



# BOARD OF COMMISSIONERS

## LAPORTE COUNTY

Circuit Courthouse  
813 Lincolnway, Suite 301  
LaPorte, IN 46350-3400

Phone: (219) 326-6808 ext. 229 – FAX: (219) 326-9103

Marlow Harmon, President

Barbara Huston

William Hager

### LAPORTE COUNTY BOARD OF COMMISSIONERS

**TUESDAY, OCTOBER 17, 2006**

The LaPorte County Board of Commissioners met in regular session on Tuesday, October 17, 2006 at 10:00 a.m., in the LaPorte County Complex meeting room #3.

Present at the meeting were Commission President Marlow Harmon, Commission Vice President Barbara Huston, Commission Member William Hager. Also present were LaPorte County Attorney Robert Szilagyi, Executive Secretary Linda Arnett and Assistant Monique Gillard. LaPorte County Auditor Teresa Shuter was absent.

#### MEETING CALLED TO ORDER

Commission President Marlow Harmon called the meeting to order at 10:00 a.m...

#### PLEDGE OF ALLEGIANCE

Commission Member William Hager led the Pledge of Allegiance.

#### APPROVAL OF AGENDA

Mr. Harmon, we need to remove from the agenda under "Old Business" section "A" Attorney Ralph Howes, final plat approval Galena Township.

Mrs. Huston, made a motion to approve the agenda as amended, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

#### APPROVAL OF MINUTES

Mr. Hager, made a motion to approve the minutes of October 3, 2006 as submitted, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

#### WEEKLY REPORTS

The Commissioners review and sign weekly reports during the meeting.

#### CLAIMS

Mrs. Huston made a motion to approve Payroll Ending October 20, 2006, second by Mr. Hager. Motion carried with a roll-call vote 3-0.

Mr. Hager, made a motion to approve Miscellaneous Claims in the amount of \$2,058,434.66, second by Mrs. Huston. Motion carried with a roll-call vote 3-0

#### OLD BUSINESS

Attorney Dave Ambers/Ambers Family Farm Trust #1 Rezone from Agriculture to R1

Mr. Hager, made a motion to remove from the table, second by Mrs. Huston. Motion carried with a voice vote 3-0

Mr. Ambers, Attorney at Law, represents his family farmland in this matter. This property is fifty-six acres and is at the intersection of Highway 2 and County Road 500 West in LaPorte County. This petition is for R1 zoning not R2 as was originally stated in the petition. I come to you with no approval or no action by the Plan Commission. You have my petition and pursuant to the statute, the change that has been suggested is consistent with the master plan under I.C. 36.7.4.603.

Mr. Harmon, do we have any remonstrators.

Mr. Drayton, Attorney at Law, represents several surrounding land owners Bruce & Donna Kessler, Robert Schmidt, George Morley, Bill Applegarth, Ernest Marvin and others. I would ask you to consider the master plan; it is suppose to direct us with our growth. What we do question is growth as a subdivision in the middle of farmland and we are talking about putting a major subdivision in the middle of farm country. It is my understanding that there is an ordinance being presented that will prohibit farmers from spraying within one-hundred feet of a residence. You have the standards that you are suppose to be looking at as a legislative body to decide if this should be approved, you are being asked to rezone and you're being asked to change the nature of the master plan. We are not asking you to turn down this subdivision, we are asking you to turn down the rezone.

Mr. Coulter, is a remonstrator on behalf of Mr. Ambers

Mr. Applegarth, remonstrator against the rezone.

Mr. Harmon that will conclude the public comment period.

Mr. Hager, I would take a stronger look at this and I am against subdivisions, I have been turning down subdivisions throughout the county. I think is time that this county starts working from the inside out, instead of the outside in. At this time I cannot support rezoning this I want to see our comprehensive plan come in.

Mrs. Huston, I don't understand why the Plan Commission left this up to us to do the rezoning on this but since they have and listing to Mr. Drayton, I don't feel that I see a compelling need for this and I agree with Mr. Hager and believe that that is the way I am going to go too.

Mr. Harmon, I am in favor of this project and it is in an ideal location in relation to the City of LaPorte. I will support and this and this board will determine what it does itself but I will support it.

Mrs. Huston, in regard to what Mr. Harmon just said. I look at LaPorte and we have nine-hundred and sixty-eight homes for sale and that is a lot of homes. I think we should be looking for people to buy those homes.

Mr. Harmon, These people don't want to live in the city, I don't think we should scrap it by saying this one subdivision we don't think its good and that is what we are saying here. We are approving all these other subdivisions but when we came to this one subdivision but if you are going to turn this one down you should turn every subdivision down that comes before you. This is saying that LaPorte County doesn't need to grow, if that is what we are saying lets say it to everybody not just to one person, that is discrimination.

Mr. Hager, made a motion to deny, second by Mrs. Huston. Motion carried with a roll-call vote 2-1, with Mr. Harmon voting nay.

#### NEW BUSINESS

Rick McVay, LaPorte County Highway Engineer/ Speed Limit Reduction 800 North to 125 East reduce to 35 MPH

Mr. McVay, we conducted a traffic analysis in this section of road and it is my recommendation to reduce the speed to 35 mph.

Mr. Harmon, isn't that a wide open road, why would we lower the speed limit on an open road like that?

Mr. McVay, in that portion of road there is no speed limit.

Mrs. Huston, 40mph is to fast?

Mrs. Huston, made a motion to concur with the recommendation of the County Highway Engineer and reduce the speed to 35 MPH, second by Mr. Hager. Motion carried with a roll-call vote 2-1 with Mr. Harmon voting nay.

Rick McVay, LaPorte County Highway Engineer/ Speed Limit Reduction 125 East from Fail Road to 1000 North reduce to 40 MPH

Mr. McVay, my recommendation is 40 mph speed limit.

Mr. Hager, made a motion to concur with Mr. McVay and reduce the speed limit to 40mph, second by Mrs. Huston. Motion carried with a roll-call vote 3-0.

PUBLIC COMMENTS

None

COMMISSIONER'S COMMENTS

Mr. Hager, I have one thing the county is asking for a Christmas party December 14, 2006 and that would require us to close at noon to allow them to have the Christmas Party.

Mr. Hager made a motion to allow the Christmas Party for County Employees on December 14, 2006 and it will be held at the Fair Grounds and we allow the time off for the employees, second by Mrs. Huston. Motion carried with a voice vote 3-0

Mrs. Huston reads statement in reference to the property on Johnson Road.

ADJOURN

Commission President Marlow Harmon adjourned the meeting at 11:00 a.m...

LAPORTE COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Marlow Harmon, Commission President

  
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Barbara Huston, Commission Vice President

  
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William Hager, Commission Member

ATTEST: \_\_\_\_\_  
Teresa Shuter, LaPorte County Auditor