

FEBRUARY 18, 2025

REGULAR SESSION

The LaGrange County Commissioners met in Regular Session on Tuesday, February 18, 2025, 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, Mr. Peter A. Cook and Mr. Kevin R. 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.

RESOLUTION DIRECTING THE AUDITOR TO UPLOAD CERTAIN CONTRACTS TO THE INDIANA TRANSPARENCY WEBSITE AND TO MAKE CERTAIN ATTESTATIONS

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

LAGRANGE COUNTY, INDIANA
RESOLUTION NO. 2025-02-18 A

A RESOLUTION DIRECTING THE AUDITOR TO UPLOAD CERTAIN CONTRACTS TO THE INDIANA TRANSPARENCY WEBSITE AND TO MAKE CERTAIN ATTESTATIONS

WHEREAS, pursuant to Indiana Code (“IC”) 5-14-3.8-3.5(d), the executive of a political subdivision (“Executive”) must upload to the Indiana transparency website, within sixty (60) days of execution, a digital copy of any contract (including any attachments, amendments, addendums, or extensions thereto) that is either related to the provision of fire services or emergency medical services or entered into with another unit or entity that provides fire services or emergency medical services (as stipulated, a “Contract”);

WHEREAS, pursuant to IC 5-14-3.8-3.5(e), the Executive may, by resolution, identify another individual to upload each Contract and complete the attestation required by IC 6-1.1-17;

WHEREAS, pursuant to IC 6-1.1-17-5.4(a), not later than March 2 of each year, the Executive must submit a statement to the Department of Local Government Finance (“DLGF”) attesting that the political subdivision uploaded each Contract to the Indiana transparency website;

WHEREAS, pursuant to IC 5-14-3.8-3.5(f), any resolution adopted by the Executive must be submitted to DLGF not later than five (5) days after the resolution is passed; *and*

WHEREAS, pursuant to IC 36-2-2-2, the Board of Commissioners of the County of LaGrange (“Commissioners”) is the Executive of LaGrange County, Indiana (“County”).

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

SECTION I – NAME

The name of this resolution is the “Fire and EMS Service Contract Upload Resolution” or “Upload Resolution” where the context is obvious.

SECTION II – CONTRACT DUTIES

- A. Duty to Upload. The Auditor is hereby authorized, empowered, and directed to timely upload a digital copy of any contract for fire services or emergency medical services to which the County is a party, and any ordinance or resolution related to such a contract, to the Indiana transparency website. Any such contract may be redacted before its upload as advised by the County Attorney.
- B. Duty to Attest. The Auditor is hereby authorized, empowered, and directed to timely complete and submit each year the attestation required under IC 6-1.1-17-5.4 on behalf of the Commissioners.

SECTION III – MISCELLANEOUS

- A. References.

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1. Except where a specific version or edition is given, reference to another section of this resolution or to another law, document, fund, department, board, program, public servant, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, reappointed, or renumbered from time to time.
 2. Reference in this resolution to a law, document, fund, department, board, program, public servant, or public office, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words “(of) LaGrange County (Indiana).”
 3. Should a provision of this resolution require an act to be done which, by law, an agent or deputy may do instead of the principal, the requirement is satisfied by the performance of the act by an authorized agent or deputy.
- B. **Claims Barred.** This resolution is intended only to improve the internal management of the County. Notwithstanding anything in this resolution to the contrary, nothing in this resolution shall be construed to create any new legal duty, right, or benefit, whether substantive or procedural, enforceable against the County; nor to waive or diminish any protection that may be applicable to the County or any of its elected or appointed officials, employees, agents, or representatives under any applicable law providing governmental immunity; nor any other right, protection, immunity, defense, or limitation on liability that the County or such related parties is provided by applicable law.
- C. **Conflicts.** No part of this resolution shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize the same.
- D. **Severability.** Should any section or part thereof of this resolution be declared by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of this resolution as a whole, nor any other portion thereof, and for this purpose the provisions of this resolution are hereby declared to be severable.
- E. **Promulgation.** The Auditor is hereby authorized, empowered, and directed to take all action necessary or proper to authenticate, record, publish, promulgate, and/or otherwise make this resolution effective.
- F. **Codification.** To the extent a substantive change in meaning does not result, the codifier of ordinances may omit the Name, Miscellaneous, and Adoption sections of this resolution from the official code, may renumber, reorder, or reorganize any section of this resolution, and may alter references to and within this resolution as appropriate.
- G. **Effective Date.** This resolution shall take effect immediately upon adoption.

Mr. Peter Cook made a motion to approve the Resolution. 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.

QUALITY CORRECTIONAL CARE, LLC – JAIL HEALTH CARE SERVICE CONTRACT

Mr. Kurt Bachman, County Attorney, presented the 2025 LaGrange County Jail Health Care Service contract with Quality Correctional Care, LLC. The contract is in the amount of \$182,192.57, payable in monthly installments. Mr. Peter Cook made a motion to approve the contract and authorize the president to sign it outside of a public meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

TRAILS MASTER PLAN

Mr. Peter Cook made a motion to move the Trails Master Plan presentation to the March 3, 2025 agenda. Mr. Kevin Myers seconded the motion and it carried unanimously.

INFORMATION TECHNOLOGY – TELEPHONE SYSTEM

Mr. Marc Peterson, Information Technology Director, presented a proposal from Allstar Technologies. There is a one time fee of \$1,512.13 and a cost of \$2,743.95 monthly. Mr. Kevin Myers made a motion to approve the proposal. Mr. Peter Cook seconded the motion and it carried unanimously.

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GOVERNMENT UTILITIES TECHNOLOGY SERVICE, INC – TAX SALE

Mr. Kurt Bachman, County Attorney, presented an addendum to the contract with Government Utilities Technology (GUTS) for January 1, 2025 to December 31, 2025. Mr. Peter Cook made a motion to approve and authorize the president to sign the addendum. Mr. Kevin Myers seconded the motion and it carried unanimously.

CULVERT REPLACEMENT

Mrs. Tharon Morgan, County Engineer, presented the following recommendations for culvert replacements.

<u>Culvert</u>	<u>MB Excavating</u>	<u>Fritz Bontrager Excavating</u>
ED-109	\$3,400.00	
JN-101		\$4,000.00
JN-103		4,000.00
JN-125		4,000.00
JN-124	3,200.00	
ML-102		5,000.00
ML-111	4,500.00	
NB-116		5,000.00
NB-118	3,200.00	

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

BUTLER, FAIRMAN, AND SEUFERT INC. – PAINT STRIPING CONTRACT

Mrs. Tharon Morgan, County Engineer, presented the LPA Consulting Contract between LaGrange County Board of Commissioners and Butler, Fairman, and Seufert Inc. for striping of unstriped roadways at various locations within LaGrange County. This is for a grant and the maximum payable under the grant shall not exceed \$45,000. Mr. Peter Cook made a motion to approve the contract. Mr. Kevin Myers seconded the motion and it carried unanimously.

HIGHWAY DEPARTMENT – 2024 ANNUAL OPERATIONAL REPORT

Mrs. Tharon Morgan, County Engineer, presented the 2024 Annual Operational report for consideration and approval. Mr. Peter Cook made a motion to accept the report. Mr. Kevin Myers seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF WHEEL BALANCER

Mr. Aaron Fugate, Highway Supervisor, presented quotes for the purchase of a wheel balancer and tire changer. The lowest quote is from Myers Industries in the amount of \$45,150.85. Mr. Kevin Myers made a motion to approve the purchase. Mr. Peter Cook seconded the motion and it carried unanimously.

HIGHWAY – PURCHASE OF TRUCK

Mr. Aaron Fugate, Highway Supervisor, presented quotes for the purchase of a new truck to be used for drainage work in the County. The only quote is from Kelley Automotive Group in the amount of \$94,952. For a 2024 Chevrolet 5500 truck. Mr. Peter Cook made a motion to approve the purchase and to authorize the president to sign the proposal. Mr. Kevin Myers seconded the motion and it carried unanimously.

PARK DEPARTMENT – SURPLUS ITEMS

Mrs. Mary Franke, Park Director, would like to have a trailer, a Honda Generator, and a King Cutter Bushhog declared as surplus. Mr. Kevin Myers made a motion to declare the items as surplus. Mr. Peter Cook seconded the motion and it carried unanimously.

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PARK DEPARTMENT – 2024 ANNUAL REPORT

Mrs. Mary Franke, Park Director, presented the 2024 Annual report for consideration and approval. Mr. Kevin Myers made a motion to accept the report. Mr. Peter Cook seconded the motion and it carried unanimously.

PARK DEPARTMENT – BANK ACCOUNT

Mrs. Mary Franke, Park Director, would like to open a bank account at Farmers State Bank for the LaGrange County Parks. The account will be used for accepting funds for the sales at Maple Syrup days and registrations for events. Mr. Peter Cook made a motion to authorize the opening of the account. Mr. Kevin Myers seconded the motion and it carried unanimously.

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-18 B

AN ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, L&W Investments, LLC (“Landowner”) has at least a 50% ownership interest in the real property located at 416 Fourth Street., LaGrange, Indiana identified as Parcel 44-02-30-300-000.053-012 in the records of the Office of the County Auditor, and more particularly described as follows:

Situated in the County of LaGrange, State of Indiana, described as follows:

Part of the Southwest Quarter of Section 30, Township 38 North, Range 10 East, Lima Civil Township, LaGrange County, Indiana, of portions of Lots 136 and 137 in the Village of Mongoquonong - “Now Lima”, now Howe, as recorded in Deed Record 2, pages 182 and 183, bounded as follows:

Commencing at the northeast corner of said Lot 136; thence South 0°23'08" West 82.57 feet along the east line of said Lot to the point of beginning; thence continuing South 0°23'08" West 54.17 feet along the east line of Lots 136 and 137; thence North 90°00'00" West 120.56 feet to the west line of said Lots; thence North 0°20'46" East 54.39 feet along said west line; thence South 89°53'57" East 59.17 feet; thence South 0°06'03" West 10.48 feet; thence South 89°53'57" East 10.00 feet; thence North 0°06'03" East 10.48 feet; thence South 89°53'57" East 51.42 feet to the point of beginning. The above described tract contains 6,440 square feet, more or less, includes the right-of-way of Fourth Street, and is subject to easements of record.

(the “Real Estate”);

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WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from B-1 to U-1. ("Proposal");

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission ("Plan Commission") conducted a public hearing on the Proposal;

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation

WHEREAS, on February 18th, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

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

SECTION I – MAP AMENDMENT

- A. 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.
- B. Proposal. The certified Proposal is hereby approved and adopted.
- C. Rezone. The UDO zoning maps, which are incorporated by reference, are hereby amended, and shall be redrawn as necessary, to show that the Real Estate is rezoned as stated in the Proposal.

SECTION II – MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- 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 the same.
- C. 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.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning 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.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

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

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-18 C

AN ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, L&W Investments, LLC (“Landowner”) has at least a 50% ownership interest in the real property located at 418 E Defiance Street., Howe, Indiana identified as Parcels 44-02-30-300-000.053-012 & 44-02-30-300-001.012-012 in the records of the Office of the County Auditor, and more particularly described as follows:

Situated in the County of LaGrange, State of Indiana, described as follows:

Part of the Southwest Quarter of Section 30, Township 38 North, Range 10 East, Lima Civil Township, LaGrange County, Indiana, of a portion of Lot 136 in the Village of Mongoquonong - “Now Lima”, now Howe, as recorded in Deed Record 2, pages 182 and 183, bounded as follows:

Beginning at the northeast corner of said Lot 136; thence South 00°23'08" West 82.57 feet along the east line of said Lot; thence North 89°53'57" West 51.42 feet; thence South 00°06'03" West 10.48 feet; thence North 89°53'57" West 10.00 feet; thence North 00°06'03" East 10.48 feet; thence North 89°53'57" West 59.17 feet to the west line of said Lot; thence North 00°20'46" East 82.37 feet to the northwest corner of said Lot; thence South 89°59'34" East 120.65 feet along the north line of said Lot to the point of beginning. The above described tract contains 10,053 square feet, more or less, includes the right-of-way of Fourth Street and Defiance Street, and is subject to easements of record.

(collectively, the “Real Estate”);

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from B-1 to B-4. (“Proposal”);

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission (“Plan Commission”) conducted a public hearing on the Proposal;

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation

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WHEREAS, on February 18th, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

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

SECTION I – MAP AMENDMENT

- A. 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.
- B. Proposal. The certified Proposal is hereby approved and adopted.
- C. Rezone. The UDO zoning maps, which are incorporated by reference, are hereby amended, and shall be redrawn as necessary, to show that the Real Estate is rezoned as stated in the Proposal.

SECTION II – MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- 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 the same.
- C. 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.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning 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.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. 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.

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-18 D

AN ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

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WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, Marion D & Mary JL Wengerd (“Landowner”) has at least a 50% ownership interest in the real property located at 4140 E US 20., LaGrange, Indiana identified as Parcels 44-07-26-100-006.000-001 in the records of the Office of the County Auditor, and more particularly described as follows:

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

A tract of land located in the Northwest Quarter of Section 26, Township 37 North, Range 10 East, in Bloomfield Civil Township, LaGrange County, Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701, said survey being presented as Plat of Survey #37-10-26-400-001, said tract of land being a part of a tract of land conveyed to John and Kathryn Schrock, as described in LaGrange County Document No. 19-12-0069, and being more particularly described as follows, to-wit: Beginning at the Northwest corner of the Northwest Quarter of said Section 26, said point being marked by a Harrison Marker; thence North 87 degrees 22 minutes 40 seconds East (Grid – Indiana State Plane Coordinates – LaGrange County), along the North line of said Northwest Quarter, for 913.35 feet to a point; thence South 01 degrees 05 minutes 29 seconds East, parallel with the East line of the Northwest Quarter of said Northwest Quarter, for 947.2 feet to a #5 Zeigler Rebar; thence South 87 degrees 25 minutes 17 seconds West, parallel with the South line of the Northwest Quarter of said Northwest Quarter, for 916.17 feet to the West line of said Northwest Quarter, said point being marked by a Zeigler Marker Spike; thence North 00 degrees 55 minutes 13 seconds West, along the West line of said Northwest Quarter, for 946.58 feet to the Point of Beginning. Said tract containing 19.88 Acres, more or less.

(the “Real Estate”);

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from A-1 to A-2 (“Proposal”);

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission (“Plan Commission”) conducted a public hearing on the Proposal;

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, a copy of the Proposal, which is hereby incorporated by reference, was certified to the Commissioners with an unfavorable recommendation;

WHEREAS, on February 18th, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and the Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

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WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

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

SECTION I – MAP AMENDMENT

- A. 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.
- B. Proposal. The certified Proposal is hereby rejected.

SECTION II – MISCELLANEOUS

- A. Conflicts. No part of this ordinance shall be construed to conflict with any applicable local, state, or federal law, 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. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- D. Promulgation. The County Zoning 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.
- E. Codification. The codifier of ordinances shall omit codification of this ordinance.
- F. 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.

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LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-18 E

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WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

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WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, Ray Gordon Farm Inc (“Landowner”) has at least a 50% ownership interest in the real property located at 900 E., Wolcottville, IN identified as Parcel 44-09-27-100-002.000-013 in the records of the Office of the County Auditor, and more particularly described as follows:

Part of the Northwest Quarter of Section 27, Township 36 North, Range 11 East, Milford Civil Township, LaGrange County, Indiana, being an original survey by Benjamin R. Taylor (LS#21300008) for Taylor Land Surveying (Job#24248), certified on October 31, 2024, bounded as follows: Commencing at a Harrison Monument at the southwest corner of said Quarter; thence North 01 04’ 10” West (Basis of Bearings: IN East State Plane, NAD 83 ground distance) 173.76 feet along the west line of said Quarter to a gin spike with a BR Taylor washer at the southeast corner of land described in deed record 2023-05194, and the point of beginning; thence continuing North 01 04’ 10” West along said west line through a BR Taylor gin spike 312.94 feet to a MAG spike with a BR Taylor washer; thence North 86 36’ 30” East 303.01 feet to a #5 BR Taylor capped rebar; thence South 01 25’ 51” East 312.87 feet to a BR Taylor rebar; thence South 86 36’ 30” West 304.98 feet to the point of beginning. The above-described tract contains 2.18 acres, more or less, and is subject to all easements and rights-of-way on record.

(the “Real Estate”);

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from A-1 to A-2 (“Proposal”);

WHEREAS, on January 14th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission (“Plan Commission”) conducted a public hearing on the Proposal;

WHEREAS, on January 14th, 2025 & February 11th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation

WHEREAS, on February 18th 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

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

SECTION I – MAP AMENDMENT

- A. 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.
- B. Proposal. The certified Proposal is hereby approved and adopted.

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- C. Rezone. The UDO zoning maps, which are incorporated by reference, are hereby amended, and shall be redrawn as necessary, to show that the Real Estate is rezoned as stated in the Proposal.

SECTION II – MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- 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 the same.
- C. 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.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning 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.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. 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.

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

Mrs. Robbie Miller, Plan Administrator, presented the following Ordinance for consideration:

LAGRANGE COUNTY, INDIANA
ORDINANCE NO. 2025-02-18 F

AN ORDINANCE AMENDING MAPS OF THE UNIFIED DEVELOPMENT ORDINANCE OF LAGRANGE COUNTY, INDIANA FOR THE PURPOSE OF CHANGING THE ZONING CLASSIFICATION AND USES ALLOWED ON THE PARTICULAR REAL ESTATE DESCRIBED HEREIN

WHEREAS, on August 19, 2024, pursuant to Indiana Code (“IC”) 36-7-4-606, the Board of Commissioners of the County of LaGrange (“Commissioners”) adopted the Unified Development Ordinance of LaGrange County, Indiana (Ordinance 2024-08-19-A or “UDO”);

WHEREAS, the UDO is the zoning ordinance for LaGrange County, Indiana (“County”) and incorporates by reference the various zoning maps and classifications of the County;

WHEREAS, pursuant to IC 36-7-4-602(c)(1)(B), after the zoning ordinance for a jurisdiction has been adopted, a proposal to change the zoning maps with respect to a specified area of the County may be initiated by a petition signed by property owners who own at least 50% of the land involved;

WHEREAS, Norman H. and Ella E. Yoder, Tri-County Land Trustee Corporation & Anthony Jon Beechy (collectively, “Landowner”) has at least a 50% ownership interest in the real property located at 2245 N SR 9, 2435 N SR 9, N SR 9 & 2425 N SR 9., LaGrange, Indiana 46761 identified as Parcels 44-07-07-300-021.000-001, 44-07-07-300-022.000-001,

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44-07-07-300-023.000-001 & 44-07-07-300-010.001-001 respectively in the records of the Office of the County Auditor, and more particularly described as follows:

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

44-07-07-300-021.000-001

Part of the Southwest Quarter of Section 7, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana and bounded as follows:

Commencing at a Harrison Monument at the Northwest corner of said Quarter; thence South 00 degrees 48'26" East (Basis of bearings: State Plane) 242.35 feet along West line of said Quarter to the point of beginning; thence North 88 degrees 04'52" East through a #5 LA Taylor-capped rebar 370.43 feet to a Taylor rebar; thence North 00 degrees 48'26" West 236.26 feet to a Taylor rebar on the North line of said Quarter; thence North 89 degrees 01'22" East 1933.81 feet along said North line to a Taylor rebar in the center of the former railroad bed; thence South 01 degree 08'34" East 254.47 feet along said centerline to a Taylor rebar; thence South 88 degrees 04'52" West 1226.65 feet to a Taylor rebar; thence South 88 degrees 04'52" West 1079.44 feet along the North boundary of Midway Frontage plat, as recorded in Plat Book 27, page 18, and its extension through a rebar at the 50' R/W to the West line of said Quarter; thence North 00 degrees 48'26" West 50.01 feet to the point of beginning.

44-07-07-300-022.000-001

Part of the Southwest Quarter of Section 7, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, Indiana and bounded as follows:

Commencing at a Harrison Monument at the Northwest corner of said Quarter; thence South 00 degrees 48' 26" East (Basis of bearings: State Plane) 292.36 feet along West line of said Quarter; thence North 88 degrees 04' 52" East 1079.44 feet to a #5 LA Taylor-capped rebar and the point of beginning; thence North 88 degrees 04' 52" East 1226.65 feet to a Taylor rebar in the center of the former railroad bed; thence South 01 degree 08' 34" East 651.70 feet along said centerline to a Doyle-capped rebar; thence South 88 degrees 52' 48" West 49.63 feet to a #5 rebar on the West right-of-way of the former railroad; thence North 02 degrees 02' 55" West 24.62 feet along said West R/W line to a #5 rebar; thence South 89 degrees 26' 27" West 1180.09 feet to a Taylor rebar; thence North 00 degrees 48' 22" West 598.45 feet to the point of beginning.

44-07-07-300-023.000-001

A tract of land located in the Southwest Quarter of Section 07, Township 37 North, Range 10 East, Bloomfield Civil Township, LaGrange County, the State of Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS#LS2960008, dba Hand to the Plow Surveying, LLC; 5678 West-350 South, Albion, Indiana 46701, being represented as Plat of Survey #37-10-07-300-003, and being more particularly described as follows, to-wit:

Commencing at a Harrison Marker located in a monument box and marking the Northwest corner of the Southwest Quarter of Section 07, Township 37 North, Range 10 East; thence South 00 degrees 39 minutes 55 seconds East (GRID), along the West line of said Quarter section, a distance of 292.42 feet (recorded as South 00 degrees 48 minutes 26 seconds East, for 292.36 feet) to a point; thence North 88 degrees 13 minutes 55 seconds East, along the Northern line of the Plat of Midway Frontage, as described in LaGrange County Plat Book 27, Page 18, for 370.27 feet (recorded as North 88 degrees 04 minutes 52 second East, for 370.43 feet) to the Northeast corner thereof, said point being marked by a #5 Taylor Rebar; thence continuing North 88 degrees 13 minutes 55 seconds East (recorded as North 88 degrees 04 minutes 52 second East), along the Northerly line of a tract of land conveyed to Herman O.Yoder, Kathryn E.Yoder, and Joe Dean Yoder, as described in LaGrange County Document No. 17090348, for 563.17 feet to a #5 Zeigler rebar, and being the Point of Beginning for this description; thence continuing North 88 degrees 13 minutes 55 seconds East (recorded as North 88 degrees 04 minutes 52 second East), along the Northerly line of said tract of land

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conveyed to Herman O. Yoder, Kathryn E. Yoder, and Joe Dean Yoder, for 146.04 feet to the Northeast corner thereof, said point being marked by a #5 Taylor Rebar; thence South 00 degrees 39 minutes 46 seconds East, along the East line of said Herman O. Yoder, Kathryn E. Yoder, and Joe Dean Yoder tract of land, for 598.39 feet (recorded as South 00 degrees 48 minutes 22 seconds East, for 598.45 feet) to the Southeast corner thereof, said point being marked by a #5 Taylor Rebar; thence South 89 degrees 35 minutes 14 seconds West (recorded as South 89 degrees 26 minutes 27 seconds West), along the South line of said Yoder tract of land, said line also being the North line of a tract of land conveyed to the LaGrange County Soil and Water Conservation District, as described in LaGrange County Document No. 94110055, for 146.01 feet to a #5 Zeigler Rebar; thence North 00 degrees 39 minutes 46 seconds West (recorded as South 00 degrees 48 minutes 22 seconds East), for 594.93 feet to the Point of Beginning. Said tract containing 2.00 Acres, more or less, and is subject to all public road right-of-ways and easements of record.

44-07-07-300-010.001-001

Lot one (1) in the Plat of the J.D. Yoder Subdivision, located in the Southwest Quarter of Section 7, Township 37 North, Range 10 East, recorded January 10, 2019, in the Office of the Recorder of LaGrange County, Indiana, in Plat Book 32, page 4.

(collectively, the “Real Estate”);

WHEREAS, pursuant to Sections 13.03 and 13.04 of the UDO, Landowner has caused a completed application to be filed with the Zoning Administrator to amend the zoning maps of the UDO such that the Real Estate be reclassified from B-3 to A-2. (“Proposal”);

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(4) and -608(b), after having provided legal notice to all interested parties in accordance with IC 36-7-4-604, the LaGrange County Plan Commission (“Plan Commission”) conducted a public hearing on the Proposal;

WHEREAS, on February 11th, 2025, pursuant to IC 36-7-4-602(c)(5) and IC 36-7-4-605, the Plan Commission submitted to the Commissioners a certified copy of the Proposal, which is hereby incorporated by reference, whereby the Proposal was given a favorable recommendation

WHEREAS, on February 18th, 2025, pursuant to IC 36-7-4-602(c)(6) and IC 36-7-4-608, the Commissioners considered the Proposal at its regular meeting, after first having given notice under IC 5-14-1.5-5 of its intention to consider the Proposal at the meeting;

WHEREAS, pursuant to IC 36-7-4-603, in preparing and considering the Proposal, both the Plan Commission and Commissioners have paid reasonable regard to the statutory criteria set forth therein; *and*

WHEREAS, a motion to adopt this ordinance was substantively introduced and seconded by members of the Commissioners constituting a legal quorum present at a public meeting, which was duly called pursuant to IC 5-14-1.5-5 by a notice stating its date, time, place, and purpose.

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

SECTION I – MAP AMENDMENT

- A. 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.
- B. Proposal. The certified Proposal is hereby approved and adopted.
- C. Rezone. The UDO zoning maps, which are incorporated by reference, are hereby amended, and shall be redrawn as necessary, to show that the Real Estate is rezoned as stated in the Proposal.

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SECTION II – MISCELLANEOUS

- A. Repeal of Prior Law. All other provisions of ordinances and resolutions previously adopted are hereby repealed to the extent they are inconsistent with or in conflict with this ordinance but only to such extent.
- 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 the same.
- C. 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.
- D. Incorporated Materials. Two (2) copies of all materials incorporated by reference herein shall be on file in the Office of the County Auditor for public inspection.
- E. Promulgation. The County Zoning 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.
- F. Codification. The codifier of ordinances shall omit codification of this ordinance.
- G. Effective Date. This ordinance shall take effect immediately upon adoption.

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

SHERIFF – BODY CAMERAS

Mr. Tracy Harker, County Sheriff, requested permission to work with the County Attorney to purchase new body cameras from a new vendor. Mr. Peter Cook made a motion to authorize the sheriff to work with the County Attorney. Mr. Kevin Myers seconded the motion and it carried unanimously.

COUNTY SHERIFF – PERMISSION TO SELL VEHICLE

Mr. Tracy Harker, County Sheriff requested permission to declare a 2013 Dodge Charger as surplus and proceed with getting the vehicle ready to sell. Mr. Kevin Myers made a motion to authorize the opening of the account. Mr. Peter Cook seconded the motion and it carried unanimously.

JANUARY 2025 FINANCIAL REPORT

Mrs. Kathryn Hopper, County Auditor, presented the financial statement for the month ending January 31, 2025, in the amount of \$51,219,518.42 and investments of \$23,862,340.00. Mr. Kevin Myers made a motion to accept the report. Mr. Peter Cook 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 February 3, 2025 regular session meeting. Mr. Kevin Myers seconded the motion and it carried unanimously.

MEMORANDUM

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Mr. Kevin Myers made a motion to approve the memorandum for the February 12, 2025 staff meeting, the February 14, 2025 special meeting, and the February 10, 2025 and February 14, 2025 joint executive meetings. Mr. Peter Cook seconded the motion and it carried unanimously.

CORRESPONDENCE

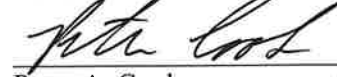
LaGrange County Clerk of the Circuit Court – January 2025 report
LaGrange County Treasurer – January 2025 report

ADJOURNMENT

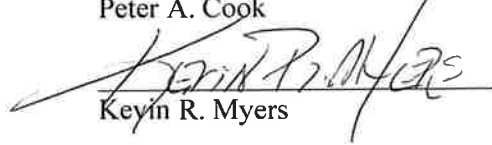
There being nothing further to come before the Board at this time, Mr. Kevin Myers made a motion to adjourn and meet on any subsequent day necessary to carry on the business of the Board. Mr. Peter Cook seconded the motion and it carried unanimously.

Absent

Terry A. Martin

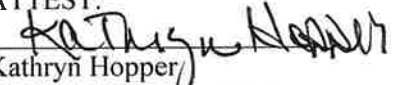


Peter A. Cook



Kevin R. Myers

ATTEST:


Kathryn Hopper
LaGrange County Auditor

