

90

WHEREAS, certain extraordinary emergencies have developed since the adoption of the existing annual budget, so that it is now necessary to appropriate more money than was appropriated in the annual budget. **NOW THEREFORE**, to meet such extraordinary emergencies:

SEC. 1. BE IT ORDAINED (RESOLVED) by the County Council of DeKalb County, Indiana, that for the expense of said municipal corporation the following sums of money are hereby herein specified, subject to laws governing the same.

		AMOUNT REQUESTED	AMOUNT APPROVED	VOTE AYE NAY	
<u>ADDITIONALS</u>					
<u>COUNTY GENERAL (0100)</u>					
<u>Information Systems (018)</u>					
Part Time (1075)	DVW/KC Approved 11/26/03	\$ 1.00	<u>1.00</u>	<u>7</u>	<u>0</u>
<u>PUBLIC AIRPORT CAPITAL IMPROVEMENTS (0610)</u>					
Capital Outlay (99.4421)	KC/DY	\$ 671,000.00	<u>671,000</u>	<u>6</u>	<u>0</u>
<u>CUMULATIVE CAPITAL (2530)</u>					
Non-Budgeted Expenditures (99.5000)	DY/KC Approved 11/26/03	\$ 16,500.00	<u>16,500</u>	<u>7</u>	<u>1</u>
<u>TRANSFERS</u>					
<u>COUNTY GENERAL (0100)</u>					
<u>Information Systems (018)</u>					
From: Employee Wages (1114)					
To: Part Time (1075)	DVW/KC	\$ 3,000.00	<u>3,000</u>	<u>7</u>	<u>0</u>
From: Contractual Services (3433)					
To: Part Time (1075)		\$ 3,000.00	<u>3,000</u>	<u>7</u>	<u>0</u>

NAY

AYE

Robert Wilder
David West
Donald E Van Wye
Jimmie Ordway
Larry Moughler
Beig Smaly
Keith A. Crow

ATTEST: Sharon L. Hayes
Secretary of Appropriating Body

92

COUNCIL MINUTES - APRIL 7, 2003

MATTER OF MINUTES

A motion by Don Van Wye to approve the minutes of March 3rd was seconded by Janet Ordway and carried.

MATTER OF E 911 RATE

County 911 Director Paul Brewer reported that the current single line telephone fee for 911 in DeKalb County is \$.83. This rate is lower than all of the surrounding counties and perhaps one of the lowest in the state. Typical single line billing rates for Verizon are \$19.96, Sprint \$23.65 and Ameritech \$19.36. The state statute allows 10% on the average, which means that the 911 rate could be as much as \$2.10. The commissioners had requested that Paul investigate the amounts necessary for converting the county to one centrally located dispatch unit for 911. Aside from a rate change consideration, Paul, Sheriff Dennis and Councilman Smaltz will visit other central dispatch units in the state to gather information. Councilman Wilder would like to see a plan put in place for the creation of central dispatch before a rate increase is considered.

MATTER OF AVIATION REQUEST

Aviation Board Secretary Brad Stump explained the request for additional appropriations of \$671,000 from the capital outlay account of the Aviation Grant Fund. This money is a portion of the \$875,000 reimbursed by the state for aviation improvements, and will be used to purchase the Lloyd Dollier property. A motion by Andy Crow to approve the appropriation was seconded by David Yarde and carried.

MATTER OF ECONOMIC DEVELOPMENT BONDS

Attorney Dan Brinkerhoff explained that the DeKalb County Economic Development Commission had met earlier in the morning with representatives from Magic Coil. Dan introduced Dick Fox as bond council for the project in which Magic Coil Products LLC and MCP Investments will construct an 8000 square foot facility with cranes. Magic Coil will equip the facility to create 15 full time jobs, later to increase to 23 jobs. The bond for \$5,500,000 will have no impact on the counties' ability to acquire debt, and the auditor will receive a copy of the Economic Development Commission Resolution. Resolution 2003-R6 was then presented to the council. A motion by David Yarde to approve the resolution was seconded by Larry Moughler and carried.

RESOLUTION NO. 2003-R6

A RESOLUTION FINDING, DETERMINING, AND APPROVING AN INDUCEMENT RESOLUTION OF THE DEKALB COUNTY ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF ECONOMIC DEVELOPMENT REVENUE BONDS OF THE COUNTY OF DEKALB IN AN AMOUNT NOT TO EXCEED \$5,500,000 FOR THE PURPOSE OF INDUCING THE APPLICANTS, MAGIC COIL PRODUCTS, LLC AND MCP INVESTMENTS, LLC, TO PROCEED WITH THE CONSTRUCTION AND EQUIPPING OF THE PROJECT

93

WHEREAS, the County of DeKalb, Indiana (the "Issuer"), is authorized by IC 36-7-11.9 and 12, as supplemented and amended (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used either directly or by loan to a company for the acquisition, construction and equipping of said facilities to be either owned by a company or leased to a company or sold to a company; and

WHEREAS, Magic Coil Products, LLC, an Indiana limited liability company, and MCP Investments, LLC, an Indiana limited liability company (collectively the "Applicants"), have advised the DeKalb County Economic Development Commission and the Issuer that they propose that the Issuer loan the proceeds of an economic development financing to the Applicants for the financing of the construction and equipping of certain economic development facilities, consisting of a single story 80,000 square foot manufacturing facility for the value-added processing of steel coils and other steel products on a 12-acre site located on County Road 61, Butler, Indiana (the "Project"); and

WHEREAS, the construction and equipping of the Project resulting in the creation of approximately twenty-three (23) full-time jobs over a three year period will be a public benefit to the health, safety, and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the DeKalb County Economic Development Commission, it would appear that the financing of the Project would be a public benefit to the health, safety, and general welfare of the Issuer and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the County Council of the Issuer that:

SECTION 1. The County Council finds and confirms that the promotion and diversification of the economic development and job opportunities in DeKalb County, Indiana is desirable to improve the health, safety, and general welfare of the citizens of the Issuer; and that it is in the public interest that the DeKalb County Economic Development Commission and said Issuer take such action as they lawfully may to encourage such activity opportunities in and near the said Issuer.

SECTION 2. The County Council further finds and confirms that the issuance and sale of revenue bonds in an amount not to exceed \$5,500,000 of the Issuer under the Act and the loan of the proceeds thereof to the Applicants for the construction and equipping of the Project, will serve the public purpose referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicants to proceed with the acquisition, construction, and equipping of the Project, the County Council hereby finds, determines, ratifies, and confirms that: (i) it will take or cause to be taken such action pursuant to the Act as may be required to implement the aforesaid financing or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicants; and (ii) it will adopt such ordinances and resolutions and authorize

94

execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance, and sale of said economic development bonds.

SECTION 4. The Issuer intends this inducement resolution to satisfy the requirements of the Internal Revenue Code of 1986, as amended and the regulations promulgated thereunder (the "Code"), and specifically Reg. §1.150-2(e), regarding the declaration by the Issuer of its official intent to issue its revenue bonds for the purpose of reimbursing original expenditures (as that term is defined in Reg. §1.150-2(c)) incurred with respect to the Project within 60 days preceding the adoption of this resolution.

SECTION 5. All original expenditures of the Project incurred within 60 days preceding the adoption of this inducement resolution, including the disbursement and/or repayment of monies expended by the Applicants for the planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, construction and equipping of the Project, will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will thereafter loan the proceeds of such financing to the Applicants for the same purposes.

Adopted and effective this 7th day of April, 2003.

Robert Wilder
Council Member
David Yarde II
Council Member
Janet Ordway
Council Member
Keith A. Crow
Council Member

Donald E. VanWye
Council Member
Larry Moughler
Council Member
Benjamin Smaltz
Council Member

(SEAL)

Attest:
Sharon G. Hayes
Auditor

MATTER OF ADDITIONAL APPROPRIATION AND TRANSFER

Information Systems director Pat Rothenhofer explained the necessity to establish a part-time help account line item for the 2003 budget. The original budget did not include extra help, but Pat would like to hire a person with some computer experience to help with some of the minor office tasks. There will be additional monies in the contractual services account since one position is now vacant. A motion by Don VanWye to approve the request for \$1.00 to establish a part-time account then transfer \$3,000 from employee wages and \$3,000 from contractual services to this part time account was seconded by Keith Crow and carried.

With the commissioners' approval Pat also requested and additional amount for cabling from the Cumulative Capital Development Fund. A motion by David Yarde to approve this additional amount was seconded by Keith Crow and carried.

95

MATTER OF COURTHOUSE WINDOWS

Ed Welling of Grinsfelder Architects was employed by the commissioners to evaluate and plan for the replacement of the windows in the courthouse. Mr. Welling reported a definite need to replace the windows. The windows are about 22 years old. Replacement windows would offer energy savings through the use of double glass panes with argon gas. The new windows would be double hung or stationary instead of the existing triple hung version, and wood on the inside to match the interior with aluminum on the outside. There is a great deal of cold air coming from around the edges of the present windows. Mr. Welling would supervise the installation to be sure there were no gaps in the insulation. The total cost for replacing the windows would be about \$400,000 and the project and cost could be spread over a three-year period to lessen the burden of cost. Both Pella and Marvin windows are being considered.

MATTER OF LIBRARY CAPITAL PROJECTS

Following a brief presentation by Mr. Albright, a motion by Janet Ordway to approve the Waterloo Library Capital Projects Fund was seconded by Don VanWye and carried.

MATTER OF EARLY INTERVENTION PLAN

Welfare Director Mary Southern explained the terms of the Early Intervention Plan which is approved yearly by the county council. The plan focuses on placing children close to home or avoiding removing a child from his home whenever possible. A motion by David Yarde to approve the Early Intervention Plan was seconded by Larry Moughler and carried.

MATTER OF VISITORS' BUREAU

There have been questions directed to Ben Smaltz regarding the DeKalb County Visitors' Bureau. Since Ben has served as a member of the visitors' bureau it was decided that he might also serve as a council liaison. There have also been requests for board members to be allowed to serve more than two two-year terms. Attorney Kruse will adjust the wording of the bylaws for re-approval of the bureau and the council that it might cover more of the concerned applications.

MATTER OF APPOINTMENT- WATERLOO ECONOMIC DEVELOPMENT

A motion by Janet Ordway to nominate Ron Feller for appointment to the Waterloo Economic Development Commission was seconded by Ben Smaltz and carried.

MATTER OF TAX ABATEMENT

The tax abatement committee has met and finds Steel Dynamics, Inc., Iron Dynamics and New Process Steel to be in compliance with their statement of benefits. Therefore, a motion by Don VanWye to find all three companies in compliance and authorize President Wilder to sign the CF-1 compliance form was seconded by Larry Moughler and carried.

MATTER OF ADJOURNMENT

A motion by Keith Crow to adjourn the meeting was seconded by Ben Smaltz and carried.