

MARCH 4, 2024

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, March 4, 2024, 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. Terry A. Martin, Mr. Peter Cook, and Mr. Kevin R. Myers; and LaGrange County Auditor, Kathryn Hopper. Mr. Terry Martin, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Kevin Myers made a motion to adopt the proposed agenda with flexibility. Mr. Peter Cook seconded the motion and it carried unanimously.

SHERIFF – FLOCK GROUP INC.

Mr. Kurt Bachman, County Attorney, presented an amendment to the Flock Group Inc., extending the term of the agreement for an additional three (3) years, beginning May 24, 2024. Mr. Kevin Myers made a motion to approve the amendment and to authorize the president to sign the amendment. Mr. Peter Cook seconded the motion and it carried unanimously.

ARPA SUBRECIPIENT AGREEMENT – LAGRANGE COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mr. Kurt Bachman, County Attorney, presented an ARPA Subrecipient Agreement with the LaGrange County Economic Development Corporation. The Agreement is in the amount of \$30,000 of the State and Local Fiscal Recovery Funds (SLFRF) to be used to develop the Housing Strategy project to being housing to LaGrange County. Mr. Peter Cook made a motion to approve the agreement and to authorize the president to sign the agreement. Mr. Kevin Myers seconded the motion and it carried unanimously.

ARPA SUBRECIPIENT AGREEMENT – LAGRANGE COUNTY COUNCIL ON AGING

Mr. Kurt Bachman, County Attorney, presented an ARPA Subrecipient Agreement with the LaGrange County Council on Aging. The Agreement is in the amount of \$29,350 which was approved on September 11, 2023, and \$33,702 which was approved on January 8, 2024, of the State and Local Fiscal Recovery Funds (SLFRF) to be used to provide matching funds towards van purchases. Mr. Peter Cook made a motion to approve the agreement and to authorize the president to sign the agreement. Mr. Kevin Myers seconded the motion and it carried unanimously.

HEALTH DEPARTMENT – WAGES

Mr. Kurt Bachman, County Attorney, presented the new wages as proposed by the Health Department. Mr. Kevin Myers made a motion to give a positive recommendation to the County Council for the Health Department wages to be paid from a grant. Mr. Peter Cook seconded the motion and it carried unanimously.

ORDINANCE APPROVING INTERNAL CONTROLS FOR CREDIT CARD ACQUISITION, ISSUANCE, AND USAGE

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

COUNTY OF LAGRANGE
ORDINANCE NO. 2024-03-04

AN ORDINANCE APPROVING INTERNAL CONTROLS FOR CREDIT CARD ACQUISITION, ISSUANCE, AND USAGE.

WHEREAS, pursuant to Indiana Code (“IC”) 5-11-1-27(g), the legislative body of a political subdivision must ensure that certain minimum internal control standards and procedures, as developed by the Indiana State Board of Accounts (“SBOA”) have been adopted;

WHEREAS, pursuant to IC 36-1-2-9, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the legislative body of LaGrange County, Indiana (“County”);

WHEREAS, pursuant to County Ordinance 2021-12-06-G, the Commissioners, in its role as the Oversight Body, desires to develop and revise internal controls with respect to credit cards;

MARCH 4, 2024

REGULAR SESSION

WHEREAS, the Commissioners desires to consider the following internal control principles: (i) the control environment; (ii) risk assessment; (iii) control activities; (iv) information and communication; and (v) monitoring; *and*

WHEREAS, the SBOA has issued internal control directives relating to credit cards in its *Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana*.

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 “Internal Controls Ordinance: Credit Cards.”

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 – DEFINITIONS

- A. General. Whenever used in this ordinance, the following terms shall have those meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.
1. “Credit card” means any credit card, debit card, charge card, stored-value card, gift card, fuel card, or other remote account funds transfer instrument issued to the County that allows the County, through its authorized agents, to make a purchase on credit or account balance either directly from the account holder or through a third-party creditor or payment-account provider; provided, however, that the term does not include a check or unpaid invoiced claims.
 2. “Fuel card” means a credit card that facilitates County purchases for gasoline, diesel, or other fuel and that cannot be used for any other purpose.
 3. “Item” means any product, merchandise, reservation, booking, membership, service, certification, or any other thing of value that may be purchased with a credit card.
 4. “Public servant” means any employee, elected or appointed official, officer, intern, volunteer, or authorized agent of the County.
 5. “Purchasing Rules” means the Public Purchasing Rules, as most recently adopted by County Ordinance 2024-01-16-A.
- B. Determination. The Commissioners shall have the final authority in determining the meaning of the terms defined in this section.

SECTION IV – PURPOSE

- A. The purposes of this ordinance with respect to credit card usage are:
1. to establish clear procedures to assist public servants in making purchases;
 2. to increase government efficiency;
 3. to track claims during the approval process;
 4. to track claims to specific appropriations;
 5. to assist with the County budgeting process;
 6. to facilitate the use of vendor accounting software;
 7. to prevent the unauthorized use or waste of County money;
 8. to promote the County’s interests in transparency;
 9. to assist with auditing procedures; *and*

MARCH 4, 2024

REGULAR SESSION

10. to comply with applicable law.

SECTION V – ADMINISTRATION

- A. Position. The Commissioners hereby establish the position of Manager to administer the provisions of this ordinance. A person appointed as Manager may have other regular or partial employment with the County.
- B. Ex Officio Appointment. The Auditor shall serve as the default Manager. To the extent that the Auditor is to serve as the Manager but is otherwise unavailable, the Deputy Auditor shall serve as the Manager.
- C. Appointment by Motion. Notwithstanding Subsection (B), the Commissioners may instead appoint a different Manager by motion.
- D. Delegation of Powers.
 - 1. The Commissioners hereby authorize and direct the Manager to take all action necessary and proper to administer this ordinance, subject to applicable law.
 - 2. The Manager may delegate any power and/or duty under this ordinance or other applicable law relating to credit cards to another public servant, as appropriate, while retaining ultimate responsibility therefor.
 - 3. The Commissioners retain jurisdiction to be the final authority for the management and reporting on credit cards.
- E. Training. The Manager shall train a deputy to perform the Manager's duties under this ordinance.
- F. Conflicts. Nothing in this ordinance shall be construed to limit any public servant in complying with a directive or order of competent authority as it relates to the tracking and reporting of credit cards.

SECTION VI – GENERAL DUTIES

- A. Oversight.
 - 1. The Manager shall ensure compliance with the terms of any agreement that the Commissioners enter into with respect to a credit card.
 - 2. The Manager shall oversee the use of all credit cards by public servants.
 - 3. The Manager shall implement and require a training program covering this ordinance and the rules promulgated hereunder for those public servants who may have custody of credit cards.
 - 4. The Commissioners may hire or assign, by motion, another public servant or third-party auditor to review and/or audit the Manager's accounts and records from time to time. The Manager shall fully cooperate with any such person.
- B. Custody.
 - 1. The Manager shall maintain custody of every credit card in a secure office area when it is not otherwise authorized for issuance.
 - 2. Any public servant to whom a credit card is issued shall maintain the credit card on his or her person or in a secure office area at all times.
 - 3. The Manager may require any public servant to whom a credit card has been issued prior to the effective date of this ordinance to immediately return it to the Manager pending a new authorization from the Commissioners.
- C. Accounting. For each credit card purchase made by a public servant, the Manager shall maintain a record that contains:
 - 1. the name and position of the public servant;

MARCH 4, 2024

REGULAR SESSION

2. the credit card company and account used;
 3. the credit card number used;
 4. the item(s) purchased;
 5. the store or vendor that sold the item(s);
 6. the amounts charged, both in itemized and aggregate form;
 7. the County fund and account number to be charged; *and*
 8. any other related details required by applicable law or effective accounting procedures.
- D. Review. The Manager shall review all credit card purchases to ensure they match the supporting documentation provided by the public servants. The Manager shall seek to clarify and appropriately correct any discrepancies.
- E. Password Security. The Manager shall establish appropriate security procedures for passwords, pin numbers, codes, controls, and other authorizations involving a credit card or credit card account.
- F. Replacement Cards. Whenever the security of a credit card has become compromised, the Manager shall work with the credit card company to obtain a new credit card as appropriate.

SECTION VII – CREDIT CARD ACCOUNTS

- A. Outstanding Accounts. The Manager may maintain all of the current credit card accounts that were established before the effective date of this ordinance.
- B. Application. The Manager may apply to one or more accredited financial institutions for the creation of a credit account and the issuance of one or more credit cards linked to that account. The Manager may prepare, and the President of the Commissioners may execute, any standard application and agreement with respect to the acquisition of a credit card from such institutions.
- C. Program Features. The Manager and the President of the Commissioners shall prefer a credit card company that is the most advantageous to the County, generally with as many of the following programs and features as possible:
1. a cash-back awards program;
 2. the ability to prevent cash advances;
 3. the ability to set individual credit card limits;
 4. the ability to issue temporary credit cards; *and*
 5. the ability to deactivate individual credit cards.
- D. Moratorium. The Commissioners, by motion, may impose a moratorium on the further execution of credit card account applications.
- E. Allowable Claims. The Manager shall not pay any item invoiced on a credit card bill or statement unless:
1. the Commissioners have previously authorized the purchase (either directly or under the Purchasing Rules) or its payment;
 2. the public servant who makes the purchase has provided full supporting documentation for the item;
 3. the public servant who receives the item has approved the claim;
 4. for any unauthorized or noncompliant purchase made by a public servant, the Manager has received full reimbursement from the public servant (unless the Commissioners have subsequently approved the purchase); *and*
 5. the Manager audits and certifies before payment that the credit card statement for the item is true and correct.
- F. Bill Paying. Except as otherwise provided in this section, the Manager may pay the credit card account in full each billing cycle.
- G. Annual Fees. The Manager may pay any annual fee for any credit card account or credit card that the County may incur.

MARCH 4, 2024

REGULAR SESSION

- H. Other Charges. The Manager shall not pay any late fee, interest charge, and/or other penalty relating to a credit card, except as approved by the Commissioners or unless the County has been reimbursed for such charge by the person responsible.
- I. Rewards. The Manager shall enroll the County in any awards program as appropriate and document all credit card rewards made to the County. The Manager shall deposit any cash back rewards into the bank account associated with the General Fund.

SECTION VIII – GENERAL USAGE

- A. County Business. A credit card may be used for legitimate County business if the purchase has been specifically approved by the Commissioners, for other purchases on behalf of the County to the extent that the vendor has not imposed special terms, and for travel-related expenses.
- B. Acceptable Use. Any purchase described by this section must be made in accordance with the Purchasing Rules. A public servant may purchase an item with a credit card only within the scope of his or her purchasing authority and only under procedures further prescribed by this ordinance.
- C. Purchase Contracts. A credit card shall not be used for any purchase until the public servant responsible for receiving the item(s) has determined that the item conforms to any specifications in a respective solicitation and proposal and until final allowance therefor has been obtained from the Commissioners.
- D. Gratuities. No person shall add a gratuity for any purchased item greater than the amount indicated by industry custom and under no circumstances greater than 20%.
- E. Personal Use Prohibited. No person shall use a credit card for personal use, even if the person offers or intends to reimburse the County for the personal use of the credit card.
- F. Other Unacceptable Use. No person shall use a credit card for an unacceptable use including, but not limited to, the purchase of unapproved purchases, alcoholic beverages, room service, entertainment, gambling, and/or cash advances.

SECTION IX – CREDIT CARD ISSUANCE

- A. Long-Term Issuance. The Manager may issue a credit card to a public servant on a long-term basis only to the extent authorized by the Commissioners and only to the extent that the public servant otherwise complies with this ordinance. The Commissioners may stipulate by motion additional terms of a credit card issuance from time to time, such as purchasing limits or dates of issue.
- B. Temporary Issuance. The Manager may issue a credit card to a public servant on a short-term basis to the extent necessary for an authorized purchase or set of related purchases. The Manager may impose or adjust spending limits on the credit card. For any issuance pursuant to this section, the public servant shall provide:
 - 1. the estimated item descriptions and quantities to be purchased;
 - 2. the store or vendor selling the item(s);
 - 3. the estimated amount to be charged; *and*
 - 4. the County fund to be charged.
- C. Recording Card Information Prohibited.
 - 1. As used in this subsection, “card information” means the brand, cardholder name, number, personal identification number, or expiration date listed on a credit card.
 - 2. No public servant shall give a credit card or card information to another person during its issuance except to the extent needed to complete an authorized purchase.

MARCH 4, 2024

REGULAR SESSION

3. No public servant except the Manager shall record or save card information for future use, especially on a web site.
 4. No public servant shall allow a web site or program to record the card information (i.e., public servants should ensure that any “autofill” or similar function is disabled).
 5. When making an online purchase, no public servant shall save the card information online but rather shall manually enter the information each purchase.
- D. Card Return.
1. Any public servant in possession of a credit card shall return the credit card to the Manager at the end of the term of its issuance or at the end of the person’s status as a public servant of the County, whichever is earlier.
 2. If a public servant retains an issued credit card beyond the terms of its issuance, the Manager shall notify the public servant and make reasonable attempts to retrieve it. If the public servant is unable or unwilling to return the credit card in such a situation, the Manager shall notify the Commissioners of the situation.
- E. Fuel Cards. The Manager may issue, and require the return of, fuel cards to one or more public servants, as the Manager may find reasonably necessary for efficient business.
- F. Deactivation. The Manager may deactivate any credit card for any violation or perceived violation of the terms of issuance or of this ordinance.
- G. Missing Cards. A public servant who loses a credit card, or who becomes aware of its theft or missing status, shall immediately report the loss or theft to the Manager.
- H. Records. The Manager shall maintain records showing the date that each credit card is issued and returned. The Manager may require that the public servant sign for any credit card issuance.

SECTION X – ONLINE PURCHASES

- A. Application. Subsections B and C of this section only applies to the extent that the Manager has separately indicated this section is in effect. The Manager may impose rules that limits its application to certain departments or minimum purchase thresholds.
- B. Setup. A public servant may only make an authorized online purchase as follows:
1. navigate to the web site of the selected vendor;
 2. log into the County’s account on that web site or create an online account on that web site if the County does not already have one;
 3. add the approved item(s) to the web site’s shopping cart, fill out an appropriate shipping address (if applicable), and notify the Manager of the desired item purchase and that the item is ready for processing; *and*
 4. share any new account information, including passwords, with the Manager.
- C. Completion. When the Manager has all the information needed to complete and fully document a public servant’s approved purchase request, the Manager shall navigate to and log into the web site in question, purchase the item using an appropriate credit card, and send a copy of the receipt to the respective public servant.
- D. Insecure Purchases. No public servant shall make an online purchase on an insecure network or on hardware not owned or leased by the County.

MARCH 4, 2024

REGULAR SESSION

SECTION XI – SUPPORTING DOCUMENTATION

- A. Responsibility. Whenever a public servant uses a credit card, the public servant must provide sufficient related documentation to the Manager within 72 hours of the purchase.
- B. Requirements. Full supporting documentation includes:
 - 1. the name of the public servant making the purchase;
 - 2. the public servant's position or office;
 - 3. the credit card number used;
 - 4. the item(s) purchased;
 - 5. the store or vendor that sold the item(s);
 - 6. the vendor's phone number or other appropriate contact information;
 - 7. the amounts charged, both in itemized and aggregate form;
 - 8. the County fund to be used; *and*
 - 9. any purchase orders, invoices, or credit card slips that have been issued.
- C. Itemization Requirement. Each credit card purchase requires itemized documentation; therefore, credit card statements or slips alone do not constitute sufficient documentation.
- D. Forms. The Manager may require procedures for supporting documentation, such as paper or electronic forms, receipts, or mileage logs.
- E. Cooperation. Each public servant shall regularly communicate with and cooperate with any reasonable request of the Manager on any credit card purchase.

SECTION XII – SALES TAX

- A. Policy. The County is a tax-exempt entity with respect to Indiana's sales tax. No sales tax should be paid for the purchase of any item on behalf of the County.
- B. Certificate Provision.
 - 1. Upon request or as indicated, the Manager shall furnish to each credit card company a current, properly completed tax exemption certificate certifying exempt use.
 - 2. The Manager shall provide a public servant with a current, properly completed tax exemption certificate certifying exempt use whenever a credit card is issued to the public servant and shall provide a replacement certificate when appropriate.
- C. Certificate Presentation. Whenever a public servant purchases an item on behalf of the County, if the vendor would impose sales tax on the item, the public servant must present a current copy of the County's tax exemption certificate and/or take any other appropriate action to avoid the imposition of sales tax on the County.
- D. Fuel Purchases. This section does not apply to fuel purchases except to the extent the Manager provides otherwise, which the Manager may do as deemed appropriate.

SECTION XIII – EMERGENCY PURCHASES

- A. Definition. As used in this section, "emergency" has the meaning in the Purchasing Rules.
- B. Issuance. Notwithstanding anything in this ordinance to the contrary, the Manager may issue, and a public servant may use, a credit card during an emergency to the extent the purchase is otherwise allowed under the Purchasing Rules.
- C. Documentation. Before a credit card is issued pursuant to this section, if it is not obvious, the public servant to whom the credit card is issued shall document the nature of the emergency and how the purchase will mitigate the emergency.
- D. Usage. For any public servant to whom a credit card has been issued pursuant to this section, the public servant shall make a purchase using the credit card only to the extent needed to mitigate the emergency, promptly return the credit

MARCH 4, 2024

REGULAR SESSION

card when the need for its issue no longer exists, and provide the Manager with supporting documentation of any purchase made with the credit card as soon as possible.

SECTION XIV – UNAUTHORIZED USE OR MISUSE

- A. Standard. Any purchase made by a public servant using a credit card that does not conform to this ordinance constitutes unauthorized use or misuse. Examples include, but are not limited to, the failure to inform the Manager of a purchase, providing inadequate or untimely documentation of a purchase, the failure to present a tax exemption certificate, and purchasing an item that constitutes a personal purchase.
- B. Violations. Any person who violates this ordinance may be subject to discipline, up to and including loss of employment, impeachment, and/or criminal penalties, as applicable. Penalties will be enforced in accordance with the employee handbook as applicable.
- C. Suspected Violations; Chain of Command. Any public servant who suspects a violation of this ordinance should not confront the suspected violator but shall instead bring the matter to the attention of the respective department head, if any, and if none, to the Manager. The department head shall investigate the alleged wrongdoing and, if warranted, bring the matter, evidence, and findings to the attention of the Manager. The Manager shall investigate the alleged wrongdoing and, if warranted, bring the matter, evidence, and findings to the attention of the Commissioners. If the suspected violation involves a department head and/or the Manager, the person who suspects a violation should instead report at the next step in this chain of command.
- D. Responsibility. Any charge, late payment fee, interest charge, sales tax, or monetary penalty incurred by the County due to a public servant's unauthorized use or misuse of a County credit card shall be the personal financial responsibility of that public servant.
- E. Procedure.
 - 1. The Manager shall notify the public servant in writing of any impending or overdue third-party fee, charge, tax, or penalty for misuse or unauthorized use.
 - 2. The public servant shall pay or reimburse the County by personal check or by other instrument deemed acceptable by the Manager within three (3) business days of having been notified that the third-party fee, charge, tax, or penalty has been incurred as a result of the public servant's failure to comply with this ordinance.
- F. Reimbursement. Reimbursement shall be in addition to any other penalty or procedure allowed by this ordinance. The duty to reimburse shall endure after any termination of a person's status as a public servant.

SECTION XV – MISCELLANEOUS

- A. Extraneous Claims Barred. 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 apply to the County or any of its elected or appointed officials, employees, agents, or representatives under any applicable law providing governmental immunity, nor any other right, protection, immunity, defense, or limitation on liability that the County or such related parties is provided by applicable law.
- B. External Review. Nothing in this ordinance shall subject an inventory or report of controlled assets that is otherwise lawful to additional review by competent authority.
- C. 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.

MARCH 4, 2024

REGULAR SESSION

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 may do instead of the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- D. 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 the same.
- E. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- F. Promulgation. The Auditor is hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- G. Codification. To the extent a substantive change in meaning does not result, the codifier of ordinances may omit the Name, Recitals, Miscellaneous, and Adoption sections of this ordinance from the official code, may renumber or reorder any section of this ordinance, and may alter references to this ordinance and to exhibits as appropriate.
- H. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Kevin Myers made a motion to approve the Ordinance. Mr. Peter Cook seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Kevin Myers seconded the motion and it carried unanimously.

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

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

COUNTY OF LAGRANGE
JOINT ORDINANCE NO. 2024-03-11-A

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 August 14, 2023, as adopted by Joint Ordinance 2023-08-14-B.

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 March 11, 2024

MARCH 4, 2024

REGULAR SESSION

and attached to this ordinance as Exhibit A.

- B. 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.
- C. 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.
- 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 – REPEAL OF PRIOR LAW

- A. Repeal. Joint Ordinance 2023-08-14-B, which was adopted by the Commissioners on August 7, 2023 and by the Council on August 14, 2023, 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 that the provisions contained in this ordinance substantially restate the provisions of a prior ordinance or resolution, the provisions shall not be deemed a new enactment, but rather shall be deemed to be the continuation of the original provisions.
 - 3. All rules and regulations adopted under any continued version of this ordinance shall remain in full force and effect except as specifically directed otherwise.
- C. Revival Prohibited. The express or implied repeal or amendment by this ordinance of any other ordinance or resolution or part thereof shall not be construed to revive any former ordinance, resolution, section, clause, or provision.

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 may do instead of 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, nor any other right, protection, immunity,

MARCH 4, 2024

REGULAR SESSION

defense, or limitation on liability that the County or such related parties is provided by applicable 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, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, 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, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- G. 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.
- H. Effective Date. This ordinance shall take effect immediately upon final adoption.

Mr. Peter Cook made a motion to approve the Ordinance. Mr. Kevin Myers seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Kevin Myers seconded the motion and it carried unanimously. The Ordinance will be presented to the County Council on March 11, 2024.

PROPOSALS FOR TRUCK BODIES AND SNOWPLOWS

At 9:00 a.m. Mr. Aaron Fugate, Highway Supervisor, reported that he has received a proposal from W.A. Jones. The proposal is for two Monroe Radius Dump bodies for a total of \$299,964 and a one-way snowplow in the amount of \$19,679 each. He would like to get three snowplows, one for each of the new trucks, and one to replace a plow that was recently retired.

Mr. Kevin Myers made a motion to accept the proposal from W.A. Jones for the two truck bodies and three plows, for a total of \$359,001. Mr. Peter Cook seconded the motion and it carried unanimously.

HEALTH DEPARTMENT – PURCHASE OF DEFIBRILLATORS

Dr. Alfredo Garcia, Health Administrator, requested approval to purchase six defibrillator units to replace the existing ones at the County buildings. He obtained three quotes, with the lowest one being from AED Superstore in the amount of \$1,984 each. The purchase would be paid with immunization grant funding. Mr. Kevin Myers made a motion to approve the purchase. Mr. Peter Cook seconded the motion and it carried unanimously.

ARK ANIMAL SANCTUARY – MARY JANE ECKER IRREVOCABLE TRUST EXPENSE

Mrs. Kathryn Hopper, County Auditor, presented a bill from King Veterinary Clinic, in the amount of \$1,112.73 and a bill from LaGrange Veterinary Clinic in the amount of \$1,894.59. The invoices would be paid out of the Mary Jane Ecker Irrevocable Trust account. Mr. Kevin Myers made a motion to approve the expenses to be paid out of the Mary Jane Ecker Irrevocable Trust account. Mr. Peter Cook seconded the motion and it carried unanimously.

PARK DEPARTMENT – PERMISSION TO APPLY FOR GRANT

Mrs. Mary Franke, Park Director, was present and requested permission to apply for a grant from the Indiana Land Protection Alliance. The grant is in the amount of \$800 and will pay an individual to do an in-depth survey on the

MARCH 4, 2024

REGULAR SESSION

birds that are at the Mike Metz Fen. Mr. Peter Cook made a motion to approve the grant application as presented, authorize the President to sign. Mr. Kevin Myers seconded the motion and it carried unanimously.

COUNTY ANNUAL FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the 2023 County Annual Financial Report. Mr. Peter Cook made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Kevin Myers made a motion to approve the vouchers. Mr. Peter Cook seconded the motion and it carried unanimously.

FEBRUARY 2024 FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending February 29, 2024, in the amount of \$46,020,350.59 and investments of \$22,545,000. Mr. Kevin Myers made a motion to accept the report. Mr. Peter Cook seconded the motion and it carried unanimously.

MINUTES

Mr. Kevin Myers made a motion to approve the minutes of the February 19, 2024 regular session meetings. Mr. Peter Cook seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Kevin Myers made a motion to approve the memorandum for the February 28, 2024 staff meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

NIPSCO PERMIT PROCESS

The Commissioners discussed the permit process for NIPSCO. NIPSCO will not run services to individuals based on our permitting process. Mr. Terry Martin made a motion to remove "as built" from permits. Mr. Peter Cook seconded the motion and it carried.

CORRESPONDENCE

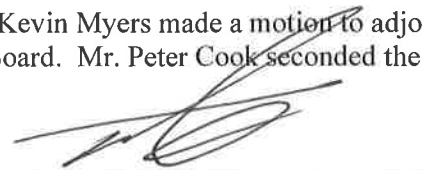
LaGrange County Treasurer – February 2024 report

Erma and Jerry Miller – Notice of Public Hearing for a conditional use variance for short term rental in the S-1 Zoning District

Indiana Department of Environmental Management – Notice of Approval, Integrity Woodcrafting, 3925 N 850 W, Shipshewana, Indiana, Permit Number 087-47459-00694

ADJOURNMENT

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



Terry A. Martin



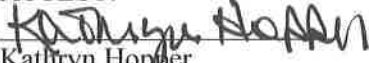
Peter A. Cook

MARCH 4, 2024

REGULAR SESSION


Kevin R. Myers

ATTEST:


Kathryn Hopper
LaGrange County Auditor

