

FEBRUARY 3, 2025

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, February 3, 2025, 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. Terry A. Martin, Mr. Peter A. Cook and Mr. Kevin R. Myers; and LaGrange County Auditor, Kathryn Hopper. Mr. Terry Martin, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Kevin Myers made a motion to adopt the proposed agenda with flexibility. Mr. Peter Cook seconded the motion and it carried unanimously.

LAGRANGE COUNTY ECONOMIC DEVELOPMENT COMMISSION – ANNUAL REPORT

Mr. Kurt Bachman, County Attorney, presented the 2024 Annual Report of the LaGrange County Economic Development Commission. Mr. Kevin Myers made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

ECONOMIC DEVELOPMENT COMMISSION - APPOINTMENT

Mr. Kevin Myers made a motion to appoint Peter Cook to the LaGrange County Economic Development Commission. Mr. Terry Martin seconded the motion and it carried unanimously.

ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-03-A

AN ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, Michiana Leasing Solutions, LLC (“Landowner”) has at least a 50% ownership interest in the real property located at 0105 E 200 N, 0195 E 200 N & E 200N., LaGrange, IN 46761 identified as Parcels 44-07-07-300-012.002-001, 44-07-07-300-013.000-001 & 44-07-07-300-014.003-001 in the records of the Office of the County Auditor, and more particularly described as follows:

Situated in the County of LaGrange, State of Indiana, described as follows:

44-07-07-300-012.002-001

Lot Number Two (2) in Lloyd & Cecilia Myers Subdivision, located in the Southwest Quarter of Section 7, Township 37 North, Range 10 East, recorded in plat Book 20, pages 43-43B.

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44-07-07-300-013.000-001

Beginning at a point 858.3 feet East of the southwest corner of Fractional Section 7, Township 37 North, Range 10 East, LaGrange County, Indiana; thence North 764.8 feet; thence East 284.7 feet; thence South 764.8 feet; thence West 284.8 feet to the place of beginning.

44-07-07-300-014.003-001

Lot 3 in R&J Heller Minor Subdivision, a part of the Southwest Quarter of Section 7, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana, recorded in Plat Book 35, page 40, and Instrument No. 202401024, in the Office of the Recorder of LaGrange County, Indiana.

(collectively, the "Real Estate");

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from B-3 & S-1 to PUD. ("Proposal");

WHEREAS, on January 14th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission ("Plan Commission") conducted a public hearing on the Proposal;

WHEREAS, on January 14th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation;

WHEREAS, on February 3rd, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

SECTION I – MAP AMENDMENT

- A. Recitals. The foregoing recitals, including all defined terms, are hereby incorporated into, and made a part of, this ordinance and found to be true, accurate, and correct.
- B. Proposal. The certified Proposal is hereby approved and adopted.
- C. Rezone. The UDO zoning maps, which are incorporated by reference, are hereby amended, and shall be redrawn as necessary, to show that the Real Estate is rezoned as stated in the Proposal.

SECTION II – MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- B. Conflicts. 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 the same.

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- C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning Administrator and Auditor are hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Ordinance. Mr. Kevin Myers seconded the motion and it carried unanimously.

ORDINANCE REJECTING A PROPOSAL TO CHANGE THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-03-B

AN ORDINANCE REJECTING A PROPOSAL TO CHANGE THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

WHEREAS, on August 19, 2024, pursuant to Indiana Code ("IC") 36-7-4-606, the Board of Commissioners of the County of LaGrange ("Commissioners") adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or "UDO");

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana ("County") and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, as certified by the LaGrange County Plan Commission ("Plan Commission"), Ray Gordon Farm Inc ("Landowner") has at least a 50% ownership interest in the real property located at 900 E., Wolcottville, IN 46795 identified as Parcel 44-09-27-100-002.000-013 in the records of the Office of the County Auditor, and more particularly described as follows:

Beginning at the Northeast corner of said Northwest Quarter; thence West along the North line of said Quarter Section 562.16 feet; thence South 196.50 feet; thence West 213.00 feet; thence South 87.50 feet; thence East 84.00 feet; thence South 0 degree 16 minutes 01 seconds West 666.86 feet; thence South 82 degrees 15 minutes 13 seconds East 648.65 feet; thence South 1 degree 06 minutes 12 seconds West 729.49 feet; thence East 42.42 feet to the East line of said Quarter Section; thence North 0 degree 45 minutes 03 seconds East 1767.80 feet along said East line to the true point of beginning and containing 15.92 acres. Section 27, Township 36 North, Range 11 East;

(the "Real Estate");

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WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from A-1 to A-2 ("Proposal");

WHEREAS, the Real Estate currently forms part of a larger parcel but is planned for subdivision approximately concurrently with the Proposal;

WHEREAS, on January 14th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the Plan Commission conducted a public hearing on the Proposal;

WHEREAS, on January 14th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation;

WHEREAS, the Commissioner have not received any notice as to whether the required subdivision has occurred;

WHEREAS, the Proposal also appears to contain technical errors with respect to the legal description;

WHEREAS, pursuant to IC 36-7-4-608(f), if the Commissioners reject or amend the Proposal, it is defeated;

WHEREAS, on January 21st, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

SECTION I – MAP AMENDMENT

- A. Recitals. The foregoing recitals, including all defined terms, are hereby incorporated into, and made a part of, this ordinance and found to be true, accurate, and correct.
- B. Proposal. The certified Proposal is hereby rejected.

SECTION II – MISCELLANEOUS

- A. Conflicts. 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 the same.
- B. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- C. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- D. Promulgation. The County Zoning Administrator and Auditor are hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- E. No Codification. The codifier of ordinances should not codify this ordinance.

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F. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Ordinance. Mr. Kevin Myers seconded the motion and it carried unanimously.

JUSTICE CENTER REMODEL

Mr. Jason Boggs, Building Commissioner, would like to proceed with the remodel of the Justice Building. He presented a Notice to Bidders for the request for bids to be published. Mr. Kevin Myers made a motion to authorize Mr. Boggs to proceed with the notice. Mr. Peter Cook seconded the motion and it carried unanimously.

BUILDING DEPARTMENT - VEHICLE

Mr. Jason Boggs, Building Commissioner, reported that the engine blew in the 2018 Chevrolet Silverado. He has funding in his budget for a new vehicle. Mr. Peter Cook made a motion to authorize Mr. Boggs to work with Mr. Terry Martin on getting quotes and purchasing a new vehicle and authorize the purchase of a new vehicle. Mr. Kevin Myers seconded the motion and it carried unanimously.

COUNCIL ON AGING – PURCHASE OF VANS

Mrs. Cheri Perkins, Council on Aging Executive Director, presented purchase agreements for the purchase of two new vans in the total amount of \$195,706.60, for the Council on Aging. These are from the Section 5339 Transit grant. Mr. Peter Cook made a motion to approve the purchases and to authorize the President to sign the agreements. Mr. Kevin Myers 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. Peter Cook made a motion to approve the voucher and have the President sign the voucher outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

MIDWEST PRESORT AGREEMENT – FORM 11's

Mrs. Patricia Monroe, County Assessor, presented an agreement with Midwest Presort for the Form 11's that the County Assessor issues. The estimated cost is \$13,877.30. Mr. Peter Cook made a motion to approve the contract. Mr. Kevin Myers seconded the motion and it carried unanimously.

ECONOMIC DEVELOPMENT CORPORATION

Mrs. Sherri Johnston, LaGrange County Economic Development Corporation Chief Executive Officer, and Ms. Emillee Buller, Vice President of Community Devotement and Engagement presented what the Corporation is working on for 2025.

PARK – REQUEST TO APPLY FOR A GRANT

Mrs. Mary Franke, Park Director, requested permission to apply for a grant from LaGrange County REMC to purchase wildflower seeds to plant at David Rogers Park. The amount of the request is \$2,000. Mr. Peter Cook made a motion to approve the request. Mr. Kevin Myers seconded the motion and it carried unanimously.

SHERIFF - REQUEST TO REPLACE ENGINE IN VEHICLE

Mr. Juan Arroyo, Chief Deputy Sheriff, presented a quote from CJ's Garage, in the amount of approximately \$9,500 for the replacement of an engine in a 2020 Dodge Ram. Mr. Peter Cook made a motion to approve the purchase. Mr. Kevin Myers seconded the motion and it carried unanimously.

CONFLICT OF INTEREST STATEMENT DISCLOSURE STATEMENTS

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Mrs. Kathryn Hopper, County Auditor, presented Uniform Conflict of Interest Disclosure Statements for Jeff Campos. Mr. Kevin Myers made a motion to accept. Mr. Peter Cook seconded the motion and it carried unanimously.

NORTHEASTERN CENTER – ANNUAL REPORT

Mr. Steve Howell, Chief Executive Officer, of the Northeastern Center, presented their fiscal year 2024 Annual Report. Mr. Kevin Myers made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Peter Cook made a motion to approve the vouchers. Mr. Kevin Myers seconded the motion and it carried unanimously.

MINUTES

Mr. Kevin Myers made a motion to approve the minutes of the January 6 and January 21, 2025 regular session meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Peter Cook made a motion to approve the memorandum for the January 29, 2025 staff meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

CORRESPONDENCE

Indiana Department of Environmental Management – Notice of Public Comment – Preliminary Findings
Regarding a New Source Review and Minor Source Operating Permit, Premium Rock LLC, MSCP No.:
M039-48451-00879

Indiana Department of Environmental Management –Meadowview Elementary School, Application for Public
Water Supply Construction Permit

ADJOURNMENT

There being nothing further to come before the Board at this time, Mr. Peter Cook 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.

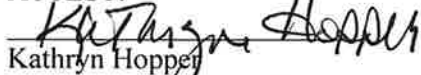
Terry A. Martin



Peter A. Cook


Kevin R. Myers

ATTEST:


Kathryn Hopper
LaGrange County Auditor