

**MAY 6, 2024**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, May 6, 2024, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Mr. Terry A. Martin, Mr. Peter A. Cook, and Mr. Kevin Myers and LaGrange County Auditor, Kathryn Hopper. Mr. Terry Martin, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Kevin Myers made a motion to adopt the proposed agenda with flexibility. Mr. Peter Cook seconded the motion and it carried unanimously.

**HAWPATCH TRAIL**

Mr. Kurt Bachman, County Attorney, explained that a letter of support was needed for the Hawpatch Trail project, They are applying for a grant from the Lily Foundation, which Mr. Terry Martin signed. Mr. Peter Cook made a motion to approve the letter of support, retroactive to April 25, 2024. Mr. Kevin Myers seconded the motion and it carried unanimously.

**ORDINANCE ESTABLISHING THE IDENTIFICATION SECURITY PROTECTION FUND**

Mr. Kurt Bachman, County Attorney, presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
ORDINANCE NO. 2024-05-06 A

AN ORDINANCE ESTABLISHING THE IDENTIFICATION SECURITY PROTECTION FUND

WHEREAS, pursuant to Indiana Code (“IC”) 36-2-7.5-11 (“Fund Statute”), each county legislative body must establish an identification security protection fund (“Fund”) to be administered by the respective county recorder;

WHEREAS, pursuant to the Fund Statute and IC 36-2-7.5-6, the money in the Fund consists of a portion of the county identification security protection fee, which is collected for the recording or filing of certain documents;

WHEREAS, pursuant to IC 36-1-2-9, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the legislative body of LaGrange County, Indiana (“County”);

WHEREAS, pursuant to the Fund Statute, money in the Fund may be used only to purchase, upgrade, implement, or maintain redacting technology, or to secure protection measures used in the office of the county recorder; *and*

WHEREAS, pursuant to the Fund Statute, money in the Fund may be transferred to the respective county recorder’s records perpetuation fund for the uses set forth in IC 36-2-7-10(f).

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

**SECTION I – NAME**

This ordinance shall be named the “Identification Security Protection Fund Ordinance,” or the “Fund Ordinance” where the context is obvious.

**SECTION II – RECITALS**

The foregoing recitals, including all defined terms, are hereby incorporated into this ordinance and found to be true, accurate, and correct.

**SECTION III – ESTABLISHMENT**

- A. Definition. As used in this section, “Fund Statute” refers to Indiana Code 36-2-7.5-11.
- B. Establishment. The Identification Security Protection Fund (“Fund”) is hereby established as a special nonreverting fund under the administration of the Recorder, and it shall exist in perpetuity until terminated or repealed by subsequent ordinance.

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- C. Purpose. The purpose of the Fund is to hold money that is required to be deposited therein pursuant to the Fund Statute.
- D. Appropriations. Money may be disbursed from the Fund only a prior appropriation from the County Council.
- E. Disbursements. No money shall be disbursed from the Fund except with an approved claim allowed and signed by the Recorder.
- F. Restrictions. Money in the Fund shall be used only for those purposes provided in the Fund Statute; provided, however, that the Recorder may request that a portion or all of the money in the Fund be transferred without appropriation to the Recorder's Records Perpetuation Fund to instead be used under the rules for that fund.
- G. Investment. All money in the Fund, and any interest earned on the money, shall be invested and reinvested pursuant to the County's standard investment policies.
- H. Nonreverting. All money in the Fund, including any interest earned on the Fund, shall remain in the Fund and shall not revert to the General Fund at the end of the fiscal year.
  
- I. Authorization. The Auditor, Treasurer, and Recorder are hereby authorized to sign all documents and to take all action necessary or helpful to create and administer the Fund and for the disbursement of money therefrom, subject to the provisions of this section.
- J. Termination. When the Fund is terminated, all money in the Fund shall be deposited into a suitable replacement fund with similar purposes to the Fund or, if no such fund should exist, into the Recorder's Records Perpetuation Fund except as otherwise required by applicable law.

SECTION IV – MISCELLANEOUS

- A. References.
  - 1. Except where a specific version or edition is given, reference to another section of this ordinance or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time.
  - 2. Reference in this ordinance to a law, document, fund, department, board, program, public servant, or public office, 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) LaGrange County (Indiana)."
  - 3. Should a provision of this ordinance require an act to be done which, by law, an agent or deputy may do instead of the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- B. Judicial Review. This ordinance is intended only to improve the internal management of the County. Notwithstanding anything in this ordinance to the contrary, nothing in this ordinance shall be construed to create any new legal duty, right, or benefit, whether substantive or procedural, enforceable against the County; nor to waive or diminish any protection that may be applicable to the County or any of its elected or appointed officials, employees, agents, or representatives under any applicable law providing governmental immunity, or any other rights, protections, immunities, defenses, or limitations on liability that the County or such related parties are provided by law.
- C. Conflicts. 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 the same.

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- D. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- E. Promulgation. The Auditor is hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- F. Codification. To the extent a substantive change in meaning does not result, the codifier of ordinances may omit the Name, Recitals, Miscellaneous, and Adoption sections of this ordinance from the official code, may renumber or reorder any section of this ordinance, and may alter references to this ordinance and to exhibits as appropriate.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Ordinance. Mr. Kevin Myers seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PARKS DEPARTMENT – CONTRACTS FOR ARPA PROJECTS**

Mr. Kurt Bachman, County Attorney, explained that the Parks Department has several projects that they will be using ARPA funds for and will need contracts signed. Mr. Peter Cook made a motion to authorize the president to sign the contracts outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PROCLAMATION – PEACE OFFICER APPRECIATION WEEK**

Mr. Kevin Myers made a motion to approve a Joint Proclamation proclaiming May 12-18, 2024 as Peace Officer Appreciation Week. Mr. Peter Cook seconded the motion and it carried unanimously.

**COUNCIL ON AGING – TRANSPORTATION GRANT**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the 1<sup>st</sup> quarter voucher for the transportation grant. Mr. Peter Cook made a motion to approve the voucher and have the President sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

**COUNCIL ON AGING – TRANSPORTATION GRANT APPLICATION**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the Indiana Department of Transportation Section 5311/5339 Grant application and Resolution for consideration. Mr. Kevin Myers made a motion to approve the application and authorize the president to sign it outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Kevin Myers seconded the motion and it carried unanimously.

**ECONOMIC DEVELOPMENT CORPORATION – CONNECT LAGRANGE COUNTY**

Mrs. Sherri Johnston, LaGrange County Economic Development Corporation Chief Executive Officer, explained that the Stellar Pathways Program Grant, Connect LaGrange County, required a regional letter of interest. Mr. Terry Martin signed the letter on April 25, 2024. Mr. Peter Cook made a motion to approve the letter of support, retroactive to April 25, 2024. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PARKS DEPARTMENT – ARPA PROJECTS**

Mrs. Mary Franke, Park Director, reported that requests for quotes were sent out for three different ARPA projects. For the Dallas Lake Park roof project and the Delt Church Park driveway approach projects, the Park Board would like to send out requests for quotes on those with different specifications. For the Pine Knob Park boardwalk replacement, the lowest quote is from Michiana Builders LLC in the amount of \$79,261.05. The Park Board approved this quote. Mr. Peter Cook made a motion to approve the quote from Michiana Builders LLC and also

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the 2024 Pine Knob Boardwalk Project Agreement. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PLAN COMMISSION APPOINTMENT**

Mr. Kevin Myers made a motion to appoint Darci Gaff to the Plan Commission. Mr. Peter Cook seconded the motion and it carried unanimously.

**INFORMATION TECHNOLOGY – PURCHASE OF NETWORK SWITCH**

Mr. Marc Peterson, Information Technology Director, presented a quote from Network Solutions for network switch to connect the Sheriff's Department with their new building, in the amount of \$16,058.59. Mr. Peter Cook made a motion to approve the purchase. Mr. Kevin Myers seconded the motion and it carried unanimously.

**EMERGENCY MANAGEMENT AGENCY – REQUEST TO APPLY FOR GRANT**

Mr. Bill Morr, Emergency Management Agency Director, requested permission to apply for the State Homeland Security Program grant. This grant is in the amount of up to \$150,000 and would be used to purchase equipment and a new pickup truck. Mr. Peter Cook made a motion to approve the grant application and to authorize the president to sign. Mr. Kevin Myers seconded the motion and it carried unanimously.

**REQUEST FOR UNPAID LEAVE**

Mrs. Jenny Landez, Human Resource Director, presented a request for a one-week extension to an unpaid medical leave of absence for an employee from April 29, 2024 to May 3, 2024. Mr. Peter Cook made a motion to approve the request. Mr. Kevin Myers seconded the motion and it carried unanimously.

**NQTL ANALYSIS SERVICE**

Mrs. Jenny Landez, Human Resource Director, explained that there is a federal requirement to ensure that our healthcare plan is compliant with current healthcare law specific to mental health services in comparison to physical health services. She is recommending hiring NQTL Analysis Service in the amount of \$4,999 to review our plan. Mr. Kevin Myers made a motion to approve the request. Mr. Peter Cook seconded the motion and it carried unanimously.

**BUILDING DEPARTMENT – SALE OF VEHICLE**

Mr. Jason Boggs, Building Commissioner, reported that he has received bids for the sale of the 2014 Dodge Ram pickup truck. The highest bid is in the amount of \$2,501.50. Mr. Kevin Myers made a motion to approve the sale of the truck. Mr. Peter Cook seconded the motion and it carried unanimously.

**COUNTY BRIDGE INSPECTION CONTRACT**

Mrs. Tharon Morgan, County Engineer, presented the consulting contract for the county bridge inspections for 2025-2028, with DLZ Corporation, in the amount of \$285,140. Mr. Peter Cook made a motion to approve the contract. Mr. Kevin Myers seconded the motion and it carried unanimously.

**APRIL 2024 FINANCIAL REPORT**

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending April 30, 2024, in the amount of \$47,414,991.56 and investments of \$22,545,000. Mr. Peter Cook made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

**ACCOUNTS PAYABLE VOUCHERS**

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Kevin Myers made a motion to approve the vouchers. Mr. Peter Cook seconded the motion and it carried unanimously.

**MEMORANDUM**

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Mr. Peter Cook made a motion to approve the memorandum for the May 1, 2024 staff meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MINUTES**

Mr. Peter Cook made a motion to approve the minutes of the April 15, 2024 regular session meetings. Mr. Kevin Myers seconded the motion and it carried unanimously.

**CORRESPONDENCE**

LaGrange County Treasurer – April 2024 report

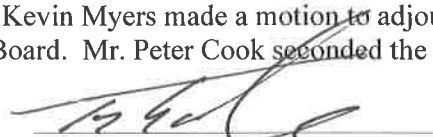
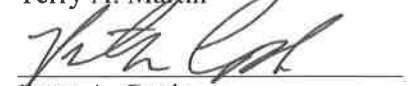
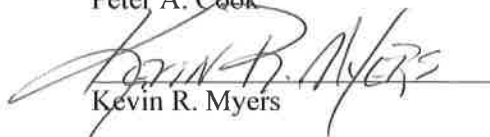
Indiana Michigan Power – Upcoming vegetation management work in the power line right-of-way

Indiana Department of Environmental Management – Notice of Approval, Heartland Recreational Vehicles LLC,  
Permit Number 087-47384-00684

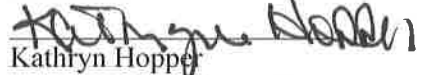
Indiana Department of Environmental Management – Notice of Approval, Forest River Inc. Topeka Complex,  
Permit Number 087-47294-00052

**ADJOURNMENT**

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

  
Terry A. Martin  
Peter A. Cook  
Kevin R. Myers

ATTEST:

  
Kathryn Hopper  
LaGrange County Auditor

