

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

March 15, 2021

President Suzie Weirick 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 Board members, Frank Lucchese and Brad Rogers, were also present. Others present were Craig Buche, County Attorney; Jeff Taylor, County Administrator; Patricia Pickens, County Auditor; and Anita Mock, Executive Assistant.

***This meeting commenced pursuant to public notice under the Indiana open door law and Governor Holcomb's Executive Orders. This meeting was made available for the public and press to attend in person or engage in remote real-time observation and remote electronic participation.

On a motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved the Minutes of the March 1st & March 8th, 2021 meetings and placed them on file.

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

BUSINESS ITEMS:

Planning & Development, Jason Auvil, presented Steve W. Ruple & Renae L. Ruple represented by Abonmarche Consultants for a zone map change from A-1 to M-1, south side of County Road 2, 1,000 feet west of State Road 13, common address of 11134 County Road 2, in York Township. Abonmarche Representative, Crystal Welsch, was present for any questions. Suzie Weirick opened a public meeting. No audience members wished to speak on this matter. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Brad Rogers the Board approved this request.

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Planning & Development, Jason Auvil, presented Lavern Graber & Sue Graber represented by Hand to Plow Surveying for a zone map change from A-1 to DPUD A-1 and for Primary approval of a 2-lot minor subdivision to be known as **COUNTRY BARN DPUD A-1**, southeast corner of County Road 16 and County Road 116, common address of 11742 County

Road 16, in Middlebury Township. Petitioner, Clayton Evans, was present for any questions. Suzie Weirick opened a public hearing. No audience members wished to speak on this matter. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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Planning & Development, Jason Auvil, presented Fahlbeck Properties, Inc. represented by Progressive Engineering, Inc. for a zone map change from A-1 to DPUD A-1 and for Primary approval of a 3-lot minor subdivision to be known as **SPRING FORWARD FAHLBECK, DPUD**, west side of County Road 35, 835 feet north of US Highway 20, common address of 56865 County Road 35, in Middlebury Township. Petitioner, Mike Fahlbeck, was present for any questions. Councilman Tom Stump spoke on this matter. Suzie Weirick opened a public hearing. No audience members wished to speak on this matter. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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Planning & Development, Jason Auvil, presented SGL Holdings, LLC for a zone map change from A-1 to M-1, south side of County Road 4, 1,220 feet east of County Road 39, in York Township. The request received a Recommendation of Approval from Planning Staff and a Recommendation of Denial from the Plan Commission. Barnes & Thornburg Attorney Representative, Andrew Helfrich, and Petitioner, Matt Arnold, were present to answer any questions. Attorney Helfrich advised the initial Engineering Firm did not disclose any wetlands information. That Engineering Firm has since been replaced with Jones, Petrie, Rafinski to move the correct information forward. The current plan for this property was discussed. Suzie Weirick opened a public hearing. Wayne Wingard spoke in opposition to this request. Plan Commission, Tom Stump, spoke on this matter as far as how the Plan Commission voted. Jones, Petrie, Rafinski Representative, Kenneth Jones Jr. spoke on the progress of this project. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request with commitment it will only be used as trailer storage.

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Planning & Development, Jason Auvil, presented Star Property Real Estate Company, LLC represented by AR Engineering, LLC for a zone map change from GPUD B-2 to DPUD B-2 and for Primary approval of a 1-lot minor subdivision to be known as **STAR PROPERTY DG DPUD B-2**, east side of State Road 13, 1,200 feet south of County Road 32, in Clinton Township. The request received a Recommendation of Denial from the Planning Staff and a Recommendation of Denial from the Plan Commission. Petitioner, Tom Callin, Representative for Dollar General presented the plans to build a Dollar General on this property. Suzie Weirick opened a public hearing. Plan Commission Member, Roger Miller & Steve Warner, spoke against this request. Keenan Wenger spoke against this request. James Eash spoke against this request. Joyce Miller spoke against this request. Olivia Hajicek spoke against this request. Plan Commission Member, Tom Stump, spoke in favor of this request. On motion made by

Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board closed the public hearing. On motion made by Frank Lucchese, he moved to approve the Recommendation of Denial made by the Plan Commission. Suzie Weirick seconded this motion. Suzie Weirick called for a roll call vote. Suzie Weirick; AYE, Frank Lucchese; AYE and Brad Rogers; Nay. Deny this request.

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County Fiber Department Representative, Ben Hudson, requested approval of Fiber Segment Agreement with Commercial Broadband Solutions – Yoder Oil. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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County Fiber Department Representative, Ben Hudson, requested approval of Fiber Segment Agreement with Commercial Broadband Solutions – The Crossing. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested approval to advertise County Road 4 – County Road 15 to County Road 17 Improvements Project for Bids. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

County Highway Manager of Transportation, Charlie McKenzie, requested approval for the Purchase of a 2021 Chevrolet 5500 Diesel Truck Chassis in the amount of \$56,799.95 from Tom Naquin Chevrolet. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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County Highway Manager of Transportation, Charlie McKenzie, requested to approve the Award for County Highway Department to Administration Building Fiber Project to Core Bore in the amount of \$130,829. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval of Fourth Addendum to Real Estate Lease by and between DRTY, LLC (Landlord) and Board of Commissioners, Elkhart County. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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County Administrator, Jeff Taylor, requested approval of Goshen Dam Pond Economic Improvement District Budget & Report & Annual Submissions. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved the Request for Use of Courthouse Property in Goshen and Elkhart for the month of April, 2021.

BOARD ITEMS:

PRIVILEGE OF THE FLOOR;

Kyle Wolsey spoke on behalf of Borden Waste Away.

Cindy Hajicek spoke on recycling project.

Olivia Hajicek spoke on recycling project.

Gene Crusie spoke on Fiber project in the Elkhart County area.

Glenn Null spoke on several issues.

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

Respectfully submitted,
Anita Mock