

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
JANUARY 8, 2019

The regular meeting of the St. Joseph County Council was called to order at 6:02 p.m., on January 8, 2019 by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Robert L. Kruszynski
Mr. Corey Noland
Mr. Richard Pfeil
Ms. Diana Hess
Mr. Rafael Morton
Mr. Mark P. Telloyan
Mr. Mark A. Catanzarite
Mr. Joseph F. Canarecci
Mr. Mark Root

Present from the Auditor's office was Michael J. Hamann, Auditor and John Murphy, Chief Deputy Auditor. Council staff present was Mr. Michael Trippel, Attorney and Ms. Jennifer Prawat, Executive Secretary.

Petitions, Communications & Miscellaneous Matters:

Mr. Morton: At this time, the Council would like to acknowledge Brian Green from the St. Anthony's De Padua Boy Scouts Troop #584, I was also told he is working on rank advancement, good luck with that and thanks for being here.

Ms. Hess made a motion to approve the minutes of the December 4, 2018 meeting and was seconded by Mr. Noland the motion was passed by a voice vote; 9-0.

No report from the County Auditor
No report from the County Commissioner
No Report from Council Special Committee

Mr. Morton: At this time, I would like to announce that Bill No. 66-18 and 73-18 have been tabled indefinitely at the request of the petitioner.

First Reading(s):

BILL NO. 1-19: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT 24961 STATE ROAD 23 FROM R: SINGLE FAMILY DISTRICT AND C: COMMERCIAL DISTRICT TO L: LIGHT INDUSTRIAL DISTRICT AND R: SINGLE FAMILY DISTRICT
PETITIONER: CALEB FRANKLIN
Assigned to the Land Use Planning Committee

BILL NO. 2-19: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY STEVE A. AND JEAN A. COOREMAN FOR PROPERTY LOCATED AT 24545 BRICK ROAD
PETITIONER: STEVE A. AND JEAN A. COOREMAN
Assigned to the Land Use Planning Committee

BILL NO. 3-19: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY MICHAEL J. JR. AND EDIE M. SHEWCHUK FOR PROPERTY LOCATED AT 54533 TERRACE LANE, SUITE C
PETITIONER: MICHAEL J. JR. AND EDIE M. SHEWCHUK
Assigned to the Land Use Planning Committee

Salary Amendment(s):

BILL NO. 87-18: AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: HEALTH DEPARTMENT

Mr. Kruszynski reported that Bill No. 87-18 comes with a favorable recommendation.

Amy Ruppe, Finance Manager for the Health Department, the Health Department would like to increase a salary for 2019 to be in line with its counterpart.

Motion to pass Bill No. 87-18 was made by Mr. Catanzarite and seconded by Ms. Hess. Bill No. 87-18 was passed to-wit; 9-0

BILL NO. 91-18: AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: HEALTH DEPARTMENT

Mr. Kruszynski reported that Bill No. 91-18 comes with a favorable recommendation.

Amy Ruppe, Finance Manager for the Health Department, this is for the other support staff in the environmental and foods division to have them be equal counterparts and receive equal pay in 2019.

Motion to pass Bill No. 91-18 was made by Mr. Kruszynski and seconded by Ms. Hess. Bill No. 91-18 was passed to-wit; 9-0

BILL NO. 88-18: AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 AND 2% PAY INCREASE FOR PART TIME ATTORNEYS
PETITIONER: PUBLIC DEFENDER

Mr. Kruszynski reported that Bill No. 83-18 comes with a favorable recommendation.

Neil Wiseman, Deputy Chief Public Defender for the Public Defender Department, when budget was first put in, the Public Defender Department was inadvertently left off of the 2% raise increase and this corrects that oversight.

Motion to pass Bill No. 88-18 was made by Ms. Hess and seconded by Mr. Kruszynski. Bill No. 88-18 was passed to-wit; 9-0

BILL NO. 89-18: AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: CLERK

Ms. Hess reported that Bill No. 89-18 comes with a favorable recommendation.

Lana Clearly, County Clerk's Office, this is a bill to transfer one full time Clerk employee from the Clerk's county general budget into the Clerk's Perpetuation budget, it is also transferring a certain amount of funds from the Clerk's Perpetuation budget into the Clerk's payroll budget for the 2019 year.

Motion to pass Bill No. 89-18 was made by Mr. Noland and seconded by Mr. Catanzarite. Bill No. 89-18 was passed to-wit; 9-0

BILL NO. 90-18: AN ORDINANCE AMENDING ORDINANCE 53-18, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2019 PETITIONER: SUPERIOR COURT

Mr. Kruszynski reported that Bill No. 90-18 comes with a favorable recommendation.

Judge David Chapleau, Chief Judge of the St. Joseph Superior Court, this bill brings in line our eight court reporters, with the Probate and Circuit Court closer to their salaries.

Mr. Catanzarite: Judge, how much more would it take to make give complete parity with the Circuit Court.

Judge Chapleau: I don't have that number, I can tell you.

Mr. Catanzarite: Is it close? Would it be worth making it equal, so they are both the same? The work is the same, correct?

Judge Chapleau: I think we should do that, I wasn't going to ask that of the Council this year, but I think next year we should address it, so they are all the same.

Motion to pass Bill No. 90-18 was made by Ms. Hess and seconded by Mr. Noland. Bill No. 90-18 was passed to-wit; 9-0

Public Hearing/Public Comment:

BILL NO. 86-18: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT

TRANSFERS:

A. Health Dept.

County Health

FROM: 1159-32200-000-0055	Telephone	\$1,133.00
TO: 1159-11077-000-0055	Admin. Assistant	\$953.00
1159-14800-000-0055	FICA	73.00
1159-14810-000-0055	PERF	107.00
	TOTAL:	\$1,133.00

B. Health Dept.

County Health

FROM: 1159-32200-000-0055	Telephone	\$71.00
1159-39750-000-0055	Data Processing	1,204.00
TO: 1159-11143-000-0055	Registrars	\$1,073.00
1159-14800-000-0055	FICA	82.00
1159-14810-000-0055	PERF	120.00
	TOTAL:	\$1,275.00

APPROPRIATE:

C. Superior Court
General Fund

1000-11302-000-0020 Court Reporters \$18,064.00
TOTAL: \$18,064.00

D. Clerk

Perpetuation Fund

1119-11673-000-0001 Computer Operator II \$29,000.00
1119-14800-000-0001 FICA 2,218.50
1119-14810-000-0001 PERF 3,248.00
1119-14840-000-0001 Group Health 16,691.00
1119-65030-000-0001 Transfer to General Fund 45,000.00
TOTAL: \$96,157.50

E. Auditor

General/LIT Econ. Dev. Fund

LIT Public Safety/Highway/Parks & Rec Non Reverting
Parks & Rec Fund/PSAP

1000-General Fund 61,702.34
1112 LIT Econ. Dev. Fund 366,233.00
1170 LIT Public Safety 147,787.06
1176 County Highway 36,822.36
1179 Parks & Rec. Non Reverting 5,473.59
1219 Parks & Recreation 22,889.58
4930 PSAP Fund 41,798.36
TOTAL: \$682,706.29

F. Public Defender

General Fund

1000-11041-000-0036 Attorney Part Time 19,495.72
1000-14800-000-0036 FICA 1,491.42
1000-14810-000-0036 PERF 2,183.52
TOTAL: \$23,170.66

G. County Recorder

General Fund

1000-11004-000-0004 County Recorder \$10,000.00
1000-11070-000-0004 Chief Deputy 10,000.00
TOTAL: \$20,000.00

H. Appropriation Reduction

County Recorder

Recorder Perpetuation

1189-11004-000-0004 County Recorder \$10,000.00
11189-11070-000-004 Chief Deputy 10,000.00
TOTAL: \$20,000.00

Mr. Hamann, St. Joseph County Auditor, I wish to speak in favor of this bill, particularly section E which has to do with our request for an appropriation for the ERP System. The County Commissioners signed a contract with EnFocus, their contract was to go through as many county departments as they possibly could in a year and do process mapping, point out if there are any technological enhancements that could be made and then make that recommendations. They came back in 2017 and made recommendations at it related to certain processes and they made several suggestions as it relates to technological upgrades, one of the most profound, glaring deficiencies they found was a lack of an ERP system. They got this from countless interviews from employees and said whatever you do, if you want to make this study worthwhile, then you should probably take a look at trying to move towards an ERP system. At that point, I better learn what an ERP system is. So I put together a group of folks in 2017, Deb Fleming as a project sponsor, Bree Roberts from purchasing to help coordinate with the City of South Bend who is also looking to go an ERP system, contracted with GFOA to ask the questions of our employees, what do you need, how could you make your jobs easier, what sort of things do you need at your disposal? After listening to those folks, I came to the conclusion that, I asked you guys these questions and I am going to listen, we put out an RFP, which we came to you about a year ago and said does it make sense for us to go out for an RFP? GFOA helped us draft the RFP based on the information that the county employees gave them, and we had 14 respondents and one particular group came out on top. It was a long, vetted process, we relied on GFOA, we relied on Mike Bieganski who is a volunteer for EnFocus but was ahead of IT for Bosch Industries in North and South America, we relied a lot on the expertise of the City of South Bend and their IT Department, so it was the most vetted project I have ever been involved with.

John Murphy, Chief Deputy Auditor, my assignment is to talk about the financing. We are proposing a seven-year lease, the payment is six hundred and eighty-two thousand seven zero six per year. When we talked about how we are going to allocate according to different costs centers, so it's not just the general fund or LIT Economic Development Fund that will be paying this. Parks has agreed to pay some, County Highway, PSAP and some other funds. We had a good year. There is a summary of some of our key funds, which are funds we track very closely. Not all of them relate to the ERP project. The county general fund, we are going to end the year 12-31-18 with a cash reserves of sixteen point five million. That's really good. What has happened is, we have had good property tax revenue for 2018 compared to 2017 up about one point four million. Mike Kruk has done an excellent job on the interest earnings, that's up about a million dollars, and the CEDIT income tax revenue is up about two million dollars, that's more of a one-time thing. Fund 112, the LIT an ending balance of eight point two million. Those are the two funds that would primarily fund this ERP system. We are really happy how that has worked out. I think we can afford this system. I am really happy to report, from a financial point of view, we are much stronger at the end of 2018 than we were at the end of 2017.

Bree Roberts, County Procurement, I'd like to read you and excerpt from an email I received on December 19 from a vendor: "To think that Low can develop a new version with all the functionality and ability of Enfore and then engineer it a hosted model securely in a short amount of time is simply misguided. I do hope it works out for you as I can't imagine everyone having to go through this entire process again." This vendor has nothing to gain. The most exciting part is that this is truly only the beginning of this adventure. Everything we have done to this point has set a secure and solid framework on which to build a new era here in St. Joseph County, one of accountability, transparency, progress and diligence regarding the great responsibility we have of stewards of tax payer dollars. To say that we are functioning today is accurate, we are getting by, we are making it work. That sentiment should be attributed to the wonderful and dedicated individuals who come to work every day for the county. They are why you as elected officials don't see the downfalls in the system. They are why you have the information that you need in order to make important decision. We fill the gaps, we spend the extra time and we make it work. Today, we are asking you to allow us the tools to succeed.

Scott Senff, Director of Information Technologies, my purpose here tonight is to discuss my portion of involvement with the ERP selection committee and that was to be the information technology perspective. I was initially somewhat indifferent to many of the HR and financial functions that other members of the committee used on a much deeper level than I did. I approached the task as, could we as a county implement such a big, new ERP system and which product would be the best fit? The following things became evident, we do need a comprehensive ERP system, the complete solution and not a pieced together compromise of different vendors. We have found the absolute best solution for our county with Enfore. Your concerns and input throughout this process have not been taken lightly and duly noted. The key participants in the ERP selection represent well over a hundred years of government service, experience in a variety of executive, management and finance. They are responsible for

maintaining the core functionality of this local government, as such, we are respectfully requesting your full consideration and funding support of the Enfore solution that has been presented.

Ray Schultz, Executive Director of PSAP, I am here to speak in favor of this proposal.

Evie Kirkwood, Director of St. Joseph County Parks and Donna Pfeil, Vice President of the County Park Board, "Mr. Rafael Morton and members of the St. Joseph County Council,

At the December meeting of the St. Joseph County Parks Board, members voted unanimously to approve the allocation of funds from the Parks Operating Fund cash carry forward, and our Parks Non-Reverting Fund towards the acquisition and implementation of an ERP system.

Several members of the County Parks staff have been involved in various aspects of the assessment and review for such a system.

As a department that is not housed in the County City Building, purchasing activity is burdened by the need for our staff to drive downtown to pick up paper copies of approved purchase orders. In addition, inventorying of newly acquired items is not automatically integrated with budgets. Park staff maintain six different financial spreadsheets, separate from the County's current financial system, to monitor the detail we need to analyze our various operations and programs. Park staff also track payroll information, such as hire dates, or benefits, in-house because there is no County-wide system to do so. These work-arounds have been created by dedicated staff who have determined ways to provide functionality but are cumbersome and time consuming.

The longer we delay the purchase and implementation of an ERP system, the more outdated our processes become. We support the County's endeavor to streamline many aspects of financial and HR operations through a fully-functioning ERP system, combined with a thorough training and implementation protocol, and committed funding to do so.

Sincerely,

Larry Catanzarite, Parks Board President"

As a member of the selection team for the ERP, we have struggled to articulate to you, the level of complexity and convoluted procedures we navigate to get the information we need every day to do business and to serve our residents. We ask your approval for this ERP system.

Jessica Clark, St. Joseph County Engineer, I am here in support of the ERP funding request. Obviously, I am very excited about the opportunities, the functionality of this program. On any given year, we are responsible to be providing documentation and tracking on projects between total amounts of sixty and eighty million dollars. I value and appreciate your time and effort in deliberation in this manner, I know it has not been an easy one. I request your favorable support for the appropriation tonight.

Kim Karkiewicz, Human Resource Director, when I started with the county in 2013, we were doing paper insurance enrollment for all of our employees. We were doing paper applications to get those hires we needed. Since then, we have moved in the right direction by going with an online enrollment for our insurance, going on line with what we have right now is an applicant tracking system. We need to do better. We have to compete with the employers in our region. Facing competition from the private sector, we have run into. With the public sector, it is not always the dollar that brings them here. It is helping the community, seeing their future here at the county. Right now, they don't see that. Many employees have left because they don't see a career track for them here and that needs to change.

Lisa Plencner, Circuit Court Administrator, I'd first like to call your attention to employees of the circuit court sitting there in the second row who have chosen to attend this meeting with me. These employees are constantly striving to do a great job, and, in my estimation, they always do. They want nothing more than to find ways to do their jobs more efficiently and more cost effectively. This is the main reason I am asking you to support the purchase of the new ERP system.

Robyn Challinor, Director of Portage Manor, I support the ERP system.

Andy Kostielney, President of the St. Joseph County Commissioners, I am also here to speak in favor of the ERP system. It's a lot of money, but I look at this as infrastructure, this is the financial infrastructure with which the entire county operations are built on. For us to do our jobs more effectively, make decisions more effectively, we need better information, more timely information and easier to access. I hope you support the appropriation.

Deb Durall, 21677 Auten Road, South Bend, I am not an IT person but I do understand the selection process and feel the committee and spokespersons have done exceptional work on the ERP project and the county employees need a better tool. I am not an accountant, but I do understand living within my means and the prospect of committing to something as insecure at this time as the cloud seems a large gamble.

Sharon Banicki, 3822 Ford Street, South Bend, I am not opposed to the system if we had the money and it was there fine. How many on the council know that there was an office as of last year still running Windows XP software? For some reason, they never got updated, if we've got the extra cash and the means, we should be updating the software and the hardware of every office, not just a select few. It was brought up that employees are leaving because they don't have a career path, no, employees left because they went five years without raises because they were told the county had no money. This year, raises were finally handed out but when you go five years with no raises and then all of the sudden, oh look here's seven million dollars for software and hardware, that doesn't make sense and if you talk to the employees that aren't affected by the software, they want raises, they don't care about making another department job easier because it doesn't affect them. You want happy employees, productive employees, you pay them productive wages.

Judith Rubleski, 515 S. Meade St. South Bend, regarding this ERP agenda, as a not computer savvy as all these people are, just as a citizen I would like assurance Low was approached with each of the county departments needs for software features. Assurance that our county is not paying for services before services are performed.

Mr. Pfeil: I am often impressed by the fact that the future is different than my past. This discussion, whether we stay with the past or move on to the future, the future has to do with a very fast moving situation. We need something up to date. The worst possible thing this council can do is decide how to do this project and impose themselves upon this project. A project like this has to come from the bottom up, from the people who sweat it and live with it every day.

Mr. Root: Mr. Murphy, the comment was made of seven million dollars for this system, can you give a comment to that? Is that an accurate representation of the cost?

Mr. Murphy: No, the project costs are four point two million, if we do finance it, it will increase the cost of it. It's not seven million. The interest costs would be five hundred and forty thousand dollars but you also need to keep in mind that if we pay for it out in front, we are going to lose interest we can't invest, the Treasurer just earned three million dollars for the city so there's not much of a differential between what we would pay US Bank and what we can earn ourselves, I would not be so concerned about the interest, really the cost is four point two million dollars.

Mr. Catanzarite: I am really impressed by the level of dedication of our county employees, especially the ones that came tonight and the amount of time and effort that was put into this process. Part of my concern as a councilmember is fiscal responsibility and I do believe in technology, we certainly do need technology. I believe and ERP system, I am not sure we need the one that you have selected, I wasn't in that process, you guys have made that decision for us. At the cost that it's coming at, I have a big concern. I would like to see us make the improvements in our IT department before we make the actual leap to buy the actual ERP system, I hate to see it fall on its face and not be implemented properly or fail and us be out the money.

Mr. Hess: I would like to echo Mark's comments so I won't repeat a lot of those, but I stand with him on most of those issues particularly making a robust IT department and I certainly don't doubt the integrity of the process or the passion, the hundreds of hours that were put in by the staff and I appreciate that. This is an extremely difficult decision for me because I for supporting the employees who work tirelessly to serve our county residents, I have fought for over three years for increased wages in the Clerks department which we finally got some satisfaction there but we are told every budget time that we have no money for this, no money for that, we have to be careful, we are facing the fiscal cliff so we make pretty cautious decisions that impact staff and other parts of the county so we have a lot of infrastructure to build, we are short on human resources, we are short on wages. The financial concern,

with the timing of it, with the fiscal cliff coming up, I for one, to help me do my job better, I would like to see us have a two to three-year capital project plan so that we are looking at capital projects in the future. For me, it's primarily a financial matter, I think the timing for that is off, so I would have to vote no on that as well.

Mr. Hamann: It's a five-year contract, not eight to ten. The other issues, we have nine staff IT folks. The one slight correction, the Kronos system was two hundred and seventy-five-thousand-dollar investment, not a half a million.

Mr. Noland: These projects that floundered or failed, the biggest reason for that happening was poor implementation. The cost difference, it's been the biggest, contentious issues, it seems, is that why is it so expensive? That's what we are paying for, we are paying to complete implementation. We have hired professionals to advise us on how to do this, what do we need, how do we need to get there, they have all come up with this as the solution. If we can afford it, that was always the biggest hurdle and I think we have heard multiple times how we can. The potential vendor was chosen far and away for every other category other than cost, that was the only thing they weren't the absolute best at and that's how they got chosen. It needs to be seen as an investment.

Mr. Canarecci: This is an issue I have been working diligently to digest. I think what's apparent is that, to echo, Mark's words, we are woefully deficient across the board in our systems integration and implementation. To be an organization of this size to be where we are is frustrating at minimum and maybe even embarrassment. I think no matter what, we need better solutions. With that in mind, the expense is great and looking at how we afford it, I take pause at some of the projects made, not because they are wrong but because they might be optimistic.

Motion to pass Bill No. 86-18 Item E was made by Mr. Noland and seconded by Mr. Pfeil. Bill No. 86-18 Item E failed 5-4

Against: Mr. Catanzarite, Ms. Hess, Mr. Telloyan, Mr. Kruszynski and Mr. Canarecci.

Motion to pass Bill No. 86-18 Items A-D and F-H was made by Mr. Catanzarite and seconded by Ms. Hess. Bill No. Items A-D and F-H 86-18 was passed to-wit; 9-0

Land Use Planning:

BILL NO. 85-18: AN ORDINANCE TO VACATE A PUBLIC WAY OR PUBLIC PLACE LOCATED WHOLLY WITHIN THE UNINCORPORATED PORTION OF ST. JOSEPH COUNTY, TO-WIT: THE FIRST EAST WEST ALLEY NORTH OF JEFFERSON BLVD BETWEEN CURRENT RD. AND MILLER AVE
PETITIONER: BETH ANN BERRY PERSONAL REP. FOR THE ESTATE OF KENNETH WAYNE BEARD

Mr. Noland reported that Bill No. 85-18 comes without a recommendation.

BethAnn Berry, Representative of Kenneth Wayne Beard, I am asking that the alley between his home and some property he owns be vacated and I have heard from two of the neighbors who are in favor of this.

Motion to pass Bill No. 85-18 was made by Mr. Noland and seconded by Mr. Canarecci. Bill No. 85-18 was passed to-wit; 9-0

Miscellaneous:

Unfinished Business:

BILL NO. 81-18: AN ORDINANCE FOR THE ST. JOSEPH COUNTY COUNCIL EXERCISING HOME RULE TO DESIGNATE THE POSITIONS OF PRESIDENT OF THE ST. JOSEPH COUNTY BOARD OF COMMISSIONERS AND PRESIDENT OF THE ST. JOSEPH COUNTY COUNCIL FOR COMPENSATION PURPOSES
PETITIONER: ST. JOSEPH COUNTY COUNCIL

Ms. Hess reported that Bill No. 81-18 comes without a recommendation.

Mr. Trippel: I have had discussions with the general councils office of the State Board of Accounts, they have confirmed the legality of the actions taken by the council in past years in various budgets to set the salaries of the county commissioner president and the county council president at a higher level, they did suggest that we would, for under home rule that they would prefer to see for their audit purposes a specific ordinance that adopts those positions and their salaries set at higher levels, again, for an accounting clarification only not for the legality of past actions or current actions being taken so that is what I have drafted.

Mr. Kruszynski: What you are saying is, under home rule we can do this?

Mr. Trippel: Correct.

Mr. Kruszynski: But, according to State Board of Accounts, we need to pass an ordinance to do it for accounting purposes.

Mr. Trippel: Again, they brought it to our attention, but it did not appear in the final audit. Under best practice from their accountants' opinions they would prefer to see a specific ordinance on point. I can't tell you it makes any legal difference because I don't believe it does but again, from an accounting stand point, they have different standards when they review and take care of the account of all of our books, that's what they would prefer to see.

Mr. Kruszynski: But under the state statute, I forget the code, it only pertains to the commissioners, not to the county council.

Mr. Trippel: That is correct.

Mr. Kruszynski: Or any other member within the

Mr. Trippel: Actually, it's any elected officials. You are correct, the specific statute in play is only addressed related to the county commissioners.

Mr. Kruszynski: I think Mr. Catanzarite brought that up at the committee meeting last month that he wanted language changed.

Mr. Trippel: I did provide to Mark a proposed amendment that would delete any reference to the council president if that's the council's decision.

Mr. Kruszynski: Also in the committee meeting last month, I believe that you indicated that there was a lawsuit filed in circuit court in regards to this issue.

Mr. Trippel: There was and it's still pending.

Mr. Kruszynski: Legally, can we still vote on this even though there is a lawsuit on this?

Mr. Trippel: Yes, absolutely.

Mr. Kruszynski: I don't know.

Mr. Trippel: This was recommended by the State Board of Accounts in an accounting function, we will have a legal opinion at some point from the circuit court of St. Joseph County.

Mr. Kruszynski: I would like to see the legal opinion first, that's just me.

Mr. Trippel: I understand. I am not advocating State Boards opinion, I am only an option based upon their recommendation.

Mr. Catanzarite: I would like to make amend Bill No. 81-18 to strike any language that pertains to the county council president and only reference the county commissioner since the state law only applies to the county commissioners in regards the compensations to county commissioners.

Mr. Kruszynski: Can you explain that a little farther?

Mr. Catanzarite: As I understand the state law from what I read, it pertains only to the county commissioners, the reference to being paid equal salaries and there is no reference to county council members or other offices where there are multiple members of the same designation, it only pertains to commissioners, my concern, my position is, why should we include the county council president in there if he's not required by the law to be paid the same as the rest of us so I thought we would exclude him and I know what our intent was three or four years ago, our intent was to compensate both the president of the commissioners and the council for extra duties but since the council doesn't need to have the home rule, that's why I was going to exclude the county council president.

Mr. Pfeil: Why wouldn't that be considered lack of support for our council president? It sounds like you are designating him as not getting the same support at the commissioner. I don't know why this council should not support our own man.

Mr. Catanzarite: That's not my intent. My intent is, the issue was brought up as a result of a conflict with the commissioner's salary. Not because of the council.

Mr. Pfeil: What would be wrong with make it sure that we support our own guy.

Mr. Kruszynski: The state statute only pertains to the commissioner, not the county council president, whoever that is.

Mr. Pfeil: So we get excessive and support our own guy, well then, let's get excessive.

Mr. Kruszynski: I have no problem supporting the president of the county council.

Motion to amend Bill No. 81-18 was made by Mr. Catanzarite and seconded by Mr. Noland. Amended Bill No. 81-18 failed 4-4. Mr. Morton abstained. Against: Mr. Noland, Mr. Pfeil, Mr. Canarecci and Mr. Root.

Motion to pass Bill No. 81-18 was made by Mr. Noland and seconded by Mr. Pfeil. Bill No. 81-18 was passed to-wit; 8-0

Mr. Noland: You all received invoices from the St. Joseph County Parks referencing their projects that we approved for the Hotel/Motel grant. The Auditor's office asked that the council approve these invoices and they will go ahead and pay them.

Mr. Catanzarite: I make a motion to approve invoice 121918-A in the amount of \$76,317.00 and was seconded by Ms. Hess. Motion passed by a voice vote 9-0.

Mr. Catanzarite: I make a motion to approve invoice 121918-B in the amount of \$29,096.00 and was seconded by Ms. Hess. Motion passed by a voice vote 9-0.

New Business:

Privilege of the Floor:

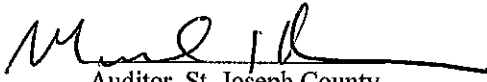
On behalf of the St. Joseph County Disaster Relief Fund, a big thank you to the county council for the ten thousand dollars from the 2018 budget.

Debra Durall, 21677 Auten Road, South Bend, I have been spending hundreds of unpaid hours to learn about the Indiana Enterprise Center Development. I am happy and proud to do it. It is exciting to see the democratic process so well model. I am concerned where I do not see this where I see little public engagement on the county's part,

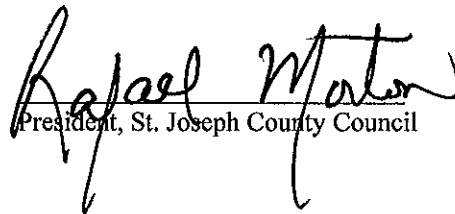
lack of descending opinions among members and a seeming rush to approval. This has not happened with the ERP and I hop the rest of the county officials to take the opportunity to reach similarly across the aisle and challenge each other's position.

Judith Rubleske, 515 S. Meade St. South Bend, I certainly echo everything that Debra Durall has said. I want to stress that I am called to be stewards of our earth and soil is really the foundation of civilization going back. Much of the IEC acreage by the state has been rated as prime agricultural soil. Soil is the foundation of civilization for our lives so furthermore, this acreage especially south of State Road 2 consists of black soil which needs to be regarded really as a treasure as the UN FAO regards as a treasure on our planet and certainly we should regard it as our treasure in our county and a lot of that acreage of State Road 2 consists of black soil which needs to be regarded along with all the prime agricultural soil. I hope we all take that message home about what a treasure we have in our county and in our city.

Adjournment: Mr. Morton stated that the meeting was adjourned 8:01 p.m.



Auditor, St. Joseph County



President, St. Joseph County Council