

MINUTES OF THE  
REGULAR MEETING  
OF THE  
ST. JOSEPH COUNTY COUNCIL  
July 13, 2010

The regular meeting of the St. Joseph County Council was called to order at 7:06 p.m., on July 13, 2010, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

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

Present from the Auditor's office was Mr. Peter H. Mullen, Auditor and Cindy Bodle, Chief Deputy Auditor.

Council staff present were Mr. Jamie Woods, Attorney (for Michael A. Trippel) and Ms. Joan M. Pawlowski, Executive Secretary

**Petitions, Communications & Miscellaneous Matters:**

Mr. Noland motioned to reappoint Herbert A. Jones - St. Joseph County Housing Authority. The motion was seconded by Mr. Kruk. No other nominations were heard and the motion passed by a voice vote; 7-0.

Mr. DeVon moved and was seconded by Mr. Hamann to approve the minutes of June 8, 2010. The motion passed by a voice vote; 7-0. No negatives were heard.

Mr. Root moved and was seconded by Mr. Herbster to withdraw Bill No. 34-10 at the request of the petitioner. The motion passed by a voice vote; 7-0.

Mr. Root moved and was seconded by Mr. DeVon to table Bill No. 40-10 to the August meeting at the request of the petitioner. The motion passed by a voice vote; 7-0.

No report from the County Auditor.

No report from the Board of Commissioners.

Report from any Special Committees.

**First Readings**

**BILL NO. 59-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$300.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 023 - County Engineer - Surveyor - Drainage Board) - Assigned to the Engineer and Transportation Committee

**BILL NO. 60-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$1,000.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 010 - Archives and Records) - Assigned to the Budget and Administration Committee

**BILL NO. 61-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$728.00 OUT OF THE ST. JOSEPH COUNTY USER FEES FUND - 058 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 005 - County Police) - Assigned to the Human Services Criminal Justice Committee

**BILL NO. 62-10:** AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY MICHIANA SOCCER ASSOCIATION, INC. FOR THE PROPERTY LOCATED AT VACANT LAND, CLEVELAND RD., TAX KEY NO. 06-1021-0286 THE SAME BEING PETITION NO. 07-07-10-17 FILED WITH THE AREA BOARD OF ZONING APPEALS. - Assigned to the Land Use Planning Committee

**BILL NO. 63-10:** AN ORDINANCE APPROVING THE PETITION FOR SPECIAL USE FILED BY DR. MICHAEL & MRS. GRACE ADENIYI FOR THE PROPERTY LOCATED AT 52666 BRANDEL AVENUE, SOUTH BEND, IN 46635 THE SAME BEING PETITION NO. 07-07-10-19 FILED WITH THE AREA BOARD OF ZONING APPEALS. - Assigned to the Land Use Planning Committee

**BILL NO. 64-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$7,230.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 080 - Comm Base - D.O.C.) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 65-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$8,847.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 020 - Superior Court) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 66-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$295.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 002 - Auditor) - Assigned to the Budget and Administration Committee

**BILL NO. 67-10:** AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY, INDIANA FOR THE YEAR 2011. - Assigned to the Budget and Administration Committee

**BILL NO. 68-10:** AN ORDINANCE APPROPRIATING MONEYS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE SEVERAL DEPARTMENTS OF THE COUNTY GOVERNMENT OF ST. JOSEPH COUNTY, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011, INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT. - Assigned to the Budget and Administration Committee

**BILL NO. 69-10:** AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011, FOR THE COUNTY OF ST. JOSEPH, INDIANA. - Assigned to the Budget and Administration Committee

**BILL NO. 70-10:** AN ORDINANCE AMENDING ORDINANCE 86-09, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR, 2010. (Dept. 055 - Health) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 71-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$11,091.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 023 - County Engineer) - Assigned to the Engineering and Transportation Committee

**BILL NO. 72-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$1,404.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 002 - Auditor) - Assigned to the Budget and Administration Committee

**BILL NO. 73-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$3,404.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 034 - Commissioners) - Assigned to the Budget and Administration Committee

**BILL NO. 74-10:** AN ORDINANCE AMENDING ORDINANCE 86-09, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2010. (Dept. 023 - Engineer) - Assigned to the Engineering and Transportation Committee

**BILL NO. 75-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$250,000.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 002 - Auditor) - Assigned to the Budget and Administration Committee

**BILL NO. 76-10:** AN ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL AUTHORIZING ELECTRONIC TRANSMISSION OF STATEMENTS AND OTHER INFORMATION FOR PROPERTY TAXES AND SPECIAL ASSESSMENTS. - Assigned to the Budget and Administration Committee

**BILL NO. 78-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$70,180.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 005 - County Police - Dept. 006 - County Jail Administration) {increase/decrease appropriation} - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 79-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$100,000.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 006 - County Jail Administration) - Assigned to the Human Services/Criminal Justice Committee

**Resolutions:**

**BILL NO. 77-10:** A RESOLUTION OF THE ST. JOSEPH COUNTY COUNCIL HONORING AND CONGRATULATING THE ST. JOSEPH'S HIGH SCHOOL GIRL'S TENNIS TEAM FOR WINNING THE 2010 INDIANA STATE CHAMPIONSHIP.

Mr. Hamann read the resolution which was followed by a round of applause by the audience.

Motion to pass was made by Mr. Kruk and seconded by Mr. Noland. Bill No. 77-10 passed by a voice vote; 7-0.

**Public Hearings:**

**BILL NO. 47-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$30,000.00 OUT OF THE ALT. DISPUTE RESOLUTION FUND - 116 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR, 2010. (Dept. 054 - Domestic Relations) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 47-10 comes with favorable recommendation.

Lisa Plencner, Circuit Court Administrator, explained that the funds requested come from a \$20 fee that is collected from each Domestic Relations court case. These funds are used to subsidize mediation in these court cases.

Motion to pass was made by Mr. Hamann and seconded by Mr. Herbster. Bill No. 47-10 passed to-wit; 7-0.

Mr. Morton announced that there would be a combined public hearing on Bill No. 51-10, 52-10 and 53-10 but would be voted on separately.

**BILL NO. 51-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$13,788.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 006 - County Jail Administration) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 52-10:** AN ORDINANCE APPROPRIATING THE SUM OF \$1,745.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND - 001 AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR 2010. (Dept. 002 - Auditor) - Assigned to the Human Services/Criminal Justice Committee

**BILL NO. 53-10:** AN ORDINANCE AMENDING ORDINANCE 86-09, THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2010. (Dept. 006 - Cty Jail Admin) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 51-10, 52-10 and 53-10 come with favorable recommendations.

Tom Nowicki, Finance Manager, stated that the Chaplain position was only funded for half of 2010. These three bill will fund this position for the remainder of 2010. Bill No. 51-10 appropriates the salary; Bill No. 52-10 appropriates for FICA and PERF and Bill No. 53-10 amends the Salary Ordinance.

In Favor:

Gene Wilkenson, 21985 S.R. 23  
Derk Admas, 3289 Plymouth  
Rev. Donell Hudson, 113 N. Huey Street  
Les Allan  
Kathleen Colpitts, 1116 E. Broadway  
Patrick Mogly, 1606 Ironwood  
Patrick Mangan, P.O. Box 5R, Notre Dame  
Graylin Watson, 2010 S. Gertrude  
Michael Doyle, 17460 Cleveland  
Charles Taylor, 1601 N. Johnson  
Byron Johnson, 202 Sadie  
Mark Patterson, 1908 S. Jackson  
Scott Darnold, 2932 RueRenoir #123  
Michael King, 301 RueFlambeau  
Isigh Gates, 420 Westview Land Apt A2  
Nelson Weaver, 1037 N. Huey  
Gerald Smith, 26041 Dolores  
Joseph Sargio, 1919 Michigan  
Violet Jelinski, 52511 Lynnewood Avenue  
Craig Clapper  
67251 Miami Road  
Barney6 Lewis, 2810 Hartzer  
Travis Harris, 4802 Bellville Circle  
Joyce Yeargin, 515 Montroe Apt. 1015  
Tedd Harsshnian, 807 West LaSalle Avenue  
Romana Willson, 5626 Abshire Drive  
Penny Woods, 217 E. Woodside Street

*Secretary's Note: There were some citizens who spoke that did not print their names and addresses clearly.*

The above citizens all gave testimony how Chaplain Steve Coyle has touched their lives. They would state over and over again how Chaplain Coyle set them on the path of righteousness. There were heroin addicts, dealers, pastors, volunteers and former inmates all sharing how their lives have been transformed due to Chaplain Coyle's jail ministry.

Mr. Morton made it clear that these bills were not to remove this position, but to retain it.

Mr. Herbster thanked all that came out and stated that it was encouraging to see the effectiveness of this program and as a Christian, to see God transform peoples lives through the Gospel. If you look nationally, voluntary faith-based programs that are integrated in their prison/jail system, you will see dramatic decreases in repeat offenders. The Supreme Court has stated that those who are incarcerated have a right to basic needs like food, medicine, etc. The Chaplain provides access to spiritual resources. Since 70 percent of the County's budget has to do with the criminal

justice system, this makes sense.

Mr. Hamann stated that he had an opportunity to go to the jail and see the good work that Mr. Coyle is doing. He was impressed how he has transformed people and their lives. He agreed with one of the citizens who stated, "this is a no brainer."

Mr. De Von set a challenge for the Council that the Council needs to be more pro active than reactive. The Chaplain is being proactive in helping these inmates. He also sets a challenge to give him a raise at budget time. The second challenge is to the community. We need to all become a family for those children who need our help so that they do not end up at the JJC (Juvenile Justice Center) and then end up with having to see Chaplain Coyle. Some of these children find jail a better place than their homes where they are sexually molested, have no food or bed and are beaten.

Mr. Root thanked Mr. Coyle for his work and apologized for the Council putting him through these last six (6) months the uncertainty, of not knowing if his position was to be funded or not. Mr. Root quoted the Bible, "What man intended for harm, God will use for good." He also said, in the word of the old Gospel Hymn, "When we all get to heaven, what a day of rejoicing that will be." Tonight we got a glimpse of what that will be.

Motion to pass was made by Mr. Hamann and seconded by Mr. Herbster. Bill No. 51-10 passed to-wit; 7-0.

Motion to pass was made by Mr. Hamann and seconded by Mr. DeVon. Bill No. 52-10 passed to-wit; 7-0.

Motion to pass was made by Mr. Hamann and seconded by Mr. Herbster. Bill No. 53-10 passed to-wit; 7-0.

A recess was taken from 8:23 to 8:40 p.m.

Mr. Morton reminded the audience that Bill No. 40-10 has been tabled to the August meeting and will not be heard this evening.

**BILL NO. 44-10:** AN ORDINANCE AMENDING ORDINANCE 86-09 THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2010. (Dept. 034 - Commissioners) - Assigned to the Budget and Administration Committee

Mr. Kruk reported that Bill No. 44-10 comes with favorable recommendation.

Andy Kostielney, Commissioner, explained how the Commissioners have done a restructuring of positions in the Human Resources Department. The end result was that they reduced a full time position to part time and redistributed those job responsibilities to the remaining staff and pay was increased accordingly. There was a budget reduction of \$7,500 annually.

Motion to pass was made by Mr. Noland and seconded by Mr. Herbster. Bill No. 44-10 passed to-wit; 7-0.

**BILL NO. 58-10:** AN ORDINANCE TRANSFERRING THE SUM OF \$7,200.00 FROM VARIOUS ACCOUNTS TO VARIOUS ACCOUNTS ALL BEING WITHIN THE 2010 BUDGET OF ST. JOSEPH COUNTY. (Dept. 055 - Health) - Assigned to the Human Services/Criminal Justice Committee

Mr. Hamann reported that Bill No. 58-10 comes with favorable recommendation.

Mr. Kruk moved to table this bill until the August meeting. He stated that the Council has just received some information in the last day or two that introduces some new information on this whole issue. The motion was seconded by Mr. Noland.

Mr. Hamann asked what the information was? Mr. Morton stated that the information was a letter from Commissioner Thomas basically giving information that we did not have until yesterday. He stated that he did talk briefly to Commissioners Thomas, Kostielney and Kovach about this and since Commissioner Thomas is not present to address this information, that is why we are suggesting tabling the Bill. Mr. Morton stated that it was e mailed to each member on the Council. Mr. Hamann asked if this was the view of all three Commissioners or just Mr. Thomas. Mr. Morton stated that the letter was just from Mr. Thomas. Mr. Root and Mr. DeVon stated that they have not seen any letter from Commissioner Thomas. Mr. Thomas told Mr. Morton that he sent this letter to all the Council. The bottom line is that he is not here to substantiate it. Mr. Hamann stated that he got the e mail and one of the points he made in this e mail was that Mr. Molchan, is at this time, able to purchase American-made vehicles. Mr. Hamann stated that he asked

Mr. Molchan point blank today whether he was able to do that and his response was that he could not do that. Mr. Morton stated that he thought it fair that the author of the additional information is not present, he felt that there was not any other fair way to proceed. Mr. Root stated that in all due respect to Mr. Thomas, he was not sure Mr. Thomas's opinions are the most appropriate at this given time. He did not see why they were giving so much weight at this time. He stated that this was the Council's decision. Mr. Morton stated that he didn't mean to convey the message that we are giving any additional weight to what Mr. Thomas is saying, but he really felt that, along with some other Council Members, the author of this additional information that was given to us yesterday and now comes to find out that some of the Council does not have the information, that is why the thought was to table it. He has spoken to the Commissioners, MACOG and Mr. Molchan. Mr. DeVon asked if the County stands to lose this opportunity if this is tabled? Mr. Molchan stated that they could. He stated that this was the first that he was made aware of this information (Thomas letter) and if the money is not available to pay MACOG for the vehicles, they may pass us by to the next governmental entity that is eligible for the program. Mr. Herbster stated that he was concerned about the timing of this revelation. To him the timing on these two (2) bills are very sensitive and felt that it was not a good idea to table. Mr. Hamann agreed. Mr. Root stated that in speaking with MACOG this afternoon, there were not enough vehicles in this current round of bidding to meet all of the demand. The City of Mishawaka did not get all the vehicles they asked for and if we turn down this opportunity, the City of Mishawaka is in the waiting.

The motion to table failed by a vote: 4-3 (Kruk, Noland, Morton).

Nick Molchan, Health Administrator, explained how the Health Department is ready to receive two (3) vehicles through MACOG's CMAQ Program (Carbon Mitigation Air Quality). In the original 2010 Budget there was no Auto Line Item and the Auditor's Office has helped to put this in our budget. This transfer will cover the purchases of these vehicles. In the original request for these vehicles, late last year, we asked for American-made vehicles and were told to utilize the Federal Register List for passenger vehicles. There were no American-made vehicles on that list. These vehicles are what MACOG was able to buy under this program.

Mr. Kruk asked if Mr. Molchan was saying that there were no American-made vehicles available or none of the type that they were requesting? Mr. Molchan stated that they were trying to replace passenger vehicles. There were no American-made vehicles on this list. Mr. Kruk asked if there were American-made SUV's on the list? Mr. Molchan stated, yes. Mr. Kruk asked if it is an option to get SUV's at this time? Mr. Molchan stated no and this Federal list has not been updated in years. Mr. Root shared the Federal Registry List dated 2005. He read the list and shared it with the Council. Mr. Molchan stated that they are purchasing 2010 vehicles only those makes and models. Mr. Root corrected himself stating that there are 2006 and 2007 vehicles as well. Mr. Root stated that the County did purchase nineteen (19) vehicles in this round from MACOG. Fifteen (15) trucks are Ford, American-made vehicles. It is the car category that there is no option. Mr. Morton stated that was what he was trying to clarify and that is why he is bringing up the Thomas letter since there is a difference of opinions. Mr. Root sits on the MACOG Board and Mr. Morton asked him to repeat himself. He stated that the Federal Government tells them that they can buy Hondas and Toyotas.

In Favor:

Greg Burkowski, Centre Township resident, stated that if the County has the opportunity to buy two (2) vehicles for \$3,600 each, they would be fools not to. The Ford Fusions and Mylons are made in Mexico, even the hybrids.

In Opposition:

Bruce Schweizer, 15650 Spring Mill Drive, M - UAW (United Auto Workers)

Michelle Kyle, 908 Greenview Avenue, SB

Andrew Lanchswend, 12267 Duxburu Court, G

Dwight Fish, 1627 Elizabeth St., E

Mark A. Snyder, 2238 Miller Court, M

Glen Howell, 817 Calvert, SB

Ken Kazmerick, 310 Rue Rambeau, SB

Jim Clark, 1545 Lincolnway East, M

Tim Hacker, 1120 S. Spring, M - *was inaudible*

Anna Foster, 67733 Lake Trail, Lakeville

Joyce Yeagin, 515 E. Monroe, SB

Harry March, 1520 S. Carroll, SB

Rita Kopella, 66559 Ivy Road, Lakeville

Charles Steinhof, 810 S. Lombardy, SB  
Frank Rivere, 6819 Stewart Drive, SB

The Federal Registry came under dispute. A 2007 registry was produced with Crown Victoria's on it. There is an updated 2010 list. Congressman Donnelly worked hard to get this list out. The Prosecutor's Office is driving a hybrid Ford Escape. The Toyota is made in Japan with no American content. They have had many recalls and we are using American tax dollars. We are supporting foreign governments. American workers would be proud to make vehicles and not have these funds go overseas. We are destroying our economy by purchasing from overseas. Our police, fire and government workers are not safe in these vehicles. An Electric vehicle will be built very soon in Elkhart and would hope that the County would consider buying these vehicles. American government needs to grow up and be the leader in manufacturing, design and implementing great business ideas. This should not even be open to a discussion. We have so many people unemployed. These cars are no different from a Nike tennis shoe. Made by children at a cost of slavery. We are fighting for more than one job here tonight. Is the County required to purchase vehicles from MACOG?

Mr. Root stated, no, the County is not required to go thru MACOG. These vehicles were 80-90 percent discounted to the County.

Are you required to buy brand-new vehicles? Mr. Morton responded, no. He stated that the County goes through a very detailed process and the department has to show everything about the vehicle.

Toyota is not mechanically sound. Bringing down the American economy is done by outsourcing everything to other countries. This brings up their economy to meet with ours so that we are all the same. We need to support our people and not a Socialistic attitude. We did pledge allegiance to the flag and you should think about that. We should take care of our own home, not somebody else. The unions are important and we should buy American. Buying American made is not about the union workers. Items that are assembled here are not an American-made product. The proceeds from these items go back to the company and country. This is money spent fast forwarded.

Mr. Morton spoke to Bruce Schweizer, 15650 Spring Mill Drive, M - UAW (United Auto Workers) - he asked questions regarding the Registry List. Mr. Morton asked to see his list. Mr. Root stated that when the cars are purchased they need to meet the current environmental standards. He was not sure if the cars on the list, as presented by Mr. Schweizer, would qualify. With this particular program, with these Federal dollars, they have to be CMAQ approved. Mr. Schweizer stated that the County bought Crown Victorias for their own use. He stated that this is not a political issue. You need to recognize that the Federal dollars or state dollars, local dollars... it's all our tax money. We need to stop feeding a foreign nation. We need jobs in this country. Congressman Donnelly has approached Congress about making this Federal Registry and the certification updated every year. He stated that he had the 2010 list. It is not a complete registry.

Mr. Root asked if Mr. Molchan could clarify what options were available to him for purchase? And, what list did he have to choose from and where did that come from? Mr. Molchan stated that the list he was provided, from MACOG, was the 2007 list. He did agree that the Crown Vics were on the list. They are compressed natural gas vehicles. Mr. Morton asked if they met the CMAQ requirement? Mr. Molchan said that it was his understanding that the Crown Vics do meet this requirement of the list. He said that his first choice was American-made vehicles and second choice was Toyotas. They were purchased according to the CMAQ requirement through MACOG. My first choice is not what happened. We had to tell them what vehicles were being replaced. There are calculations that have to be made regarding how much of the mitigation of the carbon release that you are going to be able to do by replacing the other vehicle based on the mileage that it uses. You buy a vehicle to replace that vehicle so that those miles not being driven by that entity. They are trying to reduce carbon admission by getting old vehicles out of use. That is why under this program, those used cars cannot be used somewhere else.

Mr. Kruk moved to deny and was seconded by Mr. Noland.

Mr. Herbster stated that he heard from constituents who want, as much as possible, to buy American vehicles. He also heard from individuals that they want us to go for the Priuses in order to save taxpayer dollars when there is an option. He felt that is why they are elected to look out for the interests of the County and use their tax dollar wisely and not look out for one particular industry.

Mr. Root wanted to refute the point that there was no economic benefit to the local community. MACOG asked him to

make the point that these cars are bought from Gates/Toyota. He also runs a Chevy shop in town and we are helping the local economy in this way.

Mr. Noland stated that yes. There would be a small benefit to the local economy. The cheapest thing you can get isn't always the best value. Using tax dollars wisely doesn't always mean the cheapest you possibly can. He is tired of seeing the American worker decimated by this type of mentality. Mr. Noland supported the fact that the Health Department needed to buy these vehicles... but not these vehicles.

Mr. Hamann stated that if this was a matter of a few thousand dollars it would be no problem for him. But we are spending the taxpayers' dollars. He felt that the taxpayers would want them to save money. He stated that he buys American and supports the County buying American made vehicles 100 percent of the time. But there are going to be instances where this will not work and he hopes that this will never happen again.

Mr. Kruk took a different view and stated that they were talking about two (2) vehicles. He didn't know if two (2) vehicles would make or break this County. He would like to see them wait another year and at that time, maybe they could get some American made vehicles.

The motion was denied; 4-3 (Hamann, DeVon, Herbster, Root).

Motion to pass was made by Mr. Herbster and seconded by Mr. Root.

Mr. DeVon stated that he has always been a Ford guy. He also works with his hands for a living and has taken a 75 percent pay cut in the last two (2) years. The County budget is struggling and the people who work here have not gotten a pay raise in the last 6-7 years. He stated that they need to do whatever they can to be efficient in our County Government. He stated that he would do his best to buy American made anything in the County, but at the same time they need to look at being efficient.

\*Bill No. 58-10 passed to-wit; 4-3 (Kruk, Noland, Morton.)

***\*Secretary's note: On Monday, July 19<sup>th</sup>, the Council Attorney, M. Trippe, discovered: per I.C. 36-2-4-4 Bill No. 58-10 did not pass for lack of enough votes.***

**BILL NO. 50-10: AN ORDINANCE ENACTING A REVISION, AMENDMENT OR RESTATING OF THE ST. JOSEPH COUNTY, INDIANA CODE: REQUIRING THE PURCHASE OR LEASE OF AMERICAN-MADE VEHICLES - Assigned to the Budget and Administration Committee**

Mr. Kruk reported that Bill No. 50-10 comes with favorable recommendation.

Bruce Schweizer, 15650 Spring Mill Drive, M - UAW (United Auto Workers) stated that this Ordinance makes sense that this County Council to make every effort to purchase goods and services made in America. An Ordinance requiring this common sense approach should not be necessary. This Ordinance will strengthen that this local government adheres to the buy American plan. As jobs and companies move overseas, we need to try to do everything here to keep our people employed. Lots of local companies have closed. Bendix used to employ 12,000, now as Honeywell, their numbers are only in the hundreds. Some of this can be blamed on the Trade Agreements. We owe it to the American manufacturers and employees to make sure that they all get a fair shake. He feels that the language should be strong and would hope that in the future it might read 100 percent American made.

In:

Joe, Taylor, 217 Parkwood Lane - SB  
Glenn Howell, 817 E. Calvert - SB  
Mark Maron, 30433 Dunhill Crossing, Elkhart  
Nicholas Wright, 4815 Cross Creek Court, SB  
Ron Dean, 10844 Volinia Drive, Osceola  
Willie Hall, 625 N. Hickory Road - SB  
Jim Clark, 1545 Lincolnway East - M  
Tim Hacker, 1120 S. Spring Street - M  
Dwight Fish, 1622 Elizabeth Street - Elkhart

Frank Rivera, 6819 Stewart Drive - SB

Members of the UAW (United Auto Workers) spoke in favor. By not buying American, we are destroying the middle class. It is unpatriotic not to buy American. Politicians and consumers have sold the American worker down the river. This Ordinance will help bring back jobs to America. Lots of people have lost their jobs. Why are we helping another country, when we can't get help in this country? (about age 10 asked this question) We are trying to address the concerns for the young people who will be coming next. Why are we doing this to our country by buying foreign products? It is your responsibility to save the taxpayers money. But it is for the short term. We can't clean up Washington and Indianapolis if we don't clean up our cities and counties. This is where it begins. The remonstrator did not understand what MACOG stood for.

Mr. Root explained that MACOG stands for Michiana Area Council of Government and CMAQ is Congestion Mitigation Air Quality. This is where the list came from.

If you want these things changed, do you need to contact Washington? Mr. Root responded, yes.

You can start here and let the rest of the country see what you are doing. Gas stations, national parks, etc. are owned by foreign countries. When our kids get out of college there are no jobs for them. Need to consider all the elements and not be threatened by a town a few miles away that they are going to get vehicles vs. someone else. You need to concentrate on what you have here. An infrastructure of roads, manufacturing and people that will allow this area to grow. You cannot be scared to make a statement like this and can make history. Years ago, workers would not use parts that were not made in the U.S. This is a legacy that our fathers and grandfathers wanted for us.

In Opposition:

Greg Borkowski, Centre Township

Why would the County enact an Ordinance that forces County to pay up to double or triple the price for goods? While this is a noble jester, if the County is suddenly so flushed with cash that this can be done, why don't you rescind the Wheel Tax or the last round of income tax? He was leery of anybody that writes legislation that tends to patronize any group that is a major contributor for every election cycle, like unions. It is your job to write Ordinances that promote economic development and bring jobs to this area.

Motion to pass was made by Mr. Hamann and seconded by Mr. Kruk. Bill No. 50-10 passed to-wit; 7-0.

**Unfinished Business:**

**New Business:**

Mr. Morton stated that:

Pursuant to I.C. 6-3.5-1.1-24(q), the St. Joseph County Council shall hold a public hearing on increase in the adjusted gross income tax.

No one spoke for or against this matter.

**Privilege of the Floor:**

**Adjournment:**

Mr. Morton stated that the meeting was adjourned at 10:12 p.m.

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Auditor, St. Joseph County

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President, St. Joseph County Council