

JULY 19, 2021

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, July 19, 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. Peter Cook made a motion to adopt the proposed agenda with flexibility. Mr. Kevin Myers seconded the motion and it carried unanimously.

NUISANCE HEARING – JEREMY A. PERKINS, 6935 N 650 W, SHIPSEWANA, INDIANA

Mr. Kurt Bachman, County Attorney, reported that a nuisance is being held today regarding the property deeded to Jeremy A. Perkins, 6935 N 650 W, Shipshewana. Mr. Bill Stewart, Code Enforcement Officer, explained that on May 10, 2021 he viewed the property and found it be a nuisance. He has attempted to talk to the occupants, without success. An order was delivered on May 26, 2021, with a \$300 a week fine, for tall grass and weeds, junk vehicles, and litter. Mr. Perkins is believed to be deceased. Dawn Quick is occupying the property at this time and was named on the order. The lawn was mowed earlier, but has begun to grow again. Trash has been piled in the back of trucks. The order was issued 7 weeks ago, which has resulted in \$1,400 in fines.

Mr. Kevin Myers made a motion to modify the order to \$200 per week retroactive to May 26, 2021. Mr. Peter Cook seconded the motion and it carried unanimously. Mr. Peter Cook made a motion to authorize the president to sign the order outside of a public meeting.

LEAVE OF ABSENCE REQUEST

Mrs. Jacklyn Medford, Payroll Deputy, explained that on July 6, 2021 a leave request was granted for an employee for two weeks of unpaid leave. The employee is requesting for an additional leave of up to 30 days of unpaid leave. The department head is aware of the request. Mr. Kevin Myers made a motion to approve the request. Mr. Peter Cook seconded the motion and it carried unanimously.

COUNCIL ON AGING – TRANSPORTATION GRANT VOUCHER

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the quarterly voucher for the transportation grant. Mr. Peter Cook made a motion to approve the voucher and have the President sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY – REQUEST TO APPLY FOR A EMPG-SALARY GRANT

Mr. Bill Morr, Emergency Management Agency Director, requested permission to apply for the Emergency Management Performance grant. This grant reimburses the County for 50% of the Directors salary. Mr. Peter Cook made a motion to approve the grant request and have the President sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY – REQUEST TO APPLY FOR A EMPG-COMPETITIVE GRANT

Mr. Bill Morr, Emergency Management Agency Director, requested permission to apply for the Emergency Management Performance grant. This grant assists state and local governments in preparing for all hazards and would pay for creation of plans and EOC improvements, and equipment upgrades, up to \$40,000. Mr. Peter Cook made a motion to approve the grant request and have the President sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY – REQUEST TO APPLY FOR A HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS GRANT

Mr. Bill Morr, Emergency Management Agency Director, requested permission to apply for a Hazardous Material Emergency Preparedness Grant. This grant would be used for the development, improvement, and exercising of emergency plans, as well as training the public sector employees to respond to accidents and

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incident involving hazardous materials, and is for up to \$15,000. Mr. Peter Cook made a motion to approve the grant request and have the President sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

EMERGENCY MANAGEMENT AGENCY - COMMAND VEHICLE EQUIPMENT

Mr. Bill Morr, Emergency Management Agency Director, explained that he has worked with Mr. Dave Warren, Information Technology Director, and put together a list of items that will be needed for the vehicle. The cost of equipment is approximately \$5,683.62. If there is grant money left, that will be utilized. He is requesting to have \$6,500 be put in place for equipment, in case there is not enough left in the grant. Mr. Kevin Myers made a motion to approve \$6,500 for the equipment. Mr. Peter Cook seconded the motion and it carried unanimously.

ACCOUNTS PAYABLE VOUCHERS

Mrs. Kathryn Hopper, County Auditor, presented the Accounts Payable Vouchers. Mr. Peter Cook made a motion to approve the vouchers. Mr. Kevin Myers seconded the motion and it carried unanimously.

MINUTES

Mr. Kevin Myers made a motion to approve the minutes of the July 6, 2021 regular session meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Kevin Myers made a motion to approve the memorandum for the July 14, 2021 meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

VACATING A PUBLIC WAY WITHIN THE COUNTY – ORIGINAL PLAT OF SOUTH MONGO

At 9:00 a.m. Mr. Terry Martin opened the public hearing. Marilyn Ernsberger, Attorney for Ernest and Emily Christner, petitioners, presented a petition to vacate a portion of an unimproved road located south of the intersection of West Street and Ridge Street in the original plat of South Mongo in LaGrange County, Indiana. There being no comments from the public, the public hearing was closed. The following Ordinance was presented for consideration:

COUNTY OF LAGRANGE
ORDINANCE NO. 2021-07-19

AN ORDINANCE VACATING A PUBLIC WAY WITHIN THE COUNTY.

WHEREAS, Ernest D. Christner and Emily K. Christner ("Petitioners"), in person and by counsel, ERNSBERGER & HELMER, P.C., by Marylyn K. L. Ernsberger, in good standing, have filed a petition with the Board of Commissioners of the County of LaGrange ("Commissioners") to vacate a portion of an unimproved road located south of the intersection of West Street and Ridge Street in the Original Plat of South Mongo in LaGrange County, Indiana;

WHEREAS, the Petitioners own the real estate adjacent to said unimproved road sought to be vacated; *and*

WHEREAS, appropriate notice was provided by publication as required by I.C. §5-3-1-2 and the public hearing was duly conducted.

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

SECTION I – VACATION

The portion of an unimproved road located south of the intersection of West Street and Ridge Street, as identified in the Plat of South Mongo in LaGrange County, Indiana, and as further described in Exhibit A, which is attached hereto and incorporated herein, is hereby vacated.

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SECTION II – FINDINGS

The Commissioners hereby find that the vacation of the public way would not significantly: (i) hinder the growth or orderly development of the unit or neighborhood in which it is located and to which it is contiguous; (ii) make access to the lands of any aggrieved person by means of public way difficult or inconvenient; (iii) hinder the public's access to a church, school, or other public building or place; nor (iv) hinder the use of a public way by the neighborhood by which it is located or to which it is contiguous.

SECTION III – UTILITY RIGHTS

Notwithstanding anything in this ordinance to the contrary, nothing in this ordinance shall be construed to deprive a public utility of the use of all or part of the vacated property to the extent such public utility has been occupying and using such property for the location and operation of its facilities as of the effective date of this ordinance.

SECTION IV – MISCELLANEOUS

- A. Incorporated Materials. Two (2) copies of all materials incorporated herein shall be on file in the office of the Auditor for public inspection.
- 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 same.
- C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, or any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.
- D. Effective Date. This ordinance shall be effective immediately upon adoption.

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.

STATE ROAD 120 ROAD CLOSURE FOR HOWE DAYS

Mrs. Tharon Morgan, County Engineer, explained that Indiana Department of Transportation is requesting that a portion of State Road 120 be closed on September 18, 2021, for Howe Days. Mr. Kevin Myers made a motion to approve and authorize the County Engineer and Highway Supervisor to sign the approval. Mr. Peter Cook seconded the motion and it carried unanimously.

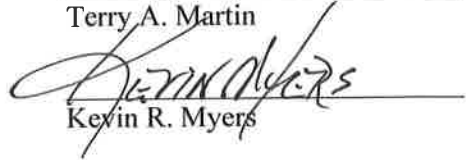
CORRESPONDENCE

County Service Survey

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


Kevin R. Myers

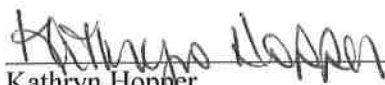
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Peter A. Cook

ATTEST:



Kathryn Hopper
LaGrange County Auditor