

MONDAY

JUNE 13, 2005

MONDAY

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**

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**MATTER OF APPOINTMENT**

A motion by Don Kaufman to reappoint Harold Curie to the DeKalb County Council on Aging was seconded by Connie Miles and carried.

**MATTER OF NEW WORLD SYSTEMS SOFTWARE PAYMENT**

IS Director Jack Smith presented a copy of his response to New World Systems offer of \$76,000 in credit of future purchases as a method of repayment for software they could not provide in the manner DeKalb County had requested. Jack proposes to request \$26,000 of the refund in the form of maintenance for the finance and payroll software now being used by the auditor's office, \$25,000 in cash refund and \$25,000 credit for training and software support for the finance and payroll software. Commissioner Ort felt that it would be better to request \$50,000 in cash. Then the alternative would be to bargain for the \$50,000 to be split if New World would not accept the first request. It was mutually agreed to pursue the \$26,000/\$50,000 request.

**MATTER OF HEALTH INSURANCE**

Agent Brian Miller met with the commissioners to discuss his role as consultant for the county health insurance plan and asked the commissioners if they wished him to check on other quotes for the renewal of the insurance in October. All three commissioners have not had enough time to read the entire plan offered as an alternative to participation with a provider other than Lutheran Preferred. Three Rivers Preferred is a less costly alternative to hospital care, but does not offer as wide a range of hospitals and physicians. There is no coverage for out of network physicians, and out of pocket expenses could be greater.

The commissioners wish for Brian to continue to be aggressive in looking for various stop loss carriers and options, and to continue his role as broker. Attorney McCanna also stated that continuing to look for options could be cost effective as well as serve to keep Benicomp from becoming complacent about business with the county.

**MATTER OF JAIL**

Sheriff Dennis reported 84 inmates at the jail

The sheriff also stated that he had been able to repair the air conditioning at the jail by installing two new motors in the failing system. The remaining two motors will also be replaced leaving two motors for emergency replacement purposes.

The sheriff also presented a listing of automobile purchases he would like to make in 2005. Bloomington Ford has 12 already painted Crown Victoria sedans with police engines. It appears that these are the only available vehicles of this type and there are no new Chevrolet vehicles available. The sheriff also requested a Ford mini van and a Ford sport utility vehicle. The total quote for the vehicles was \$119,570 with \$15,000 needed for equipment such as light bars.

Commissioner Ort advised the sheriff that he must advertise to obtain bids for the vehicles, and attempt to purchase locally. The auditor will advertise for additional appropriations from the Cumulative Capital Development Fund in the amount of \$140,000 for the July council meeting.

The sheriff stated that due to the high cost of gasoline, he has instructed his deputies that take home vehicles will not be used for off duty driving. The effect of the having the vehicles in view as a crime deterrent seems to be outweighed by the cost of the fuel.

#### **MATTER OF SPECIAL CLAIMS**

A motion by Don Kaufman to approve special claims was seconded by Connie Miles and carried.

#### **MATTER OF PAYROLL**

The commissioners signed the docket for payroll for checks issued on May 27<sup>th</sup> and June 6<sup>th</sup>.

#### **MATTER OF HIGHWAY**

Although Supervisor Patton was not present the commissioners spoke briefly to Scott Allen of GAI Consulting Engineers. Mr. Allen acknowledged that a previous project manager had prepared a supplemental agreement, but that the commissioners were not ready to authorize to proceed until funding could be obtained. Mr. Allen sought to determine if the commissioners were ready to proceed with the projects on the east and west sides of the Interstate 69 overpass on county Road 11A at this time.

Commissioner Ort stated that Mr. Allen was perhaps aware that the council had disallowed the passage of the wheel tax and that there is no money forthcoming from the TIF area, which has yet to experience development of any nature to allow capture of funds. However, Mr. Allen might contact the highway supervisor on a monthly basis to be updated on any progress.

#### **MATTER OF MINUTES**

A motion by Don Kaufman to approve the minutes of May 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup> was seconded by Connie Miles and carried.

#### **MATTER OF TREASURER'S REPORT**

The commissioners reviewed the May treasurer's report.

#### **MATTER OF JACKSON TOWNSHIP SUBDIVISIONS**

There was discussion concerning new plats being considered by the plan commission for subdivisions, which could hamper the growth at the airport and hinder the county thoroughfare plans. Commissioner Ort addressed the issue of the Emke property at the corner of County Road 29 north of County Road 60. The proposed route for an alteration in County Road 60 would go

through the subdivision. Therefore the plan commission would not approve the plat. Commissioner Ort feels that it might be prudent to attempt to purchase this land with the use of CEDIT monies.

Attorney McCanna advised that there must be restrictions or covenants on the plat if the plan commission is to consider approval. The lots must be of the size as directed by the FAA, the right of way for County Road 60 should be considered, as well as a statement that certain lots are in the area of the crosswind runway making the area noise sensitive. This would guard against future problems should the lots be sold for building homes. Title insurance searches would reveal the restrictions and the county would not be held liable for issues related to the airport or road right of way.

#### **MATTER OF BOND RENEWAL**

Zoning administrator Sally Rowe presented Resolution 2005-R12 a renewal of a \$64,300 bond for the final coat of asphalt for General Patton Boulevard originally secured with Resolution 2004-R9. This is the third renewal of the bond for Dean V. Kruse for the American heritage Village with completion slated for June 3, 2006.

DEKALB COUNTY CODE SECTION 36-7-2-24  
RESOLUTION # 2005-R12  
(Replacement of 2004-R9)  
OF  
COUNTY COMMISSIONERS  
DEKALB COUNTY, INDIANA

Whereas, Dean V. Kruse Foundation is a Special Exception for the WWII Museum as well as future commercial development in the unincorporated area of Section 12 in Keyser Township, DeKalb County, Indiana, approved by the DeKalb County Board of Zoning Appeals and the DeKalb County Plan Commission of DeKalb County,

and

Whereas, the street (General Patton Blvd.) is not in conformance with the standards of DeKalb County,

and

Whereas, the developer-owner has agreed to comply with the DeKalb County Street Requirements for said development in Keyser Township, DeKalb County, Indiana,

and

Whereas, the developer-owner renewed the bond with the intention of completing the final coat of asphalt on General Patton Blvd; however, work has not yet commenced and asks that said bond be renewed again.

Therefore the County Commissioners have approved the acceptance of the Special Exception for said museum on the condition that the aforesaid improvements are completed on or before the 3rd day of June, 2006.

As a condition of the aforesaid approval the owner deposits herewith a Surety Bond (Continuation Certificate to expire on June 3, 2005), to be forfeited upon owner / developer's failure to complete the improvements outlined above.

Dated: this 13th day of June, 2005.

#### **DEKALB COUNTY COMMISSIONERS**

William C. Ort

William C. Ort, President

Connie R. Miles

Connie R. Miles, Vice-President

Don C. Kaufman

Don C. Kaufman, Member

**KNOW ALL MEN BY THESE PRESENTS:**

That I, Dean V. Kruse, developer of , Dean V. Kruse Foundation in consideration of the resolution of the DeKalb County Commissioners attached hereto and made a part hereof, are bound unto DeKalb County, Indiana, a municipal corporation in the penal sum of \$46,300.00 for the payment of which I jointly and severally bind myself and our legal representatives.

Sealed and dated this date to pay said County said sum upon failure to complete the following:

That the sureties shall complete all improvements covered in the estimate for the finish paving of General Patton Blvd. for the Dean V. Kruse Foundation, as filed in the office of the DeKalb County Plan Commission (copy of estimate incorporated reference and attached herein). Said plan is for the installation of the finish paving of General Patton Blvd, as required by in the approvals for the Special Exception for the facility. Said improvements shall be completed on or before the 3rd day of June, 2006.

THE SECURITY I PLEDGE FOR THE PAYMENT OF SAID BOND IS A SURITY BOND ISSUED BY OHIO CASUALTY GROUP No. 3-786-805 (original on file at the DeKalb County Auditor's Office with copy of renewal of surety bond attached), and is subject to legal foreclosure by the County to seize same in conformance with the procedures for same as provided in Indiana law, upon the failure of the above condition to be met, on or before the 3rd day of June 2006.

Dean V. Kruse

Dean V. Kruse

Before me, the undersigned Notary Public, in and for the County and State, personally appeared Dean V. Kruse and separately and severally acknowledged the execution of the foregoing instrument as his voluntary act and deed for the purposes therein expressed.

Witness my hand and notarial seal this 8 day of June, 2005.

Carolyn Richmond

Carolyn Richmond

Notary Public

A resident of DeKalb County, IN

My Commission expires: 8-1-07

**APPROVAL:** The above bond meets the approval of the DeKalb County Commissioners, and is hereby accepted as bond and security to the performance of the obligations stated therein.

William C. Ort

William C. Ort, President

Connie R. Miles

Connie R. Miles, Vice President

Don C. Kaufman

Don C. Kaufman, Member

Sharon G. Hayes

Attest: Sharon Hayes, Auditor

Date: June 13, 2005

**MATTER OF COPIER SUPPLIES**

Several of the newer copiers are equipped with staplers. An invoice for the staples was recently received for Circuit Court. The commissioners supply the copy paper and toner for the county copy machines, but chose not to pay for the staples. Staples must be purchased from the department budget.

**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