

**MARCH 17, 2025**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, March 17, 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. Peter A. Cook and Mr. Kevin R. Myers; and LaGrange County Auditor, Kathryn Hopper. Mr. Terry Martin was absent. Mr. Peter Cook, Vice 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.

**McCOY LITIGATION**

Mr. Kurt Bachman, County Attorney, requested authority to enter into a settlement agreement with the McCoy family. Mr. Kevin Myers made a motion to authorize Mr. Bachman to enter into the settlement agreement with the McCoy family. Mr. Peter Cook seconded the motion and it carried unanimously. Mr. Kevin Myers made a motion to authorize any necessary documents to be signed outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**PIPELINE PROPERTIES**

Mr. Kurt Bachman, County Attorney, requested authority to move forward with the petition on the pipeline properties. Mr. Kevin Myers made a motion to authorize Mr. Bachman to move forward on the petition. Mr. Peter Cook seconded the motion and it carried unanimously.

**COMMUNITY CORRECTION GRANT APPLICATION**

Mr. Brett Hays, Executive Director of the Northeast Indiana Community Corrections, presented a request to apply for a grant for the Community Correction program for 2026. Mr. Hays informed the Council that the grant application is for funding a full-time probation officer and a Drug Court coordinator for LaGrange County. Mr. Kevin Myers made a motion to approve the grant application as presented. Mr. Peter Cook seconded the motion and it carried unanimously.

**ARK ANIMAL SANCTUARY – REQUEST FOR FURNACE PURCHASE**

Mr. Tom Tribbett, ARK Animal Sanctuary board member, presented quotes for secondary heat source at the animal shelter. The quote from 24/7 Emergency Services in the amount of \$15,659.86, would work best for the facility. Mr. Kevin Myers made a motion to approve the quote, subject to funding. Mr. Peter Cook seconded the motion and it carried unanimously.

**ARK ANIMAL SANCTUARY – PARKING**

Mr. Tom Tribbett, ARK Animal Sanctuary board member, explained that they would like to expand the parking area of the facility by spreading limestone in an area. The County Engineer and Highway Supervisor will check with IDEM, since this is near the landfill. Mr. Peter Cook made a motion to table the matter. Mr. Kevin Myers seconded the motion and it carried unanimously.

**USE OF COURTHOUSE GROUNDS**

Mr. Gary Mast, Maintenance Director, explained that the Church of God would like to use the Courthouse grounds on July 17 and 18, 2025 for a revival and have a bounce house. They would provide proof of insurance prior to the event, naming the County as additional insured. Mr. Kevin Myers made a motion to approve the use of the grounds. Mr. Peter Cook seconded the motion and it carried unanimously.

**NIPSCO**

Mr. Gary Mast, Maintenance Director, explained that NIPSCO is requesting \$26,212 to update the electrical transformers and meters at the Courthouse. No action was taken at this time.

**COUNTY OFFICE BUILDING – SECOND FLOOR**

**MARCH 17, 2025**

**REGULAR SESSION**

Mr. Gary Mast, Maintenance Director, presented an estimate from D & S Builders, Inc. for upgrades to the second floor of the County Office Building, in the amount of \$33,400. They would upgrade the ceiling grids, lighting, and restrooms. Mr. Peter Cook made a motion to approve the estimate. Mr. Kevin Myers seconded the motion and it carried unanimously.

**AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE**

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

LAGRANGE COUNTY, INDIANA  
ORDINANCE NO. 2025-03-17 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, Michael J & Iva J Wingard (collectively, "Landowner") has at least a 50% ownership interest in the real property located at 428 W Lake St., Topeka, Indiana identified as Parcel 44-12-25-400-000.098-008 in the records of the Office of the County Auditor, and more particularly described as follows:

Situated in LaGrange County, State of Indiana, to-wit:

A tract of land located in the Southeast Quarter of Section 25, Township 36 North, Range 08 East, in Eden Civil Township, LaGrange County, the State of Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701, being represented as Plat of Survey #36-08-25-200-004. Said tract being all of that tract of land conveyed to Michael J. and Iva J. Wingard, as described in LaGrange County Plat Book 27, Page 32, and being more particularly described as follows, to-wit: Lot 2 in the plat of WINGARD SUBDIVISION

(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 U-1 to B-2 ("Proposal");

WHEREAS, on March 11th, 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;

## **MARCH 17, 2025**

## **REGULAR SESSION**

WHEREAS, on March 11th, 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 March 17th, 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.
- 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. Kevin Myers made a motion to approve the Ordinance. Mr. Peter Cook seconded the motion and it carried unanimously.

### **AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE**

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

**MARCH 17, 2025**

**REGULAR SESSION**  
**LAGRANGE COUNTY, INDIANA**  
**ORDINANCE NO. 2025-03-17 B**

AN ORDINANCE AMENDING TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF ADDING OR AMENDING CERTAIN REGULATIONS REGARDING DEVELOPMENTAL STANDARDS, USE STANDARDS, AND DEFINITIONS

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”);

WHEREAS, pursuant to IC 36-7-4-602(b)(1), after the zoning ordinance for a jurisdiction has been adopted, a proposal to amend the text of the UDO may be initiated by the Plan Commission;

WHEREAS, the Proposed Text Amendments to the UDO (“Proposal”) are prominently displayed in the Office of the Zoning Administrator for public inspection and is further shown in approximate, unofficial form in Exhibit A, which is attached to this resolution;

WHEREAS, the LaGrange County Plan Commission (“Plan Commission”) desires to adopt the stated Proposal, and update the UDO accordingly.

WHEREAS, on March 11, 2025, pursuant to IC 36-7-4-602(b)(4), 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 March 11, 2025, pursuant to IC 36-7-4-602(b)(5) and IC 36-7-4-605, a copy of the Proposal, which is hereby incorporated by reference, was certified to the Commissioners with a favorable recommendation as to adoption;

WHEREAS, on March 11, 2025, pursuant to IC 36-7-4-602(b)(6) and IC 36-7-4-607, 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 – TEXT 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. Text Amendment. The proposed text amendments, which are incorporated by reference, are hereby accepted, and the UDO shall be updated and amended to be consistent with the text provided 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.

**MARCH 17, 2025**

**REGULAR SESSION**

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

**BID OPENING FOR JUSTICE CENTER REMODEL**

At 9:00 a.m., Mr. Jason Boggs, Building Commissioner, opened the following bids for the Justice Center remodel:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Bontrager Builders	LaGrange, Indiana	\$434,659.21
CME Corporation	Fort Wayne, Indiana	232,400.00
JICI Construction	Angola, Indiana	211,800.00
Michael Kinder & Sons	Fort Wayne, Indiana	235,000.00
R. Yoder Construction	Nappanee, Indiana	306,325.00

Mr. Kevin Myers made a motion to take the bids under advisement. Mr. Peter Cook seconded the motion and it carried unanimously.

**BUILDING DEPARTMENT – SURPLUS VEHICLE**

Mr. Jason Boggs, Building Commissioner, would like to have the 2018 Chevrolet Silverado K1500 declared as surplus. Mr. Kevin Myers made a motion to declare the truck as surplus. Mr. Peter Cook seconded the motion and it carried unanimously.

**HIGHWAY – REQUESTS FOR PROPOSALS FOR 2025 TRUCK BODIES**

Mr. Aaron Fugate, Highway Supervisor, reported that he requested requests for proposals for two (2) truck bodies with snowplows. One request was received from W.A. Jones in the amount of \$305,912 for two (2) truck bodies and \$41,916 for two (2) one-way snowplows. Mr. Kevin Myers made a motion to accept the proposal. Mr. Peter Cook seconded the motion and it carried unanimously.

**HIGHWAY – TANDEM AXLE TRUCK CHASSIS**

Mr. Aaron Fugate, Highway Supervisor, reported that proposals were taken in October 2024 for two tandem axle truck chassis and two truck bodies, blades, and hydraulic components. He was notified by Stoops Freightliner that there will be a tariff charge on the two chassis that were ordered, in the amount of up to \$3,500 for each chassis.

**MARCH 17, 2025**

**REGULAR SESSION**

Mr. Kevin Myers made a motion to approve the tariff charges, subject to review by the County Attorney. Mr. Peter Cook seconded the motion and it carried unanimously.

**INDOT AGREEMENT – BRIDGE 49**

Mrs. Tharon Morgan, County Engineer, requested approval for the president to sign the Indiana Department of Transportation right of way acquisition agreement for the replacement of Bridge 49, at County Road 700 South over Westler / Witmer Lake Channel. Mr. Kevin Myers made a motion to authorize the president to sign the agreement, retroactive to March 11, 2025. Mr. Peter Cook seconded the motion and it carried unanimously.

**COMMUNITY CROSSING GRANT**

Mrs. Tharon Morgan, County Engineer, requested approval for the president to sign the Indiana Department of Transportation Community Crossing grant for 2025. Mr. Kevin Myers made a motion to approve the agreement and authorize the President to sign outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**CULVERT REPLACEMENT**

Mrs. Tharon Morgan, County Engineer, is recommending that Greg Owens Excavating be awarded the quote for culvert replacement for culverts CS 119 and CS 120, in the amounts of \$5,800 and \$3,850 respectively. The culverts are located south of US 20. Mr. Peter Cook made a motion to approve. Mr. Kevin Myers seconded the motion and it carried unanimously.

**COUNCIL ON AGING – DE-OBLIGATION OF GRANT FUNDS**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented a letter from the Indiana Department of Transportation for the close out and de-obligation of funds from the 2020-2022 grant periods. Mr. Kevin Myers made a motion to approve the letter and authorize the Vice President sign it. Mr. Peter Cook seconded the motion and it carried unanimously.

**INFORMATION TECHNOLOGY - DURESS SYSTEM**

Mr. Marc Peterson, Information Technology Director, presented a quote from Security Automation Systems for a new inovonics wireless duress system, in the amount of \$37,900. Mr. Kevin Myers made a motion to approve the proposal. Mr. Peter Cook seconded the motion and it carried unanimously.

**INFORMATION TECHNOLOGY - LAPTOPS FOR PUBLIC DEFENDER OFFICE**

Mr. Marc Peterson, Information Technology Director, presented a quote from Dell Technologies for two laptops and four monitors, in the amount of \$2,602.52 for the Public Defender's office. Mr. Kevin Myers made a motion to approve the purchase. Mr. Peter Cook seconded the motion and it carried unanimously.

**SHERIFF – REQUEST FOR TRAINING**

Mr. Tracy Harker, County Sheriff, would like permission to send two deputies for voice stress analysis training, along with purchasing a laptop and having one deputy recertified at a cost of \$11,980. Mr. Kevin Myers made a motion to approve. Mr. Peter Cook seconded the motion and it carried unanimously.

**SHERIFF – SURPLUS ITEMS**

Mr. Tracy Harker, County Sheriff, would like to have two 2020 Dodge Durango's declared as surplus. He would like to transfer one of the Durango's to the Town of Wolcottville. Mr. Kevin Myers made a motion to declare the items as surplus and allow the transfer of a vehicle to the Town of Wolcottville. Mr. Peter Cook seconded the motion and it carried unanimously.

**MARCH 17, 2025**

**REGULAR SESSION**

**CONFLICT OF INTEREST STATEMENT DISCLOSURE STATEMENT**

Mrs. Kathryn Hopper, County Auditor, presented a Uniform Conflict of Interest Disclosure Statement from Jacob Weimer from the Park Department. Mr. Kevin Myers made a motion to accept the statement. Mr. Peter Cook seconded the motion and it carried unanimously.

**ACCOUNTS PAYABLE VOUCHERS**

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

**MINUTES**

Mr. Kevin Myers made a motion to approve the minutes of the March 3, 2025 regular session meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**MEMORANDUM**

Mr. Kevin Myers made a motion to approve the memorandum for the March 12, 2025 staff meeting and the March 10, 2025 joint executive session. Mr. Peter Cook seconded the motion and it carried unanimously.

**FEBRUARY 2025 FINANCIAL REPORT**

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending February 28, 2025, in the amount of \$50,003,809.96 and investments of \$23,862,340.00. Mr. Peter Cook made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

**CORRESPONDENCE**

LaGrange County Clerk of the Circuit Court – February 2025 report

LaGrange County Treasurer – February 2025 report

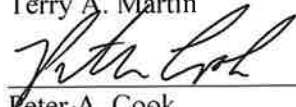
Maxwell Intermediate School – Request for information about LaGrange County

Indiana Department of Environmental Management – Notice of Approval, Premium Rock LLC, 30244 CR 12, Elkhart, IN 46515, MSOP w/ New Source Review No. 039-48451-00879

**ADJOURNMENT**

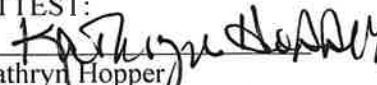
There being nothing further to come before the Board at this time, Mr. Peter Cook made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Kevin Myers seconded the motion and it carried unanimously.

  
Terry A. Martin

  
Peter A. Cook

  
Kevin R. Myers

ATTEST:

  
Kathryn Hopper  
LaGrange County Auditor