

MINUTES
ELKHART COUNTY COUNCIL
November 9th, 2019

The meeting of the Elkhart County Council was called to order by Chief Deputy Sean Holmes at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana.

Roll Call of members present were: Council President John K. Letherman, Vice President David L. Hess, Doug S. Graham, Randall D. Yohn, Darryl J. Riegsecker, Thomas W. Stump and Tina M. Wenger.

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

MINUTES: Approval of minutes for September 14th, 2019

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

Approval of 1st Reading of Budget minutes- September 13th, 2019

Approval of 2nd Reading and Adoption of Budget minutes- September 14th, 2019

On motion made by Graham and seconded Wenger to vote on the 1st and 2nd reading minutes together and to accept the minutes as read. The Council unanimously carried and approved the minutes.

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: None

AUDITOR: Pickens gives financial report.

SHERIFF: None

EDC MATTERS:

Craig Buche County Attorney explains to the Council the scheduled public hearing for Brinco is vacated as the company submitted a revised application and they are not prepared to hold the public hearing as scheduled, but will present the Amendatory Resolution CC-2019-21 to replace and supercede Resolution CC-2019-17.

Chris Stager explains the details of the changes to the amended project along with a change in location.

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

approved Amendatory Resolution CC-2019-21.

Approval for Resolution CC-2019-22 for terminating process for discharge of an Economic Revitalization area CC-2019-22 (Ameri-Kart Corp.)

Craig Buche County Attorney and Chris Stager explain to the Council that the project has not been lost to Elkhart County but the Company is moving to a different location.

On motion made by Wenger and seconded by Riegsecker, the Council unanimously carried and approved Resolution CC-2019-22 to replace and supercede Resolution CC-2019-12.

HUMAN RESOURCE MATTERS;

Kirt Hunsberger presented the following requests to the Council:

Human Resource Requests

I. A. Superior Court #4 Drug Court/ Court Services

1. Justice Partners Addictions Response Grant (TBD): Request one new position "Court Services Facilitator" filled by a Probation Officer, NC, or Social Worker, PG4 or PG5/JF5, depending on certification.

On motion made by Stump seconded by Yohn and unanimously carried, the CCPC recommended approval, 3-0; Hess abstained.

Judge Gretchen Lund spoke about the role of this new position and the need. It is a Grant funded position.

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

B. Court Services

1. Adult Probation User Fees (2100-980-41135): Request change in hours for one Probation Assistant from 40 hrs per week to 36 hrs per week, to be consistent with the other Probation Assistant position. Effective 10-13-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0.

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

2. General Fund (1000-168-41120): Request that previously approved Probation Officer (pretrial) position be effective 10-13-19, instead of 12-8-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0.

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

C. Public Defender

1. General Fund (1000-175-41120): Request two additional positions, Social Workers, PG4 or PG5/JF5 (depending on certification), up to \$18.91/hr, effective 11-10-19.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0.

Public Defender Peter Todd presented this to the Council, he spoke of the need for 2 new positions and the role each one would have.

Hess clarifies what exactly what this position will be responsible for. Council asks if they could get by with one position for the CHINS program and revisit this at a later date.

Commissioner Suzie Weirick & Judge Gretchen Lund explained the need of both of these positions.

Graham asks why this was not discussed at budget time which was just a couple months ago. Graham feels that this should have been addressed and included in the budget process versus coming back in at a later date asking for more positions.

On motion made by Wenger and seconded by Yohn the Council carried and approved this request with a vote of 6-1. Graham Opposes.

Glenn Null taxpayer expresses his concerns of poor planning and that this should have been addressed in the Budget process.

D. Highway

1. Cum Bridge (1135-212-41120): Request one additional Project Engineer, MP, up to \$3180.10 bi-weekly, effective 11-10-19.

Charlie MacKenzie explains the need of this position.

Graham reiterates that he is concerned that we had a budget process a couple months ago and feels that additional positions should have been addressed at budget time versus coming back and asking at a later date.

Stump discusses that earlier in the year that money was saved by using an internal engineer versus an outside agency.

On motion made by Stump seconded by Riegsecker the council approved 6-1 Graham opposes. Wenger changes her vote and opposes as well. Request was approved 5-2.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0.

E. Commissioners

1. Cum Cap (1138-141-41120): Request one additional System Analyst position, MP, up to \$34.50/hr, effective 11-10-19.

Kirt Hunsberger explains this to the Council the commissioners asked for a Fiber Manager that will run all things fiber.

Letherman discusses that we need to have return on our investment and this position will be in charge of all things fiber.

On motion made by Riegsecker and seconded by Stump the Council approves this request with a vote of 6-1, Graham opposes.

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC recommended approval, 4-0.

II. Miscellaneous Items

- A. Discussion on Compensation Consultant and Maintaining System.

III. Adjournment

On motion made by Stump seconded by Lucchese and unanimously carried, the CCPC adjourned the meeting at 11:15 a.m.

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

1. Commissioners (130) requests \$110,000.00 for emergency repair to the Lincoln Center roof.

Jeff Taylor presented this request to the Council.

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

B. GENERAL FUND (#1000)

1. Commissioners (130) requests \$100,000.00 to cover legal expenses for the remainder of the year.

Jeff Taylor explained this request to the Council.

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

C. GENERAL FUND (#1000)

1. Commissioners (130) requests \$57,000.00 for funds needed for Work Release audit.

Jeff Taylor presented this to the Council.

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

D. GENREAL FUND (#1000)

1. Commissioners (130) requests \$200,000.00 for security upgraded to the Courthouse and other County buildings. .

Jeff Taylor expresses the need for the repairs at the Goshen Courthouse. Graham reiterates that the repairs are needed at the Courthouse.

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

E. GENERAL FUND (#1000)

1. Commissioners (130) requests \$70,000.00 for funds needed to repair the toe drain at the dam on County property (Park Dept).

Jeff Taylor explained this request to the Council.

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

F. GENERAL FUND (#1000)

1. Commissioners (130) requests \$100,000.00 needed for wage compensation study.

Jeff Taylor explained this request to the Council.

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

G. GENERAL FUND (#1000)

1. Commissioners (130) requests \$200,000.00 for funds needed for the repairs at the Goshen Courthouse.

Jeff Taylor explains that the repairs included in this request are as follows but not limited to restrooms, painting, carpet, furniture, etc.

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

H. GENERAL FUND (#1000)

1. Building & Grounds (140) requests \$20,000.00 to cover the costs of the Rental of the Archive Building.

Bruce MacLachlan presents this request to the Council.

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

I. GENERAL FUND (#1000)

1. Building & Grounds (140) requests \$200,000.00 to cover Electric costs for the remainder of 2019.

Bruce MacLachlan explains this request to the Council.

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

J. GENERAL FUND (#1000)

1. Building & Grounds (140) request \$20,000.00 for funds to cover laundry, cleaning and custodian costs for the remainder of 2019.

Bruce MacLachlan explains this request to the Council.

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

K. GENERAL FUND (#1000)

1. Building & Grounds (140) requests \$42,000.00 for funds to cover Water & Sewage for the remainder of 2019.

Bruce MacLachlan explains this request to the Council.

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

L. GENERAL FUND (#1000)

1. Court Services (168) request \$98,300.00 for funds to cover part-time paraprofessional, excess hours, medical services, Lab services, group insurance for the remainder of 2019 at the Juvenile Detention Center.

Ross Maxwell presented this request to the Council.

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

M. GENERAL FUND (#1000)

1. Public Defender (175) requests \$5,000.00 for the Drug Court Attorneys to attend Conferences in Indianapolis.

Public Defender Peter Todd explains to the Council, the drug court attorney was mandated to attend conferences in Indianapolis, which resulted in expenses not previously budgeted for.

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

N. EDIT (#1112)

1. Highway Department (980) requests \$400,000.00 for Major Moves Principal and Interest Payment in December 2019.

Charlie McKenzie explained this request to the Council.

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

O. EDIT (#1112)

1. Highway Department (980) requests \$48,500.00 for Guardrail repairs and for MACOG for traffic count contract.

Charlie McKenzie explained this request to the Council.

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

P. LIT-SPECIAL PURPOSE (#1114)

1. Sheriff Department (105) requests \$200,000.00 for to pay for medical expenses for inmates at the Elkhart County Correctional Facility for the remainder of the year.

Chief Deputy Sean Holmes explained this request to the Council.

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

On motion made by Graham to vote on Items Q-T together and seconded by Stump, the Council carried and unanimously carried and approved this request.

Jeff Taylor presented items Q-T to the Council.

Q. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections (980) requests \$614,033.00 to setup FY 2019 DOC Grant.

R. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections –Project Income (614) request \$9,000.00 for vehicle repairs and fuel for the remainder of 2019.

S. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections-Project Income (614) requests \$81,000.00 to cover staff payroll and PERF for the remainder of 2019.

T. PRISONER REIMBURSEMENT (#1130)

1. Community Corrections-Project Income (614) requests \$102,500.00 for other professional services and refunds for the remainder of 2019.

On Motion made by Graham and seconded by Stump, the Council carried and unanimously and approved Items O-T requests.

U. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requests \$16,000.00 for funds to cover excess hours for the remainder of 2019.

Matt Dietz presented this request to the Council.

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

V. CUMULATIVE CAPITAL DEVELOPMENT (#1138)

1. Information Technology (141) requests \$150,000.00 for deployment of a

network hardware and updating security across the network.

Matt Dietz explained this request to the Council.

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

W. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$170,000.00 for maintenance on County regulated drains.

Phil Barker presents the request to the Council.

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

X. CUMULATIVE DRAIN (#1141)

1. Surveyor (980) requests \$220,000.00 for maintenance on County regulated drains.

Phil Barker presents this request to the Council.

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

Y. CUMULATIVE VOTING SYSTEM (#1143)

1. Election Board (191) requests \$80,000.00 to cover security, excess hours, part-time absentee workers and professional services.

Christopher Anderson explains the request to the Council.

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

Z. CUMULATIVE VOTING SYSTEM (#1143)

1. Voter Registration (191) requests \$12,000.00 to fund the necessary additional hours by voter registration staff during the municipal election.

Christopher Anderson explains this request to the Council.

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

AA. DRUG FREE CUMMUNITY (#1148)

1. Commissioners (980) requests \$159,579.00 for Annual allocations to area agencies who have submitted qualified applications for programs which further Elkhart County's Drug Free Partnership goals to negate alcohol and other drug use and \or abuse.

Jessica Koscher presented this to the Council.

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

BB. LOCAL HELATH MAINTENANCE FUND (#1168)

1. Health Department (980) requests \$15,668.00 to purchase 2 new servers, one to replace the 3 year old server at the Lincoln Center and the other one will replace an old server for Environmental Health at the Public Service Building.

Lydia Mertz presented this request to the Council.

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

CC. LOCAL ROAD AND STREET (#1169)

1. Highway Department (222) requests \$40,000.00 to pay for vehicle repairs for the remainder of the year.

Charlie MacKenzie presents this request to the Council.

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

DD. LOCAL ROAD AND STREET (#1169)

1. Highway Department (980) requests \$180,000.00 to move appropriation out of Fund 1176 and moved to Fund 1169.

Charlie MacKenzie explained this request to the Council.

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

EE. PUBLIC SAFETY LOIT (#1170)

1. Commissioners requests \$200,000.00 Jeff Taylor rescinded this request.

FF. MAJOR BRIDGE (#1171)

1. Highway Department (980) requests \$250,000.00 for Major Moves principal and interest payment for December for the Six Span project.

Charlie MacKenzie explained this request to the Council.

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

GG. MAJOR MOVES CONSTRUCTION (#1172)

1. Commissioners (980) request \$250,000.00 for funds to replace computers at the Sheriff's office and squad cars.

Jeff Taylor explains this request to the Council.

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

HH. COUNTY MISDEAMEANANT (#1175)

1. Sheriff (980) requests \$50,000.00 to pay the remaining medical expenses for the rest of 2019 for the Elkhart County Correctional Facility for inmates.

Sean Holmes presented this request to the Council.

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

II. MOTOR VEHICLE HIGHWAY (#1176)

1. Highway (204) requests \$60,000.00 to pay group insurance for the remainder of the year.

Charlie MacKenzie explained this request to the Council.

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

JJ. STORM WATER (#1197)

1. Highway (202) requests \$50,000.00 for funds to make various repairs to storm water infrastructure.

Charlie MacKenzie explained this request to the Council.

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

KK. ADULT PROBATION ADMINISTRATIVE (#2000)

1. Court Services (980) requests \$6838.00 to cover salary and PERF for the remainder of the year.

Ross Maxwell presented this to the Council.

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

LL. ALTERNATE DISPUTE RESOLUTION FUND (#2200)

1. Superior Court 6 (980) requests \$15,000.00 to pay CAPS for supervised visitations.

Ross Maxwell explained this request to the Council.

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

MM. SHERIFF DONATION FUND (#4101)

1. Sheriff (980) requests \$14,000.00 to cover expenses when no previous appropriations were submitted.

Sean Holmes explained this request to the Council.

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

NN. NORTHWEST GATE TIF (#4504)

1. Planning & Development (980) requests \$27,068.00 to pay fall bond payment and continuing disclosure fee.

Chris Godlewski explained this request to the Council.

On motion made by Graham to vote on this request along with item PP and seconded by Stump the Council unanimously carried and approved both NN & PP requests.

OO. PARK & RECREATION DONATION FUND (#4909)

1. Park Department (980) requests \$200,000.00 for designated park donated projects.

Ronda DeCaire presented this to the Council.

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

PP. CR 6 & CR 17 NE TIF (#4511)

1. Planning & Development (980) requests \$1068.00 for continuing disclosure fees.

The Council voted on this request with item NN.

- QQ. JUVENILE COMMUNITY CORRECTIONS GRANT (#9120)
1. Juvenile Community Corrections (981) requests &151,802.00 to set-up new grant July 1,2019- June 30,2020.

Ross Maxwell presented this request to the Council.

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

- RR. HEALTHY BABIES (#9122)
1. Health Department (980) requests \$47,381.00 to set-up the budget for Healthy Babies Services for 2020.

Lydia Mertz presented this request to the Council.

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

- SS. COURT RECIVISM REDUCTION GRANT (#9130)
1. Health Department (980) requests \$5,331.00, these additional funds were part of a Carry-Over Request from a previous grants funds. On 10/15/19, the IDOC approved the carry-over of this amount and we are now asking that it be appropriated.

Ross Maxwell presented this request to the Council.

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

- TT. JUVENILE COMMUNITY CORRECTIONS GRANT (#9143)
1. Court Services (980) request \$14,450.00, these funds were mistakenly appropriated in fund 9120, but should have been appropriated in 9143.

Ross Maxwell explained this to the Council.

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

REDUCTIONS:

- UU. PRISONER REIMBURSEMENT (#1130)
1. Court Services (615) request a reduction in the amount of \$192,500.00 for Fund #1130.

- VV. JUVENILE COMMUNITY CORRECTIONS GRANT (#9120)
 1. Court Services (980) request a reduction in the amount of -\$14,450.00 in Fund # 9120.

Ross Maxwell explains to the Council, the funds were mistakenly placed in the wrong fund and should have been placed in 9143.

- WW. MOTOR VEHICLE HIGHWAY (#1176)
 1. Highway (980) requests a reduction in the amount of -\$180,000.00 from Fund 1176 and will be appropriating it from Fund 1169.

On motion made by Wenger to vote on Reduction Items UU. –WW together and seconded by Graham, the Council unanimously carried and approved these reductions.

TOTAL REDUCTIONS - \$386,950.00

TOTAL ALL APPROPRIATIONS WITH REDUCTIONS \$5,162,116.00

TRANSFER REQUESTS REQUIRING COUNCIL ACTION

A.	CUMULATIVE VOTING SYSTEM (#1143)		
	1. Voter's Registration (191)		
		42090 Other Office	
	From:	Supplies	\$909.00
	To:	43510 Maint/Service Contracts	\$909.00
B.	LOCAL ROAD & STREET (#1169)		
	1. Highway (222)		
	From:	44500 Motor Vehicles	\$101,000.00
	To:	43590 Equipment Repairs-Labor	\$25,000.00
		43440 Bridge/Traffic	
		Lights	\$6,000.00
		43540 Vehicle Repairs-Labor	\$70,000.00
			<hr/>
		Total	\$101,000.00
C.	LANDFILL OPERATING FUND (#1194)		
	1. Solid Waste(338)		
	From:	42110 Gas, Diesel	\$20,000.00
	To:	43610 Rent Equipment	\$20,000.00

D.	WIC (#8101)		
	1. Health- (612)		
	From:	43570 Laundry, Cleaning	\$318.00
	To:	44535 Data Processing-Hardware	\$318.00
E.	MATERNAL & CHILD HEALTH (#8127)		
	1. Health-Fetal & Infant Mortality Review (611)		
		42195 Operating	
	From:	Supplies	\$318.00
	To:	44535 Data Processing Hardware	\$318.00
F.	MATERNAL & CHILD HEALTH (#8127)		
	1. Health- Baby & Me Tobacco Free (615)		
		42195 Operating	
	From:	Supplies	\$486.00
	To:	44535 Data Processing Hardware	\$486.00
G.	PRENATAL CARE COORDINATION (#9122)		
	1. Health (981)		
	From :	41400 PERF	318
	To:	44535 Data Processing	318

On motion made by Wenger seconded by Graham, the Council unanimously carried and approved these transfers.

OTHER BUSINESS:

Craig Buche:

1. Approval of Interlocal Agreement for Wastewater Services (Town of Millersburg) .

On motion made by

AUDIENCE ITEMS

Glenn Null discusses his views on the Budget, he states he is not happy with the Checks & Balances. But he appreciates the transparency. He would also like to see a 10% reduction of the Storm water Waste Fund 1197. He would also like to see more public input.

BUDGET: (See 2nd Reading & Adoption Minutes)

ADJOURN

There being no further business to come before the Council the meeting was adjourned at 10:30 am on motion made by Stump 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.