

**DECEMBER 9, 2019**

**REGULAR SESSION**

1219-000-01-1004 Interpreter / Naturalist	2,653.54	
1219-000-01-1014 Maintenance / Construction Foreman		2,653.54
 <u>4105 IMMUNIZATION DONATION</u>		
4105-000-03-3054 Repair & Maintenance	700.00	
4105-000-04-4010 Equipment		700.00
 <u>4915 PRETRIAL DIVERSION</u>		
4915-000-04-4011 Office Equipment	800.00	
4915-000-02-2010 Office Supplies		800.00
 <u>4916 DEFERRAL</u>		
4916-000-01-1106 ICE Student	2,500.00	
4916-000-01-1510 Extra Hours / Overtime		2,500.00
 <u>8110 16.575 VICTIM'S CRIME ACT</u>		
8110-000-01-1005 Victim's Advocate	1,600.00	
8110-000-02-2010 Office supplies		500.00
8110-000-03-3020 Printing		300.00
8110-000-04-4010 Equipment		800.00

Mr. Mike Strawser made a motion to approve the Resolution. Mr. Steve McKowen seconded the motion and it carried unanimously.

**LEGAL CLAIMS**

Mr. Harold Gingerich presented the October 2019 legal claims in the amount of \$12,381.25 from Beers, Mallers, Backs & Salin. Mr. Harold Gingerich made a motion to approve. Mr. Steve McKowen seconded the motion and it carried unanimously.

**MINUTES**

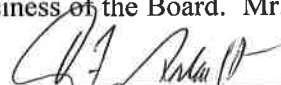
Mr. Mike Strawser made a motion to approve the November 12, 2019 regular session minutes. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

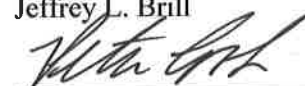
**PARK BOARD APPOINTMENT**

Mr. Harold Gingerich made a motion to appoint Dr. John Egli to the LaGrange County Park Board. Mr. Steve McKowen seconded the motion and it carried unanimously.

**ADJOURNMENT**

There being nothing further to come before the Board at this time, Mr. Steve McKowen made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

  
\_\_\_\_\_  
Charles F. Ashcraft

Absent  
Jeffrey L. Brill  
  
\_\_\_\_\_

DECEMBER 9, 2019


REGULAR SESSION

Peter A. Cook

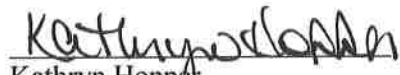
  
Harold D. Gingerich

  
Steven E. McKowen

Absent \_\_\_\_\_

Ryan J. Riegsecker  
  
Michael G. Strawser

ATTEST:

  
Kathryn Hoppe  
LaGrange County Auditor

**DECEMBER 9, 2019**

**REGULAR SESSION**

The LaGrange County Council met in Regular Session on Monday, December 9, 2019 at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:30 a.m., with the following present: Council Members, Charles F. Ashcraft, Peter A. Cook, Harold D. Gingerich, Steven E. McKowen, and Michael G. Strawser; and LaGrange County Auditor, Kathryn Hopper. Mr. Jeffrey L. Brill and Mr. Ryan Riegsecker were absent. Mr. Peter Cook brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

**AMENDMENTS TO THE SALARY ORDINANCE**

The following Amendment to the Salary Ordinance was presented:

**AMENDMENTS TO THE SALARY ORDINANCE FOR 2020**

BE IT HEREBY ORDAINED THAT the following changes be made in the LaGrange County Salary Ordinance for the year 2020:

	<u>REQUESTED</u>
<u>COUNTY GENERAL – Assessor</u>	
Part-time/Temporary deputy Assessor	Up to \$17.20 / hour
1000-009-01-1008	Up to 20 hours / week

Temporary, Part Time position to fill in while search for Full Time Deputy is completed and help train new deputy. Up to 20 hours per week.

	<u>REQUESTED</u>
<u>DRUG COURT GRANT FUND #4925</u>	
Part Time Administrative Assistant	Up to \$17.00 / hour
4925-000-01-1004	Up to 25 hours / week
<u>93.788 INDIANA STATE OPIOID RESPONSE GRANT #8130</u>	
Part-time Administrative Assistant	Up to \$17.00 / hour
8130-000-01-1004	Up to 4 hours /week

Change Part Time position from being paid entirely from fund #4925 to being split between funds #4925 & 8130.

	<u>REQUESTED</u>
<u>COUNTY GENERAL – Soil &amp; Water</u>	
Part-time office coordinator	Up to 14.94 / hour
1000-048-01-1006	Up to 8 hours / week

Temporary Part Time position to fill in for Office Coordinator. Up to 8 hours per week.

Mr. Mike Strawser made a motion to approve the amendments. Mr. Steve McKowen seconded the motion and it carried unanimously. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Harold Gingerich seconded the motion and it carried unanimously.

**LAGRANGE COUNTY REDEVELOPMENT COMMISSION APPOINTMENTS**

**DECEMBER 9, 2019**

**REGULAR SESSION**

Mr. Steve McKowen made a motion to appoint Mr. Charles Ashcraft, Mr. Mark Leu, and Mr. Andrew Linder to the LaGrange County Redevelopment Commission. Mr. Harold Gingerich seconded the motion and it carried unanimously.

**JOINT ORDINANCE AMENDING THE PERSONNEL POLICY HANDBOOK**

Mr. Peter Cook, presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
JOINT ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE PERSONNEL POLICY HANDBOOK.**

WHEREAS, the Board of Commissioners of the County of LaGrange ("Board") and the LaGrange County Council ("Council") on behalf of LaGrange County, Indiana ("County") have adopted and have from time to time amended, various personnel policies and procedures;

WHEREAS, the Board and Council have determined that there is a need for an update to the County's employee Personnel Policies Handbook dated September 16, 2019; *and*

WHEREAS, the Commissioners and the Council have the authority under IC § 36-1-4-14 to establish a system of employment.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE AND THE LAGRANGE COUNTY COUNCIL THAT:

**SECTION I**

County Ordinance 2019-09-16(B) is hereby repealed in its entirety.

**SECTION II**

- A. The Board and the Council hereby adopt and fully incorporate into this ordinance the "Personnel Policies Handbook" dated December 16, 2019 and attached as Exhibit A (as stipulated, "Handbook"), as if it were fully set out in this ordinance.
- B. Should this ordinance become codified, the codifier shall not codify the Handbook in full, but rather shall simply codify its adoption, incorporation, and effective date.
- C. Two (2) copies of the Handbook shall be placed on file in the Auditor's office for public inspection.

**SECTION III**

- A. References.
  1. Except where a specific version or edition is given, reference to another section of this ordinance or another law, document, fund, program, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, or renumbered from time to time.
  2. Reference in this ordinance to a public servant, department, commission, committee, board, or fund, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words "(of the) LaGrange County (Indiana)."
  3. Should a provision of this ordinance require an act to be done which, by law, an agent or deputy as well may do as the principal, the requisition is satisfied by the performance of the act by an authorized agent or deputy.
- B. Severability. No part of this ordinance shall be interpreted to conflict with any local, state, or federal laws, and all

**DECEMBER 9, 2019**

**REGULAR SESSION**

reasonable efforts should be made to harmonize same. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this ordinance are hereby declared to be severable.

C. Continuance.

1. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.
2. To the extent the provisions contained in this ordinance substantially restate the provisions of a prior ordinance or resolution, including their incorporated parts, such provisions shall not be deemed to be a new enactment of the old ordinances, but rather shall be deemed to be the continuation of the original provisions.

D. Revival Prohibited. The express or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance shall not be construed to revive any former ordinance, section, clause, or provision.

E. Effective Date. This ordinance shall be effective upon adoption.

Mr. Harold Gingerich made a motion to approve the Ordinance. Mr. Charles Ashcraft seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Mike Strawser seconded the motion and it carried unanimously.

**JOINT RESOLUTION REPEALING AND RESTATING THE CAPITAL IMPROVEMENT PLAN**

Mr. Peter Cook, presented the following Resolution for consideration:

COUNTY OF LAGRANGE  
JOINT RESOLUTION \_\_\_\_\_

A JOINT RESOLUTION REPEALING AND RESTATING THE CAPITAL IMPROVEMENT PLAN OF THE COUNTY OF LAGRANGE AND SPECIFYING THE USES OF REVENUES TO BE RECEIVED FROM THE IMPOSITION OF LOCAL INCOME TAXES.

WHEREAS, the County Council ("Council") of LaGrange County, Indiana ("County"), has established a local income tax pursuant to Indiana Code § 6-3.6 (the "Act");

WHEREAS, pursuant to Section 6-3.6-6-9.5 of the Act, the Board of Commissioners of the County of LaGrange ("Commissioners"), on behalf of the County, must adopt a capital improvement plan ("Plan") in order to receive distributions under the Act;

WHEREAS, the Commissioners and the Council previously passed joint resolutions that adopted capital improvement plans and amendments thereto;

WHEREAS, the Commissioners and Council again desire to amend the Plan to identify each project that would be funded using money received by the Act; *and*

WHEREAS, based upon information provided by the Department of Local Government Finance for 2020 year distributions under the Act, the County expects to receive an estimated annual amount of \$1,739,000.00.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE AND BY THE COUNTY COUNCIL OF LAGRANGE COUNTY, INDIANA, JOINTLY, THAT:

## DECEMBER 9, 2019

## REGULAR SESSION

### SECTION I

County Resolutions 1995-11-27(C), 1995-11-27(F), 1996-8-12-B, 1996-12-9b, 1997-2-18, 2002-1-14, 2003-10-14a, 2007-5-14B, and 2015-7-13C are hereby repealed in their entirety. Any other ordinance or resolution creating a capital improvement plan is hereby repealed to that extent.

### SECTION II

Whenever the following terms are used in this Joint Resolution, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.

- “Act” refers to Indiana Code chapter 6-3.6 and related local income tax laws.
- “Distribution” means monies apportioned to the County under the Act for economic development purposes.
- “Economic development project” has the meaning provided in the Act.
- “Plan” refers to the County’s capital improvement plan established by this Joint Resolution.
- “Project” means an economic development project that would be funded by a distribution under the Act.

### SECTION III

- A. To the extent required by the Act, for each qualifying project, the plan shall:
1. identify and describe the project;
  2. provide an estimated total cost of the project;
  3. identify all sources of funds expected to be used for the project;
  4. provide the planning, development, and construction schedule for the project; *and*
  5. estimate the duration of the project.
- B. The plan must encompass a period of not less than two (2) years.
- C. The combined cost of each project under the plan shall equal at least 75% of the fractional amount of distributions that are expected to be received by the County.
- D. Only qualifying projects may be added to the plan, but the plan’s list of qualifying projects is not necessarily to be considered exhaustive of the County’s capital improvement projects.
- E. The Commissioners and Council hereby adopt the Capital Improvement Plan, as shown in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference.
- F. The plan shall be considered current to the extent it conforms to this Joint Resolution.

### SECTION IV

The Commissioners and Council make the following findings with regards to the plan:

- A. The plan conforms to all requirements of this Joint Resolution.
- B. Each project incorporated into the plan is an economic development project and, therefore, eligible for distributions under the Act.

### SECTION V

- A. References.
1. Except where a specific version or edition is given, reference to another section of this Joint Resolution or to another law, document, fund, program, department, employee, or public servant, shall extend and apply to the

**DECEMBER 9, 2019**

**REGULAR SESSION**

same, as may be subsequently amended, elected, revised, recodified, renamed, or renumbered from time to time.

2. Reference in this Joint Resolution to a public servant, department, commission, committee, board, or fund, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words “(of the) LaGrange County (Indiana).”
  3. Should a provision of this Joint Resolution require an act to be done which, by law, an agent or deputy as well may do as the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- B. Severability. No part of this Joint Resolution shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize same. Should any section or part thereof of this Joint Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Joint Resolution as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Joint Resolution are hereby declared to be severable.
- C. Continuance.
1. The express or implied repeal or amendment by this Joint Resolution of any other ordinance or part thereof does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this Joint Resolution. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this Joint Resolution had not been adopted.
  2. To the extent the provisions contained in this Joint Resolution substantially restate the provisions of a prior ordinance or resolution, such provisions shall not be deemed to be a new enactment of the old ordinances, but rather shall be deemed to be the continuation of the original provisions.
- D. Revival Prohibited. The express or implied repeal or amendment by this Joint Resolution of any other ordinance or part of any other ordinance shall not be construed to revive any former ordinance, section, clause, or provision.
- E. Effective Date. This Joint Resolution shall be effective January 1, 2020.

Mr. Charles Ashcraft made a motion to approve the Ordinance. Mr. Mike Strawser seconded the motion and it carried unanimously. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Steve McKowen seconded the motion and it carried unanimously.

**RESOLUTION TO TRANSFER TO THE RAINY DAY FUND**

Mr. Peter Cook read the following Resolution to Transfer to the Rainy Day Fund:

COUNTY OF LAGRANGE  
RESOLUTION NO. 2019-12-09

A RESOLUTION TO TRANSFER UNENCUMBERED FUNDS TO THE “RAINY DAY FUND”  
PURSUANT TO INDIANA CODE 36-1-8-5.1.

WHEREAS, Indiana Code 36-1-8-5.1 permits an Indiana county to establish a Rainy Day Fund to receive transfers of unused and unencumbered funds under said Indiana Code; and

WHEREAS, pursuant to said statute, an Indiana County Council shall make a finding that the proposed use of the Rainy Day Funds is consistent with the intent of the fund before making an appropriation therefrom; and

**DECEMBER 9, 2019**

**REGULAR SESSION**

WHEREAS, pursuant to said statue, in any fiscal year an Indiana county may not transfer more than ten percent (10%) of its total budget for that fiscal year to the Rainy Day Fund; and

WHEREAS, pursuant to said statue, the Indiana Department of Local Government Finance may not reduce the actual or maximum permissible levy of an Indiana county as a result of a balance in the Rainy Day Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF LAGRANGE COUNTY, INDIANA, AS FOLLOWS:

Therefore, effective this date, the LaGrange County Council approves the transfer of \$\_\_\_\_\_ of unused and unencumbered funds from 2019 in the County General Fund to the "Rainy Day Fund".

The "Rainy Day Fund" shall be subject to the same appropriation process as other funds that receive tax money. The LaGrange County Council hereby intends to utilize its decision-making power regarding fiscal affairs and set priorities for all allocation and expenditure of the "Rainy Day Fund" as deemed necessary to best serve the residents of LaGrange County.

Mr. Harold Gingerich made a motion to approve the Resolution with the amount to be determined at year end. Mr. Steve McKowen seconded the motion and it carried unanimously. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Harold Gingerich seconded the motion and it carried unanimously.

**TRANSFER RESOLUTION**

Mr. Harold Ginergich made a motion to approve the end of year transfer Resolution. Mr. Charles Ashcraft seconded the motion and it carried unanimously. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Harold Gingerich seconded the motion and it carried unanimously.

**ADDITIONAL APPROPRIATIONS**

Mr. Peter Cook presented the following Ordinance of Additional Appropriations:

**ORDINANCE OF ADDITIONAL APPROPRIATIONS**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget, now THEREFORE:

Sec 1: Be it ordained by the LaGrange County Council, LaGrange, Indiana, that for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named for the purposes herein specified, subject to the laws governing the same.

<u>9127 PROBLEM SOLVING COURT GRANT</u>	
9127-000-03-3014 Drug testing	10,000.00
<u>9160 COMMUNITY CORRECTIONS</u>	
9160-000-01-1002 Drug Court Coordinator	61,500.00

Mr. Mike Strawser made a motion to approve the Ordinance. Mr. Harold Gingerich seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Steve McKowen seconded the motion and it carried unanimously.

**RESOLUTION TO TRANSFER FUNDS**

Mr. Peter Cook read the following Resolution to Transfer Funds:



**DECEMBER 9, 2019**

**REGULAR SESSION**

**RESOLUTION TO TRANSFER FUNDS**

BE IT HEREBY RESOLVED THAT the following increases and decreases be made in order to meet the expenses of the units of government for the year 2019.

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL</u>		
1000-005-01-1330 Evidence Tech	4,500.00	
1000-005-01-1510 Extra hours / Overtime		4,500.00
<u>COUNTY GENERAL – EXTENSION</u>		
1000-023-01-1301 Part Time Secretary	323.12	
1000-023-01-1510 Extra hours / Overtime		323.12
<u>COUNTY GENERAL – GIS</u>		
1000-035-03-3081 Seminars and Training	400.00	
1000-035-04-4010 Equipment		400.00
<u>COUNTY GENERAL – SUPERIOR COURT</u>		
1000-037-01-1103 Drug Court Coordinator	4,000.00	
1000-037-03-3108 Indigent Appeals		4,000.00
<u>1112 LIT – ECONOMIC DEVELOPMENT</u>		
1112-000-01-1522 Health Insurance	442.00	
1112-000-04-4012 Annex basement remodel		442.00
<u>1112 EDIT</u>		
1112-000-01-1522 Health Insurance	9,359.60	
1159-000-01-1510 Extra Hours / Overtime		700.00
1112-000-04-4013 Key card door access – Annex		8,917.60
<u>1176 MOTOR VEHICLE HIGHWAY</u>		
1176-000-04-4030 Office Equipment	1,500.00	
1176-001-02-2010 Office Supplies		1,500.00
<u>1179 PARKS NONREVERTING</u>		
1179-000-04-1010 Equipment	266.08	
1179-000-04-4019 Delt Playground surfacing	383.92	
1179-000-04-4021 Horse Shelters		650.00
<u>1202 SURVEYOR'S CORNER PERPETUATION</u>		
1202-000-04-4015 INCORS System	2,650.00	
1202-000-02-2020 Harrison Markers		2,650.00
1202-000-01-1015 Surveyor Tech	302.00	
1202-000-03-3011 Internet		100.00
1202-000-04-4010 GPS Equipment		202.00
<u>1219 PARKS &amp; RECREATION</u>		