

MONDAY

November 10, 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**

Don Kaufman  
Connie R. Miles  
William C. Ort

**ABSENT**

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\_\_\_\_\_  
\_\_\_\_\_

**MATTER OF HEALTH INSURANCE APPEAL**

Debra Workman of the prosecutor's office reported that she would appeal an insurance claim to Benicomp, third party administrators for the county health insurance.

Ms. Workman requires dental implants to the upper jawbone to anchor dentures. Bone loss caused by periodontal disease is the primary reason for the need for the implants. Oral surgery is required. Benicomp has ruled that this is a cosmetic procedure. Ms. Workman feels that the condition is medical and should be covered by the health insurance. It was recommended that Debra obtain a written medical opinion from her surgeon for the appeal.

**MATTER OF HEALTH INSURANCE MEETING**

The commissioners met with Agent Brian Miller of the Matrix Group, Crystal Michael of Benicomp and a committee of representatives from county offices and departments to discuss cost reduction for health insurance. Members of the committee are Missy Hefflefinger, Linda Gulick, Jackie Rowan, Paul Brewer, Tim McAlhany, and Jeff Hirons. Brad Stump was the only member not present

Brian Miller gave a power point presentation explaining the present coverage and listed several steps, which could be taken by employees to lower cost. Brian also reminded the committee that those on maintenance drugs would be better served by the mail order prescription method. Following a brief question period it was decided that the group did not have enough information to form any conclusions. Rates for 2004 and changes in coverage will be forwarded to the committee by Brian Miller. A second meeting was scheduled for November 24<sup>th</sup>.

**MATTER OF COURTHOUSE CHRISTMAS PARTY**

On behalf of the committee for the employees' Christmas party Cathie Crowl requested that the courthouse be closed on December 3<sup>rd</sup> from 12:00 to 2:00 PM. The request was granted.

**MATTER OF SOIL REMOVAL**

Ron Heymann contends that the soil moved to an area on the south side of State Road 8 at the intersection of County Road 45 is a hazard to the health of the neighboring community. After purchasing the property Mr. Karnes caused 96 truckloads of contaminated soil to be moved from a former service station site in Allen County. The plan commission granted the request for variance to move the soil in order to treat it thus removing contaminants. It was discovered that the gauge of the vinyl barrier was not as specified, and that the soil contained much more than the originally identified contaminants. Not only does there seem to be fresh petroleum product, but

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concrete and metal piping are also mixed within. Mr. Heymann feels that the soil has come from other than the original site request.

Petroleum Systems Services, a third party environmental contractor hired to treat the soil to remove the petroleum, was prevented from doing so by the concrete and pipe.

IDEM has revoked the permit, but Mr. Karnes has not moved the soil.

#### **MATTER OF REQUEST TO ENCUMBER FUNDS**

Zoning Administrator Sally Rowe requested that the remainder of the funds originally appropriated to pay for the comprehensive master plan be encumbered forward to the commissioners' 2004 budget in the capital projects line item. Sally will bring the 2004 contracts for Brad Stump, Sharon Kline and herself to a meeting in December.

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

Zoning Administrator Sally Rowe presented a renewal for the bond for drainage improvements and out-fall piping for Mandalay Subdivision Section II in Union Township. The original bond covered by Resolution 2003-R7 for John and Kim McDonald was for \$30,000. The new Resolution 2003-R25 will replace the original amount with interest added for \$30,186.80. A motion by Connie Miles to approve Resolution 2003-R25 and Bond of Developer was seconded by William Ort and carried.

#### **DEKALB COUNTY CODE SECTION 36-7-3-10-1**

#### **RESOLUTION NO. 200-R25**

#### **OF**

#### **COUNTY COMMISSIONERS**

#### **DEKALB COUNTY, INDIANA**

Whereas, "Mandalay Section II" is an 8-lot platted subdivision for residential purposes in the unincorporated area of Section 35 in Union 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 agreed to comply with the drainage requirements of the DeKalb County Surveyor and/or the DeKalb County Drainage Board regarding "Mandalay Section II" in Union Township, DeKalb County, Indiana,  
and

Whereas, the drainage improvements were not completed prior to the expiration of the Bond of Developer approved by the DeKalb County Commissioners,  
now

Therefore the County Commissioners approve the acceptance of a second Bond of Developer on the condition that the aforesaid improvements, which include the installation of ponds and outfall piping improvements, to be completed on or before the 4th day of April, 2004.

As a condition of the aforesaid approval the owner deposits herewith a Certificate of Deposit from Campbell & Fetter Bank, to be forfeited upon owner's failure to complete the improvements outlined above.

Dated: this 10th day of November, 2003.

## DEKALB COUNTY COMMISSIONERS

Don C. Kaufman

Don C. Kaufman, President

Connie R. Miles

Connie R. Miles, Vice-President

William C. Ort

William C. Ort, Member

**MATTER OF SPECIAL CLAIMS**

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

**MATTER OF MINUTES**

A motion by Connie Miles to approve the minutes of October 6<sup>th</sup> and 27<sup>th</sup> was seconded by William Ort and carried.

**MATTER OF REPORT – SUNNY MEADOWS**

The commissioners reviewed and signed the October report for Sunny Meadows Home and Farm.

**MATTER OF SANTA'S CHALET**

A motion by Connie Miles to approve the placement of Santa's Chalet on the sidewalk on the West side of the courthouse as requested by the Downtown Merchants Association per prior criteria was seconded by William Ort and carried.

**MATTER OF PAYROLL**

A motion by William Ort to approve the payroll for the period ending November 6<sup>th</sup> was seconded by Connie Miles and carried.

**MATTER OF BUILDING INSPECTOR**

Building Inspector Carlos Whitaker inquired concerning the method to be used to hire an assistant inspector. The council granted the request in September when the 2004 budget was adopted. It was decided that Carlos would advertise for the position and the commissioners would review the applications for the new employee who would begin in January.

**MATTER OF RELEASE OF DEVELOPMENT BONDS**

A motion by William Ort to release the development bond for LaOtto Business Park covered by Resolution 2002-R8 in the amount of \$95,000 was seconded by Connie Miles and carried.

A motion by Connie Miles to release the development bond for the re-plat of LaOtto Business Park covered by Resolution 2003-R13 for \$9,000 was seconded by William Ort and carried.

A motion by William Ort to release the development bond for Corporate Construction for Magic Coil, Inc. covered by Resolution 2003-R9 in the amount of \$110,000 was seconded by Connie Miles and carried.

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#### **MATTER OF BENICOMP HEALTH INSURANCE**

At a previous meeting an employee had requested to appeal a claim for county health insurance payment to the third party provider Benicomp, Inc. The commissioners felt that the wording in the plan could be adjusted to cover the condition being appealed. A letter directing Benicomp to change the coverage to include the new wording was written. A motion by William Ort to approve the letter of request and authorize President Kaufman to sign was seconded by Connie Miles and carried.

#### **MATTER OF CHANGE ORDER**

A motion by William Ort to approve and for President Kaufman to sign Change Order No. 6 for Bridge 73 in the amount of \$55,505 was seconded by Connie Miles and carried. This change order was signed previously, but GAI Consultants discovered additional cost reductions to be accepted.

#### **MATTER OF LIBRARY BOARD APPOINTMENT**

A motion by William Ort to accept and authorize President Kaufman to sign the reappointment of Patricia Brewer to the Waterloo Grant Township Library Board per the boards' letter of request was seconded by Connie Miles and carried.

#### **MATTER OF BRIDGE NO. 73**

A motion by William Ort to accept and for the commissioners to sign the final notice for Bridge 73 was seconded by Connie Miles and carried.

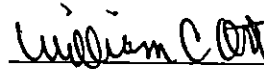
#### **MATTER OF PRINTING**

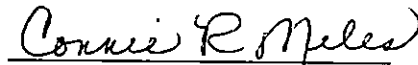
A motion by Connie Miles to accept and sign the offer from Haywood Printing to extend the 2003 pricing for printed materials to 2004 was seconded by William Ort and carried.

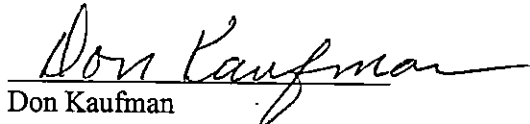
A motion by William Ort to accept and sign the quote from A.E. Boyce, Inc. for printing of Class 7A continuous forms was seconded by Connie Miles and carried.

#### **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