

MINUTES
ELKHART COUNTY COUNCIL MEETING
117 N. 2nd St. Room 104, Goshen, In. 46526
February 15th 2024

The meeting of the Elkhart County Council was called to order by Sheriff Jeff Siegel at 4:00 p.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were Council President Thomas W. Stump, Council Vice President David L. Hess, Darryl J. Riegsecker, Douglas S. Graham, Adam M. Bujalski. Members Absent Randall Yohn. President asks to let the record show that Steven E. Clark arrived at the meeting at 4:08 pm. Also, present were Patricia A. Pickens County Auditor, Tiara Jackson First Deputy Auditor, and Craig Buche, County Attorney.

** This meeting commenced pursuant to public notice under the Indiana open door law. This meeting was made available for the public and press to attend in-person and virtually in remote real-time observation via Web-Ex.

MINUTES:

- (a) Approval of CC Meeting Minutes: January 18th, 2024

On motion made to approve January 18th, 2024 amended minutes by Graham and seconded by Riegsecker, the Council unanimously carried and approved the minutes with a vote of 5 to 0.

(pg. 84)

COMMITTEE REPORTS:

COMMISSIONERS: None

COUNCIL: Hess talked about Pay Dirt 2024 being held at the Elkhart County Fairgrounds March 5th, 6th & 7th.

Bujalski reported the Emergency Management Director is putting together a list of upcoming training opportunities for the year.

Bujalski also discussed Ross Maxwell and himself Co-Facilitated the training of The Court Administration Networking Event - Working with your County Council.

This was hosted by the Indiana Supreme Court-Office of Judicial Administration Bujalski thanked Ross Maxwell for bringing him on board.

AUDITOR: - None

SHERIFF: None

COUNCIL APPOINTMENT:

Bristol Economic Development Commission-Mike Yoder:

- (a) Request Consideration and Approval to replace current appointee Chris Garner with Andrew Medford to finish out current term from January 31, 2024 to February 1, 2026.

Town of Bristol's Town Manager Mike Yoder presented this request to the Council.

On motion made to appoint Andrew Medford to the Bristol Economic Development Commission by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg.85)

Nappanee Economic Development Commission-Mayor Phil Jenkins:

- (a) Request Consideration and Approval for Re-Appointment of Phil Wiens to the Nappanee Economic Development Commission. Four (4) Year Term, Expires January 31st,2028.

Nappanee Mayor Phil Jenkins presented this request to the Council.

On motion made by Clark to re-appoint Phil Wiens to the Nappanee Economic Development Commission seconded by Bujalski, the Council unanimously carried and approved this request with a 6 to 0 vote. (pg. 86,87)

Craig Buche:

- (a) Request Consideration and Approval of CC-2024-07 A Resolution of the Elkhart County Council Establishing Library Board Appointments Policy.

President Stump asks the Council for comments; no one had any comments. President Stump asked the Audience for any questions or comments; no one spoke.

On motion made to approve CC-2024-07 by Graham and seconded by Riegsecker, the Council unanimously carried and approved CC-2024-07 with a vote of 6 to 0. (pg. 88)

HUMAN RESOURCE:

Craig Buche:

- (a) Request Consideration and Approval of CC-2024-06 An Ordinance of the County of Elkhart, Indiana Authorizing, Confirming and Ratifying Existing Retirement and Welfare Plans.

Craig Buche presented this request to the Council.

On motion made to approve CC-2024-06 by Bujalski and seconded by Riegsecker, the Council unanimously carried and approved the Ordinance CC-2024-06 with a 6 to 0 vote. (pg. 89)

Charlie McKenzie:

- (a) Request Consideration and approval of projects for Additional Hours of Compensation Program Which include:
 - (a) CR 6-John Weaver Parkway to Ash Road
 - (b) Bridge 361-N Main of N Beardsley
 - (c) CR 20 & CR 111 Intersection
 - (d) CR 17-CR 38 to CR 142 (Right of Way Acquisition)
 - (e) CR 20 & CR 37 Road Improvements
 - (f) Paving Program
 - (g) Interdepartmental Projects (Projects from Parks Dept, Commissioners Office, RDC, outside Agencies, etc.)

Charlie McKenzie explained the details of the program to the Council. He stated this program saves Elkhart County approximately 3.6 million dollars.

Councilman Graham stated he understands the program and the savings, but he is not in favor of the program due to the precedent it would set for Exempt Employees. He also stated that his vote is not any reflection on the Highway Department, and he will vote no.

On motion to approve was made by Bujalski and seconded by Clark. President Stump called for a roll call vote, the Council members votes are as follows: Bujalski-Aye, Clark-Aye, Graham-Nay, Hess-Aye, Riegsecker-Aye, Stump-Aye. With a roll call vote of 5 to 1 the Council approved the request. (pg. 90)

ADDITIONAL APPROPRIATION EXPLANATIONS:

A. GENERAL FUND (#1000)

- 1. Commissioners (130) requested \$250,000.00 to pay for consulting services for IT.

Lilia Eiler presented this request to the Council and asked them to reduce the request to \$160,000.00.

On motion to approve made by Graham and seconded by Clark to appropriate \$160,000.00, the Council unanimously carried and approved this request with a vote of 6 to 0.

(pg. 91)

B. GENERAL FUND (#1000)

- 1. Emergency Management (137) requested \$7,739.00 for money that was collected for P25 rebanding that was put into a project account for the Mobile Command Center. This project was accidentally not carried forward. EMA is requesting this money be carried forward.

Jennifer Tobey presented this request to the Council.

On motion to approve made by Bujalski and seconded by Riegsecker, the Council unanimously carried and approved this request with a 6 to 0 vote. (pg. 92)

C. EDIT (#1112)

1. Highway (980) requested \$1,300,000.00 for:
 1. Matching funds for construction costs for the Bridge 312-CR 142 over Turkey Creek Replacement Project. Construction Estimate is \$2.5M = \$1.5M federal aid + \$1M local dollars.
 2. Funds for construction inspection services for the project. 80% of these funds will be reimbursed with federal funds.

Charlie McKenzie presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 93)

D. LIT-SPECIAL PURPOSE (#1114)

1. Commissioners (140) requested \$550,000.00 for building repairs: HVAC system, electrical and plumbing updates at jail.

Jeff Taylor presented this to the Council.

On motion to approve made by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 94)

E. CUMULATIVE BRIDGE (#1135)

1. Highway (980) requested \$60,000.00 for funds for right of way acquisition costs for the replacement of BR 233 -CR 36 over Yellow Creek just west of CR 11. This is a federal aid project and will be reimbursed up to 80% as these funds are spent.

Charlie McKenzie presented this request to the Council.

On motion made to approve by Riegsecker, and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 95)

F. ECONOMIC DEVELOPMENT FUND (#1149)

1. Commissioners (130) requested \$234,199.00 for:
 1. Annual County contribution to the Greater Elkhart Chamber's NCI program (27,000.00).
 2. Annual Contribution to the Economic Development Corporation (\$207,199.00).

Please Note: This appropriation is to replace the same amounts budgeted in the EDIT fund. Highway is submitting a reduction for this same amount.

Jeff Taylor presented this request to the Council.

On motion to approve made by Riegsecker and seconded by Clark, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 96)

G. LOCAL HEALTH MAINTENANCE (#1168)

1. Health Department (982) requested \$3,401.00 to appropriate all donated funds.

Melanie Sizemore presented this request to the Council.

On motion made by Hess and seconded by Clark, the Council unanimously carried and approved the request with a vote of 6 to 0. (pg. 97)

H. MAJOR BRIDGE (#1171)

1. Highway (980) requested \$12,500,000.00 for funds to pay for construction and associated costs for County's match to the Sunnyside Overpass project. This is the anticipated match based on construction estimates and available funds from INDOT. The total match was \$12.5 million, comprised of \$8.5 million cash from Major Bridge and \$4 million from Major Moves. This request is to appropriate both the Major Bridge Cash and the Major Moves loan transferred to the Major Bridge fund.

Charlie McKenzie presented this request to the Council.

On motion to approve made by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 98)

I. MAJOR MOVES (#1172)

1. Highway Department (980) requested \$4,000,000.00 for funds to pay for construction and associated costs for County's match to the Sunnyside Overpass Project. These funds will be transferred to Major Bridge Fund (#1171)
(Details stated above coincide with this appropriation).

Charlie McKenzie presented this request to the Council.

On motion made to approve by Clark and seconded by Riegsecker, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 99)

J. FFY 24 HMEP (LEPC) EXERCISE (#8193)

1. Emergency Management (980) requested \$20,000.00 LEPC to host HSEEP compliant exercise with a Tier II facility as mandated. A contractor will be hired to facilitate a tabletop exercise. Grant will also purchase a HAX SIM training unit to be used during exercise and housed with HAZ MAT Team.

Jennifer Tobey presented this request to the Council.

On motion made by to approve made by Clark and seconded by Bujalski the Council unanimously approved this request with a vote of 6 to 0. (pg. 100)

K. FFY 24 HMEP (EMA) 300/400 COURSE (#8194)

1. Emergency Management (980) requested \$4,500.00 for EMA to host ICS/NIMS 400 Courses.

Jennifer Tobey presented this request to the Council.

On motion made by to approve made by Clark and seconded by Riegsecker, the Council unanimously approved this request with a vote of 6 to 0. (pg. 101)

L. JDAI GRANT (#9113)

1. Elkhart County Judiciary (980) requested \$1,165.74 to appropriate unspent FY 2023 grant funds to be refunded.

Ross Maxwell presented this request to the Council.

On motion made by to approve made by Graham and seconded by Riegsecker, the Council unanimously approved this request with a vote of 6 to 0. (pg. 102)

M. FETAL INFANT MORTALITY REVIEW (FIMR) (#9164)

1. Health Department (980) requested \$75,000.00 to appropriate pass through funds to community organizations to establish a Fetal & Infant Mortality Review team in Elkhart County.

Melanie Sizemore presented this request to the Council.

On motion made by to approve made by Graham and seconded by Bujalski the Council unanimously approved this request with a vote of 6 to 0. (pg. 103)

N. JUVENILE COMMUNITY ALTERNATIVE (#9165)

1. Elkhart County Judiciary (980) requested \$80,000.00 for a new Grant through the Indiana Criminal Justice Institute, and this is the initial grant setup. The funding will cover costs of a new detention alternatives program through a partnership with Lifeline Youth Ministries.

Ross Maxwell presented this request to the Council.

On motion made to approve by Riegsecker and seconded by Clark, the Council unanimously carried and approved the request with a vote of 6 to 0. (pg. 104)

O. JUVENILE DIVERSION JDCA (#9166)

1. Elkhart County Judiciary (980) requested \$80,000.00 for a new Grant through Indiana Criminal Justice Institute, and this is the initial grant setup. The funding will cover the costs of a new diversion program through a partnership with Lifeline Youth Ministries.

Ross Maxwell presented this request to the Council.

On motion to approve made by Graham and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 105)

Total Appropriations: \$19,076,044.74

REDUCTIONS:

P. EDIT (#1112)

1. Highway (980) requested a reduction in the amount of -\$237,000.00 for the Annual County Contribution to the Greater Elkhart Chamber's NCI program (\$27,000.00) and the Economic Development Corporation (\$207,199.00) This is being reduced because the Commissioner's Office has requested an additional appropriation to fund the same amount from the Economic Development Fund (Fund #1149).

Auditor Patty Pickens presented this request to the Council.

On motion to approve made by Clark and seconded by Bujalski, the Council unanimously carried and approved this request with a vote of 6 to 0. (pg. 106)

Total Reductions: -\$237,000.00

TRANSFER REQUESTS REQUIRING COUNCIL ACTION: NONE

TRANSFER REQUESTS NOT REQUIRING COUNCIL ACTION:
(Available in the Auditor's office)

OTHER BUSINESS:

Craig Buche:

1. Ordinances:

- (a) Consideration and Approval of CC-2024-08 An Ordinance of the Elkhart County Council Establishing the Loaning of Money from the Local Major Moves Construction Fund for the Dunlap Overpass/Sunnyside Bridge Project.

Craig Buche explained the details of the Ordinance to the Council.

On motion to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved Ordinance CC-2024-08 with a 6 to 0 vote. (pg. 110)

- (b) Consideration and Approval of CC-2024-09 An Ordinance Adopting Elkhart County Investment Policy Authorizing the Investment of Public Funds in Investments lasting Two (2) or more Years and not more than Five (5) Years Pursuant to IC 5-13-9-5.7.

Craig Buche presented the request to the Council.

On motion to approve made by Riegsecker and seconded by Clark, the Council unanimously carried and approved Ordinance CC-2024-09 with a 6 to 0 vote. (pg. 111)

- (c) Consideration and Approval of CC-2024-10 An Ordinance of the Elkhart County Council Establishing the 20.703 FFY24 HMEP EMA Grant Fund (#8194) for the Elkhart County Emergency Management Department.

Craig Buche presented the request to the Council.

On motion to approve made by Graham and seconded by Riegsecker, the Council unanimously carried and approved Ordinance CC-2024-10 with a 6 to 0 vote. (pg. 112)

- (d) Consideration and Approval of CC-2024-11 An Ordinance of the Elkhart County Council Establishing the 20.703 FFY24 HMEP LEPC HAZ SIM Grant Fund (#8193) for the Elkhart County Emergency Management Department.

Craig Buche presented the request to the Council.

On motion to approve made by Riegsecker and seconded by Bujalski, the Council unanimously carried and approved Ordinance CC-2024-11 with a 6 to 0 vote. (pg. 113)

1. Request Consideration and Approval of Gas Rights Agreement for the Elkhart County Landfill gas to energy project.

Craig Buche discussed the details of the Agreement to the Council.

On motion to approve made by Graham and seconded by Clark, the Council unanimously carried and approved the Gas Rights Agreement with a vote of 6 to 0. (pg. 108)

AUDIENCE ITEMS:

There was no Audience member that wanted to speak.

ADJOURN

There being no further business to come before the Council, on motion to adjourn made by Riegsecker seconded by Bujalski, the Council unanimously carried and approved the adjournment of the meeting at 5:25pm.

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.