

**JULY 1, 2024**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, July 1, 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 and Mr. Kevin Myers and LaGrange County Auditor, Kathryn Hopper. Mr. Peter A. Cook was absent. 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. Terry Martin seconded the motion and it carried unanimously.

**PROPERTY ON 107 WEST SPRING STREET, LAGRANGE, INDIANA**

Mr. Kurt Bachman, County Attorney, explained that he is working on a contract with Bloomfield Creative LLC to purchase the property located at 107 W. Spring Street, LaGrange. They are an LLC and would use the property for lavender processing. They have paid \$3,000 earnest money to Lakeland Title Company. Mr. Kevin Myers made a motion to enter into a purchase agreement and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**EMERGENCY MANAGEMENT AGENCY – CONFERENCE IN WASHINGTON DC**

Mr. Kurt Bachman, County Attorney, explained that Bill Morr, LaGrange County Emergency Management Director, would like permission to attend the National CERT conference in Washington DC July 23-26, 2024. Mr. Kevin Myers made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

**ORDINANCE AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT FOR THE COUNTY HIGHWAY DEPARTMENT**

Mr. Kurt Bachman, County Attorney, explained the Mr. Aaron Fugate, Highway Supervisor, has been working with Emergency Radio Service on a proposal for a new radio system. The proposal is for a Data Interoperability System called SAFE-T that encompasses the entire state. The system would allow the Highway department to speak directly to the LaGrange County Sheriff's Office on a dedicated talk group. The cost for the system is \$364,036.95. The County Council has approved funding for this purchase.

Mr. Kurt Bachman presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
ORDINANCE NO. 2023-07-01 A

AN ORDINANCE AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT FOR THE  
COUNTY HIGHWAY DEPARTMENT

WHEREAS, pursuant to Indiana Code ("IC") 5-22-4-5(a), the purchasing agency for a political subdivision is the person designated by law or by rule of the governmental body;

WHEREAS, pursuant to the Public Purchasing Rules Adoption Ordinance (Ord. 2024-01-16-A), the Board of Commissioners of the County of LaGrange, Indiana ("Commissioners") is the purchasing agent on behalf of LaGrange County, Indiana ("County");

WHEREAS, the LaGrange County Highway Department ("Department") has general charge of the repair and maintenance of those highways and bridges in the County's inventory;

WHEREAS, the Department needs a reliable communications system in which the Department personnel can interact with each other and other County first responders;

WHEREAS, the Commissioners desire to purchase on behalf of the Department ninety-one (91) 800mHx Motorola APX radios and ancillary equipment, along with installation, programming, and maintenance (collectively, "Radios") from Emergency Radio Service, LLC d/b/a ERS Wireless, an Indiana for-profit company (as stipulated, "ERS Wireless");

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WHEREAS, the quote part of the contract between the Commissioners and ERS Wireless (“Contract”) is attached hereto as Exhibit B and incorporated by reference;

WHEREAS, the Radios, including a one-year service component, cost Three Hundred Sixty-Four Thousand Thirty-Six and 95/100 Dollars (\$364,036.95, “Purchase Price”);

WHEREAS, pursuant to IC 5-22-7 and -9, a purchasing agent that desires to make a purchase of supplies over \$50,000 must create a related invitation of bids or proposals;

WHEREAS, pursuant to IC 5-22-10-1, notwithstanding IC 5-22-7 and -9, a purchasing agent of a unit may make a purchase, as authorized under that code chapter, without soliciting bids or proposals;

WHEREAS, pursuant to IC 5-22-10-8, a purchasing agent may make a special purchase when the compatibility of equipment is a substantial consideration in the purchase and only one (1) source meets the using agency’s reasonable requirements;

WHEREAS, ERS Wireless is the only authorized distributor, retailer, and repairer of the Radios in the County; *and*

WHEREAS, the Commissioners have determined that they are able to make the findings necessary to establish a special purchase under Indiana law.

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

SECTION I – RECITALS

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

SECTION II – PURCHASE OF RADIOS

- A. Findings. The Commissioners hereby adopt the Special Findings in Exhibit A concerning the purchase of the Radios. The exhibit is attached and incorporated by reference to this ordinance as if fully set out herein.
- B. Authorization. The Commissioners hereby approve and authorize the purchase of the Radios from ERS Wireless. The President and Highway Supervisor are hereby authorized to sign all documents necessary or helpful to implement the purchase of the Radios and related title transfers.
- C. Appropriation. Purchase of the Radios is subject to the appropriation of funds.
- D. Records. The Auditor shall maintain the contract records of the findings and purchase on file for five (5) years.
- E. Title. Title to the Radios shall be acquired in the name of LaGrange County.

SECTION III – 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).”

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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. 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.
- C. 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.
- D. 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.
- E. 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.
- F. Codification. As this ordinance concerns a one-time special purchase, the codifier of ordinances shall omit codification of this ordinance.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

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

**ORDINANCE ESTABLISHING THE ANTI-DISCRIMINATION EDUCATION AND COMPLIANCE FUND**

Mr. Kurt Bachman presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
ORDINANCE NO. 2024-07-01 B

AN ORDINANCE ESTABLISHING THE ANTI-DISCRIMINATION EDUCATION  
AND COMPLIANCE FUND

WHEREAS, pursuant to Indiana Code (“IC”) 36-1-3 (“Home Rule”), a unit in the State of Indiana has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute, and may exercise those powers to the extent that the power: (i) is not expressly denied by the Indiana Constitution or by statute; and (ii) is not expressly granted to another entity;

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 the County’s Anti-Discrimination Policy Adoption Ordinance, the County’s Anti-Discrimination Coordinator (“Coordinator”) ensures compliance with state and federal anti-discrimination law; *and*

WHEREAS, the Commissioners desire to reestablish the Anti-Discrimination Education and Compliance Fund as a Home Rule fund for the Coordinator’s use in executing his or her duties.

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

**SECTION I – NAME**

This ordinance shall be named the “Anti-Discrimination Education and Compliance Fund Ordinance,” or the “Fund Ordinance” where the context is obvious.

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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 – REESTABLISHMENT

- A. Definition. As used in this section, “Anti-Discrimination Ordinance” refers to the County’s Anti-Discrimination Policy Adoption Ordinance. The definitions contained in the Anti-Discrimination Ordinance apply also to this ordinance.
- B. Reestablishment. The Anti-Discrimination Education and Compliance Fund (“Fund”) is hereby reestablished as a special nonreverting fund, and it shall exist in perpetuity until terminated or repealed by subsequent ordinance.
- C. Purpose. The purpose of the Fund is to hold money that is appropriated by Council or for gifts made to the County pursuant to the Anti-Discrimination Ordinance.
- D. Appropriations. Money may be disbursed from the Fund only with a prior appropriation from the County Council.
- E. Restrictions. Money in the Fund shall be used only for research, training, education, and compliance purposes of state and federal anti-discrimination law including, but not limited to, all costs and expenses required or desired for ensuring compliance with state and federal anti-discrimination laws and educating public servants and citizens; provided, however, that if these purposes should conflict with any restrictions imposed upon any gift money received into the Fund, those restrictions shall control instead.
- F. Investment. All money in the Fund, and any interest earned on the money, shall be invested and reinvested pursuant to the County’s standard investment policies.
- G. Nonreverting. 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 Auditor and Anti-Discrimination Coordinator are hereby authorized 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 section.
- I. Termination. When the Fund is terminated, all money in the Fund shall be deposited into a suitable replacement fund with similar purposes to the Fund or, if no such fund should exist, into the General Fund except as otherwise required by applicable law.

SECTION IV – 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

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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 the same.
- 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. 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.
- F. 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.
- G. Effective Date. This ordinance shall take effect immediately upon the full repeal by the Commissioners and Council of Ordinance 2019-04-08.

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

**JOINT ORDINANCE ESTABLISHING ANTIDISCRIMINATION POLICIES FOR COUNTY PROGRAMS, ACTIVITIES, AND SERVICES, AND ESTABLISHING A DIVISION AND PROGRAM COORDINATOR**

Mr. Kurt Bachman presented the following Ordinance for consideration:

COUNTY OF LAGRANGE  
JOINT ORDINANCE NO. 2024-07-08 \_\_\_\_

A JOINT ORDINANCE ESTABLISHING ANTIDISCRIMINATION POLICIES FOR COUNTY PROGRAMS, ACTIVITIES, AND SERVICES, AND ESTABLISHING A DIVISION AND PROGRAM COORDINATOR.

WHEREAS, under 23 C.F.R. 1200, App. A, the Federal Highway Administration (“FHWA”) of the United States federal government requires compliance by all its funding recipients with all federal statutes and implementing regulations relating to nondiscrimination;

WHEREAS, the Indiana Department of Transportation (“INDOT”) is a recipient of funds controlled by the FHWA;

WHEREAS, the Board of Commissioners of the County of LaGrange (“Commissioners”) and the County Council of LaGrange County (“Council”), on behalf of LaGrange County, Indiana (“County”), often desire to become a subrecipient of FHWA funds through INDOT;

WHEREAS, pursuant to 23 C.F.R. 1200, App. A, as a subrecipient of FHWA funds, the County must ensure compliance with federal antidiscrimination law including, but not limited to:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), which prohibits discrimination on the basis of race, color, or national origin;
2. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-83 and 1685-86), which prohibits discrimination on the basis of sex;

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3. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990, as amended (42 U.S.C. 12101, *et seq.*) (“ADA”), which prohibits discrimination on the basis of disabilities;
4. the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-07), which prohibits discrimination on the basis of age;
5. the Civil Rights Restoration Act of 1987 (Pub.L. 100–259), which requires federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities;

WHEREAS, under Title III of the federal Civil Rights Act of 1964, the County may not discriminate in any of its public facilities on the basis of religion;

WHEREAS, pursuant to 28 C.F.R. 35.107, the County must designate at least one employee to coordinate its efforts to comply with and carry out its ADA responsibilities;

WHEREAS, pursuant to 28 C.F.R. 35.106-35.107, the County must adopt and publish a notice and grievance procedure providing for the prompt and equitable resolution of ADA complaints;

WHEREAS, pursuant to INDOT’s Title VI Technical Assistance Guide, the County must designate at least one employee to coordinate its efforts to comply with and carry out its Title VI responsibilities;

WHEREAS, as required by INDOT pursuant to 49 C.F.R. 21.7, the County, must give assurances that the County will fully comply with all Title VI requirements;

WHEREAS, to monitor compliance with state and federal anti-discrimination law, the County desires to establish anti-discrimination policies and to appoint a coordinator to ensure compliance in all County programs, activities, and services;

WHEREAS, pursuant to Indiana Code § 36-2-3.5-5, the Commissioners may establish new County departments, divisions, or agencies whenever necessary to promote efficient County government and to employ administrative personnel necessary to carry out its functions; *and*

WHEREAS, the Commissioners and Council have previously passed similar anti-discrimination legislation and desire to make updates and amendments.

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 “Anti-Discrimination Policy 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 – DEFINITIONS

- A. Meaning. Whenever the following terms are used in this ordinance, they shall have the meanings herein ascribed to them unless the context clearly indicates or requires otherwise.
  1. “ADA” refers to the Americans with Disabilities Act of 1990, as well as related federal statutes and regulations concerning disabilities.
  2. “Anti-Discrimination Coordinator” refers to the LaGrange County Anti-Discrimination Coordinator as more particularly described by this ordinance; provided, however, that to the extent that the Commissioners appoint two or more individuals to serve in this capacity with respect to separate ADA and Title VI Coordinator duties, the term shall be understood to refer only in that respective capacity to the subject matter at hand.

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3. "Division" refers to the Anti-Discrimination Compliance Division, as more particularly described by this ordinance.
  4. "Public servant" means any County employee, volunteer, officer, independent contractor, elected official, or appointed official to the extent that such person is acting on behalf of the County.
  5. "Services" means the facilities, programs, activities, or services of the County.
  6. "State and federal anti-discrimination law" means Indiana and federal anti-discrimination statutes and administrative regulations concerning ADA and Title VI.
  7. "Title VI" refers to Title VI of the Civil Rights Act of 1964, as well as related federal statutes and regulations concerning discrimination based on race, color, national origin, religion, sex, or age.
- B. Arbitrator. The Commissioners have final authority in deciding the meaning of these terms.

SECTION IV – PURPOSE

- A. Standards. The main purpose of this ordinance is to provide standards and guidance for public servants in their relations with the public, especially concerning the impact of state and federal anti-discrimination law thereon.
- B. Social Justice. In a more fundamental way, with this ordinance the Commissioners and Council desire to:
1. promote equality under the law;
  2. protect civil rights;
  3. prevent discrimination;
  4. ensure access to services;
  5. comply with legal obligations; *and*
  6. educate the public.

SECTION V – SCOPE

- A. Official Action. The scope of this ordinance is limited to the County's involvement with the public through its services.
- B. Personnel Rights. Notwithstanding anything in this ordinance to the contrary, nothing in this ordinance shall be construed to have any bearing on the relation of state and federal law to the rights of public servants in their employment, official, or other capacity; such rights are instead addressed in the *Personnel Policies Handbook* and other County policies.
- C. 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, defense, or limitation on liability that the County or such related parties is provided by applicable law.

SECTION VI – AMERICANS WITH DISABILITIES ACT

- A. Policy. The Commissioners and Council hereby establish the following policy to be the official County policy regarding the Americans with Disabilities Act of 1990 as well as related federal statutes and regulations:

In accordance with the requirements of the Americans with Disability Act of 1990, and all related statutes and regulations, as amended, LaGrange County, Indiana ("County") will not illegally discriminate against a qualified individual with a disability on the basis of such disability in its programs, activities, or services. The County further commits to identifying barriers that exist for individuals with disabilities and to eliminating those barriers so that they have an equal opportunity to participate in, obtain the same result in, or to reach the same level of achievement as provided to others. The County believes such accommodations will improve public service, effective governance, and its citizens' quality of life. Accordingly, upon request,

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the County will make reasonable efforts to provide auxiliary aids and services to facilitate effective communication for qualified individuals with disabilities. The County will further make modifications to its policies, programs, and procedures to ensure that qualified individuals with disabilities have an equal opportunity to participate in, and enjoy the benefits of, its programs, activities, and services. The County will not place a surcharge on an individual with a disability to cover the cost of its accommodations. The County is not required to take any action that would fundamentally alter the nature of its programs, services, or activities or impose an undue burden on the County.

- B. Design Standards. The Board of Commissioners of the County of LaGrange, Indiana hereby adopts the 2010 *Americans with Disabilities (ADA) Standards for Accessible Design*, and any subsequent required standards for accessible design. In addition, the Board of Commissioners of the County of LaGrange, Indiana hereby adopts the 2023 *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way*.

SECTION VII – TITLE VI

- A. Policy. The Commissioners and Council hereby establish the following policy to be the official County policy regarding Title VI of the Civil Rights Act of 1964, as well as related State and federal anti-discrimination law:

LaGrange County, Indiana (“County”) values the civil rights of every individual and desires to provide equal treatment for its citizens. As provided by Title VI of the Civil Rights Act of 1964, as amended, and all related statutes and regulations, it is the policy of the County that no person shall be excluded from participation in, denied benefits of, or subjected to illegal discrimination under any County program, activity, or service on the grounds of race, color, national origin, religion, sex, or age. The County makes assurances that every reasonable effort will be made to prevent illegal discrimination in all of its programs, activities, and services, whether or not those programs, activities, and services are federally funded and whether or not those programs are managed by the County directly, by its agents, or by its subrecipients of federal aid.

- B. Assurances. The Commissioners and Council hereby adopt the statement to be known as the “Assurance – Assurance by Lagrange County, Indiana of Compliance with Title VI of The Civil Rights Act of 1964 and Other Federal Regulations for Receiving Federal Financial Assistance from the U.S. Department of Transportation.”

SECTION VIII – COMPLIANCE REGULATIONS

- A. Prohibition. No person, on the basis of race, color, national origin, religion, sex, age, or disability, shall be illegally discriminated against, excluded from, or denied the benefits of County policies or services.
- B. Compliance. All public servants shall adhere to the provisions of this ordinance.
- C. Promulgation. A copy of the County’s anti-discrimination policies shall be distributed to each elected official and department head. Each department head shall post such policies in a prominent place where it can be observed by all public servants pertaining to the department and all members of the public using the services of that department.
- D. New Construction. All construction commenced by the County after January 26, 1993 shall be in conformance with ADA.
- E. Communications. All communications between the County and all disabled persons shall be as effective as communications with nondisabled persons.
- F. Consultants. The Commissioners shall employ such specialists, engineers, and consultants as may be necessary to meet the requirements of state and federal anti-discrimination law after application to the Council for the approval of appropriation of funds for that purpose.
- G. Certification. All public contractors doing business with the County shall certify compliance with the substantive parts of this ordinance.
- H. Questions. All comments, questions, and concerns related to this ordinance should be submitted in writing to the County’s Anti-Discrimination Coordinator.



SECTION IX – ANTI-DISCRIMINATION COMPLIANCE DIVISION

A. Division Establishment.

1. An Anti-Discrimination Compliance Division is hereby established as a division of the LaGrange County Human Resources Department to ensure compliance with, and to improve education of, state and federal anti-discrimination law.
2. By motion, the Commissioners may assign the Division to another Department from time to time to assist with its Coordinators' other job duties.

B. Coordinator Position.

1. The position of Anti-Discrimination Coordinator is hereby created to oversee the Division and the provisions of this ordinance.
2. The Commissioners may appoint any employee as Anti-Discrimination Coordinator, who shall serve in that capacity at the pleasure of the Commissioners and may have other regular or partial employment with the County.
3. The Commissioners may separate the Anti-Discrimination Coordinator position into separate ADA and Title VI Coordinators and assign their respective duties to different public servants.

C. Delegation of Powers.

1. The Commissioners hereby authorize and direct the Anti-Discrimination Coordinator to take all action necessary and proper to administer this ordinance, subject to applicable law.
2. The Anti-Discrimination Coordinator may delegate any power and/or duty under this ordinance or other state and federal anti-discrimination law to another public servant, as appropriate, while retaining ultimate responsibility therefor.

D. Coordinator Duties. The Anti-Discrimination Coordinator shall:

1. cooperate with and provide guidance to the Commissioners as to the effect of state and federal anti-discrimination law on County Services;
2. review, develop, and publish ongoing ADA and Title VI compliance plans and assurances, as necessary, so as to ensure compliance of County services with state and federal anti-discrimination law;
3. inspect and evaluate County buildings and facilities for identifiable barriers to determine ADA compliance or remediation goals;
4. offer auxiliary aides and services upon request, as appropriate;
5. develop grievance procedures for the prompt processing and disposition of complaints of illegal discrimination;
6. develop information about state and federal anti-discrimination law for dissemination to the general public, especially on the County's web site;
7. develop procedures for the collection of statistical data regarding participants and beneficiaries of County services;

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8. conduct training programs on compliance with state and federal anti-discrimination law for the County's public servants and other agents;
  9. monitor, jointly with legal counsel, County grants, contracts, subrecipient agreements, services, and accommodations for compliance with state and federal anti-discrimination law;
  10. investigate alleged or suspected violations of state and federal anti-discrimination law within the County;
  11. establish procedures for promptly resolving continued or ongoing violations of state and federal anti-discrimination law;
  12. prepare all compliance reports, as required by law;
  13. preserve all County records related to compliance with state and federal anti-discrimination law;
  14. ensure meaningful access to services by persons with "Limited English Proficiency," to the extent required by law;
  15. coordinate with federal, state, and other regulatory entities having jurisdiction in the County with regard to compliance with state and federal anti-discrimination law;
  16. maintain appropriate levels of continuing education related to compliance with state and federal anti-discrimination law;
  17. seek out appropriate funding sources related to compliance with state and federal anti-discrimination law, such as grant requests and/or donations;
  18. make recommendations on the Division's budget and appropriations relating to compliance with state and federal anti-discrimination law, as appropriate; *and*
  19. deposit all program-related gifts received into the Anti-Discrimination Education and Compliance Fund;
- provided, however, that nothing in this section shall be construed to give the Anti-Discrimination Coordinator the power or duty to investigate County personnel files.

SECTION X – NOTICE STATEMENT

To inform the public about the availability of information regarding the provisions of federal civil rights laws and the County's anti-discrimination policies as they relate to County Services for the public, those public servants who are tasked with creating meeting agenda shall place the County's Anti-Discrimination Notice Statement on the agenda for the respective meetings of the various boards, committees, and agencies of the County.

SECTION XI – DOCUMENTATION

- A. Incorporation. The latest versions of the following documents developed by the Anti-Discrimination Coordinator are hereby continually adopted and incorporated by reference:
  1. the Anti-Discrimination Notice Statement;
  2. the ADA Self-Evaluation and/or Transition Plan;
  3. the ADA Grievance Procedure (included in ADA Plan);
  4. the Title VI Implementation Plan;
  5. the Title VI Grievance Procedure (included in Title VI Plan); *and*
  6. the Title VI Assurances.
- B. Publication. The Anti-Discrimination Coordinator shall publish the documents listed in this section in all appropriate locations in the County, including the County website.
- C. Inspection. The Anti-Discrimination Coordinator shall provide the Auditor with two (2) copies of each document in this section for the Auditor to keep on file for public inspection.

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SECTION XII – REPEAL OF PRIOR LAW

- A. Repeal. Ordinance 2019-04-08, which was adopted on April 8, 2019, is hereby repealed in its entirety.
- B. Restatement. 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 the continuation of the original provisions.
- C. Continuance. 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.
- D. Rulemaking. All rules and regulations adopted under any continued version of this ordinance shall remain in full force and effect except as specifically directed otherwise.
- E. 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 XIII – 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. 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.
- C. 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.
- D. 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.
- E. Promulgation. The Auditor, Anti-Discrimination Coordinator, and President of the Commissioners are hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- F. Codification. To the extent a substantive change in meaning does not result, the codifier of ordinances may omit the Name, Recitals, Repeals, 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.
- G. Effective Date. This ordinance shall take effect immediately upon final adoption.

**JULY 1, 2024**

**REGULAR SESSION**

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

**THE ARC OF LAGRANGE COUNTY – 2025 BUDGET REQUEST**

Mrs. Debra Seman, Chief Executive Officer of The ARC of LaGrange County, presented the 2025 budget request of \$185,400.

**THE ARC OF LAGRANGE COUNTY – ARPA FUNDING REQUEST**

Mrs. Debra Seman, Chief Executive Officer of The ARC of LaGrange County, explained that they are in need of another transportation vehicle. She is requesting ARPA funds to use as a match for the purchase of a new van and two vehicles. Mr. Kevin Myers made a motion to give a positive recommendation to the County Council for the funding. Mr. Terry Martin seconded the motion and it carried unanimously.

**SHERIFF – SALE OF VEHICLES**

Mr. Tracy Harker, County Sheriff, requested permission to sell two 2017 Dodge Chargers. Mr. Terry Martin made a motion to approve the sale of the vehicles. Mr. Kevin Myers seconded the motion and it carried unanimously.

**SHERIFF – AGREEMENT WITH EMERGENCY RADIO SERVICE**

Mr. Tracy Harker, County Sheriff, presented an annual maintenance agreement with Emergency Radio Service for the paging system. The cost is \$18,480 per year. There are funds available in the LIT Public Safety fund. Mr. Kevin Myers made a motion to approve the agreement and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**SHERIFF - FUNDRAISER REQUEST**

Mr. Tracy Harker, County Sheriff, requested permission to hold the annual honor ride fundraiser this year in August. Mr. Terry Martin made a motion to approve the request. Mr. Kevin Myers seconded the motion and it carried unanimously.

**ARK ANIMAL SANCTUARY – MARY JANE ECKER IRREVOCABLE TRUST EXPENSE**

Mrs. Kathryn Hopper, County Auditor, presented bills from King Veterinary Clinic, LaGrange Veterinary, Ligonier Animal Clinic, Kendallville Animal Clinic, Pokagon Veterinary Hospital, and Animal Care Clinic of Topeka, in the amount of \$29,959.14. 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, subject to them providing sufficient documentation. Mr. Terry Martin seconded the motion and it carried unanimously.

**PROSECUTOR – CHILD SUPPORT PORTAL**

Ms. Aimee Whitley, Prosecutor Child Support Administrator, was present. She explained that they would like to use SBS Portals to work in conjunction with their document storage system, Docuware. This would be used to correspond with program participants. It is an online system that will allow participants to enroll in the program, ask questions, and submit information. The cost is \$1,500 and would be paid out of the Prosecutors IV-D Incentive fund. Mr. Kevin Myers made a motion to approve the proposal and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**PARKS – NEW ROOF AT DALLAS LAKE OFFICE AND MAINTENANCE BUILDING**

Mrs. Mary Franke, Park Director, submitted a quote for a new roof at the Dallas Lake Office and Maintenance Building, from Michiana Builders LLC in the amount of \$29,119.99. Mr. Kevin Myers made a motion to approve the quote and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

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**PARKS – PURCHASE OF GAS FIRE LOG FOR THE DALLAS LAKE LODGE**

Mrs. Mary Franke, Park Director, submitted a quote for a gas fire log for the Dallas Lake Lodge. The quote is from Otto Stove & Fireplace, in the amount of \$2,943. Mr. Kevin Myers made a motion to approve the quote and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**HEALTH DEPARTMENT – PURCHASE OF GENERATOR**

Dr. Alfredo Garcia, Health Administrator, requested approval to purchase a new generator for the Health Department. This would replace the old back-up power generator with a new generator to back up the entire building. The quote is from J.O. Mory Inc., in the amount of \$35,400. There is money in place for this purchase. Mr. Kevin Myers made a motion to approve the purchase. Mr. Terry Martin seconded the motion and it carried unanimously.

**CLERK – REQUEST OF HAVE MARRIAGE RECORDS SCANNED**

Mrs. Kimberley Johnson, County Clerk, explained that in April she requested approval to have some of the marriage license record books scanned, for \$6,933. The actual cost of the scanning is \$7,639.25. She is requesting permission to pay the actual invoice. Mr. Kevin Myers made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

**CLERK – PROPOSAL FOR COUNTY CLERK PORTAL**

Mrs. Kimberley Johnson, County Clerk, explained that in June she presented a proposal from SBS Portals for a County Clerk Portal. The cost is \$2,500 initially, and \$450 per month for on-going updates and support. She presented the addendum to the proposal for signature. Mr. Kevin Myers made a motion approve the addendum and to authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**ECONOMIC DEVELOPMENT CORPORATION – ARPA FUNDING REQUEST**

Mrs. Sherri Johnston, LaGrange County Economic Development Corporation Chief Executive Officer, and Ms. Sonya Nash, LaGrange County Convention & Visitors Bureau Executive Director, were present. They presented a proposal from National Travel Center to complete the project that will deliver economic development to LaGrange County. The first phase was for an agricultural heritage trail and was funded by the LaGrange County Visitors Bureau. The second phase of the project is to complete the trail and render a Byway plan and application ready to be considered by INDOT. The additional funding needed is \$33,000 and they are requesting ARPA funds for that. and make it ready for visitors. Mr. Kevin Myers made a motion to give a positive recommendation to the County Council for the funding. Mr. Terry Martin 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. Terry Martin seconded the motion and it carried unanimously.

**MINUTES**

Mr. Kevin Myers made a motion to approve the minutes of the June 17, 2024 regular session meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

**MEMORANDUM**

Mr. Kevin Myers made a motion to approve the memorandum for the June 26, 2024 staff meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

**JULY 1, 2024**

**REGULAR SESSION**

**CORRESPONDENCE**

Indiana Department of Environmental Management – Notice of Approval, Keystone Recreational Vehicle Company Plant 320, 0965 N CR 1150 W. Middlebury, IN 46540, Permit 087-47939-00062  
Number 087-47711-00052

**ADJOURNMENT**

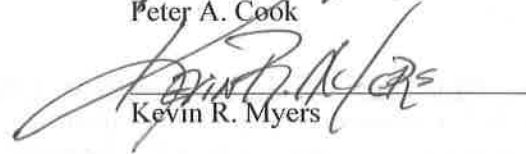
There being nothing further to come before the Board at this time, Mr. Kevin Myers made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Terry Martin seconded the motion and it carried unanimously.

Absent

Terry A. Martin



Peter A. Cook



Kevin R. Myers

ATTEST:



Kathryn Hopper

LaGrange County Auditor