

SEPTEMBER 14, 2020

REGULAR SESSION

The LaGrange County Council met in Regular Session on Monday, September 14, 2020 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, Jeffrey L. Brill, Peter A. Cook, Harold D. Gingerich, Steven E. McKowen, Ryan J. Riegsecker, and Michael G. Strawser; and LaGrange County Auditor, Kathryn Hopper. 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 Amendments to the Salary Ordinance were 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>PARK AND RECREATION</u>	
Park Director 1219-000-01-1001	Up to \$2,288.46/bi-weekly 40 hours /week
Park Superintendent 1219-000-01-1005	Up to \$2,013/bi-weekly 40 hours /week

- Changes of salary amendments for the Director and the Superintendent. Director is making less and the Superintendent will be making a little more
- These 2 positions will have different job duties. Superintendent will add administrative duties

	<u>REQUESTED</u>
<u>COUNTY GENERAL – EXTENSION</u>	
Part-time secretary 1000-023-01-1301	Up to \$12.00 / hour

Change effective September 14, 2020

Mr. Mike Strawser made a motion to approve the amendment to be effective September 14, 2020. Mr. Ryan Riegsecker 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.

2021 BUDGET

At 8:30 a.m. Mr. Peter Cook opened the public hearing on the 2021 budget.

Mr. Mike Strawser made a motion to approve making the sign man a full time sign man and approve the hiring of one additional driver for the Highway department for 2021. Mr. Steve McKowen seconded the motion and it carried unanimously.

Mr. Harold Ginerich made a motion to leave the Health Board members rate of pay at \$50.00 per meeting for 2021. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

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Mr. Steve McKowen made a motion to grant a 1% pay increase to all hourly employees, salaried employees, and the Public Defender Board for 2021. Mr. Ryan Riegsecker seconded the motion and it carried 6 to 1 with Mr. Charles Ashcraft voting no.

Mr. Peter Cook closed the public hearing on the 2021 budget.

HEALTH DEPARTMENT – REQUEST TO APPLY FOR A GRANT

Dr. Alfredo Garcia, Health Administrator, requested permission to apply for a grant through the Indian State Department of Health. The grant is for \$100,000 and will provide the essential supplies to the health department to support Coronavirus testing sites. The testing would be provided through Goshen Physician Family Medicine. Mr. Mike Strawser made a motion to approve the request and authorize signature outside of a public meeting. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

ORDINANCE APPROVING EXPENSES OUT OF RECORDER'S RECORDS PERPETUATION FUND

Mrs. Kathryn Hopper, County Auditor, presented the following Ordinance for the Recorder's Records Perpetuation Fund:

LAGRANGE COUNTY COUNCIL ORDINANCE 2020-09-14

**ORDINANCE APPROVING THE LAGRANGE COUNTY RECORDER'S REQUEST TO PARTIALLY
FUND THE RECORDER'S OFFICE EXPENSES OUT OF THE RECORDER'S RECORDS
PERPETUATION FUND**

WHEREAS, The LaGrange County Recorder has submitted the sworn statement dated September 14, 2020 (see Exhibit A) to the LaGrange County Council as the fiscal body of LaGrange County, as required in IC 36-2-7-10.2; and

WHEREAS, the LaGrange County Recorder requests that the Recorder's Record Perpetuation Fund be used to cover a portion of the expenses of the Recorder's office in calendar year 2021; and

WHEREAS, IC 36-2-7-10.2(b)(2) requires that the LaGrange County Council approve sufficient money from the Recorder's Records Perpetuation Fund but not in excess of the amount requested by the County Recorder.

NOW, THEREFORE, the LaGrange County Council approves the use of the Recorder's Records Perpetuation Fund to cover a portion of the expenses of the LaGrange County Recorder's Office for the 2020 calendar year.

Mr. Harold Gingerich 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. Harold Gingerich seconded the motion and it carried unanimously.

RESOLUTION TO TRANSFER FUNDS

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

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 2020.

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	DECREASE	INCREASE
<u>COUNTY GENERAL – AUDITOR</u>		
1000-002-01-1007 Payroll Deputy	4,695.75	
1000-002-01-1300 Temporary Payroll Clerk	243.50	
1000-002-01-1301 Hourly Clerical		4,939.25
<u>COUNTY GENERAL – DRAINAGE BOARD</u>		
1000-026-01-1310 Special Board members	100.00	
1000-026-03-3021 Advertising		100.00
<u>COUNTY GENERAL– INFORMATION TECHNOLOGY</u>		
1000-034-01-1512 Longevity	671.88	
1000-034-03-0312 Travel / Mileage	200.00	
1000-034-03-3081 Seminars & Training	2,500.00	
1000-034-03-3287 Copy Machine Maintenance	4,825.09	
1000-034-01-1001 Director		8,196.97
<u>COUNTY GENERAL - GIS</u>		
1000-035-03-3081 Seminars and Training	192.00	
1000-035-04-4010 Equipment		192.00
<u>COUNTY GENERAL - GIS</u>		
1000-035-01-1002 Scanning Tech Assistant	9,268.77	
1000-035-04-4010 Equipment		4,138.52
1000-035-03-3033 Spillman Project –service work		5,130.25
<u>LIT-PUBLIC SAFETY</u>		
1170-000-03-3500 Public Safety	48,751.75	
1170-000-04-4004 Surveillance equip – 3 Bldgs		48,751.75
<u>MOTOR VEHICLE HIGHWAY</u>		
1176-002-01-1205 Truck Drivers	1,501.00	
1176-001-03-3182 CDL Physical		1,501.00
<u>RIVERBOAT</u>		
1191-000-03-3020 Miscellaneous Disbursements	13,271.00	
1191-000-04-4031 4-H Assn. – Mower Purchase		13,271.00
<u>SURVEYOR’S CORNER PERPETUATION</u>		
1202-000-04-4014 Miscellaneous Equip	500.00	
1202-000-02-2015 Uniform / personal protection		500.00
<u>ADULT PROBATION ADMINISTRATIVE</u>		
2000-000-04-4010 Equipment	120.00	
2000-000-02-2040 uniforms		120.00

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

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.

	REQUESTED AMOUNT
<u>SPECIAL VEHICLE INSPECTION</u>	
4930-000-04-4010 Truck	5,000.00
<u>93.268 IMMUNIZATION GRANT 20-21</u>	
8122-000-03-3001 Software subscription	11,090.00
8122-000-03-3011 Travel & Mileage	330.00
8122-000-03-3014 Printing	1,485.00
8122-000-03-3015 Smart Temps Monitoring	440.00
8122-000-03-3021 Advertising	2,400.00
8122-000-03-3050 Equip repair / Maintenance	250.00
8122-000-03-3081 Seminars & Training	1,405.00
8122-000-04-4010 Equipment	7,600.00
<u>CARES PROVIDER RELIEF FUND</u>	
8900-000-02-2050 Personal Protection Supplies	1,276,013.00

Mr. Mike Strawser made a motion to approve the Ordinance. Mr. Jeff Brill 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.

LEGAL CLAIMS

Mr. Harold Gingerich presented the July 2020 legal claims in the amount of \$19,879.00 from Beers, Mallers, Backs & Salin. Mr. Harold Gingerich made a motion to approve. Mr. Steve McKowen seconded the motion and it carried unanimously.

2021 COUNCIL MEETINGS

Mr. Harold Gingerich made a motion to approve the 2021 Council meeting schedule. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

MINUTES

Mr. Mike Strawser made a motion to approve the August 10, 2020 special joint session minutes. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

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Mr. Mike Strawser made a motion to approve the August 10, 2020 regular session minutes. Mr. Jeff Brill seconded the motion and it carried unanimously.

CAPITAL IMPROVEMENT PLAN

Mr. Peter Cook presented the following Joint Resolution:

COUNTY OF LAGRANGE
JOINT RESOLUTION 2020-09-21

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 2021-year distributions under the Act, the County expects to receive an estimated annual amount of \$1,884,077.

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:

SECTION I

County Resolutions 2019-12-16B is hereby repealed in its entirety.

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.
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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;

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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 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.

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- 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, 2021.

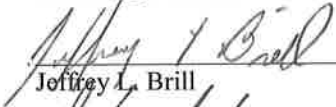
Mr. Charles Ashcraft made a motion to approve the Ordinance. Mr. Harold Gingerich seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Mike Strawser seconded the motion and it carried unanimously.

ADJOURNMENT

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



Charles F. Ashcraft



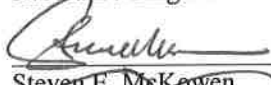
Jeffrey L. Brill



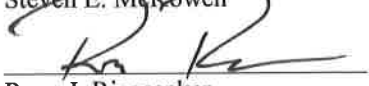
Peter A. Cook



Harold D. Gingerich



Steven E. McKowen



Ryan J. Riegsecker

Michael G. Strawser

ATTEST:

Kathryn Hopper
LaGrange County Auditor