

OCTOBER 7, 2024

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, October 7, 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 and Mr. Peter A. Cook, and LaGrange County Auditor, Kathryn Hopper. Mr. Kevin Myers was absent. Mr. Terry Martin, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Peter Cook made a motion to adopt the proposed agenda with flexibility. Mr. Terry Martin seconded the motion and it carried unanimously.

LOW TAX INFORMATION SYSTEM PROPOSAL

Mr. Kurt Bachman, County Attorney, presented a proposal from LOW Associates to provide the Low Tax Information System proposal at no cost to LaGrange County for one year. This system will allow individuals to print property tax bills from the website. Mr. Peter Cook made a motion to accept the proposal for one year. Mr. Terry Martin seconded the motion and it carried unanimously.

ORDINANCE ESTABLISHING THE COUNTY ENGINEERING AND TRAFFIC INVESTIGATION COMMITTEE

COUNTY OF LAGRANGE
ORDINANCE NO. 2024-10-07

AN ORDINANCE ESTABLISHING THE COUNTY ENGINEERING AND TRAFFIC INVESTIGATION COMMITTEE

WHEREAS, pursuant to Indiana Code (“IC”) 9-21, for local streets, highways, and bridges under its jurisdiction, a local authority must determine, designate, and alter only by means of an engineering and traffic investigation the proper: (i) maximum and minimum speed limits; (ii) through highways; (iii) the location of traffic control devices, including stop and yield signs; and (iv) no passing zones.

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 IC 36-1-4-2, the Commissioners may establish a unit of government; *and*

WHEREAS, the Commissioners desire to have its local highway design, construction, and traffic enforcement specialists advise them whenever an engineering and traffic investigation is required or appropriate.

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

SECTION I – NAME

This ordinance shall be known as the “Engineering and Traffic Investigation Committee Establishment Ordinance.”

SECTION II – RECITALS

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

SECTION III – DEFINITIONS

The definitions contained in the LaGrange County Traffic Ordinance shall apply also to this ordinance.

SECTION IV – COMMITTEE COMPOSITION

- A. Creation. There is hereby established an Engineering and Traffic Investigation Committee.
- B. Committee. The Committee shall be continually composed of, *ex officio* and in order of rank from top to bottom:
 - 1. the Highway Engineer;

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2. the Highway Supervisor; *and*
3. the Sheriff;

provided, however, that to the extent that such a position or office is vacant, the Commissioners may appoint an alternate Committee member on a temporary basis as necessary, who is instead the lowest-ranking member.

- C. Chairperson. The top-ranking member of the Committee shall serve as its default chairperson, but the Committee may instead elect a different member to serve in that role.
- D. Compensation. Members of the Committee are not entitled to receive any compensation with respect to their service on the Committee other than for which they are already entitled in the normal course of their employment with the County.

SECTION V – COMMITTEE DUTIES

- A. Meetings. The Committee shall meet at the call of the Chairperson.
- B. Investigations. The Committee shall investigate and make traffic studies to the extent an engineering and traffic investigation is required by state law for a project authorized or directed by the Commissioners. Whenever such a project is authorized or directed, the Committee may engage the services of an engineering consultant for assistance.
- C. Source Materials. The Committee may make use of all professional engineering or traffic control studies or inspections available, including the reports of its hired consultants.
- D. Reports. The Committee chairperson shall timely report to the Commissioners the results of its investigations and studies and shall make recommendations related thereto.

SECTION VI – 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. Continuance.
 1. To the extent that the provisions contained in this ordinance substantially restate the provisions of a prior ordinance, the provisions shall not be deemed a new enactment of the original provisions, but rather shall be deemed to be the continuation thereof. All rules and regulations adopted under any continued version of this ordinance shall remain in full force and effect except as specifically provided otherwise.
 2. The express or implied repeal or amendment by this ordinance of any other ordinance or part thereof does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance.
 3. The express or implied repeal or amendment by this ordinance of any other ordinance or resolution or part thereof shall not be construed to revive any former ordinance, resolution, section, clause, or provision.

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- C. Ratification. All disinterested actions previously taken by the Committee prior to the adoption of this ordinance are hereby ratified, confirmed, and approved in their entirety to the extent the actions otherwise conform to this ordinance.
- D. 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, nor any other right, protection, immunity, defense, or limitation on liability that the County or such related parties is provided by applicable law.
- E. 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.
- F. 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.
- G. 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.
- H. 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, reorder, or reorganize any section of this ordinance, and may alter references to and within this ordinance as appropriate.
- I. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the ordinance. Mr. Terry Martin seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Terry Martin seconded the motion and it carried unanimously.

UNIFIED DEVELOPMENT ORDINANCE

Mr. Kurt Bachman, County Attorney, is recommending approval for him to work with the Plan Commission and their attorney on the Unified Development Ordinance to streamline some processes.

CROSSROADS UNTIED WAY

Mr. Bill Purcell, President of Crossroads United Way, was present. He gave an update on the United Way program.

ECONOMIC DEVELOPMENT CORPORATION – STELLAR PATHWAYS GRANT

Mrs. Sherri Johnston, LaGrange County Economic Development Corporation Chief Executive Officer, introduced Emilee Buller. She will be the Comprehensive Plan Director and will also work on the Stellar Pathways Program Grant. They are seeking \$7.2 million from the Stellar Pathways Program for Connect LaGrange County. The match for the grant is \$717,000. and she would like letters of support or resolution from the County. Mr. Peter Cook made a motion to give a positive recommendation to the County Council for the funding and support. Mr. Terry Martin seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF SOFTWARE DIAGNOSTICS

Mr. Aaron Fugate, Highway Supervisor, presented a quote for diagnostic software kit. The quote is from Noregon Systems, LLC and is in the amount of \$7,968.18. Mr. Peter Cook made a motion to approve the purchase. Mr. Terry Martin seconded the motion and it carried unanimously.

LOCHMUELLER GROUP – AGREEMENT FOR PROFESSIONAL SERVICES

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Mrs. Tharon Morgan, County Engineer, presented an on-call service agreement between the LaGrange County Commissioners and Lochmueller Group, Inc. to provide professional services. Mr. Peter Cook made a motion to approve the purchase. Mr. Terry Martin seconded the motion and it carried unanimously.

PAINT STRIPING

Mrs. Tharon Morgan, County Engineer, presented a financial commitment letter for paint striping for 2026. Mr. Peter Cook made a motion to have the president sign the letter outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

PLAN COMMISSION APPOINTMENT

Mr. Peter Cook made a motion to appoint John Reffett to the Plan Commission. Mr. Terry Martin seconded the motion and it carried unanimously.

PROSECUTOR – NEW POSITION

Mr. Travis Glick, Prosecuting Attorney, was present and explained that he is requesting a new part time position. The digital media is growing, and he would like to hire an individual to handle that. The position would be paid for out of the Deferral fund. He would like to have an ordinance authorizing the use of Deferral funds.

MAINTENANCE – SURPLUS ITEMS

Mr. Gary Mast, Maintenance Director, presented a list of items to be declared surplus. The items are located in the basement of the Justice Building. Mr. Peter Cook made a motion to declare the items as surplus. Mr. Terry Martin seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY – REQUEST TO APPLY FOR A GRANT

Mr. Bill Morr, Emergency Management Agency Director, requested permission to apply for two grants. One is for the EMA Salary Reimbursement Grant which reimburses 50% of his salary. The other is a grant that will reimburse his registration and hotel for the EMAI Conference in Indianapolis. Mr. Peter Cook made a motion to approve the grant applications. Mr. Terry Martin seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY – SURPLUS ITEMS

Mr. Marc Peterson, Information Technology Director, presented a list of items to be declared as surplus property. Mr. Peter Cook made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY – PURCHASE OF COPIERS

Mr. Marc Peterson, Information Technology Director, presented a quote from Canon Solutions America for six new copiers to replace copier in the Parks, GIS, Clerk, Sheriff, Probation, and Auditor's offices, in the amount of \$34,106.86. Mr. Peter Cook made a motion to approve the purchase. Mr. Terry Martin seconded the motion and it carried unanimously.

SHERIFF – SALE OF VEHICLES AND EQUIPMENT

Mr. Tracy Harker, County Sheriff, reported that he has received bids for the sale of vehicles. Mr. Peter Cook made a motion to authorize the President to sign the titles. Mr. Terry Martin seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

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

MINUTES

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Mr. Peter Cook made a motion to approve the minutes of the September 16 2024 regular session meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Peter Cook made a motion to approve the memorandum for the October , 2024 staff meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

CORRESPONDENCE

Notices of Public Hearing by the LaGrange County Drainage Board, November 6, 2024

Indiana Department of Environmental Management – Notice of Approval for Air Permit, Hochstetler

Woodworking, Permit Number 087-47977-00706

Indiana Department of Environmental Management – Receipt of Air Permit Application, Newbury Carriage,

7040 W CR 200 S, Topeka, IN, Permit Number 087-48241-00740

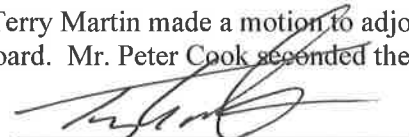
Indiana Department of Environmental Management – Notice of receipt of sanitary sewer construction permit application from LaGrange County Regional Utility District

Indiana Department of Environmental Management – Notice of Approval for Air Permit, Miller Poultry–One Manor Feed Mill, Permit Number 087-47652-00850

Indiana Department of Environmental Management – Notice of Public Comment, MSOP Renewal for Hubbard Feeds, Inc, 087-47865-00698

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. Peter Cook seconded the motion and it carried unanimously.



Terry A. Martin

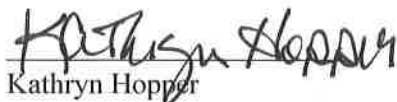


Peter A. Cook



Kevin R. Myers

ATTEST:



Kathryn Hopper

LaGrange County Auditor

