

MINUTES

ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

December 13, 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; Patricia Pickens, County Auditor; Jeff Taylor, County Administrator 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 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:

County Attorney, Craig Buche, requested to open a public hearing for Bids for Surplus Real Estate on Rieth Boulevard. The two parcels are located on vacant land at County Road 17 and Rieth Blvd. Suzie Weirick opened a public hearing. No audience members wished to speak on this matter. The two (2) bids received are as follows:

- Jeff VanderReyden in the amount of \$1,800 per acre for Parcel 1 (5.85 acres) & Parcel 2 (2.23 acres).
- Elkhart General Hospital in the amount of \$25,000 for Parcel 2 (2.23 acres).

On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved to accept and review the bids received.

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County Administrator, Jeff Taylor, received Bids for County Road 4 Extension between County Road 17 and County Road 19 Lift Station Materials Contract. Bids received are as follows:

- Core & Main, South Bend, Indiana in the amount of \$240,769.75 for all items.
- Flow Technics, Inc. in the amount of \$34,500 for one item.

On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved to accept the Bids and for the Highway Department to review.

County Administrator, Jeff Taylor, requested approval of County Road 4 Extension between County Road 17 and County Road 19 Materials Contract Performance Bond for Ferguson Enterprises, LLC dba Ferguson Waterworks. 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 2022-23 INDOT-LPA Contract for Bridge Inspections. 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 STOP Ordinance on Peregrine Drive at County Road 25, Goshen, Indiana. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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Planning & Development Zoning Administrator, Jason Auvil, requested approval of The Town of Wakarusa Amendment to the Elkhart County 2006 Comprehensive Land Use Plan to replace that portion of the plan for the Town of Wakarusa area with the new Town of Wakarusa Growing Our Future 2030 Comprehensive Plan. The jurisdictional limits of Elkhart County (Generally, from the current Memorial Park extending North to County Road 38, at the Southwest corner of the town limits between County Road 1 and County Road 3, and the North ½ of the North ½ of the Southwest & Southeast Quarters of Section 35, Range 4 East, Township 36 North. Wakarusa Town Manager, Holly Landis, spoke in favor of the request. 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 Zoning Administrator, Jason Auvil, presented Windshire Corporation request 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. Planning Staff recommended approval of this request, while Plan Commission requested denial of this request 5-4. AR Engineering Representative, Tom Cowen, advised Dollar General is their client and felt this property is well suited for a Dollar General Site. He also addressed several concerns that nearby residents expressed at earlier meetings. AR Engineering Civil Engineer, Whitney Pazallo, advised she is the Chief Engineer for this project and has both Dollar General and AR Engineering as clients. Whitney added that she felt this development is a good fit for the area and that a full Construction Plan has been completed to ensure environmental assessments as well meeting Elkhart County's Ordinances. Discussion was had on whether a cross-walk should be added to this request. Fred Ham spoke on behalf of Schrock Commercial. He advised there

would be no outside storage of any vehicles or items in the Storage Facility that is being proposed and that the business hours and access has not been determined. Suzie Weirick opened a public hearing. The following individuals spoke on this request:

- Representing Fairfield School Board, Randy Zimmerly spoke in opposition of this project.
- Pete Garber, Brentwood Drive, spoke in opposition of this project.
- Jason Metz, Kensington Drive, spoke in opposition of this project.
- Sarah Elliot, unknown address, spoke in opposition of this project.
- Heather Herron, Brentwood Drive, spoke in opposition of this project.
- Carrie Falco, Brentwood Drive, spoke in opposition of this project.
- Jason Metz did speak again and submitted online petitions.

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On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board closed the public hearing. AR Engineering Representative, Tom Cowen, responded to comments made during the public hearing. Several areas of concern involving this project is, lack of a crosswalk, property rights, traffic concerns etc. A lengthy discussion followed. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request with the following requirements: 1) Enclosure for dumpster trash; 2) Buffering along US Highway 33 for storage facility; 3) Down lights as presented; 4) Crosswalk requirement with potential pedestrian overpass, and; 5) Storage Facility hours to be 7am to 10pm.

Planning & Development Inspector, Kevin Williams, requested permission to release Notice to Bidders for Demolition of Four (4) Unsafe Buildings and receive the Bids on January 10, 2022. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

Request for approval of Ordinances in regards to Election Districts has been tabled. Items: 5, 6, & 7. The Census for 2020 was accomplished and Elkhart County is waiting for confirmation of these approvals from the Office of Census Data and the Indiana Election Division. No District, or Council District, or Commissioner District is anticipated to change. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved to table the request.

On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved the appointment of Dr. Houman Vaghefi, MS, MD, PHD to the Elkhart County Board of Health.

BOARD ITEMS:

PRIVILEGE OF THE FLOOR:

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

Respectfully submitted,
Anita Mock