

MONDAY

March 24, 2003

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

William C. Ort
Connie R. Miles
Don Kaufman

ABSENT

MATTER OF CLAIMS

A motion by William Ort to approve Special Claims as well as Dan Fry's cellular phone claim was seconded by Connie Miles and carried.

MATTER OF INDEPENDENT CONTRACT

A motion by William Ort to authorize the commissioners to sign the independent contract to Mickey Holt for reassessment contractual services was seconded by Connie Miles and carried.

MATTER OF HIGHWAY

Supervisor Eric Patton presented the ratings for the first phase of the county bridge study done by Butler Fairman and Seufert. The commissioners will review the study before making a decision on the repairs determined by the study.

Mr. Patton presented an LPA Claim for Spencerville Bridge 73 for inspection in the amount of \$12,507.46. A motion by William Ort to approve and for President Kaufman to sign the claim was seconded by Connie Miles and carried.

MATTER OF ZONING ORDINANCE 2003-09

A motion by William Ort to approve and sign Zoning Ordinance 2003-09 on all three readings was seconded by Don Kaufman and carried.

Petition No. 03-09
DeKalb County Plan Commission

**AN ORDINANCE AMENDING PORTIONS OF THE MASTER PLAN OF DEKALB COUNTY,
INDIANA**

**AN ORDINANCE AMENDING PORTIONS OF THE MASTER PLAN OF DEKALB COUNTY,
INDIANA WHICH INCLUDES THE ORIGINAL ZONING ORDINANCE NO. 1 THROUGH 4 AS
WELL AS SUCH AMENDMENTS BY ZONING ORDINANCES ENACTED AFTER THE 21ST
DAY OF DECEMBER, 1964 AS FOLLOWS:**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DEKALB, STATE OF INDIANA, THAT THE MASTER PLAN OF DEKALB COUNTY, INDIANA AND MAPS PERTINENT THERETO ARE AMENDED AS FOLLOWS:

WHEREAS, in the year 1964, the DeKalb County Zoning Ordinance No. 1 of DeKalb County, Indiana was adopted by the DeKalb County Commissioners,

AND WHEREAS, the Indiana Department of Environment Management adopted Rule 5, Storm Water Run-Off Associated with Construction Activity (IAC 327 15-5) on August 31, 1992 with amendments from time to time,

AND WHEREAS, in Section 9 (Administration), the Zoning Administrator is designated and authorized to enforce the Zoning Ordinances of DeKalb County, and has a privilege to see that other Federal, State and Local Laws are being followed,

IT IS THEREFORE the request of the DeKalb Plan Commission to hereby petition the DeKalb County Plan Commission to recommend to the DeKalb County Commissioners to amend the Zoning Ordinance of DeKalb County, Indiana as follows:

STORM WATER RUN-OFF ASSOCIATED WITH CONSTRUCTION ACTIVITY: The DeKalb County Zoning Ordinance No. 1, Section 9 (Administration), shall be amended to add a new subsection "M" as follows:

An application for and Improvement Location Permit (ILP) shall not be approved until it has been ascertained by the Zoning Administrator that the applicant is in compliance with the filing requirements for erosion control on construction sites as in IAC 327 15-5 or as amended from time to time.

This ordinance shall take effect on the date of its passage and approval by the County Commissioners of DeKalb County Indiana.

PASSED AND ADOPTED

by the DeKalb County Commissioners of DeKalb County, Indiana this 24th day of March 2003.

Don C. Kaufman
Don C. Kaufman, President

Connie Miles
Connie Miles, Member

William C. Ort
William C. Ort, Member

Sharon G. Hayes
Attest: Sharon G. Hayes, Auditor

MATTER OF COMPLAINT – AUBURN PET CENTER

Auburn resident Ron Snavelly voiced a complaint to the commissioners concerning the Auburn Pet Center located at the northeast corner of Indiana Avenue and North Street. Mr. Snavelly recently purchased a dog at the Auburn Pet Center. Soon after the puppy was acquired it was diagnosed with Parvo Virus, a deadly disease for dogs. The Auburn Pet Center had stated that the puppy had been vaccinated. Mr. Snavelly's veterinary bill became quite large in an unsuccessful attempt to save the puppy his family loved. Mr. Snavelly requested that the commissioners find some way to stop the Auburn Pet Center from selling diseased animals. It was suggested that the news media might be able to give some help, however the business is in the cities jurisdiction. The commissioners will investigate the matter further to determine if an ordinance could be enacted to control or inspect businesses conducting the sale of animals.

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MATTER OF AMERICAN HERITAGE VILLAGE

Attorney John Martin Smith spoke with the commissioners regarding the NIRCC proposal for grant monies for the road project involving the American Heritage Village. The commissioners have had no response concerning the grant. Additionally the commissioners did approve Attorney Smith's proceeding to secure a grant from the DeKalb County Community Foundation to aid in the cost of printing the new courthouse history and information books to be given to local school students when touring the building.

MATTER OF UTILITY PERMIT

A utility permit was received from REMC of Noble County for County Road 19 south of County Road 68 to bring wire from an existing pole to bury to a new home. There being no problems for the highway with this matter, Superintendent Patton will sign this permit and all others of this nature which may come to the highway department in the future.

A motion by Connie Miles to approve and for President Kaufman to sign the LPA claim voucher for preliminary right of way and construction engineering for Bridge 73 on County Road 68 in Spencerville for \$14,393.28 was seconded by William Ort and carried.

A motion by William Ort to authorize and sign the Letter of Understanding for the state to use a detour route while building a new bridge was seconded by Connie Miles and carried.

MATTER OF AUBURN DRIVE

Auburn Mayor Norman Yoder and city engineer Steve Bruns announced that DLZ engineering firm has been selected for the Auburn Drive Project. The selection was based on experience of the company. The final decision will come from the Board of Works. The mayor asked for the commissioners' support for the recommendation of DLZ. Mike Travino of DLZ and Jamal Anabtowi of GAI were present for the announcement.

MATTER OF INTERSTATE 69 EXTENSION

For many years the state has attempted to determine a more direct route from Indianapolis to the southwest corner of Indiana, namely the city of Evansville. Ken Minet of Butler Fairman Seufert delivered a map of the newly proposed route, and spoke briefly with the commissioners concerning various other developments with bridges and roads.

MATTER OF PATHFINDER SERVICES

A motion by Connie Miles to approve and sign the letter of endorsement for Pathfinder Services to aid in getting mortgages for homes to be built for lower income families by the Indiana Housing Finance Authority in the City of Butler was seconded by William Ort and carried.

MATTER OF BUILDING MAINTENANCE

Custodians Clint Stephens and Larry lane have inspected the roof on the Holben building and feel that they can patch it well enough to prevent damage until a decision is made for the use of the structure. If the building should be torn down it makes little sense to apply a new roof.

Gravel is also needed behind the building to reinforce the area for driving. The conditions are muddy now and an increase in travel on the driveway is expected. Clint will ask the highway department for help to haul the gravel.

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