

AUGUST 2, 2021

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, August 2, 2021, 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 Martin, Mr. Kevin R. Myers and Mr. Peter A. Cook; 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 HEARING – LUCIO JACQUEZ, 2345 S 460 E, LAGRANGE, INDIANA

Mr. Bill Stewart, Code Enforcement Officer, reported that he visited the property owned by Lucio Jacquez, 2345 S 460 E, LaGrange, Indiana, this morning, and the property is getting cleaned up. He recommends that the nuisance hearing scheduled today be continued and reconvened. Mr. Peter Cook made a motion to reconvene the nuisance hearing on September 7, 2021, at 8:30 a.m. Mr. Kevin Myers seconded the motion and it carried unanimously.

HIGHWAY BUILDING – DESIGN BUILD PROJECT FOR NEW BUILDING

Mr. Kurt Bachman, County Attorney, explained that in order to do a design build project for the new highway garage, a Technical Review Committee needs to be established. Mr. Kevin Myers made a motion to set up a Technical Review Committee for the design build project. Mr. Peter Cook seconded the motion and it carried unanimously.

TRANSFER OF PROPERTY LOCATED AT 107 W. SPRING STREET, LAGRANGE, INDIANA

Mr. Kurt Bachman, County Attorney, asked if the County is interested in transferring the property located at 107 W. Spring Street, LaGrange, Indiana to Main Street LaGrange, Inc. Mr. Kevin Myers made a motion to have the County Attorney proceed with the transfer of property. Mr. Peter Cook seconded the motion and it carried unanimously.

WESTLER LAKE

Mr. Kurt Bachman, County Attorney, explained that the Commissioners had asked the County Surveyor to look at a property at Westler Lake regarding a right of way that goes to the waters edge. There have been some controversies recently regarding this property. The County Surveyor had plotted the points on the property, but it appears that the surveying stakes have been removed. Mr. Peter Cook made a motion to have the County Attorney send a letter to the property owners on each side of the right of way. Mr. Kevin Myers seconded the motion and it carried unanimously.

AT&T INVOICE FOR MODEMS, ANTENNAS, AND CELL PHONES

Mr. Dave Warren, Information Technology Director, presented a bill, on behalf of the County Sheriff, from AT&T Mobility for \$21,007.50 for the Sheriff's Office for in car modems, antennas, and cell phones. The money is in the LIT Public Safety Fund. Mr. Kevin Myers made a motion to pay the invoice. Mr. Peter Cook seconded the motion and it carried unanimously.

PARK DEPARTMENT – REQUEST TO APPLY FOR A GRANT

Mrs. Mary Franke, Park Director, requested permission to apply for a grant from the Dekko Foundation, for a new pavilion and restroom at Delt Church Park. The project is estimated to cost approximately \$147,000. The amount being requested from the Dekko Foundation is \$75,000. \$15,000 will come from the Parks Non-reverting fund and she will be requesting the remainder of the cost from the County Council. Mr. Peter Cook made a motion to grant permission to apply for the grant. Mr. Kevin Myers seconded the motion and it carried unanimously.

2022 STATEMENT OF SALARIES AND WAGES

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Mrs. Kathryn Hopper, County Auditor, presented the 2022 Statement of Salaries and Wages. Mr. Kevin Myers made a motion to recommend a 5% wage increase to full time employees and a 3% pay increase to part time employees. Mr. Peter Cook seconded the motion and it carried unanimously.

ECONOMIC DEVELOPMENT CORPORATION – COVID 19 RESPONSE GRANT

Mrs. Kathryn Hopper, County Auditor, presented a Contract for Services Agreement between the Commissioners Board of LaGrange County and Region 3-A Development and Regional Planning Commission for technical assistance and services in connection with the COVID-19 Response Program Grant. The compensation for services rendered will not exceed \$5,000. Mr. Peter Cook made a motion to approve the contract. Mr. Kevin Myers seconded the motion and it carried unanimously.

AMENDMENT TO THE ZONING ORDINANCE

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

AMENDMENT NO. 2021-08-02 A
TO
THE ZONING ORDINANCE

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 AN A-1 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 parcel #: 44-05-21-200-006.000-014 and 44-05-21-200-007.000-014, LaGrange, more fully described below hereto, be rezoned and changed from an A-1 District to a I-1 District.

LEGAL DESCRIPTION

Part of land described in deed record 1405-0170, all located in the Northeast Quarter of Section 21, Township 37 North, Range 8 East, Newbury Civil Township, LaGrange County, Indiana, being a retracement survey by Benjamin R. Taylor (LS #21300008) for Taylor Land Surveying (Job #21139), certified on May 24, 2021 and more particularly described as follows:

Beginning at a Harrison Monument at the northeast corner of said Quarter; thence South 00°52'56" East (Basis of Bearing: IN East State Plane, NAD 83, Ground Distance) 542.93 feet along the east line of said Quarter to the north line of Joseph L. Raber Farm, as recorded in Plat Book 6, page 173; thence South 89°11'36" West 197.79 feet through a #5 rebar to a #5 rebar on the east line of a parcel described in aforesaid deed; thence North 00°51'22" West 542.84 feet along said east line, through a #5 rebar, to the north line of said Quarter; thence North 89°10'04" East 197.54 feet along said north Line to the point of beginning. The above described tract contains 2.46 acres, more or less, and is subject to all easements and rights-of-way on record.

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Following a public hearing, the LaGrange County Plan Commission, on July 26, 2021, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

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.

AMENDMENT TO THE ZONING ORDINANCE

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

AMENDMENT NO.2021-08-02 B
TO
THE ZONING ORDINANCE

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 AN B-3 DISTRICT TO AN I-2 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 parcel #: 44-02-18-100-001.000-012, LaGrange, more fully described below hereto, be rezoned and changed from a B-3 District to a I-2 District.

LEGAL DESCRIPTION

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

Part of the Fractional Northwest Quarter of Section 18, Township 38 North, Range 10 East, Lima Civil Township, LaGrange County, Indiana, and bounded as follows: Commencing at a Harrison Monument at the Northwest corner of said Quarter; thence North 88 degrees 52 minutes 17 seconds East {basis of bearings: State Plane) 117.02 feet along the North line of said Section to a #5 LA Taylor-capped rebar at the point of beginning; thence continuing North 88 degrees 52 minutes 17 seconds East along said North line 1618.82 feet to a Taylor rebar on the West right of way line of the former Penn Central Railroad (Grand Rapids and Indiana Railroad Co.); thence South 03 degrees 02 minutes 50 seconds East 724.58 feet along said West right of way to a #5 Doyle-capped rebar on the North line of land described in Deed Record 15030059; thence South 88 degrees 37 minutes 07 seconds West 1636.02 feet to a #5 Sexton-capped rebar on the East line of land described in Deed Record 02090716; thence North 01 degree 20 minutes 14 seconds West 604.64 feet to a Taylor rebar; thence North 03 degrees 19 minutes 45 seconds West 126.85 feet along said East line to the point of beginning. This description was taken from a survey by Taylor Engineering Co. Inc. (Job #17034) and contains 27.16 acres, more or less.

Following a public hearing, the LaGrange County Plan Commission, on July 26, 2021, after having considered the criteria set forth in IC § 36-7-4-603, gave a positive recommendation to this rezoning request.

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

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 July 19, 2021 regular session meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Peter Cook made a motion to approve the memorandum for the July 28, 2021 meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

CORRESPONDENCE

LaGrange County Weights and Measures – June 16 – July 15 2021 report

Beard, Ben & Shelly – Notice of Public Hearing, 6065 S 455 E, Wolcottville, IN 46795, August 17, 2021,

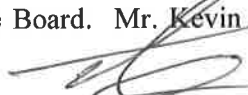
LaGrange County Board of Zoning Appeals

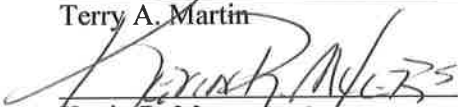
Indiana Department of Environmental Management – Notice of Public Comment, Nishikawa Cooper, LLC,
087-43379-00031

Indiana Department of Environmental Management – Notice of Approval, Rock Run Industries, LLC,
11635 W 600 S, Millersburg, IN 46543, Permit Number 087-43379-00031

ADJOURNMENT

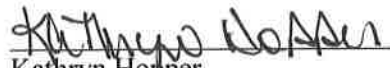
There being nothing further to come before the Board at this time, Mr. Peter Cook made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Kevin Myers seconded the motion and it carried unanimously.


Terry A. Martin


Kevin R. Myers


Peter A. Cook

ATTEST:


Kathryn Hopper
LaGrange County Auditor