

MONDAY

May 5, 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 AMENDED SHERIFF'S FEES

A motion by William Ort to approve and sign the Amended Sheriff's Fees as approved by the council earlier was seconded by Connie Miles and carried.

COUNTY CODE SECTION 11-4-2-1
DEKALB COUNTY COMMISSIONERS
DEKALB COUNTY COUNCIL
ORDINANCE NO. 2003-5
AMENDED SHERIFF'S FEES

WHEREAS, the DeKalb County Commissioners are responsible for the executive operation of County government in DeKalb County, Indiana;

WHEREAS, the DeKalb County Council is responsible for the fiscal decisions of DeKalb County, Indiana;

WHEREAS, the DeKalb County Commissioners implement the legislative function and the DeKalb County Council implements fiscal functions of DeKalb County, Indiana;

WHEREAS, pursuant to the Indiana Home Rule Statute in Indiana Code Section 36-1-3, the DeKalb County Commissioners and the DeKalb County Council are empowered to exercise such powers that are not specifically denied them and may be necessary for efficient operation of county government;

WHEREAS, the DeKalb County Commissioners and DeKalb County Council approved Ordinance 98-9 establishing Sheriff Fees for the DeKalb County Sheriff; and

WHEREAS, the DeKalb County Sheriff desires to amend Ordinance 98-9 to change certain fees established in DeKalb County Ordinance 98-9;

NOW, THEREFORE, BE IT ORDAINED, that

SECTION 1: **EFFECTIVE DATE:** This Ordinance shall become effective after passage of the third reading as adopted by the DeKalb County Commissioners and the DeKalb County Council and the publication of this Ordinance thereafter as required by law.

SECTION 2: **SCHEDULE OF FEE:** A Schedule of Fees shall be charged by the DeKalb County Sheriff's Office as allowed under the Indiana Home Rule Statute in Indiana Code Section 36-1-3 for services furnished by the DeKalb County Sheriff as follows:

112 211

2.1 WORK RELEASE PROGRAM FEES:

- | | | |
|------|---|----------|
| 2.11 | Entry fee to be deposited into the DeKalb County General Fund. | \$150.00 |
| 2.12 | Fee for urine drug test for Amphetamines, Cannabinoids and Cocaine to be deposited into the Jail Medical and Hospital Services Fund Account #120-000-23-33316-00. | \$30.00 |
| 2.13 | Fee for urine drug test for Lysergic Acid Diethylamid to be deposited into the Jail Medical and Hospital Services Fund Account #120-000-23-33316-00. | \$100.00 |
| 2.14 | Fee of 25% of the inmates' gross pay to be deposited into the DeKalb County General Fund. | 25% |

2.2 GENERAL SHERIFF FEES:

- | | | |
|------|--|-----------|
| 2.21 | Accident Reports to be deposited in the Accident Report Fund | \$ 5.00 |
| 2.22 | Handgun Permits (includes fingerprints) to be deposited into the Handgun Permit Fund | \$ 10.00 |
| 2.23 | Fingerprinting for Dealers License to be deposited in the Handgun Permit Fund | \$ 10.00 |
| 2.24 | Fingerprinting for any other purpose to be deposited in the Handgun Permit Fund | \$ 10.00 |
| 2.25 | Case Report Copies to be deposited in the Accident Report Fund | \$ 10.00 |
| 2.26 | Complaint Copies to be deposited in the Accident Report Fund | \$ 2.00 |
| 2.27 | Accident Reconstruction Report to be deposited in the Accident Report Fund - Per Hour Charge | \$ 40.00 |
| 2.28 | Photographs to be deposited in the Accident Report Fund | \$ 3.00 |
| 2.29 | Per tape cost of video tapes to be deposited in the Accident Report Fund | \$ 100.00 |

SECTION 3: **FUNDS ESTABLISHED:** This Sheriff's Fees Ordinance continues the following funds for the benefit of the DeKalb County Sheriff to administer this Ordinance, to wit:

- 3.1 Jail Medical and Hospital Fund,
- 3.2 Handgun Permit Fund, and
- 3.3 Accident Report Fund.

SECTION 4: **NO APPROPRIATION:** The fees collected by the DeKalb County Sheriff under this Ordinance that are deposited in one of the above three specifically identified funds:

- 4.1 may be expended from each fund by the DeKalb County Sheriff without appropriation by the DeKalb County Council,
- 4.2 shall comply with applicable statutes concerning the restricted use of said funds, and
- 4.3 after expenditures shall be reported at least annually to the DeKalb County Council and the DeKalb County Commissioners by written accounting.

- SECTION 5:** **APPROPRIATION REQUIRED:** The expenditures of any fees collected under this Ordinance and deposited to the DeKalb County General Fund shall be subject to appropriation approval of the DeKalb County Council.
- SECTION 5:** **POSTED FEES:** The DeKalb County Sheriff shall post the fees set forth in this Ordinance in a prominent place within the Sheriff's Office accessible to the public.
- SECTION 6.** **ORDINANCE CODIFIED.** This DeKalb County Ordinance Number 2003-5 is passed and adopted on all three readings and shall be codified in the DeKalb County Code as Section 11-4-2-1 and appropriately indexed in the Code.

THIS ORDINANCE No. 2003-5 is passed and adopted by the DeKalb County Commissioners and the DeKalb County Council of DeKalb County, Indiana, after all three readings, and is signed for approval after all three readings by the DeKalb County Council and the DeKalb County Commissioners.

DEKALB COUNTY COMMISSIONERS:

BY: Don Kaufman
Don Kaufman, President

BY: Connie R. Miles
Connie Miles, Vice President

BY: William C. Ort
William C. Ort, Member

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

DEKALB COUNTY COUNCIL:

Robert Wilder
David Yarde
David Yarde
Donald E. VanWye
Donald E. VanWye
Janet Ordway
Janet Ordway
Larry Moughler
Larry Moughler
Benjamin C. Smaltz
Benjamin C. Smaltz
Keith A. Crow
Keith A. Crow

MATTER OF SPECIAL CLAIMS

A motion by William Ort to approve special claims was seconded by Connie Miles and carried.

MATTER OF HIGHWAY – DUST CONTROL

A single bid was submitted for dust control from Great Lakes Chloride, Inc. A double application of 208,000 gallons of 42% solution of calcium chloride at .058 per gallon is priced at \$105,664. The additional appropriation requested from the council earlier was \$85,000. A motion by William Ort to approve the bid was seconded by Connie Miles and carried. One application of the product will be half the bid price and the cost will be covered by the \$85,000.

3-14

MATTER OF UTILITY PERMIT

A motion by Connie Miles to approve the following utility permits for AEP was seconded by William Ort and carried.

1. State Road 8 3000 feet west of County Road 55, change pole, cross under road to new poles to be used for underground riser for Graber property.
2. 100 feet north of County Road 62 in the field west of County Road 71 extend pole line toward 71 by installing 3 new poles then to underground primary for Holman.
3. East of county Road 79 on County Road 46 to extend overhead primary to new customer location with four poles and two anchors for Lambert.

MATTER OF GENERAL CLAIMS

A motion by William Ort to approve general claims was seconded by Connie Miles and carried.

MATTER OF MINUTES

A motion by Connie Miles to approve the minutes of April 7th and April 14th was seconded by William Ort and carried.

MATTER OF PAYROLL

The commissioners signed the payroll docket for checks issued May 4th.

MATTER OF SURETY BOND

A motion by William Ort to approve and sign the surety bond for Chief Probation Officer Tim McAlhany was seconded by Connie Miles and carried.

MATTER OF CLAIM PAYMENT

A motion by Connie Miles to pay the invoice from Grinsfelder Associates for work for the month by April for Ed Welling was seconded by William Ort 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