**LaGrange County Drainage Board Minutes**

 **Commissioner’s Room – 1st Floor County Office Building**

A regular session of the LaGrange County Drainage Board was called to order by Ben Taylor at 9:00 A.M. on Wednesday, May 7th, 2025.

**Those Present Were:**

Ben Taylor, Chair; Todd Perkins, Vice Chair; Kevin Myers, Eric Knepp, Member; Member; Zachary Young, Member; Zach Holsinger, County Surveyor; Samantha Yoder, Secretary; Cory Stewart, Deputy Surveyor; Tony Manns, County Attorney; Tharon Morgan, County Engineer; Ronald Mishler, Landowner; Peter Burns, Contractor; Atlee Schwortz, Rep. for Paul Miller; Paul Miller, Landowner; Merlin Mullett, Landowner; Todd Thurber, Landowner; Jim Young, Councilman; Eric Pearson, Landowner

**Agenda:**

Myers moved to accept the agenda with flexibility. Young seconded the motion. The motion carried unanimously.

**Minutes:**

Perkins motioned to accept the minutes from the previous meeting. Myers seconded the motion. The motion carried unanimously.

**New Business:**

Holsinger presented an application to encroach in the right-of-way for Jadwinder Singh continuation from previous meeting. Holsinger presented the estimate he received for replacing the tile of $70,550.00. Peter Burns said that they are asking for a 25/75% split with the county and their estimate is around $200,000.00. The Board discussed and asked Holsinger if he would be willing to lead the project and he said he would be fine with that. The Board asked Mr. Burns if the landowner would be willing to contribute $50,000.00 to the project and he stated that would not be a problem. Young made a motion for $20,000.00 to be paid out of the system fund and the landowner to contribute $50,000.00 and that the landowner contribution must be received prior to the work being stated. Perkins seconded the motion. The motion carried unanimously. Perkins made a motion to approve the right-of-way application pending the tile replacement. Young seconded the motion. The motion carried unanimously.

Holsinger presented the continuation application to encroach in the right-of-way for Erik Pearson. The Board looked at the new proposed site plan and discussed. Perkins made a motion to deny the application. Myers seconded the motion. The motion carried unanimously.

Holsinger presented an application to encroach in the right-of-way for Paul Miller/Atlee Schwartz. Holsinger stated that this is a house addition and the current house has been there for years and it is located in the right-of-way already and the addition will not encroach anymore. Holsinger stated that he has no problem with the addition. Young made a motion to approve the application to encroach. Myers seconded the motion. The motion carried unanimously.

Zach stated that we have an application to encroach in the right-of-way for Troyer Group/Surf Internet, but no one was present. Young made a motion to table the application until someone was present. Knepp seconded the motion. The motion carried unanimously.

Zach presented two invoices we received from Merlin Mullett that he wants the county to reimburse him for. Holsinger stated that we have looked at these before and the Boad denied payment at their November 6, 2024 meeting. Holsinger also stated that we have covered some of the costs already for seeding. The Board discussed. Young made a motion that we contribute $145.00 to the presented invoices. Perkins seconded the motion. The motion carried unanimously.

**Old Business:**

Holsinger gave an update on the demand letters sent to Shipshewana Auction and REMC. Holsinger stated that neither have paid or contacted our office and asked what the Board would like him to do now. Jim Young, County Council, spoke and stated that he believes that in the case of Shipshewana Auction the Board needs to let that go and pay for the repairs out of the maintenance fund because he doesn’t believe that a court case could be won. The Board asked Mr. Young if he had looked at the video of the camera’d area showing exactly what was going on and he stated that he had not. Mr. Young stated that the Council would not back the Board to pursue any legal action or distribute any funds to cover attorney fees. Zach Young made a motion to move past this landowner obstruction and not pursue any reimbursement of funds. Young amended his motion to include the Auction barn be responsible for purchasing baskets, installing those baskets, maintenance of baskets and that any member of the Board or Surveyor’s Office can inspect at any time. Myers seconded the motion. The vote was as follows: Todd – no, Zach – yes, Kevin – yes, Eric – yes, Ben – abstained. The motion to move past the landowner obstruction and not hold them accountable to pursue reimbursement of funds passed in a 3-1 with 1 abstained vote.

Holsinger asked what the Board wants him to do with REMC. Jim Young stated that he has spoken with Mark Leu at REMC and they would be willing to pay half of the bill. Perkins asked Mr. Young if the Council is going to cover the other half and Mr. Young said that he believes that they could do that, but he would need to speak to the other Council members. Holsinger stated that before anything is done he would like there to be things put into writing from both REMC and the Council.

**Other Business:**

Holsinger stated that Todd with DLZ came to him about a road in Shipshewana that is failing and needs to be redone. This road, Lehman Drive, has a county regulated tile that runs under it and Todd would like to replace the tile at the time of the road being redone. Holsinger stated that he believes it to be best to replace that section of tile under the road when they have the road tore up because it will make it easier. Todd is going to get an application turned in along with a site plan and the Board will look at everything at that time.

Next meeting date is Wednesday, June 4th at 8:30 AM.

**Adjourn:**

Young motioned to close the drainage board meeting for Wednesday, May 7th, 2025, at 10:31 A.M. Myers seconded the motion. The motion carried unanimously.

Benjamin Taylor, Chair

Todd Perkins, Vice Chair

Kevin Myers, Member

Eric Knepp, Member

Zachary Young, Member