

MINUTES OF THE  
REGULAR MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
MARCH 12, 2019

The regular meeting of the St. Joseph County Council was called to order at 6:00 p.m., on March 12, 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  
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. Councilman Richard Pfeil was not present.

**Petitions, Communications & Miscellaneous Matters:**

Report from the County Commissioner: Andy Kostielney, President, St. Joseph County Commissioner, tonight is great when you are an elected official because we get to honor someone from our community who certainly deserves all the accolades she's receiving. I remember the first time I saw the McFadden siblings on the news and I am not afraid to say I was a little smitten. That dreamy hair, those beautiful eyes and Maureen, you look great too, don't get me wrong. I could stand here for an hour talking about the great things she's done for our community but I know Council has a few words to say so I don't want to take away what they are going to do but there is one point I certainly need to make and that is how grateful our community is for the almost forty years that Maureen has been at WNDU. I am not sure what child labor laws were like back then but you started when you were like ten so that's amazing, but Maureen had the talent, she could have gone anywhere in the county and the world but she chose to stay here because St. Joseph County is where she was raised, where her family was, where she wanted to raise her family, I think that speaks volumes to what St. Joseph County is like. It's home and we are so very grateful that she spent and shared her life with us. So on behalf of all the residents of St. Joseph County I'd like to share the greatest award that we can bestow on any individual and that is a key to the county, this is for a lifetime of service and dedication to the people of St. Joseph County and our community, we are so grateful you have chosen to share your life with us and we look forward to all the great things you'll do.

Maureen McFadden, I want to thank you all very much, this is quite the honor, I wasn't expecting this, I don't want to brag but I got the key to the city yesterday, so I have the whole town to open up. Thank you all very much, I am truly honored and am humbled by all of this and my husband and I were speaking this morning and I truly did not expect all of these things to be happening. I stayed here because I love it, this is home, I know it is a slogan but it's our slogan and it is and thank you all very much for this honor. I appreciate it and I will still be around.

Mike Hamann, St. Joseph County Auditor, RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL HONORING AND CONGRATULATING MAUREEN MCFADDEN ON HER RETIREMENT FROM NEWSCENTER 16

**WHEREAS**, the St. Joseph County Council represents all citizens of St. Joseph County, Indiana and periodically recognizes persons who by their dedication and hard work have distinguished themselves in our community; and

**WHEREAS**, Maureen McFadden will retire from Newscenter 16 on March 15, 2019 after anchoring for more than 30 years; and

**WHEREAS**, Maureen began her career on radio news as an anchor on U-93 FM, followed by her first position at Newscenter 16 as a TV reporter; and

**WHEREAS**, after serving as a TV reporter Maureen was promoted to the weekend news anchor, and after a few years, was elevated to main anchor in 1983; and

**WHEREAS**, Maureen has taken an interest in medical reporting which eventually evolved into the popular Maureen's Medical Moment" franchise, and among her many journalistic accomplishments she has interviewed Supreme Court Chief Justice Warren Burger at the dedication of the new Notre Dame Law School in London, as well as a number of other national and international figures including Hillary Clinton, Rosa Parks and Jay Leno; and

**WHEREAS**, Maureen has also served her community in various ways, including volunteering her time and talent to many worthwhile organizations and serving on various not-for-profit community boards and committees like Big Brothers/Big Sisters, Logan Center, Junior League, St. Joseph County Chapter of the Alzheimer's disease and Related Disorders organization and the 525 Foundation;

**WHEREAS**, Maureen has diligently and honorably served for many years in her capacity providing leadership in her anchoring responsibilities in the newsroom partnering with numerous co-anchors and reporters, conducted thousands of interviews, and cared deeply about the community and the stories that affect us.

**NOW, THEREFORE, BE IT RESOLVED BY THE ST. JOSEPH COUNTY COUNCIL THAT:**

**Section 1.** On behalf of the citizens of St. Joseph County, Indiana, and the St. Joseph County Council, we proudly and publicly recognize and congratulate Maureen McFadden for her accomplishments, including, but not limited to, her sincere dedication to an exemplary journalism career and reporting with integrity, candor, wit and accuracy.

**Section 2.** The St. Joseph County Council is especially proud to recognize that Maureen has brought honor to herself, her former colleagues at Newsroom 16, her countless number of friends, and especially to St. Joseph County, Indiana, which she has called home for many years. The St. Joseph County Council sincerely wishes Maureen, her husband Jim, and their family all the best in the years ahead and hopes that they will continue to enrich our County with their presence and active participation as citizens.

Passed and adopted this 12th day of March 2019.

Mr. Catanzarite: I'd just like to say to Maureen and her husband Jim and to the whole WNDU family it's been an honor to see you on the news waves all these year and you certainly have enriched our lives in our community and the women's issues, I think that you brought to light, I don't know if the Buddy Check was your idea or if you were apart of that, I know you promoted it a lot but for women with breast cancer awareness and Maureen's Medical Moment, those things have been huge for men and women alike so our hats are off to you, those will be tough shoes to fill as you leave the newsroom this week but, we wish you the best and many years of good health.

Motion to pass Bill No. 29-19 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 29-19 was passed by a voice vote to-wit; 8-0

Mr. Kruszynski made the motion to reappoint Lakeville Economic Development Commission Dennis Heckaman, Walkerton Economic Development Commission Gene Reese, North Liberty Economic Development Sara Williams And St. Joseph County Economic Development Gregg Hixenbaugh and was seconded by Mr. Noland. The motion was passed by a voice vote 8-0.

Ms. Hess made a motion to approve the minutes of the February 12, 2019 meeting and was seconded by Mr. Noland the motion was passed by a voice vote; 8-0.

No report from the County Auditor

No Report from Council Special Committee

**First Reading(s):**

**BILL NO. 30-19:** AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, FOR PROPERTY LOCATED AT THE LOT NORTH OF 6225 SOUTH MICHIGAN STREET FROM R: SINGLE FAMILY DISTRICT AND C: COMMERCIAL DISTRICT TO C: COMMERCIAL DISTRICT  
PETITIONER: JAI JAGDISH, INC.  
Assigned to the Land Use Planning Committee

**Resolution(s):**

**BILL NO. 25-19:** A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL, APPROVING THE ISSUANCE OF BONDS BY THE ST. JOSEPH COUNTY PUBLIC LIBRARY AND TAKING OTHER ACTIONS RELATED THERETO  
PETITIONER: ST. JOSEPH COUNTY PUBLIC LIBRARY

Phil Faccenda, 100 N. Michigan St. South Bend, here on behalf of the library, I also have with me Deb Futa who is our library director and we also have a couple members of the library board and also representatives of the Community Foundation should you have any questions. This is a fifteen-million-dollar bond issues in 2019 and the Community Foundation has committed ten million dollars under a memorandum of understanding that is executed with the library, with the city of South Bend with the South Bend Redevelopment Commission. The city of South Bend and the Redevelopment Commission have pledged four million dollars. The Community Foundation will be extending funds of that four million prior to the issuance of the bond by the city of South Bend which is required to be issued by the first quarter of 2022 to reimburse the Community Foundation, so the private investment is ten million at the end of the day and the total third-party investment a minimum of fourteen million. The debt service to be paid on both the eighteen and nineteen bonds will not exceed the library's debt service levy for the bonds that they have outstanding that are rolling off, as of the 2017 levy the combined debt service of eighteen and nineteen will not exceed that 2017 levy. The has been preparing for this project for a long time, they have been preparing for the fiscal cliff for a long period of time, they have made necessary changes in staffing and operations that they are confident they will be able to operate this new facility within their budgetary limits.

Deb Futa, Executive Director for the Library, since the tax caps were enacted, we've eliminated forty positions through attrition, we have rebalanced our staffing loads throughout the system and we have rethought all of our service contracts and maintenance agreements. We are currently experiencing a three-million-dollar short fall from the tax caps and property taxes make up just about seventy three percent of our revenue.

Mr. Telloyan: Phil, could you give us a little more color on the debt service, the debt payments, the interest rate, etc.

Phil Faccenda: The interest rate in the bond ordinance will not exceed five in a half or six percent, that's the maximum. These will be taxes and bonds, so it is fully anticipated that given the market conditions and they certainly won't jump a couple points. It is anticipated the bonds will be issued an interest rate number far below that. The existing is one million five hundred thousand and the 2018 and 2019 will not exceed that number.

Mr. Telloyan: And how many years will we pay that? This will be an up to twenty-year bond. It's anticipated that this bond will be issued twenty years.

Mr. Telloyan: We are getting twenty million dollars to build with now, we are going to repay thirty million over twenty years?

Phil Faccenda: That's correct.

Mr. Morton: Point of clarification, did you say that the projected three hundred thousand dollars in short fall caused by the fiscal cliff will be taken care of from your reserves?

Deb Futa: Yes, I did, you are correct.

Mr. Morton: That has been a concern I have been hearing about the public.

Mr. Catanzarite: I just want to say, the reason I am supporting this, I think the library, the St. Joseph County Public Library has been a good fiscal steward in our county for a long time.

Motion to pass Bill No. 25-19 was made by Mr. Catanzarite and seconded by Ms. Canarecci. Bill No. 25-19 was passed to-wit; 8-0

**Salary Amendment(s):**

**BILL NO. 28-19:** 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: PORTAGE MANOR (*COMBINED WITH BILL NO. 21-19 B*)

Mr. Kruszynski reported that Bill No. 28-19 comes with a favorable recommendation.

Robyn Challinor, Portage Manor, we have a medical records employee and we are adding some duties to her position and not hiring a nurse, she can absorb some of the duties that don't require a skilled nurse. It won't increase our budget and should save us money in overtime.

Motion to pass Bill No. 28-19 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 28-19 was passed to-wit; 8-0

**BILL NO. 22-19:** 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: ELECTION CLERK (*COMBINED WITH BILL NO. 21-19 C*)

Ms. Hess reported that Bill No. 22-19 comes with a favorable recommendation.

Lana Cleary, Clerk's office, this bill is to correct an error. The original salary that we proposed for the election clerk in the final proof I saw before it went to committee and the final approval was different than what came out in the 2019 book.

Motion to pass Bill No. 22-19 was made by Mr. Catanzarite and seconded by Ms. Hess. Bill No. 22-19 was passed to-wit; 8-0

**BILL NO. 24-19:** 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: PENN TOWNSHIP ASSESSOR (*COMBINED WITH BILL NO. 21-19 F*)

Ms. Hess reported that Bill No. 24-19 comes without a recommendation.

Michael Castellon, Penn Township Assessor, this has been brought to you to address staffing issues and disparity in pay. We ask that the consideration of this bill rescind the first line of ten thousand to adjust it to the one seventy-four four sixteen. We have had over the last four years a retention problem, keeping staff because, quite frankly, other counties are offering more for those positions. Over the last several years, we have brought several tax dollars to the table and have more than well paid for the request we are asking for today.

Mr. Noland made the motion to amend to line item 11010 Township Assessor and was seconded by Mr. Catanzarite. Amended Bill No. 24-19 was passed to-wit; 7-1 Against: Mr. Telloyan

Mr. Noland: I would like to make a second amendment. I would like to remove 11107, 11108 and 11108. Deputy I, Deputy II and Deputy II.

Mr. Hamann: He wants to revert back to how it was originally in terms of where it was paid from, how you determined it for the 2019 budget.

Mr. Noland: Correct.

Mr. Noland made a second amendment 11107, 11108 and 11108 Deputy I, Deputy II and Deputy II be removed and was seconded by Mr. Kruszynski. Amended Bill No. 24-19 was passed to wit; 7-1 Against: Mr. Telloyan

Mr. Telloyan: What is the total cost of the bill now and who's getting the money?

Mr. Dalton: Forty-seven thousand, four hundred and sixteen. This is in the general fund, in the Penn Township location in the general fund so it will be an additional appropriation within that department.

Mr. Telloyan: So, seven thousand for the chief auditor, four thousand for the second deputy.

Mr. Dalton: The numbers as are listed, seven thousand two hundred for the chief deputy, four thousand, three hundred and sixty for the second deputy and twelve thousand, three hundred and sixty for the two deputy one's, eleven thousand, one hundred thirty-six for deputy two.

Mr. Noland: Exactly as it is on the bill in front of us, correct?

Mr. Dalton: Correct.

Mr. Noland made a motion to pass both amendments to Bill No. 24-19 and was seconded by Ms. Hess. Two-time amended Bill No. 24-19 passed to-wit; 7-1 Against: Mr. Telloyan.

**BILL NO. 26-19: 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: ASSESSOR (COMBINED WITH BILL NO. 21-19 G)**

Ms. Hess reported that Bill No. 26-19 comes without a recommendation.

Rosemary Mandrici, St. Joseph County Assessor, this bill is to have parity with my colleagues and his staff in Penn Township. We do have a problem with retention. That will be discussed in this year's budgets.

Motion to pass Bill No. 26-19 was made by Mr. Catanzarite and seconded by Mr. Canarecci. Bill No. 26-19 was passed to-wit; 6-2 Against: Mr. Root and Mr. Telloyan

**BILL NO. 27-19: 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: ASSESSOR (COMBINED WITH BILL NO. 21-19 H)**

Ms. Hess reported that Bill No. 27-19 comes without a recommendation.

Rosemary Mandrici, St. Joseph County Assessor, this bill is needed because we have a vendor that will not be servicing some software that we desperately need in order to complete our work, so we will be bidding out for another vendor to supply that software. Also, the salary amendments are the same. We have staff that is coming out of the reassessment fund, in order for parity that is what we are asking.

Mr. Canarecci: So clearly one of the larger line items on this is the contractual services, that revering to the software?

Ms. Mandrici: Correct.

Mr. Canarecci: I am assuming we've shopped this around for other ideas and this is about the only....

Ms. Mandrici: We did not know about that at budget time so therefore we found out late fall that the vendor would not service after October of this year so we have put out bid specs in order to see what vendor would bid on it.

Mr. Canarecci: Have you had any responses yet?

Ms. Mandrici: We do have two vendors that have submitted bids and it's still open until the end of this month.

Mr. Canarecci: Are they competitive, are they nearing this number?

Ms. Mandrici: When we talk about the contractual services amount, it's not only for the software it's for conversion.

Mr. Canarecci: Is this new software going to offer any new functionality to the office or to the public?

Ms. Mandrici: It's part of what we need in order to perform our trending analysis, perform and maintain our business and personal property audits and things like that.

Motion to pass Bill No. 27-19 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 27-19 was passed to-wit; 8-0

**BILL NO. 23-19: 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: JUVENILE JUSTICE CENTER (COMBINED WITH BILL NO. 21-19 N)**

Mr. Kruszynski reported that Bill No. 23-19 comes with a favorable recommendation.

Cheryl Rush, Controller, Juvenile Justice Center, we are asking for an appropriation for the court administrator that will oversee the family court grant program.

Motion to pass Bill No. 23-19 was made by Mr. Noland and seconded by Mr. Canarecci. Bill No. 23-19 was passed to-wit; 8-0

**Public Hearing/Public Comment:**

**BILL NO. 21-19: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT**

**TRANSFERS:**

**A. Juvenile Justice Center**

JJC-DOC Grant

FROM: 9129-36015-019-0797

TO: 9129-11439-019-0797

Contractual Svc. \$3,060.00

Overtime 3,060.00

**TOTAL: \$3,060.00**

**B. Portage Manor**

Portage Manor Fund

FROM: 4019-11724-000-0030

TO: 4019-11702-000-0030

Extra Hire \$3,500.00

Medical Records 3,500.00

**TOTAL: \$3,500.00**

**APPROPRIATE:**

C. Election Board  
1000-11043-000-0027

Election Clerk \$2,125.00  
**TOTAL: \$2,125.00**

D. Election Board  
LIT Economic Dev.  
1112-44010-000-0027

Equipment \$3,000,000.00  
**TOTAL: \$3,000,000.00**

E. Penn Township Assessor  
Omitted Property Tax Audit  
1177-31076-216-0002  
1177-31076-217-0002  
1177-31076-218-0002

Contractual TMA 2016 \$32,550.00  
Contractual TMA 2016 32,550.00  
Contractual TMA 2016 32,550.00  
**TOTAL: \$97,650.00**

F. Penn Township Assessor  
General Fund

1000-11010-000-0150 Township Assessor \$10,000.00  
1000-11070-000-0150 Chief Deputy 7,200.00  
1000-11102-000-0150 Second Deputy 4,360.00  
1000-11107-000-0150 Deputy One 12,360.00  
1000-11107-000-0150 Deputy One 12,360.00  
1000-11107-000-0150 Deputy One-New Position 45,000.00  
1000-11108-000-0150 Deputy Two 11,136.00  
1000-11108-000-0150 Deputy Two-New Position 45,000.00  
1000-11108-000-0150 Deputy Two-New Position 37,000.00  
**TOTAL: \$184,416.00**

G. St. Joseph County Assessor  
General Fund

1000-11100-000-0012 Director of Assessments \$5,000.00  
1000-11101-000-0012 First Deputy 11,200.00  
1000-11102-000-0012 Second Deputy 52,000.00  
1000-11103-000-0012 Third Deputy 43,000.00  
1000-11109-000-0012 Mapping Deputy 8,000.00  
1000-11110-000-0012 Senior C/I Deputy Assessor 4,200.00  
**TOTAL: \$123,400.00**

H. St. Joseph County Assessor  
Cumulative Reassessment Fund

1188-11070-000-0012 Chief Deputy \$6,000.00  
1188-11101-000-0012 First Deputy 21,400.00  
1188-11102-000-0012 Second Deputy 40,800.00  
1188-11103-000-0012 Third Deputy 8,000.00  
1188-11107-000-0012 Real Estate Deputy 1 12,360.00  
1188-11625-000-0012 Tax Appeals Manager 8,000.00  
1188-11809-000-0012 Comm/Indus Manager 5,220.00  
1188-14800-000-0012 FICA 5,391.00  
1188-14801-000-0012 PERF 10,711.00  
1188-31070-000-0012 Contractual Svc. 400,000.00  
**TOTAL: \$517,882.00**

I. County Police  
Justice Assistance Grant  
8137-44010-000-0005

Equipment \$15,240.00  
**TOTAL: \$15,240.00**

J. Superior Court  
General Fund  
1000-39401-000-0020

Court Ordered Mandates \$50,000.00  
**TOTAL: \$50,000.00**

K. Circuit Court  
Alt. Dispute Resolution Fund  
4901-31070-000-0054

Other Contractual Services \$20,000.00  
**TOTAL: \$20,000.00**

L. Juvenile Justice Center  
CASA Capacity Bldg. Fund  
9133-11772-000-0025  
9133-14800-000-0025  
9133-14810-000-0025  
9133-14840-000-0025  
9133-32051-000-0025

Casa Volunteer Supervisor \$39,682.00  
FICA Taxes 4,136.28  
PERF 6,55.72  
Group Insurance 13,307.31  
Promotion 957.60  
**TOTAL: \$64,138.91**

M. Juvenile Justice Center  
JJC DOC Grant  
9129-39986-019-797

Fund Distribution to State \$70.14  
**TOTAL: \$70.14**

N. Juvenile Justice Center  
2018 Family Court Project  
9147-11079-000-0025  
9147-14800-000-0025  
9147-14810-000-0025  
9147-21010-000-0025  
9147-22417-000-0025  
9147-44010-000-0025

Court Administrator \$4,200.00  
FICA Taxes 327.40  
PERF 487.04  
Stationery & Printing 82.61  
General Supplies 500.00  
Equipment 1,000.00  
**TOTAL: \$6,597.05**

O. Domestic Relations  
DRCB Fee Fund

4900-21030-000-0054 Office Supplies \$1,000.00  
4900-32020-000-0054 Travel 4,000.00  
4900-32050-000-0054 Instruction & Training 3,000.00  
4900-31070-000-0054 Other Contractual Svc. 1,000.00  
4900-44250-000-0054 Office Machines 2,000.00  
4900-39750-000-0054 Data Processing 1,000.00  
4900-44510-000-0054 Furniture & Fixtures 2,000.00

**TOTAL: \$14,000.00**

P. TRANSFER/APPROPRIATION

Juvenile Justice Center  
JJC DOC Grant & JJC Project Income

FROM: 9129-65030-018-0797 Interfund Transfer \$11,300.00  
TO: 9130-05205-019-0797 Transfer of Funds 11,300.00

**TOTAL: \$11,300.00**



Q. APPROPRIATE  
Juvenile Justice Center  
JJC DOC Grant & JJC  
9130-36015-019-0797

Project Income	
Contractual Services	\$11,300.00
	<b><u>TOTAL: \$11,300.00</u></b>

Motion to pass Bill No. 21-19 including the amendments on Item F was made by Mr. Noland and was seconded by Mr. Catanzarite. Mr. Noland made a motion to amend the motion to Bill No. 21-19 for letter F, Township Assessor Deputy II new position and Deputy II new position to deleted and was seconded by Mr. Kruszynski. The amended motion was passed to wit; 7-1 Against F, G and H: Mr. Telloyan. Against G: Mr. Root.

**Land Use Planning:**

**BILL NO. 18-19: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 154.007 TO AMEND TRAILERS, MOBILE HOMES AND TENTS  
PETITIONER: AREA PLAN COMMISSION**

Mr. Noland reported that Bill No. 18-19 comes with a favorable recommendation.

Jordan Wyatt, Department of Infrastructure, Planning and Growth, as you know, we took over zoning and administration at the beginning of Januar, 2018. The biggest part of that is zoning violations. One of the largest complaints we received was RV's on lots. Currently the ordinance says it has to be parked in an inconspicuous location. We found that vague and hard to administer. We brought before you a text amendment that will clarify the locations where you can store RV's on your property. This comes to you with a favorable recommendation from the Area Plan Commission.

Motion to pass Bill No. 18-19 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 18-19 was passed to-wit; 8-0

**BILL NO. 19-19: AN ORDINANCE AMENDING AND SUPPLEMENTING TITLE XV, LAND USAGE, CHAPTER 154, PLANNING AND ZONING, OF THE ST. JOSEPH COUNTY CODE, AS AMENDED, SECTION 154.070 TO AMEND DEVELOPMENT STANDARDS OF ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICT  
PETITIONER: AREA PLAN COMMISSION**

Mr. Noland reported that Bill No. 19-19 comes with a favorable recommendation.

Jordan Wyatt, Department of Infrastructure, Planning and Growth, since the adoption of the zoning ordinance in 2005 the Area Board of Appeals has granted numerous variances for the sizes of accessory structures in the county. The ordinance currently allows detached accessory structures that are equal to the ground floor, the square footage of the ground floor of your house or nine hundred sixty square feet, whichever is greater no matter what size lot you have up to five acres. What we bring before you is a text amendment that will allow flexibility with determining the size of your accessory structures in the county in correspondence to the lot sizes. These are formulated with analyzing the variances that have been granted on what we think is appropriate for the lots. This comes to you with a favorable recommendation from the Area Plan.

Motion to pass Bill No. 19-19 was made by Mr. Catanzarite and seconded by Mr. Noland. Bill No. 19-19 was passed to-wit; 8-0

**Unfinished Business:**

**New Business:**

Commissioners Veto:

**BILL NO. 5-19:** 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: VOTER REGISTRATION (*COMBINED WITH BILL NO. 21-19 R*)

Mr. Morton: Point of clarification, we are just going to call for a motion for Bill No. 5-19 and 21-19, is that correct sir?

Mr. Trippel: Yes.

Mr. Morton: There again, point of clarification, a yes vote would be to override the Commissioners veto, is that correct sir?

Mr. Trippel: Yes.

Motion to override the Commissioners veto Bill No. 5-19 was made by Ms. Hess and seconded by Mr. Canarecci. The motion to override the Commissioners veto passed to-wit; 6-2 Against: Mr. Root & Mr. Telloyan.

**BILL NO. 21-19:** AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH COUNTY GOVERNMENT

R. Voter Registration

General Fund

1000-11101-000-0028	Deputy	\$61,664.00
1000-11950-000-0028	Part Time	27,000.00
1000-33100-000-0028	Printing	650.00
1000-32020-000-0028	Travel	200.00
	<b>TOTAL:</b>	<b>\$89,514.00</b>

Motion to override the Commissioners veto Bill No. 21-19 R was made by Mr. Noland and seconded by Mr. Canarecci. The motion to override the Commissioners veto Bill No. 21-19 R passed to-wit; 6-2 Against: Mr. Root & Mr. Telloyan.

**Privilege of the floor:** Limit of 3 minutes to items not on agenda

Mr. Catanzarite: I would just like to recognize our colleague for being here tonight on his birthday, Bobby Kruszynski.

Mr. Morton: Happy Birthday sir.

Mr. Kruszynski: Thank you.

Jack Daly, 217 W. Michigan St., New Carlisle, there is a lot of plans for development in our area. My mind goes back to another money-making project that was gifted to us to New Carlisle area a number of years ago, the shredder project and it too was touted as a boom to the area, talking railroad spurs and speculations on business to follow. Along with those financial hopes and dreams the decision makers from New Carlisle town officials to the county commissioners made a lot of promises and assurances back then as well of special machinery to drain chunks of junk cars, a volatile and toxic substances before they ever hit the jaws of the shredder. So, with current county pronouncements echoing promises broken in our areas in the past, I have one question, I don't expect you to answer it right now, but I want you to go home and ponder it, why should we trust you now?

Christopher Cobb, 215 E. Pokagon St. South Bend, I appreciate your time. We are members of the Open Space and the Agricultural Alliance of St. Joseph County and we are going to be speaking to you tonight about concerns with respect to the industrial development that's being planned for northwestern St. Joseph County and some ideas for alternatives. Transparency and public involvement which has been lacking. This is a process that should include public hearings on a regular basis and reaches out to engage citizens. Protection of prime farm land which is irreplaceable. Prevention of damage to aquifers and surface waters. To make the quality of permanent jobs created. To make sustainability a primary goal of development.

Judith Rubleski, 515 S. Meade St. South Bend, I am speaking about farm land issues. Farmland in St. Joseph County has soil that is rated by the State of Indiana to be prime fertile soil. This land has economic value, farmer do pay taxes and how many bushels of corn has been produced over the years? We need and want farmland preserved.

Dan Corso, 305 Compton St. New Carlisle, I recently visited the town of Elwood Illinois and I find it necessary to spread the message learned. That message is we must be extremely cautious with economic decisions made as they relate to environmental concerns. The semi traffic has made a trip to the store in Elwood a treacherous, white knuckle challenge. The roads are in constant need of repair due largely to the twenty-three-year tax abatement, there are insufficient funds to repair those roads however, there is something less visible than the crumbling infrastructure but just as if not more dangerous. Those are the emissions that are constantly being released into the atmosphere by these eighteen wheelers. Let's take our time and do it right over here.

Mark Serry, 6395 Olive Branch Road, Galien Michigan, I am the third generation of a family farm just north of New Carlisle with acreage in the Enterprise Center area. I am not totally against development and jobs, it's more finding a better direction than big smoke stack type businesses that are better stewards for the ground.

Heather Serry, 6395 Olive Branch Road, Galien, Michigan, farmers in general are good stewards of the land, period. You take a small farm operation that employees five people full time. Those five people represent five households that are supported from one farm. Each member of that farm plays a vital role in the continuation of operations. What happens if one member doesn't pay attention to the land they are tending, maybe they ignore the soil sampling reports or the advice from a certified crop advisor, or most importantly, maybe they don't listen to their gut when years of experience are telling them that something isn't quite right, what happens? Yields and production go down and if continue, will drain the land of the necessary components needed for growing successful crops. What do farmers do? They study the land and make adjustments as needed. They carefully add nutrients and supply the soil it needs to remain fertile. The bottom line is that farmers don't use what they don't need.

Andy Oldham, 33740 Auten Road, New Carlisle, I am a farmer from New Carlisle, I am here because I am against the Indiana Enterprise Center. I am against moving the Niespodziany Ditch, I am against building a new train station that haul in workers that don't live here, that won't spend their money here, I am against the toll road interchange. I am also against the new fire station. As a farmer, my farm produces corn and soy beans. Most of the corn I grow I sell to South Bend Ethanol. No business will care for land as a farmer will.

Theresa Gerry, 2405 State Line Road, Galien, Michigan, my family farm has a lot property in this Olive Township where the industry is also coming. I am here today to share my concerns about our water resources. In February, I attended a water infrastructure and aquifer discussion in New Carlisle, our town council was there, Peerless was there working on their survey and their report and engineers from the county and the town were there. I am among many things, including the pollution of that water by such industries as the shredder in the New Carlisle area. I am also concerned about the volume of water that's being taken out of our aquifer. From what we learned at the meeting, more than half of the recharge rate of the aquifer is already being used now by the town of New Carlisle, agriculture and the industry that is there. Their estimations, between twenty-one and twenty-seven million gallons a day are used now, and they say there is a sixteen to twenty-three million gallons a day left that is, they call it the recharge rate. So that is above the base rate. If we start including industry and it grows to the twenty-three thousand acres that has been implied in many articles, we will need to be tapping into this base rate of this aquifer which means we will be using it faster than it can replenish itself.

Victor Myers, 336 W. Navarre St. South Bend, I'm here to speak about the redevelopment project scheduled for New Carlisle which is a huge project based both on its footprint and its promise benefits. Whether this council decides to move forward on this however should depend on community input. I attended the redevelopment council

meeting this morning and got the impression from the proposals to spend money for appraisals and other things that it didn't seem to be a question as to whether this would go forward. This is just almost a done deal. I'd like to see an immediate meeting open to the public and announced well in advance to discuss the project scope and impact, to abstain from purchasing land and making other bonding commitments that make it harder to reverse course later on once that become apparent. We need specifics on the promise benefits, how many jobs, are they permanent high paying jobs?

Kathy Van Lue, 413 S. Filbert St. New Carlisle, I implore you to look at the article that was written about Elwood Illinois. This is your chance to look at the negative aspects and circumstances of a gargantuan industrial area after the fact and prevent it from happening.

Marcy Kauffman, 106 Bray St. New Carlisle, the St. Joe Energy Plant that was new to us out there, which we didn't fight, it has already changed, we have a huge steam stack, people don't that's steam, you know, it's smoke stacks, they have two smoke stacks and a huge steam stack so it's already intruded more than I ever thought it would. Even before we have seen anything come of this they're already talking about expanding it more. I just ask for all of you to scrutinize every aspect of this and to talk to us out there, to come out there and talk to us.

Mr. Telloyan: Marcy, you are on the town council?

Marcy Kauffman: Yes, I am. I need to mention that I am representing myself as a life long resident, I am not speaking for the council.

Mr. Telloyan: What is the council's take on these issues?

Marcy Kauffman: I can't speak for the whole council so I, we have a statement that I believe Ken Carter, our council president read. I don't remember the exact statement. I really encourage some communication. There are many, many people who are not for the IEC as it sits and if any of you are wondering why we haven't heard from anybody, I will tell you, we are tired out there. People are tired for having to fight. We love it out there.

Katherine Enders, 23037 W. Grove St. South Bend, the territory you are talking about developing I know about because I work for the engineering company who surveyed it and had a staff member who knew all the ground structure in the whole state of Indiana. That area is the third largest underground water aquifer in the country and that means it stretches from just south of Detroit all the way down to the west area of west Lafayette. Now you are talking about contamination, we have had that. I know the area and I know what goes on.

Garrett Blad, 1428 Marigold Way, Apt. 103 South Bend, I grew up in North Liberty. I am here to talk about the lack of transparency and public input that's been in this process. Twenty-two thousand acres of the most prime farmland being destroyed by who knows what, cement pavement and smokestacks. When I moved back home to St. Joseph County, I thought this would be an exciting place to build my life, I was alarmed to find out about the Indiana Enterprise Center. We have been working for the past eight months or a year or so to try to find information and try to find a venue where our voices could be heard and to make an impact to slow this project down. We have encountered hundreds of angry farmers, teachers, citizens, in New Carlisle and in the neighboring areas who had either no idea about the project or who are incredibly frustrated for the lack of transparency about what it involved. When we started asking about documents, all of the sudden we have found almost a years worth of documents, agendas, maps, and agreements on the website that were unavailable beforehand. I want to mention, this morning I was at the redevelopment commission meeting this morning, one of the troubling things is, in this search for information, we are still being told from both sides of the mouth from the people that are driving this process and I want to be frank with this body, I do not believe that this is this body that is guiding this process, it is my understanding, the board of commissioners and the economic development office that is driving the agenda and keeping information from the public. Commissioners Kostielney said there are no companies knocking on the door of St. Joseph County for entry. That this is just preparing for a future that could look like companies wanting to come and move here. Many months before the end of the year, Bill Schaillo told the public that they were half a dozen companies wanting to move here and that was why we need to move the Niespodziany Ditch because the scale of some of those companies are thousands of acres. He said that those companies would be released at the beginning of this year. We still have no word about those companies, not only do we have not word about those companies which appear to have been a lie to the public, but, there is actually no company's knocking on the door of

St. Joseph County. So the question to this council is, why is this project happening, why has there not been a call for a public meeting on this, clearly things are out of order in this county and I request, I know that this body wants the best for this county, I know, I have met many of you, I know about this body is looking out for the farmers in this room but I request that you hold a public meeting with public input from the residents of New Carlisle and those in South Bend and the entire county.

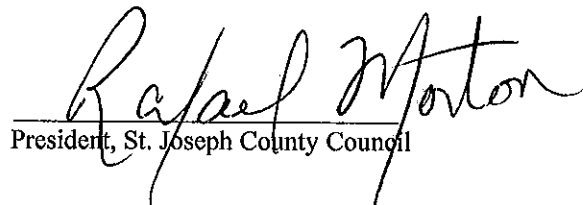
Chis Humbarger, 58010 Tulip Road, New Carlisle, taxes should go to the county's bottom line and not to make one smokestack pay for the next smokestack.

Debra DuRall, 21677 Auten Road, South Bend, we are here now because the farmers are about to start working twenty-four seven. The lack of a public presentation or a comprehensive discussion for the past nine months in light of the continual spending is further alarming with the tone of the steering committee summary of the public comments. Taken out of context and positioned for easy dismissal. While we may not all agree on the number one priority, the collective quality of life issues are significant and shared.

**Adjournment:** Mr. Morton stated that the meeting was adjourned 8:05 p.m.



Auditor, St. Joseph County



President, St. Joseph County Council