

OCTOBER 12, 2021

REGULAR SESSION

The LaGrange County Council met in Regular Session on Tuesday, October 12, 2021 at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:30 a.m., with the following present: with the following present: Council Members, Jeffrey L. Brill, Steven E. McKowen, Michael G. Strawser and James R. Young; and LaGrange County Auditor, Kathryn Hopper. Councilman, Harold D. Gingerich was available by remote. Mr. Mike Strawser brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

**RESOLUTION ESTABLISHING A POLICY BY WHICH MEMBERS OF THE COUNTY COUNCIL OF COUNTY OF LAGRANGE, INDIANA MAY PARTICIPATE IN ELECTRONIC MEETINGS**

Mr. Mike Strawser presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
RESOLUTION NO. 2021-10-12

A RESOLUTION ESTABLISHING A POLICY BY WHICH MEMBERS OF THE COUNTY COUNCIL OF THE COUNTY OF LAGRANGE, INDIANA MAY PARTICIPATE IN ELECTRONIC MEETINGS.

WHEREAS, Indiana Code ("IC") Chapter 5-14-1.5 ("Open Door Law"), as amended April 20, 2021, prescribes requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by any electronic means of communication;

WHEREAS, pursuant to Section -3.5(d) of the Open Door Law, each governing body of a public agency shall adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication; *and*

WHEREAS, the board adopting this resolution is a governing body of a public agency, as such terms are defined in the Open Door Law.

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

SECTION I – NAME

The name of this resolution shall be the "Electronic Meetings Policy Resolution."

SECTION II – DEFINITIONS

- A. Whenever the following terms are used in this resolution, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.
1. "Board" means the governing body that adopts this resolution.
  2. "Electronic participation" means participation in any meeting of the Board or its committees while away from the physical meeting site, using any electronic means allowed by Section -3.5 of the Open Door Law.
  3. "Member" means a member of the governing body adopting this resolution.
  4. "Open Door Law" refers to Indiana Code Chapter 5-14-1.5.
- B. The definitions of terms defined in IC § 5-14-1.5-2 apply to this resolution except to the extent they would conflict with a term otherwise defined in this section.

SECTION III – SCOPE

- A. This resolution applies to the Board and any committee appointed directly by the Board or its presiding officer.
- B. Except as stated, this resolution applies to any meeting of the Board in executive session.

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- C. This resolution does not create any right to electronic participation on behalf of a Member though the Board shall take reasonable steps to facilitate such electronic participation.
- D. This resolution does not create any right to electronic participation on behalf of the public.
- E. This resolution does not apply to any meeting to which Section -3.7 of the Open Door Law applies.
- F. To the extent any bylaw, rule, or policy of the Board may be deemed or construed to conflict with this resolution, this resolution shall be deemed to amend such bylaw, rule, or policy to allow electronic participation in accord with the Open Door Law.

**SECTION IV – POLICY**

- A. Because from time to time, Members may not be available to physically attend and participate in meetings of the Board; because it is necessary for the Board to conduct business regularly and as efficiently as possible; because technology has advanced to facilitate, as a practical matter, electronic participation in Board meetings; the Board hereby recognizes the benefits of electronic participation as a way to conduct its business and encourages electronic participation whenever a Member cannot otherwise be present.
- B. Notwithstanding Subsection (A), the Board encourages Members to participate physically in meetings whenever possible to maximize interaction and public observation.
- C. The presiding officer of the Board shall consider whether the benefits of electronic participation are outweighed by otherwise rescheduling or postponing to another date a meeting or an agenda item thereof so as to allow for full physical participation of the Board for later consideration of such matters.
- D. It is the policy of this Board to permit electronic participation to the fullest extent allowed by the Open Door Law.
- E. The Board hereby adopts this policy, as described further herein, for use as necessary.
- F. This resolution, and the policy created thereby, may be amended at any time.

**SECTION V – IMPLEMENTING THE POLICY**

- A. Because of technology issues and issues related to reaching a legal quorum, a Member who desires electronic participation for a particular meeting shall so advise the secretary or clerk of the Board as early as practicable. The IT Director may not be able to accommodate requests made less than 48 hours in advance of a meeting.
- B. A Member who desires electronic participation for a particular meeting shall attest to the secretary whether or not the electronic participation is for military service, illness or other medical condition, death of a relative, or an emergency involving actual or threatened injury to persons or property. The secretary may require a form for such attestation.
- C. A Member who takes final action using electronic participation should make arrangements to sign a record memorializing the final action within seven (7) days if there is a reasonable expectation for the Member to do so. The record may be signed electronically in conformity with the County's electronic signature policy to the extent such policy permits.
- D. If, during a meeting, a Member attending via electronic participation should experience a technological failure that delays or prevents further electronic participation at the meeting, the presiding officer shall take reasonable steps to delay official action, especially final action, for a brief period.
- E. The person responsible for creating the minutes or memoranda of the meeting shall indicate therein whether any person who was otherwise considered present at the meeting due to electronic participation was unavailable during any particular final action.

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- F. The presiding officer of the Board shall ensure that all meetings using electronic participation comply with the Open Door Law.

**SECTION VI – MISCELLANEOUS**

**A. References.**

1. Except where a specific version or edition is given, reference to another section of this resolution 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 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) LaGrange County (Indiana).”
3. Should a provision of this 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. Conflicts. No part of this resolution 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 resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the resolution as a whole, or any other portion thereof, and for this purpose the provisions of this resolution are hereby declared to be severable.

- D. Effective Date. This resolution shall be effective immediately upon adoption.

Mr. Steven McKowen made a motion to approve the Ordinance. Mr. Jim Young seconded the motion and upon roll call vote it carried unanimously. Mr. Jim Young made a motion to waive the requirement for second reading. Mr. Steve McKowen seconded the motion and upon roll call vote it carried unanimously.

**2022 BUDGET ADOPTION**

Mr. Mike Strawser presented the 2022 budget for consideration:

INSERT

Mr. Steven McKowen made a motion to approve the 2022 Budget. Mr. Jim Young seconded the motion and upon roll call vote it carried unanimously. Mr. Jeff Brill made a motion to waive the requirement for second reading. Mr. Steve McKowen seconded the motion and upon roll call vote it carried unanimously.

**2022 SALARY ORDINANCE**

Mr. Mike Strawser presented the 2022 Salary Ordinance for consideration:

COUNTY OF LAGRANGE

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ORDINANCE 2021-10-12 B

AN ORDINANCE ESTABLISHING WAGES AND OTHER COMPENSATION FOR ELECTED OFFICIALS OF LAGRANGE COUNTY.

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

SECTION I

This Salary Ordinance includes wages and other compensation received by elected officials for work performed for the County of LaGrange.

SECTION II

The schedule of salaries, attached as Exhibit "A" and incorporated herein by reference shall be the salaries of the various elected officials of the County of LaGrange to go into effect January 1, 2022, and paid every other week. The salaries established pursuant to this ordinance shall be effective until December 31, 2022.

SECTION III

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 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.

INSERT

Mr. Jim Young made a motion to approve the 2022 Budget. Mr. Steven McKowen seconded the motion and upon roll call vote it carried unanimously. Mr. Steven McKowen made a motion to waive the requirement for second reading. Mr. Jim Young seconded the motion and upon roll call vote it carried unanimously.

COUNTY OF LAGRANGE  
ORDINANCE 2021-10-12 C

AN ORDINANCE ESTABLISHING WAGES AND OTHER COMPENSATION FOR LAGRANGE COUNTY EMPLOYEES.

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

SECTION I

All non-elected County employees and official shall be compensated on an hourly, as opposed to salary, basis, unless said employees and officials are determined to be exempt under the Fair Labor Standards Act of 1938, as amended ("FLSA").

SECTION II

Overtime payments as required by FLSA are hereby specifically approved. Employees who receive overtime payment in accordance with rates shall only be modified with the approval of County Council.

SECTION III

Except as set forth above or otherwise specifically allowed by ordinance, no other payment shall be made to employees for compensation for work performed.

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SECTION IV

The schedule of salaries attached hereto as Exhibit "A" and incorporated herein by reference shall be the salaries of the Chief Deputies, Department Heads and various officers and employees of all LaGrange County Departments. Said salaries shall go into effect January 1, 2022, and paid every other week. The salaries established pursuant to this ordinance shall be effective until December 31, 2022.

SECTION V

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 ordinance as a whole, or any other portion thereof other than that portion is declared to be invalid, and for this purpose the provisions of this ordinance are hereby declared to be severable.

INSERT

Mr. Jim Young made a motion to approve the 2022 Budget. Mr. Steven McKowen seconded the motion and upon roll call vote it carried unanimously. Mr. Steven McKowen made a motion to waive the requirement for second reading. Mr. Jim Young seconded the motion and upon roll call vote it carried unanimously.

AMENDMENTS TO THE SALARY ORDINANCE

The following Amendments to the Salary Ordinance were presented:

AMENDMENT TO THE SALARY ORDINANCE FOR 2021

BE IT HEREBY ORDAINED THAT the following changes be made in the LaGrange County Salary Ordinance for the year 2021:

	<u>REQUESTED</u>
<u>10.557 WOMEN, INFANTS, CHILDREN</u>	
Coordinator – 8102-000-01-1001	Up to \$27.50 hour
Coordinator – Breast Feeding – 8102-000-01-1020	Up to \$27.50 hour
CPA / Nutritionist – 8102-000-01-1012	Up to \$22.04 hour
Clinic Assistant – 8102-000-01-1013	Up to \$16.14 hour
Peer Counselor – 8104-000-01-1020	Up to \$16.14 hour

- Rates for 2022 Fiscal Year

Mr. Jim Young made a motion to approve the Amendment to the Salary Ordinance, effective October 1, 2021. Mr. Jeff Brill seconded the motion and upon roll call vote it carried unanimously. Mr. Steven McKowen made a motion to waive the requirement for second reading. Mr. Jeff Brill seconded the motion and upon roll call vote it carried unanimously.

AMENDMENT TO THE SALARY ORDINANCE FOR 2021

BE IT HEREBY ORDAINED THAT the following changes be made in the LaGrange County Salary Ordinance for the year 2021:

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	<u>REQUESTED</u>
<u>INFORMATION TECHNOLOGY</u>	
1000-034-01-1010 Network Administrator	Up to \$25.00/hour
1000-034-01-1012 IT Support Specialist	Up to \$23.06/hour

- Decreasing Network Administrator pay from \$27.86 an hour to up to \$25.00 an hour
- Eliminating Computer Technician position and creating an IT Support Specialist

Mr. Steven McKowen made a motion to approve the Amendment to the Salary Ordinance, effective October 12, 2021. Mr. Jeff Brill seconded the motion and upon roll call vote it carried unanimously. Mr. Jeff Brill made a motion to waive the requirement for second reading. Mr. Steven McKowen seconded the motion and upon roll call vote it carried unanimously.

**RESOLUTION TO TRANSFER FUNDS**

Mr. Mike Strawser read the following Resolution to Transfer Funds:

RESOLUTION TO TRANSFER FUNDS

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL – SHERIFF</u>		
1000-005-01-1381 Code Enforcement – Full Time	873.60	
1000-005-01-1380 Code Enforcement Officer		873.60
<u>CUMULATIVE CAPITAL DEVELOPMENT</u>		
1138-000-04-4003 Capital Outlays	87,011.27	
1138-000-04-4011 Annex renovation		4,044.84
1138-000-04-4013 Courthouse Renovation		5,478.43
1138-000-04-4078 Parks – Track Steer		77,488.00
<u>MOTOR VEHICLE HIGHWAY</u>		
1176-002-01-1205 Tuck Drivers	52,000.00	
1176-002-01-1206 Equipment Operators		52,000.00
1176-002-02-2029 Other Supplies	500.00	
1176-001-02-2010 Office Supplies		500.00
<u>PARK &amp; RECREATION</u>		
1219-000-04-4051 Vehicles	8,096.25	
1219-000-02-2030 Signs		1,000.00
1219-000-02-2035 Repairs-Building & Equip		923.56
1219-000-02-2036 Playground surfacing		120.00
1219-000-03-3003 Water testing		500.00
1219-000-03-3004 Security Systems Services		1,000.00
1219-000-03-3020 Printing		300.00
1219-000-04-4053 Power Tools		1,000.00
1219-000-04-4061 Playground Equip		3,252.69
<u>STATEWIDE 911</u>		
1222-000-01-1010 Dispatchers	25,000.00	

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1222-000-01-1510 Extra Hours / Overtime		25,000.00
PARKS – LCCF GRANT – FOREST SCHOOL		
4907-000-02-2010 Forest School Supplies	1,450.00	
4907-000-04-4001 Canoe Trailer		1,450.00

Mr. Steven McKowen made a motion to approve the Amendment to the Salary Ordinance, effective October 12, 2021. Mr. Jeff Brill seconded the motion and upon roll call vote it carried unanimously.

**LEGAL CLAIMS**

Mr. Harold Gingerich presented the August 2021 legal claims in the amount of \$12,843.50 from Beers Mallers. Mr. Harold Gingerich made a motion to approve the legal claims. Mr. Steven McKowen seconded the motion and upon roll call vote it carried unanimously.

**MINUTES**

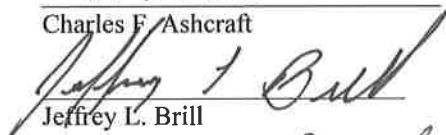
Mr. Jeff Brill made a motion to approve the September 13, 2021 regular session minutes. Mr. Jim Young seconded the motion and upon roll call vote it carried unanimously.

**ADJOURNMENT**

There being nothing further to come before the Board at this time, Mr. Jim Young made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Steven McKowen seconded the motion and upon roll call vote it carried unanimously.



Charles F. Ashcraft



Jeffrey L. Brill



Harold D. Gingerich



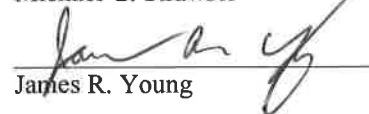
Steven E. McKowen



Ryan J. Riegsecker




Michael G. Strawser



James R. Young

ATTEST:



Kathryn Hopper  
LaGrange County Auditor