

MINUTES OF THE
REGULAR MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
OCTOBER 9, 2018

The regular meeting of the St. Joseph County Council was called to order at 6:00 p.m., on October 9, 2018, 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. Robert J. McCahill
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. Kruszynski made the motion to reappoint John Matthys to the Animal Control Commission, Dale DeVon, John Linn and John Murray to the Onsite Wastewater Advisory Board and seconded by Mr. Noland. The motion was passed by a voice vote; 9-0.

Ms. Hess made a motion to approve the minutes of the September 11, 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: Bill No. 66-18 is tabled at the request of the petitioner.

First Reading(s):

BILL NO. 71-18: 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 54422 PINE ROAD FROM M: MANUFACTURING DISTRICT TO R: SINGLE FAMILY DISTRICT PETITIONER: ELSIE LOWERY
Assigned to the Land Use Planning Committee

BILL NO. 73-18: AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AMENDING TITLE III: ADMINISTRATION, BY AMENDING CHAPTER 34: FINANCES; COUNTY FUNDS ESTABLISHING SECTION 34.43 NON-REVERTING COUNTY COMMERCIAL ECONOMIC DEVELOPMENT FUND PETITIONER: JESSICA CLARK
Assigned to the Budget and Administration Committee

BILL NO. 75-18: AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AMENDING TITLE XV: LAND USAGE, BY AMENDING CHAPTER 150: GENERAL PROVISIONS, LICENSING AND

REGISTRATION REQUIREMENTS; PERMIT FEES ESTABLISHING SECTION 150.31 ADOPT A ROAD/ADOPT A SPOT PERMITS
PETITIONER: JESSICA CLARK
Assigned to the Land Use Planning Committee

Resolution(s):

BILL NO. 67-18: A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL, APPROVING THE ISSUANCE OF TAXABLE BONDS BY THE ST. JOSEPH COUNTY PUBLIC LIBRARY AND TAKING OTHER ACTIONS RELATED THERETO PETITIONER: ST. JOSEPH COUNTY PUBLIC LIBRARY

Phil Faccenda, Barnes & Thornburg, I am here representing the library district. Before you is a resolution to approve a bond resolution that was adopted by the library board in August. The resolution contemplates not to exceed five-million-dollar bond that would be issued by the library district. It is anticipated to mature not later than January 2026, it is anticipated it will be a shorter maturity than that, probably 2024. Overall debt services will come in at around five point six million dollars. This bond will not increase the tax rate above 2017 levels because the existing bond issue that the library has on the books, it's a 2007 bond is rolling off after one debt service payment next year. This is financing a portion of a continuing education center.

Motion to pass Bill No. 67-18 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 67-18 was passed to-wit; 8-1 Against: Mr. Telloyan

BILL NO. 69-18: A RESOLUTION ESTABLISHING FUND 1300 INELIGIBLE DEDUCTIONS (JULY 1, 2019)
PETITIONER: AUDITOR

Mike Hamann, St. Joseph County Auditor, we were advised by State Board of Accounts that the County Council has to formally act on establishing this ineligible deduction fund. We have been using since 2014. This is the original ineligible deduction fund that the Auditor's office used that acquired a pretty large sum of funds. The state asked us to set up another fund by where by the maximum you could have in that would be a hundred thousand dollars and the rest would have to be turned back to the general fund.

Motion to pass Bill No. 69-18 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 69-18 was passed to-wit; 9-0

BILL NO. 70-18: RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL AUTHORIZING APPROVAL OF AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN ST. JOSEPH COUNTY, THE ST. JOSEPH COUNTY REDEVELOPMENT COMMISSION, AND SF MOTORS, INC.
PETITIONER: SF MOTORS

Bill Schalliol, Economic Development, the resolution before you today is to approve the development agreement that we have presented to the council also have to the Board of Commissioners and to the Redevelopment Commission. The Redevelopment Commission at their meeting this morning approved this development agreement, we are asking for your support as submitted.

Mr. Kruszynski: I would like to make a motion to table this to our committee meeting on the 23rd. The reason for this is, I would like to see Mr. Schalliol attempt to have a conversation with the Building Trades in regard to this project and see if we can't come up with some sort of agreement in regard to the improvements at the facility.

Mr. Noland: I would like to hear from Mr. Schalliol, any logistical problems presented or a plan forward?

Mr. Schalliol: We want to understand what parts of this development agreement you would like to fall under a discussion with the labor unions. I don't know what there is specifically that you would like to see covered under this, I would ask for that clarification between now and the end of the week.

Mr. Kruszynski: I am not suggesting this whole project needs to be union labor, we are just saying, try to meet with them and see what kind of issue they are having so they have a chance to come to the floor.

Mr. Schalliol: Are we then going to open up the opportunity for non union labors to have the same conversation?

Mr. Kruszynski: Every case is different, Bill.

Mr. Schalliol: We have provisions in the development agreement that says the company is supposed use best reasonable commercial practices to find workers and companies to do the work in the facilities. We have no public money going into this project, so I don't know that this is an appropriate request.

Mr. Morton: When I received the call today, I immediately called you and attempted to reach out to Representative Niezgodski and Representative Taylor and get clarification and was extremely disappointed that this came up today. I also have to say, this is not the first time, what I am saying, not with this situation but, I have been around a lot longer than you have and trust me when I tell you, this is not the first time I have been disappointed that when something has been discussed for a long period of time, and at the last moment something comes up.

Mr. Kruszynski made a motion to table Bill No. 70-18 and was seconded by Ms. Hess. The motion passed by a voice vote; 7-2 Against: Mr. Telloyan and Mr. Root.

BILL NO. 72-18: RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL CALLING ON UNITED STATES PRESIDENT DONALD TRUMP, VICE PRESIDENT MIKE PENCE, AND THE INDIANA CONGRESSIONAL/SENATORIAL DELEGATION WHO REPRESENT OUR AREA TO WORK WITH HONEYWELL TO STOP OFFSHORING JOBS AND ABANDONING COMMITMENTS MADE TO RETIREES
PETITIONER: DIANA HESS

RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL CALLING ON UNITED STATES PRESIDENT DONALD TRUMP, VICE PRESIDENT MIKE PENCE, AND THE INDIANA CONGRESSIONAL/SENATORIAL DELEGATION WHO REPRESENT OUR AREA TO WORK WITH HONEYWELL TO STOP OFFSHORING JOBS AND ABANDONING COMMITMENTS MADE TO RETIREES

WHEREAS, The Honorable United States President Donald Trump can encourage Federal contractors to stop offshoring jobs and to fulfill their commitments to retirees; and

WHEREAS, Vice President Pence as former governor and a native son of the state of Indiana, has a particular awareness and commitment to honoring commitments to and securing good jobs for Hoosier families; and

WHEREAS, our United States Congressional/Senatorial Delegation who represent our area in Indiana are: The Honorable United States Congresswoman Jackie R. Walorski (IN-2); The Honorable United States Senator Joseph S. Donnelly, Sr. (IN); and The Honorable United States Senator Todd C. Young (IN); and

WHEREAS, Honeywell is a corporation with deep roots and a long history as a valued employer in our community; and

WHEREAS, Honeywell – a defense contractor that has received \$3.4 billion in federal contracts from the Trump Administration – is shipping work from the South Bend plant to Turkey which runs counter to President Trump's commitment to keep jobs in the United States; and

WHEREAS, Honeywell has elected to end its long-standing commitment to provide health care coverage to 4,700 retirees from this facility; and

WHEREAS, these most recent actions come after Honeywell forced its workforce onto the street in a 10-month lockout in 2016-17; and

WHEREAS, Honeywell collected \$1.7 billion in 2017 profit, and takes advantage of the new tax law to bring back \$7 billion in offshore case; and

WHEREAS, it is our hope that, true to its history as a good corporate citizen, Honeywell will always consider people over profit; and

WHEREAS, Honeywell, while eliminating promised health care coverage to its retirees deployed nearly \$950 million in the first quarter for stock buybacks to boost shareholder profit instead of making good on its commitment to its retirees' health care.

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

Section 1. The St. Joseph County Council respectfully requests that Representative Walorski, Senator Donnelly, Senator Young, and Vice President Mike Pence call on President Trump to exercise his power and influence to encourage Federal contractor Honeywell to:

- (1) Stop the offshoring of South Bend area jobs; and
- (2) Live up to its obligations to its employees, past and current, particularly in regard to health care benefits.

Section 2. The St. Joseph County Council additionally asks that in consideration of future contracts and renewals, President Trump take into consideration the actions of Honeywell with respect to its commitments to the people of our community.

Section 3. This Resolution shall be in full force and effect from the day of its passage.

Passed and adopted this 9th day of October, 2018.

Mr. Pfeil: I think we have to be very careful as a County Council and entering into private disputes between people and our community. I also think that mentioning the cesspool in Washington and how it might affect all of us does not do us any good.

Mr. Catanzarite: I would agree that we don't regularly get into disputes with private companies and contract disputes with their employees however, when something impacts four thousand seven hundred retirees in our community, people that have given their life working for Honeywell and something as big as this can impact them as retirees, I don't think it's that big of a thing to ask our congressional delegation, our president to step in and try and do something to help save these retiree benefits.

Ms. Hess: I have been meeting with them, working with them over the last few months and I just head again on Saturday, there are people literally dying because they've lost their health care coverage within the last few months, unable to find coverage they can afford or navigate the new confused health system that exists in our country today so I see this less as a dispute between a company and workers than a public health issue related to good paying jobs in our community and access to quality health care, they are being denied, forty seven hundred retirees, widows, or widowers of retirees anticipating this, we are talking people eighty, ninety, ninety five years old that are losing their health care coverage unexpectedly.

Mr. Kruszynski: My late father in law was a UAW at Bendix, Honeywell employee for quite a few years and passed away a couple years after his retirement and this has affected my mother in law's health insurance. I attest to what Mr. Catanzarite and Ms. Hess say in regard to the concern of the forty-seven hundred retirees in our community.

Mr. Catanzarite made a motion to amend the rules for the resolution and ask for a public hearing and was seconded by Mr. Noland. The motion passed by a voice vote; 9-0.

Tom Zmyslo, Sr. 51042 Prairie View Way, South Bend, presently, about the last eight or nine years been a retiree chairman from UAW Local 9 here in South Bend. Me, myself, representing these retirees that have lost their health insurance. I think it was pretty much proven by the city council that it was not a partisan issue. These retirees, whether they are losing their jobs through work going to Turkey or whether they are losing their insurance as a retiree have voted some Republican, some Democrat so I would not call this a partisan issue.

Larry Alexander, 56051 Harman Dr. Mishawaka, back in 2016, when Honeywell locked our people out, we tried several attempts to get ahold of our congress woman and our senators to give us some help. We were doing everything we could to help keep food on our tables and help them get through this. I am a second-generation Bendix worker, I have worked there for thirty-seven years with the promise that when I retired, health care would be taken care of me for the rest of my life and my spouse. I retire, and they take it away from me. I am forced to spend four to five thousand dollars of my pension money to provide healthcare for my wife and myself, that isn't fair when I was promised thirty-seven years ago I wouldn't have to worry about that.

Tony Flora, 202 E. Angela, South Bend, President of the AFLCIO Council and we have been supporting the UAW Local 9 retirees and Honeywell workers in this struggle. We believe that what has happened is that our country has gone off the rails. Mr. Pfeil you did raise a question whether or not this was a private dispute, we are saying no on the other hand it's very much a public dispute. It's something that affects a community and our nation which is why

this is being addressed to President Trump because as President, he could indeed say, to an executive order a defense contractor should do the following. This is a public issue, do the right thing.

Motion to pass Bill No. 72-18 was made by Mr. McCahill and seconded by Mr. Catanzarite. Bill No. 72-18 was passed
to-wit; 9-0

Final Adoption on the Airport Authority, Solid Waste Management, and St. Joseph County 2019 Budget:

**BILL NO. 55-18: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) AIRPORT AUTHORITY**

Motion to pass Bill No. 55-18 was made by Mr. Catanzarite and seconded by Mr. Noland. Bill No. 55-18 was passed
to-wit; 9-0

**BILL NO. 56-18: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) SOLID WASTE**

Motion to pass Bill No. 56-18 was made by Mr. Noland and seconded by Mr. Kruszynski. Bill No. 56-18 was passed
to-wit; 9-0

**BILL NO. 57-18: AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF
EMPLOYEES OF ST. JOSEPH COUNTY, INDIANA FOR
THE YEAR 2019**

Motion to pass Bill No. 57-18 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 57-18 was passed
to-wit; 9-0

**BILL NO. 58-18: ORDINANCE FOR APPROPRIATIONS AND TAX RATES
(BUDGET FORM 4) ST. JOSEPH COUNTY, INDIANA**

Motion to pass Bill No. 58-18 was made by Mr. Catanzarite and seconded by Mr. Hess. Bill No. 58-18 was passed
to-wit; 9-0

Public Hearing/Public Comment:

**BILL NO. 68-18: AN ORDINANCE APPROPRIATING AND TRANSFERRING MONEYS FOR THE
PURPOSE HEREIN SPECIFIED FOR THE SEVERAL DEPARTMENTS HEREIN LISTED OF ST. JOSEPH
COUNTY GOVERNMENT**

TRANSFERS:

**A. Juvenile Justice Center
General Fund**

FROM: 1000-11385-000-0028	Probation Officer 1	\$10,000.00
TO: 1000-32020-000-0025	Travel	\$10,000.00
	TOTAL:	<u>\$10,000.00</u>

**B. Adult Probation
General Fund**

FROM: 1000-11280-000-0056	Compliance Officer/Client Svc.	\$15,000.00
1000-11291-000-0056	Client Service Coordinator	26,000.00
TO: 1000-31215-000-0056	Drug Test Fees	\$41,000.00
	TOTAL:	<u>\$41,000.00</u>

APPROPRIATE:

C. Penn Township

1177-31076-216-0002	Contractual TMA 2016	\$3,995.00
1177-31076-217-0002	Contractual TMA 2017	3,995.00
1177-31076-218-0002	Contractual TMA 2018	3,995.00
	<u>TOTAL:</u>	<u>\$11,985.00</u>

D. Public Works

	Cumulative Bridge	
	Local Roads & Streets	
	Local Major Moves Const.	
	County Tourism Development	
1135-90104-000-0069	Underwood Road Over Pine Creek	\$40,000.00
1135-45000-000-0069	Small Bridge Maintenance	27,000.00
1169-91802-000-0060	Special Projects-2018	390,000.00
1172-43020-000-0023	Engineering & Design	140,000.00
7402-35101-000-0057	County Tourism Dev. Transfer	63,800.00
	<u>TOTAL:</u>	<u>\$660,800.00</u>

E. Sheriff

	Cyber Crimes Against Children	
8133-14900-000-0005	Uniforms	\$3,234.00
	<u>TOTAL:</u>	<u>\$3,234.00</u>

F. Sheriff

	Annual Byrne Justice Grant	
8137-21030-000-0005	Office Supplies	\$141.00
8137-21100-000-0005	Photo Supplies	3,356.00
8137-39750-000-0005	Data Processing	11,430.00
	<u>TOTAL:</u>	<u>\$14,927.00</u>

G. Emergency Management

	General Fund	
1000-37100-000-0009	Auto Lease	\$2,328.00
	<u>TOTAL:</u>	<u>\$2,328.00</u>

Motion to pass Bill No. 68-18 was made by Mr. Noland and seconded by Ms. Hess. Bill No. 68-18 was passed to-wit; 9-0

Land Use Planning:

BILL NO. 53-18: 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 51191 CHERRY ROAD FROM R: SINGLE FAMILY DISTRICT TO O/B: OFFICE BUFFER DISTRICT
PETITIONER: DYTTHA GALLAGHER

Mr. Noland reported that Bill No. 53-18 comes with a favorable recommendation.

Jordan Wyatt, Area Plan Commission, the petitioner is requesting to rezone from R Single Family to OB Office Buffer District. The site plan shows a single-family home with a portion of it being used for an office with an expansion of a parking lot and an exit only access to Cherry Road. This comes to you with a favorable recommendation from the Area Plan Commission subject to the written commitment that the access to Cherry Road be an exit only.

Mike Danch, Danch, Harner and Associates, we are asking to rezone the existing home that is on the northwest corner of Cherry and 23 to the OB, the owner actually lives in the home right now. The petitioner is rezoning for the use of a State Farm Insurance agency. We agreed to the written commitment that the access on to Cherry Road would be an exit only.

Motion to pass Bill No. 53-18 was made by Mr. Noland and seconded by Mr. Pfeil. Bill No. 53-18 was passed to-wit; 9-0

BILL NO. 62-18: A RESOLUTION DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING RESOLUTION NO. R5-18 OF THE ST. JOSEPH COUNTY COUNCIL DECLARING AN AREA OF ST. JOSEPH COUNTY TO BE AN ECONOMIC REVITALIZATION AREA (CONFIRMING RESOLUTION)
PETITIONER: ABTREX INDUSTRIES

Mr. Noland reported that Bill No. 62-18 comes with a favorable recommendation.

Bill Schalliol: Here before you today for the confirming resolution for Abtrex Industries. Abtrex is a local business, headquartered here in St. Joseph County, been here for a number of years. Their schedule works out for a seven year real property tax abatement and a five year personal property tax abatement.

Motion to pass Bill No. 62-18 was made by Mr. Telloyan and seconded by Mr. Noland. Bill No. 62-18 was passed to-wit; 9-0

BILL NO. 63-18: A RESOLUTION DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING RESOLUTION NO. R13-18 OF THE ST. JOSEPH COUNTY COUNCIL DECLARING AN AREA OF ST. JOSEPH COUNTY TO BE AN ECONOMIC REVITALIZATION AREA (CONFIRMING RESOLUTION)
PETITIONER: SF MOTORS

Mr. Noland reported that Bill No. 63-18 comes with a favorable recommendation.

Bill Schalliol: This is for a personal property tax abatement only for a period of seven years. The petitioner is seeking to invest twenty million dollars between now and March 31, 2019, as part of that commitment, they would hire up to one hundred workers that would be working on site by March 21, 2019.

Motion to pass Bill No. 63-18 was made by Mr. Noland and seconded by Mr. Catanzarite. Bill No. 63-18 was passed to-wit; 9-0

BILL NO. 65-18: AN ORDINANCE APPROVING THE PETITIONER FOR SPECIAL USE FILED BY CENTURY BUILDERS INC. FOR PROPERTY LOCATED AT LOTS 3 AND 4 OF STROUDS MINOR SUBDIVISION
PETITIONER: CENTURY BUILDERS

Mr. Noland reported that Bill No. 65-18 comes with a favorable recommendation.

Angela Smith, Area Plan Commission, the petitioner, Century Builders owns two lots here on Cherry, this is a section of Cherry that's between 23 and Adams Road. They would like to, under the R Single Family District get a special use for a four-unit dwelling on each of those lots.

Zachary Dylewski, 13370 Adams Road, there is no properties like this in this direct area, is also increasing a commercial/residential area into Granger. There is no multi-family dwellings in Harris Township that I am aware of so I recommend that the Council does not pass this.

Motion to pass Bill No. 65-18 was made by Mr. Pfeil and seconded by Mr. Noland. Bill No. 65-18 was passed to-wit; 9-0

Miscellaneous:
Unfinished Business:

New Business:

Acceptance of uniform conflict of interest disclosure statement: Mr. Corey Noland

A voice vote unanimously passed to accept the conflict of interest disclosure by 9-0.

Mr. Noland: As I read it here, this is supposed to be passed at a public meeting, I have this presented here, there is, my other job, we are doing parts and pieces of this Guaranteed Energy Savings project with the lighting in this building and potentially, if everything worked out perfect, it could impact my income, at the committee meetings where we are approving the invoices, I am not voting on any of those approvals or denials.

Daniel Collins: EnFocus, this is some of the key findings the county contracted our organization two years ago to investigate the accuracy and fairness of property assessments across St. Joseph County and Penn Township, we have been working very closely with the Penn Township Assessor and the St. Joseph County Assessor over the past two years. During the first year, some of the key findings were that the accuracy and fairness of the findings fall within the guidelines of the Indiana Department of Local Government and Finance but in comparison to other Indiana counties, there is significant room for improvement. It looks there may be up to eleven million dollars per year in tax revenue missing across all taxing districts and taxing units so that would be the libraries, the schools, the counties, the cities. During that first year, EnFocus discovered quite a number of land value errors, some of those were software errors, human errors, in total, they added up to about five hundred and sixty thousand dollars per year in missing tax revenue. Another key finding was that the county does not trend commercial properties and that the last land study was done in 2012, those two things in combination really have the effect of keeping commercial assessments low. Neighborhoods were established in the 1990's and although they have been adjusted frequently since then, there has not been a comprehensive review, and this was very obvious looking at the neighborhood structures. Those land value errors that we identified have both been resolved by St. Joseph County and Penn Township. Penn Township contracted TMA – Tax Management Associates to audit personal property which is equipment within buildings owned by businesses. St. Joseph County is in the process right now of completing a new land study which will help to address a lot of the issues we identified. St. Joseph County has told us that towards the end of this year they intend to carry out that comprehensive review of all neighborhoods. When I talk about accuracy and fairness, this is not a subjective topic, this is very objective, and it is measured every year by the Indiana Department of Local Government and Finance so when we say the assessments here are less accurate and less fair than other counties, that is as measured by the state. When we compile it, you end up with these kinds of numbers here. If your properties are typically only assessed at 95% of their value then, in this county, when we multiply that by the total available gross assessed value, that missing five percent comes to about five hundred and three million dollars in gross assessed value for residential and about three hundred and three million dollars in gross assessed value in commercial and from that, we calculated the eleven million dollars in missing tax revenue. There are dozens of things that could be done to increase accuracy and fairness at the county. We wanted to break it down into things that would actually create the largest impact with the least amount of effort. The personal property audit, it's a vendor, they are only paid out of what they find, so there is no financial risk to the county and there is not a burden on the Assessor's office in terms of time and effort. The more frequent trending of residential properties, this isn't a lack of resources or anything like that, this is more of a policy decision, could be very easily addressed through a change of policy at the county. Technology improvements, more frequent land studies.

Mr. Morton: Mr. Collins, what would you say the feedback has been towards the changing of assessing every other year like other counties, that you made reference to? Have you gotten any feedback from the Assessor on willingness to adapt to that?

Mr. Collins: The more frequent trending, I think, the county Assessor seemed to agree with our analysis or didn't find any issue with it but felt that they currently have other projects that they are working on and would consider this in the future, but I don't think there has been any commitment.

Mr. Morton: What is the definition of the future?

Mr. Collins: I don't know. There wasn't any clear commitment to pursue that. In terms of more frequent land studies, the reception to that was very positive, the plan probably is, though I would leave it to the County Assessor

to confirm this, to do much more frequent land studies probably in the region of every two years. TMA has been in communication with the Assessor but I don't know what the latest communication is but I think they are talking.

Mr. Noland: I would go so far as to say in our separate meeting, there was a commitment from the Assessor to pursue that, there wasn't a time frame, but the commitment was made that they will do that.

Mr. Hamann: We are still waiting on some concrete steps taken. It seems at this juncture, there would be negotiations between her attorney, Frank Agostino and TMA, Jamie Woods, we just haven't seen anything yet.

Mr. Noland: I guess what I was getting at was, do you agree with that I just said?

Mr. Hamann: I do agree with you that there seem to be an acknowledgement on behalf of the St. Joseph County Assessor that this would be a good way to go, we just haven't seen any action yet.

Mr. Noland: The follow up to that is, at the same meeting, the discussion was to have Exsoft come in again. Has that happened?

Mr. Collins: We have tried to set that up, we found some dates, none of those dates worked for the County Assessor so she agreed to reach out to Exsoft and set something up, we haven't heard anything more about it. That was maybe two or three weeks ago.

Ms. Hess: You mentioned some other projects that the Assessors was working on that prevented her to getting to the next steps, do you know what those were?

Mr. Collins: I don't, I think she expressed that her staff was busy working on other projects.

Mr. Hamann: My understanding is that TMA doesn't require any effort on behalf of the County Assessor. It would not take up staff time.

Mr. Kruszynski: I make a motion Mr. Morton contacts the Assessor and invites her to our committee meeting on the 23rd.

Mr. Morton: I will contact her tomorrow.

Mr. Root: Was she invited tonight? So many of these questions they can't answer because they are Rosemary questions or shouldn't answer so I am not sure it's fair to Rosemary to have this discussion without her in the room either.

Mr. Morton: Correct me if I am wrong, these same type of discussion, we have had this discussion with Rosemary in the room, am I right or wrong?

Mr. Collins: Yes, the County Assessor was at a presentation several weeks ago, exactly the same. I wasn't sure if the council had invited her, I did let her know last week that we would be meeting tonight and gave her the details.

Mr. Morton: I understand what you are saying Mr. Root, but Ms. Mandrici has been present when even a more detailed presentation was given with Mr. Noland was there, the Mayor of Mishawaka was there, the Mayor of South Bend was there so this is nothing new. I don't have a problem with, when I invite her in a couple weeks that we will revisit and do this presentation again if that is the wish of this council.

Privilege of the Floor:

Debra DuRall, 21677 Auten Rd., South Bend, I am working with the Open Space and Agricultural Alliance that has formed to respond to the Indiana Enterprise Center. I am here to inquire about the process. We have been told there is a formal presentation when this plan is finalized. This group would like some time to make a counter proposition presentation to the council.

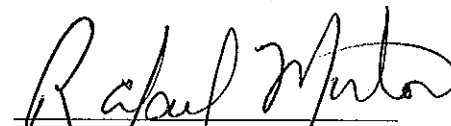
Bill Schalliol: We are a year into the master planning process, we anticipate by the end of year, we should have all of our reports and studies and drafts put together. There will continue to be studies that carry over past the end of the year. We don't have any end of project plans, meeting set or anything but as we go through the process, to amend the comprehensive plan, amend the zoning ordinance if we so chose or amend the development plan, we will have those scheduled and those will be public meetings at the Redevelopment Commission, Area Plan Commission and also this body. I would imagine those would take place after the first of the year. We have a website, SJCINDIANA.COM/INDIANAENTERPRISECENTER has all of our meeting minutes, announcements, everything related to the project.

Bob Kronemyer, 55412 Priem Rd., Elkhart, I come here to discuss noise pollution here in St. Joseph County, it is a problem. Many times, while attending religious gatherings in the county, loud boom boxes from vehicles rattle the windows of the building. I urge you to make noise reduction a priority at all of your meetings.

Brett Davis, 310 S. Main Apt. 7, Lakeville, I would like to thank the Council for the approval of the budget for the Health Department for this year. I greatly appreciate the help of all of you and the Board of Health for helping us out in the department and the residents of St. Joseph County.

Adjournment: Mr. Morton stated that the meeting was adjourned 7:50 p.m.


Auditor, St. Joseph County


President, St. Joseph County Council