

## MINUTES

### ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

April 15, 2019

President Mike Yoder called the meeting to order at 9:00 a.m. in room 104 in the County Administration Building, 117 North Second Street, Goshen, Indiana. The other two (2) Board members, Frank Lucchese and Suzie Weirick, were also present. Others present were Patricia Pickens, County Auditor; Craig Buche, County Attorney; Jeff Taylor, County Administrator and Anita Mock Executive Assistant.

On a motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved the Minutes of the April 1<sup>st</sup> & April 8<sup>th</sup> 2019 meetings and placed them on file.

On a motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved the Allowance of Claims as presented by the County Auditor's office.

#### **BUSINESS ITEMS:**

Planning & Development, Jason Auvil, requested approval for Alvin J. Heims, represented by Progressive Engineering, Inc. for Secondary approval of a five lot major subdivision to be known as **REPLAT OF LOT 3A IN REPLAT OF LOTS 2 & 3 IN HERITAGE TRAILS** East side of County Road 43, 3,500 feet North of County Road 10, in York Township. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

Planning & Development, Jason Auvil, requested approval for Delynn A. & Lavonne K. Martin H & W, represented by Kindig and Sloat, PC for a Zone map change from A-1 to A-4 North side of County Road 32, ½ mile East of State Road 19, in Harrison Township. Charlie Zurker spoke on behalf of Kindig and Sloat in favor of this request. Mike Yoder opened a public hearing. No other audience members wished to speak on this matter. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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Planning & Development, Jason Auvil, requested approval for Beacon Health System, Inc. (Buyer) & Isis Inc., Ind. Corp (Seller), represented by City of Nappanee for a Jurisdictional transfer from City of Nappanee to Elkhart County West side of State Road 19, 1,495 feet North of County Road 52, in Locke Township. Don Lehman spoke on behalf of Beacon Health

System in favor of this request. Mike Yoder opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request along with the Ordinance Amending the Elkhart County Zoning Maps and to Permit the Establishment of Territorial Authority by a Municipal Plan Commission for Real Estate in an Unincorporated Area of Elkhart County for Nappanee City and Beacon Health Systems.

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Planning & Development, Jason Auvil, requested approval for Levi Lee & Laurene Yoder, represented by Abonmarche Consultants for an Amendment to an existing DPUD A-1 known as **DOUBLE L WOODWORKING, LLC DPUD** to add property to lot 1 (1A), remove lot 2 from the DPUD and add a building South side of County Road 34, 2,000 feet West of State Road 13, in Clinton Township. Brad Mossnos spoke on behalf of Abonmarche Consultants in favor of this request. Mike Yoder opened a public hearing. No audience members wished to speak on this matter. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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Planning & Development, Jason Auvil, requested approval for Steven & Lori Bontrager, represented by Abonmarche consultants for a Zone map change from A-1 to DPUD A-1 and for Primary approval of a one lot minor subdivision to be known as **STORI ENTERPRISES DPUD** North side of County Road 36, 1,500 feet West of County Road 43, in Clinton Township. Brad Mossnos spoke on behalf of Abonmarche Consultants in favor of this request. Mike Yoder opened a public hearing. No audience members wished to speak on this matter. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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Planning & Development, Jason Auvil, requested approval for Lont Holdings Inc. Attn. Alvin Miller, represented by Marbach, Brady & Weaver, Inc. for a Zone map change from R-1 & R-2 to a DPUD B-3 and for Primary approval of a one lot minor subdivision to be known as **STORE SAFE DPUD B-3** West side of Oakland Avenue (County Road 7), 500 feet South of Mishawaka Road (County Road 20), in Concord Township. Debra Hughes spoke on behalf of Marbach, Brady & Weaver in favor of this request. Mike Yoder opened a public hearing. No audience members wished to speak on this matter. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Highway Engineer, Kent Schumacher, requested approval of Recommendation for Award of Construction Contract for Administration Building Replacement Project to Premium Concrete in the amount of \$49,259.50. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board awarded the contract as recommended.

County Highway Engineer, Kent Schumacher, requested approval to advertise BRISTOL to MIDDLEBURY FIBER OPTIC PROJECT. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

County Highway Engineer, Kent Schumacher, requested approval to award bids of the 2019 Paving Program. The recommended bids are as follows: Group #1 to Rieth Riley Construction in the amount of \$2,161,546.46 and Group #2 to Rieth Riley Construction in the amount of \$2,466,135.53. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved the recommended bids.

County Clerk, Chris Anderson, requested approval of Ordinance Confirming, Ratifying, and Issuing Precinct Establishment Order. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved the Interlocal Agreement and Ordinance for Transfer of Jurisdiction with Nappanee.

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County Attorney, Steve Olsen, requested approval of First Addendum to Independent Contractor Agreement with Eyedart Studio, LLC. On motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board approved this request.

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**BOARD ITEMS:**

County Attorney, Steve Olsen, requested approval of Independent Contractor Agreement for Services for Benjamin Miller with Pysia Consulting LLC as a Dark Fiber Consultant. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval to advertise for a Vactor Truck on April 24, 2019 and May 1, 2019 with opening of the Bids on May 13, 2019. An additional appropriation has previously been approved. On motion made by Suzie Weirick, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

**AUDIENCE ITEMS:**

Eric Brown from Brown & Brown General Contractors requested approval of Change Order Modifications for the Juvenile Detention Center. Mike Yoder requested that Eric Brown and the Commissioners discuss the specific changes following the adjournment of the meeting.

On a motion made by Frank Lucchese, seconded by Suzie Weirick and unanimously carried, the Board adjourned their meeting.

Respectfully submitted,  
Anita Mock