

APRIL 7, 2025

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, April 7, 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. Terry A. Martin, Mr. Peter A. Cook and Mr. Kevin R. Myers; 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. Kevin Myers made a motion to adopt the proposed agenda with flexibility. Mr. Peter Cook seconded the motion and it carried unanimously.

NUISANCE STATUS UPDATE – 0230 E 500 N, HOWE, INDIANA

Mr. Tony Manns, County Attorney, explained that a nuisance existed at 0230 E 500 N, Howe, Indiana, owned by Thomas Tribbett. Mr. Tracy Harker, County Sheriff, reported that the property has been cleaned up. Mr. Peter Cook made a motion to close the nuisance matter and to waive the fines and authorize an order to be signed by the President outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

RESOLUTION AUTHORIZING THE EXCHANGE OF PERSONAL PROPERTY WITH ANOTHER GOVERNMENTAL BODY

Mr. Tony Manns, County Attorney, presented the following Resolution for consideration:

LAGRANGE COUNTY, INDIANA
RESOLUTION NO. 2025-04-07

A RESOLUTION AUTHORIZING THE EXCHANGE OF PERSONAL PROPERTY WITH ANOTHER GOVERNMENTAL BODY

WHEREAS, pursuant to Indiana Code (“IC”) 36-1-2-9, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the legislative body of LaGrange County, Indiana (“County”);

WHEREAS, pursuant to its Public Purchasing Rules Adoption Ordinance (Ord. 2024-01-16-A), the Commissioners are also the purchasing agent on behalf of the County;

WHEREAS, the Commissioners are the owner of a 2020 Dodge Durango SSV with VIN number 1C4SDJFT9LC366465 (“Vehicle”) that has been used by its Sheriff’s Office;

WHEREAS, the LaGrange County Sheriff’s Office, as the using agency of the Vehicle, has informed the Commissioners that the Vehicle should be considered surplus;

WHEREAS, pursuant to IC 36-5-2-2, the Town Council of the Town of Wolcottville (“Town Council”) is the legislative body of Wolcottville, Indiana (“Town”), which is located in the County;

WHEREAS, the Commissioners have expressed a desire to donate the Vehicle to the Town Council (“Donation”) to assist the Town and to improve County-wide law enforcement;

WHEREAS, pursuant to IC 5-22-22-10, a purchasing agency may exchange personal property with another governmental body upon mutually agreeable terms and conditions, as evidenced by the adoption of a substantially identical resolution by each entity;

WHEREAS, pursuant to IC 5-22-22-9(b) before a purchasing agency disposes of a law enforcement vehicle that is painted in a color scheme of more than one (1) color, the purchasing agency must provide a copy of this subsection to the prospective purchaser of the vehicle; *and*

WHEREAS, a motion to adopt this resolution 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.

APRIL 7, 2025

REGULAR SESSION

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, THAT:

SECTION I – NAME

The name of this resolution is the “2025 Durango Donation Resolution.”

SECTION II – RECITALS

The foregoing recitals, including all defined terms, are hereby incorporated into and made a part of this resolution and found to be true, accurate, and correct.

SECTION III – DONATION

- A. Authorization. The President of the Commissioners is hereby authorized, empowered, and directed to implement the Donation.
- B. Execution. The President of the Commissioners is hereby authorized, empowered, and directed to execute a basic contract and/or bill of sale for the Donation and to otherwise take all action necessary or helpful to implement the Donation.
- C. Records. The Auditor is directed to keep records of the Donation on file for ten (10) years from the date of execution of the bill of sale.

SECTION IV – MISCELLANEOUS

- A. References.
 - 1. Except where a specific version or edition is given, reference to another section of this resolution or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time.
 - 2. Should a provision of this resolution require an act to be done which, by law, an agent or deputy may do instead of the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- B. Conflicts. No part of this resolution shall be construed to conflict with any applicable local, state, or federal law, and all reasonable efforts should be made to harmonize the same.
- C. Severability. Should any section or part thereof of this resolution be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this resolution as a whole, nor any other portion thereof, and for this purpose the provisions of this resolution are hereby declared to be severable.
- D. Promulgation. The President of the Commissioners 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 resolution effective.
- E. No Codification. As this resolution does not concern a matter of general applicability, the codifier of ordinances should not codify this resolution.
- F. Effective Date. This resolution shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Resolution. Mr. Kevin Myers seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to waive the requirement for second reading. Mr. Kevin Myers seconded the motion and it carried unanimously.

SHIPSHEWANA – STORM DAMAGE

Mr. Tony Manns, County Attorney, explained that last weekend there was storm damage in the Shipshewana area. Mr. Paul Yoder, Manager of Yoder Investment properties, agreed to receive and allow storm debris to be dumped deposited, and/or, spread on its property located at E. Country Lane, Shipshewana, Indiana. Mr. Manns presented

APRIL 7, 2025

REGULAR SESSION

a Receipt, Release and Indemnification agreement. Mr. Kevin Myers made a motion to approve the agreement. Mr. Peter Cook seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to declare a storm emergency on March 30, 2025. Mr. Kevin Myers seconded the motion and it carried unanimously.

NORTHEAST INDIANA COMMUNITY CORRECTIONS ADVISORY BOARD

Mr. Brett Hays, Executive Director of Steuben County Community Corrections, suggested the following appointments to the Northeast Indiana Community Corrections Advisory Board: James Hanson, Brandy Lowe, Jeff Campos, LeAnn Anders, Vincent Hostetler, and Terry Martin. The terms run until March 1, 2029. Mr. Peter Cook made a motion to approve the appointments. Mr. Kevin Myers seconded the motion and it carried unanimously.

COMMUNITY CORRECTIONS TRASH COLLECTION

Mr. Brett Hays, Executive Director of the Northeast Indiana Community Corrections, explained that the community service work crews have been depositing trash collected at the Northeast Indiana Solid Waste Management District transfer station in the past. He needs to know what to do with the trash collected off of the LaGrange County roads. The Commissioners will review the matter.

SHERIFF – SALE OF 2013 DODGE CHARGER

Mr. Tracy Harker, County Sheriff, reported that he has received bids for the sale of a 2013 Dodge Charger. The highest bid received is for \$2,500. Mr. Peter Cook made a motion to approve the sale of the vehicle. Mr. Kevin Myers seconded the motion and it carried unanimously.

SHERIFF – RETIREMENT OF CANINE RYKER

Mr. Tracy Harker, County Sheriff, reported that one of the canine Ryker will be retiring. Mr. Peter Cook made a motion to allow the County Attorney to work on an agreement for the retirement of the canine.

PARK – GRANT APPLICATION REQUEST

Mrs. Mary Franke, Park Director, requested permission to apply for a grant from NIPSCO for the summer day camp. The grant would be for \$3,000. Mr. Kevin Myers made a motion to approve applying for the grant and authorize the president to sign. Mr. Peter Cook seconded the motion and it carried unanimously.

NIPSCO – AGREEMENT TO SUPPLY ELECTRIC SERVICE

Mr. Gary Mast, Maintenance Director, explained that NIPSCO is requesting \$24,335 to update the electrical transformers and meters at the Courthouse. He presented an agreement between LaGrange County and Northern Indiana Public Service Company. Mr. Peter Cook made a motion to approve the agreement, subject to corrections, and authorize the president to sign the agreement outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

JUSTICE CENTER REMODEL

Mr. Jason Boggs, Building Commissioner, explained that on March 17, 2025 bids were for the Justice Center remodel. The lowest bid was from JICI Construction in the amount of \$211,800. Mr. Kevin Myers made a motion to approve the bid from JICI Construction and authorize the contract to be signed by the president outside of a public meeting.. Mr. Peter Cook seconded the motion and it carried unanimously.

ENGINEERING RESOURCES INC. – ON-CALL ENGINEERING SERVICES

Mrs. Tharon Morgan, County Engineer, presented Work Order No. 2 from Engineering Resources for Intersection Improvement at East 700 S and State Road 3. The total amount is \$33,250. Mr. Peter Cook made a motion to accept the Work Order and authorize the President to sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

COMPOST REGISTRATION APPLICATION

APRIL 7, 2025

REGULAR SESSION

Mrs. Tharon Morgan, County Engineer, presented the Vegetative Matter Composting Registration Application. She will need to make some minor revisions to the application to comply with the Indiana Department of Environmental Management. Mr. Peter Cook made a motion to approve the application and authorize the President to sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

AMERICAN STRUCTUREPOINT – BRIDGE 49, COUNTY ROAD 700 SOUTH OVER WESTLER/WITMER CHANNEL

Mrs. Tharon Morgan, County Engineer, presented Amendment No. 1 to the contract between the Board of County Commissioners and American Structurepoint, Inc, for consulting services for the replacement of Bridge 49, County Road 700 south over Westler/Witmer Channel. The amendment is an increase in the amount of \$25,035. Mr. Peter Cook made a motion to approve the amendment. Mr. Kevin Myers seconded the motion and it carried unanimously.

LAGRANGE COUNTY REDEVELOPMENT COMMISSION

Mrs. Kathryn Hopper, County Auditor, informed the Commissioners there is a non-voting advisor from a local school board on the LaGrange County Redevelopment Commission with a two-year term. The current person is Mr. Chad Bender whose term ended May 31, 2024. Mr. Kevin Myers made a motion to appoint Chad Bender to the Commission. Mr. Peter Cook seconded the motion and it carried unanimously. The term will run for two years from June 1, 2024 through May 31, 2026.

MARCH 2025 FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending March 31, 2025, in the amount of \$49,751,438.31 and investments of \$23,862,340.00. Mr. Kevin Myers made a motion to accept the report. 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. Peter Cook made a motion to approve the minutes of the March 17, 2025 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 April 2, 2025 staff meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Treasurer – March 2025 report

Northeastern Center – Notice if Regular meetings of the Board of Directors

Indiana Department of Environmental Management – Notice of Public Comment, Forest River Inc. Plant 72, MSOP Renewal No.: M 087-48640-00673

Indiana Department of Environmental Management – Notice of Approval, Forest River LaGrange Complex, 1500 North Detroit Street and 290 West Dutch Drive, LaGrange, Indiana 46761, Permit No. 087-48226-00685

Indiana Department of Natural Resources – South Milford I.O.O.F. Hall, 8015 E 750 S, South Milford, Indiana – entered in the National Register of Historic Places on March 3, 2025

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.

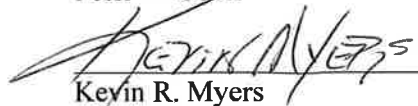

Terry A. Martin

APRIL 7, 2025

REGULAR SESSION

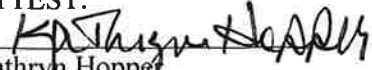


Peter A. Cook



Kevin R. Myers

ATTEST:



Kathryn Hopper
LaGrange County Auditor

