

NOVEMBER 3, 2025

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, November 3, 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.

COURTHOUSE GAZEBO

Mr. Gary Mast, Maintenance Director, would like permission to work with the County Attorney on the Ordinance for the Courthouse Gazebo. Mr. Kevin Myers made a motion to approve. Mr. Peter Cook seconded the motion and it carried unanimously.

COMMUNITY CORRECTIONS TRASH COLLECTION

Mr. Brett Hays, Executive Director of the Northeast Indiana Community Corrections, explained that he approached the Commissioners in April, regarding the community service work crews do not have a place to put trash collected off of the LaGrange County Roads. In the Topeka area they use the Town of Topeka's trash dumpsters. He has reached out to the other Town's but has not heard back. He would like to know if the County would have a place to dump trash collected from in the County. The highway department can get a larger dumpster at the Highway department for their use. Mr. Aaron Fugate, Highway Supervisor, will notify Mr. Hays when the larger dumpster is in place.

ORDINANCE AUTHORIZING A SPECIAL PURCHASE BY THE PURCHASING AGENT OF THE COUNTY

Mr. Aaron Fugate, Highway Supervisor, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-11-03 A

AN ORDINANCE AUTHORIZING A SPECIAL PURCHASE BY THE PURCHASING AGENT OF THE COUNTY

WHEREAS, pursuant to Indiana Code ("IC") 36-1-4-6, a unit may use, improve, develop, insure, protect, maintain, lease, and dispose of its interests in property;

WHEREAS, pursuant to IC 5-22-4-5(a), the purchasing agency for a political subdivision is the person designated by law or by rule of the governmental body;

WHEREAS, pursuant to the Purchasing Rules Ordinance (Ord. 2024-01-16-A) of the County of LaGrange, Indiana ("County"), the Board of Commissioners of the County of LaGrange ("Commissioners") is the general purchasing agent of the County;

WHEREAS, the Highway Department ("Department") currently has no way of efficiently removing trees and other large items that have fallen across the County's roads, which runs a serious risk of requiring a road closure;

WHEREAS, the Commissioners desire to purchase on behalf of the Department a bucket truck ("Equipment") to facilitate the process of removing fallen trees from the County's roads;

WHEREAS, Altec, Inc. is a foreign for-profit corporation that specializes in the production of aerial device vehicles (as stipulated, "Vendor");

WHEREAS, to facilitate the purchase of the Equipment, Vendor has presented the Commissioners with Quote 1909758-1 dated October 17, 2025, which includes any other proposal from Vendor under substantially similar terms, and any executed contracts and renewals arising therefrom (as stipulated, "Proposal");

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WHEREAS, the Proposal from the Vendor is attached to this ordinance as Exhibit A;

WHEREAS, under the Proposal, the Equipment costs One-Hundred Ninety-Six Thousand, Ninety-Seven and 00/100 Dollars (\$196,097.00);

WHEREAS, pursuant to IC 5-22-7 and -9, a purchasing agent that desires to make a purchase of supplies over \$50,000 must normally create a related invitation of bids or proposals;

WHEREAS, pursuant to IC 5-22-10-1, notwithstanding IC 5-22-7 and -9, a purchasing agent of a unit may make a purchase, as authorized under that code chapter, without soliciting bids or proposals;

WHEREAS, pursuant to IC 5-22-10-4, a purchasing agent may make a special purchase when there exists, under emergency conditions, a threat to public health, welfare, or safety;

WHEREAS, in a letter dated October 22, 2025 ("Letter"), attached to this ordinance as Exhibit B, the LaGrange County Supervisor ("Supervisor") has made the Commissioners aware that the Department no longer has a bucket truck after it was unexpectedly decommissioned for not being able to pass a safety inspection;

WHEREAS, in the Letter, the Supervisor has advised that the lack of having a bucket truck in the Department inventory creates a safety hazard such that, if the County were ever to experience severe weather without a bucket truck, the Department would potentially need to close roads for being otherwise unable to expeditiously remove fallen trees in the highway;

WHEREAS, pursuant to IC 5-22-10-2, a special purchase must be made with competition as is practicable under the circumstances;

WHEREAS, the Supervisor was able to solicit and receive at least three quotes for the Equipment by phone and/or email;

WHEREAS, a new vehicle comparable to the Equipment was not available at other dealerships within the pre-approved budget set by the LaGrange County Council;

WHEREAS, Vendor is the only dealership able to sell the Equipment under a timeframe that reflects the urgent needs of the County;

WHEREAS, pursuant to IC 5-22-10-8 and -13, a purchasing agent may make a special purchase when the compatibility of equipment is a substantial consideration in the purchase and only one (1) source meets the using agency's reasonable requirements;

WHEREAS, as further chronicled in the Letter, Vendor is uniquely able to provide nearby service, warranty work, and repair parts, for which its proximity is crucial for the Department;

WHEREAS, Vendor's engine and chassis software is compatible with the routine truck maintenance performed by the Department; *and*

WHEREAS, the Commissioners desire to approve the Proposal.

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

SECTION I – NAME

The name of this ordinance is the "Bucket Truck Special Purchase Ordinance" or the "Special Purchase Ordinance" where the context is obvious.

SECTION II – RECITALS

The foregoing recitals, including all defined terms, are hereby incorporated into this ordinance and found to be true, accurate, and correct.

SECTION III – PURCHASE OF EQUIPMENT

- A. Determination. Based on the findings of law and fact contained in this ordinance, the Commissioners hereby determines that the Equipment can be lawfully purchased directly from the Vendor as a special purchase under IC 5-22-10.
- B. Emergency Conditions. It is hereby found that emergency conditions exist such that the failure to promptly purchase the Equipment would create a threat to the public health, welfare, or safety.
- C. Proposal Approval. The purchase of the Equipment under the terms of the Proposal is hereby approved, subject to this ordinance and to the appropriation of funds.
- D. Payment Approval. Upon receipt of a proper invoice and in compliance with the terms of the Proposal, the Auditor may approve the timeliness, contents, and form of the invoice and make payment under the Proposal in advance of the performance of the services and in advance of allowance of the claim by the Commissioners.
- E. Restriction. Payment made under the Proposal in advance of the performance of the services shall not exceed fifty percent (50%) of the entire cost of the Proposal.
- F. Authorization. The President of the Commissioners, the Highway Supervisor, and the Auditor are hereby authorized, empowered, and directed to sign all papers and to otherwise take all action necessary or proper to implement the Proposal in accordance with the terms of this ordinance.
- G. Ratification. Pursuant to IC 36-1-4-16, any disinterested actions taken under the Proposal prior to the adoption of this ordinance are hereby ratified, confirmed, and approved in their entirety to the extent the actions otherwise conform to this ordinance.
- H. Records. The Auditor is hereby directed to memorialize any payment of any claim made under the Proposal in advance of the performance of the services and in advance of allowance of the claim by the Commissioners and shall present the claim for Commissioner review and allowance at its then-next regular or special meeting following the actual payment. The Auditor is hereby directed to keep records relating to the Proposal on file for five (5) years from the date of the final payment made pursuant to the Proposal.
- I. Title. Title to the Equipment shall be acquired in the name of the County of LaGrange.

SECTION IV – MISCELLANEOUS

- A. References.
 - 1. Except where a specific version or edition is given, reference to another section of this ordinance 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. Reference in this ordinance to a law, document, fund, department, board, program, public servant, or public office, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words “(of) LaGrange County (Indiana).”
 - 3. Should a provision of this ordinance require any action to be performed which, by law, an agent or deputy may do instead of the principal, the requirement is satisfied by the performance of the action by the authorized agent or deputy.
- B. Claims Barred. This ordinance is intended only to improve the internal management of the County. Notwithstanding anything in this ordinance to the contrary, nothing in this ordinance shall be construed to: (i) create any new legal duty, right, or benefit, whether substantive or procedural, enforceable against the County; nor, (ii) waive or diminish any existing right, protection, immunity, defense, or limitation on liability that may apply to the County or any of its elected or appointed officials, employees, agents, or representatives under any law or regulation.

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- C. Conflicts. No part of this ordinance shall be construed to conflict with any applicable local, state, or federal law, and all reasonable efforts should be made to harmonize the same.
- D. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- E. Incorporated Materials. Two (2) copies of all materials incorporated by reference in this ordinance shall be on file in the Office of the County Auditor for public inspection.
- F. Promulgation. The Auditor is hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this ordinance effective.
- G. No Codification. As this ordinance does not concern a matter of general applicability, the codifier of ordinances should not codify this ordinance.
- H. Effective Date. This ordinance shall take effect immediately upon adoption.
- I. Emergency. An emergency is declared for this ordinance.

Mr. Peter Cook made a motion to approve the Ordinance. 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.

HIGHWAY – PURCHASE OF BUCKET TRUCK

Mr. Aaron Fugate, Highway Supervisor, presented a quote from Altec for the purchase of a bucket truck. The quote is in the amount of \$196,097. Mr. Peter Cook made a motion to approve the purchase. Mr. Kevin Myers seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF LIFT GATE FOR SERVICE TRUCK

Mr. Aaron Fugate, Highway Supervisor, presented a quote from W.A. Jones for the purchase of a lift gate for a service truck. The quote is in the amount of \$7,697. Mr. Kevin Myers made a motion to approve the purchase. Mr. Peter Cook seconded the motion and it carried unanimously.

COMPOST SITE

Mr. Aaron Fugate, Highway Supervisor, suggests closing the compost site for the season on November 29, 2025. Mr. Kevin Myers made a motion to approve. Mr. Peter Cook seconded the motion and it carried unanimously.

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Mr. Jerry Stanner was given five minutes to speak regarding a rezone petition that was tabled during the October 20, 2025 Commissioner's meeting.

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-11-03 B

ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY,
INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES
ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

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WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, Stanner, Jerry L. Trustee of the Jerry L. Stanner Revocable Trust LE (“Landowner”) has at least a 50% ownership interest in the real property located at N SR 9., LaGrange, Indiana 46761 identified as Parcel 44-07-07-100-009.000-001 in the records of the Office of the County Auditor, and more particularly described as follows:

Situated in LaGrange County, the State of Indiana, to-wit:

A tract of land located in the Northwest Quarter of Section 7, Township 37 North, Range 10 East, LaGrange County, the state of Indiana, surveyed by Joshua P. Lash, professional surveyor LS20900180 with Midwest Land Surveying located at 124 E. Albion Street, Avilla, IN 46710 more fully described as follows:

Commencing at the Southwest corner of said Northwest Quarter marked by an iron pin in monument box; thence North 00 degrees 38 feet 43 inches West (State plane NAD83, Zone Indiana East), along the West line of said Northwest Quarter, for 433.54 feet to the Northwest corner of Lot 1 in Howe-LaGrange agency subdivision per LaGrange County Plat Book 22, pages 1, 1A and being the point of beginning of this description; thence continuing North 00 degrees 38 feet 43 inches West, for 961.28 feet to the Southwest corner of a tract of land conveyed to DRD Leasing, LLC per LaGrange County document number 03-08-0322; Thence North 89 degrees 22 feet 18 inches East, along the South line of said DRD Leasing tract, for 544.26 feet to a crimped iron pipe found at the Southeast corner of aforesaid tract; thence North 00 degrees 39 feet 45 inches West, along the East line, of said DRD Leasing tract, for 263.59 feet to a crimped iron pipe found at the Northeast corner of aforesaid tract and on the South line of a tract of land conveyed to Berrien land, LLC per LaGrange County Document number 13060171; thence North 89 degrees 20 feet 36 inches East, along the South line of said Berrien Land, LLC tract, for 441.42 feet to an iron pin found on the East line of the fractional West half of said Northwest Quarter; thence South 00 degrees 22 feet 36 inches East, along the East line of said West half, for 1652.70 feet to a rebar set on the South line of said Northwest Quarter; thence S 89 degrees 01 feet 23 inches West, along the South line of said Northwest Quarter, for 458.37 feet to a rebar set at the Southeast corner Lot 1 in said Howe-LaGrange Agency Subdivision; thence North 04 degrees 35 feet 20 inches West, along the East line of said Lot 1, for 429.21 feet to a rebar set at the Northeast corner of said Lot 1; thence South 89 degrees 37 feet 41 inches West, along the North line of said Lot 1, for 489.98 feet to the point of beginning, said tract of land containing 29.024 acres, more or less.

(collectively, the “Real Estate”);

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from B-3 to A-2 (“Proposal”);

WHEREAS, on October 14th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission (“Plan Commission”) conducted a public hearing on the Proposal;

WHEREAS, on October 14th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, a copy of the Proposal, which is hereby incorporated by reference, was certified to the Commissioners with a favorable recommendation; but was re-certified to the Commissioners on October 16th with an unfavorable recommendation;

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WHEREAS, on October 20th, 2025 & November 3rd, 2025, pursuant to IC 36-7-4- 602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; and

WHEREAS, a motion to adopt this ordinance 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.

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

SECTION I - MAP AMENDMENT

- A. Recitals. The foregoing recitals, including all defined terms, are hereby incorporated into, and made a part of, this ordinance and found to be true, accurate, and correct.
- B. Proposal. The certified Proposal is hereby REJECTED.
- C. Rezone. The UDO zoning maps shall remain the same with respect to the Proposal.

SECTION II - MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- B. Conflicts. No part of this ordinance shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize the same.
- C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this ordinance as a whole, nor any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning Administrator 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 ordinance effective.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Ordinance to reject the rezone map amendment. Mr. Kevin Myers seconded the motion and it carried with Mr. Terry Martin voting no.

DENSITY STUDY

Mr. Terry Martin would like to have a density study done on the animal feeding operations in the County. Mr. Peter Cook made a motion to have Mrs. Robbie Miller, Plan Administrator, work with the Plan Commission on the study. Mr. Kevin Myers seconded the motion and it carried unanimously.

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FIDLAR TECHNOLOGIES – RECORDERS SOFTWARE AGREEMENT

Mr. Marc Peterson, Information Technology Director, presented a 5-year agreement with Fidar Technologies for the software used in the Recorder's office. Mr. Peter Cook made a motion to approve the 5-year agreement and to authorize the president to sign the agreement outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

PARK – TRAIL OF LIGHTS

Mrs. Mary Franke, Park Director, is requesting to spend up to \$20,000 for the trail of lights at Delt Church Park out of donations received for that purpose. Mr. Peter Cook made a motion to approve spending up to \$20,000. Mr. Kevin Myers seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY - PROGRAMABLE SIGN

Mr. Bill Morr, Emergency Management Agency Director, requested approval to renew the software subscription for the programable sign for three years at the October 20, 2025 meeting. He presented and renewal quote from All Traffic Solution in the amount of \$2,422.50 for approval. Mr. Peter Cook made a motion to approve and authorize the president to sign the quote. Mr. Kevin Myers seconded the motion and it carried unanimously.

PURDUE EXTENSION EDUCATIONAL CONTRACTUAL SERVICES AGREEMENT

Mr. Jeff Burbrink, County Extension Director, presented the 2026 educational contract for the Purdue Extension, in the amount of \$139,313, for consideration. Mr. Peter Cook made a motion to approve the agreement and to authorize the president to sign the agreement. Mr. Kevin Myers seconded the motion and it carried unanimously.

SURVEYOR – REQUEST FOR CUMULATIVE DRAIN FUND

Mr. Zachary Holsinger, County Surveyor, requested permission to address the County Council to request permission to begin a Cumulative Drain Fund. This will raise funds necessary to maintain the drains in the County. He Commissioners expressed their concerns. Mr. Kevin Myers made a motion to allow Mr. Holsinger to speak with the County Council regarding the fund. 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. Kevin Myers made a motion to approve the minutes of the October 20, 2025 regular session. Mr. Peter Cook seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Peter Cook made a motion to approve the memorandum for the October 29, 2025 staff meeting and the October 29, 2025 Executive Session. Mr. Kevin Myers seconded the motion and it carried unanimously.

CORRESPONDENCE

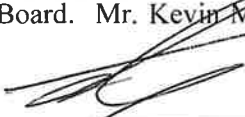
Indiana Department of Environmental Management – Notice of Public Comment, Lake Area Designs, LLC in LaGrange County, Significant Permit Revision No. M087-49545-00678

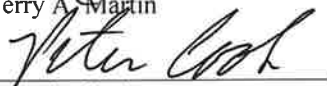
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ADJOURNMENT

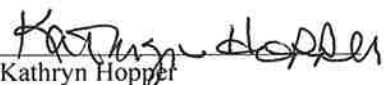
There being nothing further to come before the Board at this time, Mr. Peter Cook made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Kevin Myers seconded the motion and it carried unanimously.


Terry A. Martin


Peter A. Cook


Kevin R. Myers

ATTEST:


Kathryn Hopper
LaGrange County Auditor