindy Chadwell  
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.