

**MINUTES**  
**ELKHART COUNTY COUNCIL**  
**April 13, 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; Reana Bujalski Chief Deputy Auditor; Craig Buche, County Attorney; Suzie Weirick, Commissioner; Mike Yoder, Commissioner and Jeff Taylor, County Administrator.

**MINUTES:** Approval of minutes for February 9th, 2019.

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

**COMMITTEE REPORTS:**

COMMISSIONERS: Commissioner Suzie Weirick announces that the Summit is going to be held on May 10<sup>th</sup>, 2019 at Event Center Six One Five in Elkhart.

COUNCIL: Wenger on Vibrant Community/Landfill. Wenger has restarted her visits with the departments she is assigned to as Liaisons. April is National County Government Month.  
President John Letherman reports that we have a Finance Meeting that meets the Thursday prior to the Council Meeting. This meeting is advertised in accordance with the I.C. Code: Open Door Law I.C. 5-14-1.5-1 *et seq.*

AUDITOR: Auditor Patty Pickens gave Financial Report  
SHERIFF: None

**EDC MATTERS:**

Chris Stager on presentation on Jomar Machining & Fabrication, Inc. He introduced Lavon Detweiler CEO of Jomar Machining & Fabrication, Inc. Mr. Detweiler explains to the Council they produce shredding systems for companies that recycle tires and states they have currently made systems for companies located in Texas, North Carolina, Michigan, California and Pennsylvania just to name a few.

County Attorney Craig Buche and Chris Stager of the EDC explained the Declaratory Resolution and tax phase-in. They discussed the investment levels for real estate they estimate the redevelopment or rehabilitation of the real estate at \$5,800,000.00 and for the estimate value of personal property at \$1,650,000.00 as set forth in the application. They estimate 42 current full time employees whose employment will be retained with the estimate of the creation of 16 new full-time positions. 5 Year Phase-In.

Craig Buche-Consideration and Approval for Resolution CC-2019-06 Declaratory Resolution for Designating Economic Revitalization Area Qualifying Certain Real Estate Improvements And Certain Personal Property form Property Tax Phase In

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

**HUMAN RESOURCE MATTERS:**

**Kirt Hunsberger presented the CCPC report along with the Salary Ordinance to be voted on by the Council.**

**I. Human Resource Requests**

**A. Treasurer**

1. General Fund (1000-103-41105): Request 8% individual rate increase for First Deputy Treasurer (Jones), PG7/JF6, \$2073.02 bi-weekly. Effective 4-14-19.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

**B. Highway**

1. Highway (1176-202-41150): Request back pay of \$532.89 for Multipurpose CDL (Watson), who received his CDL in December 2018.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

**C. Planning and Development**

1. General Fund (1000-131/132-41220): Request to increase part time clerical rate from \$13.00 to \$15.00/hr. Effective 4-14-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

D. Soil and Water

1. Storm water Utility (1197-980-41205): Request to increase part time technician rate from \$9.00 to \$15.00/hr. Effective 4-14-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

E. Sheriff

1. Sheriff (1000-105-41140): Request reclassification of Bookkeeper II, PG3/JF1, to Bookkeeper III, PG4/JF1. Also request to hire above the top of the hiring range, near the max of pay grade, at \$20.83/hr. Effective 4-14-19.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

2. Sheriff (1000-105-41140): Request exception to policy to allow for more than a 30 day overlap for training purposes of Bookkeeper position.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

3. Sheriff (1000-105-41130): Request back pay for Corrections Officer (N. Eddy) from 1-1-19 to 3-2-19, total lump sum of \$500.40.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

4. Sheriff (1000-105/1170-980): Request amendment to language in Salary Ordinance, Exhibit C, to include permitting temporary appointment to administrative positions, Lieutenant and Captain, for Officers serving in specialized units.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

F. Park and Recreation

1. Park and Recreation (1219-320-41120): Request to eliminate the career development program for Interpreter positions and request the following changes:
  - Request to reclassify Interpreter III, PG7/JF5, to Bonneyville Manager (Franke), PG7/JF5, and Interpretive Naturalist Manager (Daniels), PG7/JF5.
  - Request to reclassify Interpreter I position, PG3/JF5, and Interpreter II position, PG5/JF5, to Interpretive Naturalist, PG5/JF5. This will result in one change in pay for Interpreter I (Jozwiak), to top of hiring range, \$18.91/hr.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 3-0.

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

2. Park and Recreation (1219-320-41120): Request one new regular part time position, Bonneyville Mill Interpreter, PG4/JF5 (combination of two current part time positions), 29 hrs per week, \$17.18/hr plus partial benefits.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

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

3. Park and Recreation (1219-320-41120): Request 3% individual rate increase for Bonneyville Manager (Franke), PG7/JF5, to \$24.00/hr.

On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC recommended approval, 3-0.

**Stump explained to the Audience that the CCPC had spent over 3 hours going over these requests and 3 of the County Council members are on that committee, so they had heard every detail of the request. He reiterated that we don't just hurry through the request.**

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

**II. Miscellaneous Items**

**None.**

**III. Adjournment**

**On motion made by Lucchese seconded by Stump and unanimously carried, the CCPC adjourned the meeting at 9:38 a.m.**

**ADDITIONAL APPROPRIATIONS REQUESTS**

**ADDITIONAL APPROPRIATION EXPLANATIONS:**

- A.** Elkhart County Solid Waste District has requested \$160,000 for funds for 2 recycling Education Programs.

John Bowers explains to the Council where the money from the Elkhart County Solid Waste comes from. He also explains the focus of the Solid Waste District and its function. A presentation from Ben Johnson on the Enfocus Education Program, explained how the \$30,000 they are asking for is utilized back into the community.

Hess comments that according to the 1240 Code one of the component of the program is that the district has to spend money on education. Stump inquires on the costs of the current recycling containers and how many are around town. Bowers replied that the costs are a little over \$13,000 per month for all the current 13 containers. He added that the current contracts are going to expire in 2022 and at that time they will want to re-examine the contract and services.

Graham states that is in favor of recycling but according to an article on the Wall Street Journal that reports the costs of recycling programs are not feasible to run anymore. John Bowers addresses his concerns.

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

**B. GENERAL FUND (#1000)**

- 1.** Concord Township Assessor (114) has requested \$23,296.00 for funds to pay for a part-time technician.

Chris Dickinson explained to the Council a part-time account was used In 2018 for

Linda Haas to return to work after her retirement in June 2018. The previous Assessor did not refill the account during the budget request for the 2019 year. The original amount was based on a maximum of \$18.50 per hour wage. The request is based on \$16.00 per hour wage for a 28 hour work week at a maximum of 1456 hours for the year allowable for a part-time employee.

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

C. GENERAL FUND (#1000)

1. County Council (129) request \$500.00 to pay for County Council Business Cards and to pay for a retirement plaque for Tom Byers.

Auditor explains to the Council the plaque was ordered in December but billed in January 2019. The balance is for supplies and for travel for conference, meetings and such for Council members. John Letherman reiterates to the Council that if a conference is out of our State they need permission prior to attend if they want to get expenses paid. If permission is not granted prior to attending the conference no reimbursement will be made.

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

D. GENERAL FUND (#1000)

1. Soil & Water (144) are requesting \$1,100.00 for funds to pay for telephone/Internet.

Jim Hess explains to the Council they didn't know at budget time they would need additional funds when they switched internet and phones over to the County computer system.

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

E. EDIT (#1112)

1. Highway (980) requests \$2,710,000.00 for funds needed for traffic counting supplies including counters, tubes, repairs and misc. Also for constructing dark fiber.

Jeff Taylor explains to the part of the funds will be used to construct fiber to South Bend to the data centers, to include all design and engineering. Taylor gives map showing the larger picture of laying the dark fiber. Graham comments by laying the dark fiber will this possibly attract new businesses to Elkhart County. Taylor replies that is a major factor in laying the dark fiber.

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

F. .CUMULATIVE CAP DEVELOPMENT (#1138)

1. Information Technology (141) requests \$10,000.00 to pay for related overtime expenses.

Jeff Taylor presents this to the Council.

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

G. CUMULATIVE DRAINAGE (#1141)

1. Surveyor (#980) requests \$26,900.00 for funds for maintenance of county regulated drains.

Phil Barker presents this request to the Council.

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

H. SOLID WASTE USER FEES (#1194)

1. Landfill (980) Additional appropriation request of 1,800,000.00 by Election Board to fund the purchase of the Voter Verified Paper Trail equipment for first use in the 2019 Municipal Primary Election May 7,2019.

John Bowers and Chris Anderson explain to the Council the details of the loan in which a 2.5% repayment plan has been put in place with the first payment due 6/15/20 in the amount of \$389,023.64 and each succeeding payment being an equal amount. Interest and principle for 2020 will be part of the Election Board Budget.

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

I. CUMULATIVE VOTING SYSTEM (#1143)

1. Election Board (190) request \$1,800,000.00 to purchase Voter Verified Paper Trail equipment. The Election Board has received a loan from the Landfill in order to finance the equipment. (See Item G.) These 2 additional appropriations go together and were explained as such.

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

Audience member Glenn Null questioned the pricing on the new Voting Equipment. He stated that when it was first presented to the Council, there was a huge discount for paying cash. Chris Anderson clarifies Null's questions.

J. MOTOR VEHICLE HIGHWAY RESTRICTED (#1173)

1. Highway (980) requests \$3,000,000.00 for funds for road paving and construction.

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

K. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (980) requests \$15,165.00 for funds to repair the New Paris garage roof.

Jeff Taylor presents this to the Council.

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

L. STORM WATER MANAGEMENT OPERATING (#1197)

1. Soil & Water (980) requests \$1,100.00 for funds to pay for internet/phone switchover. Jim Hess explains to the Council that he requested the amount be split out of 2 accounts.

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

M. UNSAFE BUILDING (#1207)

1. Planning & Development (980) requests \$6,814.00 additional appropriation from a settlement related to demolition of a building.

Jason Anvil presents this request to the Council.

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

N. ENVIRONMENTAL SPECIAL PROJECT (# 4803)

1. Commissioners (980) requests \$43,200.00 to transfer funds to Blight Elimination Fund 9115 for the Elkhart County match towards the grant.

Jeff Taylor presented this request to the Council.

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

O. ENVIRONMENTAL SPECIAL PROJECT (#4803)

1. Commissioners (980) request \$50,000.00 for funds to fulfill the County's commitment to provide \$50,000.00 towards the Fire Training Facility undertaken by the City of Goshen for the benefit of all the County's fire departments.



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. PARK & RECREATION DONATIONS (#4909)

1. Park & Recreation (980) requests \$ 62,040.00 for funds to setup the accounting from the Elkhart County Community Foundation Defries Garden Endowment for the continuing maintenance and development of the Defries Garden at the River Preserve County Park for 2019.

Ronda DeCaire presented this request to the Council.

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

Q. PARK & RECREATION DONATIONS (#4909)

1. Park & Recreation (980) requests \$150,000.00 to be appropriated for designated park projects.

Ronda DeCaire presented this request to Council.

Dave Hess voted nay on this appropriation.

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

R. COMMUNITY CORRECTIONS JUVENILE (#4924)

1. Court Services (980) requests \$62,800.00 for funds to setup JDAI Grant FY 2018-2019.

Bob Gerard presented this request that items R, T and U be voted on together as they are the same, for funds to set up Grants for FY 2018-2019.

On motion made by Graham and seconded by Stump, the Council voted on items R, T and U. The Council unanimously carried and approved all 3 additional Appropriations.

S. WEED & RANK VEGETATION (#6041)

1. Planning & Development (980) request \$6,388.00 appropriated from collections of fines related to mowing lawns.

Jason Anvil presented this request to the Council.

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

- T. JUVENILE DETENTION ALTERNATIVE INITIATIVE (#9113)
  - 1. Juvenile Community Corrections (980) (See Item R.) JDAI Grant

- U. JUVENILE COMMUNITY CORRECTIONS GRANT(#9120)
  - 1. Juvenile Community Corrections (980) (See Item R) Juvenile Community Corrections Grant.

On motion made by Graham and seconded by Stump to vote on Items R, T and U together since they were all asking for the appropriation to set up grants for FY 2018-2019. On motion made by Graham and seconded by Stump the Council unanimously carried and approved these requests.

**REDUCTIONS:**

**TRANSFER REQUESTS REQUIRING COUNCIL ACTION**

A.	GENERAL FUND (#1000)		
	1. Extension (145)		
		42090 Office	
	From:	Supplies	312.00
	To:	44515 Office Furniture	312.00
B.	GENERAL FUND (#1000)		
	1. Superior Court II (163)		
	From:	43120 Postage	800.00
		43810 Transcript of Testimony	200.00
		43805 Subscriptions	50.00
		43140 Telephone	150.00
	To:	44535 Computer	1,200.00
C.	GENERAL FUND (#1000)		
	1. Superior Ct. 5 (#166)		
	From:	41545 Non-Employee Clerical	\$5,000.00
	To:	43090 Professional	\$5,000.00
D.	HEALTH VITAL RECORDS (#1159)		
	1. Health (340)		
	From:	43130 Travel	\$400.00
	To:	42160 Clothing	\$400.00
E.	HEALTH VITAL RECORDS (#1159)		
	1. Health (340)		
	From:	Sustenance	\$200.00
	To:	Operating Supplies	\$200.00

F.	AUDITOR'S INELIGIBLE DEDUCTION FUND(#1216)		
	1. Auditor (980)		
	From:	41140 Office & Clerical	15,000.00
	To:	44545 Other Office & Equipment	3,000.00
		43830 Education & Other Conference	
		Costs	5,000.00
		43110 Sustenance & Travel	2,000.00
		44520 Office Equipment	<u>5,000.00</u>
		Total	15,000.00

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

**OTHER BUSINESS:**

- (a) Reappointment of Josh Swathwood to the Local Alcoholic Beverage Board. 1 year term, expires 4/14/2020.

On motion made by Yohn and seconded by Stump, the Council unanimously carried and approved the reappointment of Josh Swathwood to the local ABB.

- (b) Approval of Interlocal Agreements for the Humane Society including: Town of Wakarusa, City of Goshen, Town of Middlebury, Town of Bristol and City of Elkhart.

Letherman reports that Middlebury has opted out of the interlocal with the Humane Society.

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

- (c) Approval of revised 2020 Budget Hearing Schedule.

Letherman states he is trying to get the budget hearing down to 1 day like we did last year.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved the revised 2020 Budget Hearing Schedule.

Craig Buche brought 4 business items to the Council:

1. Approval of Resolution CC-2019-08 Resolution Supporting Sale of Surplus Real Estate. (High Street). Craig explained the process to the Council.

Hess states he has thought about voting against this. Hess would like a report after the Sale i.e. how much it sold for, what fund was the money hiatus into?). Hess states he thinks this information is important and we need this information To keep informed. Craig Buche states that the money has to go back into the fund that the property was purchased out of.

On motion made by Graham and seconded Stump, the Council unanimously carried and approved the Resolution with the condition there is a report after the sale.

2. Interlocal Agreement for Reconstruction of the Bridge on College Avenue Crossing Horn Ditch and Relocation of Utilities with City of Goshen.

Buche explains to the Council the details of this Interlocal agreement. Graham questions if the bidding process has begun.

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

3. CC-2019-09 Ordinance Re-establishing and Restating the funds from the Elkhart County Landfill. (Amending Ordinance NO. CC-2017-08, CC2015-07 and CC-2006-19).

Craig Buche explains the Ordinance in detail to the Council. Graham asked for a detailed monthly report from the Landfill. John Bowers is to create a monthly report.

On motion made by Graham and seconded by Stump, the Council unanimously carried and approved Ordinance CC-2019-09.

4. CC-2019-10 Resolution Authorizing the Loaning of Money from the Landfill to the Election Board. Voting Tabulation Upgrade Project.

Craig explains the details of this Resolution to the Council.

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

## **AUDIENCE ITEMS**

Glenn Null states that it would be nice that when pictures and maps are being shared with the Council that they could be shared so everyone would know where they were talking about. Glenn also discusses tax dollars and the Pumpkin vine Trail.

Lisa Guerra Cabbrera of Elkhart Public Library talks about the different programs the library has to offer. She discussed the technology connections and the classes on software and hardware and also emphasizing on help for seniors with technology.

The Library Mission Statement informs, inspires and empowers our diverse communities. Future Vision helping every person develop their fullest potential and our diverse communities grow strong and connected.

She invited everyone to come and see what is happening at the library. She talked a little about and upcoming event called OxStock to be held at OxBow Park in Elkhart County on July 27<sup>th</sup>, 2019. It is a celebration of the 50<sup>th</sup> anniversary of Woodstock with Local Bands, Food Trucks and family fun.

## **ADJOURN**

There being no further business to come before the Council the meeting was adjourned at 10 :45 am on motion made by Graham seconded by Riegsecker, 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.