

MINUTES
ELKHART COUNTY COUNCIL
February 9, 2019

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

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

MINUTES: Approval of minutes for January 12, 2019.

Council Doug Graham made a motion to amend the spelling under the Audience Items from HOH to HOA. Seconded by Stump the council unanimously carried and the minutes were amended. Hess makes a motion to adopt the changes as noted by Councilman Graham.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved the minutes. (Pg. 14)

COMMITTEE REPORTS:

COMMISSIONERS: Mike Yoder discussed the following House Bills that are in Legislation:
House Bill 1650- Legislation that would eliminate Indiana's township boards.
House Bill-1262 Roadside Trash Bill states will assist us some if it can get through.
Senate Bill-556 Annexation Bill
Hess & Graham weighs in on the topic.

COUNCIL: Wenger reports on NACO she reiterates that she has been appointed to the Immigration Reform Task Force Committee. She has the opportunity to go to Washington, DC. next month. She discusses the Bill which she has Co-Sponsored.

SHERIFF: No Report

AUDITOR:

Patty states that last month we were working on Settlement and it is all done and it looks good. She states Pauline predicted approximately 15 million this year but it looks like it will be closer to 16 million. Hess states he is going to be working with Pickens over the next couple of week to discuss moving excess funds into the Rainy Day Fund. And they will be working on the financial report.

EDC MATTERS:

HUMAN RESOURCE MATTERS:

1. Approval of CC-2019-05 Ordinance Adopting Amendment to the Elkhart County Government Personnel Policy and Standard Procedures Manual.

Assistant Human Resource Director Audie Hostetler reads the brief summary to the Council of what policies have changed. That she emailed to the Council earlier in the week.

Tom Stump questions 4.03 the change to holiday pay to “normal work schedule” instead of just 8 hours.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this Ordinance. (Pg. 102)

Assistant Human Resource Director Audie Hostetler presents the following Salary Ordinances to the Council along with the CCPC Report.

Human Resource Requests

A. Superior Court #4

1. General Fund (1000-165-41135): Request reclassification of regular part time Legal Assistant II, PG4/JF1, 25 hours a week, to full time, 36 hours a week with full benefits, no change in pay rate. Effective 2-17-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0, Yohn asked that his vote in support be submitted in absentia.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approves this request. (Pg. 92)

B. Public Defender

1. General Fund (1000-175-41120): Request one new full time Public Defender, NC, \$76,580 annually. Effective 2-17-19.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 4-0, Yohn asked that his vote in support be submitted in absentia.

Hess states that this was an item that was tabled in December, and Tom and the CCPC has been working on this and feel it is warranted since his caseload has increased.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approves this request. (Pg. 96)

C. Sheriff

1. Sheriff PS LOIT (1170-980-41165): Request increase in grant overtime flat rate for salaried merit employees that work various enforcement grants, \$49.55/hr, as outlined in request letter. Effective 2-17-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0, Yohn asked that his vote in support be submitted in absentia.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approves this request. (Pg. 87)

D. Health Department

1. WIC Grant (8101-612): Request to eliminate Office Coordinator position and split the duties between two existing positions, Intake Specialist (Navarro) and Registered Dietician (Hagen), each to receive a 6% increase for the additional duties. Effective 2-17-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0, Yohn asked that his vote in support be submitted in absentia.

On motion made by Wenger and seconded by Stump, the Council unanimously approves this request. (Pg. 95)

2. WIC Grant (8101-612): Request individual rate increases for two market premium positions, Breastfeeding Coordinator (Miller) to \$27.61/hr and Nutritionist II (Horsley) to \$22.04/hr. Effective 2-17-19.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 4-0, Yohn asked that his vote in support be submitted in absentia.

On motion made by Wenger and seconded by Stump, the Council unanimously approves this request. (Pg. 95)

E. Highway

1. Highway (1176-201): Request to hire above the maximum of the paygrade for Manager of Transportation, PG10/JF6, up to \$3908.08 bi-weekly, effective 2-17-19. Request letter to follow.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approves this request. (Pg. 94)

2. Request revision to Engineer in Training market premium maximum rate of pay to \$3392.40 bi-weekly.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval for requests 1&2, 4-0, Yohn asked that his vote in support be submitted in absentia.

On motion mace by Stump and seconded by Riegsecker the Council unanimously carried and approved this request. (Pg. 94)

II. Miscellaneous Items

- A. Discussion on administrative items that can be approved through Human Resources.

No motion needed.

III. Adjournment

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC adjourned the meeting at 9:36 a.m.

Hess explains to the Audience that it may seem like they approve these requests fast, but the CCPC has 2 Council members on it and they are the ones that recommend these increases so they have already discussed each one prior to it coming before the Council. Stump adds that they take these recommendations seriously.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A.GENERAL FUND (#1000)

1. Clerk (101) requests \$1000.00 to establish a change fund for the Goshen and Elkhart Bookkeepers to provide opening cash for each one of the Clerk's office tills.

Clerk Christopher Anderson presents this request to the Council, Riegsecker asked if anything would be purchased out of this money. Anderson stated that no purchases would be made with the money it would be used just for change.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approved this request. (Pg 74)

B. GENERAL FUND (#1000)

Commissioners (130) requests \$219,544.00 for the annual Interlocal entered into with the communities of Elkhart, Goshen, Bristol, Wakarusa and Middlebury with the County for animal control services. Funds will be paid to the Humane Society on behalf of the communities who will reimburse the County in 2 installments.

Communities are responsible for the following reimbursement amounts: Elkhart-\$125,000.00 Goshen-\$77,644.00 Middlebury-\$5,400.00 Wakarusa-\$6,000.00 & Bristol-\$4,000.00

Wenger asks how the determination is made for the costs for each individual towns.

Rob La Roy Director of the Humane Society was on hand to answer questions from the Council.

Audience member Glenn Null expresses his opinion on the policies of the Humane Shelter, he also states he expects Saturday and Sunday service and wants to know the hours of operation. Director Rob LaRoy states on Saturday and Sunday it is Emergency Calls only and are dispatched through Animal Control.

Ron Norman taxpayer Bristol, discusses that a lot of the towns give above and beyond to the Humane Society.

On motion made by Riegsecker and seconded by Stump the Council unanimously carried and approved this appropriation. (Pg. 73)

C. EDIT (1112)

1. Commissioners (980) requests \$27,000.00 in support of the Center for Business Excellence program operated by the Greater Elkhart.

Jeff Taylor presents this request to the Council.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved this request. (Pg. 76)

D. EDIT (1112)

1. Highway (980) requests #1- 700,000 for Dark Fiber Installation, #2 500,000.00 for CR 38 right of way and #3 70,000.00 for CR 38 Design.

Kent Schumacher, County Engineer rescinded item #3 for \$70,000 making the total appropriation \$1,200,000.00. Schumacher reports that 54 properties are involved in the right of way purchase, being just partial properties. Wenger asks how many miles does the Dark Fiber installation involve. Schumacher states he is not aware of the total mileage but it would be from Bristol to downtown Middlebury. Wenger also states that she would like to see the Appropriation all be on separate sheets instead of on one. Hess weighs in on the amount of traffic on CR 38 all the way to Topeka.

On motion made by Graham that we approve as amended and seconded by Riegsecker to approve items #1 and #2, the Council unanimously carried and approved Items #1 and #2. (Pg. 75)

E. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$26,000.00 to purchase shredders for the Clerk's offices and continuation of digital imaging conversion.

County Clerk Christopher Anderson presents this request to the Council.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved this request. (Pg. 77)

F. CLERK'S RECORD PERPETUATION (#1119)

1. Clerk (980) requests \$50,000.00 to purchase computers, scanners, printers and displays for various clerks' offices, archives and voters registration.

Christopher Anderson presents this request to the Council.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved this request. (Pg. 78)

G. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) (#1152)

1. Emergency Management (980) requests 72,027.00 to establish LEPC 2019 Budget.

Director Jennifer Tobey presents this request to the Council.

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

H. COUNTY EXTRADITIONS (#1155)

1. Sheriff (980) requests \$28,000.00 for money to transport felons back to Elkhart County to face charges.

Sheriff Jeff Siegel presents this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (Pg. 79)

I. STORM WATER MANAGEMENT OPERATING (#1197)

1. Highway (202) request \$425,000.00 for funds to purchase a Vactor truck.

County Administrator 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. (Pg. 80)

J. MILLERSBURG II TIF (#4503)

1. Planning & Development (980) requests \$7,932.00 for long term debt payment for

Millersburg Sewage Plant Upgrade.

Chris Godlewski explains to the Council, this was a Bi-Annual Payment and this is the last payment.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved this request. (Pg. 81)

K.SOUTH BENTON TIF (#4505)

1. Planning & Development (980) requests \$22,838.00 for long term payment to the Town of Syracuse for Sewer & Water extensions.

Chris Godlewski explains to the Council this is a Bi-Annual payment for 7 more years. this request to the Council.

On motion made by Riegsecker and seconded by Stump, the Council unanimously carried and approves this request. (Pg. 82)

L. WESTERN GATEWAY TIF (#4506)

1. Planning & Development (980) requests \$32,203.00 for Bi-Annual payment for loan from the landfill.

Chris Godlewski explains this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (Pg. 83)

M. MIDDLEBURY EAST TIF (#4510)

1. Planning & Development (980) requests \$226,842.00 for long term payment to Environmental Special Projects for water/sewer extension.

Chris Godlewski explains to the Council, this is a Bi-Annual Bond payment to the Town of Middlebury for 15 years.

On motion made by Graham and seconded by Riegsecker, the Council unanimously carried and approved this request. (Pg. 84)

N.NORTH BAUGO TIF (#4512)

1. Planning & Development (980) requests \$10,077.00 for payment for loan from the landfill.

Chris Godlewski presents this request to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved this request. (Pg. 85)

O.ELKHART COUNTY SOLID WASTE DISTRICT

Elkhart County Solid Waste District	
Recycling Education	\$130,000.00
EnFocus- Recycling Education	<u>\$30,000.00</u>
Total	\$ 160,000.00

The Elkhart County Solid Waste District request \$160,000.00 for Recycling Education and EnFocus Program. The Council denied the Appropriation due to it not being on the agenda due to error made by Secretary of the Council, therefore they did not have enough information on the program. Commissioner Suzie Weirick discussed some of the particulars, the Council would like to see a presentation by EnFocus at the April meeting. (Pg. 85a)

REDUCTIONS: NONE

TOTAL ALL APPROPRIATIONS WITH REDUCTIONS **\$2,346,346.00**

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

- A. GENERAL FUND (#1000)
 - 1. Superior Court II (163)

From:	43510 Maintenance Contract	\$800.00
To:	44520 Office Equipment	\$800.00

- B. GENERAL FUND (#1000)
 - 1. Public Defender (175)

From:	42090 Office Supplies	\$2,800.00
To:	46200 Equipment Lease	\$2,800.00

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

TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:

(Available in the Auditor’s office)

OTHER BUSINESS

- (a) Approval of Resolution No. CC-2019-03 Resolution of the Elkhart County Council, Ratifying Sheriff Commissary Fund Expenditures.

Craig Buche explains this resolution to the Council.

On motion made by Wenger and seconded by Stump, the Council unanimously carried and approved the Resolution. (Pg. 102)

- (a) Approval of Ordinance CC-2019-04 An Ordinance establishing certain Copying/Duplication/Certification fees to be imposed by Public Agencies Forming a part of Elkhart County Government.

Hess states that there has been changes in the laws so therefore we need to change our Ordinance.

County Attorney Craig Buche explains the details to the Council.

On motion made Wenger and seconded by Stump, the Council unanimously carried and approved this Ordinance. (Pg. 101)

- (c) Approval of reappointment of Bob Close for City of Elkhart Economic Redevelopment Commission 4 year term expires 02/28/2023.

Hess presents the Reappointment of Bob Close for the City of Elkhart Economic Redevelopment Commission.

On motion made by Stump and seconded by Riegsecker, the Council unanimously carried and approved the reappointment. (Pg. 70)

- (d.) Commissioners brought County Clerk Christopher Anderson before the Council to discuss new voting equipment. Anderson explains due to new state mandates our current system will be de-certified. Commissioners and Anderson are asking to move ahead with purchase agreement and to establish a plan to utilize funds from the landfill involving 5 year repayment and approximate 2 1/2 % interest.

On motion made by Stump that they move forward to establish fund using landfill dollars for Election Voter Equipment with agreement to come back in April with additional appropriation and seconded by Riegsecker, the Council unanimously carried and approve this request.

- (e.) Jeff Taylor proposed remodeling to move a Courtroom to the Jail in the existing visiting area. Taylor explains this Courtroom will be used for mainly for Initial Hearings. Taylor submits the proposed costs for the additional proposed courtroom to the Council. Sean Holmes discusses the current manpower and states that 19 original positions have been utilized for other functions which leaves a shortage on the operational side. Having a Courtroom at the Jail Facility would alleviate the need to transport so many prisoners which increases the security factor as well.

AUDIENCE ITEMS:

- (a) Glenn Null expresses his concerns over new Voting Equipment. He also feels that tearing down the old jail should be reconsidered due to it is a secure building instead of building a new secure building.
- (b) Judge Gretchen Lund invited anyone that wanted to see the new Elkhart County Drug Court to come. The Court is held on Mondays at 2:30 in the Elkhart Superior Court 4 at the Goshen Courthouse. She said this program is great for Elkhart County.

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 11:00 am on motion made by Graham, seconded by Wenger, 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.

