

**AUGUST 5, 2024**

**REGULAR SESSION**

The LaGrange County Commissioners met in Regular Session on Monday, July 15, 2024, in their meeting room, County Office Building, 114 W. Michigan Street, LaGrange, Indiana, 46761, at 8:30 a.m., with the following present: Commissioners, Peter A. Cook and Mr. Kevin 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.

**BIDS FOR LAGRANGE COUNTY ROAD RESURFACING PROJECT**

At 8:30 a.m. Mrs. Tharon Morgan, County Engineer, opened the following bids for resurfacing County Road 675 West from 100 North to State Road 120 and County Road 600 West from 800 South to US 20 (less Topeka town limits):

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
API Constructions Corp.	LaOtto, Indiana	\$2,172,535.00
Books Construction Co. Inc.	Fort Wayne, Indiana	2,299,993.00
E & B Paving, Inc.	Fort Wayne, Indiana	2,586,299.20
Niblock Excavating, Inc.	Bristol, Indiana	1,975,387.90
Phend & Brown, Inc.	Milford, Indiana	2,175,582.18

Mr. Peter Cook made a motion to award the bid to the lowest, responsive and responsible bidder, subject to review by the County Engineer and County Attorney and authorize the president to sign outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**HIGHWAY – PURCHASE OF SALT**

Mr. Aaron Fugate, Highway Supervisor, explained that they went through the Indiana Department of Transportation Indiana Road Salt Program for salt purchases. They were able to get a price of \$79.61 per ton, delivered, from Compass Minerals America Inc. The Quantity Purchase Agreement will need to be signed. Mr. Kevin Myers made a motion to award the salt contract to Compass Minerals America Inc. in the amount of \$79.61 per ton and authorize the agreements to be signed outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**LAGRANGE COUNTY YARD WASTE COMPOST SITE**

Numerous members of the public were present in regard to the LaGrange County Yard Waste Compost site. Mr. Terry Martin explained the reason for the recent closure of the site. Mr. Peter Cook made a motion to start the process with the Indiana Department of Environmental Management (IDEM) and the Northeast Indiana Solid Waste Management District to open a compost site at the County gravel pit on County Road 400 South. Mr. Terry Martin seconded the motion and it carried unanimously.

**COUNCIL ON AGING – ARPA SUBRECIPIENT AGREEMENT**

Mr. Kurt Bachman, County Attorney, and Mrs. Cheri Perkins, Council on Aging Executive Director, presented an ARPA Subrecipient agreement with the LaGrange County Council on Aging. The agreement is in the amount of \$42,573.00 to be used as matching dollars for the purchase of two vans. Mr. Kevin Myers made a motion to approve the agreement. Mr. Peter Cook seconded the motion and it carried unanimously.

**COUNCIL ON AGING – TRANSPORTATION GRANT**

Mrs. Cheri Perkins, Council on Aging Executive Director, presented the 2<sup>nd</sup> quarter voucher for the transportation grant. Mr. Peter Cook made a motion to approve the voucher and authorize the President to sign it. Mr. Kevin Myers seconded the motion and it carried unanimously.

**LAGRANGE COUNTY MULTI-HAZARD MITIGATION PLAN UPDATE**

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Mr. Kurt Bachman, County Attorney, explained that the Multi-Hazard Mitigation Plan needs to be updated. He presented a proposal from Christopher B. Burke Engineering, LLC to provide professional services in the amount of \$20,304. Mr. Bill Morr, Emergency Management Agency Director, explained that the update is part of a federal grant. The county is responsible for a \$6,769 of in-kind portion. Mr. Peter Cook made a motion to approve the proposal and to authorize the President to sign outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**UNIFIED DEVELOPMENT ORDINANCE**

Mr. Kurt Bachman, County Attorney, explained that he has reviewed the Unified Development Ordinance along with Mrs. Robbie Miller, Plan Administrator. They found minor procedure issues to amend or correct. He is recommending that the Ordinance be rejected at this time. The following Ordinance was presented for consideration:

COUNTY OF LAGRANGE  
ORDINANCE NO. 2024-08-05

AN ORDINANCE REJECTING A PROPOSAL TO ADOPT THE UNIFIED DEVELOPMENT  
ORDINANCE OF LAGRANGE COUNTY, INDIANA.

WHEREAS, pursuant to Indiana Code (“IC”) 36-7-4-202, the LaGrange County Plan Commission (“Plan Commission”) is an advisory plan commission established by the Board of Commissioners of the County of LaGrange (“Commissioners”) on behalf of LaGrange County, Indiana (“County”);

WHEREAS, on November 17, 2005, pursuant to and in accordance with IC 36-7-4, the Commissioners passed Ordinance 2005-11-17A, commonly known as the LaGrange County Zoning Ordinance, as well as a separate LaGrange County Subdivision Control Ordinance (as its text has been from time to time later amended, collectively, the “Zoning Ordinance”), which established planning, zoning, and development standards and regulations in the unincorporated areas of the County and the incorporated towns in the County that subsequently co-adopted the Zoning Ordinance; and

WHEREAS, the Plan Commission has determined that, in the interest of improving the orderly development of the County and promote the public health, safety and general welfare of the community, it would be appropriate to replace the Zoning Ordinance with a new Uniform Development Ordinance of LaGrange County, Indiana (“UDO”) creating new regulations and developmental standards would be appropriate;

WHEREAS, on June 4, 2024 and July 9, 2024, after notice to all interested parties pursuant to IC 5-3-1, the Plan Commission conducted a public hearing on the UDO pursuant to IC 36-7-4-604;

WHEREAS, on July 15, 2024, the Plan Commission certified to the Commissioners a proposal with a favorable recommendation for the repeal of the Zoning Ordinance and the adoption of the UDO (“Proposal”);

WHEREAS, with respect to future text and map amendments of the UDO, the UDO contains several adoption and promulgation provisions in excess of those required by Indiana law;

WHEREAS, pursuant to IC 36-7-4-606, if the Commissioners reject or amend the Proposal, it shall be returned to the Plan Commission for its consideration, with a written statement of the reasons for the rejection or amendment;

WHEREAS, on August 5, 2024, pursuant to IC 36-7-4-606, the Commissioners did conduct a regular meeting with regard to the Proposal, after all notices of its intention to consider the Proposal had been provided, as required by law;

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

SECTION I – 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.

SECTION II – UDO REJECTION

The Commissioners hereby reject the Proposal. The Commissioners find certain adoption and promulgation requirements contained within the UDO for UDO text and map amendments to be unduly cumbersome.

SECTION III – MISCELLANEOUS

- A. 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.
- B. 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.
- C. Promulgation. The Plan 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.
- D. Codification. As this ordinance concerns a one-time review of a document, the codifier of ordinances shall omit codification of this ordinance.
- E. Effective Date. This ordinance shall take effect immediately upon adoption.

Mr. Kevin Myers made a motion to approve the Ordinance. Mr. Peter Cook seconded the motion and it carried unanimously.

**LAGRANGE COUNTY COMMUNITY FOUNDATION – LETTER OF SUPPORT FOR GRANT**

Ms. Leanna Martin, Program Director for the LaGrange County Community Foundation, was present. They are applying for a \$5,000,000 grant from the Lily Endowment Grant program, to support the development / construction of the Hawpach Trail Project. The annual cost for maintaining 17 miles of asphalt trail is approximately \$16,439. They are requesting a letter of support from the County detailing the financial and non-financial resources that will be provided. Mr. Kevin Myers made a motion to issue a letter of financial and non-financial support for the trail project, and to authorize the Commissioners to sign the letter outside of a public meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**VETERAN’S SERVICE OFFICER REPORT**

Mr. Allen Connelly, Veteran’s Service Officer, presented a report on the activities of his office.

**PARK DEPARTMENT – RESURFACING DRIVEWAY AT DELT CHURCH PARK**

Mrs. Mary Franke, Park Director, would like to send out request for quotes for the resurfacing of 18,000 square feet of driveway at Delt Church Park. Mr. Peter Cook made a motion to proceed with quotes for resurfacing. Mr. Kevin Myers seconded the motion and it carried unanimously.

**PARK DEPARTMENT – DALLAS LAKE WELL**

Mrs. Mary Franke, Park Director, presented a quote for a new well at Dallas Lake Park. The quote is from Sanderson Well Drilling, Inc., in the amount of \$9,000. Mr. Peter Cook made a motion to proceed with the new well. Mr. Kevin Myers seconded the motion and it carried unanimously.

**SHERIFF – PURCHASE OF TRUCK**

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Mr. Tracy Harker, County Sheriff, requested permission to purchase a 2024 Dodge Ram 2500 truck, from Fletcher Chrysler, in the amount of \$45,270. This would be a maintenance truck. Mr. Peter Cook made a motion to proceed with the purchase of the truck. Mr. Kevin Myers seconded the motion and it carried unanimously.

**2025 STATEMENT OF SALARIES AND WAGES**

Mrs. Kathryn Hopper, County Auditor, presented the 2025 Statement of Salaries and Wages. Mr. Kevin Myers reported that the Wage and Salary Committee is recommending a 4% wage increase for all employees across the board. Mr. Peter Cook made a motion to recommend a 5% wage increase for employees for 2025. Mr. Terry Martin seconded the motion and it carried unanimously.

**2025 HOLIDAY SCHEDULE**

Mr. Kevin Myers made a motion to approve the proposed holiday schedule for 2025. Mr. Peter Cook seconded the motion and it carried unanimously.

New Year	Wednesday, January 1
Martin Luther King Jr. Day	Monday, January 20
President's Day	Monday, February 17
Good Friday	Friday, April 18
Memorial Day	Monday, May 26
Independence Day	Friday, July 4
Labor Day	Monday, September 1
Columbus Day	Monday, October 13
Veteran's Day	Tuesday, November 11
Thanksgiving	Thursday, November 27
	Friday, November 28
Christmas	Thursday, December 24
	Friday, December 25

**NORTHERN INDIANA PUBLIC SERVICE COMPANY AGREEMENT FOR EXTENSION OF FACILITIES TO SUPPLY GAS SERVICE**

Mr. Terry Martin presented an agreement from Northern Indiana Public Service Company for the extension of facilities to supply gas service to the County offices. The cost is \$245,885. Mr. Peter Cook made a motion to approve the agreement and to authorize the President to sign the agreement and pay the invoice pending the County Council's approval of funding. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MAJOR MOVES GRANT REQUEST – WARRIOR YOUTH BASEBALL**

Warrior Youth Baseball is requesting \$300,000 of Major Moves funds to put lights in on both ball fields to help the growth of bringing new teams to the area for bigger tournaments. Mr. Peter Cook made a motion to approve the request and forward it to the County Council with a positive recommendation. Mr. Kevin Myers seconded the motion and it carried with Mr. Terry Martin abstaining.

**MAJOR MOVES GRANT REQUEST – TOWN OF TOPEKA**

The Town of Topeka is requesting \$359,000 of Major Moves funds to convert the infield softball diamonds to turf playing surfaces. Mr. Peter Cook made a motion to approve the request and forward it to the County Council with a positive recommendation. Mr. Kevin Myers seconded the motion and it carried unanimously.

**ARK ANIMAL SANCTUARY – REQUEST FOR REIMBURSEMENT FOR WETLAND PLANTS**

Mrs. Kathryn Hopper, County Auditor, presented a bill for wetland plants in the amount of \$933.48 that ARK Animal Sanctuary is requesting reimbursement for. Mr. Peter Cook made a motion to approve the request out of the Rainy Day Fund. Mr. Kevin Myers seconded the motion and it carried unanimously.

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**PETERSON CONSULTING SERVICES, INC. – AGREEMENT FOR CAPITAL ASSETS**

Mrs. Kathryn Hopper, County Auditor, presented an agreement with Peterson Consulting Services, Inc. for preparation of the capital asset reporting for LaGrange County for 2024. The cost for the services for 2024 is \$4,150, plus out of pocket expenses. Mr. Peter Cook made a motion to approve the agreement and to authorize the President to sign it. 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.

**JULY 2024 FINANCIAL REPORT**

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending July 31, 2024, in the amount of \$52,676,059.87 and investments of \$22,640,000. Mr. Kevin Myers made a motion to accept the report. Mr. Peter Cook seconded the motion and it carried unanimously.

**MINUTES**

Mr. Peter Cook made a motion to approve the minutes of the July 15, 2024 regular session meeting and the July 26, 2024 special session meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

**MEMORANDUM**

Mr. Kevin Myers made a motion to approve the memorandum for the July 31, 2024 staff meeting. Mr. Peter Cook seconded the motion and it carried unanimously.

**CORRESPONDENCE**

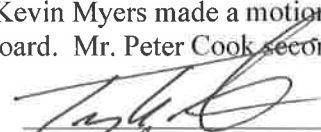
LaGrange County Treasurer – July 2024 report  
County Service Survey


Indiana Department of Environmental Management – Notice of Approval, Lippert Components, Inc., Plant 46,  
Permit 087-47811-00084

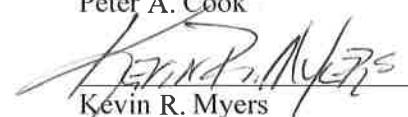
Indiana Department of Environmental Management – Notice of Approval, Precision Wood Finishing,  
Permit 087-48027-00739

**ADJOURNMENT**

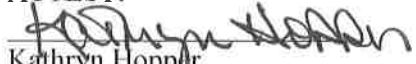
There being nothing further to come before the Board at this time, Mr. Kevin Myers made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Peter Cook seconded the motion and it carried unanimously.

  
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Terry A. Martin

  
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Peter A. Cook

  
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Kevin R. Myers

ATTEST:

  
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Kathryn Hopper

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LaGrange County Auditor

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