

MONDAY

February 23, 2004

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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

William C. Ort

Don Kaufman

ABSENT

Connie R. Miles

MATTER OF INFORMATION SERVICES DEPARTMENT

IS Director Jack Smith addressed the commissioners regarding purchasing of equipment. This was an effort to clarify previous discussion concerning an effort to ensure that all computers, printer, copiers, scanners, or devices which might be installed with the intention of connecting to the network receive approval by the IS Department. The IS Department does not wish to control the purchasing so much as to consider the compatibility of the equipment with the network. In this manner the IS Department seeks to make better use of all equipment by allowing any captured data to be shared by all who may use the system. Thus lowering cost and making better use of time.

MATTER OF COUNTY MASTER PLAN

The steering committee for the new county comprehensive master plan met at the commissioners' request to resolve an issue raised by the cities and towns of the county. The issue being that the cities and towns have not been included in the efforts to provide guidance for the new county master plan. Present were members of the steering committee, Brad Johnson of Ground Rules, the company assisting with the plan, Zoning Administrator Sally Rowe, GIS Director Brad Stump, and former plan commission officer Sharon Kline. Others present representing the City of Butler were Planner Amy Schweitzer, Mayor Floyd Coburn, Councilman Ron Walter and Attorney Gerald McNeerney. Representing the City of Auburn Mayor Norman Yoder, Councilman Mike Walter, Planner Bill Spohn, Engineer Steve Bruns, Vivian Likes and GIS Specialist Chris Schweitzer. Representing the City of Garrett Steve Bingham and Mayor Dave Wiant. Representing Hamilton Bob Howard. Representing the town of Waterloo Councilman William Hubartt and Town Manager DeWayne Nodine. Others present were County Treasurer Susan Bauermeister, Jo Holben, Laura Johnston of the Journal Gazette.

Brad Johnson spoke regarding the focus of the comprehensive master plan with reference to chapter 9, which seeks to foster inter-local cooperation, and stated that he was open to comment on this portion following a request that Commissioner Ort address the issue of extra territorial jurisdiction.

President Ort explained the county viewpoint on the matter of extra territorial jurisdiction and Chapter 9. The commissioners support the concept of granting ETJ within the parameters of the law, but request that the criteria and legal mechanisms to be prepared after the comprehensive master plan is adopted. At that time the commissioners would ask for participation from the municipalities. The commissioners do, in fact support revising chapter 9 to reflect more definite language prior to adoption of the plan, working as a group without a pilot project. The county would then add ETJ criteria and amend the future land use map to reflect ETJ once it is put in place.

Mayor Yoder spoke stating that he questions the methods being used to create the new master plan and feels that there is no representation for the cities and towns although he believes that 60% of the population lives in these areas. The mayor feels that the cities should be given "immediate" representation allowing them to participate in the planning, and that a deadline be "immediately" set for completion of the plan. The mayor stated that his city has educated planners who should have been consulted from the beginning of the venture.

Butler City Attorney Gerald McNerney stated his position on the county master plan. Mr. McNerney feels that the county has not abided by the laws of the state with regard to chapter 9, and he has no faith in the county plan commission.

Auburn City Council member Mike Walter stated that he had attended at least 3 public sessions held by the committee for the comprehensive master plan, and that it has been a very open process. Mr. Walter feels that the cities should have been included somewhat sooner, but wonders why the cities and towns did not take advantage of the many meetings provided. Mr. Walter does support the idea that there should be coordination between the cities and the county, and that the planning process is most useful. He would also like to have more environmental concerns addressed.

Hamilton Town Manager Bob Howard has a very good rapport with Steuben County Plan Commission, and shares the concern of the other cities and towns.

Jo Holben pointed out that cities and towns have county representation in the commissioners, and that conflict could be avoided if the concerns are expressed to these representatives for consideration.

Garrett planner Steve Bingham has long encouraged the development of planning for counties and municipalities and has a concern for the 2-mile jurisdiction. Uniform criteria should be established to prevent the cost and waste of time. There is a question of 2-mile jurisdiction versus cooperative planning and problems with wells, sewers etc. that cities cannot provide.

Brad Johnson commented on the various opinions received stating that he does not feel the county and the municipalities are far from being "on the same page" of this plan which is in its early stages and is non aggressive and not meant to be restrictive. The plan commission was appointed to head the committee. As the plan was formulated the original decision was to have a group of so called "lay" persons to begin the planning. This group would have community experience and focus on what was desirable from the citizens' point of view. Cities and towns are considered interest groups and therefore were not asked to be a part of the head committee in the beginning stages. Interest groups were to be addressed at other meetings. The concern of the cities and towns at this point deals more directly with Chapter 9 and the jurisdictions of the participants. Mr. Johnson does not feel that a formula is needed to establish criteria. There is time to proceed slowly as expected and perhaps since the cities are so greatly concerned there may be a need to develop an inter-local agreement. Mr. Johnson conceded that it might have been a good idea to include municipalities a bit earlier in the planning, but that there is still time to do that as the plan is nowhere near completion.

Zoning Administrator Sally Rowe requested a clarification for the members of the press present, stating that it should be understood that this gathering is only a meeting to receive comments and is not in any way considered a hearing for adoption of the plan. The committee is a long way from being finished with the plan.

Commissioner Kaufman reminded group that as commissioners they were here every Monday and that the door to the commissioners' court is always open. Further, Mr. Kaufman stated that each of the commissioners also has a telephone, and would appreciate a call when communities become concerned about an issue. No one had informed them that the concern existed to this extent, however, he was sorry if anyone had been excluded.

MATTER OF COUNTY SUNNY MEADOWS

Herdsmen Howard Richardson gave the livestock report. At this time Howard is milking 45 cows. There are 16 dry cows, 13 bred heifers, 14 heifers ages 5 to 15 months, 2 heifers aged 1

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to 5 months, 1 newborn, and 24 steers. A bull, found to be mean was sold, as well as 1 cow suffering from mastitis. Two young bulls have been kept to replace the one, which was sold. The milk price is now \$14.09 per hundred pounds.

The Snows stated that they need 60 acres to begin the process of organic farming. A person from the USDA will come to assess the needs for natural farming and estimate the amounts necessary for the grant requests. Grants are currently given for fencing and/or farming equipment.

MATTER OF UTILITY PERMITS

A motion by Don Kaufman to approve utility permits for AEP was seconded by William Ort and carried. The first permit will begin at the intersection of County Roads 43 and 68 to extend an overhead primary for a new customer. The second permit contained two requests, one on County Road 29, 400 feet north of County Road 62 to bore under County Road 29 for primary voltage to the airport. Also on County Road 27, 200 feet north of County Road 62 to set one 35-foot pole, then underground for a new structure.

MATTER OF HIGHWAY

Eli Samaan of GAI Consultants spoke concerning a project to widen County Road 427 at County Road 60 for the airport. The total cost of the 9-month to 1-year project appears to be about \$984,000. This includes \$175,000 for engineering, \$135,000 for design, and \$206,000 for construction costs. The total county matching funds would be about \$466,000.

Highway Supervisor Eric Patton will investigate projected funds to decide whether the county could afford to consider the project at this time.

MATTER OFF FLU VACCINE

Health Department nurse Linda Miller explained the cost to order flu vaccine. The order must be placed during the month of February to insure its arrival in time for inoculations in the fall. The commissioners agreed that vaccine should be ordered again this year and the cost to employees would be \$4.00. Linda also stated that testing for TB could be done as well as inoculations for hepatitis. In the past all county employees have been included in the program including the highway and sheriffs departments as well as those at Sunny Meadows Residential Home.

MATTER OF POWERLINE EASEMENT

A motion by Don Kaufman to approve an easement for Indiana and Michigan electric Company to run wiring for the airport lighting and for President Ort to sign was seconded by William Ort and carried. This will support the new Instrument Landing System.

MATTER OF AGREEMENT – 911

E-911 Director Paul Brewer presented the Verizon Agreement for 911 telephone service. The monthly cost has risen slightly. A motion by Don Kaufman to approve and authorize President Ort to sign the service contract with changes made by Attorney Kruse was seconded by William Ort and carried.

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MATTER OF MINUTES

A motion by Don Kaufman to approve, the minutes of the December 29, 2003, January 12 and January 26, 2004 with corrections was seconded by William Ort and carried.

MATTER OF LAWN CARE

A motion by Don Kaufman to sign the contract with Green Grow Lawn Care Services for spring and fall applications to the court house lawn at \$260 was seconded by William Ort and carried.

MATTER OF SPECIAL CLAIMS

A motion by Don Kaufman to approve special claims was seconded by William Ort and carried.

MATTER OF APPOINTMENT

A motion by Don Kaufman to appoint Jerry Yoder to the plan commission was seconded by William Ort and carried.

MATTER OF OFFICIAL BOND

A motion by Don Kaufman to approve the public official bond for Building Inspector Carlos Whitaker was seconded by William Ort and carried.

MATTER OF REPORT

The commissioners received and reviewed the sheriff's annual commissary report.

MATTER OF WOOD YOUTH CENTER

A motion by Don Kaufman to approve the contract with Wood Youth Center of Fort Wayne for 2004 for one bed at the facility at the cost of \$5,000 was seconded by William Ort and carried. The auditor will pay the invoice, which was included with the contract.

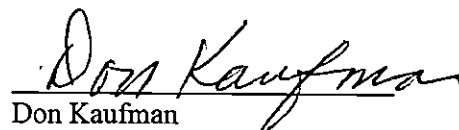
MATTER OF ADJOURNMENT

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

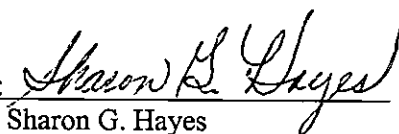


William C. Ort

Connie R. Miles


Don Kaufman

ATTEST:


Sharon G. Hayes