

MINUTES OF THE  
REGULAR MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
October 11, 2011

The regular meeting of the St. Joseph County Council was called to order at 7:08 p.m., on October 11, 2011, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Mark Catanzarite  
Mr. Dale DeVon  
Mr. Michael J. Hamann - Absent  
Mr. Daniel G. Herbster  
Mr. Michael J. Kruk  
Mr. Robert J. McCahill  
Mr. Rafael Morton  
Mr. Corey D. Noland  
Mr. Mark Root

Present from the Auditor's office was Mr. Peter H. Mullen, Auditor and Ms. Teresa Shuter, Chief Deputy Auditor. Council staff present were Mr. Michael A. Trippel, Attorney and Ms. Joan M. Pawlowski, Executive Secretary.

**Petitions, Communications & Miscellaneous Matters:**

Mr. McCahill moved to appoint Kevin Bucellato to the Historic Preservation Commission and reappoint Dr. Richard Headley, DVM and John Matthys to the Animal Control Commission. His motion was seconded by Mr. Kruk and no other nominations were given. The appointments passed by a voice vote; 8-0. No negatives were heard.

Mr. Herbster moved and was seconded by Mr. Kruk to approve the minutes of September 13, 2011. The motion passed by a voice vote; 8-0. No negatives were heard.

Mr. Noland moved to continue Bill No. 91-11, 92-11 and 93-11(2012 Budget bills) for a Special Meeting to be held on Monday, October 17, 2011 at 5:30 p.m. The motion was seconded by Mr. Root. The motion passed by a voice vote; 8-0.

No report from the County Auditor.

No report from the Board of Commissioners.

**First Readings:**

**BILL NO. 112-11:** AN ORDINANCE TO ESTABLISH AND APPROPRIATE THE 2012 ANNUAL BUDGET OF THE ST. JOSEPH COUNTY BOARD OF MANAGERS FOR HOTEL-MOTEL TAX, IN THE AMOUNT OF \$3,290,453.00 OUT OF THE ST. JOSEPH COUNTY CONVENTION EXHIBITION FUND - 0029. (Hotel/Motel Budget) - Assigned to the Budget and Administration Committee

**BILL NO. 114-11:** AN ORDINANCE AMENDING TITLE XIII, GENERAL OFFENSES, CHAPTER 131, COUNTY FACILITIES, SECTION 131.23 ADDRESSING PARK AND RECREATION FACILITIES OF THE ST. JOSEPH COUNTY, INDIANA CODE. (Petitioner: St. Joseph County Parks) - Assigned to the Land Use Planning Committee

**BILL NO. 115-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$44,258.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0005 - County Police) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 116-11:** AN ORDINANCE AMENDING ORDINANCE 101-10, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2011. (Dept. 0005 - County Police) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 117-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$250,000.00 OUT OF THE ST. JOSEPH COUNTY C.E.D.I.T. FUND - 0009 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 064 - Highway General Exp) - Assigned to the Engineering and Transportation Committee

**BILL NO. 118-11:** AN ORDINANCE TRANSFERRING THE SUM OF \$8,362.85 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2011 BUDGET OF ST. JOSEPH COUNTY. (Dept. 0048 - Prosecutor - Title IV) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 119-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$8,362.85 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0048 - Pros. Title IV) {Inter Fund Transfer} - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 120-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$9,846.00 OUT OF THE ST. JOSEPH COUNTY HEALTH LEAD ELIMINATION GRANT FUND - 0515 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0055 - Health) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 121-11:** AN ORDINANCE AMENDING ORDINANCE 101-10, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR, 2011. (Dept. 0055 - Health) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 122-11:** AN ORDINANCE DECREASING AN APPROPRIATION IN THE SUM OF \$5,000.00 OUT OF THE ST. JOSEPH COUNTY HEALTH LEAD ELIMINATION GRANT - 0515 FROM VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0055 - Health) {decrease appropriation} - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 123-11:** AN ORDINANCE TRANSFERRING THE SUM OF \$5,374.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2011 BUDGET OF ST. JOSEPH COUNTY. (Dept. 0055 - Health) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 124-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$36,100.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0025 - Juvenile & Probate Court & Dept. 0049 - Juvenile Justice Center) {increase/decrease appropriation} - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 125-11:** AN ORDINANCE TRANSFERRING THE SUM OF \$15,500.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2011 BUDGET OF ST. JOSEPH COUNTY. (Dept. 0049 - Juvenile Justice Center) - Assigned to the Human Services/Criminal Justice Committee

**Resolutions:**

**BILL NO. 113-11:** A RESOLUTION DETERMINING THAT THE QUALIFICATIONS FOR AN ECONOMIC REVITALIZATION AREA HAVE BEEN MET AND CONFIRMING RESOLUTION NO. 09-11 OF THE ST. JOSEPH COUNTY COUNCIL DECLARING AN AREA OF THAT COUNTY TO BE AN ECONOMIC REVITALIZATION AREA (PETITIONER DIVERSIFIED REAL ESTATE, LLC) CONFIRMING RESOLUTION

Peter J. Agostino, Esq., representing the petitioner and seek confirmation on declaration of the Revitalization Area for a construction of a forty-four (74) unit apartment complex - senior living center on the old North Village property.

Motion to pass Bill No. 113-11 was made by Mr. Catanzarite and seconded by Mr. McCahill. Bill No. 113-11 passed to-wit 8-0.

**Public Hearings:**

**BILL NO. 95-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$5,500.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0056 - Court Substance Abuse Program) - Assigned to the Human Services/Criminal Justice Committee

Mr. Morton reported that Bill No. 95-11 comes with a favorable recommendation.

Eric Ivory, Director, Drug Court, apologized for missing last months meeting and stated that the request was for funds awarded from the Indiana Supreme Court grant.

Motion to pass Bill No. 95-11 was made by Mr. Kruk and seconded by Mr. Noland. Bill No. 95-11 passed to-wit; 8-0.

**BILL NO. 101-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$231,000.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 0001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0005 - County Police & Dept. 0006 - County Jail Administration) {increase/decrease appropriation} - Assigned to the Human Services/Criminal Justice Committee

Mr. Morton reported that Bill No. 101-11 comes with a favorable recommendation.

The Clerk read the amendment stating that the request was now for \$196,000.00 and needs to be amended in the caption. In Section 1., under Department 0006, line item 11571 is removed and the total amount is changed to \$26,000.00. The total for the two funds is now \$196,000.00. In Section 2., line item 11515 now reads \$53,787.00 and the Total is \$196,000.00.

Motion to amend was made by Mr. Kruk and seconded by Mr. McCahill.

Mr. Morton asked the petitioner if he agreed with the amendment? His response was yes.

Chief Bob Boits, explained how this increase/decrease request was to see them through to the end of the year in ammunition, rent, uniforms, stationary, printing, gas, oil and lub, office supplies and expenses for jail inmates.

Mr. DeVon asked with regard to the ammunition, will this finish out the year? Chief Boits replied that this will finish out the year.

Mr. Noland questioned what the rent was for? Chief Boits replied that the rent was for space at the Airport for a patrol post (\$25,000 per year) and tower leases for the radio system.

The motion to amend passed by a voice vote; 8-0. No negatives were heard.

Motion to pass Bill No. 101-11 was made by Mr. Kruk and seconded by Mr. Noland. Bill No. 101-11 passed as amended; 8-0.

**BILL NO. 102-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$21,000.00 OUT OF THE ST. JOSEPH COUNTY PARK & RECREATION NON-REVERTING FUND - 0017 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2011. (Dept. 0057 - Parks & Recreation) (Budget Transfer) - Assigned to the Land Use Planning Committee

Mr. DeVon reported that Bill No. 102-11 comes with a favorable recommendation.

Evelyn Kirkwood, Director, stated that this should be the final transfer to make up the 2011 Budget reductions.

Motion to pass Bill No. 102-11 was made by Mr. Kruk and seconded by Mr. Noland. Bill No. 102-11 passed to-wit; 8-0.

**BILL NO. 104-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$200,000.00 OUT OF THE ST. JOSEPH COUNTY CUM CAPITAL DEVELOPMENT FUND - 0027 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0002 - Auditor)

Mr. Kruk reported that Bill No. 104-11 comes with a favorable recommendation.

Peter Mullen, Auditor, explained how this was the fourth year in a row that this housekeeping was done to keep up the data processing to be current. They have replaced nine (9) systems that have become obsolete.

Motion to pass Bill No. 104-11 was made by Mr. Kruk and seconded by Mr. McCahill. Bill No. 104-11 passed to-wit; 8-0.

**BILL NO. 111-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$155,042.00 OUT OF THE ST. JOSEPH COUNTY JUVENILE PROBATION FEES FUND - 0056 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE YEAR 2012. (Dept. 0025 - Juvenile & Probate Court) - Assigned to the Human Services/Criminal Justice Committee

Mr. Morton reported that Bill No. 111-11 comes with a favorable recommendation.

Peter Morgan, Executive Director, explained that these funds will support the program "Reading for Life." This program is hoped to divert young people from the Juvenile Justice System. It has been shown to have excellent results.

In Favor:

Clark Power, University of Notre Dame, stated how this is a model program. He has reviewed these kinds of programs from around the world and he thinks this is one of the top two programs internationally.

Mr. De Von welcomed Mr. Morgan to the County and wished him well.

Mr. Herbster thanked the volunteers who give their time for this program.

Motion to pass Bill No. 111-11 was made by Mr. Herbster and seconded by Mr. Noland. Bill No. 111-11 passed to-wit; 8-0.

Mr. Morton announced that there would be a combined Public Hearing on Bill No. 108-11, 109-11 and 110-11 but would be voted on separately.

**BILL NO. 108-11:** AN ORDINANCE APPROPRIATING THE SUM OF \$12,800.00 OUT OF THE ST. JOSEPH COUNTY FAMILY COURT GRANT FUND - 0115 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2011. (Dept. 0054 - Domestic Relations) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 109-11:** AN ORDINANCE TRANSFERRING THE SUM OF \$8,952.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2011 BUDGET OF ST. JOSEPH COUNTY. (Dept. 0054 - Domestic Relations) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 110-11:** AN ORDINANCE AMENDING ORDINANCE 101-10 THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2011. (Dept. 0054 - Domestic Relations) - Assigned to the Human Services/Criminal Justice Committee

Mr. Morton reported that Bill No. 108-11, 109-11 and 110-11 comes with a favorable recommendation.

Beth Kerns, Director, stated that they had received approximately \$22,000.00 in unexpected grant money for the work they have been doing on special programs. To reward her staff for the extra work that they do over and above. This will be a supplement to the salaries for this year only. The \$12,800 is grant money or a training manual and the \$10,000 was sent to her and she put it in Other Contractual Services.

Mr. De Von asked if this was work that was done over and above their normal jobs? Ms. Kerns responded that everyone has had to take on new duties when they started the Family Court Grant, to cover those grant services. Mr. De Von questioned that this is for 2011 only? Ms. Kerns stated that it was unless she got more grant money.

Motion to pass Bill No. 108-11 was made by Mr. Noland and seconded by Mr. Catanzarite. Bill No. 108-11 passed to-wit; 8-0.

Motion to pass Bill No. 109-11 was made by Mr. Kruk and seconded by Mr. McCahill. Bill No. 109-11 passed to-wit; 8-0.

Motion to pass Bill No. 110-11 was made by Mr. Kruk and seconded by Mr. De Von. Bill No. 110-11 passed to-wit; 8-0.

**BILL NO. 107-11:** AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TEN MILLION DOLLARS (\$10,000,000) OF ST. JOSEPH COUNTY, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2011 (SAINT MARY'S COLLEGE PROJECT); DESIGNATING THE BONDS AS LIMITED OBLIGATIONS OF THE COUNTY; APPROVING THE FORM OF, AND AUTHORIZING THE EXECUTION AND DELIVERY OF, THE TRUST INDENTURE, LOAN AGREEMENT AND OTHER DOCUMENTS RELATED TO THE ISSUANCE AND SALE OF THE BONDS; AND AUTHORIZING PROPER OFFICERS TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO. - Assigned to the Budget and Administration Committee

Mr. Kruk reported that Bill No. 107-11 comes with a favorable recommendation.

Phil Faccenda, Barnes & Thornburg, 100 N. Michigan Street, representing the petitioner stated that as with prior bond issues that have been issued through the County, the uses will be for refinancing of 1998 bonds of the college and the remainder will be used for various maintenance projects, including repairs and replacements to electrical/mechanical equipment at the Science Hall, heating and cooling repairs to one of the Le Mans Hall and the Angela Athletic Facility, improvements to Madeleva Hall to accommodate a new IT facility and corresponding repairs to Hagger College Center, along with some general renovation and construction projects. This is a conduit financing and the County has no liability on the debt.

Mr. Kruk questioned the \$3M saying to Mr. Faccenda that this amount was to refinance bonds from 1998. He asked if he knew what kind of savings that would result in? Mr. Faccenda responded that with the fluctuation in the market, it is hoped to save over \$100,000 in savings.

Mr. Catanzarite stated that in the body of the Ordinance one of the words used to describe the new money for the project is "furnishing and improving by the College of certain economic development facilities." Is any kind of facility being built, new construction? Mr. Faccenda responded, no new construction. Mr. Catanzarite asked what is defined as an economic development facility? Mr. Faccenda stated that is a broad definition within the Economic Development Statute, 36-7-12 and essentially that promotes or retains new jobs. The Economic Development Commission met one week ago today and had a Public Hearing on this subject and adopted Resolution that addresses the issue of retention of jobs and the creation of several temporary new construction jobs.

In Opposition:

Lawrence Grant, 721 DuBail, SB - thought these bonds were using public funds.

Mr. Faccenda responded that no public funds involved with this project. Under Federal Tax Law, in order for a 501C3 entity to be able to issue Tax Exempt Bonds, that entity needs to issue those bonds through a governmental entity. In this case it could be the State of Indiana or the County.

Motion to pass Bill No. 107-11 was made by Mr. Noland and seconded by Mr. Root. Bill No. 107-11 passed to-wit; 8-0.

**BILL NO. 54-11:** AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AMENDING ORDINANCE NO. 26-05 TO INCORPORATE A MODIFICATION TO THE ST. JOSEPH COUNTY HUMAN RESOURCES POLICIES AND BENEFITS MANUAL WITH RESPECT TO PART TIME EMPLOYEES OF THE PARK DEPARTMENT. (Dept. 057 - Parks & Rec)

Mr. DeVon reported that Bill No. 54-11 comes without a recommendation.

Evelyn Kirkwood, Director, explained that the need for this change was brought to light during the State Audit. They are requesting to incorporate into the Human Resources Manual, which is required, that the part time employees who are continuous year round employees, classified as Park Rangers who were hired before 2006 and who have been receiving pro-rated vacation, sick and personal day benefits continue to be able to receive these benefits.

In order for them to continue to receive these benefits, it must be stated in the HR Manual. The three (3) who are receiving these benefits - 2 are 20 hour per week and 1 is a 30 hour per week employee. These benefits have not been given to any new hires.

Motion to pass Bill No. 54-11 was made by Mr. Noland and seconded by Mr. Kruk. Bill No. 54-11 passed to-wit; 8-0.

**BILL NO. 103-11: AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY ANDREW M. LISZEWSKI FOR THE PROPERTY LOCATED AT 61620 GREENTREE DR., SOUTH BEND, IN 46614 THE SAME BEING PETITION NO. 09-07-11-16 FILED WITH THE AREA BOARD OF ZONING APPEALS.**

- Assigned to the Land Use Planning Committee

The Clerk read the amendment stating that in Section 1., the language "subject to written commitments" has been added.

Mr. DeVon reported that Bill No. 103-11 comes without a recommendation.

Motion to amend was made by Mr. Herbster and seconded by Mr. Kruk.

Mark Lyons, Building Department, stated that at the 9-7-11 Area Board of Appeals was sent with no recommendation.

Mr. Morton asked if the petitioner agreed with the amendment. His response was yes.

Andrew Liszewski, 61620 Greentree Drive, SB explained how he needed a Special Use to allow him to operate a gun smith - gun shop business from his home subject to ATF licensing. This is a formality allowing him to apply for the Federal Firearms License. One of the concerns from a neighbor was what will happen to the property when he leaves? The Special Use is attached to the property but that property owner would have to apply for a FFL (Federal Firearms License). The commitments state how he intends to operate.

In Favor:

Lawrence Grant, 721 DuBail, SB  
Joe Cook, 61605 Brightwood Lane, SB

Applauded the petitioner for standing up for his Second Amendment rights. The next door neighbor has no concerns with this business being operated.

In Opposition:

John Michaels, 61575 Brightwood Lane, SB  
James Funk, 61646 Brightwood Lane, SB

This development of homes in Miami Trails is not intended for this kind of use. There are no other Special Use Permits in this area. This will bring added traffic. This will be a magnet for criminals. There is no need for this type of business in Miami Trails. This area is classified as residential.

Mr. Liszewski responded by stating that is an Internet based business. There is no intention to bring additional traffic to the neighborhood. He stated how he has no desire to change the neighborhood. He stated how he has a full time job and is gone during the day and plans to do this business in the evenings. He has the amendment so that he will only have family members or law enforcement come to the home.

The motion to amend passed by a voice vote; 8-0. No negatives were heard.

Motion to pass Bill No. 103-11 was made by Mr. Herbster and seconded by Mr. McCaill.

Mr. Herbster commented that he received one (1) negative phone call. He agreed with the petitioner's commitments.

Bill No. 103-11 passed as amended; 8-0.

**BILL NO. 99-11:** 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 52565 STATE ROAD 933 AND 52627 US 31 N, FROM C COMMERCIAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT DISTRICT. (Petitioner: Diversified Real Estate, LLC)

Mr. DeVon reported that Bill No. 99-11 comes with a favorable recommendation.

The Clerk read the amendment stating that the bill as originally filed on August 3, 2011 was replaced with the bill filed on September 6, 2011.

Motion to amend was made by Mr. Catanzarite and seconded by Mr. Noland.

Christa Nader, Area Plan Commission, explained that this site was formally known as the North Village Mall. The plan for Senior Housing Development will be one (1) space for parking for each Senior Housing Unit. This is different than the current code. The rest of the development will follow the current code. This request will have to go back before the Area Plan Commission staff for a final Site Plan approval. The Area Plan Commission sends this with a favorable recommendation.

Mr. Morton asked the petitioner if he agreed with the amendment. His response was yes.

Daryl Knip, Abonmarche Consultants, 750 LWE, SB stated that he did not have much more to add. He did clarify that the owner of the Auto Parts Store on the NE corner reminded them of a recorded agreement that there would be access between the two sites. This was agreed to by Mr. Dobson. Mr. Dobson will extend the asphalt to the common property line as it has been in the past.

The motion to amend passed by a voice vote; 8-0. No negatives were heard.

Motion to pass Bill No. 99-11 was made by Mr. Noland and seconded by Mr. DeVon. Bill No. 99-11 passed as amended; 8-0.

**New Business:**

Pursuant to I.C. 6-1.1-17-3.5; (09), the St. Joseph County Council shall review any proposed or estimated tax rate or tax levy or proposed budget filed by a civil taxing unit with the county fiscal body under this section; and issue a nonbinding recommendation to a civil taxing unit regarding the civil taxing unit's proposed or estimated tax rate or tax levy or proposed budget. The following budgets have been received and now have been reviewed and the main criteria is that they need to come in at 2.90% growth quotient.

**TAXING UNIT**

Indian Village

Mr. Morton called for an all in favor. A voice vote; 8-0. No negatives were heard.

**Unfinished Business:**

**Privilege of the floor:**

Rita Kopala, 66559 Ivy Road, Lakeville, IN - questioned what was just done. Mr. Morton explained to her that this is what we did last month and what they do every year as instructed by State Statute. She was still confused about the Budget. Mr. Morton explained how the Budget was tabled this until Monday, October 17<sup>th</sup> at 5:30 p.m.

**Adjournment:**

Mr. Morton stated that the meeting was adjourned at 8:20 p.m.

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Auditor, St. Joseph County

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President, St. Joseph County Council