

FEBRUARY 18 2019

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, February 18, 2019, 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. Larry N. Miller, Mr. Terry A. Martin, and Mr. Dennis H. Kratz; and LaGrange County Auditor, Kathryn Hopper. Mr. Larry Miller, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Terry Martin made a motion to adopt the proposed agenda with flexibility. Mr. Dennis Kratz seconded the motion and it carried unanimously.

EXECUTIVE SESSION

Mr. Terry Martin made a motion to set March 4, 2019 at 2:30 p.m. for an executive session to discuss litigation and personnel Mr. Dennis Kratz seconded the motion and it carried unanimously.

THE MASTER’S TOUCH CONTRACT – FORM 11

Mr. Kurt Bachman, County Attorney, informed the Commissioners his office has reviewed the contract with The Masters Touch, LLC for the Form 11’s. Mr. Terry Martin made a motion to accept the contract with The Master’s Touch LLC. Mr. Dennis Kratz seconded the motion and it carried unanimously.

COUNCIL ON AGING – PURCHASE AGREEMENT

Mrs. Cheri Perkins, Council on Aging Executive Director, presented a purchase agreement for two vans for the Council on Aging. Mr. Dennis Kratz made a motion to approve the agreement and have the president sign. Mr. Terry Martin seconded the motion and it carried unanimously.

LEAVE OF ABSENCE REQUEST

Mrs. Jacki Medford, Payroll Deputy, presented a leave of absence request for an employee for a health condition. The employee has exhausted the Family Medical Leave Act and will not be eligible for more leave until July 17, 2019. Mr. Terry Martin made a motion to approve up to six weeks of unpaid leave for the employee. Mr. Dennis Kratz seconded the motion and it carried unanimously.

TAKE HOME VEHICLE – MAINTENANCE

Mr. Gary Mast, Maintenance Director, requested permission to take a County vehicle home during the winter months. Mr. Terry Martin made a motion to approve a take home vehicle between the months of November 1 and March 31, as needed. Mr. Dennis Kratz seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT PERFORMANCE GRANT – SALARIES

Mr. Don Wismer, Emergency Management Agency Director, requested permission to apply for the performance grant for 2018 salary reimbursement. Mr. Terry Martin made a motion to approve applying for the grant. Mr. Dennis Kratz seconded the motion and it carried unanimously.

SHERIFF – PURCHASE REQUEST

Mr. Jeff Campos, County Sheriff, requested permission to purchase a new Identification/badge machine in the amount of \$1,600.00. He has money in his budget for the purchase. Mr. Terry Martin made a motion to approve the purchase. Mr. Dennis Kratz seconded the motion and it carried unanimously.

HIGHWAY – SALE OF TRUCKS

Mr. Randy VanWagner, Highway Superintendent, reported that he has 5 trucks that he would like to sell on March 29, 2019 at auction. Also to be sold are a 1999 Chevy pickup truck from the Maintenance Department and a 2009 Dodge Charger from the Plan Department. Mr. Dennis Kratz made a motion to sell the vehicles at auction. Mr. Terry Martin seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY – PURCHASE REQUEST

Mr. Bob Murphy, Information Technology Director, requested permission to purchase 4 Canon copy machines and 5 Canon printers for a total cost of \$32,050.00. Mr. Dennis Kratz made a motion to approve. Mr. Terry Martin seconded the motion and it carried unanimously.

AMENDMENT TO THE ZONING ORDINANCE

Mrs. Robbie Miller, Planning and Zoning Administrator presented the following Ordinance:

AMENDMENT NO. 2019-02-18A
TO
THE ZONING ORDINANCE

AN ORDINANCE AMENDING THE ZONING ORDINANCE PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAGRANGE COUNTY, INDIANA ON THE 17TH DAY OF NOVEMBER, 2005, AS AMENDED, FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES PERMITTED ON REAL ESTATE DESCRIBED IN THIS ORDINANCE FROM AN A-1 DISTRICT TO AN I-2 DISTRICT.

BE IT ORDAINED by the LaGrange County Commissioners, LaGrange, Indiana, that the Zoning Ordinance passed and adopted by the Board of Commissioners of LaGrange County, Indiana, on the 17th day of November, 2005, as amended, be hereby and further amended as follows:

1. That the zoning map for the following described real estate located at 2165 W Lake St, Topeka, more fully described below hereto, be rezoned and changed from a A-1 District to an I-2 District.

LEGAL DESCRIPTION

LAND DESCRIPTION:

Part of the Northwest Quarter of Section 35, Township 36 North, Range 8 East, Second Principal Meridian, Eden Township, LaGrange County, more particularly described as follows:

Commencing at a Harrison Monument at the Northeast corner of said Northwest Quarter of Section 35; thence South 89 degrees 40 minutes 18 seconds West (Record Bearing Helmuth/Bontrager Industrial Park Subdivision Plat Book 30 Page 25), a distance of 1327.03 feet to a point; thence South 00 degrees 05 minutes 42 seconds West, a distance of 25.00 feet to a rebar capped (Justice) at the Northeast corner of Lot Numbered 2 in said Helmuth/Bontrager Industrial Park Subdivision and being the POINT OF BEGINNING of this description; thence continuing South 00 degrees 05 minutes 42 seconds West, along the East line of said Lot Number 2 in Helmuth/Bontrager Industrial Park Subdivision and its extension, a distance of 1274.68 feet to a rebar capped (Justice); thence North 89 degrees 49 minutes 41 seconds East, along the North line of the abandoned Wabash Railroad, a distance of 387.32 feet to an iron rebar capped (DORIOT); thence North 00 degrees 06 minutes 14 seconds East, a distance of 957.28 feet to an iron rebar capped (DORIOT); thence South 89 degrees 57 minutes 59 seconds West, a distance of 187.47 feet to an iron rebar capped (DORIOT); thence North 00 degrees 05 minutes 42 seconds East, a distance of 317.50 feet to an iron rebar capped (DORIOT); thence South 89 degrees 40 minutes 18 seconds West, along the South right-of-way of County Road 700 South, a distance of 200.01 feet to the POINT OF BEGINNING; said above described tract contains 10.00 acres more or less. Subject to all easements, restrictions, public highways and right of ways of record.

Following a public hearing, the LaGrange County Plan Commission, on February 4, 2019, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Mr. Dennis Kratz made a motion to approve the rezone. Mr. Terry Martin seconded the motion and it carried unanimously. Mr. Dennis Kratz made a motion to waive the requirement for second reading. Mr. Terry Martin seconded the motion and it carried unanimously.

AMENDMENT TO THE ZONING ORDINANCE

Mrs. Robbie Miller, Planning and Zoning Administrator presented the following Ordinance:

**AMENDMENT NO. 2019-02-18B
TO
THE ZONING ORDINANCE**

AN ORDINANCE AMENDING THE ZONING ORDINANCE PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAGRANGE COUNTY, INDIANA ON THE 17TH DAY OF NOVEMBER, 2005, AS AMENDED, FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES PERMITTED ON REAL ESTATE DESCRIBED IN THIS ORDINANCE FROM AN B-3 DISTRICT TO AN I-1 DISTRICT.

BE IT ORDAINED by the LaGrange County Commissioners, LaGrange, Indiana, that the Zoning Ordinance passed and adopted by the Board of Commissioners of LaGrange County, Indiana, on the 17th day of November, 2005, as amended, be hereby and further amended as follows:

1. That the zoning map for the following described real estate located at 1,600' East of CR 1000 W, South side of US 20, Shipshewana, more fully described below hereto, be rezoned and changed from a B-3 District to an I-1 District.

LEGAL DESCRIPTION

LAND DESCRIPTION:

A tract of land located in the Northwest Quarter of the Section 21, Township 37 North, Range 8 East, LaGrange County, the State of Indiana. more fully described as follows:

Commencing at the Northeast corner of said Northwest quarter. marked by a Harrison marker found this survey: thence West (record). along the North line of said Northwest quarter, 817.26 feet to a mag nail set at the Northwest corner of a tract of land conveyed to Marlin E. Eash, Trustee and Doris A. Eash, Trustee of the Eash Family Revocable Living Trust, per LaGrange County Document No. 15080404 and being the point of beginning of this description: thence continuing West, along the North line of said Northwest quarter, 251.78 feet to a mag nail set:

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thence South, 50 feet. more or less. to the center of the Amos Hostetler open regulated drain: thence along aforesaid open regulated drain for the following two bearings and lengths: thence S 48 degrees 15' 34" W 333 feet, more or less: thence S 13 degrees 45' 07" W.227 feet. more or less, to the center of the Haarer open regulated drain: thence S 87 degrees 49' 18" E, along said center of Haarer open regulated drain. 553 feet. more or less. to the West line of said Eash Family Revocable Living Trust: thence N 00 degrees 08' 28" E, parallel with the East line of said Northwest quarter and along the west line of aforesaid tract. 35 feet more or less. to a rebar set: thence continuing N 00 degrees 08' 28" E. 478.00 feet to the point of beginning, said tract containing 5.00 acres. more or less.

Subject to current real estate taxes, and all subsequent taxes. Also subject to all conditions, easements, limitations, restrictions and covenants of record, and to all visible easements not of record.

Following a public hearing, the LaGrange County Plan Commission, on February 4, 2019, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Mr. Terry Martin made a motion to approve the rezone. Mr. Dennis Kratz seconded the motion and it carried unanimously. Mr. Terry Martin made a motion to waive the requirement for second reading. Mr. Dennis Kratz seconded the motion and it carried unanimously.

SUBDIVISION PLATS

The following subdivision plats were presented for approval:

First Addition to Calvin's Clearspring Acres

There are is lot in this subdivision, in Clearspring Township, located at 1460 W 550 S, Wolcottville. Section 23, Township 36N, Range 9E. The owners are Calvin and Karen Lambright. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

Owen's Acres

There are is lot in this subdivision, in Bloomfield Township, located at 2230 N 600 E, LaGrange. Section 12, Township 37N, Range 10E. The owners are Wilbur and Dena Schrock. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

CONFLICT OF INTEREST STATEMENT DISCLOSURE STATEMENT

Mrs. Kathryn Hopper, County Auditor, presented a Uniform Conflict of Interest Disclosure Statement from Steven McKowen. Mr. Terry Martin made a motion to accept. Mr. Dennis Kratz seconded the motion and it carried unanimously.

COUNTY ANNUAL FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the 2018 County Annual Financial Report. Mr. Terry Martin made a motion to approve the report. Mr. Dennis Kratz seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Dennis Kratz made a motion to approve the vouchers. Mr. Terry Martin seconded the motion and it carried unanimously.

MINUTES

Mr. Terry Martin made a motion to approve the minutes of the February 4, 2019 meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Terry Martin made a motion to approve the memorandum for the February 13, 2019 meeting and the January 25, 2019 Executive session. Mr. Dennis Kratz seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – January 2019 report

Notice of Public Hearing – John Berghoff/ HBarneyberg, LLC, application for a 19' lakeside setback to replace an existing shed.

Indiana Department of Environmental Management – August 2018 Groundwater Monitoring Report, LaGrange County Landfill

Indiana Department of Environmental Management – Notice of Approval, Shipshe Trailer, Initial Permit, 087-40822-00677

US Army Corps of Engineers – Joint Public Notice – Poindexter Excavation – To develop the site for commercial and industrial use, unnamed tributary to Clarkes Creek, Plainfield, Hendricks County, Indiana

ADJOURNMENT

There being nothing further to come before the Board at this time, Mr. Dennis Kratz 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.

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Larry N. Miller

Terry A. Martin

Dennis H. Kratz

ATTEST:

Kathryn Hopper
LaGrange County Auditor