

JANUARY 17, 2017

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Tuesday, January 17, 2017, 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, Kay M. Myers. Mr. Larry Miller called the meeting to order and led those present 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.

SUBDIVISION PLATS

The following subdivision plats were presented for approval:

Replat L.J. Hostetler Subdivision

There is one lot in this subdivision, in Johnson Township, located at 4235 W 700 S, Wolcottville, Indiana. Section 26, Township 36N, Range 10E. The owners are Floyd and Ellen Troyer. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

Lambright's Newbury Acres

There is one lot in this subdivision, in Newbury Township, located at 1910 N 1150 W, Middlebury, Indiana. Section 7, Township 37N, Range 8E. The owners are Lonnie and Leetta Lambright. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

SALE OF PROPERTY – 109 E. CENTRAL AVENUE, LAGRANGE, INDIANA

Mr. Kurt Bachman, County Attorney, presented and amended and restated resolution for the disposal of the property located at 109 E. Central Avenue, LaGrange. The Resolution needs to be restated due to the change in the name of the supporting organization. The building currently houses the LaGrange County Community Foundation and they will be purchasing the building for \$1.00. Mrs. Kay Myers, County Auditor, reported that the Community Foundation, CANI, and Habitat for Humanity have not paid rent for January. Mr. Terry Martin made a motion to waive the rent for January. Mr. Dennis Kratz seconded the motion and it carried unanimously. The following Resolution was presented:

COUNTY OF LAGRANGE
AMENDED AND RESTATED RESOLUTION NO. 2017-01-17

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA REGARDING THE DISPOSAL OF CERTAIN REAL ESTATE OWNED BY THE COUNTY OF LAGRANGE, INDIANA

WHEREAS, the County of LaGrange, Indiana (the "County"), through its elected Board of Commissioners ("Commissioners"), has authority to dispose of its interest in real estate under Indiana Code §36-1-4-6; and

WHEREAS, the County is the owner of the following described real estate, to wit:

TRACT 1:

Lot 2 and the East 40.5 feet of the West 50.5 feet of Lot 1 in the Plat of the Southeast Quarter of the Southwest Quarter of Section 19, Township 37 North, Range 10 East, as recorded in Plat Book 1, page 2, in the records of LaGrange County.

Also, the right to use the driveway as now located across the East portion of Lot 1 in said plat of the Southeast Quarter of the Southwest Quarter.

TRACT 2:

A part of the North one-half of Lot Three (3) and the West 10 feet of Lot One (1) out of the Southeast Quarter of the Southwest Quarter of Section Nineteen (19), Township Thirty-seven (37) North, Range Ten (10) East, as recorded in Plat Book 1, page 2, of the records of LaGrange County, Indiana, described as follows: Commencing at the Northwest corner of said Lot One (1), thence East (assumed bearing) 10.00 feet along the North line of said lot to an iron pin; thence South 0 degrees 09'00" East 72.00 feet, parallel with the West line of Lot One (1) to an iron pin; thence West 10.00 feet to the East line of Lot Three (3); thence South 0 degrees 09'00" East, 22.80 feet along said East line to the South line of the North one-half of said Lot Three (3); thence West 34.80 feet along said South line to an iron pin; thence North 0 degrees 50' and 00" East 31.20 feet to an iron pin; thence North 87 degrees 33' and 00" West 13.05 feet to an iron pin; thence North 0 degrees 02'00" West, 63.05 feet to the North line of said Lot Three (3); thence East 47.15 feet along said North line to the point of beginning.

(the "Real Estate"); and

WHEREAS, the Commissioners have determined that it is in the best interest of the County to dispose of said Real Estate; and

WHEREAS, the Commissioners previously adopted Resolution No. 2016-12-05A approving the disposal of the Real Estate by the County to the LaGrange County Community Foundation, Inc. (the "Community Foundation"), an Indiana not-for-profit corporation organized and existing under the laws of the State of Indiana for educational, literary, scientific, religious, or charitable purposes and that is exempt from federal income taxation under Section 501 of the Internal Revenue Code; and

WHEREAS, the Commissioners have since been informed by the Community Foundation that it would like to accept the Real Estate in the name of its support organization, the L.C.C.F. Support Organization, Inc. (the "LCCF Organization"), an Indiana not-for-profit corporation organized and existing under the laws of the State of Indiana for educational, literary, scientific, religious, or charitable purposes and that is exempt from federal income taxation under Section 501 of the Internal Revenue Code, which LCCF Organization holds other real estate that has been gifted or transferred to the Community Foundation; and

JANUARY 17, 2017

REGULAR SESSION

WHEREAS, the disposal of the Real Estate is not subject to the requirements of Indiana Code §36-1-11 *et. seq.* pursuant to Indiana Code §36-1-11-1(b)(7).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LAGRANGE COUTNY, INDIANA, THAT RESOLUTION NO. 2016-12-05A IS HEREBY AMENDED AND RESTATED AS FOLLOWS:

SECTION I

The Commissioners hereby determine that it is in the best interest of the County to dispose of the Real Estate and that said disposal shall be sale to the LCCF Organization for the total sum of One Dollar (\$1.00). The disposal of the Real Estate to the LCCF Organization for and in consideration of One Dollar (\$1.00) from the LCCF Organization (or Community Foundation on its behalf) is hereby approved, ratified and confirmed. The disposal of the Real Estate to the LCCF Organization shall be by quit claim deed in a form approved by the LaGrange County Attorney and on an "as is, where is" and "with all faults" basis without any warranty, guaranty, or representation, oral or written, past, present, or future, express, implied, or statutory.

SECTION II

The Commissioners, and any one of them, be and he hereby are authorized and empowered to execute and deliver all deeds, sales disclosures, closing statements, and affidavits, as may be required in connection with the disposal of the Real Estate.

SECTION III

No part of this Resolution 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 Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution 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 Resolution are hereby declared to be severable.

SECTION IV

Unless otherwise set forth herein, this Resolution shall become effective upon promulgation according to law.

Mr. Terry Martin made a motion to approve the Resolution and accept the \$1.00 payment. 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.

COMMUNITY CORRECTION GRANT APPLICATION

Mr. Brett Hays, Northeast Indiana Community Corrections Director, presented a request to apply for a grant for the Community Corrections program. Mr. Hays explained that the grant application is for the continuance of a probation officer and an additional employee for a Court recidivism program. The grant period is from July 1, 2017 to June 30, 2018. The grant requested is for \$123,000.00. Mr. Terry Martin made a motion to approve the grant application as presented. Mr. Dennis Kratz seconded the motion and it carried unanimously.

COUNCIL ON AGING – TRANSPORTATION GRANT

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the 4th quarter voucher for the transportation grant. Mr. Terry Martin made a motion to approve the voucher. Mr. Dennis Kratz seconded the motion and it carried unanimously.

NORTHEAST INDIANA SOLID WASTE MANAGEMENT DISTRICT

Mr. Steve Christman, Northeast Indiana Solid Waste Management District Executive Director, gave an update of the district's activities. They have taken bids on a 40' by 60' pole barn structure for the LaGrange Convenience Center. He also reported on Senate Bill No. 465 which will affect Solid Waster Districts.

ECONOMIC DEVELOPMENT COMMISSIONER APPOINTMENT

The LaGrange County Council nominated Mr. Peter Cooks as an appointment to the Economic Development Commission. Mr. Terry Martin made a motion to appoint Mr. Peter Cook to the Economic Development Commission. Mr. Dennis Kratz seconded the motion and it carried unanimously.

ENGINEER

Ms. Sarah Farlow, County Engineer, gave an update on Bridge #68 in Mongo, as well as other projects in the County.

HIGHWAY

Mr. Randy VanWagner, Highway Superintendent, reported on activities with the Highway Department,

COMMITTEE REPORTS

Mr. Terry Martin reported on the Health Board.

Mr. Larry Miller reported on the Plat Committee meeting.

DECEMBER 2016 FINANCIAL REPORT

Mrs. Kay Myers, County Auditor, presented the financial statement for the month ending December 31, 2016, in the amount of \$17,353,145.89 and investments of \$24,728,000.00. Mr. Terry Martin made a motion to approve the report. Mr. Dennis Kratz seconded the motion and it carried unanimously.

JANUARY 17, 2017

REGULAR SESSION

ACCOUNTS PAYABLE VOUCHERS

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

MINUTES

Mr. Terry Martin made a motion to approve the December 30, 2016 and January 3, 2017 regular meeting minutes, and the January 9, 2017 special joint session and joint executive session. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Terry Martin made a motion to approve the memorandum for the January 11, 2017 meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

COVERED BRIDGE CERTIFICATION

Mrs. Kay Myers, County Auditor, presented the 2017 Covered Bridge Certification, certifying that there are no covered bridges in LaGrange County. Mr. Terry Martin made a motion to approve the certification. Mr. Dennis Kratz seconded the motion and it carried unanimously.

PERSONNEL POLICIES AND PROCEDURES MANUAL

Currently vacation and sick time must be taken in minimum increments of one-half (½) day. Mr. Terry Martin made a motion to change the Personnel Policies and Procedures Manual to allow for vacation and sick time to be taken in one-half (½) hour increments. Mr. Dennis Kratz seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – December 2016 report
LaGrange County Treasurer – January 2016 report
Joint Public Notice- US Army Corps of Engineers –Clarion Partners – commercial development

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.

Larry N. Miller

Terry A. Martin

Dennis H. Kratz

ATTEST:

Kay M. Myers
LaGrange County Auditor