

AUGUST 12, 2019

REGULAR SESSION

The LaGrange County Council met in Regular Session on Monday, August 12, 2019 at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:00 a.m., with the following present: Council Members, Charles F. Ashcraft, Jeffrey L. Brill, Harold D. Gingerich, Steven E. McKowen, Ryan J. Riegsecker, and Michael G. Strawser; and LaGrange County Auditor, Kathryn Hopper. Mr. Peter Cook brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

2020 PROPOSED BUDGETS

The following proposed 2020 budgets were presented to the Council:

Superior Court, Probation, Jury Pay, Superior Court User Fees – Judge Lisa Bowen-Slaven

Circuit Court, Adult & Juvenile Probation, Home Detention, Jury Pay, Circuit Court User Fees –

Judge Bill Walz

Parks and Recreation, Parks Nonreverting – Dr. John Egli

Sheriff – Jeff Campos

Weights and Measurer – Stephen Scharf

Emergency Management Agency, Local Emergency Planning – Don Wismer

Clerk, Election, Voter Registration, Clerk's Records Perpetuation, Clerk's IV-D – Bonnie Brown

Highway, Cumulative Bridge, Local Road & Street, Landfill – Randy VanWagner

Plan – Robbie Miller

Soil & Water Conservation District – Martin Franke

Surveyor, Drainage Board, Section Corner Perpetuation – Zachary Holsinger

Commissioners, Cumulative Cap Development, Major Moves, Riverboat, Rainy Day Fund,

LOIT Distribution Lambright Property, Rogers Trust, Duff Trust, 2020 Salary Recommendations,

Gifts to Animal Shelter – Larry Miller

Building, Contractor Registration – Jason Boggs

Prosecutor; Prosecutor IV-D, Infraction Deferral, Pretrial Diversion, Prosecutor IV-D Incentive, Victim's

Assistance Grant – Greg Kenner

Redevelopment Commission – George Bachman

Health, Local Health Maintenance, Immunization Donation – Kelly Bills

Extension – Cathy Phillip

Assessor – Pat Monroe

Coroner – Kenneth Myers

Veteran's Service Officer- Allen Connelly

Courthouse Maintenance – Gary Mast

Information Technology – Bob Murphy

Geographic Information System – Deb Naylor

Recorder, Recorder's Records Perpetuation, County Identification Security – Jennifer McBride

Treasurer – Jamesi Lemon

Council – Peter Cook

EDIT, Public Defender Board, Convention, Visitors, & Recreation – Charles Ashcraft

Auditor, Non Motor Vehicle, Ineligible Deduction Fund, Plat Book, User Fee – Kathy Hopper

SUPERIOR COURT- REQUEST TO APPLY FOR GRANT

Judge Lisa Bowen-Slaven was present and requested permission to apply for a grant in the amount of \$33,000 from the Beim Foundation. Mr. Mike Strawser made a motion to approve the request.

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LOCAL INCOME TAX – TOWNSHIPS

Mr. Peter Cook presented the following Resolution allowing for a distribution of Local Income Tax for public safety to be allocated to the LaGrange County Townships:

COUNTY OF LAGRANGE
RESOLUTION NO. 2019-08-12

A RESOLUTION OF THE LAGRANGE COUNTY COUNCIL FOR THE DISTRIBUTION OF FUNDS TO LAGRANGE COUNTY TOWNSHIPS PURSUANT TO INDIANA CODE § 6-3.6-6-8.

WHEREAS, the LaGrange County Council (the “Council”) is the adopting body of a local income tax established in LaGrange County, Indiana (the “County”);

WHEREAS, pursuant to Indiana Code (“IC”) § 6-3.6-6-2, the Council may impose a tax rate of up to 2.5% on the adjusted gross income of local taxpayers in the County (as stipulated, the “expenditure rate”);

WHEREAS, pursuant to County Ordinance 2017-03-03, the Council increased the expenditure rate from 1.25% to 1.5% and allocated 100% of the increase to public safety uses;

WHEREAS, the County has Two Hundred Thousand Dollars (\$200,000.00) available and allocated from expenditure rate tax revenue generated during 2018 and 2019 for distribution for public safety uses;

WHEREAS, pursuant to IC § 6-3.6-6-8(c), a fire department, volunteer fire department, or emergency medical services provider that provides fire protection or emergency medical services within the County that is operated by or serves a township within the County may apply to the Council for a distribution of the tax revenue generated from the expenditure rate;

WHEREAS, each of the eleven townships within the County have affirmed that either they, or a fire department within their respective jurisdictions, provide fire protection;

WHEREAS, each of the eleven townships within the County have made application for expenditure rate tax revenues on or before July 1, 2019; *and*

WHEREAS, the applications have been reviewed by the Council and duly considered at a public meeting of the Council.

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

SECTION I

- A. The Council finds that the above recitals are true and correct and hereby incorporates the recitals into this ordinance in their entirety.
- B. The Council hereby adopts the following distribution formula for the Two Hundred Thousand Dollars (\$200,000.00) allocated from expenditure rate tax revenue:
 1. The allocated amount shall be divided into two equal halves.
 2. The allocated amount shall be divided evenly among eligible township.
 3. The second half of the amount allocated shall be divided proportionately among each eligible township based on the most recent federal decennial census population data provided by the United States Census Bureau, less any population of incorporated towns located therein.

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- C. The Council hereby determines that each township that applied to the Council for expenditure rate tax revenues has done so in a timely manner and is eligible and entitled for a full distribution share under the formula provided in Subsection (B).
- D. Applying the formula provided in Subsection (B), the Council finds as follows:
 - 1. Bloomfield Township is entitled to a distribution in the amount of \$17,929.32;
 - 2. Clay Township is entitled to a distribution in the amount of \$19,527.56;
 - 3. Clearspring Township is entitled to a distribution in the amount of \$20,058.24;
 - 4. Eden Township is entitled to a distribution in the amount of \$20,650.98;
 - 5. Greenfield Township is entitled to a distribution in the amount of \$13,050.80;
 - 6. Johnson Township is entitled to a distribution in the amount of \$18,162.06;
 - 7. Lima Township is entitled to a distribution in the amount of \$16,871.06;
 - 8. Milford Township is entitled to a distribution in the amount of \$17,991.38;
 - 9. Newbury Township is entitled to a distribution in the amount of \$23,245.40;
 - 10. Springfield Township is entitled to a distribution in the amount of \$12,749.78; *and*
 - 11. Van Buren Township is entitled to a distribution in the amount of \$19,763.42.
- E. The projected distributions in the respective amounts provided in Subsection (D) are hereby approved, to be distributed in the following calendar year.
- F. Each township that accepts a distribution pursuant to this ordinance shall use the money only for fire protection and/or emergency medical services.
- G. The Auditor and Treasurer are hereby authorized to take all necessary action and sign all necessary documents to effect the distribution.
- H. The Auditor is hereby authorized to provide a copy of this resolution to the Department of Local Government Finance not more than fifteen (15) days after this ordinance's adoption.

SECTION II

- 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, program, department, commission, 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, 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)."
 - 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. Severability. 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

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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.

C. Effective Date. This ordinance shall be effective immediately upon adoption.

Mr. Mike Strawser made a motion to approve the Resolution. Mr. Harold Gingerich seconded the motion and it carried with Mr. Steve McKowen abstaining. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

REVIEW OF PROPERTY TAX LEVY LIMITS

The County Council reviewed the 2020 estimated property tax levy limits and the estimated reductions due to circuit breakers for each taxing district in LaGrange County. Mr. Steve McKowen made a motion that all taxing units stay within their maximum levy limits for the budget year 2020 as set by the Department of Local Government Finance. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

WAGE RECOMMENDATION

Mr. Harold Gingerich made a motion to recommend a 20% increase for the Council president for the 2020 budget. Mr. Steve McKowen seconded the motion and it carried unanimously.

RESOLUTION TO TRANSFER FUNDS

Mr. Peter Cook read the following Resolution to Transfer Funds:

RESOLUTION TO TRANSFER FUNDS

BE IT HEREBY RESOLVED THAT the following increases and decreases be made in order to meet the expenses of the units of government for the year 2019.

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL – SURVEYOR</u>		
1000-006-04-4010 Equipment	1,000.00	
1000-006-02-2010 Office Supplies		1,000.00
<u>COUNTY GENERAL – MAINTENANCE</u>		
1000-031-01-1003 Housekeeping	507.99	
1000-031-01-1011 Part Time		507.99
<u>COUNTY GENERAL – GIS</u>		
1000-035-02-2010 Office Supplies	464.89	
1000-035-04-4010 Equipment		464.89
<u>1138 CUMULATIVE CAPITAL DEVELOPMENT</u>		
1138-000-04-4003 Capital Outlays	80,301.00	
1138-000-04-4068 2019 Justice Building Parking lot /Curb		64,301.00
1138-000-04-4069 ½ Parks Dept. truck		16,000.00
<u>1170 LIT PUBLIC SAFETY</u>		
1170-000-03-3500 Public Safety	26,831.00	
1170-000-04-4002 Justice Building -- Scanner Equipment		26,831.00

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<u>1176 MOTOR VEHICLE HIGHWAY</u>		
1176-003-04-4039 Other Road Equip	15,500.00	
1176-003-04-4032 Garage Equip		7,500.00
1176-003-02-2054 Road Equip Repair		8,000.00
<u>1179 PARK NON REVERTING</u>		
1179-000-01-1002 Recreation Director		4,000.00
1179-000-03-3095 David Rogers Days		4,000.00
1179-000-04-4010 Equipment	8,000.00	
<u>1186 RAINY DAY</u>		
1186-000-04-4015 Capital Outlays	2,409.00	
1186-000-04-4027 A/C server room at courthouse		2,409.00
<u>1191 RIVERBOAT</u>		
1191-000-03-3001 Legal Fees	20,000.00	
1191-000-05-2003 Transfer to GDI Fund #1158		20,000.00
<u>1219 PARKS & RECREATION</u>		
1219-000-01-1522 Health Insurance	6,800.00	
1219-000-04-4052 Mower	1,200.00	
1219-000-04-4051 Pickup Truck		8,000.00
<u>4906 SUMMER DAY CAMP PROGRAM</u>		
4906-000-01-1005 Assistant	427.00	
4906-000-03-3302 Camp Expenditures		427.00
<u>4916 DEFERRAL</u>		
4916-000-04-4034 Deferral Law Enforcement	125.00	
4916-000-03-3009 Cell phone reimbursement		125.00
<u>4925 DRUG COURT GRANT</u>		
4925-000-03-3012 Travel/Mileage	285.00	
4925-000-04-4001 Equipment		285.00

Mr. Charles Ashcraft made a motion to approve the Resolution. Mr. Steve McKowen seconded the motion and it carried unanimously.

ADDITIONAL APPROPRIATIONS

Mr. Peter Cook presented the following Ordinance of Additional Appropriations:

ORDINANCE OF ADDITIONAL APPROPRIATIONS

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget, now THEREFORE:

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Sec 1: Be it ordained by the LaGrange County Council, LaGrange, Indiana, that for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named for the purposes herein specified, subject to the laws governing the same.

	REQUESTED AMOUNT
<u>1131 SALES DISCLOSURE</u>	
1131-000-03-3012 Travel	1,000.00
<u>1191 RIVERBOAT</u>	
1191-000-05-5003 Transfer to GDI Fund #1158	30,000.00
<u>4926 COURTHOUSE RESTORATION</u>	
4926-000-02-2010 Office Supplies	5,225.00

Mr. Mike Strawser made a motion to approve the Ordinance. Mr. Steve McKowen seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

LEGAL CLAIMS

Mr. Harold Gingerich presented the June 2019 legal claims in the amount of \$18,537.50 from Beers, Mallers, Backs & Salin. Mr. Steve McKowen made a motion to approve. Mr. Mike Strawser seconded the motion and it carried unanimously.

MINUTES

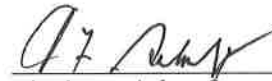
Mr. Harold Gingerich made a motion to approve the July 8, 2019 regular session minutes. Mr. Mike Strawser seconded the motion and it carried unanimously.

WABASH RAILROAD TRAIL PROJECT


Mr. Jeff Brill reported that the LaGrange County Trails is looking for a letter of support from LaGrange County for a trail project on the old Wabash Railroad. Mr. Harold Gingerich made a motion to write a letter of support for the LaGrange County Trail LLC project. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

ADJOURNMENT

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



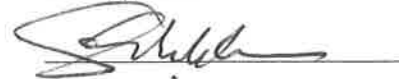
Charles F. Ashcraft



Jeffrey L. Brill



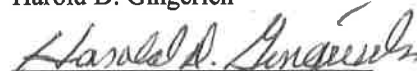
Peter A. Cook



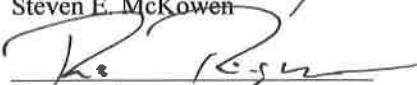
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Harold D. Gingerich



Steven E. McKowen

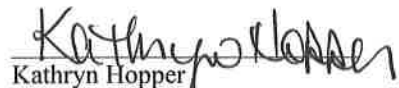


Ryan J. Riegsecker



Michael G. Strawser

ATTEST:



Kathryn Hopper
LaGrange County Auditor