

AUGUST 21, 2023

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, August 21, 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 and Mr. Peter A. Cook; and LaGrange County Auditor, Kathryn Hopper. Mr. Kevin R. Myers was absent. Mr. Terry Martin, 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. Peter Cook seconded the motion and it carried unanimously.

NUISANCE HEARING – STEPHEN WYATT, 11520 E 335 S, LAGRANGE, INDIANA

Mr. Kurt Bachman, County Attorney, explained that a nuisance exists at 11520 E 335 S, LaGrange, Indiana. The property is owned by Stephen Wyatt. Mr. Bill Stewart, Code Enforcement Officer, was present and was administered an oath by Mr. Bachman. Mr. Stewart explained that in April 2023, he was called by a neighbor about the tall grass, a junk vehicle, and critters on the property. Mr. Tony Manns, Attorney, explained that on May 30, 2023, Mr. Stewart put an order on the property for tall grass junk vehicles and public nuisances. Mr. Stewart reported that as of today, the grass has been mowed, the vehicle is still there, and a nuisance exists. He is recommending that the order be modified and that a public nuisance exists, and that fines be implemented retroactive to May 30, 2023 in the amount of \$100 per week and continue until the nuisance is abated. Mr. Peter Cook made a motion to modify the order and implement the fines back to May 30 as recommended and authorize the signing of the order outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

SHERIFF OFFICE – TRANSFER OF OWNERSHIP OF CANINE

Mr. Kurt Bachman, County Attorney, presented an Agreement for Transfer of Ownership of Canine. The Sheriff's Office would like to transfer K-9 Officer Arrow to Zachary Anderson. Mr. Peter Cook made a motion to approve the transfer of the canine to Zachary Anderson. Mr. Terry Martin seconded the motion and it carried unanimously.

SBA COMMUNICATIONS CORPORATION – LEASE AGREEMENT

Mr. Kurt Bachman, County Attorney, presented a Lease Agreement between the Board of Commissioners of LaGrange County and SBA Towers VI, LLC (SBA). SBA would like to sublease to Zayo Group, LLC space at the site, to operate networking equipment and install a generator, Zayo uses the equipment to provide bandwidth service to the tower tenants at the site. Mr. Peter Cook made a motion to approve the lease agreement and authorize the president to sign. Mr. Terry Martin seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF SALT

Mr. Aaron Fugate, Highway Supervisor, explained that they went through the Indiana Department of Transportation Indiana Road Salt Program for salt purchases. They were able to get a price of \$81.38 per ton from Compass Minerals America Inc. The Quantity Purchase Agreement will need to be signed. Mr. Peter Cook made a motion to award the salt contract to Compass Minerals America Inc. in the amount of \$81.38 per ton and authorize the agreements to be signed outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

NUISANCE HEARING – JOHN AND LINDA LACKEY, 1260 S 400 E, LAGRANGE, INDIANA

At 8:45 a.m. Mr. Kurt Bachman, County Attorney, explained that a nuisance exists at 1260 S 400 E, LaGrange, Indiana. The property is owned by John and Linda Lackey. Mr. Bill Stewart, Code Enforcement Officer, was present and was administered an oath by Mr. Bachman. James and Linda Lackey were present and were administered an oath by Mr. Bachman. Mr. Tony Manns, Attorney, explained that on May 23, 2023, Mr. Bill Stewart, Code Enforcement Officer, issued an order on the property for boxes of appliances, furniture, and household items; accumulated garbage and trash; vehicle parts and scrap metals; and junk vehicles. Mr. Stewart assessed fines in the amount of \$400 per week beginning on May 23, 2023.

AUGUST 21, 2023

REGULAR SESSION

Mr. Stewart explained that on April 20, 2023, he investigated the property. There were lawn mowers, vehicles, and tires, on the property. He posted the sticker on the property. On May 23, 2023 he delivered the order to Linda Lackey. On July 28, 2023 he delivered a continuance order to Linda Lackey. Mr. Stewart reported that as of today some vehicles have been removed, and that a nuisance still exists. He is recommending that the order be modified and that a public nuisance exists, and that fines be implemented retroactive to May 23, 2023 in the amount of \$100 per week and continue until the nuisance is abated. Mr. James Lackey testified that the vehicles are historic vehicles and are plated, but need some work done on them to make them operable and he has not had the time to do that.

Mr. Peter Cook made a motion to modify the order and implement the fines back to May 23, 2023 as recommended and authorize the signing of the order outside of a public meeting, and reconvene the hearing on September 18, 2023 at 8:30 a.m. Mr. Terry Martin seconded the motion and it carried unanimously.

COUNTYWIDE SIGN AGREEMENT

Mrs. Tharon Morgan, County Engineer, presented an agreement with the Indiana Department of Transportation for a Countywide sign agreement. Mr. Peter Cook made a motion to approve the signing of the agreement by the President retroactive to August 14, 2023. Mr. Terry Martin seconded the motion and it carried unanimously.

USI CONSULTANTS, INC – BRIDGE NO. 7

Mrs. Tharon Morgan, County Engineer, presented an agreement with USI Consultants, Inc. for Bridge No. 7 superstructure replacement bid documents, for up to \$10,000. Mr. Peter Cook made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

AMERICAN STRUCTUREPOINT INC – BRIDGE NO. 58

Mrs. Tharon Morgan, County Engineer, presented an agreement with American Structurepoint, Inc. for Bridge No. 58. Mr. Peter Cook made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

AMERICAN STRUCTUREPOINT INC – ON CALL SERVICES AGREEMENT

Mrs. Tharon Morgan, County Engineer, presented an agreement with American Structurepoint, Inc. for additional countywide small structure inspection and inventory, in the amount not to exceed \$6,000. Mr. Peter Cook made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY -

Mr. Dave Warren, Information Technology Director, was present and requested permission to attend a Project Management Training course. The course is a five-day course and cost \$3,995. He has funds in his budget to cover the cost. Mr. Peter Cook made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

PARK DEPARTMENT – SURPLUS ITEMS

Mrs. Mary Franke, Park Director, presented a list of items to be declared as surplus. Mr. Peter Cook made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

INFORMATION & RECORDS ASSOCIATES, INC. / SBS PORTALS – SCANNING OF BOOKS

Mrs. Kathryn Hopper, County Auditor, explained that the property transfer books, plat books, Commissioner and Council minute books, and various other books have been scanned. She presented an agreement with SBS Portals for the set-up, training and ongoing updates and support, in the amount of \$5,900. Mr. Peter Cook made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

AUGUST 21, 2023

REGULAR SESSION

AMENDMENT TO THE ZONING ORDINANCE

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

AMENDMENT NO. 2023-08-21

TO

THE ZONING ORDINANCE

(ATJ Real Estate 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 A B-3 DISTRICT TO AN I-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 parcels 44-07-07300-011.000-001 be rezoned and changed from a B-3 to a I-1 District.

Legal Description

A tract of land located in the Southwest Quarter of Section 7, Township 37, North, Range 10 East, more fully described as follows: Beginning at the Southwest corner of said Southwest Quarter marked by a brass pin found this survey; thence North (record), along the West line of said Southwest Quarter, for 509.90 feet to the Southwest corner of a tract of land conveyed to Mark A. Randall per LaGrange County Document Record #03-03-0827 marked by a Mag Nail set this survey; thence South 89 degrees 38 minutes 27 seconds East, parallel to the South line of said Southwest Quarter, for 402.62 feet to a rebar set this survey; thence South, parallel to the West line of said Southwest Quarter, for 509.90 feet to a Mag Nail set this survey on the South line of said Southwest Quarter; thence North 89 degrees 38 minutes 27 seconds West, along the South line of said Southwest Quarter, for 402.62 feet to the point of beginning, said tract containing 4.71 acres, more or less.

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

AMENDMENT TO THE ZONING ORDINANCE

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

INSERT

Mr. Peter Cook made a motion to reject the Amendment to the Zoning Ordinance. Mr. Terry Martin seconded the motion and it carried unanimously.

PARKVIEW OCCUPATIONAL HEALTH CENTERS, INC. – WELLNESS SCREENING

Mrs. Jenny Landez, Human Resources Director, presented an agreement with Parkview Occupational Health Centers, Inc. to perform the 2023 wellness screening for County employees. The cost will be \$28 for the employees on the County insurance and \$30 for spouses and those not on insurance. Health risk assessments for county employees are \$30.00 for all employees. The wellness screening will be held on October 19, 2023 at The Garage.

AUGUST 21, 2023

REGULAR SESSION

Mr. Peter Cook made a motion to approve the agreement. Mr. Terry Martin seconded the motion and it carried unanimously.

REQUEST FOR UNPAID LEAVE

Mrs. Jenny Landez, Human Resources Director, presented a request for unpaid leave for an employee. Mr. Peter Cook made a motion to approve the request. Mr. Terry Martin seconded the motion and it carried unanimously.

MAINTENANCE – REQUEST TO PURCHASE VEHICLE AND PLOW

Mr. Gary Mast, Maintenance Director, requested permission to purchase a truck. He presented three quotes, with the lowest quote from Eby Ford Lincoln in the amount of \$46,750. He would like to have a plow on the truck and the lowest quote for that is from Kenn-Feld Group, LLC, in the amount of \$7,305. The two trucks that are currently in the Maintenance fleet would be sold. Mr. Peter Cook made a motion to approve the truck and p

ACCOUNTS PAYABLE VOUCHERS

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

MINUTES

Mr. Peter Cook made a motion to approve the minutes of the August 7, 2023 regular session meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Peter Cook made a motion to approve the memorandum for the August 14, 2023 Executive Session and the August 16, 2023 staff meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Clerk of the Circuit Court – July 2023 report

Notices of Public Hearing by the LaGrange County Drainage Board in the matter of the establishment of an annual maintenance Fund for the #1 Page Ditch

Indiana Department of Environmental Management – Notice of Approval, Rock Run Industries, LLC, 11635 W 600 S, Millersburg, Indiana 46571, FESOP – Significant Permit Revision, Permit Number 087-46569-00072.

ADJOURNMENT

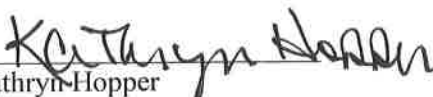
There being nothing further to come before the Board at this time, Mr. Terry Martin made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Peter Cook seconded the motion and it carried unanimously.


Terry A. Martin


Kevin R. Myers


Peter A. Cook

ATTEST:


Kathryn Hopper
LaGrange County Auditor