

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

November 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 Steve Olsen, County Attorney; Patricia Pickens, County Auditor and Anita Mock, Executive Assistant. Jeff Taylor, County Administrator, was absent.

***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 Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved the Minutes of the November 1st, 2021 meeting and placed them on file.

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

BUSINESS ITEMS:

Planning & Development Zoning Administrator, Jason Auvil, was requested to present the request for denial of Windshire Corporation represented by AR Engineering LLC, for a zone map change from GPUD B-2 to DPUD B-2 and for primary approval of a 2-lot minor subdivision to be known as **WINDSHIRE-DG: DPUD B-2**, southwest corner of US Highway 33 and County Road 31, common address of 67193 US Highway 33, in Jackson Township. AR Engineering Representative, Whitney Pizzala, was present to address the request to table this project at this time. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board moved to table this request at this time.

County Highway, Charlie McKenzie, received a Bid for County Road 4 Extension between County Road 17 and County Road 19 Materials Project. Bid was received late but proven to be sent on time. The Bid was from Etna Supply in the amount of \$1,662,637.40. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved to accept and review the bid.

Planning & Development, Danny Dean, requested approval of Perry Automotive represented by Surveying and Mapping LLC for a zone map change from R-2 and PUD M-1 to B-3, west side of State Road 19, 850 feet south of County Road 20 (Mishawaka Road) common address of 57923 State Road 19, in Baugo Township. Chris Marbach spoke in favor of the project for Perry Automotive. 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.

(Page 449)

Planning & Development Zoning Administrator, Jason Auvil, requested approval of Nusbaum Investments LLC represented by Abonmarche Consultants for a zone map change from A-1 to DPUD M-1 and for primary approval of a 1-lot minor subdivision to be known as **TRANSPORT US STORAGE LOT DPUD M-1**, north side of County Road 38, 1,125 feet east of County Road 17, common address of 21825 County Road 38, in Elkhart Township. Abonmarche Representative, Crystal Welsh, was present to answer any questions. Suzie Weirick opened a public hearing. Mark Hay spoke in opposition to the project. Transport US Representative, Jenni Miller, spoke in favor of the project. Crystal Welsh responded to Mark Hay's concerns for the project. 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, the Board approved the request with the condition that there be a designated area for idling trucks. Brad Rogers voted; NAY.

(Page 450)

Planning & Development, Mae Kratzer, requested denial of Borger Pletcher Development (Seller) & Homeward Bound Animal Welfare Group Inc. (Buyer) for a zone map change from GPUD E-3 to A-1, east side of County Road 17, 3,000 feet south of County Road 6, common address of 53536 County Road 17, in Washington Township. Suzie Weirick opened a public hearing. Meg Wolgamood who resides on Pine Brook Drive, Bristol, spoke in opposition to the project. Robert Ramsby who resides on Folk Stone Drive, Bristol, spoke in opposition to the project. 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 the recommendation to deny the request.

County Highway, Charlie McKenzie, requested approval of Initial Acceptance of Atlas Drive, Elkhart East Area B Phase III. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

(Page 451)

County Highway, Charlie McKenzie, requested approval of INDOT-LPA Contract for Bridge 233 – County Road 36 between County Road 9 and County Road 11, over Yellow Creek. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

(Page 452)

County Highway, Charlie McKenzie, requested approval of INDOT-LPA Consultant Agreement with United Consulting for Bridge 233 – County Road 36 between County Road 9 and County Road 11, over Yellow Creek. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

(Page 453)

County Highway, Kent Myers, requested approval of Snow Plowing Contracts. The contracts are as follows:

- Accu-Dig Excavating
- Alliance Contractors
- Aquascapes of Michiana
- C & E Excavating
- C & S Construction
- Darrell Martin
- DS Groundscare
- Fawn River Trucking
- J & R Welding
- J & K Septic
- Jonathan Zimmerman
- Masters, LLC
- Nick Stewart
- Rain Drain
- Thompson Landscape
- TNT Bobcat
- 2 Brother Landscape

The contract price is \$85.00 for subdivisions and \$130.00 for numbered roads. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

County Highway, Charlie McKenzie, requested to award County Road 4 Extension between County Road 17 and County Road 19 Clearing and Grading Contract to Miller Brothers Construction in the amount of \$247,540.81. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

(Page 454)

County Highway, Charlie McKenzie, request approval of Miller Brothers Construction Inc. Agreement and Performance Bond for the County Road 4 Extension between County Road 17 and County Road 19: Clearing & Grading Contract. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

(Page 455-456)

Commissioner, Suzie Weirick, requested approval of appointment of Fire Chief Danny Sink to the Elkhart County Board of Health, to complete the term of D. Donald Findlay. On motion made by Frank Lucchese, seconded by Suzie Weirick the Board approved this request. Brad Rogers voted; NAY.

Commissioner Brad Rogers, requested consideration of adjusting the scope of Services Agreement with Lochmueller for the Foraker & Southwest Study to include Wakarusa. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

(Page 457)

“Don’t Mandate on Me” requested use of the Goshen Courthouse Property on November 20, 2021 from 8:00 am to 12:00 pm for 1st Amendment Rally Against Vaccine Mandate. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

County Attorney, Steve Olsen, requested approval of Resolution Issuing and Approving the Written Order of the Elkhart County Plan Commission for the Amended Northeast Corridor TIF District. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

(Page 458)

Sheriff’s Office, Sheriff Siegel, requested approval of Resolution of the Elkhart County Commissioners Supporting a Special Purchase of Taser Equipment and Services for the Elkhart County Sheriff’s Office. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

(Page 459)

BOARD ITEMS:

Commissioner Suzie Weirick announced the Groundbreaking Ceremony to be held on Tuesday November 16, 2021 @ Noon.

PRIVILEGE OF THE FLOOR:

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

Respectfully submitted,
Anita Mock