

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. OrtConnie R. MilesDon Kaufman**ABSENT****MATTER OF HEALTH INSURANCE**

Felecia Staley, new account manager for BeniComp Group has worked in government areas for 14 years, most recently as secretary to the county commissioners in Huntington County.

Ms. Staley and Brian Miller of the Matrix Group as agent for the county health insurance program presented predictions for the coming year expenses and indications for renewal. If the same coverage is maintained the program should see only an 11% increase in the rates for stop loss renewal in 2005. The market for stop loss carriers has experienced a slow increase in rates this year, but should the commissioners elect to adopt the BeniComp Advantage Coverage the plan would experience a 7% decrease in rates, as quoted by Perico Companion Life Insurance Company. The fixed costs do rise due to the cost of implementing the program. The new BeniComp Advantage Plan considers the employee's body mass index, cholesterol level control, blood pressure control, and the use of tobacco to determine the amount of deductible to be paid by the insured. The employee may lower the deductible by having acceptable numbers through the screening process in the 4 areas.

The insurance committee will meet with the commissioners and BeniComp Representatives at the July 19 meeting to discuss the possible changes.

**MATTER OF USED SHERIFF VEHICLES**

The following bids were received for used sheriff vehicles.

Ted Gilliom	#1	1998 Ford Crown Victoria	\$ 500
	#4	1996 Chevrolet Caprice	\$1100
Steve Combs	#2	1997 Ford Crown Victoria	\$ 125
	#4	1998 Ford Crown Victoria	\$ 125
Jousef Dabbagh	#1	1996 Chevrolet Caprice	\$1636
	#2	1997 Ford Crown Victoria	\$1455
	#3	1997 Ford Crown Victoria	\$1455
	#4	1998 Ford Crown Victoria	\$2455
Pat Smith	#2	1997 Ford Crown Victoria	\$ 512
	#3	1997 Ford Crown Victoria	\$ 512
	#4	1998 Ford Crown Victoria	\$ 626
Grace Used Cars	#1	1996 Chevrolet Caprice	\$2121
	#2	1997 Ford Crown Victoria	\$1221
	#3	1997 Ford Crown Victoria	\$1221
	#4	1998 Ford Crown Victoria	\$2521

Welcome Motors	#1	1996 Chevrolet Caprice	\$1696
	#2	1997 Ford Crown Victoria	\$1026
	#3	1997 Ford Crown Victoria	\$1026
	#4	1998 Ford Crown Victoria	\$1826

- **Bold** indicates high bids awarded.

Deputy Oberholtzer offered to compare the bids for recommendation for the commissioners and returned later in the meeting. A motion by Connie Miles to accept the highest bidder for each vehicle as tabulated by Deputy Oberholtzer was seconded by Don Kaufman and carried.

#### **MATTER OF MINUTES**

A motion by Don Kaufman to approve the minutes of June 21<sup>st</sup> and June 7<sup>th</sup> was seconded by Connie Miles and carried.

#### **MATTER OF SUNNY MEADOWS**

Herdsmen Howard Richardson reported that he is now milking 55 cows. The herd also consists of 11 bred heifers, 17 heifers at 5 to 15 months, 13 heifers at 1 to 5 months, 4 newborn calves, 15 steers, and 3 herd bulls. One bull calf was sold and three calves died. The milk price is at \$19.93 per hundred pounds with speculation that the 2004 market price will remain at this level. Bacteria counts were good.

Administrator Janel Snow stated that the newest resident admitted in the past month had run away. There was also discussion of the awarding of the milk bonus. Janel had understood that farmer David Kimmel would not receive a portion of the milk bonus since he no longer milked the cows. A motion was made by Don Kaufman that the milk bonus be paid to Mr. Kimmel for the remainder of the year, as he does help with some chores involved with the process and would be available to milk in an emergency. The administrator is also to pay the \$275 spring portion of the bonus through the next payroll. For 2005 Mr. Kimmel will receive ½ a hog and ¼ of beef, and one gallon of milk per week. Benefits will remain the same through 2004. Mr. Kimmel will also keep the awards and trophies received throughout his term as farmer. The motion was seconded by Connie Miles and carried. Mr. Kimmel will take his usual month vacation in December of 2004.

Mr. Kimmel will investigate to determine the date on which he may apply for social security benefits. The decision on 2005 county benefits will be determined by the retirement date and the date social security benefits begin.

#### **MATTER OF HIGHWAY**

Mr. Lee Pontius has complained about dust on County Road 56. The construction entrance for a housing subdivision seems to be the cause. The commissioners requested that Superintendent Patton ask the developer to have a dust control solution applied in this area until the project is finished.

Superintendent Patton requested to take quotes from local dealers on a 1½-ton automatic transmission Diesel pick up truck with dual rear wheels, a dump bed, sander and snow plow. The cost will not exceed the cost limit to require bids. The request was approved. No motion was necessary.

Superintendent Patton has received a request from Carla White for about 5 property owners who would pay for chip and seal to be applied by the county on County Road 39 between County Road 40A and a wooded area south about 2700 feet. The commissioners agreed that this

could be done if the property owners will cover the cost of the materials. The cost would be about \$13,000.

#### **MATTER OF PLAN COMMISSION**

Zoning Administrator Sally Rowe requested to begin work for the commissioners to vacate parcels in Butler Twp Section 15 which consists of the remainder of the alley, the remainder of Jackson Street, and the portion at the northeast corner of County Road 327 and 60 which is the Melvin Smith property. This is plated as the Original Town of New Era. The zoning administrator will contact Mr. Smith to confirm that he is agreeable with the proposed vacation.

A motion by Don Kaufman to release the \$59,000 bond for drainage improvements to Brookwood Farms for developer Jesse Graber secured by Resolution 2004-R3 was seconded by Connie Miles and carried. Letters confirming the completion of the drainage improvements have been received from both the county surveyor and engineers for the project.

Drainage improvements are not complete for Schmucker's Farm Section IV containing 2 lots in Spencer Township. A motion was made by Don Kaufman to renew the bond secured by Resolution 2003-R16 (DCC 36-7-3-15-1) recorded September 29, 2003 for developer Bruce Custer for 1 year. Work was to be completed by June of 2004, but corn is now planted on the lots. The motion was seconded by Connie Miles and carried. The bond is an irrevocable letter of credit from the Garret State Bank in the amount of \$2,500.

**DEKALB COUNTY CODE SECTION 36-7-3-15-1  
RESOLUTION NO. 2004-R7  
OF  
COUNTY COMMISSIONERS  
DEKALB COUNTY, INDIANA**

Whereas, "Schmucker's Farm Section IV" is a 2-lot platted subdivision for residential purposes in the unincorporated area of Section 30 in Spencer Township, DeKalb County, Indiana, approved by the County Plan Commission of DeKalb County,  
and

Whereas, the Drainage is not in conformance with the standards of DeKalb County,  
and

Whereas, the developer-owner of the subdivision has agreed to comply with the drainage requirements of the DeKalb County Surveyor and/or the DeKalb County Drainage Board regarding "Schmucker's Farm Section IV" in Spencer Township, DeKalb County, Indiana,  
and

Whereas, the developer-owner did not complete the drainage improvements on or before June 29, 2004, but desires to renew the bond to allow additional time to complete the drainage improvements for said subdivision.

Therefore the County Commissioners re-affirm that the plat for "Schmucker's Farm Section IV" was recorded in the office of the DeKalb County Recorder under Document #20311165 on September 29, 2003, with the condition that the aforesaid drainage improvements will be completed on or before the 23rd day of June, 2005.

As a condition of the aforesaid approval the owner deposits herewith an Irrevocable Standby Letter of Credit to be forfeited upon owner's failure to complete the improvements outlined above.

Dated: this 28th day of June, 2004.

DEKALB COUNTY COMMISSIONERS

William C. Ort

William C. Ort, President

Connie R. Miles

Connie R. Miles, Vice-President

Don Kaufman

Don C. Kaufman, Member

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**KNOW ALL MEN BY THESE PRESENTS:**

That I, Bruce W. Custer, developer of "Schmucker's Farm Section IV", 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 \$2,500.00 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 per the Site Development Plans for "Schmucker's Farm Section IV", as filed in the office of the DeKalb County Plan Commission (copy of site development plan herein incorporated by reference). Said Site Development Plan is for the installation of drainage improvements for the 2-lot subdivision, as required by the DeKalb County Subdivision Ordinance and the DeKalb County Drainage Board. Said improvements shall be completed on or before the 23rd day of June, 2005.

THE SECURITY I PLEDGE FOR THE PAYMENT OF SAID BOND IS AN IRREVOCABLE STANDBY LETTER OF CREDIT ISSUED BY THE GARRETT STATE BANK No. 1387236 (original 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 23rd day of June 2005.

Bruce W. Custer

Bruce W. Custer

Before me, the undersigned Notary Public, in and for the County and State, personally appeared Bruce W. Custer 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 28th day of June, 2004.

Lisa G. Myers

Notary Public  
A resident of DeKalb County, IN  
My Commission expires: 8-19-2011

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.

Date: June 28, 2004

William C. Ort

William C. Ort, President

Connie R. Miles

Connie R. Miles, Vice President

Don C. Kaufman

Don C. Kaufman, Member

**MATTER OF SPECIAL CLAIMS**

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

**MATTER OF PAYROLL**

The commissioner signed the payroll docket for checks issued June 25, 2004.

**MATTER OF USDA GRANT**

The commissioners welcomed Anthony Kirkland, Robert White, Dean Edwards, and Darrell Mowery of the USDA, as well as Craig Adolf who wrote the grant application for the County Road 11A project at the American Heritage Village. Although the monies are now being disbursed the formal presentation of the check for the \$99,000 for infrastructure improvements to rural areas was presented to the commissioners at this time.

**MATTER OF ADJOURNMENT**

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

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William C. Ort

Connie R. Miles  
Connie R. Miles

Don Kaufman  
Don Kaufman

ATTEST

Sharon G. Hayes  
Sharon G. Hayes