

SEPTEMBER 3, 2019

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Tuesday, September 3, 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 and Mr. Dennis H. Kratz; and LaGrange County Auditor, Kathryn Hopper. Mr. Terry A. Martin was absent. Mr. Larry Miller, President, called the meeting to order and led in saying the Pledge of Allegiance to the Flag. Mr. Dennis Kratz made a motion to adopt the proposed agenda with flexibility. Mr. Larry Miller seconded the motion and it carried unanimously.

CLERK VOTING MACHINES

Mrs. Bonnie Brown, County Clerk, explained that White County would like to use 20 of our voting machines for an election this year. Microvote will provide a \$1,000 credit to LaGrange County on next year's election service fees. Microvote will take full responsibility for any damage that may occur to the machines. Mr. Dennis Kratz made a motion to approve the use of the machines. Mr. Larry Miller seconded the motion and it carried unanimously.

RODRIGUEZ SETTLEMENT

Mr. Kurt Bachman, County Attorney, reported that the Julie Rodriguez versus LaGrange County case is ready to be settled. Mr. Dennis Kratz made a motion to approve the settlement and sign the documents outside of a public meeting. Mr. Larry Miller seconded the motion and it carried unanimously.

SATELLITE TRACKING OF PEOPLE, LLC

Mr. Kurt Bachman, County Attorney, explained that the County has an agreement with Satellite Tracking of People, LLC, for services associated with work release. The Sheriff would like to switch to another company for these services

Mr. Dennis Kratz made a motion authorize the County Attorney to work with the Sheriff for the transition to the new company. Larry Miller seconded the motion and it carried unanimously.

COUNCIL ON AGING – PARKING LOT

Mrs. Cheri Perkins, Council on Aging Executive Director, explained that the parking lot at the Council on Aging facility is in need of asphalt. She has a quote from B & J Construction in the amount of \$69,800.00. The Cole Foundation has granted \$25,000 towards the project. Mr. Dennis Kratz made a motion to approve \$44,800.00 out of the Cumulative Capital Development fund for the project. Mr. Larry Miller seconded the motion and it carried unanimously.

PLAN COMMISSION – VEHICLE REQUEST

Mrs. Robbie Miller, Planning Administrator, presented quotes for a vehicle for the Plan Commission department. The lowest quote is a 2019 Dodge Durango from Shepherd's in the amount of \$27,420.00. Mr. Dennis Kratz made a motion to approve the request, less the trade in of the current vehicle and to pay for the vehicle out of the Cumulative Capital Development fund. Mr. Larry Miller 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. 2019-09-03A
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

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PERMITTED ON REAL ESTATE DESCRIBED IN THIS ORDINANCE FROM A S-1 DISTRICT TO AN A-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 parcel #: 57-04-04-100-169.000-012, 57-04-04-100-174.000-012, 57-04-04-100-111.000-012, 57-04-04-100-115.000-012, 57-04-04-100-112.000-012, Wolcottville more fully described below hereto, be rezoned and changed from a S-1 District to an A-1 District.

LEGAL DESCRIPTION

LAND DESCRIPTION:

Tract 1:
Lot 1 in J & J Meadows Subdivision.

Tract 2:
Lot 2 in J & J Meadows Subdivision.

Tract 3:
Beginning at a point on the south right-of-way line of the Wabash Railway Company where the west line of the northeast quarter of Section 4, Township 35 North, Range 10 East intersects said right-of-way line; thence east 3.92 chains along the south line of said right-of-way to the point of beginning; thence south 7.41 chains; thence east 24.11 chains to the west line of the Venorris R. Taylor park heretofore given to the Town of Wolcottville; thence north along the west line of said park 7.71 chains to the south line of said Wabash Railway right-of-way; thence in a westerly direction along the south line of said Wabash Railway right-of-way to the place of beginning, excepting therefrom 160 feet by parallel line off the east end thereof, said tract containing 18.175 acres more or less.

Tract 4:
Also, commencing seventy-four (74) rods, two (2) feet and ten (10) inches west of the southeast corner of the northwest quarter of Section Four (4) in Township Thirty-five (35) North of Range Ten (10) East; running thence North fifty-one (51) rods; thence East six (6) rods, four (4) feet and six (6) inches to the place of beginning. Containing two (2) acres of land.

Tract 5:
Commencing at the Southwest corner of said Northeast quarter marked by a Harrison marker found this survey; Thence N 89 Degrees 54'33"E (Record), along the South line of said Northeast quarter, for 290.07 feet to the point of beginning marked by a mag nail set this survey; Thence continuing N 89 degrees 54'33" E, along the South line of said Northeast quarter, for 637.54 feet to a mag nail set this survey at the Southwest corner of a tract of land conveyed to Toni Sue Mast per Noble County document record No. 120500662; Thence N 00 degrees 27'38" W, along the West line of said tract of land conveyed to Mast, for 841.50 feet to a rebar found this survey; Thence S 89 degrees 54'33" W, parallel to the South line of said Northeast quarter, for 744.79 feet to a rebar set this survey; Thence South for 579.30 feet to a rebar set this survey; Thence S 63 degrees 19'48" E for 99.39 feet to a rebar set this survey; Thence S 46 degrees 45'24" E for 20.58 feet to a rebar set this survey; Thence S 24 degrees 56'.05" E for 24.20 feet to a rebar set this survey; Thence South for 181.35 feet to the point of Beginning, said tract of land containing 13.85 acres, more or less, and being subject to all public right-of-ways and all other easements of record.

Following a public hearing, the LaGrange County Plan Commission, on August 26, 2019, after having considered the criteria set forth in IC § 36-7-4-603, gave a negative recommendation to this rezoning request.

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Mr. Dennis Kratz made a motion to approve the rezone. Mr. Larry Miller seconded the motion and it carried unanimously. Mr. Dennis Kratz made a motion to waive the requirement for second reading. Mr. Larry Miller 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. 2019-09-03B
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 A B-3 DISTRICT TO AN A-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 parcel #: 44-05-22-200-015.000-014, SHIPSHEWANA, more fully described below hereto, be rezoned and changed from a B-3 District to an A-1 District.

LEGAL DESCRIPTION

LAND DESCRIPTION:

Tract 1:

Commencing at the southeast corner of Lot 7 in Green Meadows Estates as recorded in Plat Book 11, page 26, in said County; thence North 8°47'38" East along the east line of Lot 7 (basis of bearings: recorded) 392.88 feet to the point of beginning; thence continuing North 8°47'38" East 47.36 feet along said lot line; thence South 89°49'50" East 634.50 feet to the west line of land described in Deed Record 00100052; thence South 01°07'45" West 46.83 feet to the south boundary of the current B-3 zoning; thence North 89°49'50" West 640.82 feet along the current B-3 zoning boundary to the point of beginning, and containing 0.69 acre, more or less.

Following a public hearing, the LaGrange County Plan Commission, on August 26, 2019, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

Mr. Dennis Kratz made a motion to approve the rezone. Mr. Larry Miller seconded the motion and it carried unanimously. Mr. Dennis Kratz made a motion to waive the requirement for second reading. Mr. Larry Miller seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Dennis Kratz made a motion to approve the vouchers. Mr. Larry Miller seconded the motion and it carried unanimously.

MINUTES

Mr. Dennis Kratz made a motion to approve the minutes of the August 22, 2019 meeting. Mr. Larry Miller seconded the motion and it carried unanimously.

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MEMORANDUM

Mr. Dennis Kratz made a motion to approve the memorandum for the August 28, 2019 meeting. Mr. Larry Miller seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Weights and Measures – August 16 – September 15, 2019 report

Notice of Public Hearing – Toni Sue Mast/NEA018, LLC/Lamar & Joanna Bontrager, LaGrange County Plan Commission

Notice of Public Hearing – Daniel & Louella Schrock/Hawpatch Fence & Railing, LaGrange County Plan Commission

US Army Corps of Engineers – Joint Public Notice – Opportunity for public comment on revision and reissuance of regional general permit No. 001 for certain activities in the State of Indiana

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. Larry Miller seconded the motion and it carried unanimously.

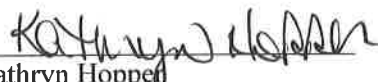

Larry N. Miller

Absent

Terry A. Martin


Dennis H. Kratz

ATTEST:


Kathryn Hopper
LaGrange County Auditor