

MINUTES
ELKHART COUNTY COUNCIL
November 15, 2008

The meeting of the Elkhart County Council was called to order by Undersheriff Julie Dijkstra at 8:00 a.m., in Room 104 of the County Administrative Building, Goshen, Indiana. Members present were John K. Letherman, Donald E. Abel, Clarence J. Yoder, Dennis E. Sharkey, Randall D. Yohn, James L. Hartman and David E. Foutz.

Also present were David Hess, County Auditor; Floyd Hindbaugh, Director of Personnel, Tom Byers, County Administrator, Gordon Lord and Craig Buche, County Attorneys; and Mike Yoder, County Commissioner.

MINUTES: Approval of minutes for October 4, 2008

On motion made by Yohn seconded by Hartman and unanimously carried, the Council approved the minutes as read for October 4, 2008.

COMMITTEE REPORTS:

COMMISSIONERS: Yoder gave short report.

COUNCIL: Foutz, Sharkey and Letherman gave short reports.

AUDITOR: Hess gave a short report.

SHERIFF: None

PERSONNEL REPORT: Present for the Personnel meeting were Councilmen Dennis Sharkey, Donald Abel, Clarence J. Yoder and Commissioner Frank Lucchese. Floyd Hindbaugh, Director of Personnel presented and explained the following personnel requests:

1. PERSONNEL REQUESTS

A. Circuit Court

1. Request individual rate increase from \$13.62 to \$14.50 (6.5%) in connection with lateral transfer of Legal Assistant II (Baker) from Superior Court III to Circuit Court effective 11-2-08. (Funding for 2008-09 is already in the budget.) CCPC recommended a 3% increase to \$14.03/hr. effective 11/3/08, 4-0.

Judge Shewmaker explained this request to the Council.

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

B. Community Corrections (General Fund or Grant?)

1. Request two new full-time case manager positions, PG4/JF4, up to \$14.82/hr., for Electronic Monitoring to be funded through Project Income. CCPC recommended approval 4-0.

George Evans, the new Community Corrections Director addressed the Council and explained this request.

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

C. Parks & Recreation

1. Request approval of reorganization effective January 4, 2009. CCPC recommended approval 4-0.

Dan Seltenright explained this request for reorganization to the Council.

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

2. Request reclassification increase of 3% for Museum Director/Curator, PG8/JF6 from \$1441.31 to \$1484.55 effective January 4, 2008.

3. Request reclassification increase of 3% for Curator of Education, PG7/JF5, from \$1167.90 to \$1202.94 effective January 4, 2009. CCPC recommended approval 4-0.

On motion made by Foutz seconded by Yoder and unanimously carried, the Council approved these requests.

D. Information Technology (Data Processing)

1. Proposed market premium rates for Systems Analyst/Programmer II and Network System Analyst positions. CCPC recommended approval 4-0.

Scott Mills explained this request to the Council.

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

2. Request start rate above hiring range for Systems Analyst/Programmer II, PG8/JF5, at \$2,192.42 bi-weekly (\$57,220 annually), with an increase of \$1,000 (\$2,280.62 bi-weekly) after 90 days based on satisfactory performance. With the recommended approval of adjusted market premium rates in the request above, this request is unnecessary and tabled.

E. Prosecuting Attorney

1. Request individual rate increase for Legal Assistant II (Abbott), PG4/JF1, from \$12.57 to \$12.95 (3%). CCPC recommended approval.

Jean Willard explained this request to the Council.

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

2. Request individual rate increase for Business Manager (Willard), PG8/JF6, from \$100 to \$300 per pay period through the IV-D incentive fund. CCPC recommended approval of an increase from \$100 to \$200 per pay period 4-0.

On motion made by Foutz seconded by Abel and unanimously carried, the Council approved a 100 increase for this request.

F. Highway Engineering

1. Proposed market premium rate schedule for Engineering Department. CCPC recommended approval 4-0.

Jeff Taylor explained this request to the Council.

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

2. Request individual rate increase for Highway Engineer (Rushlow) from \$2,635.56 to \$2,714.60 bi-weekly (3%). CCPC recommended approval 4-0.

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

3. Request individual rate increase for Project Engineer (Grossman) from \$1,658.70 to \$2,643.68 bi-weekly. CCPC recommended approval of \$2,567.05 (\$67,000 annually), 4-0.

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

4. Request individual rate increase for Project Engineer (Niblock) from \$17.13/hr to \$33.17/hr. CCPC recommended approval of \$30/hr., 4-0.

On motion made by Yoder seconded by Hartman and unanimously carried, the Council approved the rate of \$30/hr. for this request.

5. Request to increase positions working night shift from three to four during the winter season (Added item) CCPC recommended approval 4-0.

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

G. Health Department

1. Tobacco Settlement: Request continuation of existing grant that supports one Health Promotion Specialist (Starkey), effective 8-1-09. CCPC recommended approval 4-0.

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

2. Local Health Maintenance: Request new position, Health Promotion specialist (Accreditation Coordinator), PG7/JF5, up to \$20.26/hr. (Note: Job description for Health Promotion Specialist included. Based on alternative job title provided and no list of specific job duties, requested position is not consistent with job description and should be subject to classification review.) CCPC tabled this request pending classification review 4-0.

3. Lead & Healthy Homes Grant: Request new part-time position, Clinical Assistant, PG3/JF3, up to \$12.95/hr. CCPC recommended approval with corrections noted of Account 4128 and part-time pay rate of up to \$13.47, 4-0

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

H. Soil & Water Conservation district (Added Item)

1. Request reclassification for Secretary II (Brosius) from PG3/JF1 to Secretary III, PG4/JF1.

2. Request reclassification for Urban Conservationist (Kauffman) from PG5/JF3 to PG6/JF3.

3. Request reclassification for Stormwater Coordinator (Kurtz) from PG6/JF6 to PG7/JF6.

4. Request reclassification for Program Manager (Brown) from PG7/JF6 to PG8/JF6.

The CCPC recommended approval of reclassifications and requested review of the job family for the Urban Conservationist 4-0.

On motion made by Foutz seconded by Hartman and unanimously carried, the Council approved the above four requests for Soil & Water.

The preceding Emergency Appropriation Ordinance was then duly adopted.

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EDC MATTERS: None

ADDITIONAL APPROPRIATIONS REQUESTS:

Auditor Hess presented the proofs of publication for Notice to Taxpayers of Additional Appropriations to be considered by the County Council at this meeting as appeared in the Goshen News and the Elkhart Truth on November 5, 2008.

Notice is hereby given the taxpayers of Elkhart County, Elkhart County, Indiana, that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at Room 204, 117 N. 2nd Street, Goshen, Indiana, at 8:00 o'clock a.m. on the 15th Day of November 2008

GENERAL FUND

<u>Auditor</u>	
Capital Outlays	12,800.00
<u>Sheriff</u>	
Supplies	34,092.00
Other Services & Charges	1,947.00
Capital Outlays	5,027.00
<u>Coroner</u>	
Other Services & Charges	47,350.00
Capital Outlays	1,000.00
<u>County Assessor</u>	
Funds from Twp. Assessors to County Assessor	
Baugo	5,230.00
Cleveland	11,037.00
Clinton	273.00
Elkhart	28,765.00
Harrison	21.00
Jefferson	179.00
Locke	205.00
Middlebury	13,312.00
Olive	300.00
Osolo	20,630.00
Union	269.00
Washington	8,166.00
York	440.00
<u>Benton Township Assessor</u>	
Other Services & Charges	55.00
<u>Emergency Management</u>	
Supplies	3,492.00
<u>Victim Assistance</u>	
Personal Services	29,664.00
Supplies	3,462.00
Other Services & Charges	4,438.00
<u>Superior Court #2</u>	
Personal Services	15,000.00
<u>Superior Court #5</u>	
Personal Services	3,000.00
Supplies	300.00
<u>Court Services</u>	
Personal Services	12,000.00
<u>Superior Court #6</u>	
Capital Outlays	3,895.00
<u>Title IV-D Court</u>	

Supplies	200.00
<u>Public Defenders</u>	
Personal Services	9,000.00
Supplies	2,250.00
Other Services & Charges	1,500.00

SALARY ADJUSTMENTS FOR GENERAL FUND

Auditor	4,000.00
Sheriff	183,054.00
Concord Assessor	2,600.00
County Council	3.00
County Commissioners	4,409.00
Code Enforcement	5,658.00
Planning Commission	7,220.00
Veterans Officer	1,865.00
Weights & Measures	703.00
Emergency Management	1,472.00
Building & Grounds	9,215.00
Data Processing	3,411.00
Microfilm	1,815.00
County Extension	1,436.00
Circuit Court Juvenile	4,300.00
Superior Court #1	670.00
Superior Court #3	2,410.00
Superior Court #5	24,400.00
Court Magistrate Goshen	855.00
Court Services	15,722.00
Court Magistrate Elkhart	460.00
Superior Court #6	5,263.00
IV-D Court	1,692.00
Public Defender	3,274.00

TOTAL GENERAL FUND	565,206.00
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COUNTY HEALTH OPERATING

<u>Health Department</u>	
Capital Outlays	30,300.00

MASTER TOBACCO SETTLEMENT FUND

<u>Health Department</u>	
Personal Services	66,887.00
Supplies	5,000.00

TOTAL TOBACCO SETTLEMENT FUND	71,887.00
PARK & RECREATION OPERATING	
<u>Park Department</u>	
Other Services & Charges	12,580.00
Capital Outlays	9,100.00
TOTAL PARK & RECREATION OPERATING	21,680.00
ELECTION BOARD/VOTERS REGISTRATION	
<u>ELECTION BOARD</u>	
Personal - Salary Adjustment	12,000.00
Personal Services	8,000.00
Supplies	59,800.00
Other Services & Charges	33,500.00
<u>Voters Registration</u>	
Personal - Salary Adjustment	8,581.00
	121,881.00
COUNTY HIGHWAY OPERATING	
<u>Highway General</u>	
Personal Services	30,000.00
Supplies	90,000.00
Other Services & Charges	9,000.00
	129,000.00
LOCAL ROAD & STREET	
<u>Road Maintenance</u>	
Other Services & Charges	20,000.00
CODE ENFORCEMENT	
<u>Sheriff's Department</u>	
Other Services & Charges	1,530.00
INDIANA HOMELAND SECURITY FOUNDATION	
<u>Emergency Management</u>	
Capital Outlays	1,600.00
STOP DOMESTIC VIOLENCE	
<u>Victim Assistance</u>	
Personal Services	22,780.00
Supplies	6,765.00
TOTAL STOP DOMESTIC VIOLENCE	29,545.00

FIREARMS TRAINING
Sheriff's Department
 Other Services & Charges 25,000.00

ADULT PROBATION USER FEES
Court Services
 Personal Services - Salary Adjustment 12,540.00

AUDITOR'S PLAT BOOK FUND
County Auditor
 Capital Outlays 64,023.00

SPECIAL CAGIT DISTRIBUTION
County Commissioners
 Capital Outlays 110,000.00

SALES DISCLOSURE FUND
County Assessor
 Capital Outlays 50,000.00

JOHNSON STREET BRIDGE
County Auditor
 Capital Outlays 10,900,000.00

SIX-SPAN-BRIDGE
County Auditor
 Capital Outlays 19,500,000.00

ECONOMIC DEVELOPMENT INCOME TAX
County Auditor
 Other Services & Charges 6,700,000.00

CUMULATIVE BRIDGE
Bridge Maintenance
 Personal Services - Salary Adjustment 12,074.00
 Personal Services 6,000.00

County Auditor
 Other Services & Charges 1,500,000.00

TOTAL CUMULATIVE BRIDGE 1,518,074.00

CRIMINAL JUSTICE FACILITIES

County Commissioners

Other Services & Charges 473,000.00

CUMULATIVE DRAIN

Drainage Board

Capital Outlays 82,000.00

COUNTY MAJOR MOVES FUND

County Auditor

Other Services & Charges 9,800,000.00

REDACTION FUND

Recorder

Other Services & Charges 25,300.00

MAJOR BRIDGE FUND

County Auditor

Other Services & Charges 1,500,000.00

REDUCTIONS

Funds reduced from Township Assessors

Baugo (5,230.00)

Cleveland (11,037.00)

Clinton (273.00)

Elkhart (28,765.00)

Harrison (21.00)

Jefferson (179.00)

Locke (205.00)

Middlebury (13,312.00)

Olive (300.00)

Osolo (20,630.00)

Union (269.00)

Washington (8,166.00)

York (440.00)

(88,827.00)

COUNTY ASSESSOR

County Auditor

Correct Error (55.00)

COUNTY HIGHWAY OPERATING

<u>Highway General</u>	
Return Fees Not Charged	(75,000.00)
HEALTH MCH GRANT	
<u>Health Department</u>	
Reduce Grant Amount	(6,464.00)
ECONOMIC DEVELOPMENT INCOME TAX	
<u>Highway Department</u>	
Leftover Funds in Various Accounts	(499,137.94)
CUMULATIVE DRAIN	
<u>Drainage Board</u>	
Postponed Project	(100,000.00)
MAJOR BRIDGE FUND	
<u>County Auditor</u>	
Reduce Funds in Account	(9,200,000.00)
<u>County Highway</u>	
Leftover Funds in Various Accounts	(870,547.95)
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	(10,070,547.95)
CUMULATIVE BRIDGE	
<u>Highway Department</u>	
Completed Project	(85,825.34)

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated: November 5, 2008

David L. Hess, Elkhart County Auditor

ADDITIONAL APPROPRIATIONS EXPLANATIONS

ADDITIONAL APPROPRIATIONS FOR SALARY ADJUSTMENTS:

Hess explained to the Council how these salary adjustment figures are reached.

A. General Fund (#001) Various Departments

1. Salary Adjustment \$ 285,907.00

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

B. Election Bd/Voters Registration (#106)	
1.Election Board (190) Salary Adjustment	\$ 12,000.00
2.Voters Registration (191) Salary Adjustment	\$ 8,581.00
C. Adult Probation User Fees (#165)	
1. Court Services (980) Salary Adjustment	\$ 12,540.00
D. Cumulative Bridge (#335)	
1. Bridge Maintenance (212) Salary Adjustment	\$ 12,074.00
TOTAL SALARY ADJUSTMENTS	\$ 331,102.00

On motion made by Sharkey seconded by Hartman and unanimously carried, the Council approved the above three requests..

ADDITIONAL APPROPRIATIONS:

A. General Fund (#001)

1. County Auditor (102) requests \$12,800 to purchase software for mailing tax bills.

Hess explained this request to the Council.

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

2. Sheriff's Department (105) requests \$41,066 to recapture money placed in the General Fund to pay for equipment, etc.

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

3. Coroner (107) requests \$48,350 for autopsies, lab fees, professional services and computer hardware.

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

4. County Assessor (109) requests \$88,827 from the Township Assessors. See Ordinance. (Page 465)

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

5. Benton Township Assessor (111) requests \$55 to correct bookkeeping error.

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

6. Emergency Management (137) requests \$3,492 that was put in General Fund from Kosciusko County to pay for supplies purchased for District II exercise.

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

7. Victim Assistance (159) requests \$37,564 for a new VOCA grants from the Indiana Criminal Justice Institute. These two grants are used to cover portions of the salaries of victim advocates/staff and associated operating expenses. The funds remaining stay in the General Fund as a reimbursement which is applied to a portion of the full-time victim advocate salaries.

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

8. Superior Court #2 (163) requests \$15,000 for guardian ad litem expenses and petit jurors.

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

9. Superior Court #5 (166) requests \$3,300 to pay for pauper transcripts on appeals and new robe for the new Judge.

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

10. Court Services (168) requests \$12,000 for excess hours to complete the new statutory requirements (HEA 100) for Juvenile Probation cases which will require additional training of staff and increases the time Probation Officers need to spend on each case to complete additional paperwork on each case.

Bob Girard explained this request to the Council.

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

11. Superior Court #6 requests \$3,895 for new software for the courtroom, Data will provide hardware.

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

12. Title IV-D Court (171) requests \$200 to replace paper borrowed from Superior Court #6 and Superior Court #6 clerks.

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

13. Public Defenders (175) requests \$12,750 for witness fees, copy machine paper, law books, gas and mileage reimbursements until first of year.

Cliff Williams explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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B. COUNTY HEALTH OPERATING (#102)

1. Health Department (340) requests \$30,300 for office furniture, copier, data services and office equipment.

Dr. Perez explained these requests to the Council.

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

2. Master Tobacco (350) requests \$71,887 to fund this grant for fiscal year October, 2008 through June, 2009.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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D. PARK & RECREATION OPERATING (#104)

1. Park Department (320) requests \$21,680 for radio replacement, replace storm water drainage system on Rush Memorial and reimbursement from Elkhart County Convention and Visitors Bureau.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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E. ELECTION BOARD/VOTERS REGISTRATION (#106)

1. Election Board (190) requests \$101,300 to pay expenses of the General Election.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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F. COUNTY HIGHWAY OPERATING (#112)

1. Highway General (204) requests \$129,000 for workman's compensation bill, buy diesel fuel through end of year, equipment repairs, electric for three garages and outside vendor equipment repairs.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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G. LOCAL ROAD & STREET (#114)

1. Street Maintenance (222) requests \$20,000 for contractor services for snow plowing subdivisions.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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H. CODE ENFORCEMENT/ABANDONED VEHICLES (119)

1. Sheriff's Department (980) requests \$1,530 to recapture money to pay bills for code enforcement.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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I. INDIANA HOMELAND SECURITY FOUNDATION (#137)

1. Emergency Management (137) requests \$1,600 for a reimbursable Federal grant for Emergency Management for a projector and accessories.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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J. STOP DOMESTIC VIOLENCE GRANT (#142)

1. Victim Assistance (980) requests \$29,545 to fund the new STOP grant from the Indiana Criminal Justice Institute. The fiscal year is 7/1/08 to 6/30/09. This grant funds the salary of the Domestic Violence Prosecutor and operating expenses.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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K. FIREARMS TRAINING (#152)

1. Sheriff's Department (980) requests \$25,000 for education of employees.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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L. AUDITOR'S PLAT BOOK FUND (#172)

1. Auditor (980) requests \$64,023 to purchase software for Pictometry and Change finder software.

Bob Watkins explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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M. SPECIAL CAGIT DISTRIBUTION (#176)

1. Commissioners (980) request \$110,000 to upgrade power, cooling and 3 servers in the Goshen Administration building and 2 locations in the courts building in Elkhart.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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N. SALES DISCLOSURE FEES (#195)

1. County Assessor (980) requests \$50,000 to purchase and install new hardware and software in Planning and Zoning Building.

Cathy Searcy and Bob Watkins explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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O. JOHNSON STREET BRIDGE (#317)

1. Auditor (980) requests \$10,900,000 for Project #2880 construction/reconstruction of the Johnson Street Bridge.

Hess and Jeff Taylor explained this request and the next one to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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P. SIX-SPAN-BRIDGE (318)

1. Auditor (980) requests \$19,500,000 for Project #2881 construction/reconstruction of the Six-Span Bridge.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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Q ECONOMIC DEVELOPMENT INCOME TAX (#331)

1. Auditor (980) requests \$6,700,000 for CR8 & CR10 portion of Six-Span-Bridge Project #2881.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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R. CUMULATIVE BRIDGE (#335)

1. Bridge Maintenance (212) requests \$6,000 for overtime and Social Security until end of year.

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

2. Auditor (980) requests \$1,500,000 for the CR8 & CR10 portion of the Six-Span-Bridge Project #2881.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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NOTE: At this point Gordon Lord, County Attorney addressed the Council. He said the County has a project on State Road 19 and County Road 26 and has advanced a lot of the funding for INDOT. INDOT owes the funding back for the right-of-way that the County has acquired. The highway department needs to deed the property it has acquired over to INDOT to be part of State Road 19. There is a statute that INDOT thinks is very important that says that our Council has to approve any transfer of property of over \$1,000. We have spent far more than that acquiring the property and he doesn't know the particulars of the pay back over time or the amount INDOT owes the County. To get the deed and deed it over to them, it is required that the Council has to adopt a simple ordinance. Lord said he thought we would be getting back approximately \$400,000 or in that range.

On motion made by Hartman, seconded by Foutz and unanimously carried the Council authorized the Commissioners to sign the deed, to deed the necessary agreed upon right-of-way to INDOT that the County acquired in the County's name because that was the agreement with INDOT.

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S. CRIMINAL JUSTICE CAGIT (#336)

1. Commissioners (980) request \$473,000 for electric bill, NIPSCO gas bill and maintenance contracts for equipment at the new complex.

This request was explained by Tom Byers.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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T. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) requests \$82,000 for the following projects:

Project #0833 Kieffer Ditch	\$	5,000.00
Project #0834 Josiah Neff Ditch	\$	10,000.00
Project #0835 Barthol Ditch	\$	5,000.00
Project #0836 Christophel, etc. Dit.	\$	5,000.00
Project #0837 Walters Ditch	\$	15,000.00
Project #0838 Yellow Creek Ditch	\$	7,000.00
Project #0839 Bock Ditch	\$	13,000.00
Project #0840 Osborne Ditch	\$	6,000.00

Project #0841 Pine Creek Ditch	\$	10,000.00
Project #0842 Crawford Ditch	\$	6,000.00

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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U.COUNTY MAJOR MOVES FUND (#342)

1. Auditor (980) requests \$9,800,000 for CR8 & CR10 portion of Six-Span-Bridge Project #2881.

Hess explained this request to the Council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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V. REDACTION FUND (#697)

1. Recorder (980) requests \$25,300 for maintenance and upgrades to the redaction technology and software.

Chris Anderson explained this request to the council.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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W. MAJOR BRIDGE FUND (#338)

1. Auditor (980) requests \$1,500,000 for CR8 & CR10 portion of Six-Span-Bridge Project #2881.

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

The preceding Emergency Appropriation Ordinance was then duly adopted.

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REDUCTIONS

X. GENERAL FUND (#001)

1. List of reductions made to Township Assessor's budgets and given to County Assessor. See Ordinance for General Fund Reduction. (Page 487)

Y. GENERAL FUND (#001)

1. County Assessor (109) returns (\$55) to correct bookkeeping error.

Z. COUNTY HIGHWAY OPERATING (#112)

1. Highway General returns (\$75,000) not used for administration fees.

AA. HEALTH MCH GRANT (#126)

1. Health Department (611) returns (\$6,464) that the State Department of Health recently notified them has been reduced for this year's funding.

BB. ECONOMIC DEVELOPMENT INCOME TAX (E.D.I.T.) (#331)

1. Highway Department returns (\$499,137.94) from completed projects and unused funds.

CC. CUMULATIVE DRAIN (#337)

1. Drainage Board (980) returns (\$100,000) from Project #0817 that has been postponed until 2009.

DD. MAJOR BRIDGE FUND (#338)

1. Highway Department (980) returns (\$9,200,000) to be used for Johnson Street Bridge Project #2811.

EE. MAJOR BRIDGE FUND (#338)

1. Highway Department (980) returns (\$870,547.95) for design and right-of-way funds for Six-Span-Bridge that was not needed. Project #2803 and #2622.

FF. CUMULATIVE BRIDGE (#335)

1. Highway Department (980) returns (\$85,825.34) from Project #2711 which is complete.

On motion made by Hartman seconded by Yoder and unanimously carried, the Council approved the above nine (9) reduction requests.

The preceding Emergency Reduction Ordinances were then duly adopted.

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TRANSFERS REQUIRING COUNCIL ACTION:

A. GENERAL FUND (#001)

1. Sheriff's Department (105)

From 4334 Auto ----- \$ 2,357.00

To 4212 Tire ----- 2,357.00

2. Baugo Township Assessor (110)

From	4129 Office & Clerical -----	\$ 180.00
To	4209 Other Office Supplies-----	180.00
3.Planning & Development (132)		
From	4305 Data Processing-----	\$ 19,575.00
	4309 Other Professional Service-----	\$ 7,425.00
To	4547 Data Software-----	27,000.00
4.Emergency Management (137)		
From	4309 Other Services -----	\$ 450.00
	4315 Printing -----	\$ 200.00
	4324 Other Permits -----	\$ 100.00
	4312 Postage-----	\$ 150.00
To	4210 Gas Diesel -----	900.00
5.Superior Court #3 (164)		
From	4397 Ed & Conf Costs -----	\$ 350.00
To	4203 Copy Machine Supplies -----	350.00
B.COUNTY HEALTH OPERATING (#102)		
1.Health Department (340)		
From	4305 Computer Service -----	\$ 12,400.00
To	4546 Software -----	12,400.00
From	4331 Maintenance-----	\$ 1,822.00
To	4545 Data Hardware-----	1,322.00
	4542 Office Equipment -----	500.00
From	4331 Maintenance-----	\$ 1,822.00
To	4545 Data Hardware-----	1,322.00
	4542 Office Equipment -----	500.00
From	4305 Computer Services-----	\$ 422.00
To	4541 Office furniture -----	422.00
C.ELECTION BOARD/VOTERS REGISTRATION (#106)		
1.Voters Registration (191)		
From	4310 Sustenance-----	\$ 680.00
	4313 Travel Expenses -----	\$ 500.00
	4339 Other -----	\$ 231.00
	4349 Rental -----	\$ 150.00
	4397 Ed & Conf-----	\$ 300.00
To	4209 Other Office Supplies-----	1,861.00
D.COURT IMPROVEMENT GRANT (#135)		
1.Juvenile Court (161)		
From	4545 Computer Hardware -----	\$ 24,000.00
	4397 Ed & Conf Costs -----	\$ 400.00
To	4259 Office Equipment -----	1,000.00
	4309 Other Professional Services-----	23,000.00
	4219 Other Operating Supplies -----	400.00
E.GIS (#177)		
1.Planning & Development (980)		
From	4309 Other Professional Services`-----	\$ 3,800.00
To	4546 Data Software-----	3,800.00

F.INDIANA CLEAN WATER (#204)

1.Soil & Water (980)

From	4249 Other Supplies -----	\$ 600.00
	4310 Sustenance-----	\$ 470.00
	4313 Travel Expense -----	\$ 500.00
To	4106 Technician-----	800.00
	4151 PERF -----	50.00
	4153 Group Insurance -----	710.00
	4157 Medicare-----	10.00

G.ELKHART COUNTY STORM WATER UTILITY (#320)

1.Elk. Co. GIS Fund

From	4305 Data Processing-----	\$ 7,000.00
	4309 Other Professional Services-----	\$ 5,000.00
To	4546 Data Software-----	12,000.00

H.CUMULATIVE CAPITAL DEVELOPMENT (334)

1.Commissioners (980)

From	4531 Vehicles -----	\$ 1,700.00
To	4219 Operating Supplies -----	1,700.00
From	4330 Building Repairs-----	\$ 2,700.00
To	4539 Other Equipment -----	2,700.00

On motion made by Hartman seconded by Foutz and unanimously carried, the Council approved these Emergency Transfers.

The preceding Emergency Transfer Ordinance was then duly adopted.

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TRANSFERS NOT REQUIRING COUNCIL ACTION: Transfers of appropriated funds within the same major classification for November are available in the Auditor’s office.

OTHER BUSINESS:

- (a) Approval of the Schedule of Council Meetings for 2009 (motion required).

Hess explained the change of the budget hearings dates from August to September.

On motion made by Sharkey seconded by Abel and unanimously carried, the Council approved the schedule of County Council meeting dates as presented. (Page)

- (b) Resolution to appoint certain people in Auditor’s office to report information to PERF.

On motion made by Sharkey seconded by Yoder and unanimously carried, the Council approved this request. (Page 500)

- (c) Review of the requests for Elkhart County Drug-Free Partnership recommendations for 2009 funding.

Byers explained this request to the Council.

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

(d) North Central Indiana Business Assistance Center will give a short presentation.

Phil Penn spoke to the Council to give them an update on NCI. He said the state of Elkhart County business is not good. They are struggling and working hard in several areas to try to help that situation to improve. He introduced Jim Walsh and Julie Gilman who is a new employee they were able to hire through a matching State grant. They both explained what they doing with the NCI.

(e) Amendment required by the Internal Revenue Service for the Elkhart County Police Retirement Plan.

Hess and Fletcher explained this amendment to the Council.

On motion made by Hartman seconded by Foutz and unanimously carried, the Council approved the above amendment to the Elkhart County Police Retirement Plan. (Page 501)

(f) Update on EDC of Elkhart County activities. The Director of EDC was unable to attend meeting.

AUDIENCE ITEMS: None

ADDED ITEMS:

1. Hess then addressed the Council and said that the draft resolution he is handing out on loaning money from the Major Moves Construction Fund for bridge construction should be looked over by the Council and will be presented at the December Council meeting. He and Buche will work on an interest rate and he will present a recommendation to the Finance Committee as to what that interest rate should be and how we want to address it. He will have the final resolution for the Council to adopt in December.

2. Hess then said he would like for the Council to make a motion to accept all the civil units' budgets and approve them. This is tied back to the August budget reviews. There are really no changes and Buche is not totally convinced that we need to do this, but Hess felt it would not hurt to do so. Hess said he has to go on the internet and accept each of the unit's budgets and there is a deadline on when he can do that. That is the reason he is asking for a motion.

On motion made by Hartman seconded by Yohn and unanimously carried, the Council accepted Unbaugh's analysis and has reviewed the civil units for the 2009 calendar year.

ADJOURN: There being no further business to come before the Council the meeting was adjourned at 11:15 a.m. on motion by Foutz seconded by Sharkey and unanimously carried.

Recording Secretary
Kenlyn Arnott

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.