

AUGUST 8, 2022

REGULAR SESSION

The LaGrange County Council met in Regular Session on Monday, August 8, 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, and Michael G. Strawser; and LaGrange County Auditor, Kathryn Hopper. Mr. James R. Young was absent. Mr. Mike Strawser brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

ECONOMIC DEVELOPMENT CORPORATION – HOUSING STRATEGY PROJECT

Mrs. Sherri Johnston, President of the LaGrange County Economic Development Corporation (EDC), was present. She is requesting \$60,000 of ARPA funding to proceed with the Housing Strategy project to bring housing to LaGrange County. Mr. Harold Gingerich made a motion to approve the funding. Mr. Jeff Brill seconded the motion and it carried unanimously.

AMENDMENTS TO THE SALARY ORDINANCE

The following Amendments to the Salary Ordinance were presented:

AMENDMENTS TO THE SALARY ORDINANCE FOR 2022

BE IT HEREBY ORDAINED THAT the following changes be made in the LaGrange County Salary Ordinance for the year 2022:

	<u>REQUESTED</u>
<u>COUNTY GENERAL - SHERIFF</u>	
Police Chaplain 1000-005-01-1018	Up to \$585/ year

- Police Chaplain is changing to an employee and will be paid through payroll
- Paid one time a year with the last payroll in December
Effective 08/08/2022

	<u>REQUESTED</u>
<u>COUNTY GENERAL - TREASURER</u>	
Temporary Part Time 1000-003-01-1012	Up to \$12.73/ hour

- One time pay while the Treasurer and Chief Deputy are away from the office
Effective 07/29/2022

Mr. Ryan Riegsecker made a motion to approve the amendments. Mr. Harold Gingerich 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.

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AMENDMENTS TO THE SALARY ORDINANCE FOR 2022

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	<u>REQUESTED</u>
<u>COUNTY GENERAL</u>	<u>Bi-weekly</u>
Chief Deputy Clerk 1000-002-01-1002	\$ 1,596.20
Chief Deputy Auditor 1000-002-01-1002	1834.05
Chief Deputy Sheriff 1000-005-01-1002	2,676.97
School Resource Officer 1000-005-01-1009	2,381.29
Jail Commander 1000-005-01-1302	2,266.15
Asst. Jail Commander 1000-005-01-1303	2,164.70
Work Release Coordinator 1000-005-01-1310	2,120.66
Inmate Operations 1000-005-01-1320	1,992.62
Prosecutor Title IV-D Administrator 1000-049-01-1101	1,658.18
Deputy Prosecutor 1000-008-1-1003	2,256.09
Deputy Prosecutor 1000-049-01-1003	1,504.05
Planning Administrator 1000-024-01-1001	2,631.63
Building Commissioner 1000-025-01-1001	2,100.08
Veteran's Service Officer 1000-027-01-1001	980.06
Weights and Measurers Inspector 1000-028-01-1001	590.76
IT Director 1000-034-01-1001	3,049.72
Soil & Water District Manager 1000-048-01-1004	2,094.35
E911 Director 1000-038-01-1001	2,266.15
E911 Dispatch Supervisor 1000-038-01-1002	2,164.70
EMA Director 1000-041-01-1001	1,982.32
<u>HEALTH</u>	
Administrator 1159-000-01-1001	2,388.27
Nurse 1159-000-01-1020	2,319.03
<u>HIGHWAY</u>	
Superintendent 1176-000-01-1001	2,791.19
Engineer 1176-001-01-1002	2,907.70
<u>PARK</u>	
Director 1219-000-01-1001	2,520.25
Interpreter/Naturalist 1219-000-01-1004	2,052.43
Superintendent 1219-000-01-1014	2,216.89

Effective 01/01/2022

Mr. Harold Gingerich made a motion to approve the amendments. Mr. Charles Ashcraft 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.

ORDINANCE ADOPTING A NEW VERSION OF THE COUNTY'S PERSONNEL POLICIES HANDBOOK

Mrs. Jenny Landez explained there were a few revisions to the County Personnel Policies Handbook. She presented the following Ordinance for consideration:

COUNTY OF LAGRANGE
JOINT ORDINANCE NO. 2022-08-08 A

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AN ORDINANCE ADOPTING A NEW VERSION OF THE COUNTY'S PERSONNEL POLICIES HANDBOOK.

WHEREAS, pursuant to Indiana Code § 36-1-4-14, a unit may establish a system of employment for any class of employees based on merit and qualification;

WHEREAS, the Board of Commissioners of the County of LaGrange ("Commissioners") and the LaGrange County Council ("Council"), on behalf of LaGrange County, Indiana ("County"), have adopted, and at times amended, various personnel policies and procedures; *and*

WHEREAS, the Commissioners and Council have determined that there is a need for an update to the County's *Personnel Policies Handbook* dated July 18, 2022, as adopted by Joint Ordinance 2022-07-18-A.

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:

SECTION I – NAME

The name of this ordinance is the "Personnel Policies Handbook Adoption Ordinance."

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 – HANDBOOK ADOPTION

- A. Definition. As used in this ordinance, "Handbook" means the *Personnel Policies Handbook* dated August 8, 2022 and attached to this ordinance as Exhibit A.
- B. Approval; Adoption; Incorporation. The Handbook is hereby approved and adopted. The Handbook is incorporated into this ordinance by reference as if fully set out herein.
- C. Purpose. The Handbook is issued to provide information about working conditions, employee benefits, general employee responsibilities, and some of the policies affecting employment with the County. The Handbook shall be used to provide a work environment that is conducive to both personal and professional growth.
- D. Construction. Nothing in the Handbook is intended, nor shall be construed, to constitute an employment contract nor to change the "at-will" status of any County employee.

SECTION IV – CODIFICATION

Should this ordinance be codified, the codifier shall not codify the Handbook in full, but rather shall simply codify Section III of this ordinance.

SECTION V – REPEAL OF PRIOR LAW

- A. Repeal. Joint Ordinance 2022-07-18-A is hereby repealed 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.
 - 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.
- C. Revival Prohibited. The express or implied repeal or amendment by this ordinance of any other ordinance or

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resolution or part thereof shall not be construed to revive any former ordinance, resolution, section, clause, or provision.

SECTION VI – 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; 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. To the extent this ordinance conflicts with the Wage and Salary Ordinance, that ordinance controls.

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. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the office of the Auditor for public inspection.

F. Promulgation. The Auditor is hereby authorized and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.

G. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Ryan Riegsecker made a motion to approve the Ordinance. Mr. Charles Ashcraft 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.

LOCAL INCOME TAX – TOWNSHIPS

Mr. Mike Strawser 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. 2022-08-08 B

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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 Eighty-Three Thousand Three Hundred Twenty-Three and 52/100 Dollars (\$83,323.52) available and allocated from expenditure rate tax revenue generated during 2022 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, nine of the eleven townships within the County have made application for expenditure rate tax revenues on or before July 1, 2022; *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 Eighty-Three Thousand Three Hundred Twenty Three and 52/100 Dollars (\$83,323.52) allocated from expenditure rate tax revenue:
 1. The allocated amount shall be divided into two equal halves.
 2. The first amount of \$40,909.05 allocated shall be divided evenly among each eligible township.
 3. The second half of \$42,414.47 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.
- 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 \$8,918.87;
 2. Clay Township is entitled to a distribution in the amount of \$9,886.33;
 3. Clearspring Township is entitled to a distribution in the amount of \$10,208.82;
 4. Eden Township is entitled to a distribution in the amount of \$10,742.06;
 5. Greenfield Township is entitled to a distribution in the amount of \$6,446.44;
 6. Johnson Township is entitled to a distribution in the amount of \$8,968.37;
 7. Lima Township is entitled to a distribution in the amount of \$7,883.50;
 8. Milford Township is entitled to a distribution in the amount of \$8,658.61;
 9. Newbury Township is entitled to a distribution in the amount of 11,610.52;
 10. Springfield Township did not apply timely; *and*
 11. Van Buren Township did not apply timely.
- C. The projected distributions in the respective amounts provided in Subsection (D) are hereby approved, to be distributed in the following calendar year.
- D. Each township that accepts a distribution pursuant to this ordinance shall use the money only for fire protection and/or emergency medical services.
- E. The Auditor and Treasurer are hereby authorized to take all necessary action and sign all necessary documents to effect the distribution.
- F. 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 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. Ryan Riegsecker made a motion to approve the Resolution. Mr. Charles Ashcraft seconded the motion and it carried with Mr. Steven McKowen abstaining. Mr. Ryan Riegsecker made a motion to waive the requirement for second reading. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

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2022 PROPOSED BUDGETS

The following proposed 2021 budgets were presented to the Council:

Superior Court, Probation, Jury Pay, Superior Court User Fees – Judge Lisa Bowen-Slaven
Commissioners, Cumulative Capital Development, Major Moves, Riverboat, Rainy Day Fund, Lambright
Property, Rogers Trust, Duff Trust, 2022 Salary Recommendations, Gifts to Animal Shelter – Terry Martin
Parks and Recreation, Parks Nonreverting – Mary Franke
Highway, Cumulative Bridge, Local Road & Street, Landfill – Ben Parish
Engineer - Tharon Morgan
Circuit Court, Adult & Juvenile Probation, Home Detention, Jury Pay, Circuit Court User Fees –
Judge Bill Walz
Emergency Management – Bill Morr
ARC – Debra Seman
Clerk, Election, Voter Registration, Clerk’s Records Perpetuation, Clerk’s IV-D – Susan Howe
Surveyor, Drainage Board, Section Corner Perpetuation – Zachary Holsinger
Plan Commission – Robbie Miller
Soil & Water Conservation District – Martin Franke
Treasurer – Connie Brower
Building, Contractor Registration – Jason Boggs
Recorder, Recorder’s Records Perpetuation, County Identification Security – Sheila Getz
Information Technology, GIS – Dave Warren
Assessor – Pat Monroe
Maintenance – Gary Mast
Health, Local Health Maintenance, Immunization Donation – Dr. Alfredo Garcia
EDIT – Charles Ashcraft
Auditor, Non Motor Vehicle, Ineligible Deduction Fund, Plat Book, User Fee – Kathy Hopper
Council – Mike Strawser
Veteran’s Service – Allen Connelly
Prosecutor; Prosecutor IV-D, Infraction Deferral, Pretrial Diversion, Prosecutor IV-D Incentive – Travis Glick
Coroner – Kenneth Myers
Extension – Jamesi Lemon

RESOLUTION TO TRANSFER FUNDS

Mr. Mike Strawser 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 2022.

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL – AUDITOR</u>		
1000-002-01-1301 Hourly Clerical	5,000.00	

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1000-002-01-1510 Extra hours / Overtime		5,000.00
<u>COUNTY GENERAL – COMMISSIONERS</u>		
1000-030-03-3009 Cell phone reimbursement	350.00	
1000-030-04-4010 Equipment		350.00
<u>COUNTY GENERAL - E911</u>		
1000-038-01-1301 Part Time Dispatcher	700.00	
1000-038-04-4010 Equipment		700.00
<u>COUNTY GENERAL - 911</u>		
1000-049-01-1103 IV-D Assistant	11.08	
1000-049-03-3012 Travel / Mileage		11.08
<u>LIT – ECONOMIC DEVELOPMENT</u>		
1112-000-04-4900 Capital Improvement Projects	219,086.17	
1112-000-04-4024 Courthouse Repairs		219,086.17
<u>1112-000-04-4900 Capital Improvement Projects</u>		
1112-000-04-4026 Comprehensive Zoning Ordinance 2022	150,000.00	150,000.00
<u>1176 MOTOR VEHICLE HIGHWAY</u>		
1176-003-01-1205 Head Mechanic	29,067.19	
1176-003-01-1206 2 nd Mechanic	50,606.40	
1176-003-01-1203 Certified Mechanic		41,156.00
1176-003-01-1204 Certified Mechanic		38,517.59
<u>1179 PARK NON-REVERTING</u>		
1179-000-01-1030 Seasonal Staff	120.00	
1179-000-01-1031 Lifeguard		120.00
<u>1219 PARK & RECREATION</u>		
1219-000-01-1041 Admin Asst. / communication	1,213.10	
1219-000-01-1040 Secretary / Receptionist		1,213.10
<u>2152 SUPP JUVENILE PROBATION SERVICE</u>		
2152-000-01-1510 Extra Hours / OT	70.00	
2152-000-01-1521 PERF		50.00
2152-000-01-1525 Medicare		20.00

Mr. Steven McKowen made a motion to approve the Resolution. Mr. Ryan Riegsecker seconded the motion and it carried unanimously.

ADDITIONAL APPROPRIATIONS

Mr. Mike Strawser presented the following Ordinance of Additional Appropriations:

ORDINANCE OF ADDITIONAL APPROPRIATIONS

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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.

	<u>REQUESTED AMOUNT</u>
<u>COUNTY GENERAL - CORONER</u>	
1000-007-03-3005 Pathology	25,000.00
<u>COUNTY GENERAL – DRAINAGE BOARD</u>	
1000-026-04-4400 Storm Water Improvement projects	50,000.00
<u>COUNTY GENERAL - MAINTENANCE</u>	
1000-031-03-3040 Utilities	4,000.00
<u>LIT – ECONOMIC DEVELOPMENT</u>	
1112-000-04-4027 Dust Control 2022	170,000.00
<u>EXTRADITION & SHERIFF’S ASSIST</u>	
1155-000-03-3005 Extradition	4,800.00
<u>RIVERBOAT</u>	
1191-000-05-5001 Correction of Posting error	72,816.44
<u>GAL / CASA</u>	
1213-000-05-5001 State Distribution	12,123.37
<u>AMERICAN RECOVERY PLAN ACT</u>	
8950-000-04-4025 Parks – new pavilion	250,000.00
8950-000-04-4026 4-H Groundskeeper home	250,000.00

Mr. Steven McKowen made a motion to approve the Ordinance. Mr. Charles Ashcraft 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 2022 legal claims in the amount of \$13,635 from Beers, Mallers, Backs & Salin and \$1,637.50 from Barnes & Thornburg. Mr. Harold Gingerich made a motion to approve. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

REVIEW OF PROPERTY TAX LEVY LIMITS

The County Council reviewed the 2023 estimated property tax levy limits and the estimated reductions due to circuit breakers for each taxing district in LaGrange County. Mr. Harold Gingerich made a motion that all taxing units stay within their maximum levy limits for the budget year 2023 as set by the Department of Local Government Finance. Mr. Steven McKowen seconded the motion and it carried unanimously.

MINUTES

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Mr. Ryan Riegsecker made a motion to approve the July 11, 2022 regular session minutes. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

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.



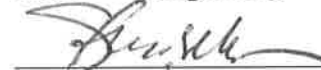
Charles F. Ashcraft




Jeffrey L. Brill



Harold D. Gingerich



Steven E. McKowen



Ryan J. Riegsecker

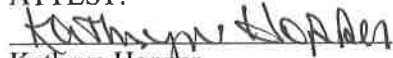


Michael G. Strawser



James R. Young

ATTEST:


Kathryn Hopper
LaGrange County Auditor