

SEPTEMBER 8, 2015

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, September 8, 2015, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Larry Miller, Terry Martin; and LaGrange County Auditor, Kay M. Myers. Commissioner John (Jac) Price was absent. Vice-President Larry Miller, called the meeting to order and led those present in saying the Pledge of Allegiance to the Flag.

Mr. Terry Martin motioned to amend agenda to remain at the county building. Mr. Larry Miller seconded the motion and it carried unanimously.

Mr. Larry Miller request a moment of silence to honor Commissioner Jac Price’s passing.

The following awards were presented to Mrs. Madonna Price on behalf late Commissioner Jac Price:
Sagamore of the Wabash – State Representative Dennis Zent and State Senator Sue Glick
Lifetime Achievement Award in Economic and Community Development - Mr. Mark Leu and Mr. John Sampson
Service Award – Commissioners Larry Miller and Terry Martin

Mr. Terry Martin made a motion to adopt the proposed agenda with flexibility. Mr. Larry Miller seconded the motion and it carried unanimously.

SPEED ORDINANCE

County Attorney Kurt Bachman presented following ordinance for changing of speed limit.

ORDINANCE 2015-09-08A

AN ORDINANCE FOR A MORE ORDERLY AND SAFE FLOW OF TRAFFIC UPON COUNTY ROAD 675 WEST FROM COUNTY ROAD 250 NORTH TO STATE ROAD 120.

WHEREAS, the Board of Commissioners of LaGrange County, State of Indiana, enacted Ordinance 1980-3-1, and subsequent amendments thereto, in order to cause a more orderly and safe flow of traffic upon the county roadways of the County of LaGrange, Indiana;

WHEREAS, after considering the recommendation of the Engineering and Traffic Investigation Committee and their review of the engineering and traffic safety, it has been determined that certain maximum speed limits posted on LaGrange County roads are in need of being revised.

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

SECTION I

In the County of LaGrange, Indiana, County Road 675 West, from County Road 250 North to State Road 120, shall be posted with a speed limit of 45 m.p.h. in both directions.

SECTION II

In all other respects, Ordinance No. 1980-3-1, and its amendments, shall remain in full force and effect.

SECTION III

Upon promulgation and posting according to law, the Highway Superintendent of LaGrange County, Indiana, is authorized to post all street signs necessary to accomplish this amendment.

SECTION IV

No part of this Ordinance 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 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.

SECTION V

This Ordinance shall be effective upon promulgation according to law.

Mr. Terry Martin motioned to approve the ordinance changing speed limit to 45 mph on CR 675 W from CR 250 N to SR 120. Mr. Larry Miller seconded the motion which passed unanimously. Mr. Terry Martin motioned to waive second reading. Mr. Larry Miller seconded the motion which passed unanimously.

WIC

Attorney Bachman presented documentation to add WIC to liability insurance. Mr. Terry Martin motioned to allow Travelers to cover WIC and authorize Mr. Larry Miller to sign to add to insurance. Mr. Larry Miller seconded the motion which passed unanimously.

INMATE IN CELL PHONE SERVICE

Attorney Kurt Bachman informed the Commissioners the contract for inmate phone service is ready for signature. Mr. Terry Martin motioned to accept contract and authorize signing. Mr. Larry Miller seconded the motion which passed unanimously.

COMMUNITY CORRECTIONS

Attorney Bachman informed the Commissioners the interlocal agreement has been amended. Mr. Bret Hayes informed the Commissioners the grant is being amended for this year and is requesting additional 8 county correction officers for Steuben, 3 full time probation officers for Lagrange and 2 probation officers for Steuben. Discussion followed.

RESOLUTION 2015-09-08B

A RESOLUTION AMMENDING THE PRIOR RESOLUTION TO ESTABLISH A COMMUNITY CORRECTIONS PROGRAM AND COMMUNITY CORRECTIONS ADVISORY BOARD FOR LAGRANGE COUNTY, INDIANA, AND ADOPTING THE FIRST AMENDED INTERLOCAL AGREEMENT FOR A COMBINED COMMUNITY CORRCTIONS PROGRAM

WHEREAS, I.C. 11-12-1-2 provides for the establishment and operation of community corrections programs by a county, for any of the purposes set forth in I.C. 11-12-1-2; and

WHEREAS, I.C. 11-12-1-1 defines a “community corrections program” as a community based or community oriented program that provides preventive services, services to offenders, services to persons charged with a crime or act of delinquency, services to persons diverted from the criminal or delinquency, services to persons sentenced to imprisonment, or services to victims of crime or delinquency; and

WHEREAS, I.C. 11-12-2-1 provides for grants to counties for the establishment and operation of community corrections programs for the purpose of encouraging counties to develop a coordinated local corrections criminal justice system and providing effective alternatives to imprisonment at the state levels; and

WHEREAS, I.C. 11-12-2-2 states that to qualify for the aforementioned financial aid a county must establish a community corrections advisory board by resolution of the Board of Commissioners; and

WHEREAS, I.C. 11-12-2-2 allows two counties to combine to apply for financial aid and establish one community corrections advisory board;

WHEREAS, LaGrange County and Steuben County previously determined that the establishment of a regional community corrections program is in the best interests of both counties; and

WHEREAS, LaGrange County and Steuben County entered into an Interlocal Agreement for a Combined Community Corrections Program; and

WHEREAS, LaGrange County and Steuben County now desire to amend the Interlocal Agreement.

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

SECTION I

The Board of Commissioners of the County of LaGrange, Indiana do hereby establish a community corrections program for LaGrange County, Indiana to provide preventive services, services to offenders, services to persons charged with a crime or act of delinquency, services to persons diverted from the criminal or delinquency process, services to persons sentenced to imprisonment, or services to victims of crime or delinquency.

SECTION II

The Board of Commissioners of the County of LaGrange, Indiana does hereby approve the First Amended Interlocal Agreement for Combined Community Corrections Program attached hereto as Exhibit “A”.

SECTION III

The express or implied repeal or amendment by this Resolution of any other Resolution or part of any other Resolution does not affect any rights or liabilities accrued, penalties incurred, or procedures begun prior to the effective date of this Resolution. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended Resolution as if this Resolution had not been adopted.

SECTION IV

No part of this 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 Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the 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 Resolution are hereby declared to be severable.

Mr. Terry Martin motioned to approve grant application. Mr. Terry Martin seconded the motion; motion carried. Mr. Terry Martin motioned to amend interlocal agreement. Mr. Larry Miller seconded the motion; motion carried. Mr. Terry Martin motioned to appoint Sabrina Lindsley and Linda Zabona Wooster to the board. Mr. Larry Miller seconded the motion; motion carried. Mr. Terry Martin motioned to authorize Mr. Larry Miller as VP to sign any other documents as needed. Mr. Larry Miller seconded the motion; motion carried.

COA

Ms. Cheri Perkins informed the Commissioners the 2016 capital and operation grants are ready for consideration to sign. Mr. Terry Martin motioned to approve both applications and authorize Mr. Larry Miller to sign. Ms. Perkins informed the Commissioners COA has been awarded the building award grant @ 100%.

PROBATION DEPT

Ms. Leann Anders presented request to purchase a lateral draw file cabinet for probation. Mr. Terry Martin motioned to approve. Mr. Larry Miller seconded the motion which passed unanimously.

PARK DEPT

Mr. Mike Metz, Park Dept Director request approval to purchase material to build picnic tables in the amount of \$6,724.09. Mr. Terry Martin motioned to approve. Mr. Larry Miller seconded the motion which passed unanimously.

SHERIFF DEPT

Sheriff Campos informed the Commissioners the copy machine is down and will need to be replaced one have been located for \$2,900. Mr. Terry Martin motioned to approve the purchase the copy machine. Mr. Larry Miller seconded the motion which passed unanimously. Sheriff Campos request to purchase cubicle wall to create a new work place in the front office to be used for sex and violent offender registration. Mr. Terry Martin motioned to approve the purchase from Kendrick's. Mr. Larry Miller seconded the motion which passed unanimously. Sheriff Campos request to add additional canine officer for \$10,549.46. Sheriff stated there will be no cost to the County due to an anonymous donor. Mr. Terry Martin motioned to approve the purchase; Mr. Larry Miller seconded the motion which passed unanimously.

HIGHWAY DEPT

Highway Foreman Randy VanWagner presented quotes for the purchase of highway truck. Mr. VanWagner informed the Commissioners he has requested a third quote but did not receive one. Discussion followed. Mr. Terry Martin motioned to find the Norris Truck bid more responsive to the bid request, by reference to service and warranty. Mr. Larry Miller seconded the finding. Mr. Terry Martin motioned to award the truck to Norris Truck for \$114,285.00. Mr. Larry Miller seconded the motion which passed unanimously. Mr. VanWagner requests authority to continue using the county credit card with Jeff Brill's name, Commissioners gave consent. Mr. Larry Miller motioned to appoint Mr. VanWagner as the interim director of the Highway Dept until Highway Engineer or Superintendent has been hired. Mr. Terry Martin seconded the motion which passed unanimously.

COMMITTEE REPORTS

Mr. Terry Martin reported on the Park Board meeting.
Mr. Larry Miller reported on the drainage board, LEPC and plat meetings.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kay M. Myers, County Auditor, presented the Accounts Payable Vouchers. Mr. Larry Miller motioned to approve. Mr. Terry Martin seconded the motion which passed.

MEMORANDUM

Mr. Larry Miller motioned to approve the memorandum for the September 2 meeting. Mr. Terry Martin seconded the motion which passed unanimously.

MINUTES

Mr. Terry Martin made a motion to approve the August 17th regular meeting minutes. Mr. Larry Miller seconded the motion which passed unanimously.

SUBDIVISION PLATS

The following subdivision plats were presented for approval:

Pheasant Trail School Subdivision

There is one lot in this subdivision, in Eden Township, located west of 8520 W 300 S, Shipshewana. Section 10, Township 36N, Range 8E. The owners are Schrock, Perry & Wilma. Mr. Larry Miller made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

DCE Farm Subdivision

There is one lot in this subdivision, in Springfield Township, located 7385 E 100 S, LaGrange. Section 29, Township 37N, Range 11E. The owners are Troyer, Don & Carol. Mr. Larry Miller made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

Replat of Haystack

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There is one lot in this subdivision, in Newbury Township, located 1225 N 1200 W, Middlebury. Section 18, Township 37N, Range 8E. The owners are Eash, Galen & Ida Sue. Mr. Terry Martin made a motion to approve the plat. Mr. Larry Miller seconded the motion and it carried unanimously.

Countryside Subdivision

There are five lots in this subdivision, in Clearspring Township, located SW corner of CR 200 S & Hawpatch Rd, LaGrange. Section 18, Township 37N, Range 8E. The owners are Eash, Galen & Ida Sue. Mr. Terry Martin made a motion to approve the plat. Mr. Larry Miller seconded the motion and it carried unanimously.

JANUARY FINANCIAL STATUS

Auditor Kay Myers informed the Commissioners the Auditor has reviewed the financial statements for the month ending August 31, 2015 and confirm that the fund balances agree with the County Treasurer's Daily Balance of Cash and Depositories in the amount of \$4,374,077.82 and investments of \$33,799,484.00. Mr. Terry Martin motioned to approve. Mr. Larry Miller seconded the motion which passed unanimously.

HONOR GUARD FUND

Auditor Myers presented following ordinance:

ORD 2015-09-08 C

AN ORDINANCE ESTABLISHING THE HONOR GUARD FUND FOR THE COUNTY OF LAGRANGE, INDIANA

Be it ordained by the Board of Commissioners for LaGrange County, Indiana, that:

SECTION I

WHEREAS, the Board of Commissioners have determined a need to establish an Honor Guard Fund; and

SECTION II

WHEREAS, the LaGrange County Sheriff has received contributions from individual contributors, businesses, not-for-profit groups and organizations, local public service groups; public donations; money from fund raising events; and

WHEREAS, said revenues are not required by law to be deposited into any other fund, shall be deposited into the Honor Guard Fund. The fund shall be appropriated and spent in accordance with the general rules of the County.

SECTION III

WHEREAS, the revenues described in Section II above, shall be transferred to the LaGrange County Auditor, who shall deposit such revenue into the Honor Guard Fund. Monies in said fund shall be disbursed as the LaGrange County Sheriff directs, for the purpose of purchasing uniforms, equipment and other items associated with the ongoing operation of the Honor Guard, subject to the approval of the LaGrange County Commissioners.

WHEREAS, notwithstanding the foregoing, no portion of the Honor Guard shall be used to supplement salaries.

SECTION IV

The Fund shall exist in perpetuity until terminated by a subsequent Ordinance.

SECTION V

All amounts placed in the Fund shall be invested and reinvested pursuant to the standard procedures followed by the County. All amounts remaining in said Fund at the end of the fiscal year; and any interest earned on the Fund, shall remain in the Fund and shall not revert to the General Fund.

SECTION VI

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 procedure 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.

SECTION VII

No part of this Ordinance shall be interpreted to conflict with any local, state, or federal laws, and all reasonable effects 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 declared to be invalid, any for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION VIII

This Ordinance shall be effective upon promulgation according to law.

Mr. Terry Martin motioned to approve. Mr. Larry Miller seconded the motion which passed unanimously.

2016 HOLIDAY SCHEDULE

Mr. Terry Martin motioned to approve the proposed holiday schedule for 2016. Mr. Larry Miller seconded the motion which passed unanimously.

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Ms. Joy Sharp- COA Board President thanked Ms. Cheri Perkins for her efforts in getting the capital improvement grant.

Mr. Terry Martin motioned to lower county building flags to ½ staff Thursday at sunset in remembrance of Mr. Jac Price. Mr. Larry Miller seconded the motion which passed unanimously.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – August, 2015 report

LaGrange County Weights and Measures – August 16 – September 15, 2015 report

LaGrange County Treasurer – August, 2015 report

Indiana Department of Environmental Management – Notice of Approval – Four Woods Laminating, Inc – 087-35769-00036 dated 8/13/15

Indiana Department of Environmental Management – Notice of Approval – Four Woods Laminating, Inc – 087-35716-00036 dated 9/2/15

US Army Corps of Engineers – Joint Public Notice – Prairie Creek Conservancy District – stabilize stream bed and banks.

ADJOURNMENT

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

Larry N. Miller

Terry A. Martin

ATTEST:

Kay M. Myers
LaGrange County Auditor