

**JUNE 19, 2023**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, June 19, 2023, 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. Kevin R. Myers and Mr. Peter A. Cook; 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. Peter Cook made a motion to adopt the proposed agenda with flexibility. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PROPERTY ISSUE AT 4780 W 700 N, SHIPSEWANA, INDIANA**

Mr. Kurt Bachman, County Attorney, explained that a nuisance hearing was to be held today for the property at 4780 W 700 N, Shipshewana. The property is owned by John Johnloz who is now deceased. Mr. Bachman requested that the nuisance hearing be continued indefinitely. Mr. Kevin Myers made a motion to continue the hearing indefinitely. Mr. Peter Cook seconded the motion and it carried unanimously.

**SHERIFF – FLOCK AGREEMENT, INC.**

Mr. Kurt Bachman, County Attorney, explained that last year the Sheriff entered into an agreement with Flock Group Inc, for the purchase of an automatic license plate detection system. The agreement needs to be amended and an agreement with INDOT approved in order to put items in the state's Right of Way. Mr. Peter Cook made a motion to approve the amendment and to authorize the president to sign the amendment and the Sheriff to sign the agreement with INDOT. Mr. Kevin Myers seconded the motion and it carried unanimously.

**BRIDGE NO. 7, COUNTY ROAD 200 SOUTH**

Mrs. Tharon Morgan, County Engineer reported that Bridge No. 7, on County Road 200 S is closed. She has requested two quotes for the repair of the bridge. Mr. Peter Cook made a motion to declare an emergency back to June 13, 2023 to close Bridge No. 7. Mr. Kevin Myers seconded the motion and it carried unanimously. Mr. Kevin Myers made a motion to approve the lowest quote and upon review of the County Attorney, authorize the president to sign the necessary document. Mr. Peter Cook seconded the motion and it carried unanimously.

**COUNCIL ON AGING – 2023 BUDGET REQUEST**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the 2023 budget request, in the amount of \$60,000.

**COUNCIL ON AGING – PURCHASE AGREEMENT FOR VANS**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented a purchase agreement in the amount of \$238,103.60 for two vans for the Council on Aging. This is from a grant. Mr. Peter Cook made a motion to approve the purchase and to authorize the president to sign the purchase agreement. 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 an invoice in the amount of \$139,929.60 for two low floor, rear entry vans for the Council on Aging. These are being delivered today. This is from a grant. Mr. Peter Cook made a motion to approve the purchase and to authorize the president to sign the invoice. Mr. Kevin Myers seconded the motion and it carried unanimously.

**COUNCIL FOR DRUG FREE LAGRANGE COUNTY**

Ms. Robinn Mitchell presented the Council for a Drug-Free LaGrange County grants being proposed for 2023. Mr. Peter Cook made a motion to approve the 2023 grant requests. Mr. Kevin Myers seconded the motion and it carried unanimously.

**AMENDMENT TO THE ZONING ORDINANCE**

**JUNE 19, 2023**

**REGULAR SESSION**

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

AMENDMENT NO. 2023-06-19

TO

THE ZONING ORDINANCE

(INDIAN TRAILS PUD REZONE)

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 A PLANNED UNIT DEVELOPMENT (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 44-03-35-300-007.003-012, 44-03-35-300-007.004-012 and 44-03-35-300-001.000-012 more fully described below hereto, be rezoned and changed from an A-1 District to a Planned Unit Development (PUD) District.

**Legal Description**

Part of the West half of section thirty-five, Township Thirty-eight North, Range Nine East, Lima Township, LaGrange County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section Thirty-Five; thence South eighty-eight degrees five minutes five seconds East (assumed bearing) nine hundred seventeen and forty hundredths feet; thence North zero degrees nine minutes twenty seconds East, two thousand seven and seventy-nine hundredths feet to the point of beginning; thence North ninety degrees zero minutes West, five hundred ninety-five and ninety-nine hundredths feet; thence North zero degrees nine minutes twenty seconds, East six hundred twenty-six and thirty hundredths feet to the centerline of County Road 450 North; thence North seventy degrees thirty-seven minutes twenty-five seconds East along said centerline six hundred thirty-two and thirty-eight hundredths feet; thence South zero degrees nine minutes twenty seconds West, eight hundred thirty-six and eleven hundredths feet to the point of beginning, containing Ten acres more or less, subject to all easements and rights of way to record.

Also subject to possible easements for drainage ditches and tile drains. Situated in Lagrange County, State of Indiana, to-wit:

A tract of land located in the Southwest Quarter of Section 35, Township 38 North, Range 9 East, in Lagrange County, the State of Indiana, more fully described as follows: Commencing at the Northwest corner of said Southwest Quarter; thence S 00 degrees 38' 42" W (record), along the West line of said Southwest Quarter, for 144.26 feet to the point of beginning marked by an axle shaft found this survey; thence continuing S 00 degrees 38' 42" W, along the West line of said Southwest Quarter, for 519.45 feet to a rebar set this survey; thence S 89 degrees 57' 39" E for 307.47 feet to a wood corner post found this survey; thence N 00 degrees 11' 41" E, along the West line of Lot 1 in Indian Trails Minor Subdivision as platted and recorded in Lagrange County Plat Book 14, page 96, for 626.30 feet to a mag nail set this survey on the center line of County Road 450 North, for 321.94 feet to the point of beginning, said tract containing 4.01 acres, more or less.

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

**JUNE 19, 2023**

**REGULAR SESSION**

**AMENDMENT TO THE ZONING ORDINANCE**

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

AMENDMENT NO. \_\_\_\_\_  
TO  
THE ZONING ORDINANCE  
(JOAS SCHLABACH REZONE)

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 A 8-2 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:

Legal Description

A part of the North Half of the Northwest Quarter of Section 11, Township 37 North, Range 8 East in Newberry Township, LaGrange County, Indiana, and more particularly described as follows:

Beginning at the Southwest corner of Lot 4 of the Christner Subdivision as described in LaGrange County Plat Book 33, Page 75, and also Document No. 202106695; thence North 00 degrees 42 minutes 36 seconds West (Record), along the West line of said Lot 4, for 143.00 feet; thence North 89 degrees 10 minutes 14 seconds East, parallel with the South line of said Lot 4, for 206.00 feet; thence South 00 degrees 42 minutes 36 seconds East, parallel with the West line of said Lot 4, for 143.00 feet; thence South 89 degrees 10 minutes 14 seconds West, along the South line of said Lot 4, for 206.00 feet to the Point of Beginning, said tract containing 0.68 Acres

Mr. Peter Cook made a motion to table the Amendment to the Zoning Ordinance until July 5, 2023. Mr. Kevin Myers seconded the motion and it carried unanimously.

**SHERIFF –VEHICLE PURCHASE**

Mr. Tracy Harker, County Sheriff, requested permission to purchase two vehicles from John Jones Police Pursuit Vehicles in the amount of \$42,302 each. Mr. Peter Cook made a motion to approve the purchase. Mr. Kevin Myers seconded the motion and it carried unanimously.

**INFORMATION TECHNOLOGY – PURCHASE REQUEST**

Mr. Dave Warren, Information Technology Director, presented a quote of \$13,959.78 to purchase disk storage from CDW. Mr. Kevin Myers made a motion to approve the purchase. 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**

**JUNE 19, 2023**

**REGULAR SESSION**

Mr. Peter Cook made a motion to approve the minutes of the June 5, 2023 regular session meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MEMORANDUM**

Mr. Kevin Myers made a motion to approve the memorandum for the June 14, 2023 staff meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**PETITION TO VACATE PUBLIC WAY SOUTH AND EAST OF LOT 40 IN WESTLER LAKE RESORT**

At 9:00 a.m. Mr. Kurt Bachman, County Attorney, reconvened the public hearing for on the petition to vacate for Gregory E. and Jennifer L. Mohr, 6995 S 095 E, Wolcottville, Indiana. The petitioners are seeking to vacate an unimproved roadway located south and east of Lot 40 of Westler Lake Resort. Mr. Bachman explained that he has communicated with the attorneys from both sides of the property. They have not submitted any documentation for review. Mr. Kevin Myers made a motion deny the vacation. Mr. Peter Cook seconded the motion and it carried unanimously.

**CORRESPONDENCE**

LaGrange County Clerk of the Circuit Court – May 2023 report  
Indiana Department of Environmental Management – Notice of Approval, Custom Steel Designs, LLC,  
1665 S 1000 W, Shipshewana, Indiana 46565. Permit Number 087-46515-00076

**ADJOURNMENT**

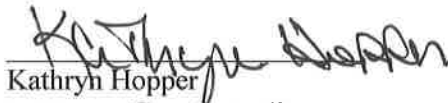
There being nothing further to come before the Board at this time, Mr. Kevin Myers made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Peter Cook seconded the motion and it carried unanimously.

  
Terry A. Martin

  
Kevin R. Myers

  
Absent  
Peter A. Cook

ATTEST:

  
Kathryn Hopper  
LaGrange County Auditor