

MONDAY

January 18, 2005

MONDAY

419

The Board of DeKalb County Commissioners met in the Commissioners Court in the Court House in regular session, Monday at 8:30A.M. (EST)

PRESENT

Don Kaufman
Connie R. Miles
William C. Ort

ABSENT

MATTER OF CONTRACTS-STEERING COMMITTEE-MASTER PLAN

Zoning administrator Sally Rowe presented 2005 contracts for the steering committee for the new county master plan for herself as well as Sharon Kline and Brad Stump. A motion by Don Kaufman to approve all three contracts was seconded by Connie Miles and carried.

Work on the inter-local agreement for extra territorial jurisdiction is going well with the next meeting to be held January 19. The committee anticipates having the agreements for cities and towns prepared within the next 3 months.

Sally reported that the developer of Stafford Acres Section 1 in Jackson Township north of County Road 46A must renew his bond as infrastructure improvements are incomplete. Sally has tried to contact Mr. Stafford numerous times without success, and although he has signed the bond at the bank, he has not signed the renewal bond at the plan commission office. County attorney McCanna instructed the zoning administrator to inform Mr. Stafford that this item will be placed on the plan commission agenda and that the county will not allow the sale of any of the platted lots until the work is complete.

Sally will bring a copy of Ordinance 323 written in 1999 to the next meeting. This regards the need for clarification of the original plan for the County Road 61 industrial corridor.

Sally also explained that she has called an executive session of the Plan Commission to discuss her plans to leave her position as zoning administrator. She would like to remain on the committee for the new master plan, but for health and wellness reasons she has determined that April 1, 2005 will be her last day of employment.

MATTER OF APPOINTMENT-EXTRA TERRITORIAL JURISDICTION

A motion by Don Kaufman to approve the request of Butler City planner Amy Schweitzer to reappoint Sandra Lechleidner to the Butler City Plan Commission position filled by a resident of the extra-territorial jurisdiction was seconded by Connie Miles and carried.

MATTER OF SHERIFF

The commissioners received two letters of request from Sheriff John Dennis for travel to seminars. A motion by Don Kaufman to approve the requests was seconded by Connie Miles and carried.

The sheriff also discussed the matter of payment of medical bills and release from liability for the county in the matter of an injury claim from Patty Pierce who fell at the jail. The insurance company has determined that the county is not at fault for the incident and will not cover the medical cost incurred from the fall. Since the cost is slightly over \$500 to cover emergency room and x-rays, payment of the bills will be less costly than attorney fees for legal

action. The auditor will pay the claim as soon as Ms. Pierce signs the release of liability and submits the medical bills.

MATTER OF SUNNY MEADOWS FLOORS

Custodian Clint Stephens spoke to the commissioners regarding the work done on the floors at Sunny Meadows residential home. Herdsman Howard Richardson will now prepare to move to the farm home on the south side of the road, and Clint will help with the cleanup of the apartment so that the new administrator may move into the residence at Sunny Meadows

MATTER OF DEMOLITION

A motion by Connie Miles to proceed to obtain a contract for demolition of the third house located in the flood plain in Holiday Lakes Subdivision, which was purchased by the county was seconded by Don Kaufman and carried. The MRBC will reimburse the demolition expenses.

Brad has also agreed to be the proxy for Commissioner Ort on the MRBC.

MATTER OF HIGHWAY

Superintendent Patton explained that Charles Decker has filed for a variance for existing signs for use with his new business. The signs for his former business are located within the projected and dedicated right-of-way of County Road 427 and not in compliance with the county ordinance and the commissioners will inspect the site during the lunch break.

Summerset Ridge subdivision has requested that the county take over maintenance of the road within the housing addition. This will require a written request from the developer. (Biggs)

Eric also cited an issue with property at County Roads 68 and 45 where the fence is in the county right of way.

A motion by Don Kaufman to approve and for President Ort to sign an LPA claim voucher for \$16,592 was seconded by Connie Miles and carried.

The commissioners requested that Supervisor Patton have a fee schedule for LOHUT (wheel tax) at the next meeting.

MATTER OF ORDINANCE

A motion by Don Kaufman to approve Ordinance 2005-2 for a stop sign to replace a yield sign at County Roads 52 and 19 was seconded by Connie Miles and carried.

DEKALB COUNTY COMMISSIONERS
DEKALB COUNTY ORDINANCE NO. 2005- 2
DEKALB COUNTY CODE 9-1-5-7
STOP FOR WEST BOUND TRAFFIC ON
COUNTY ROAD 52 AT THE INTERSECTION WITH
COUNTY ROAD 19

WHEREAS, County Road 52 has existed for a long time and there is a yield sign for west bound traffic approaching its intersection with County Road 19 in DeKalb County, Indiana; and

WHEREAS, as a result of an investigation and safety concerns regarding traffic now driving westbound on County Road 52 as it approaches its intersection with County Road 19 by the DeKalb County Highway Department, the Highway Department believes this yield sign should be replaced with a stop sign for west bound traffic on County Road 52 at County Road 19.

421

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

- Section 1. **STOP SIGN:** For the benefit and safety of traffic traveling westbound on County Road 52 and further for the safety of traffic on County Road 19, a stop sign should be placed in accordance with County Road specification for signs for westbound traffic on County Road 52 as it approaches its intersection with County Road 19.
- Section 2. **STOP SIGN VIOLATIONS:** Violators of this Ordinance may be charged by a traffic summons issued by any police officer having traffic enforcement jurisdiction in the area of the intersection of County Road 52 and County Road 19, DeKalb County, Indiana.
- 2.1 The DeKalb County Prosecuting Attorney is authorized to prosecute any violation of this Ordinance.
- 2.2 Any Court of DeKalb County, Indiana, having general traffic jurisdiction shall be empowered to process such charges as violations of the law, similar to other traffic violations of the Indiana Code.
- 2.3 Any existing penalties for violations shall be applied to this Ordinance and be imposed for any such violations.
- Section 3. **EFFECTIVE DATE:** This Ordinance shall become effective after passage of the third reading as adopted by the DeKalb County Commissioners and after the publication of this Ordinance thereafter as required by law.
- Section 4. **ORDINANCE CODIFIED:** This DeKalb County Ordinance Number 2005-__ shall be codified in the DeKalb County Code as Section 9-1-5-7 and appropriately indexed in the DeKalb County Code.
- Section 5. **PLACEMENT OF STOP SIGN:** After the publication of this Ordinance is completed, the DeKalb County Highway Superintendent shall place a westbound traffic Stop Sign on County Road 52 at the intersection with County Road 19 in accordance with this Ordinance.

This DeKalb County Commissioners Ordinance for a Stop Sign for westbound traffic on County Road 52 at its Intersection with County Road 19 is hereby signed, approved and adopted after all three readings by the DeKalb County Commissioners on this 18th day of **JANUARY, 2005**, and ordered to be published as required by law.

COMMISSIONERS:

BY: William C. Ort
William C. Ort, President

BY: Connie R. Miles
Connie Miles, Vice President

BY: Don Kaufman
Don Kaufman, Member

Attested By:
Sharon G. Hayes
Sharon Hayes, Auditor of
DeKalb County, Indiana

422

MATTER OF COVERED BRIDGE CERTIFICATION

A motion by Don Kaufman to approve, and for the commissioners to sign the certification for the Spencerville Covered Bridge was seconded by Connie Miles and carried.

MATTER OF APPOINTMENT

A motion by Don Kaufman to reappoint Garl Miles to the alcoholic beverage commission for DeKalb County was seconded by Connie Miles and carried.

MATTER OF BOND

A motion by Don Kaufman to approve the public official bond for Clerk Jacqueline Rowan was seconded by Connie Miles and carried.

MATTER OF TREASURER'S REPORT

The December Treasurer's report was reviewed by the commissioners.

MATTER OF SUNNY MEADOWS

The Sunny Meadows report for December was reviewed and signed by the commissioners

MATTER OF APPOINTMENT

A motion by Connie Miles to reappoint Ron Dicke to the DeKalb County Economic Development Commission for a 4-year term to expire February 1, 2008 and for President Ort to sign the appointment was seconded by Don Kaufman and carried.

MATTER OF SPECIAL CLAIMS

A motion by Don Kaufman to approve special claims and Dan Fry's claim for a percentage of cell phone use was seconded by Connie Miles and carried.

MATTER OF MINUTES

A motion by Don Kaufman to approve the minutes of December 13, 20, and 27, 2004 was seconded by Connie Miles and carried.

MATTER OF APPOINTMENT

A motion by Connie Miles to appoint Ron Dicke to the Common Construction Wage Committee for the City of Garrett Capital Improvement Water Utility Project was seconded by Don Kaufman and carried.

MATTER OF HEALTH INSURANCE

A motion by Connie Miles to approve and sign the BeniComp Health Plan Document for 2005 was seconded by Don Kaufman and carried.

MATTER OF APPOINTMENT

A motion by Don Kaufman to appoint Nancy Mertz to the Eckhart Public Library Board was seconded by Connie Miles and carried.

423

MATTER OF VETERAN SERVICE OFFICER

A motion by Don Kaufman to appoint Brian Lamm as veteran service officer was seconded by Connie Miles and carried. The auditor will send written confirmation of the appointment and request that Mr. Lamm meet with the commissioners as soon as possible to discuss terms of employment.

MATTER OF PAYROLL

A motion by Don Kaufman to approve payroll for the period ending 1-13-05 was seconded by Connie Miles and carried.

MATTER OF ADJOURNMENT

As there was no further business to come before the commissioners the meeting was adjourned.

William C. Ort
William C. Ort

Connie R. Miles
Connie R. Miles

Don Kaufman
Don Kaufman

ATTEST: Sharon G. Hayes
Sharon G. Hayes