

DeKalb County Commissioners

June 5, 2023

[Click Here to View](#)

Meeting Schedule:

8:30 Dotty Miller –Human Resources
9:00-9:15 Jessica Shull & Andrew Provines: Solar
9:30 Nellie Peffley – Opening of Cedar Creek Stabilization Project Bids
10:00 Pledge
10:15 Highway—Ben Parker
10:45 Leta Hullinger & Erin Potter-Director of Alliance Industries
Update on Alliance Industries

Discussion Topics and Action Items

Payroll: bi-weekly—pre-approved do to Holiday on May 29th.
Claims
Minutes
Travel
Eastern Engineering Supply Agreement
OCRA Grant next step documents for signature
DART: Third Party Lease & Service Agreement for Capital Equipment
Ordinance 2023-O-1: DCC 28-9-12 |Addiction Treatment Court Donation Fund
Ordinance 2023-O-2: DCC 28-9-13 |Veteran’s Court Donation Fund
Ordinance 2023-O-3: DCC 28-9-14 |Family Restoration Court Donation Fund
Ordinance 2023-O-4: DCC 28-9-15 |Opioid \$ for Addiction Trmt Crt. Testing Fees
Misc. Topics

ORDINANCE NO. 2023-O-1
DEKALB COUNTY CODE SECTION 28-9-12
DEKALB COUNTY COMMISSIONERS
AN ORDINANCE ESTABLISHING
A RESTRICTED FUND FOR DONATIONS FOR THE
ADDICTION TREATMENT COURT THROUGH THE DEKALB SUPERIOR COURT I

WHEREAS, the DeKalb County, Indiana, DeKalb Superior Court I has established an Addiction Treatment Court to allow qualifying individuals to undergo counseling, training, and other efforts to obtain treatment and reintegrate themselves as valuable members of the DeKalb County Community; and

WHEREAS, persons and/or entities have offered to donate funds for operation of the Addiction Treatment Court; and

WHEREAS, the County Commissioners as the County Executive and County legislation branch are empowered to establish one or more funds for a particular purpose or function, pursuant to Indiana Code 36-1-3-6(b) and (c) in connection with Indiana Code 36-1-3.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMISSIONERS OF DEKALB COUNTY, INDIANA THAT:

- Section 1. There is hereby established a restricted donation fund to be used to purchase items to be utilized as incentives, and also to pay for drug testing services, counseling, and other service fees, including possibly participant housing for individuals participating in the Addiction Treatment Court, and training for team members, subject to the County Council approving a specific fund number.
- Section 2. Any person or entity may also contribute money to fund this account for the purposes set forth herein through the offices of the DeKalb Superior Court I and/or DeKalb County Probation Department. To assist with ease of administration of this fund, only money contributions by way of cash, check, or money order will be accepted. Should a person desire to make an in kind contribution, it should be made directly to the individual through the County Probation Department.
- Section 3. The County reserves the right to cut off contributions for this fund temporarily if the Commissioners deem that there are sufficient funds in the restricted account for the foreseeable future.
- Section 4. Donated funds that remain at the end of the appropriate calendar year shall not carry over because said funds need to be budgeted, and any of said funds remaining at the end of the fiscal year shall revert to the donation fund, and budgeted / appropriated for the upcoming year.

Section 5. The Commissioners may repeal this Ordinance if the Commissioners determine that there is no longer a need for said funding, but any monies remaining in the fund must be utilized for the purposes for which the fund was established until the fund is depleted. If no such purpose can be found to deplete the funds, such funds shall be deposited into that fund generally referred to as "County General".

Section 6. Although current Section 170(c)(1) of the Internal Revenue Code permits tax deductible contributions to governmental units, including counties, for such public purposes, the County cannot confirm that contributions are tax deductible because the County has not sought a letter ruling from the Internal Revenue Service. However, the County has requested from the Internal Revenue Service a "governmental information letter" describing the government entity exemption from federal income tax, citing applicable Internal Revenue Code sections pertaining to deductible contributions and income exclusion, which letter will be made available through the County Auditor's office upon request.

Section 7. Effective Date: This Ordinance becomes effective after passage of the third reading as adopted by the DeKalb County Commissioners and the publication of this Ordinance thereafter as required by law.

Section 8. Ordinance Codified: This DeKalb County Ordinance Number 2023-R-___ is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code _____ and properly indexed in the Code.

READ AND PASSED ON FIRST READING: Monday, _____, 2023.

READ AND PASSED ON SECOND READING: Monday, _____, 2023.

READ AND PASSED ON THIRD READING: Monday, _____, 2023.

This Ordinance No. 2023-R-___ codified as DeKalb County Code Section _____ is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.

DEKALB COUNTY COMMISSIONERS:

William L. Hartman – President

Michael V. Watson - Vice President

Todd R. Sanderson – Vice President

Attested:

By Susan Sleeper, DeKalb County Auditor

ORDINANCE NO. 2023-O-2
DEKALB COUNTY CODE SECTION DCC 28-9-13
DEKALB COUNTY COMMISSIONERS
AN ORDINANCE ESTABLISHING
A RESTRICTED FUND FOR DONATIONS FOR THE
VETERANS COURT OPERATED THROUGH THE DEKALB CIRCUIT COURT

WHEREAS, the DeKalb County, Indiana, Circuit Court has established a Veteran's Court to allow veterans of one of the branches of military service to undergo counseling, training, and other efforts to reintegrate themselves as valuable members of the DeKalb County Community; and upon successful completion of the program have sentences to jail terms or probation or parole rescinded or limited by the Circuit Court and the Probation Department; and

WHEREAS, persons and/or entities have offered to donate funds for operation of the Veteran's Court; and

WHEREAS, the County Commissioners as the County Executive and County legislation branch are empowered to establish one or more funds for a particular purpose or function, pursuant to Indiana Code 36-1-3-6(b) and (c) in connection with Indiana Code 36-1-3.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMISSIONERS OF DEKALB COUNTY, INDIANA THAT:

- Section 1. There is hereby established a restricted donation fund to be used to purchase items to be utilized as incentives, and also to pay for drug testing services, and other service fees, including possibly participant housing for veterans participating in the Veteran's Court, and for training for team members, subject to the County Council approving a specific fund number.
- Section 2. Any person or entity may also contribute money to fund this account for the purposes set forth herein through the offices of the DeKalb Circuit Court and/or DeKalb County Probation Department. To assist with ease of administration of this fund, only money contributions by way of cash, check, or money order will be accepted. Should a person desire to make an in kind contribution, it should be made directly to the individual through the County Probation Department.
- Section 3. The County reserves the right to cut off contributions for this fund temporarily if the Commissioners deem that there are sufficient funds in the restricted account for the foreseeable future.
- Section 4. Donated funds that remain at the end of the appropriate calendar year shall not carry over because said funds need to be budgeted, and any of said funds remaining at the

end of the fiscal year shall revert to the donation fund, and budgeted / appropriated for the upcoming year.

Section 5. The Commissioners may repeal this Ordinance if the Commissioners determine that there is no longer a need for said funding, but any monies remaining in the fund must be utilized for the purposes for which the fund was established until the fund is depleted. If no such purpose can be found to deplete the funds, such funds shall be deposited into that fund generally referred to as "County General".

Section 6. Although current Section 170(c)(1) of the Internal Revenue Code permits tax deductible contributions to governmental units, including counties, for such public purposes, the County cannot confirm that contributions are tax deductible because the County has not sought a letter ruling from the Internal Revenue Service. However, the County has requested from the Internal Revenue Service a "governmental information letter" describing the government entity exemption from federal income tax, citing applicable Internal Revenue Code sections pertaining to deductible contributions and income exclusion, which letter will be made available through the County Auditor's office upon request.

Section 7. Effective Date: This Ordinance becomes effective after passage of the third reading as adopted by the DeKalb County Commissioners and the publication of this Ordinance thereafter as required by law.

Section 8. Ordinance Codified: This DeKalb County Ordinance Number 2023-R-___ is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code _____ and properly indexed in the Code.

READ AND PASSED ON FIRST READING: Monday, _____, 2023.

READ AND PASSED ON SECOND READING: Monday, _____, 2023.

READ AND PASSED ON THIRD READING: Monday, _____, 2023.

This Ordinance No. 2023-R-___ codified as DeKalb County Code Section _____ is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.

DEKALB COUNTY COMMISSIONERS:

William L. Hartman – President

Michael V. Watson - Vice President

Todd R. Sanderson – Vice President

Attested:

By Susan Sleeper, DeKalb County Auditor

ORDINANCE NO. 2023-O-3
DEKALB COUNTY CODE SECTION DCC 28-9-14
DEKALB COUNTY COMMISSIONERS
AN ORDINANCE ESTABLISHING
A RESTRICTED FUND FOR DONATIONS TO THE
FAMILY RESTORATION COURT

WHEREAS, the DeKalb County, Indiana, Circuit Court has established a Family Restoration Court to allow members of families to undergo counseling, training, and other efforts to repair damages caused by the actions of one or more family members by participating in a program known as Family Restoration Court; and

WHEREAS, persons and/or entities have offered to donate funds for operation of the Family Restoration Court; and

WHEREAS, the County Commissioners as the County Executive and County legislation branch are empowered to establish one or more funds for a particular purpose or function, pursuant to Indiana Code 36-1-3-6(b) and (c) in connection with Indiana Code 36-1-3.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMISSIONERS OF DEKALB COUNTY, INDIANA THAT:

- Section 1. There is hereby established a restricted donation fund to be used to purchase items to be utilized as incentives, and also to pay for drug testing services, and other service fees, for those participating in the Family Restoration Court, and for training for team members, subject to the County Council approving a specific fund number.
- Section 2. Any person or entity may contribute money to fund this account for the purposes set forth herein through the offices of the DeKalb Circuit Court and/or DeKalb County Probation Department. To assist with ease of administration of this fund, only money contributions by way of cash, check, or money order will be accepted. Should a person desire to make an in kind contribution, it should be made directly to the individual through the County Probation Department.
- Section 3. The County reserves the right to cut off contributions for this fund temporarily if the Commissioners deem that there are sufficient funds in the restricted account for the foreseeable future.
- Section 4. Donated funds that remain at the end of the appropriate calendar year shall not carry over because said funds need to be budgeted, and any of said funds remaining at the end of the fiscal year shall revert to the donation fund, and budgeted / appropriated for the upcoming year.

Section 5. The Commissioners may repeal this Ordinance if the Commissioners determine that there is no longer a need for said funding, but any monies remaining in the fund must be utilized for the purposes for which the fund was established until the fund is depleted. If no such purpose can be found to deplete the funds, such funds shall be deposited into that fund generally referred to as "County General".

Section 6. Although current Section 170(c)(1) of the Internal Revenue Code permits tax deductible contributions to governmental units, including counties, for such public purposes, the County cannot confirm that contributions are tax deductible because the County has not sought a letter ruling from the Internal Revenue Service. However, the County has requested from the Internal Revenue Service a "governmental information letter" describing the government entity exemption from federal income tax, citing applicable Internal Revenue Code sections pertaining to deductible contributions and income exclusion, which letter will be made available through the County Auditor's office upon request.

Section 7. Effective Date: This Ordinance becomes effective after passage of the third reading as adopted by the DeKalb County Commissioners and the publication of this Ordinance thereafter as required by law.

Section 8. Ordinance Codified: This DeKalb County Ordinance Number 2023-R-___ is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code _____ and properly indexed in the Code.

READ AND PASSED ON FIRST READING: Monday, _____, 2023.

READ AND PASSED ON SECOND READING: Monday, _____, 2023.

READ AND PASSED ON THIRD READING: Monday, _____, 2023.

This Ordinance No. 2023-R-___ codified as DeKalb County Code Section _____ is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.

DEKALB COUNTY COMMISSIONERS:

William L. Hartman – President

Michael V. Watson - Vice President

Todd R. Sanderson – Vice President

Attested:

By Susan Sleeper, DeKalb County Auditor

ORDINANCE NO. 2023-O-4
DEKALB COUNTY CODE SECTION DCC 28-9-15
DEKALB COUNTY COMMISSIONERS
AN ORDINANCE ESTABLISHING
A RESTRICTED FUND FOR FUNDS FOR THE DRUG TESTING DONE BY THE
ADDICTION TREATMENT COURT

WHEREAS, the DeKalb County, Indiana, Superior Court I has established, with assistance from the DeKalb County Probation Department, an Addiction Treatment Court; and

WHEREAS, local government entities have received certain Opioid settlement funds; and

WHEREAS, County Commissioners as the County Executive and County legislation branch are empowered under that legislation commonly referred to as “Home Rule” to establish one or more funds for a particular purpose or function, pursuant to Indiana Code 36-1-3-6(b) and (c) in connection with Indiana Code 36-1- 3.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMISSIONERS OF DEKALB COUNTY, INDIANA THAT:

Section 1. There is hereby established a restricted fund to be used to receive funds from various local government entities which desire to allocate a portion of their opioid settlement funds to the Addiction Treatment Court for Drug Screens, subject to the County Council approving a specific fund number.

Section 2. Funds in said account can be used to pay for drug screens for participants in the Addiction Treatment Court.

Section 3. When participants that have had their drug screens paid out of this fund make payments on their drug screens, said payment will go back into this fund.

Section 4. Funds that remain at the end of the appropriate calendar year must be accounted for and budgeted / appropriated for the upcoming year.

Section 5. The Commissioners may repeal this Ordinance if the Commissioners determine that there is no longer for this restricted fund, but any monies remaining in the fund must be utilized for the purposes for which the fund was established until the fund is depleted. If no such purpose can be found to deplete the funds, such funds shall be deposited into that fund generally referred to as “County General”.

Section 6. Effective Date: This Ordinance becomes effective after passage of the third reading as adopted by the DeKalb County Commissioners and the publication of this Ordinance thereafter as required by law.

Section 7. Ordinance Codified: This DeKalb County Ordinance Number 2023-R-____ is passed and adopted on all three readings and shall be codified in the DeKalb County Code as DeKalb County Code _____ and properly indexed in the Code.

READ AND PASSED ON FIRST READING: Monday, _____, 2023.

READ AND PASSED ON SECOND READING: Monday, _____, 2023.

READ AND PASSED ON THIRD READING: Monday, _____, 2023.

This Ordinance No. 2023-R-____ codified as DeKalb County Code Section _____ is signed, approved and adopted after all three readings by the Commissioners of DeKalb County, Indiana.

DEKALB COUNTY COMMISSIONERS:

William L. Hartman – President

Michael V. Watson - Vice President

Todd R. Sanderson – Vice President

Attested:

By Susan Sleeper, DeKalb County Auditor