

MONDAY

November 17, 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 SUNNY MEADOWS**

Superintendent and Administrator Rick and Janel Snow discussed the problems with Lemper Agra. The Snows are concerned and frustrated. A decision must be made concerning the grain stored at Lempers. A discrepancy in the business of a check with insufficient funds was finally resolved, but storing the remaining grain until a new crib with a dryer can be moved and placed on a cement pad at Sunny Meadows in the spring must be resolved. The herdsman mistakenly stated that Sunny Meadows would no longer do business with Lempers. Until this time Lempers did not charge to store the corn and oats, but only to grind and mix with a supplement for feed. The commissioners recommended that the oats be removed from the facility, but that the corn remain and that the county remain with Lemper through the holidays, as there is no other place for storage that did not charge a fee.

A used bin is available for purchase. However, the concrete must be poured for the foundation and the bin must be moved to Sunny Meadows. The Snows have obtained quotes from several other vendors for this service, but a decision to change will not be made until a later date. Other facilities charge for storage at various rates. Lempers have not charged for this service previously.

**MATTER OF STATE RIGHTS OF WAY**

Zoning Administrator Sally Rowe explained that in 1965 INDOT had requested that the county and residents on County Roads 60 and 68 take back land purchased for right of way during the construction of Interstate 69. Mention is made of this in the commissioners' minutes dated December 20, 1965, however, no action was taken.

The action on a parcel of land now being platted has met with difficulty due to the record of ownership. The right of way area remains titled to the State of Indiana. The commissioners referred the matter to the county attorney.

A motion by Connie Miles that the DeKalb County Commissioners accept back the ownership of the right of way of the frontage on County Roads 60 and 68 where overpasses were constructed and authorize the highway superintendent to inform the state was seconded by William Ort and carried. Upon receipt of the release or assignment from the state the county could then release the parcels to the adjoining landowners. The auditor should receive documentation from the state to legalize the transfers.

## MATTER OF UTILITY PERMIT

A motion by William Ort to approve a utility permit for Verizon on County Road 1 at County Road 56 going north 870 feet to a new house at 5746 County Road 1 was seconded by Connie Miles and carried.

## MATTER OF FINAL INSPECTION

A motion by Connie Miles to approve and sign the report of contract accepting the final inspection of the Spencerville Covered Bridge was seconded by William Ort and carried.

## MATTER OF HIGHWAY MATERIALS

The following bids for highway materials were opened at the appointed time. The commissioners will take the bids under advisement for two weeks.

### Bid Results 2004

#### Item #1 -30,000 Gallons or less Unleaded Gasoline

S & S Oil Co. \$1.0315/Gal.

#### Item #2 -60,000 Gallons or less #2 Premium Diesel Fuel

S & S Oil Co. \$0.9165/Gal. \$0.9783/Gal.(Winter Blend)

#### Item #3-Crushed Limestone Materials (Loaded on County Trucks)

	<u>#9</u>	<u>#11</u>	<u>#12</u>	<u>#73</u>	<u>#53</u>
Hixson Sand & Gravel	10.80	12.05	11.35	9.00	
Hanson (Lower Huntington)	8.25	8.80	8.10	6.65	6.65
Hanson (Midwest Quarry)	7.95	8.50	7.80	6.35	6.35
Hanson (Ardmore Quarry)	7.95	8.50	7.80	6.35	6.35
Hanson (Angola Pit)	12.00	12.00	11.00	10.00	10.00
Stafford Gravel	9.20	9.20		8.40	8.40
Klink Trucking		13.95		10.85	
Stone-Street (Poe Quarry)	6.75	7.90		5.80	
Wilhelm Gravel	11.65	12.10	11.00	9.75	9.75
Irving (Dove Pit)	12.05	11.50	9.75		
Irving (Kendallville)	13.80	14.75	13.05	11.65	
Irving (Angola Pit)	14.25	15.50		12.40	

#### -Crushed Limestone Material (Delivered to County Barn)

	<u>#9</u>	<u>#11</u>	<u>#12</u>	<u>#73</u>	<u>#53</u>
J&M Bearcreek	10.00	10.70	9.70	8.10	
Hixson Sand & Gravel	10.65	11.90	11.20	8.85	
Klink Trucking	10.70	11.60	10.90	8.50	
Stone- Street	9.65	10.85		7.75	
Wilhelm Gravel	10.65	11.10	10.00	8.60	8.60
Jerry Bailey Trucking	9.95 10.50	9.40	8.05		
Irving Gravel	13.00	14.00	12.45	10.70	

**Item #4 -Processed Gravel Products (Loaded on County Trucks)**

	<u>Dip</u>	<u>Screen Dip</u>	<u>Bank</u>	<u>Screen Bank</u>	<u>#53</u>	<u>Sand</u>
Irving (Dove)	3.00	3.25	2.75	3.00	5.25	2.25
Irving (Kendallville)	2.75	3.00	2.75	3.00	5.25	1.75
Irving (Angola)			2.00	2.35	4.50	1.75
Hanson (Angola)			2.00		4.50	
Stafford			2.20		4.80	2.60
Rock Bottom						2.00
Krafft Gravel						2.25
Hixson's					5.25	2.85
Old Prairie						1.50
Wilhelm		4.00	3.40			2.50

**-Processed Gravel Products (Sand Delivered to County Barn)**

	<u>Ton</u>
Irving Gravel	4.40
Jerry Bailey Trucking	4.25
Hixson's	4.35
Wilhelm's	4.25

**Item #5 -Bituminous or Emulsified Asphalt (Delivered)**

	<u>AE-90</u>	<u>Sealing Asphalt</u>	<u>MC-3000</u>	<u>AE-90s</u>
Pierceton Trucking	\$0.772	0.978	0.985	0.909
Koch Materials	0.7824			0.9924

**Item #6 -Bituminous Cold Patch (Loaded on County Trucking)**

Niblock (SP-400 Hi-Perf.)	43.00 / ton
Niblock (SMP HI-Perf.)	55.00 / ton
Brooks (BCCO 250 - Albion)	30.00 / ton
Brooks (BCCO 250-Auburn)	31.50 / ton
API (API 250)	28.50 / ton
API (HPCM)	42.00 / ton
Hixson's	30.95 / ton

**Item #7 -A.P. Asphalt for Patching**

	<u>#5 Base</u>	<u>#8 Binder</u>	<u>#9 Binder</u>	<u>#11 Surface</u>
API	19.25	19.25	19.25	21.75
Brooks	21.00	21.00	21.00	23.50

**Item #8 -Pea Gravel (#12)**

Old Prairie	4.95 / ton
Krafft Gravel	5.75 / ton
Hanson (Angola)	5.20 / ton
Irving (Dove Pit)	7.50 / ton
Irving (Kendallville)	6.50 / ton
Irving (Angola Pit)	5.50 / ton
Wilhelm	6.00 / ton
Hixson's	6.50 / ton

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**Item #9 -Hot Asphalt F.O.B. Plant**

	<u>Base</u>	<u>Binder</u>	<u>Surface</u>
API	19.25	19.25	21.75
E & B (Angola)	26.50	26.50	29.50
E & B (Ft.Wayne)	22.00	22.00	26.00
Brooks	21.00	21.00	23.50

**Item #9 -Hot Asphalt (Laid on County Road)**

	<i>Townships</i>					
	Concord Spencer Newville	Richland Grant Union	Keyser Jackson Butler	Fairfield Smithfield	Franklin Troy	Wilmington Stafford
Asphalt #11 Surface & #11 Binder						
0-100 TON	56.00	56.00	56.00	56.00	56.00	56.00
101-500 TON	31.50	31.00	31.00	32.00	32.50	32.00
501-1000 TON	30.00	29.80	29.50	30.40	31.30	30.90
1001-2000 TON	28.00	27.80	27.60	28.40	29.30	28.90
2001 OR MORE	25.30	25.10	25.10	25.70	26.60	26.20

**#5 Base &  
#8, #9 Binder**

0-100 TON	56.00	56.00	56.00	56.00	56.00	56.00
101-500 TON	28.00	28.00	27.50	28.50	29.50	29.00
501-1000 TON	27.10	26.90	26.70	27.50	28.40	28.00
1001-2000 TON	26.40	26.20	25.90	26.80	27.70	27.30
2001 OR MORE	24.40	24.20	23.90	24.80	25.70	25.30

**NOTE:**

1. Above price increments are based per project or per location. Prices include mobilization, flagmen and tack.
2. All approach work use #11 surface 0-100 ton prices.

	<u>Tons</u>	<u>Base/Binder</u>	<u>Surface</u>
E & B	0-200	65.00	67.50
	201-400	38.50	43.00
	401-1000	32.00	37.00
	1000+	30.00	34.00
Brooks	0-200	60.50	62.50
	201-400	33.00	35.50
	401-1000	31.50	34.00
	1000+	30.50	33.00

**Item #10 -Bridge Package**

American Timber Bridge & Culvert, Inc.

Specs., Materials and Price list on file at DeKalb County Highway Office.

Primco, Inc.

Specs., Materials and Price list on file at DeKalb County Highway Office.

**MATTER OF SPECIAL CLAIMS**

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

**MATTER OF PAYROLL DOCKET**

The commissioners signed the payroll docket for checks issued October 6<sup>th</sup> and November 17<sup>th</sup>.

**MATTER OF ALTONA**

Zoning administrator Sally Rowe has been contacted by persons representing the Town of Altona requesting an ordinance provided by the county for planning services such as the agreement with Corunna. Altona has no zoning restrictions. Attorney Bryan Nugen represents Altona, and would like a response for this request as soon as possible. There are 80 homes and about 150 lots within the town.

GIS Coordinator and former Zoning Administrator Brad Stump stated that Altona has established boundaries. Brad also learned from a conversation with DLGF Field Representative George Helton that there may be a possibility of merging with the City of Garrett to form a "new" City of Garrett. This would also allow the new city to establish a higher tax levy in the process.

By consensus, the commissioners expressed a desire to accept the responsibility to do the zoning until the merger could take place.

**MATTER OF COMPREHENSIVE MASTER PLAN**

The committee for the new master plan met with the commissioners. Zoning Administrator Sally Rowe, and former administrators Brad Stump and Sharon Kline explained the methodology for the new plan. There is hope for extra territorial jurisdiction to extend 1/8 to 1/4 mile beyond the limits of cities and towns, but not to maintain zoning or jurisdiction beyond this point. This would allow the zoning to then mirror the town, which might consider annexation. It would be helpful if the commissioners would agree to this method, as there will be a meeting with the cities and towns on Tuesday November 18<sup>th</sup>. There have been complaints that there are no members of the cities and towns on the master plan committee. The explanation was that since meetings were held with the cities and towns for input, there was no reason for representation on the county committee.

**MATTER OF INTERLOCAL AGREEMENT**

A motion by William Ort to approve and for the president to sign Attachment A to the Inter-local Agreement for Connectivity between DeKalb County and the City of Auburn for computer switch services for 2003 was seconded by Connie Miles and carried.

A motion by Connie Miles to approve Amendment No. 2 for the Connectivity Service Agreement was seconded by William Ort and carried.

**MATTER OF EXECUTIVE SESSION**

The commissioners met in executive session regarding pending litigation.

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**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