

County Council Meeting
November 5, 2007

Present:

Ben Smaltz, President
Bob Wilder
David Yarde
Don VanWye
Janet Ordway
Larry Moughler
Andy Crow

Commissioners:

William C. Ort
Connie R. Miles
Don C. Kaufman

Attorney:

James P. McCanna

Auditor:

John W. Feters

MATTER OF MINUTES:

Don VanWye motion to approve October 1, 2007 minutes, Janet Ordway second and all approved.

MATTER OF ADDITIONALS:

County General (100): to Highway (200) Equipment Operator (74.11470) \$37,500 Bob Wilder motion to approve, David Yarde second and all approved.

To Aviation (600) Legal Fees (32820) \$4000; Electric (33510) \$5000; and Equipment (44430) \$124 Bob Wilder motion to approve the Legal Fees of \$4000 and table the other two additionals, Larry Moughler second and all approved. Russ Couchman came in to answer questions on his additionals and transfers. David Yarde motion to approve the Electric and Equipment additionals, Janet Ordway second and all approved.

To Pre-trial Diversion (910) for reporting purposes only Non-Budgeted Expenditures (50000) \$3630 Janet Ordway motion to approve, Don VanWye second and all approved.

To County Misdemeanant (936) Non-Budgeted Expenditures (50000) \$6000 Janet Ordway motion to approve, Andy Crow second and all approved.

MATTER OF TRANSFERS:

Aviation (600) From: Drain\Real Estate Taxes (32390) To: Repair Maintenance Supplies (22310) \$1000 David Yarde motion to approve, Janet Ordway second and all approved. Council reminded the Aviation Department of the additional and transfer process and to be sure to contact their liaison keeping them informed.

Janet Ordway motion to approve Sheriff's transfer requests, Andy Crow second and all approved.

Bob Wilder motion to approve Coroner requests, Don VanWye second and all approved.

Bob Wilder motion to approve Plan Commission requests, Larry Moughler second and all approved.

Bob Wilder motion to approve BZA requests, David Yarde second and all approved.

Janet Ordway motion to approve Elections (21) request, Andy Crow second and all approved.

Janet Ordway motion to approve Jail (23) request, Andy Crow second and all approved.

Bob Wilder motion to approve Circuit Court requests, Larry Moughler second and all approved.

Andy Crow motion to approve Superior Court II requests, Don VanWye second and all approved.

Janet Ordway motion to approve Public Defender request, Don VanWye second and all approved.

MATTER OF ABATEMENT:

Heidtman Steel plans to add a 120,000 square foot expansion to Plant 2 (not in the TIF) 30,000 now and 90,000 as budget allows in the future thus creating 5 new immediate jobs and 10 future jobs. Ben Smaltz noticed that they did not attach CF1's. Bob Wilder motion to receive the abatement paperwork, Heidtman Steel will bring in the CF1 to the Auditor's Office and Bob Wilder will take all paperwork to the Tax Abatement Committee for December meeting, Public Hearing meeting will be December 3, 2007 at 9:30 AM, Don VanWye second and all approved.

MATTER OF TAX REFUNDS:

Janet Ordway motion to approve the Tax Refunds resolution letter, Bob Wilder second and all approved.

Whereas there are certain refunds owed to Auburn Investments \$306,347.03; Auburn Investments \$122,315.44; Guardian Industries \$125,216.63; Image Enterprise \$22,002.33; Nucor \$269,138.88; Therma-Tru \$457,415 and Wiggs \$7,278.

Whereas after review, per I.C. 6-1.1-15-11, these refunds have been determined to be timely and compliant by the DeKalb County Assessor, DeKalb County PTABOA, DeKalb County Auditor, DeKalb County Council, DeKalb County Commissioners, and the DeKalb County Attorney.

Whereas State statute requires interest to be paid on refunds in the amount of 4%

Whereas IC 6-1.1-15-11 stipulates the method of repaying taxpayer refunds and overpayments is from the General Fund.

Whereas there is not sufficient funding in the General Fund to repay the over payment.

Be it resolved that the Cumulative Capital Fund, Cumulative Bridge Fund and the Rainy Day Fund shall loan to the General Fund the amount of \$450,000 each.

Be it resolved that the County Auditor shall charge the amount refunded to the taxpayer against the accounts of the various taxing units to which the overpayment has been paid.

Be it resolved the taxing units will be contacted in the next 14 business days and advised of the estimated shortfall.

Be it resolved that the monies collected from the various taxing units will be repaid to the Cumulative Capital, Cumulative Bridge, and the Rainy Day Fund when collected from those various taxing units.

Be it resolved that the County Auditor shall notify the County Executive of the payment of the amount due and publish the allowance in the manner provided in IC 36-2-6-3.

Be it resolved that the County Auditor will submit this resolution to the Department of Local Government Finance for their approval.

MATTER OF VISITOR BUREAU:

Dick Martin was in from the Visitor's Bureau and gave his 2008 budget report for Marketing Plan & Economic Impact Study. Don VanWye motion to receive and approve, David Yarde second and all approved.

MATTER OF LOIT:

Janet Ordway motion not to take any action on LOIT for this year 2007, David Yarde second and all approved.

MATTER OF ADJOURNMENT:

Andy Crow motion to adjourn, Don VanWye second and all approved.

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec.1. BE IT ORDAINED (RESOLVED) by the County Council of DeKalb County, Indiana, that for the expenses of the said municipal corporation the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROVED	VOTE AYE NAY	
<u>ADDITIONALS</u>				
<u>COUNTY GENERAL (100)</u>				
<u>HIGHWAY (200)</u>				
Equipment Operator (74.11470)	\$ 37,500.00	<u>\$ 37,500.00</u>	7	0
<u>AVIATION (600)</u>				
Legal Fees (32820)	\$ 4,000.00	<u>\$ 4,000.00</u>	7	0
Electric (33510)	\$ 5,000.00	<u>\$ 5,000.00 Tabled (g.w.f.)</u>	7	0
Equipment (44430)	\$ 124.00	<u>124.00 Tabled (g.w.f.)</u>	7	0
<u>PRE-TRIAL DIVERSION (910)</u>				
<u>FOR REPORTING PURPOSES ONLY</u>				
Non-Budgeted Expenditures (50000)	\$ 3,630.00	<u>\$ 3,630.00</u>	6	0
<u>COUNTY MISDEMEANANT (936)</u>				
Non-Budgeted Expenditures (50000)	\$ 6,000.00	<u>\$ 6,000.00</u>	7	0

Monday
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TRANSFERS

Monday

COUNTY GENERAL (100)

Sheriff (5)

From: Tires (22330) To: Motor Vehicle Maintenance (33610)	\$ 2,500.00	\$ 2,500.00	7 0
From: Petroleum Products & Supplies (22210) To: Motor Vehicle Maintenance (33610)	\$ 5,000.00	\$ 5,000.00	7 0
From: K-9 Officer (11235) To: Holiday Pay (11100)	\$ 6,000.00	\$ 6,000.00	7 0

Coroner (7)

From: Body Pouches (22240) To: Motor Vehicle Maintenance (33610)	\$ 359.00	\$ 359.00	7 0
From: Forms/Paper Supplies (22120) To: Coroner Transportation (33235)	\$ 150.00	\$ 150.00	7 0

Plan Commission (13)

From: Printing Services (33310) To: Office Supplies (22110)	\$ 46.00	\$ 46.00	7 0
From: Legal Notices (33330) To: Office Supplies (22110)	\$ 50.00	\$ 50.00	7 0
From: Equipment Repair (33620) To: Office Supplies (22110)	\$ 200.00	\$ 200.00	7 0

BZA (14)

From: Printing Services (33310) To: Office Supplies (22110)	\$ 350.00	\$ 350.00	7 0
From: Legal Notices (33330) To: Office Supplies (22110)	\$ 50.00	\$ 50.00	7 0

Elections (21)

From: Travel (33230) To: Office Supplies (22110)	\$ 800.00	\$ 800.00	7 0
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Jail (23)

From: Part Time (10750) To: Holiday Pay (11100)	\$ 14,000.00	\$ 14,000.00	7 0
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Circuit Court (25)

From: Telecommunications (33240) To: Office Supplies (22110)	\$ 600.00	\$ 600.00	7 0
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From: Dictating Equipment
Maintenance (33720)
To: Office Supplies (22110)

\$ 225.00

\$ 225.00

70

From: Maintenance Contracts
(33630)

To: Legal Reference
Materials (22410)

\$ 1,200.00

\$ 1,200.00

70

From: Equipment Repair
(33620)

To: Office Supplies (22110)

\$ 344.00

\$ 344.00

70

Superior Court II (27)

From: Other Service Fees
(32780)

To: Legal Reference
Materials (22410)

\$ 1,500.00

\$ 1,500.00

70

Public Defender (28)

From: Part Time (10750)

To: Legal Reference
Materials (22410)

\$ 1,000.00

\$ 1,000.00

70

AVIATION (600)

From: Drain\Real Estate
Taxes (32390)

To: Repair Maintenance
Supplies (22310)

\$ 1,000.00

\$ 1,000.00

70

ADOPTED THIS 5TH DAY OF NOVEMBER, 2007

NAY

AYE

	Barry Smith
	Robert Williams
	James L. Jones
	Danard E. W. Wayne
	Proctor Ordway
	Larry Maughler
	Keith A. Prosser
ATTEST:	John W. Fetters
	John W. Fetters County Auditor