

**AUGUST 10, 2020**

**REGULAR SESSION**

The LaGrange County Council met in Regular Session on Monday, August 10, 2020 at their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana 46761, at 8:50 a.m., with the following present: Council Members, Charles F. Ashcraft, Jeffrey L. Brill, Peter A. Cook, Harold D. Gingerich, Steven E. McKowen, Ryan J. Riegsecker, and Michael G. Strawser; and LaGrange County Auditor, Kathryn Hopper. Mr. Peter Cook brought the meeting to order and lead the reciting of the Pledge of Allegiance to the Flag.

**2021 PROPOSED BUDGETS**

The following proposed 2021 budgets were presented to the Council:

Weights and Measures – Stephen Scharf

Commissioners, Cumulative Capital Development, Major Moves, Riverboat, Rainy Day Fund, LOIT

Distribution Lambright Property, Rogers Trust, Duff Trust, 2020 Salary Recommendations,

Gifts to Animal Shelter – Larry Miller

Parks and Recreation, Parks Nonreverting – Dr. John Egli

Superior Court, Probation, Jury Pay, Superior Court User Fees – Judge Lisa Bowen-Slaven

Circuit Court, Adult & Juvenile Probation, Home Detention, Jury Pay, Circuit Court User Fees –

Judge Bill Walz

Highway, Cumulative Bridge, Local Road & Street, Landfill – Ben Parish

Clerk, Election, Voter Registration, Clerk's Records Perpetuation, Clerk's IV-D – Bonnie Brown

Sheriff – Jeff Campos

Surveyor, Drainage Board, Section Corner Perpetuation – Zachary Holsinger

Plan Commission – Robbie Miller

Soil & Water Conservation District – Martin Franke

Assessor – Pat Monroe

Building, Contractor Registration – Jason Boggs

Prosecutor; Prosecutor IV-D, Infraction Deferral, Pretrial Diversion, Prosecutor IV-D Incentive, Victim's

Assistance Grant – Greg Kenner

Health, Local Health Maintenance, Immunization Donation – Dr. Alfredo Garcia

Courthouse Maintenance – Gary Mast

Recorder, Recorder's Records Perpetuation, County Identification Security – Jennifer McBride

Council – Peter Cook

Extension – Jamesi Lemon

Treasurer – Jamesi Lemon

EDIT, Public Defender Board, Convention, Visitors, & Recreation – Charles Ashcraft

Coroner – Kenneth Myers

Auditor, Non Motor Vehicle, Ineligible Deduction Fund, Plat Book, User Fee – Kathy Hopper

**LOCAL INCOME TAX – TOWNSHIPS**

Mr. Peter Cook 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. 2020-08-10

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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-Eight Thousand Three Hundred Seventy Seven and 30/100 Dollars (\$88,377.30) available and allocated from expenditure rate tax revenue generated during 2020 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, ten of the eleven townships within the County have affirmed that either they, or a fire department within their respective jurisdictions, provide fire protection;

WHEREAS, ten of the eleven townships within the County have made application for expenditure rate tax revenues on or before July 1, 2020; *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-Eight Thousand Three Hundred Seventy-Seven and 30/100 Dollars (88,377.30) allocated from expenditure rate tax revenue:
  1. The allocated amount shall be divided into two parts.
  2. The first amount of \$45,454.50 allocated shall be divided evenly among each eligible township.
  3. The second amount of \$42,922.80 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 \$8,964.66;

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2. Clay Township is entitled to a distribution in the amount of \$9,763.78;
  3. Clearspring Township is entitled to a distribution in the amount of \$10,029.12;
  4. Eden Township is entitled to a distribution in the amount of \$10,325.49;
  5. Greenfield Township is entitled to a distribution in the amount of \$6,525.40;
  6. Johnson Township is entitled to a distribution in the amount of \$9,081.03;
  7. Lima Township is entitled to a distribution in the amount of \$8,435.53;
  8. Milford Township is entitled to a distribution in the amount of \$8,995.69;
  9. Newbury Township did not apply;
  10. Springfield Township is entitled to a distribution in the amount of \$6,374.89; *and*
  11. Van Buren Township is entitled to a distribution in the amount of \$9,881.71.
- E. The projected distributions in the respective amounts provided in Subsection (D) are hereby approved, to be distributed in the following calendar year.
- F. Each township that accepts a distribution pursuant to this ordinance shall use the money only for fire protection and/or emergency medical services.
- G. The Auditor and Treasurer are hereby authorized to take all necessary action and sign all necessary documents to effect the distribution.
- H. 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.

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Mr. Mike Strawser made a motion to approve the Resolution. Mr. Steve McKowen seconded the motion and it carried unanimously. Mr. Harold Gingerich made a motion to waive the requirement for second reading. Mr. Mike Strawser seconded the motion and it carried unanimously.

**LAGRANGE COUNTY PUBLIC LIBRARY – DECLARATION OF FISCAL BODY**

Mr. Harold Gingerich made a motion to acknowledge that the LaGrange County Council is the fiscal body responsible for binding review and approval of the library’s budget when the condition exist that require such binding review. Mr. Charles Ashcraft seconded the motion and it carried unanimously.

**REVIEW OF PROPERTY TAX LEVY LIMITS**

The County Council reviewed the 2021 estimated property tax levy limits and the estimated reductions due to circuit breakers for each taxing district in LaGrange County. Mr. Mike Strawser made a motion that all taxing units stay within their maximum levy limits for the budget year 2021 as set by the Department of Local Government Finance. Mr. Harold Gingerich seconded the motion and it carried unanimously.

**WAGE RECOMMENDATION**

Mr. Larry Miller, County Commissioner, reported that the Commissioners are recommending freezing wages, unless the 2021 budget supports a wage increase.

**RESOLUTION TO TRANSFER FUNDS**

Mr. Peter Cook 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 2020.

	<u>DECREASE</u>	<u>INCREASE</u>
<u>COUNTY GENERAL - CLERK</u>		
1000-001-02-2010 Office Supplies	165.10	
1000-001-01-1510 Extra Hours / Overtime		165.10
<u>COUNTY GENERAL - EXTENSION</u>		
1000-023-01-1008 Hourly clerical	107.20	
1000-023-01-1510 Extra hours / overtime		107.20
<u>COUNTY GENERAL - COMMUNICATIONS</u>		
<u>1000-038-01-1002 Dispatch Supervisor</u>	10,000.00	
<u>1000-038-01-1510 Extra Hours / Overtime</u>		10,000.00
<u>COUNTY GENERAL – EMERGENCY MANAGEMENT</u>		
1000-041-01-1001 Director	10,000.00	
1000-041-01-1022 Part Time EMA Director		10,000.00
<u>LIT- ECONOMIC DEVELOPMENT</u>		
1112-000-01-1522 Health Insurance	45,000.00	
1112-000-04-4016 2020 Annex remodel – 2 <sup>nd</sup> floor		45,000.00

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MOTOR VEHICLE HIGHWAY

1176-003-03-3011 Radio Equipment Service	5,000.00	
1176-003-04-4034 Radio Equipment		5,000.00

Mr. Harold Gingerich made a motion to approve the Resolution. Mr. Mike Strawser seconded the motion and it carried unanimously.

ADDITIONAL APPROPRIATIONS

Mr. Peter Cook presented the following Ordinance of Additional Appropriations:

**ORDINANCE OF ADDITIONAL APPROPRIATIONS**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget, now THEREFORE:

Sec 1: Be it ordained by the LaGrange County Council, LaGrange, Indiana, that for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named for the purposes herein specified, subject to the laws governing the same.

	<u>REQUESTED AMOUNT</u>
<u>PARK &amp; RECREATION</u>	
1219-000-02-2035 Repair Building & Equip	2,078.50
1219-000-03-3045 Building Repairs	1,500.00
<u>LAMBRIGHT PROPERTY</u>	
4951-000-03-3051 Cost study – farm drive	5,000.00
4951-000-02-2022 Repair & Maintenance Supplies	2,500.00

Mr. Charles Ashcraft made a motion to approve the Ordinance. Mr. Ryan Riegsecker seconded the motion and it carried unanimously. Mr. Mike Strawser made a motion to waive the requirement for second reading. Mr. Harold Gingerich seconded the motion and it carried unanimously.

LEGAL CLAIMS

Mr. Harold Gingerich presented the June 2020 legal claims in the amount of \$18,537.50 from Beers, Mallers, Backs & Salin. Mr. Harold Gingerich made a motion to approve. Mr. Steve McKowen seconded the motion and it carried unanimously.

MINUTES

Mr. Ryan Riegsecker made a motion to approve the July 13, 2020 regular session minutes. Mr. Mike Strawser seconded the motion and it carried unanimously.

ADJOURNMENT

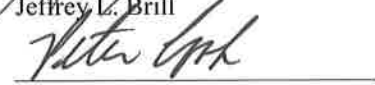
There being nothing further to come before the Board at this time, Mr. Steve McKowen made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Peter Cook seconded the motion and it carried unanimously.

  
Charles F. Ashcraft

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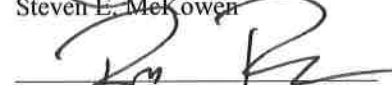
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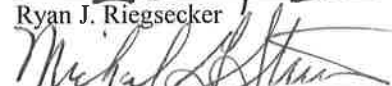
  
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Jeffrey L. Brill

  
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Peter A. Cook

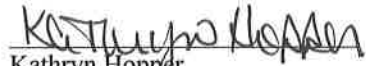
  
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Harold D. Gingerich

  
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Steven E. McKowen

  
\_\_\_\_\_  
Ryan J. Riegsecker

  
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Michael G. Strawser

ATTEST:

  
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Kathryn Hopper  
LaGrange County Auditor