

SEPTEMBER 21, 2020

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, September 21, 2020, 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. Larry N. Miller, Mr. Terry A. Martin, and Mr. Dennis H. Kratz; and LaGrange County Auditor, Kathryn Hopper. Mr. Larry Miller, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Terry Martin made a motion to adopt the proposed agenda with flexibility. Mr. Dennis Kratz seconded the motion and it carried unanimously.

NUISANCE HEARING – ELLIS STONE TENNENT, 7720 S STATE ROAD 3, WOLCOTTVILLE, INDIANA

At 8:30 a.m. Mr. Kurt Bachman, County Attorney administered an oath to Mr. Bill Stewart, Code Enforcement Officer. Mr. Stewart reported that the property owned by Ellis Stone Tennent at 7720 S State Road 3, Wolcottville, Indiana is a public nuisance. Mr. Stewart showed photos of the condition of the property. Mr. Terry Martin made a motion to affirm the order and implement the fines at \$100 per week beginning on June 29, 2020 for a total of \$1,200, and to authorize signature outside of a public meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

EASTERN EQUINE ENCEPHALITIS

Dr. Alfredo Garcia, Health Administrator, explained that spraying for eastern equine encephalitis is to commence on Tuesday, September 22, 2020. Mr. Terry Martin made a motion to grant approval for the spraying. Mr. Dennis Kratz seconded the motion and it carried unanimously.

LAKELAND HIGH SCHOOL SENIOR PROJECT – WALK-A-THON

Mrs. Erica Cook, representing Shine LaGrange, explained that two students from Lakeland High School are planning to have a walk-a-thon for cystic fibrosis awareness on September 26, 2020 and would like permission to use the Courthouse gazebo for the registration. This is a senior project for the student. Mr. Terry Martin made a motion to approve the use of the gazebo and waive any fees associated with that. Mr. Dennis Kratz seconded the motion and it carried unanimously.

JUSTICE CENTER BUILDING – FIRST FLOOR BUILDOUT

At 9:00 a.m. bids were opened for the LaGrange County Justice Building first floor buildout. One bid was submitted by Michael Kinder & Sons in the amount of \$96,400. The project is to be paid for with CARES Act funding. Mr. Dennis Kratz made a motion to award the bid as presented and to sign the agreement outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

LAGRANGE COUNTY ECONOMIC DEVELOPMENT CORPORATION - COMMUNITY DEVELOPMENT BLOCK GRANT

Mr. Kurt Bachman, County Attorney, presented a Standard Sub-recipient agreement for CDBG funded projects between the LaGrange County and the LaGrange County Economic Development Corporation for a Community Development Block Grant in the amount of \$250,000. Two proposals were received for the grant compliance administrator for this grant. Region 3A is the lowest proposal in the amount of \$5,000. Mr. Dennis Kratz made a motion to appoint Region 3A as the grant compliance administrator and to approve and have the president sign the sub-recipient agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

DRIVE EXPANSION PERMIT

Mr. Kurt Bachman, County Attorney, presented a permit application for a small drive that would connect two fields near Oliver Lake. The permit is required because the property is in a flood plain. Mr. Terry Martin Motion to approve the project, all documentation associated with it and allow signature outside of a public meeting Dennis Kratz seconded the motion and it carried unanimously.

HEALTH DEPARTMENT – REQUEST TO APPLY FOR A GRANT

At the last meeting Dr. Alfredo Garcia, Health Administrator, requested permission to apply for a grant though the Indiana State Department of Health. The grant is for \$100,000 and will provide the essential supplies to the

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health department to support Coronavirus testing sites. The testing would be provided through Goshen Physician Family Medicine. Mr. Terry Martin made a motion to approve the grant and sign the agreement with Goshen Physician Family Medicine outside of a public meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

LAKELAND HIGH SCHOOL SENIOR PROJECT – CATALOGING COURTHOUSE DISPLAY CASE

Mr. Gary Mast, Maintenance Director, requested permission to have two Lakeland High School seniors catalog and identify the items in the historical display case in the Courthouse. This would be a senior project for the students. Mr. Terry Martin made a motion to approve the request. Mr. Dennis Kratz seconded the motion and it carried unanimously.

HEALTH DEPARTMENT – REQUEST TO APPLY FOR A GRANT

Dr. Alfredo Garcia, Health Administrator, requested permission to apply for a grant through the Indiana State Department of Health. The grant is for \$25,000 and will provide information technology hardware and software for the health department. Mr. Dennis Kratz made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

PARK DEPARTMENT – REQUEST TO APPLY FOR A GRANT

Mrs. Mary Franke, Park Director, requested permission to apply for a grant through the LaGrange County Community Foundation in the amount of \$5,420. The grant would cover the expenses of a Forest School program for a canoe trailer to haul 8 canoes from the maintenance building to Pine Knob park. Mr. Terry Martin made a motion to approve the request. Mr. Dennis Kratz seconded the motion and it carried unanimously.

CAPITAL IMPROVEMENT PLAN

Mr. Kurt Bachman, County Attorney, 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:

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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;
 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).”

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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, 2021.

Mr. Terry Martin made a motion to approve the Ordinance. Mr. Dennis Kratz seconded the motion and it carried unanimously. Mr. Terry Martin made a motion to waive the requirement for second reading. Mr. Dennis Kratz seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

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

2021 COMMISSIONER MEETINGS

Mr. Dennis Kratz made a motion to approve the 2021 Commissioner meeting schedule and Commissioner staff meeting schedule. Mr. Larry Miller seconded the motion and it carried unanimously.

SHERIFF - FUNDRAISER REQUEST

Mr. Jeff Campos, County Sheriff, requested permission to hold a fundraiser this year. He would like to have the annual honor ride this year, but due to Covid-19 would be selling T-shirts instead of the actual ride. Mr. Terry Martin made a motion to approve the request. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MINUTES

Mr. Dennis Kratz made a motion to approve the minutes of the September 8, 2020 regular session meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Dennis Kratz made a motion to approve the memorandum for the September 16, 2020 meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Weights and Measures – August 16 – September 15, 2020 report

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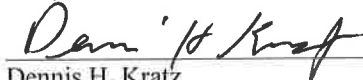
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ADJOURNMENT

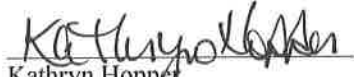
There being nothing further to come before the Board at this time, Mr. Dennis Kratz made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Terry Martin seconded the motion and it carried unanimously.


Larry N. Miller


Terry A. Martin


Dennis H. Kratz

ATTEST:


Kathryn Hopper
LaGrange County Auditor