

# MINUTES

## ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

**March 21, 2022**

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, Administrative Manager.

\*\*\*This meeting commenced pursuant to public notice under the Indiana open door law. 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 7<sup>th</sup> & March 14<sup>th</sup>, 2022 meeting 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, Mae Kratzer, requested approval of Jayco represented by Jones Petrie Rafinski for a zone map change from A-4 to M-1, north side of County Road 20, 1,300 feet east of County Road 35, in Middlebury Township. 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, Mae Kratzer, requested approval of Lippert Components Manufacturing Inc., represented by Warrick & Boyn LLP, for a zone map change from A-1 to M-2, south side of County Road 2, 520 feet west of County Road 43, common address of 10330 County Road 2, in York Township. 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, requested approval of Joseph Yoder & Lisa Yoder Trust represented by Abonmarche Consultants for an existing DPUD A-1 known as **CUSTOM WOOD FINISHING DPUD** to allow for a revised site plan, west side of County Road 37, 1,600 feet south of County Road 36, in Clinton Township. Abonmarche Representative, Crystal Welch, was present to answer 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 Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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Planning & Development, Natasha Kauffman, requested approval of Elkhart County Redevelopment Commission to amend the Elkhart County Comprehensive Plan by adopting the Prairie Creek Run Neighborhood Plan the Northwest Gateway Mobility Study as informational exhibits. The Prairie Creek Run neighborhood is bounded by city limits along Bristol Street/County Road 10 to the south, Johnson Street/County Road 9 to the west, Osolo Road/County Road 11 to the east and the parcels just north of Modrell Street & Medford Street. The Northwest Gateway area is bounded to the west by Ash Road to the south of Old US Highway 33, to the north County Road 6 and the east by the City near State Road 19. 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, Mae Kratzer, requested approval of Spartin Development LLC, represented by Abonmarche Consultants for secondary approval of a 33-lot major subdivision to be known as **WOODFIELD TRACE**, east end of Bernice Drive, 490 feet south east of County Road 3, in Baugo Township. Abonmarche Representative, Crystal Welch, was present too answer 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, Mae Kratzer, advised there was **NO RECOMMENDATION** for Transport Indiana LLC represented by Jones Petrie Rafinski for a zone map change from A-4 to M-1 south side of County Road 20, 1,400 feet east of County Road 35, common address of 13596 County Road 20, in Middlebury Township. Jones Petrie Rafinski Representative, Ken Jones, explained the project and why he believed the request was coming to the Commissioners with no recommendation. Suzie Weirick opened a public hearing. Indiana Transport Representative, Cabe Jessup, spoke in favor of the project. Marvin Weirich spoke in opposition of the project. Darryl Weirich spoke in opposition of the project explaining increased traffic was his main concern. John Miller, Organic Chicken Farmer, expressed his concern that

the tile needed to be upgraded for such a project. Ken Jones addressed several concerns expressed. No other 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. The Boards main concern was the zone map change to M-1 and felt that a DPUD would be a better fit for the project. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board denied this request.

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County Administrator, Jeff Taylor, received Bids for 2022 CCMG Paving Program. The Bids received are as follows:

- Milestone Contractors North, Inc. in the amount of \$3,480,000.
- Reith Riley Construction Company in the amount of \$2,797,211.15

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

County Administrator, Jeff Taylor, requested approval of Agreement entered into by and between Rieth-Riley Construction Company, Inc. and Elkhart County through the Board of Commissioners to perform and complete all work required for the County Road 4 Extension – County Road 17 to County Road 19 in Elkhart County, Indiana. 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 Performance Bond entered into by and between Rieth-Riley Construction Company, Inc. and Elkhart County through the Board of Commissioners for the County Road 4 Extension – County Road 17 to County Road 19 in Elkhart County, Indiana. 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 Segment Agreement between County of Elkhart and Cozycloud IT LLC for the MJB Wood, 103 Stonemont Court, Bristol, IN. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Attorney, Craig Buche, requested approval of Independent Contractor Agreement for Services by and between the Board of Commissioners of Elkhart County and Enfocuse, Inc. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request subject to legal review.

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County Attorney, Craig Buche, requested approval to award the Bid for Leachate Tank Project to Blue Flame Crew. The recommendation was for the Base Bid and Alternate A for the increased tank capacity for a total amount of \$1,349,780.00. The Base Bid amount was \$1,248,580.00 and Alternate A was \$101,200.00. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved both the Base Bid and Alternate A.

County Attorney, Craig Buche, requested approval of Resolution of the Board of Commissioners of the County of Elkhart, Indiana Authorizing the Investment of Public Funds. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Attorney, Craig Buche, requested approval of Revised Amendment 1 for the Performance Services, Inc. Design-Build Agreement for Façade Enhancement. On motion made by Frank Lucchese, seconded by Brad Rogers and unanimously carried, the Board approved this request.

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Prosecuting Attorney requested approval of Out of State Travel for Jeremy Stout to attend AXIOM Training (Magnet Forensics) in Herndon, Virginia March 14<sup>th</sup> thru March 18<sup>th</sup>, 2022. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

#### **BOARD ITEMS:**

County Attorney, Craig Buche, requested approval of Memorandum of Understanding for the Commissioners to allow Personnel and Human Resource Services, Management and oversight of the Elkhart County Microfilm and Archives Department will be provided by the Elkhart County Human Resources Department. 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 DLZ Engineering Services for the Goshen Courthouse improvements as follows:

- Task Order 1 – West Exterior Stair Reconstruction.
- Task Order 2 - Primary Roof Replacement.
- Task Order 3 – Exterior Window Restoration.

On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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County Attorney, Steve Olsen, requested approval of Resolution of the Board of Commissioners of the County of Elkhart, Indiana Establishing an Electronic Meetings Policy. On motion made by Brad Rogers, seconded by Frank Lucchese and unanimously carried, the Board approved this request.

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**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