

OCTOBER 2, 2023

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Monday, October 2, 2023, 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 and Mr. Kevin R. Myers; and LaGrange County Auditor, Kathryn Hopper. Mr. Peter A. Cook was absent. 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. Terry Martin seconded the motion and it carried unanimously.

RESOLUTION AUTHORIZING THE EXCHANGE AND TRANSFER OF CERTAIN PERSONAL PROPERTY OF THE LAGRANGE COUNTY REGIONAL UTILITY DISTRICT TO THE BOARD OF COMMISSIONERS

Mr. Kurt Bachman, County Attorney, presented the following Resolution:

COUNTY OF LAGRANGE
RESOLUTION NO. 2023-10-02

A RESOLUTION AUTHORIZING THE EXCHANGE AND TRANSFER OF CERTAIN PERSONAL PROPERTY OF THE LAGRANGE COUNTY REGIONAL UTILITY DISTRICT TO THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, PURSUANT TO IND. CODE §5-22-22-10 (THIS "RESOLUTION").

WHEREAS, the Board of Trustees (the "Board") of the LaGrange County Regional Utility District (the "District") is duly constituted to provide for the collection, treatment, and disposal of Sewage inside and outside the District, pursuant to IND. CODE §13-26 *et seq.*; and

WHEREAS, the District is the owner of a trailer mounted vacuum unit ("Personal Property") more particularly described as follows:

500-gallon debris tank, Model FX50, VIN 1Dsb202S6D1701882
for which the District no longer has any use; and

WHEREAS, the Board of Commissioners of the County of LaGrange, Indiana, on behalf of the LaGrange County Highway Department (the "Department"), is a governmental body of the County of LaGrange, Indiana, and the Department has a need for the Personal Property; and

WHEREAS, IND. CODE §5-22-22-10 authorizes a transfer or exchange of property between governmental bodies upon the terms and conditions agreed upon by such entities, as evidenced by the adoption of substantially identical resolution by each entity; and

WHEREAS, the Board, on behalf of the District, desires to exchange the Personal Property to the Department upon the terms and conditions contained herein; and

WHEREAS, the Department desires to acquire the Personal Property from the District, and has adopted or will cause to be adopted a substantially identical resolution approving such action on the terms and conditions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAGRANGE, INDIANA, AS FOLLOWS:

SECTION I – APPROVAL

The acceptance of the surplus Personal Property described herein, in "AS-IS" with all faults condition, from the District in exchange for the sum of Forty-Five Thousand and 00/100 Dollars (\$45,000.00), is hereby approved.

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SECTION II – PROCEDURE

The transfer and acceptance may be consummated immediately upon the adoption of this resolution and the adoption of a substantially similar resolution by the Board for the District.

SECTION III – AUTHORIZATION

Terry A. Martin, as President of the Board of Commissioners of the County of LaGrange, is hereby authorized, empowered, and directed to take any and all actions necessary or desirable in connection with the implementation of the transactions contemplated hereby or in furtherance of any of the foregoing resolutions, including the execution of a bill of sale similar to that attached hereto.

Mr. Kevin Myers made a motion to approve the Resolution. Mr. Terry Martin seconded the motion and it carried unanimously. Mr. Kevin Myers made a motion to waive the requirement for second reading. Mr. Terry Martin seconded the motion and it carried unanimously.

LICENSE AGREEMENT – YODER-DALE FARMS, LLC

Mr. Kurt Bachman, County Attorney, presented a license agreement with Yoder-Dale Farms, LLC allowing them to farm real property consisting of approximately 14.08 acres of land on the property known as the McCoy Property which the County recently purchased. The licensee shall pay an annual license fee in the amount of \$1,665.00 (\$150/per acre for 11.10 tillable acres). The agreement is for one growing season, from May 1, 2024 to December 31, 2024. Mr. Kevin Myers made a motion to approve the agreement and authorize the president to sign it outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

LICENSE AGREEMENT – JOHN L WOLHETER

Mr. Kurt Bachman, County Attorney, presented a License Agreement between the Board of Commissioners and John L. Wolheter. The agreement allows John L. Wolheter to conduct agricultural operations on land owned by the County. The agreement ends on December 31, 2028. Mr. Kevin Myers made a motion to approve the agreement and authorize the president to sign it outside of a public meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

SHERIFF’S TRAINING AND STORAGE BUILDING

Mr. Kurt Bachman, County Attorney, explained that Bontrager Builders was awarded the contract to build the Sheriff’s training and storage building. They are only able to get three million dollars of umbrella insurance instead of the requested five million dollars. Mr. Kevin Myers made a motion to waive noncompliance with the three million dollars of coverage to Bontrager Builders. Mr. Terry Martin seconded the motion and it carried unanimously.

HIGHWAY SURPLUS

Mr. Aaron Fugate, Highway Superintendent, requested permission to declare four chainsaws as surplus items as they are no longer operable. Mr. Kevin Myers made a motion to approve the surplus items. Mr. Terry Martin seconded the motion and it carried unanimously.

HOMETOWN HEROES

Mr. Rustin Krapfl, Sheriff’s Office Chaplain, explained that he would like to have Hometown Heroes banners for the four fallen officers of the LaGrange County Sheriff’s Office. The banners cost approximately \$120 each and would be displayed on the Courthouse lawn. Mr. Kevin Myers made a motion

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to proceed with the banners and pay for them out of the Riverboat fund. Mr. Terry Martin seconded the motion and it carried unanimously.

SHERIFF – VEHICLES TO SELL

Mr. Tracy Harker, County Sheriff, explained that they have a 2008 Ford Taurus and a 2018 Dodge Charger that they would like to sell. Mr. Kevin Myers made a motion to approve the sale of the vehicles. Mr. Terry Martin seconded the motion and it carried unanimously.

HEALTH DEPARTMENT SECURITY CAMERAS

Mr. Tracy Harker, County Sheriff, presented a quote from TechSolutions in the amount of \$20,064.04 for five exterior cameras for the Health Department. The Health Department would pay \$3,000, the Sheriff's Office would pay \$3,000 towards the cost. Mr. Kevin Myers made a motion to approve the purchase of the security cameras. Mr. Terry Martin seconded the motion and it carried unanimously.

TREASURER – CREDIT CARDS

Mrs. Connie Brower, County Treasurer, explained that she would like to change credit card companies for property tax payments. She has been working with Mr. Kurt Bachman, County Attorney. She is requesting permission to work with Mr. Bachman on working on a contract with InvoiceCloud, Inc. Mr. Kevin Myers made a motion to approve the Treasurer to work with Mrs. Brower on the contract. Mr. Terry Martin 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. Terry Martin seconded the motion and it carried unanimously.

MINUTES

Mr. Kevin Myers made a motion to approve the minutes of the September 18, 2023 regular session meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

MEMORANDUM

Mr. Kevin Myers made a motion to approve the memorandum for the September 27, 2023 staff meeting. Mr. Terry Martin seconded the motion and it carried unanimously.

PETITION TO VACATE – PLATTED DRIVE BETWEEN LOTS 26 AND 27, FIRST ADDITION TO SHADY NOOK, MILFORD TOWNSHIP

At 9:00 a.m. Mr. Terry Martin opened the public hearing for the petition to vacate a platted 10 foot drive situated between lots 26 and 27 within the plat of the First addition to Shady Nook, in Milford Township. Mr. Brandon Almas, Attorney, presented the petition to vacate on behalf of his clients, Brent and Linda Singer and Daniel and Anne Woenker. The drive has been overgrown and is not used for any access purposes, and therefore the petitioners are requesting to have the drive vacated. Mrs. Kathy Hopper, County Auditor, presented a letter from Ron and Emily Dauscher expressing their concern about the vacation. There being no comments from the public, Mr. Terry Martin closed the public hearing.

Mr. Martin asked for comments from the County staff. Mrs. Robbie Miller, Zoning Administrator, does not feel that this should be vacated due to future developments and the drainage. Mrs. Tharon Morgan, County Engineer, agreed. Mr. Zack Holsinger, County Surveyor, recommends that if it is vacated, that a strip be kept for a drainage easement. Mr. Almas will review the petition and work with the County to

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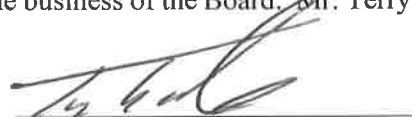
provide an easement. Mr. Kevin Myers made a motion to table the vacation until November 20, 2023. Mr. Terry Martin seconded the motion and it carried unanimously.


CORRESPONDENCE

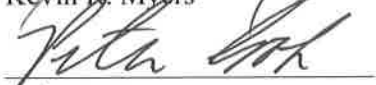
Indiana Department of Environmental Management – Notice of Revocation, Cruiser RV, 1200 Detroit Street, LaGrange Indiana 46761, Permit Number 087-46762-00712

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.

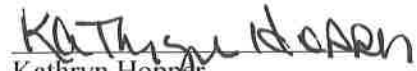


Terry A. Martin

Kevin B. Myers

Peter A. Cook

ATTEST:



Kathryn Hopper
LaGrange County Auditor