

**JULY 7, 2014**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, July 7, 2014, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Garry A. Heller, John A.(Jac) Price, Larry Miller; and LaGrange County Auditor, Kay M. Myers. President John (Jac) Price, called the meeting to order. Mr. Jac Price led those present in saying the Pledge of Allegiance to the Flag. Mr. Larry Miller made a motion to adopt the proposed agenda with flexibility. Mr. Garry A. Heller seconded the motion and it carried unanimously.

**MASTERS TOUCH MAILING**

County Attorney Kurt Bachman informed the Commissioners Assessor Pat Monroe would like to use Masters Touch for the form 11 mailings the cost will be approximately \$9496.43. Assessor Monroe stated there is no specific date the form 11 are due to the public. Assessor Monroe is investigating the use of email notification instead of mail. Mr. Larry Miller motioned to approve and authorize the president to sign. Mr. Garry Heller seconded the motion which passed unanimously.

**CYCLICAL REASSESEMENT CONTRACT CHANGE-NEXUS**

Attorney Bachman presented an addendum to the contract for the annual adjustment and cyclical review with Nexus. Mr. Larry Miller motioned to approve the addendum to the Nexus contract. Mr. Garry Heller seconded the motion which passed unanimously.

**HOUSE 100S & TOWNLINE**

Attorney Bachman request authority to do a title search on the house located at 100 S and Townline road to begin the nuisance action. Mr. Garry Heller motioned to authorize the title search. Mr. Larry Miller seconded the motion which passed unanimously.

**SHARE THE ROAD**

Ms. Jen Will from Parkview presented information on the Share the Road initiative Parkview is working on. Ms. Will is looking for a contribution from the County. Mr. Jeff Brill stated he has funds available that could be used. Mr. Garry Heller motioned to support the initiative and authorize \$2,000.00 from the highway budget. Mr. Larry Miller seconded the motion which passed unanimously.

**SALT BIDS**

Highway Superintendent Jeff Brill stated the lowest was Detroit salt Co. Mr. Larry Miller motioned to accept the bid from Detroit Salt Co. for 72.87/ton. Mr. Garry Heller seconded the motion which passed unanimously.

**VEHICLE TRANSFER**

Sheriff Martin informed the Commissioners he would like to transfer a reserve vehicle to the Howe school. Mr. Garry Heller motioned to approve the transfer from the Howe School. Mr. Larry Miller seconded the motion which passed unanimously.

**COMMITTEE REPORT**

Mr. Larry Miller reported on the plat committee and Drainage Board meetings.  
Mr. Jac Price reported on EDC meeting.

**GIS PURCHASE REQUEST**

Ms. Rita Lehner, GIS coordinator requests to purchase a 4 terabyte external hard drive for the scanning that is being done, the cost is \$225.00. Mr. Garry Heller motioned to approve the purchase. Mr. Larry Miller seconded the motion which passed unanimously.

**ACCOUNTS PAYABLE VOUCHERS**

Mrs. Kay M. Myers, County Auditor, presented the Accounts Payable Vouchers. Mr. Larry Miller motioned to approve. Mr. Garry Heller seconded the motion which passed.

**MINUTES**

Mr. Garry Heller motioned to approve the regular session minutes from June 16<sup>th</sup>. Mr. Larry Miller seconded the motion which passed unanimously.

**MEMORANDUM**

Mr. Larry Miller motioned to approve the memorandum for the July 3 meeting. Mr. Garry Heller seconded the motion which passed unanimously.

**SUBDIVISION PLATS**

The following subdivision plats were presented for approval:

**First Addition to Curtis Farm Subdivision**

There is one lot in this subdivision, in Johnson Township, located at 5885 S 450 E, Wolcottville. Section 26, Township 36N, Range 10E. The owner is Donald Curtis. Mr. Larry Miller made a motion to approve the plat. Mr. Garry Heller seconded the motion and it carried unanimously.

**Daniel & Edna Lehman Subdivision**

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There is one lot in this subdivision, in Eden Township, located 9680 W 700 S, Topeka. Section 33, Township 36N, Range 8E. The owners are Lehman, Daniel & Edna. Mr. Larry Miller made a motion to approve the plat. Mr. Garry Heller seconded the motion and it carried unanimously.

Ballines Subdivision

There is one lot in this subdivision, in Lima Township, located 4440 N 100 E, Howe. Section 31, Township 38N, Range 10E. The owners are Ballines, Raul & Maria. Mr. Larry Miller made a motion to approve the plat. Mr. Garry Heller seconded the motion and it carried unanimously.

Heron Creek Plat

There are two lots in this subdivision, in Clay Township, located 0615 W 050 N, LaGrange. Section 24, Township 37N, Range 9E. The owner is Northern Indiana Golf, Inc. Mr. Larry Miller made a motion to approve the plat. Mr. Garry Heller seconded the motion and it carried unanimously.

**REZONE**

Mr. Bob Shanahan, Plan Commission presented the following amendment to the zoning ordinance for consideration.

**AMENDMENT NO. 2014-07-07  
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 17<sup>TH</sup> 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-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 17<sup>th</sup> 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 5660 N SR 5, Shipshewana, IN, more fully described below hereto, be rezoned and changed from a B-3 District to an I-2 District.

**LEGAL DESCRIPTION**

**LAND DESCRIPTION :**

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 8 EAST, IN LAGRANGE COUNTY, THE STATE OF INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER MARKED BY AN IRON PIN FOUND THIS SURVEY; THENCE NORTH (RECORD), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, FOR 664.00 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO DANIEL M. HOSTETLER PER LAGRANGE COUNTY DOCUMENT RECORD #92-10-02; THENCE CONTINUING NORTH, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, FOR 1113.12 FEET; THENCE N 89°25'35" W, PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, FOR 210.00 FEET; THENCE S 77°48'24" W FOR 493.29 FEET TO A REBAR FOUND THIS SURVEY; THENCE S 00°41'45" E FOR 316.22 FEET TO A REBAR FOUND THIS SURVEY; THENCE S 07°50'50" E FOR 593.77 FEET TO A REBAR FOUND THIS SURVEY; THENCE S 00°08'06" W FOR 502.73 FEET TO A REBAR FOUND THIS SURVEY AT THE NORTHWEST CORNER OF LOT 2 IN THURMAN ORSBORN ACRES AS PLATTED AND RECORDED IN LAGRANGE COUNTY PLAT BOOK 23, PAGE 39; THENCE N 89°55'09" E, ALONG THE NORTH LINE OF SAID LOT 2, FOR 450.00 FEET TO A REBAR SET THIS SURVEY; THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER, FOR 400.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT OF LAND CONVEYED TO DANIEL M. HOSTETLER MARKED BY A REBAR SET THIS SURVEY; THENCE N 89°55'09" E, PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER AND ALSO BEING ALONG THE NORTH LINE OF SAID TRACT OF LAND CONVEYED TO HOSTETLER, FOR 210.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 20.93 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS AND ALL EASEMENTS OF RECORD.

A SURVEY OF SAID TRACT BEING REPRESENTED BY PLAT OF SURVEY #38-08-27-002-LA AS PREPARED BY SEXTON AND ASSOCIATES; 111 WEST SPRING STREET, SUITE 4; LAGRANGE, IN 46761. ANY APPARENT ENCROACHMENTS AFFECTING SAID TRACT ARE AS SHOWN ON THE PLAT OF SURVEY. THE ABOVE DESCRIBED TRACT OF LAND IS NOT LOCATED WITHIN ZONE A FLOOD HAZARD BOUNDARY AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NUMBER 180125-0001B AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

Following a public hearing, the LaGrange County Plan Commission, on June 23, 2014, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Lester Bond,  
President, LaGrange County Plan Commission

Lynn Bowen,  
Vice President, LaGrange County Plan Commission

Mr. Larry Miller motioned to approve the rezone. Mr. Garry Heller seconded the motion which carried. Mr. Garry Heller motioned to waive second reading. Mr. Larry Miller seconded the motion which passed unanimously.

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**CLERKS PURCHASE REQUEST**

Auditor Kay Myers presented a request on behalf of the Clerk's office to purchase 10 additional file cabinets at \$644.00 each. Mr. Garry Heller motioned to approve the request. Mr. Larry Miller seconded the motion which carried.

**FORM 144's**

Auditor Myers presented the form 144's to the Commissioners.

**JUNE FINANCIAL STATUS**

Auditor Kay Myers informed the Commissioners the Auditor has reviewed the financial statements for the month ending June 30, 2013 and confirm that the fund balances agree with the County Treasurer's Daily Balance of Cash and Depositories in the amount of \$11,728,261.00. Mr. Garry Heller motioned to approve. Mr. Larry Miller seconded the motion which passed unanimously.

**CORRESPONDENCE**

Indiana Association of Inspectors of Weights & Measures, Inc. letter – June 24, 2014  
LaGrange County Treasurer – June, 2014 report

**ADJOURNMENT**

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

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John A. Price

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Larry N. Miller

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Garry A. Heller

ATTEST:

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Kay M. Myers  
LaGrange County Auditor