

# MINUTES

## ELKHART COUNTY BOARD OF COMMISSIONERS MEETING

May 20, 2024

President Brad Rogers 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, Suzie Weirick and Bob Barnes, were also present. Others present were Craig Buche, County Attorney; Patricia Pickens, County Auditor; Jeff Taylor, County Administrator and Kelly Ropp, 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.

On a motion made by Bob Barnes, seconded by Suzie Weirick and unanimously carried, the Board approved the Minutes of the May 6, 2024, meeting and placed them on file.

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

### **BUSINESS ITEMS:**

Charlie McKenzie, County Highway, Receive bids for 2024 Wedging Program. Two bids were received. Niblock Excavating, Bristol, IN for \$755,715.30. Reith Riley, South Bend, IN for \$746,771.00. A motion made by Suzie Weirick to accept bids for staff review, seconded by Bob Barnes and unanimously carried. The Board Approved this request.  
(Page 676)

Charlie McKenzie, County Highway, consideration and request for approval of Speed Regulations Ordinance Amendment. Ordinance No.CO2024-21. A motion made by Suzie Weirick and seconded by Bob Barnes and unanimously carried. The Board Approved this request.  
(Page 677)

Charlie McKenzie, County Highway, Consideration and request for approval of Size and Weight Regulations Ordinance. Ordinance No. CO2024-22. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried. The Board Approved this request.  
(Page 678)

Charlie McKenzie, County Highway, requested approval of 2023 Annual Operational Report. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried. The Board Approved this report.

(Page 679)

Adam Colsen, Planning and Development, presented the request for approval of Osolo Little League Inc. represented by Warrick & Boyn, LLP for a zone map change from R-1 to B-2, east side of CR 9, 1180 ft. north of CR 6, common address of 52754 CR 9 in Osolo Township. President Brad Rogers opened a public hearing. Chris Pottratz, Warrick & Boyn, attorney for Osolo Little League, explained the placement of the billboards they would like to install. Questions and discussion occurred on this zone map change. A motion made by Suzie Weirick to close the public hearing, seconded by Bob Barnes, and unanimously carried; the board closed the public hearing. Suzie Weirick made a motion to approve a straight B2 zone map change with no restrictions, seconded by Bob Barnes and unanimously carried. The Board Approved this request.

(Page 680)

Jason Auvil, Zoning Administrator, presented the request for approval of Star Property Real Estate Company LLC & Michiana Capital Investment Group LLC represented by Abonmarche Consultants for an amendment to an existing DPUD M-1 known as Michiana Capital DPUD to modify the retention area and allow for a new commercial building, northeast corner of CR 30 and SR 13, common address of 11903 CR 30 in Clinton Township. Crystal Welch, Abonmarche, explained some additional details of the proposed change. President Brad Rogers opened a public hearing. No one else wished to speak. A motion made by Suzie Weirick to close the public hearing, seconded by Bob Barnes, and unanimously carried; the board closed the public hearing. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried. The Board Approved this request.

(Page 681)

Jason Auvil, Zoning Administrator, presented the request for approval of Marion E. Yoder & Laverta K. Yoder Trustees of the Marion & Laverta Yoder Trust represented by Jones Petrie Rafinski for a zone map change from A-1 to DPUD A-1 for proposed lot 1 and for primary approval of a 2-lot minor subdivision to be known as M & L DPUD, south side of CR 16, 465 ft. east of CR 43 in Middlebury Township. Matt Shuster with JPR, explained this will be a welding and repair shop. President Brad Rogers opened a public hearing. No audience members wished to speak. A motion made by Suzie Weirick to close the public hearing, seconded by Bob Barnes, and unanimously carried; the board closed the public hearing. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried; The Board Approved this request.

(Page 682)

Donny Aleo, Parks Department and Kelly Metzger, Human Resources requested Commissioner Approval of the EEO Committee Membership List. (See attachment A). A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried; The Board Approved this request. (Page 683)

Jeff Taylor, County Administrator, presented a request by Mike Humphrey for Noise Ordinance Variance. A motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried; The Board Approved this request. (Page 684)

Jeff Taylor, County Administrator, presented a request by Yessenia Cisneros for Noise Ordinance Variance. June 29, 2024 from 2pm to 12am. A motion made by Suzie Weirick to approve the request with a restriction being 2pm to 11 pm seconded by Bob Barnes and unanimously carried; The Board Approved this request. (Page 685)

**BOARD ITEMS:**

Steve Olsen, County Attorney's office, presented an RFQ for approval relating to the Foraker/Southwest project. 70889 CR 7, was approved previously, but this is additional required work needing approval. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried. The Board Approved the lowest bid. (Page 686)

Steve Olsen, County Attorney's office presented Change Order #5. Four properties were identified that need some additional work for drains. Two properties in Foraker and two in Southwest. The total cost of this is \$12,665.00. A motion made by Suzie Weirick, seconded by Bob Barnes and unanimously carried; The Board Approved this change order. (Page 687)

**PRIVILEGE OF THE FLOOR:**

None

**ADJOURNMENT:**

On motion made by Suzie Weirick, seconded by Bob Barnes, and unanimously carried, the Board adjourned the meeting.

Respectfully submitted,

Kelly Ropp

## **EEO Advisory Committee Membership**

The Elkhart County Equal Employment Opportunity Advisory Committee is a ten to fifteen (10-15) member committee, comprised of one (1) County Commissioner, two (2) County Council members, and seven to twelve (7-12) other supervisory and non-supervisory County employees and/or elected officials.

Membership on the EEO Advisory Committee is open to all Elkhart County employees (with supervisory approval). All members are appointed by the Elkhart County Board of Commissioners and shall serve one (1) year terms which may be renewed.

Elkhart County Human Resources shall appoint an Equal Employment Opportunity Officer as an authorized representative to the Committee. Elkhart County Human Resources shall also appoint a staff member to serve as a resource to the Committee. These designated individuals from Human Resources will be appointed as ex-officio members of the Committee.

### **2024 EEO Advisory Committee Proposed Membership List**

Donny Aleo, Chairperson – Park Department  
Jennifer Smith, Vice-Chairperson – Sheriff's Office  
Gloria Navarro, Secretary – Judiciary – Court Services/Drug Court  
Bob Barnes, Commissioner  
Steven Clark, County Council  
Darryl Riegsecker, County Council  
Tamika Carter-Mitchell – Prosecutor's Office  
Lucia Conway – Sheriff's Office  
Anthony Lane – Landfill  
– Ty Miller – County Assessor's Office  
– Marco Mingucha – Judiciary – Court Services/JDC  
Katie Niblock – Highway Department  
Joanna Reeves – Judiciary – Court Services/Probation  
Melanie Sizemore – Health Department

#### Ex-officio members

Kirt Hunsberger, EEO Officer  
Kelly Metzger