

OCTOBER 5, 2020

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, October 5, 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.

ECONOMIC DEVELOPMENT CORPORATION – COVID 19 RESPONSE GRANT

Mr. Kurt Bachman, County Attorney, presented a contract for services between the Commissioners Board of LaGrange County and Region 3-A Development and Regional Planning Commission for technical assistance and services in connection with the Covid 19 Response grant from the Indiana Office of Community and Rural Affairs. The cost for the services rendered pursuant to the agreement is \$5,000.00. Mr. Dennis Kratz made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

ORDINANCE CREATING THE OFFICE OF “PRINCIPAL EXECUTIVE OFFICER”, DESIGNATING THE PERSON TO ASSUME SUCH OFFICE, AND PROVIDING DUTIES THEREFOR

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

COUNTY OF LAGRANGE
ORDINANCE NO. 2020-10-05-A

AN ORDINANCE CREATING THE OFFICE OF “PRINCIPAL EXECUTIVE OFFICER,”
DESIGNATING THE PERSON TO ASSUME SUCH OFFICE, AND PROVIDING DUTIES
THEREFOR.

WHEREAS, pursuant to Indiana Code Section (“IC §”) 36-2-2-2, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the executive body of LaGrange County, Indiana (“County”); *and*

WHEREAS, the Commissioners foresee the need for a local disaster emergency to be declared when circumstances warrant such action;

WHEREAS, pursuant to IC § 10-14-3-17(b)(1), the Commissioners shall maintain a county emergency management advisory council and a county emergency management organization;

WHEREAS, pursuant to IC § 10-14-3-17(c) and page 25 of the County’s Comprehensive Emergency Management Plan, the LaGrange County Emergency Management Advisory Council includes a representative from the Commissioners;

WHEREAS, pursuant to IC § 10-14-3-17(b)(2), the Commissioners shall participate in an interjurisdictional disaster agency that may have jurisdiction over and serve the entire county;

WHEREAS, pursuant to IC § 10-14-3-29, a local disaster emergency may be declared only by the principal executive officer of the County;

WHEREAS, pursuant to Section 1-1-3 of Chapter 290 of the Indiana Administrative Code (290 IAC 1-1-3), declaring a local disaster emergency is an eligibility requirement in order to apply for a grant from the state disaster relief fund;

WHEREAS, no applicable law defines nor designates a “principal executive officer” nor provides for its terms; *and*

WHEREAS, the Commissioners desire to amend County Ordinance 2011-5-16B, which establishes a process for designating the principal executive officer of the County.

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

SECTION I – NAME

The name of this ordinance shall be the Principal Executive Officer Ordinance.

SECTION II – DEFINITIONS

Whenever the following terms are used in this ordinance, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.

- “Advisory Council” refers to the LaGrange County Emergency Management Advisory Council.
- “Agency” refers to the LaGrange County Emergency Management Agency.
- “Available” means, in the context of a disaster, being ready, willing, and able to perform one’s duties or functions within a reasonable time; provided, however, that if the disaster reasonably requires an ongoing urgent response, then it means being immediately ready, willing, and able to perform one’s duties or functions.
- “Chain of command” means the list of persons, in rank from highest to lowest, to assume the Office of Principal Executive Officer, as established by this ordinance.
- “Director” refers to the Director of the Agency.

- “Disaster” means an occurrence or imminent or ongoing threat of widespread or severe damage, injury, or loss of life or property resulting from any natural phenomenon or human act, and includes all examples identified in IC § 10-14-3-1(b); the term also includes a “local disaster emergency” as that term is used in IC §§ 10-14-3-29 and -29.5.
- “Emergency Operations Center” means the public place identified in the Plan for managing all incidents requiring a significant dedication of resources and/or extraordinary interagency coordination during a disaster; if all places identified as an Emergency Operations Center in the Plan are not available, then it means the County Annex Building.
- “Officer” refers to the person serving as Principal Executive Officer.
- “Plan,” or “CEMP,” refers to the County Comprehensive Emergency Management Plan, as adopted by County Resolution 2012-06-04.

SECTION III – SCOPE

- A. Nothing in this ordinance shall be construed to disparage the rights and powers of the Advisory Council or the Director during a disaster.
- B. Nothing in this ordinance shall be construed to give voting rights to the Officer with respect to the Advisory Council should the Officer not be a Commissioner.
- C. Nothing in this ordinance shall be construed to disparage the right of a Commissioner or the Auditor to call a special meeting of the Commissioners during a disaster pursuant to IC § 36-2-2-8.

SECTION IV – CREATION OF OFFICE

The Commissioners hereby create the office of Principal Executive Officer.

SECTION V – DESIGNATION; RECORDS

- A. By default, the President of the Commissioners heads the chain of command and is the Principal Executive Officer.
- B. When the President of the Commissioners is not available, the highest ranked available person from the following chain of command is the Principal Executive Officer:
 - 1. the vice president of the Commissioners;
 - 2. the remaining member of the Commissioners;
 - 3. the president of the County Council;
 - 4. the Sheriff;
 - 5. the Auditor;
 - 6. the Director.

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- C. The determinations of availability shall be made by each person in the chain of command on an ongoing good-faith basis, as often as is reasonable under the circumstances.
- D. The determination of availability allows for remote performance when such concept is feasible; provided, however, that when remote performance is not feasible, availability requires physical presence at the Emergency Operations Center.
- E. In order to ensure a proper determination of availability, all persons in the chain of command shall share contact information with each other sufficient to allow for immediate contact when away from the Emergency Operations Center.
- F. With respect to the office of Principal Executive Officer, if a lower-ranking person in the chain of command should determine that all persons of higher rank are not available, the lower-ranking person shall make such determination in writing and shall file it with the Auditor's office as soon as time reasonably permits. Any written filing made in this matter shall also include the date and approximate time in which the lower-ranking person took office and the rationale in making any determination that all higher-ranking persons were not available.
- G. If any higher-ranking person in the chain of command who was previously found not available should assume the position of Principal Executive Officer from any lower-ranking person, the higher-ranking person shall make such determination in writing, advise the lower-ranking person, and shall file the determination with the Auditor's office as soon as time reasonably permits. Any written filing made in this matter shall also include the date and approximate time in which the higher-ranking person took office and the rationale in making any determination that all higher-ranking persons were not available.
- H. The Auditor shall keep records for any filings made pursuant to this section for five (5) years.

SECTION VI – DUTIES AND POWERS

- A. With respect to a disaster that reasonably requires an ongoing urgent response, the Officer shall stay in contact with the Emergency Operations Center.
- B. The Officer shall declare a disaster pursuant to IC § 10-14-3-29 when the Officer determines that circumstances call for such action.
- C. When the Officer declares a disaster pursuant to this section, the Officer shall instruct the Director to promptly:
 - 1. ensure that prompt and general publicity thereof is given; *and*
 - 2. file a copy of the declaration with the Auditor.
- D. The Officer shall:
 - 1. be the Commissioner representative to the Advisory Council; *and*
 - 2. participate in any interjurisdictional disaster agency to which the County belongs.
- E. To the extent any disaster requires executive action on behalf of the County outside a meeting of the Commissioners, the Officer shall perform such action.
- F. To the extent any disaster requires action on behalf of the Advisory Council, but the Advisory Council has not been available to do so, the Officer shall take action until the Advisory Council is able to meet and perform its duties.
- G. The Officer shall make a report of all action taken pursuant to this ordinance to the respective body that has general supervisory authority over a disaster.

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- H. To the extent a lower-ranking person in the chain of command assumes the office of Principal Executive Officer, the Officer shall make a report of all action taken in office to a higher-ranking who later assumes office during the same disaster.
- I. The Commissioners hereby delegate to the Officer all powers necessary and/or appropriate to fulfill his or her duties under this section or any other County ordinance that calls for action by such office.

SECTION VII – RATIFICATION

- A. If the Officer should take action pursuant to this ordinance, the Commissioners shall determine whether the acts by the Officer or his or her agents need to be ratified and, if so, take steps to do so as soon as is reasonable.
- B. If the Officer should learn that a lower-ranking person in the chain of command has improperly, but in good faith, taken action under color of office, the Officer shall determine whether the acts performed by the person or his or her agents need to be ratified and, if so, take steps to do so as soon as is reasonable.

SECTION VIII – REPEAL OF PRIOR ORDINANCES

The Commissioners hereby repeal Ordinance 2011-5-16B in its entirety.

SECTION IX – MISCELLANEOUS

- A. References.
 - 1. Except where a specific version or edition is given, reference to another section of this ordinance or another law, document, fund, program, or public office, 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 ordinance to a public servant, 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) LaGrange County (Indiana).”
 - 3. Should a provision of this ordinance 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. 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 same.
- C. Severability. 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, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- D. Continuance.
 - 1. 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 procedures 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.
 - 2. To the extent the provisions contained in this ordinance substantially restate the provisions of a prior ordinance, 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.
- E. Effective Date. This ordinance shall be effective immediately upon adoption.

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.

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ORDINANCE REGULATING OPEN BURNING AND ROADSIDE DUMPING IN THE COUNTY

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

COUNTY OF LAGRANGE
ORDINANCE NO. 2020-10-05-B

AN ORDINANCE REGULATING OPEN BURNING AND ROADSIDE DUMPING IN THE COUNTY.

WHEREAS, pursuant to Indiana Code Section (“IC §”) 36-2-2-2, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the executive body of LaGrange County, Indiana (“County”); *and*

WHEREAS, pursuant to IC § 36-8-2-4, the Commissioners may regulate conduct or use of property that might endanger the public health, safety, or welfare;

WHEREAS, pursuant to IC § 36-8-2-8, the Commissioners may regulate the introduction of any substance or odor into the air;

WHEREAS, the Commissioners find it necessary and in the public interest to prohibit certain open burning practices; *and*

WHEREAS, the Commissioners desire to consolidate the various County ordinances related to burning prohibitions.

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

SECTION I – NAME

The name of this ordinance shall be the “Open Burning and Roadside Dumping Ordinance,” or the “Open Burning Ordinance” when the context is appropriate.

SECTION II – DEFINITIONS

Whenever the following terms are used in this ordinance, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.

- “Firework” has the definition in IC § 22-11-14-1.
- “Ignite” includes:
 - intending to ignite;
 - causing to ignite;
 - knowingly allowing to be ignited; *and*
 - attempting to ignite.
- “Open burn” includes:
 - intending to burn;
 - causing to burn;
 - knowingly allowing to burn or to continue to burn; *and/or*
 - attempting to burn;

any material wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber.

SECTION III – SCOPE

- A. Nothing in this ordinance shall be construed to apply to the incorporated areas of the County.

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- B. Nothing in this ordinance shall be construed to regulate the County or any of its elected officials, officers, or employees when acting in their official capacity.
- C. Nothing in this ordinance shall be construed to limit the right of the Commissioners and another person to enter into and abide by a special contract or permit.
 - 1. Notwithstanding anything in this ordinance to the contrary, where this ordinance conflicts with the terms of a contract entered into by the Commissioners with another person, the terms of the contract or permit control with respect to that person.
 - 2. If an act would be considered a violation under this ordinance but is specifically permitted in the contract or permit, the act is instead not a violation.
- D. Nothing in this ordinance shall be construed to create a cause for civil action against the Commissioners, the County, or any of its departments, employees, or agents.

SECTION IV – VIOLATIONS AGAINST OPEN BURNING

- A. No person shall open burn any material under the following conditions:
 - 1. in such manner that a smoke or odor nuisance or fire hazard is created;
 - 2. in such manner that a fire is left unattended;
 - 3. during unfavorable weather;
 - 4. after sunset, except for small recreational or ceremonial fires not intended for the burning of waste;
 - 5. within five hundred (500) feet of any fuel storage area or pipeline; *or*
 - 6. without proper firefighting equipment present at the burn site.
- B. No person shall open burn any material in a residential zone, as designated in a County zoning ordinance; provided, however, that this prohibition does not apply to the use of:
 - 1. a gas or charcoal grill in conformity with the manufacturer's instructions;
 - 2. a recreational fire contained in a fire pit not intended for the burning of waste; *or*
 - 3. an incinerator in accord with Rule 4-2 of Chapter 326 of the Indiana Administrative Code (326 IAC 4-2); *and* that otherwise complies with this ordinance.
- C. No person shall open burn any material during an official disaster that was declared with respect to an occurrence, or imminent or ongoing threat, of fire or drought; provided, however, that this prohibition does not apply to use of a gas or charcoal grill in conformity with the manufacturer's instructions and that otherwise complies with this ordinance.
- D. No person shall ignite fireworks during an official disaster that was declared with respect to an occurrence, or imminent or ongoing threat, of fire or drought.
- E. No person shall open burn any material on or adjacent to a County highway; provided, however, that this prohibition does not apply to the extent a person burns only vegetation that grows in the area adjacent to the highway and otherwise complies with this ordinance.
- F. No person shall open burn any material:
 - 1. that contains asbestos;
 - 2. that contains waste that originated at a commercial or industrial site;
 - 3. that, except for wood products, constitutes construction and demolition waste;
 - 4. that contains highly explosive or other dangerous substances;
 - 5. as part of a commercial salvage or waste operation except as expressly permitted by the Commissioners.

SECTION V – VIOLATIONS AGAINST DUMPING

Except within a container provided by a licensed solid waste disposal company for commercial pickup and within twenty-four (24) hours of intended pickup, no person shall place ashes, metals, glass, plastics, ceramics, cardboard, wood, offal, vegetation, litter, food preparation waste, biowaste, solid waste, and/or other combustible material on or adjacent to a County highway.

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SECTION VI – ENFORCEMENT

- A. Authorization. Any person may enforce the terms of this ordinance within his or her respective scope of authority.
- B. Non-hierarchical; Non-exclusive. Enforcement procedures and remedies in this ordinance are neither hierarchical nor exclusive and may be omitted or used in any order and in conjunction with other enforcement procedures and remedies at the discretion of the enforcement authority.
- C. Verbal Warning. An enforcement authority who has reasonable suspicion that a minor or easily corrected violation of this ordinance has occurred may issue a verbal warning.
- D. Written Warning. An enforcement authority who has reasonable suspicion that a material violation of this ordinance has occurred may provide the suspected violator with written notice and/or cease-and-desist letter stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The suspected violator shall, within the period of time stated in such notice, permanently cease all violations.
- E. Remedy. An enforcement authority may require that a person remedy any violation, including costs for civil damages, to the satisfaction of such officer.
- F. Citations. A law enforcement officer may issue a citation for an ordinance or state law violation or take other appropriate enforcement action.
- G. Regulatory Notification. An enforcement authority may notify another applicable state or federal regulatory agency of a suspected violation of applicable law.
- H. Correction. An enforcement authority may, subject to permission of the landowner when required, correct a violation of this ordinance to bring it into compliance.
- I. Injunctions. The Commissioners may petition a court of competent jurisdiction to enjoin further violation of this ordinance.
- J. Civil Action. The Commissioners may bring a civil action against any person who violates this ordinance to recover the cost to bring a violation into compliance.
- K. Administrative Proceeding. The Commissioners may, on their own motion, convene an administrative proceeding of their own body to enforce this ordinance after providing proper notice of the time and date of the hearing to the alleged violator at least ten (10) days before the hearing and providing an opportunity for such person to be heard.

SECTION VII – PENALTIES AND COSTS

- A. Fines.
 - 1. A person shall be liable to a fine of up to One Thousand Dollars (\$1000.00) for a first violation of this ordinance.
 - 2. A person shall be liable to a fine of up to Two Thousand Five Hundred Dollars (\$2,500.00) for a second violation of this ordinance.
 - 3. A person shall be liable to a fine of up to Five Thousand Dollars (\$5,000.00) for a third violation of this ordinance.
 - 4. A person shall be liable to a fine of up to Seven Thousand Five Hundred Dollars (\$7500.00) for a fourth or subsequent violation of this ordinance.
 - 5. A person shall be liable to a fine of up to Seven Thousand Five Hundred Dollars (\$7500.00) for a violation of this ordinance if the violation is reckless or intentional and that causes injury to persons or damage to the property of the County.
 - 6. All fines and costs collected under this ordinance shall be deposited within a reasonable time in the County's general fund.
- B. Costs. Any person found to have violated this ordinance shall be responsible for any costs, including reasonable attorney's fees, paralegal fees, and collection costs, to the extent allowed by law, borne by the County to prosecute or correct such violation.
- C. Rules.

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1. Each day in which a violation should continue shall constitute a separate violation.
2. For the purpose of determining whether a violation is a second, third, or subsequent violation under this section, a look-back period of three years from the date of the violation shall be used.
3. When imposing any fine, the enforcement authority shall seek to impose the maximum amount, and then mitigate it by taking into account the motivation and sophistication of the violator, the quantity and length of the violation, the degree of danger involved, the extent of harm caused, the willingness to admit to and proactively correct the violation, and such other factors as the authority finds relevant.
4. If two or more persons should be found to have caused a respective violation, they shall be jointly and severally liable for all costs.

D. Time to Pay. Any fine or cost imposed pursuant to this ordinance shall be paid within sixty (60) days.

SECTION VIII – REPEAL OF PRIOR ORDINANCES

The Commissioners hereby repeal Ordinances 1971-1, Supplement of Ordinance 1971-1, 2001-10-15a, and 2012-06-18 in their entirety.

SECTION IX – MISCELLANEOUS

A. References.

1. Except where a specific version or edition is given, reference to another section of this ordinance or another law, document, fund, program, or public office, 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 ordinance to a public servant, 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) LaGrange County (Indiana).”
3. Should a provision of this ordinance 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. 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 same.

C. Severability. 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, and for this purpose the provisions of this ordinance are hereby declared to be severable.

D. Continuance.

- a. 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 procedures 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.
- b. To the extent the provisions contained in this ordinance substantially restate the provisions of a prior ordinance, 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.

E. Effective Date. This ordinance shall be effective upon promulgation according to law.

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.

VETERAN’S SERVICE OFFICER – ANNUAL REPORT

Mr. Allen Connelly, Veteran’s Service Officer, presented his annual report.

COUNCIL ON AGING – TRANSPORTATION GRANT VOUCHER

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Mrs. Cheri Perkins, Council on Aging Executive Director, presented the 3rd quarter voucher for the transportation grant. Mr. Dennis Kratz made a motion to approve the voucher and have the President sign it. Mr. Terry Martin seconded the motion and it carried unanimously.

BUILDING DEPARTMENT VEHICLE REPAIR

Mr. Jason Boggs, Building Commissioner, explained that 2018 Chevrolet Silverado was damaged by another vehicle. He received two quotes for the repair and the lowest quote is from Hite Auto Body, Inc., in the amount of \$2,058.75. Mr. Terry Martin made a motion to approve the quote for the repair. Mr. Dennis Kratz seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY – GIS SOFTWARE SUPPORT RENEWAL

Mr. Dave Warren, Information Technology Director, presented a quote from Esri, Inc., in the amount of \$8,398.35, for the renewal of the GIS software support. Mr. Terry Martin made a motion to approve the quote and authorize the president to sign the quote. Mr. Dennis Kratz seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY – MOBILE COMMAND UNIT GRANT EXTENSION

Mr. Bill Morr, Emergency Management Director, explained that the grant for the command vehicle expired in August and he is working on an extension of the grant. Mr. Dennis Kratz made a motion to approve the extension of the grant and to authorize the president to sign the necessary paperwork outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

PURCHASE OF CARD ACCESS READERS FOR JUSTICE BUILDING RESTROOMS

Mr. Jeff Campos, County Sheriff, presented a quote from Tech Solutions two card access readers for the restrooms at the Justice Building, in the amount of \$3,600.00. Mr. Terry Martin made a motion to approve the purchase of the readers to be paid out of the EDIT fund. Mr. Dennis Kratz seconded the motion and it carried unanimously.

SHERIFF – PURCHASE OF COMPUTER MONITORS

Mr. Jeff Campos, County Sheriff, presented a quote from CDW to update the computers for the security officers, in the amount of \$2,070.00. Mr. Terry Martin made a motion to approve the purchase of the monitors to be paid out of the Sheriff's budget. Mr. Dennis Kratz seconded the motion and it carried unanimously.

SHERIFF – HAZARD DUTY PAY FOR EMPLOYEES

Mr. Jeff Campos, County Sheriff, explained that he would like to request hazard pay for deputies, jail staff, maintenance technician, and evidence technician out of the CARES reimbursement. The amount would be up to \$1,200 for each employee, for a total of \$58,200. Mr. Terry Martin made a motion to give a positive recommendation to the County Council. Mr. Dennis Kratz seconded the motion and it carried unanimously.

HIGHWAY – SPEED STUDY ON COUNTY ROAD 900 WEST

Mr. Ben Parish, Highway Supervisor, presented an authorization to proceed from USI Consultants, Inc., in the amount of \$2,400 for an intersection study of County Road 750 N County Road 900 W intersection. Mr. Terry Martin made a motion to approve the agreement. Mr. Dennis Kratz seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF ROLL APPLICATOR

Mr. Ben Parish, Highway Supervisor, presented a quote from Osburn Associates, Inc., for a 48" hand squeeze roll applicator, in the amount of \$3,088.47. Mr. Dennis Kratz made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

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SEPTEMBER 2020 FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending September 30, 2020, in the amount of \$31,756,157.87 and investments of \$23,132,000. Mr. Terry Martin made a motion to accept the report. Mr. Dennis Kratz seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

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

MINUTES

Mr. Terry Martin made a motion to approve the minutes of the September 21, 2020 regular session meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Dennis Kratz made a motion to approve the memorandum for the September 30, 2020 meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – September 2020 report

LaGrange County Treasurer – September 2020 report


Gary & Rosa Walchle, 6535 N 300 E, Howe, Indiana – Notice of Public Hearing, October 20, 2020

Indiana Department of Environmental Management – Notice of Approval, Rock Run Industries, LLC, 11635 W County Road 600 South, Millersburg, IN 46543 and 536 Michigan Street, Topeka, IN 46571, Permit Number 087-43069-00072

Indiana Department of Environmental Management – Notice of Approval, Clearspring Manufacturing, LLC, 4225 W 350 S, Topeka, IN 46571, Permit Number 087-43218-00079

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