

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>Treasurer (3)</u>				
Overtime (1105) <i>LC/DW/Jo Approved 11/26/03</i>	\$ 8,300.00	<u>8,300.00</u>	<u>7</u>	<u>0</u>
<u>Drainage Board (15)</u>				
Other Pay (1080) <i>Dx/DW Approved 11/26/03</i>	\$ 500.00	<u>500.00</u>	<u>7</u>	<u>0</u>
<u>Commissioners (19)</u>				
Liability Insurance (3341) <i>BS/L.M. Approved 11/26/03</i>	\$ 70,000.00	<u>70,000</u>	<u>7</u>	<u>0</u>
<u>GIS (39)</u>				
Computer Equipment (4442) <i>Approved 11/26/03</i>	\$ 11,000.00	<u>11,000</u>	<u>7</u>	<u>0</u>
Technical Support (3410) <i>Approved 11/26/03</i>	\$ 18,500.00	<u>18,500</u>	<u>7</u>	<u>0</u>
<u>AVIATION (0600)</u>				
Petroleum Products (99.2221) <i>Approved 11/26/03</i>	\$ 1.00	<u>1.00</u>	<u>7</u>	<u>0</u>
<u>AIRPORT CAPITAL IMPROVEMENTS (0610)</u>				
Capital Outlay (99.4421)	\$ 393,434.00	<u>393,434</u>	<u>7</u>	<u>0</u>
<u>E - 911 (0900)</u>				
Equipment (99.4443) <i>Jo/BS</i>	\$ 68,675.00	<u>68,675</u>	<u>7</u>	<u>0</u>
<u>PRE - TRIAL DIVERSION (0910)</u>				
Medical Fees (99.3280) <i>Dy/DW</i>	\$ 3,000.00	<u>3000.00</u>	<u>7</u>	<u>0</u>

Monday

October 6, 2003
TRANSFERS

Monday

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COUNTY GENERAL (0100)Prosecutor (8)

From: Depositions (3311)

To: Legal Reference
Materials (2241) *Ko/LM*\$ 1,600.00 1600.00 7 0GIS (39)From: Programming/Software
(3412)To: Computer Equipment
(4442)\$ 12,000.00 12,000 7 0

From: Manuals (2274)

To: Technical Support
(3410)\$ 100.00 100 7 0Aviation (0600)From: Janitorial Services
(99.3434)To: Petroleum Products &
Supplies (99.2221)\$ 325.00 325.00 7 0

ADOPTED THIS 8th DAY OF September, 2003

NAYAYE*Robert A. Adams**David L. Ford**Lance E. Van Wagon**James Ordway**Larry Moughler**B. Smith**Keith A. Crow*ATTEST: *Sharon L. Hayes*

Secretary of Appropriating Body

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COUNCIL MINUTES - OCTOBER 6, 2003

MATTER OF MINUTES

A motion by Don Van Wye to approve the minutes of September 6th as corrected was seconded by Janet Ordway and carried.

MATTER OF ADDITIONAL APPROPRIATION-TREASURER

Treasurer Sue Bauermeister requested an additional appropriation in the amount of \$8,300 in anticipation of overtime pay for employees to work with the tax statements in hopes of getting them mailed as soon as possible once they are printed. A motion by Keith Crow to approve the additional appropriation was seconded by Janet Ordway and carried.

MATTER OF TAX ABATEMENT

Tom Hartman of Steel Dynamics, Inc. addressed the council regarding Iron Dynamics and the changes made to retrofit the company and return it to production status. Iron Dynamics has returned 60 employees to work and produces materials for Steel Dynamics at a lower cost than the market price at this time. Steel Dynamics has also developed a new \$24,000,000 paint line due to be commissioned in the very near future. Steel Dynamics uses 2.4 million tons of scrap per year to remanufacture, or technically recycle its steel product. SDI also attempts to recycle all byproducts. Mr. Hartman will contact Mr. Wilder for a time for the council and commissioners to visit the plants in the near future.

SDI has received notification from the Department of Local Government Finance that the personal property abatement was not in compliance with its statement of benefits. The DLGF, formerly the State Tax Board, is divided into separate entities, the budget section which deals with matters relating to finance, such as tax abatement, and the assessment division. In the case of SDI, the personal property being claimed was more than the statement of benefits had requested. SDI was clearly not in compliance. The only method, which would clear the confrontation, was for the county council to accept the higher value for abatement. A motion by Janet Ordway to approve the greater amount for abatement was seconded by Larry Moughler and carried. A letter of notification will be sent to the DLGF along with a new statement of benefits as provided by Steel Dynamics. Steel Dynamics argues that the new SB-1 is not necessary. On the other hand, the DLGF, now faced with being several years behind on the personal property abatements and planning for county auditors to take over the estimate process, has taken a much stronger stand on what will be accepted.

MATTER OF ADDITIONAL APPROPRIATION - DRAINAGE BOARD

A motion by David Yarde to approve the additional appropriation \$500 for appointee per-diem expenses for the Drainage Board was seconded by Don VanWye and carried.

MATTER OF R & D CONCRETE – ORDINANCE 2003-12

Both DeKalb County Economic Development Commission representative Dan Brinkerhoff and Richard Fox, attorney for R & D Concrete spoke briefly for the resolution for R & D Concrete to approve the use of industrial revenue bonds/economic development bonds for not more than \$6,000,000. The county will not be responsible for the repayment of the monies,

but this will allow R & D to borrow their money at a considerably reduced rate. Thus allowing the lender, National City Bank to treat this as a debt of the county.

A motion by Keith Crow to approve Ordinance 2003-12 DeKalb County Code No. 26-1-2-10-1 was seconded by Janet Ordway and the motion was then open to discussion. Following a brief discussion, the motion and second were withdrawn and a motion by David Yarde to table the issue until the council had time to further familiarize themselves with the issue was seconded by Ben Smaltz and carried.

MATTER OF JTAC – MEMORANDUM OF UNDERSTANDING

Clerk Jackie Rowan addressed the issues concerning the MOU for JTAC- Judicial Technology and Automation Committee and case management system, a statewide computerized system being developed by Computer Associates for the Indiana Supreme Court. The system would benefit probation officers, prosecutors and public defenders as well, and has been approved by both DeKalb Superior and Circuit Court judges. Judge Wallace gave an explanation of the history and scope of the project and its benefits. The only cost to the county would be for the conversion of the software. The council voted to recommend that the commissioners sign the memorandum of understanding. A motion by Ben Smaltz to approve the Memorandum of Understanding was seconded by Keith Crow and carried.

MATTER OF RESOLUTION 2003-R23 – HELP AMERICA VOTE ACT

The HAVA, or Help America Vote Act, as mandated by the federal government for use beginning January 1, 2006 is estimated to cost the county \$202,100 for voting equipment to be purchased from Microvote. Further, an annual maintenance contract for all 39 units within the county precincts would cost \$5,500. Reimbursement for the federal funds, which are promised to be available must be applied for following the purchase. A motion by Ben Smaltz to adopt Resolution 2003-R23 and establish a new non-reverting fund account for the deposit of all reimbursement monies was seconded by Keith Crow and carried.

DEKALB COUNTY COUNCIL

DEKALB COUNTY COMMISSIONERS

RESOLUTION NUMBER 2003-R23

COUNTY DEKALB COUNTY CODE SECTION 4-4-2-1

Whereas, the United States of America federal government has passed the Help America Vote Act of 2002 designed to improve accessibility at voting places during elections by replacing or upgrading voting equipment and Indiana has adopted legislation to implement that federal law;

Whereas, reimbursement funding is available from the Indiana Election Commission for purchase of computer equipment, hardware, peripheral equipment or other products in order to comply with the Help America Vote of 2002 with the adoption of the following resolution;

NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED BY THE DEKALB COUNTY BOARD OF COMMISSIONERS AND THE DEKALB COUNTY COUNCIL THAT:

SECTION 1. 'Subject to the availability of Title III requirement monies to DeKalb County under the Help America Vote Act of 2002 (HAVA) no later than October 1, 2004, DeKalb County will make all permanent and temporary improvements to each polling place not later than October 1, 2004 to comply with the polling place accessibility standards set forth in Indiana Code 3-11-8, and to the extent possible, make any

additional improvements identified in the May 2004 HAVA polling place survey that are not specifically required by state or federal law.

SECTION 2. DeKalb County will submit a report to the Indiana Election Division no later than December 31, 2004, or no later than December 31, 2005 for reimbursement approved after 2003. The report under this SECTION must list the polling place accessibility problems identified in the May 2004 survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how DeKalb County will resolve the problem no later than March 31, 2006. DeKalb County agrees to submit any additional reports required by the Indiana Election Division until DeKalb County reports that the polling place accessibility requirements identified in the May 2004 survey have been resolved. The report must be certified as accurate by majority vote of DeKalb County election board, following review and opportunity for written comments to be added to the report by the local advisory council described in SECTION 5 of this Resolution.

SECTION 3. DeKalb County acknowledges that the Secretary of State and Co-Directors of the Indiana Election Division may extend the October 1, 2004 deadline until March 31, 2006, for a specific polling place, if it is impossible or impractical for DeKalb County to ensure the polling place's compliance by October 1, 2004.

SECTION 4. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.

SECTION 5. No later than December 31, 2003, the DeKalb County Commissioners will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to DeKalb County in choosing polling places. The council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The DeKalb County Commissioners shall appoint the members and shall encourage county residents with a variety of backgrounds, partisan affiliations, and perspectives to participate. If county residents are not available to serve on the council, the DeKalb County Commissioners may partner with the Governor's Planning Council on Disabilities to carry out the functions of the council.

SECTION 6. The DeKalb County Council pledges that Section 102 HAVA monies received by DeKalb County will be used to pay any outstanding obligations incurred by DeKalb County for the voting system purchase subject to the reimbursement.

SECTION 7. The DeKalb County Council pledges that if the obligations incurred by DeKalb County to obtain this voting system have been paid in full or in part as of this date that the remaining Section 102 reimbursement funds will be used to improve the administration of elections for federal office in DeKalb County.

SECTION 8. No later than thirty (30) days after adoption of this Resolution, DeKalb County will establish a separate non-reverting account in which all Section 102 reimbursement funds will be deposited.

SECTION 9. DeKalb County agrees to refund to the State of Indiana no later than May 1, 2006 an amount equal to the Section 102 reimbursement funds received by DeKalb County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division reasonably determine on March 1, 2006 that DeKalb County has not (1) replaced the lever voting machines (or punch card voting systems) in each precinct of DeKalb County no later than December 31, 2005; or (2) honored one or more of the certifications made by DeKalb County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

BE IT FURTHER RESOLVED that this DeKalb County Resolution Number 2003-R23 be adopted on this 6th day of October, 2003, and be permanently spread of record in the DeKalb

County Code as Section 4-4-2-1 pursuant to the Help America Vote Act of 2002 and the Indiana Election Commission of the Indiana Secretary of State's Office in Indianapolis, Indiana.

DEKALB COUNTY COUNCIL:

By: Robert Wilder
Robert Wilder, President
By: David Yarde
David Yarde, Vice-President
By: Janet Ordway
Janet Ordway
By: Donald E. VanWye
Donald E. VanWye
By: Larry Moughler
Larry Moughler
By: Benjamin C. Smaltz
Benjamin C. Smaltz
By: Keith A. Crow
Keith A. Crow

DEKALB COUNTY COMMISSIONERS:

BY: _____
Don Kaufman, President
BY: _____
Connie Miles, Vice President
BY: _____
William C. Ort, Member

Attested By:

Sharon G. Hayes

Sharon Hayes, Auditor of DeKalb County, Indiana
DeKalb County, Indiana

MATTER OF ADDITIONAL APPROPRIATION – AVIATION /CAPITAL PROJECTS

Brad Stump explained the request for aviation monies to be appropriated for purchasing fuel. A motion by Keith Crow to appropriate \$1.00 to establish an aviation petroleum account for the aviation fund, and to transfer \$325 from janitorial to the new line item, as well as approve an additional appropriation of \$393,434 within the Aviation Capitol Outlay Fund for the purchase of land, was seconded by David Yarde and carried.

MATTER OF GIS

Brad Stump explained the request for \$11,000 for computer equipment to upgrade the main controller and \$18,500 for technical support for the GIS department. Brad would also like to transfer \$12,000 from software to equipment and \$100 from manuals to technical support. A motion by Ben Smaltz to approve the appropriations and transfers for GIS was seconded by Larry Moughler and carried.

MATTER OF ADDITIONAL APPROPRIATIONS

A motion by Don VanWye to approve the commissioners' request for \$70,000 for liability insurance was seconded by Janet Ordway and carried.

A motion by David Yarde to approve the request for \$3,000 within the Pretrial Diversion fund was seconded by Don VanWye and carried.

A motion by Keith Crow to transfer \$1,600 from Depositions to Legal References for the prosecutor was seconded by Larry Moughler and carried.

MATTER OF BUDGET- MOTION TO RESCIND

Following scheduled discussion of the budget matter of the possibility of reducing the Cumulative Bridge fund a motion by David Yard to rescind the motion from the budget hearings to reduce the bridge levy by \$200,000 was seconded by Janet Ordway and carried. It was decided that should the need arise for help for the general fund during the 2004 budget year, monies would be borrowed from the Cumulative Bridge fund to be repaid with taxes as collected.

MATTER OF ADDITIONAL APPROPRIATION – E911

A motion by Janet Ordway to approve the request for \$68,675 for E911 mapping was seconded by Ben Smaltz. Monies for the mapping project will be reimbursed by the state when paid invoices are submitted for the December reimbursement date.

MATTER OF SPECIAL MEETING-RESCIND INVENTORY TAX

President Wilder reminded the council members that time was growing short for making a decision to rescind the inventory tax and determine a percentage for a replacement credit with CEDIT funds. A motion by Ben Smaltz to call a special public hearing regarding the issue for the inventory tax and CEDIT credit for Monday November 17 at 8:30 AM was seconded by Janet Ordway and carried unanimously.

MATTER OF ADJOURNMENT

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