

**APRIL 11, 2022**

**REGULAR SESSION**

The LaGrange County Council met in Regular Session on Monday, April 14, 2022, at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:30 a.m., with the following present: Council Members, Charles F. Ashcraft, Jeffrey L. Brill, Harold D. Gingerich, Steven E. McKowen, Ryan J. Riegsecker, Michael G. Strawser, and James Young; and LaGrange County Auditor, Kathryn Hopper. Mr. Mike Strawser brought the meeting to order and led the Pledge of Allegiance to the Flag.

**COMMUNITY CORRECTION GRANT APPLICATION**

Mr. Brett Hays, Community Correction Director, presented a request to apply for a grant for the Community Correction program for 2023. Mr. Hays informed the Council that the grant application is for funding a full time probation officer and a Drug Court coordinator for LaGrange County. Mr. Hays informed the Council that if approved LaGrange would receive \$84,700. Mr. Harold Gingerich made a motion to approve the grant application as presented. Mr. Steve McKowen seconded the motion and it carried unanimously.

**LAGRANGE COUNTY REGIONAL UTILITY DISTRICT – REQUEST FOR FUNDS**

Mr. Adam Sams, General Manager for the LaGrange County Regional Utility District, was present. He explained that the District is in the planning phase for the Region C Phase 2 wastewater project. The project includes providing sewer service to North Twin Lake, South Twin Lake, Still Lake and Pigeon Lake area. The District is requesting \$1.5 million from the American Rescue Plan Act (ARPA) funds that was awarded to LaGrange County.

Mr. Jeff Brill made a motion to award \$1.5 million from ARPA funds to the LaGrange County Regional Utility District. Mr. Charles Ashcraft seconded the motion and upon a roll call vote the motion failed with a vote of two yes votes to 5 no votes.

Mr. Jim Young made a motion to award \$660,000 from ARPA funds to the LaGrange County Regional Utility District, as long as the Pigeon Lake area is included in the project. Mr. Harold Gingerich seconded the motion and upon a roll call vote the motion carried unanimously.

**LAGRANGE COUNTY COMMUNITY FOUNDATION**

Mrs. Kathryn Hopper, County Auditor, informed the Council that the LaGrange County Community Foundation has \$41,995.00 available to grant in 2022 from the endowment fund. The money can be moved to the endowment portion of the fund, can be left in the fund or a check may be issued for deposit in the Hospital Trust fund. Mr. Steven McKowen made a motion to have a check issued. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

**ORDINANCE RE-ESTABLISHING THE LAGRANGE COUNTY SALES DISCLOSURE FUND**

The following Resolution was presented for consideration:

**COUNTY OF LAGRANGE**

**ORDINANCE NO. 2022-04-11-A**

**AN ORDINANCE RE-ESTABLISHING THE LAGRANGE COUNTY SALES DISCLOSURE FUND.**

WHEREAS, pursuant to Indiana Code (“IC”) § 6-1.1-5.5-4.5, the fiscal body of each county shall establish a sales disclosure fund;

WHEREAS, pursuant to IC § 36-1-2-6, the LaGrange County Council (“County Council”), is the fiscal body of LaGrange County, Indiana (“County”);

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WHEREAS, pursuant to County Ordinance 2001-11-13a, the County Council established the Sales Disclosure Fund for the County; *and*

WHEREAS, the Indiana General Assembly has amended IC 6-1.1-5.5 in various respects, making County Ordinance 2001-11-13a obsolete and in need of amendment.

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

SECTION I – NAME

The name of this ordinance shall be the “Sales Disclosure Fund Re-Establishment Ordinance,” or “Fund Ordinance” when the context is obvious.

SECTION II – RECITALS

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

SECTION III – ESTABLISHMENT

- A. Re-Establishment. The Sales Disclosure Fund (“Fund”) is hereby re-established as a special nonreverting fund, and it shall exist in perpetuity until terminated or repealed by subsequent ordinance.
- B. Purpose. Pursuant to IC § 6-1.1-5.5-4, the Auditor is to collect certain fees for the filing of a sales disclosure form (“Fees”). The purpose of the Fund is to hold the collected Fees.
- C. Deposits. The Auditor shall deposit into the Fund only that percentage amount of the Fees prescribed by IC § 6-1.1-5.5-4.
- D. Appropriations. No money may be disbursed from the Fund without a prior appropriation from the County Council. The County Council will appropriate the money in the Fund based on requests by assessing officials in the County.
- E. Restrictions. Money in the Fund may be spent only for those purposes allowed by IC § 6-1.1-5.5-4.5.
- F. Investment. All money in the Fund, and any interest earned on such money, shall be invested and reinvested pursuant to the County’s standard investment procedures.
- G. Non-Reverting. All money in the Fund, including any interest earned on the Fund, shall remain in the Fund and shall not revert to the General Fund at the end of the fiscal year.
- H. Authorization. The Commissioners authorize the Auditor and Assessor to sign all documents and to take all action necessary or helpful to create and administer the Fund and for the disbursement of money therefrom, subject to the provisions of this ordinance.
- I. Termination. When the Fund is terminated, all money in the Fund shall be deposited in the General Fund except as otherwise required by applicable law.

SECTION IV – REPEAL OF PRIOR ORDINANCES

- A. Repeal. The Commissioners hereby repeal Ordinance 2001-11-13a in its entirety.
- B. Continuance.
  - 1. 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. 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.

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2. To the extent the provisions contained in this ordinance substantially restate the provisions of a prior ordinance or resolution, such provisions shall not be deemed to be a new enactment of the original provisions, but rather shall be deemed to be the continuation of the original provisions.

**SECTION V – 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 as well may do as the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.

**B. 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, its agencies, its officers or employees, or any person; 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, or any other rights, protections, immunities, defenses, or limitations on liability that the County or such related parties are provided by law.

**C. 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.

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

**E. Effective Date.** This ordinance shall be effective immediately upon adoption

Mr. Steven McKowen made a motion to approve the Ordinance. Mr. Jeff Brill seconded the motion and it carried with Mr. Jim Young opposing. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

**RESOLUTION TO TRANSFER FUNDS**

Mr. Mike Strawser read the following 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 2022.

**COUNTY GENERAL – SURVEYOR**

1000-006-02-2010 Office Supplies

1000-006-04-4010 Equipment

**DECREASE**

971.29

**INCREASE**

971.29

**COUNTY GENERAL – COMMISSIONERS**

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1000-030-01-1523 Unemployment	644.76	
1000-030-04-4009 Office Equipment		644.76
<u>LIT – ECONOMIC DEVELOPMENT</u>		
1112-000-04-4900 Capital Improvements	479.98	
1112-000-04-4016 2020 Annex Remodel 2 <sup>nd</sup> floor		479.98
<u>CUMULATIVE CAPITAL DEVELOPMENT</u>		
1138-000-04-4003 Capital Outlays	20,000.00	
1138-000-04-4013 Courthouse Renovations		20,000.00
<u>MOTOR VEHICLE HIGHWAY</u>		
1176-001-01-1005 Clerk Bookkeeper	4,884.00	
1176-001-02-2010 Office Supplies		4,884.00
<u>PARK &amp; RECREATION</u>		
1219-000-01-1510 Extra Hours / Overtime	320.00	
1219-000-01-1310 Park Board		320.00

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

**ADDITIONAL APPROPRIATIONS**

Mr. Mike Strawser read 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:

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>PARKS AND RECREATION</u>	
1219-000-04-4055 Well System	7,200.00
<u>DRUG COURT</u>	
2502-000-02-2010 Office Supplies	1,250.00
2502-000-03-3030 Urinalysis	300.00
2502-000-04-4010 Equipment	2,000.00

Mr. Ryan Riegsecker made a motion to approve the Ordinance. Mr. Steven 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**

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Mr. Harold Gingerich presented the legal claims in the amount of \$16,322 for February 2022 from Beers Mallers. Mr. Harold Gingerich made a motion to approve. Mr. Jim Young seconded the motion and it carried unanimously.

**MINUTES**

Mr. Ryan Riegsecker made a motion to approve the March 14, 2022 regular session minutes. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

**HIGHWAY**

Mrs. Tharon Morgan, County Engineer, presented a list of roads in the County that are in need of repair. The cost to repair the 50 miles of roads would be approximately \$10,500,000. She would like to hire out the road repairs on the west side of the County and keep the County Highway crew on the east side of the County.

Mrs. Morgan would like to work with the Planning Administrator on the possibility of implementing an impact fee to help with road improvement

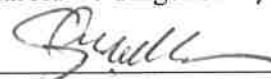
**ADJOURNMENT**


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


  
Charles F. Ashcraft

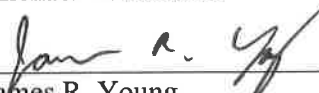
  
Jeffrey L. Brill

  
Harold D. Gingerich


  
Steven E. McKowen

  
Ryan J. Riegsecker

  
Michael G. Strawser

  
James R. Young

ATTEST:

  
Kathryn Hopper  
LaGrange County Auditor