

OCTOBER 5, 2015

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, October 5, 2015, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Larry Miller, Terry Martin, Kevin Myers; and LaGrange County Auditor, Kay M. Myers. President 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. Kevin Myers seconded the motion and it carried unanimously.

SUPERIOR COURT REMODEL

Judge Lisa Bowen-Slaven requests approval to begin remodel of the superior court room. Judge Bowen-Slaven outlined the changes to the courtroom. Funds are available in the Superior Court budget, with the total cost being \$18,600. Mr. Terry Martin motioned to allow the remodel at \$18,600. Mr. Kevin Myers seconded the motion which passed unanimously.

HUMAN RESOURCE DIRECTOR

County Attorney Kurt Bachman request a motion to authorize one of the Commissioners authority to sign documents outside public meeting as it relates to the separation of employment with the former HR Director. Mr. Kevin Myers motioned to authorize Mr. Terry Martin to sign. Mr. Larry Miller seconded the motion which passed unanimously.

COMMITTEE REPORTS

Mr. Terry Martin reported up coming meetings.
Mr. Larry Miller reported on the drainage board and plat meetings.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kay M. Myers, County Auditor, presented the Accounts Payable Vouchers. Mr. Terry Martin motioned to approve. Mr. Kevin Myers seconded the motion which passed.

MINITUES

Mr. Terry Martin made a motion to approve the September 21st regular meeting minutes. Mr. Kevin Myers seconded the motion which passed unanimously.

MEMORANDUM

Mr. Terry Martin motioned to approve the memorandum for the September 30 meeting. Mr. Kevin Myers seconded the motion which passed unanimously.

AMENDMENTS TO THE ZONING ORDINANCE

Mr. Bob Shanahan, Planning Administrator, presented the following amendments to the zoning ordinance for consideration

**AMENDMENT NO. 2015-10-05
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 L-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 0605 E 450 S, WOLCOTTVILLE, IN, more fully described below hereto, be rezoned and changed from a A-1 District to an L-1 District.

LEGAL DESCRIPTION

LAND DESCRIPTION :

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 10 EAST, LAGRANGE COUNTY, THE STATE OF INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER MARKED BY AN AXEL SHAFT FOUND THIS SURVEY; THENCE SOUTH (RECORD), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 2138.56 FEET TO A RAILROAD SPIKE FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO ELI KNEPP & MARTHA L. KNEPP PER LAGRANGE COUNTY DOCUMENT NO. 75-11-179, AT THE INTERSECTION OF THE CENTERLINE OF OLIVER LAKE ROAD AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE N 88°24'59"W, ALONG THE SOUTH LINE OF SAID KNEPP TRACT AND THE CENTERLINE OF OLIVER LAKE ROAD 545.60 FEET; THENCE N 89°09'49" W, ALONG SOUTH LINE OF SAID KNEPP TRACT AND THE CENTERLINE OF OLIVER LAKE ROAD, 790.30 FEET TO A MAG NAIL FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO LARRY D. KREIDER & LISA R. KREIDER PER LAGRANGE COUNTY DOCUMENT NO. 06040023; THENCE S 89°44'40" W, ALONG THE SOUTH LINE OF SAID KREIDER TRACT AND SAID CENTERLINE OF OLIVER LAKE ROAD, 285.42 FEET TO AN AXEL SHAFT FOUND AT THE SOUTHWEST CORNER OF SAID KREIDER TRACT AND BEING THE POINT OF

BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING S 89°44'40" W, ALONG SAID CENTERLINE OF OLIVER LAKE ROAD, 382.10 FEET TO A MAG NAIL SET AT THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO OLIVE M. MISNER, LINDA K. SCHUSTER, RANDY K. MISNER, & JUDY RIFIELD PER LAGRANGE COUNTY DOCUMENT NO. 96-1-98, AND BEING AT THE INTERSECTION OF OLIVER LAKE ROAD AND THE EAST LINE OF THE WEST HALF, OF THE WEST HALF, OF SAID NORTHEAST QUARTER; THENCE N 00°08'43"E, ALONG THE EAST LINE OF THE WEST HALF, OF THE WEST HALF, OF SAID NORTHEAST QUARTER, 342.24 FEET TO A REBAR FOUND: THENCE N 89°46'52" E, 382.07 FEET TO A REBAR FOUND AT THE NORTHWEST CORNER OF SAID KREIDER TRACT; THENCE S 00°08'25" W, ALONG THE WEST LINE OF SAID KREIDER TRACT, 342.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 3.00 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OF RECORD.

Following a public hearing, the LaGrange County Plan Commission, on September 28, 2015, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Mr. Terry Martin motioned to approve the rezone. Mr. Kevin Myers seconded the motion which passed unanimously. Mr. Terry Martin motioned to waive second reading. Mr. Kevin Myers seconded the motion which passed unanimously.

SUBDIVISION PLATS

The following subdivision plats were presented for approval:

Powers Addition

There is one lot in this subdivision, in Milford Township, located at 2160 S 750 E, LaGrange. Section 5, Township 36N, Range 11E. The owners are Larry & Dora Zook & Travis Zook. Mr. Terry Martin made a motion to approve the plat. Mr. Kevin Myers seconded the motion and it carried unanimously.

Tilfert Lake School Subdivision

There is one lot in this subdivision, in VanBuren Township, located 550' +/- west of CR 750 W on south side of CR 450 N, Shipshewana. Section 25, Township 38N, Range 8E. The owners are Ervin and Mary Miller. Mr. Terry Martin made a motion to approve the plat. Mr. Kevin Myers seconded the motion and it carried unanimously

'M' PUB 2015

There is one lot in this subdivision, in Eden Township, located 7105 W 800 S, Topeka. Section 35, Township 36N, Range 8E. The owners are Patrick & Jesse Martin. Mr. Kevin Myers made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

PLAN COMMISSION BOARD APPOINTMENT

Mr. Bob Shanahan informed the Commissioners there are two positions on the plan commissions that will need to be filled.

<u>Applicant</u>	<u>Replacing</u>	<u>Motioned</u>	<u>Second</u>	<u>Vote</u>
Tyler Young	Lester Bond	Mr. Terry Martin	Mr. Kevin Myers	Passed
Miriam Carnahan	Kevin Myers	Mr. Kevin Myers	Mr. Terry Martin	Passed

PLAT COMMITTEE APPOINTMENT

Mr. Bob Shanahan informed the Commissioners there is a position on the plat commissions that will need to be filled.

<u>Applicant</u>	<u>Replacing</u>	<u>Motioned</u>	<u>Second</u>	<u>Vote</u>
Jeff Brill	Kevin Myers	Mr. Kevin Myers	Mr. Terry Martin	Passed

FUEL BIDS

Highway requests fuel bids for Dec 16.

SEPTEMBER FINANCIAL STATUS

Auditor Kay Myers informed the Commissioners the Auditor has reviewed the financial statements for the month ending September 30, 2015 and confirm that the fund balances agree with the County Treasurer's Daily Balance of Cash and Depositories in the amount of \$36,347,271.59. Mr. Terry Martin motioned to approve. Mr. Kevin Myers seconded the motion which passed unanimously.

HORSE MANURE ISSUE

Mr. Chad Fry presented information to the Commissioners asking for horse manure prohibited from local roads. There was much discussion in favor and against the request. Mr. Terry Martin motioned to take under advisement. Mr. Kevin Myers seconded the motion which passed unanimously.

SHERIFF DEPT

Sheriff Campos request approval to send one dispatcher to public information officer training in Denver Colorado, in November. Mr. Terry Martin motioned to approve the request. Mr. Kevin Myers seconded the motion which was approved.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – September, 2015 report
LaGrange County Treasurer – September, 2015 report

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REGULAR SESSION

Indiana Department of Environmental Management – Withdrawal of Confined Feeding Operation Permit Application – M&R Acres, LLC – Farm #6873
US Army Corps of Engineers – Joint Public Notice – Fischer Homes Development Company – residential development.
Eberhard & Weimer, P.C. – September 24, 2015 letter

ADJOURNMENT

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

Larry N. Miller

Terry A. Martin

Kevin R. Myers

ATTEST:

Kay M. Myers
LaGrange County Auditor