

**AUGUST 15, 2016**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, August 15, 2016, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Larry N. Miller, Terry A. Martin, Kevin R. Myers; and LaGrange County Auditor, Kay M. Myers. Mr. Larry Miller called the meeting to order and led those present in saying the Pledge of Allegiance to the Flag. Mr. Terry Martin made a motion to adopt the proposed agenda with flexibility. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PROPERTY ACCESS & EQUIPMENT ADDENDUM**

Mr. Kevin Bruns, County Attorney, presented a property access and equipment addendum between Fiber Network and Parkview Health. Mr. Kurt Bachman, County Attorney, has reviewed the document and is fine with it except that there is a provision that requires the County as the property owner, to comply with all of the terms, and he would like that removed. Mr. Terry Martin approved the document as long as the provision was removed. Mr. Kevin Myers seconded the motion and it carried unanimously.

**INFRACTION DEFERRAL AGREEMENT**

Mr. Kurt Bachman, County Attorney, presented a license agreement with Travis Glick to run the Deferral program retroactive to June 27, 2016. Mr. Terry Martin made a motion to approve the agreement retroactive to June 27. Mr. Kevin Myers seconded the motion and it carried unanimously.

**CLOSING OF STATE ROAD 120**

Mr. Kevin Bruns, County Attorney presented a petition to close State Road 120 in Howe during the Indian Summer Days Festival, September 16 & 17, 2016. The petition was submitted by Ms. Karen Yoder of the Howe Community Association. Howe is an unincorporated town, so the Association would like the Commissioners to sign off on the road closing, but the paperwork will be filed with the state as well. A document called Concurrence for Temporary Use of City or County Streets or Roads is to be executed. Attorney Mr. Kurt Bachman has reviewed the document and wants it made known that the county is taking on more liability by signing the document. Mr. Terry Martin approved the temporary closing of the road and approved the president's signature; the motion was seconded by Mr. Kevin Myers, and was approved unanimously.

**NUISANCE HEARING UPDATE – JUSTIN MCCANN**

Mr. Kevin Bruns, County Attorney, reported on the nuisance hearing for Justin McCann. Attorney Kurt Bachman has proposed orders from the most recent hearing so that they can be approved and returned and served on Mr. McCann based on that hearing. Mr. Don Wismer, Code Enforcement Officer, stated that he had spoken with Mr. McCann this morning and that he has made more progress but that there is still some work that needs to be done. Mr. Wismer recommended that the matter be tabled for thirty days. The address of Mr. McCann is 0645 E 600 N, Howe, Indiana. Mr. Terry Martin approved the previous order of a fine of \$300 per week beginning May 23, 2016 and continuing until everything is cleared up and abated. The motion was seconded by Mr. Kevin Myers and it carried unanimously.

**BUILDING DEPARTMENT SOFTWARE**

Mr. Jason Boggs, Building Department, explained that he wants to replace the current two software systems with one new software system. Currently one of the software systems that department is using is Black Bear, which is out of business and therefore offers no support. If the system goes down, the Building Department will lose all of their data. Mr. Boggs recommends BS&A Software, as he feels it will suit both the Building and Planning Departments the best, and this would take the place of both current software systems. Pricing is \$66,245, which includes installation and hands-on training. After the first year, it will cost \$4,460 per year for maintenance. Other options include Blue Print Support, which has a rough estimate of \$35,000 - \$55,000 and only offers online training. Yearly maintenance with this company would be from \$5,000 - \$10,000. The third option is Citizen's Service, which would cost \$21,600 and also offers online training only. Their yearly maintenance cost would be \$16,200. BS&A is based in Lansing, Michigan, and is able to come in person to fix any problems; the other two companies cannot offer this service. The yearly maintenance amount will come out of the Information Technology budget. Mr. Jason Boggs stated that he would like to have this program implemented for 2017. Ms. Kay Myers brought up the fact that this was not figured into the budget for 2017 so she will have to do an additional appropriation. Mr. Kevin Myers approved the purchase of software from BS&A out of the Rainy Day fund in the amount of \$66,245.00. The motion was seconded by Mr. Terry Martin and it carried unanimously.

**PETITION TO VACATE – SCHROCK / MESSER**

The Schrock's and the potential property buyer are represented by Andrew Rossell from AR Engineering. They are requesting an alley vacation for part of the alley running north and south on block 10 of Hayward's Addition in the Town of Stroh. Mr. Rossell stated that the utility companies have all been contacted and they have stated that they do not object and that they do not have utilities in the alley. Mr. Rossell stated that he has been working with the Planning department and the Auditor's office regarding the vacation, and that all of the notifications have been sent out. The Schrock's and the Messer's are the ones who own property adjoining the alley and who want to vacate part of the alley running north and south. There are utilities in the alley running east and west so AR Engineering is not pursuing the vacation of that alley. The Schrock's are the only ones who filed the petition

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because it was the understanding of AR Engineering that only one party had to file. Mr. Bruns agreed with Mr. Rossell that only one party needs to file the petition; however, it is one party per section of land. Since part of the land is not owned by the Schrock's, but is owned by Messer's, Collins, Fisher, and Boyer then either the Messer's need to file or Collins, Fisher, and Boyer need to file. Mr. Bruns also mentioned that the proposed ordinance looks as though the Messer's want the full alley instead of the half that is standard. It was further stated that this would be between the Messer's, Collins, Fisher, and Boyer parties. Mr. Bruns recommended that the County Commissioners not state in their ordinance who receives the property upon vacation. He mentioned that the current petition states who is supposed to receive the property and he would like to see that removed. He recommended that the County Commissioners just vacate the road and not direct who should receive the property. In the end it was decided that AR Engineering needed to refile the petition, this time with the Messer's. Mr. Terry Martin made a motion to table the matter until further notice. Mr. Kevin Myers seconded the motion and it carried unanimously.

**HIGHWAY**

Mr. Randy VanWagner, Highway Superintendent, requested approval to send all of the highway workers to attend the IPEP safety training on October 18, 2016 in Auburn, Indiana. Mr. Terry Martin made a motion to approve the training. Mr. Kevin Myers seconded the motion and it carried unanimously.

Mr. Randy VanWagner said Ms. Elise Langenberg from Downey Insurance is going to put on a safety seminar at the EMS building in LaGrange on September 13, 2016. The highway department is planning on attending the seminar.

**HIGHWAY DEPARTMENT – TRUCK AND SNOW PLOW PURCHASE**

Mr. Randy VanWagner, Highway Superintendent, would like to purchase a pickup truck for the highway department. They do not intend to trade in a vehicle. Mr. Kevin Myers made a motion to approve the purchase of a pickup truck from LaGrange Country Dodge for \$32,935.00. Mr. Terry Martin seconded the motion and it carried unanimously.

Mr. Randy VanWagner, Highway Superintendent, would like to purchase a snow plow for the front of the new pickup truck that they will be purchasing. Mr. Terry Martin made a motion to approve the purchase of a snow plow from W. A. Jones for \$5,761.00. Mr. Kevin Myers seconded the motion and it carried unanimously.

**NUISANCE HEARING – JAMES HOUSH**

Mr. Don Wismer, code enforcement officer, said that he went to Mr. James Housh's home this morning and that Mr. Housh is making improvements. Mr. Wismer recommended another thirty day extension. Mr. Terry Martin made a motion to reconvene the James House hearing on September 19, 2016 at 9:00 am. Mr. Kevin Myers seconded the motion and it carried unanimously.

**COUNCIL ON AGING RE-BIDS**

Mr. Matt Brinkman, Region 3A, opened the only bid submitted for the Council on Aging Senior Center Improvement Project. He explained that the bids have had to be re-bid several times. He bid is from Ziolkowski Construction, Inc. South Bend, Indiana, for \$753,500.00. Mr. Terry Martin voted to take the bid under advisement until it can be reviewed by the Council on Aging and Region 3A. Mr. Kevin Myers seconded the motion and it carried unanimously.

**NEW COUNTY BUILDING**

Mr. Bob Shanahan explained the proposed cost and design of the new justice center building. Mr. Jeffrey Schaffer, Anchor Construction, discussed using the old jail site for the new building. The proposal is for a two-story building with a full basement reserved for storage. It is proposed that the first floor would be used for the probation department and also for future space. This means that it would be in an early state of finishing with floors and ceilings, but not ready for offices. It is proposed that the second floor house the Prosecutor and IT departments as well as additional flex space. The plan is to incorporate some of the library and courthouse style into the new building. It will be of a conservative design, with products similar to masonry exterior walls, brick façade, and a steel structure inside to support first and second floors. Anchor Construction has built a 20% contingency into the proposed cost. They recommend a design build approach – designing to the budget and not going over 3.85 million. This amount is all inclusive and includes construction, bonding, materials testing, design fees, and insurance. Anchor Construction looked into other options, but nothing to suit is available for lease, there is nothing suitable available to purchase due to space and remodeling, and based on this information they feel that it makes more sense to do new construction. Mr. Bob Weaver, the Principal and Engineer of Anchor Construction, said that the 3.85 million is conceptual based on experience, not the final building plan. Judge J Scott VanDerbeck; Judge Lisa Bowen-Slaven; Ms. LeAnn Anders, Chief Probation Officer; Mr. Greg Kenner, Prosecutor; and Mr. Jeff Campos, Sheriff; all talked about what they desire, their thoughts for the new building, and why the new building is necessary. Mr. Kevin Bruns, County Attorney, recommended that the building be built by a not-for-profit building corporation who will issue the bonds and then the county can lease the building. The costs associated with financing are 4.1 million due to capitalized interest paid to the borrowers during the time of construction. The current interest rate is 2.06 – 2.88% for fifteen to twenty years. The financing would be

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similar to how the jail was financed. The square footage would be a total of 21,600, with a breakdown of 7,200 square feet per floor. Ms. Rita Lehner, GIS Coordinator, discussed storage needs and said that the Spring Street storage location is full. Mr. George Bachman, County Councilman, mentioned using Major Moves money for the new building.

**2017 HOLIDAY SCHEDULE**

Mr. Terry Martin made a motion to approve the proposed holiday schedule for 2017. Mr. Larry Miller seconded the motion and it carried unanimously.

**ACCOUNTS PAYABLE VOUCHERS**

Mrs. Kay Myers, County Auditor, presented the Accounts Payable Vouchers. Mr. Terry Martin made a motion to approve. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MINUTES**

Mr. Terry Martin made a motion to approve the August 1, 2016 regular meeting minutes and the August 9, 2016 Joint session minutes. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MEMORANDUM**

Mr. Terry Martin made a motion to approve the memorandum for the August 10, 2016 meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**COMMITTEE REPORTS**

Mr. Terry Martin reported on the Northeast Indiana Solid Waste District meeting.  
Mr. Larry Miller reported on the Plat Committee meeting.

**AUGUST 2016 FINANCIAL REPORT**

Mrs. Kay Myers, County Auditor, presented the financial statement for the month ending July 31, 2016, in the amount of \$18,561,830.98 and investments of \$24,234,200.00. Mr. Terry Martin made a motion to approve the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

**SUBDIVISION PLATS**

The following subdivision plats were presented for approval:

**Bell Homestead**

There are two lots in this subdivision, in Johnson Township, located at 6775 S 400 E, Wolcottville. Section 27, Township 36N, Range 10E. The owners are Samuel & Joyce Bell. Mr. Terry Martin made a motion to approve the plat. Mr. Kevin Myers seconded the motion and it carried unanimously.

**Robert & Andriette Miles Estates**

There are two lots in this subdivision, in Johnson Township, located at 5105 E 300 S, Wolcottville. Section 1, Township 36N, Range 10E. The owners are Robert & Andriette Miles. Mr. Terry Martin made a motion to approve the plat. Mr. Kevin Myers seconded the motion and it carried unanimously.

**CORRESPONDENCE**

LaGrange County Clerk of the Circuit Court – July, 2016 report  
LaGrange County Treasurer – July, 2016 report  
Letter, August 10, 2016 reference new County building  
Mediacom – monthly rental pricing adjustment for digital transport adapters  
Indiana Department of Environmental Management – Operation Permit Validation, Excel Finishing’s, LLC  
Indiana Department of Transportation – Legal Notice of Planned Improvement, US 20  
US Army Corps of Engineers – Public Notice – Restoration of the waterfront park through the construction of recreational facilities and attendant features, Jefferson County, Kentucky

**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. Terry Martin seconded the motion and it carried unanimously.

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Larry N. Miller

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Terry A. Martin

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Kevin R. Myers

ATTEST:

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Kay M. Myers  
LaGrange County Auditor