

**MAY 6, 2019**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, May 6, 2019, 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 Chief Deputy Auditor, Kay Myers. Mr. Larry Miller, President, called the meeting to order and led 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.

**PROCLAMATION – PEACE OFFICER WEEK**

Mr. Terry Martin made a motion to approve a Proclamation proclaiming May 12-18, 2019 as Peace Officer Week. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**JAIL BUILDING CORP.**

Mr. Kurt Bachman, County Attorney, inquired if the Commissioners would like to reappoint the following Jail Building Corp. members: Tracy Harker, Kevin Myers and Mike Strawser. Mr. Terry Martin made a motion to reappoint the current Jail Building Corp members and set a meeting for May 13, 2019. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**BUTLER, FAIRMAN AND SEUFERT – AGREEMENTS FOR BRIDGES NO. 73 AND 75**

Mr. Kurt Bachman, County Attorney, presented agreements with Butler, Fairman and Seufert, Inc., for the bridge rehabilitation and superstructure replacement of LaGrange County Bridge No. 73 carrying County Road 50 East over Fawn River and Bridge No. 75 carrying County Road 100 East over Pigeon River. Mr. Terry Martin made a motion to approve the agreements and authorize signing. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**CONDITIONAL MEDIATION SETTLEMENT AGREEMENT – RENEE RICHARDSON**

Mr. Kurt Bachman, County Attorney, presented a Conditional Mediation Settlement Agreement on the Renee Richardson case. Mr. Dennis Kratz made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

**COMBINED PUBLIC COMMUNICATIONS AGREEMENT**

Mr. Jeff Campos, County Sheriff, presented an agreement with Combined Public Communications (CPC). CPC will install an inmate telecommunications system that will process pre-paid calls, including local and long distance traffic, and associated hardware and software within the jail facility. CPC will be the exclusive provider of all related existing and future inmate communications. Mr. Dennis Kratz made a motion to approve the agreement and have the president sign. Mr. Terry Martin seconded the motion and it carried unanimously.

**EMERGENCY MANAGEMENT AGENCY – DONATION FUND**

Mr. Don Wismer, Emergency Management Agency Director, requested permission to establish a donation fund for Emergency Management. Mr. Terry Martin made a motion to approve the drafting of an Ordinance to create a donation fund. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**INDIANA DEPARTMENT OF TRANSPORTATION – UNOFFICIAL DETOUR**

Mr. Randy VanWagner, Highway Superintendent, presented a Letter of Understanding for an unofficial detour on State Road 120 from State Road 9 to 0.49 miles east of State Road 9 in Howe, Indiana from Indiana Department of Transportation. Mr. Dennis Kratz made a motion to accept the letter. Mr. Terry Martin seconded the motion and it carried unanimously.

**ODYSSEY CASE MANAGEMENT SYSTEM**

Judge Paul Mathias, Appellate Court Judge from Allen County, explained the Odyssey Case Management System that is in place in the majority of Counties in Indiana. The system is a fully integrated case and financial management system. It is a web based computer system, which allows configuration to be accomplished locally, while still supporting both statewide and county specific rules. Judge Bowen-Slaven, LaGrange County Superior Court Judge, explained that both Judges in LaGrange County are in favor of going to this system. There is currently an 18 – 24 month waiting period to implement the system. In order to begin the process, a Resolution or Ordinance is required, along with a Memo of Understanding.

**REGIONAL ELECTED OFFICIAL AGREEMENT LOCAL AREA – REGION 3**

Ms. Kathleen Randolph, Workforce Development, was present. She presented a Regional Elected Officials' Agreement for Region 3. The agreement sets forth the procedures that shall govern the Regional Local Elected Officials and their responsibilities and actions pursuant to the provisions of the Workforce Innovation and Opportunity Act (WIOA), and all federal and state statues, rules, and regulations. Mr. Terry Martin made a motion to approve the Agreement and authorize the President to sign. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**ANIMAL SHELTER - INTERNET**

Mr. Bob Murphy, Information Technology Director, explained that the Animal Shelter is in need of additional internet. The cost will be \$79.00 per month to increase the bandwidth. Mr. Dennis Kratz made a motion to approve the increase. Mr. Terry Martin seconded the motion and it carried unanimously.

**SHERIFF OFFICE – GRANT REQUEST**

Mr. Jeff Campos, County Sheriff, requested permission to apply for a federal grant to purchase new bulletproof vests. The grant is through the Department of Justice and will fund 50% of the cost. The match will come from funds that the Sheriff has in place. Mr. Terry Martin made a motion to approve the grant application and have the president sign. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**SHERIFF OFFICE – METAL DETECTOR**

Mr. Jeff Campos, County Sheriff, presented quotes for a walk through metal detector and wand for the Justice Building. The lowest quote is from Event Metal Detectors / Security Detection for \$3,800.82. Mr. Terry Martin made a motion to approve the quote and pay for it out of the Prisoner Reimbursement Fund. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**SHERIFF OFFICE – LED LIGHTING**

Mr. Jeff Campos, County Sheriff, presented quotes for LED lighting for the Sheriff’s Office. The lowest quote is from Zenergy in the amount of \$78,732 less rebates of \$16,367. With the new lighting in place, they expect to see an annual savings in the amount of \$44,977. Mr. Terry Martin made a motion to approve the quote and pay for it out of Cumulative Capital Development. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**FIRE PROTECTION SYSTEM**

Mr. Gary Mast, Maintenance Director, presented quotes for fire alarm panel upgrades to the current system at the County Office Building and Courthouse. The lowest quotes are from Johnson Controls in the amount of \$9,997 for the Courthouse and \$20,986 for the County Office Building. The current systems are 18 years old and are obsolete. Mr. Terry Martin made a motion to approve the new system and pay for it out of Cumulative Capital Development. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**EMERGENCY MANAGEMENT AGENCY – GRANT REQUEST**

Mr. Don Wismer, Emergency Management Agency Director, requested permission to apply for a federal grant to purchase a mobile command vehicle for which all public safety in LaGrange County will have access. The grant is through Homeland Security and is for \$150,000. Mr. Terry Martin made a motion to approve the grant application and have the president sign. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**AMENDMENT TO THE ZONING ORDINANCE**

Mrs. Robbie Miller, Planning Administrator, presented the following Amendment to the Zoning Ordinance:

AMENDMENT NO. 2019-05-06  
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 I-2 DISTRICT TO AN PUD 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 parcel #: 44-07-18-100-000.002-002, 44-07-18-100-000.025-002, 44-07-18-1000-000.024-002, LaGrange, more fully described below hereto, be rezoned and changed from a I-2 District to an A-1 District.

LEGAL DESCRIPTION

LAND DESCRIPTION:

Tract 1:

Part of the Northeast Quarter of the Northwest Quarter of Section 18, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana, and bounded as follows: Commencing at a Harrison Monument at the northeast corner of said Quarter; thence South 89° 33' 12" West (Basis of Bearings: State Plane) along the north line of said Quarter 399.75 feet to a Taylor MAG nail and the point of beginning; thence South 01° 04' 58" East 1320.33 feet to a #5 Taylor rebar on the south line of said Quarter-Quarter; thence North 89° 57' 03" West along said south line, through a LA Taylor rebar 381.05 feet to a #5 LA

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Taylor rebar; thence North 00° 35' 05" West 690.90 feet to a LA Taylor rebar on the south line of Aqua Zone (PB 29, pg 22); thence North 89° 33' 12" East along the south line of said plat 34.74 feet to an LA Taylor rebar at the southeast corner of said Flat; thence North 01° 04' 58" West along the east line of said Plat. through a LA Taylor rebar 626.10 feet to the north line of said Quarter; thence North 89° 33' 12" East 340.25 feet to the point of beginning. This description was from a Taylor Land Surveying survey from March 2018 (Job #18068) and contains 10.9 acres, more or less. Subject to all easements and rights-of-way on record.

Tract 2:

Part of the Northeast Quarter of the Northwest Quarter of Section 18, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana, and bounded as follows: Commencing at a Harrison Monument at the northeast corner of said Quarter; thence South 89° 33' 12" West (Basis of Bearings: State Plane) along the north line of said Quarter 40.58 feet to the west right of way of an abandoned railroad, and the point of beginning; thence South 01° 04' 58" East along said west line 1323.44 feet to a #5 LA Taylor rebar on the south line of said Quarter-Quarter; thence North 89° 57' 03" West along said south line 359.22 feet to a #5 Taylor rebar; thence North 01° 04' 58" West 1320.33 feet to a Taylor MAG nail on the north line of said Quarter; thence North 89° 33' 12" East 359.17 feet to the point of beginning. This description was from a Taylor Land Surveying survey from March 2018 (Job #18068) and contains 10.9 acres, more or less. Subject to all easements and rights-of-way on record. Subject to all easements, assessments, highways, restrictions, and other limitations of record, or claims of easements not shown by the public records.

Tract 3:

Part of the Northwest Quarter of Section 18, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana, and bounded as follows:

Beginning at a #5 LA Taylor-capped rebar at the southwest corner of Aqua Zone Plat as recorded In Plat Book 29, page 22, said County; thence North 89 deg. 33'12" East (Basis of Bearing: State Plane) along the south line of said Plat 315.87 feet; thence South 00 deg. 35'05" East 690.90 feet to the Quarter-quarter line; thence North 89 deg. 57'03" West 315.89 feet along said Line to a Taylor rebar on the east line of the plat of Hanging Lantern Homestead as recorded in Plat Book 29, page 2; thence North 00 deg. 35'09" West along said east line 688.16 feet to the point of beginning. This description was taken from a survey by Taylor Engineering Co., Inc. (Job #17018) and includes 5.00 acres, more or less, and Is subject to all easements and rights of way on record.

Following a public hearing, the LaGrange County Plan Commission, on April 22, 2019, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Mr. Terry Martin made a motion to approve the Amendment. 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.

**SUBDIVISION PLATS**

The following subdivision plat was presented for approval:

**Belleville View**

There are three lots in this subdivision, in Johnson Township, located at 2180 E 700 S, Wolcottville. Section 33, Township 36N, Range 10E. The owners are Robert Belleville and Theresa Owens. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**Meadowbrook School Subdivision**

There is one lot in this subdivision, in Johnson Township, located at 2260 S 300 E, LaGrange. Section 4, Township 36N, Range 10E. The owners are Joseph and Leeta Wengerd. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**Replat of Bulldog Run**

There is one lot in this subdivision, in VanBuren Township, located at 8375 W 750 N, Shipshewana. Section 15, Township 38N, Range 8E. The owner is Maurice Weaver. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

**H & A Schmucker Minor Subdivision**

There is one lot in this subdivision, in Milford Township, located at 6130 E 300 S, Wolcottville. Section 7, Township 36N, Range 11E. The owners are Harley and Anna Marie Schmucker. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

**Pin Oak Morgans**

There are two lots in this subdivision, in Newbury Township, located at 2775 N 850 W, Shipshewana. Section 10, Township 37N, Range 8E. The owners are Levi and Leora Bontrager. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

**Manas & Mary Bontrager Subdivision**

There are two lots in this subdivision, in Eden Township, located at the southeast corner of 300 S & 900 W, Shipshewana. Section 10, Township 36N, Range 8E. The owners are Manas and Mary Bontrager. Mr. Terry Martin made a motion to approve the plat. Mr. Dennis Kratz seconded the motion and it carried unanimously.

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Stutzman's First Addition

There is one lot in this subdivision, in Newbury Township, located at 11165 W 025 S, Middlebury. Section 30, Township 37N, Range 8E. The owners are Howard and Lena Stutzman. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

Northview Acres

There is one lot in this subdivision, in Milford Township, located at 6335 E 400 S, Wolcottville. Section 7, Township 36N, Range 11E. The owner is Mike North. Mr. Dennis Kratz made a motion to approve the plat. Mr. Terry Martin seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kay Myers, Chief Deputy 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.

APRIL 2019 FINANCIAL REPORT

Mrs. Kay Myers, Chief Deputy Auditor, presented the financial statement for the month ending April 30, 2019, in the amount of \$23,460,865.61 and investments of \$23,460,865.61. Mr. Terry Martin made a motion to approve the report. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MINUTES

Mr. Terry Martin made a motion to approve the minutes of the April 15, 2019 meeting. Mr. Dennis Kratz seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Dennis Kratz made a motion to approve the memorandum for the May 1, 2019 meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Treasurer – April 2019 report

Notice of Public Hearing – Leon & Iva Lehman, application for a short term rental property in an L-a zone.

Indiana Department of Environmental Management – Notice of Approval – Spectrum Finishing, LTD,  
Permit Number 087-40866-00060

Indiana Department of Environmental Management – Notice of Public Comment – Walnut Grove Finishing,  
Permit umber 087-41290-00702

US Army Corps of Engineers – Public Notice – Pigeon Creek


US Army Corps of Engineers – Public Notice – American Land Holdings of Indiana, LLC – to develop a mitigation banking instrument that would operate within the State of Indiana, providing wetland mitigation credits, Vigo County, Indiana

US Army Corps of Engineers – Public Notice – Village of Dieterich – to alleviate flooding and reduce flooding issues during heavy rain events, in Effingham County, Illinois

ADJOURNMENT

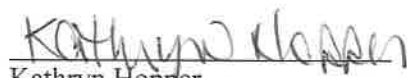
There being nothing further to come before the Board at this time, Mr. Dennis Kratz made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Terry Martin seconded the motion and it carried unanimously.

  
Larry N. Miller

  
Terry A. Martin

  
Dennis H. Kratz

ATTEST:

  
Kathryn Hopper  
LaGrange County Auditor