

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 21, 2015**

The Howard County Board of Commissioners met in Regular Session on Monday, December 21, 2015 at 4:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Paul Wyman, Vice President Tyler Moore, and Member Brad Bray. Also in attendance were County Attorney Larry Murrell, Assistant County Attorney Alan D. Wilson, and Auditor Martha Lake.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Paul Wyman. Commissioner Brad Bray led in the Pledge of Allegiance, and Vice President Tyler Moore offered a word of prayer.

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the December 7, 2015 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Moore, seconded by Mr. Bray and carried.

### **IN THE MATTER OF DEPARTMENTAL REPORTS:**

#### **CLERK'S OFFICE:**

Clerk Kim Wilson removed her item from the agenda.

#### **HIGHWAY DEPARTMENT:**

1) Highway Department Superintendent / Engineer Ted Cain submitted a Local Public Agency Agreement between the Indiana Department of Transportation and Howard County for the Project Coordination Contract, Des No. 1401816, the Carter Street Bridge Project. The project is in the amount of \$1,391,200.00 of federal money (80% of the project). A motion was made by Mr. Moore to approve the Local Public Agency Project Coordination Project, Des # 1401816, in the amount of \$1,391,200.00 for the Carter Street Bridge Project. The motion was seconded by Mr. Bray and carried.

2) Mr. Cain submitted the Report of Contract Final Inspection and Recommendation for Acceptance for the LaFountain Street Project, Bridge #B-35861. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Report of Contract Final Inspection for the LaFountain Street Bridge #B-35861 as submitted.

3) Mr. Cain submitted Supplemental Agreement No. 2, Des. No. 1400994 between Howard County and Butler, Fairman and Seufert, Inc. for Bridge #508 Park Street Bridge. This Supplemental Agreement increases the compensation for the preliminary engineering by \$15,000.00 to \$215,700.00. This amendment includes a soils management plan for the Continental Steel site. A motion was made by Mr. Moore to approve the Supplemental Agreement No. 2 between Howard County and Butler Fairman & Seufert as submitted, and authorize the President to sign the Sub-Consultant Acknowledgment on behalf of the Board of Commissioners, as an attachment to the Supplemental Agreement. The motion was seconded by Mr. Bray and carried.

4) For several years Mr. Cain has tried to obtain a Right-Of-Way Agreement for the improvement of Howard County Bridge No. 72 on County Road 200 East, south over the Martin-Youngman Ditch. He is now able to submit a Temporary Grant of Right-of-Way, in the amount of \$100.00, for a portion of Parcel 3 on County Road 200 East at 275 South; and a Permanent Right-of-Way, in the amount of \$500.00, for a portion of parcel 2 on County Road East at 275 South. A motion was made by Mr. Moore to approve the Permanent Right-of-Way and the Temporary Right-of-Way, located at 275 South County Road 200 East for the improvement of Bridge No. 72, as submitted. The motion was seconded by Mr. Bray and carried.

#### **MAINTENANCE DEPARTMENT:**

Buildings & Grounds Superintendent Bill Stonestreet submitted a request to pursue a Bathroom Remodel Project at the Criminal Justice Center. The bathrooms in the Administration section of the building, by the detective area and the squad room, are original to the building and are in need of remodel and repair. He would like to install new partitioning, sinks, hardware, and countertops. He has a quote from Cardwell Construction, in the amount of \$23,677.00 but would like to dedicate \$25,000.00 to the project. He is asking to use the Building Upgrades account line item in the Cumulative Capital Fund (1138-000-04724.05). A motion was made by Mr. Moore to approve the Criminal Justice Center Bathroom Remodel Project, in the amount of \$25,000.00, to be paid from the Cumulative Capital Fund, Building Upgrade (1138-000-04724.05).

### **IN THE MATTER OF THE 2016 HOLIDAY AND COMMISSIONER MEETING SCHEDULES:**

Auditor Martha Lake submitted the 2016 Holiday Schedule and the 2016 Commissioner Meeting Schedule for the Commissioners' review at the November 17<sup>th</sup> meeting, and they were taken under advisement for further review (*please refer to page three, item four, "In The Matter of Claims and Reports", of the Regular Meeting minutes dated November 17, 2015*). A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the 2016 Commissioner Meeting Schedule (note that all meetings are scheduled at 4:00 p.m., except the December 28<sup>th</sup> meeting, at noon). The original 2016 Holiday Schedule listed fourteen (14) holidays, including the Primary Election Day in May and the General Election Day in November. A motion was made by Mr. Moore to approve an amended 2016 Holiday Schedule that deletes the Primary Election Day (May 3) and the General Election Day (November 8) from the original Holiday listing, reducing it to twelve (12) holidays. All County Offices will remain open on Election Days. The motion was seconded by Mr. Bray and carried.

### **IN THE MATTER OF HEALTH DEPARTMENT ISSUES:**

Health Department Director Kent Weaver submitted the following issues for the Board's information and approval:

1. **Vehicle Request:** Mr. Weaver began by thanking the Maintenance Department and the Commissioners for the new paint and carpet in the Health offices on the second floor of the Government Center. He then re-submitted the request to purchase a Ford Focus vehicle, in the amount of \$16,570.74 (*please refer to page two, item two, "In The Matter of Departmental Reports: Health Department", of the Regular Meeting minutes dated December 7, 2015*). Mr. Weaver had also mentioned the release of their current vehicle, to the EMA Department, and they are interested in adding it to their fleet. A motion was made by Mr. Moore to approve the purchase of the 2016 Ford Focus Sedan, in the amount of \$16,570.74, from Brad Howell Ford. The vehicle is to be paid from the Cumulative Capital Fund (1138-000-04723.23) and the current vehicle is to be transferred to the Emergency Management Agency Department. The motion was seconded by Mr. Bray and carried.
2. **Mosquito Control Ordinance:** Mr. Weaver recently submitted Ordinance No. 2015-BCCO-34, the Mosquito Control Ordinance, in order to safeguard the public health and reasonably control mosquito populations, at the October 5<sup>th</sup> meeting (*please refer to page one, "In The Matter of Departmental Reports: Health Department" of the Regular Meeting minutes dated October 5, 2015*). Assistant County Attorney Alan D. Wilson has reviewed the Ordinance, as it concerns the wording "...be punished for a misdemeanor." The Board of Commissioners do not have the level of authority to determine what actions constitute a misdemeanor, so Mr. Weaver followed Mr. Wilson's recommendation to delete that portion from the Ordinance. A motion was made by Mr. Moore to approve Ordinance No. 2015-BCCO-34, Mosquito Control Ordinance, as amended. The motion was seconded by Mr. Bray and carried.
3. **Modify Fee Collection Ordinance:** Ordinance No. 2015-BCCO-46 amends Fee Ordinance No. 2013-BCCO-23. Mr. Weaver would like to modify the current Ordinance in order to remove the word "**Search**" from the Genealogy Search fee listed under Schedule A, Section III-A (on page four). All fees associated with this ordinance remain the same. A motion was made by Mr. Moore to approve the amended Fee Ordinance No. 2015-BCCO-46 as submitted. The motion was seconded by Mr. Bray and carried.
4. **Mutual Aid Agreement District 6:** Mr. Weaver had submitted this Agreement at the December 7<sup>th</sup> meeting and it was taken under advisement for further review (*please refer to page two, item one, "In The Matter of Departmental Reports: Health Department", of the Regular Meeting minutes dated December 7, 2015*). Attorney Murrell would like this item included on the December 30<sup>th</sup> Agenda.

### **IN THE MATTER OF THE H J UмбаUGH & ASSOCIATES INVOICE:**

Auditor Martha Lake submitted the invoice from H. J. Umbaugh & Associates at the December 7<sup>th</sup> meeting because there was a question concerning the invoice amount and what was originally approved in 2014 (*please refer to page four, item six, "In The Matter of Claims and Reports", of the Regular Meeting minutes dated December 7, 2015*). The amount of the invoice is \$9,685.00. That amount is \$2,185.00 more than the approved contracted amount submitted at the August 18, 2014 meeting. Ms. Lake commented that the increased amount covered the cost of a new TIF district added in 2015 and that the work needed to be done, but prior approval was not obtained from the Auditor's Office (client) before submitting the increased invoice amount. She recommended that the extra \$2,185.00 be paid from the Auditor Ineligible Deductions Fund (1216). She also recommended that the contract be reviewed before extending it into 2016. A motion was made by Mr. Moore to

approve Auditor Martha Lake's recommendation to pay the \$7,500.00 contracted amount of the invoice from H. J. Umbaugh from Contract Services, and to pay the remaining \$2,185.00 from the Auditor Ineligible Deductions Fund (1216), and to review the Umbaugh Agreement in 2016. The motion was seconded by Mr. Bray and carried.

**IN THE MATTER OF CLAIMS AND REPORTS:**

Auditor Martha Lake submitted the following claims and reports for the Commissioners' information and approval:

1. **Salary Claims:** The Commissioners' Salary, Hourly, and Overtime claims, payable December 23 and 31, 2015, in the amount of \$406,427.02 each were submitted, and approved on a motion made by Mr. Bray, seconded by Mr. Moore and carried.
2. **Operating Claims:** The Commissioners' Operating Claims payable today, in the amount of \$875,188.72, was submitted, and approved for payment on a motion made by Mr. Bray, seconded by Mr. Moore and carried.
3. **Monthly Reports:** Auditor Lake submitted the following reports; Treasurer's Monthly Report for the month ending November 30, 2015; Weights & Measures Report for the month of November 16 – December 15, 2015; EMA November and December Calendars and December Activity Listing. A motion was made by Mr. Bray to accept all reports as submitted. The motion was seconded by Mr. Moore and carried.

**IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

County Attorney Larry Murrell submitted the following issues for the Commissioners' information and approval:

1. **Ordinance No. 2015-BCCO-47:** This Ordinance is a proposed Order establishing Precincts as a result of Annexation Ordinance No. 6692 adopted by the City of Kokomo. The order revises and establishes new Precinct boundaries by moving its existing County precinct "Harrison C" into the existing City "Precinct 6 Harrison 2". A motion was made by Mr. Moore to approve Ordinance No. 2015-BCCO-47 as submitted. The motion was seconded by Mr. Bray and carried.
2. **Contract Service Agreement:** Mr. Murrell submitted a Contract Services Agreement between the Howard County Board of Commissioners, on behalf of the Howard County Attorney, and Lynn Waddell. This contract is for services as legal secretary for County Attorney Larry Murrell, in the amount of \$8,000.00 annually, to be paid on the first claims payment date of the following month after the services are rendered. This term ends December 31, 2016. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Contract Services Agreement with Lynn Waddell as submitted, and authorize President Wyman to sign on behalf of the Board of Commissioners.
3. **Ordinance No. 2015-BCCO-48:** Mr. Murrell submitted Ordinance No. 2015-BCCO-48, an ordinance appointing the Howard County Drainage Board effective January 1, 2016 as follows:

A.	Paul G. Wyman:	3-year Term
B.	Tyler O. Moore:	1-year Term
C.	Robert B. Bray:	1-year Term
D.	Michael Ullery:	2-year Term
E.	Stephen B. Byrum	3-year Term

A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve Ordinance No. 2015-HCCO-48 as submitted.

4. **2016 Insurance Proposal:** On behalf of Regions Insurance Agent Phil Thatcher, Mr. Murrell submitted the 2016 Insurance Proposal for Howard County Board of Commissioners, Howard County Redevelopment Commission, Howard County Stormwater District, and Howard County Drainage Board. The Commissioners had previously received and reviewed a copy of the proposal and are ready to act. A motion was made by Mr. Moore to approve the 2016 Insurance Proposal, effective 12-31-2015 to December 31, 2016, as submitted. The motion was seconded by Mr. Bray and carried.

5. **Ordinance No. 2015-BCCO-49:** Mr. Murrell submitted Ordinance No. 2015-BCCO-49, a joint ordinance with the Howard County Council eliminating certain salary appropriations. In an effort to reduce expenses in the face of projected declines in revenue, it is proposed that upon the termination of any full-time County employee, the vacated position not be filled, the salary appropriation be eliminated, and the balance be reverted to County General. President Wyman introduced the committee members who have been active in the drafting of this proposed Ordinance as the county deals with loss of revenue due to property tax caps, annexation of properties from Howard County to the City of Kokomo, and changes in the economy. This plan is the way to eliminate the number of county employees through attrition. This ordinance will not apply to the following positions:

- A. Howard County Sheriff’s Department Merit Deputies
- B. Howard County Sheriff’s Department Corrections Officers
- C. Kinsey Youth Center Youth Managers and Shift Supervisors
- D. Howard County Community Corrections Case Managers and Field Officers
- E. Elected Officials

Discussion ensued and Mr. Wyman fielded questions from two Elected Officials and one employee. At its conclusion a motion was made by Mr. Moore to approve Ordinance No. 2015-BCCO-49 as submitted. The motion was seconded by Mr. Bray and carried.

6. **Maximum Days Off for Full-Time Employees:** A listing of amended Maximum Days off per Calendar Year for Full-Time Employees was submitted as follows:

Personal Days.....	3
Sick Days.....	6
(6 per year, can bank 30 days maximum)	
Holidays.....	12
Vacation Days:	
Less than six (6) months	0
6 mo. and 1 day – 1 year	5 days
1 yr. and 1 day – 5 years	10 days
5 yrs. and 1 day – 10 years	15 days
10 yrs. and 1 day and over	20 days
Days capped at 20 per year	

A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the amended Maximum Days Off for Full-Time Employees as submitted. Personnel Director Debbie Lorenz will make the needed changes in the Personnel Policy Handbook and submit for final approval.

7. **Commissioner Appointment:** Projects Manager Pam Isaac submitted Commissioner Appointments and they were acted upon as follows:

Appoint Matt Grecu to the Howard County Alcoholic Beverage Commission for a 1-year term expiring December 31, 2016.

Appoint Clee Oliver to the Kokomo / Howard County Public Library for a 4-year term expiring December 31, 2019.

Appoint Cathy Stover to the Kokomo / Howard County Public Library for a 4-year term expiring December 31, 2019, replacing Joel Fenske.

Appoint Michael Ullery to the Howard County Drainage Board for a 2-year term expiring December 31, 2017.

Appoint Stephen B. Byrum to the Howard County Drainage Board for a 3-year term expiring December 31, 2018.

Appoint Greg Aaron to the Convention, Visitors, and Tourism for a 1-year term expiring December 31, 2016.

Appoint Marie Radel to the Convention, Visitor, and Tourism for a 1-year term expiring December 31, 2016.

Appoint Marlo Stevens to the Convention, Visitors, and Tourism for a 1-year term expiring December 31, 2016.

A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Commissioner Appointments as submitted.

**IN THE MATTER OF COMMISSIONER ISSUES:**

**COMMISSIONER MOORE:**

Mr. Moore submitted a request from the Extension Office for an additional \$5,000.00 grant to help cover the cost of a new after-school program through the Howard County 4-H organization. A motion was made by Mr. Moore to approve the additional \$5,000.00 grant to the Purdue Extension Office. The motion was seconded by Mr. Bray and carried.

**COMMISSIONER WYMAN:**

Mr. Wyman submitted a request from the Greater Kokomo Economic Development Alliance to use the County Courthouse roof to launch a New Year's Eve fireworks display on Thursday, December 31, 2015. A Certificate of Proof of Insurance was submitted. The request was approved on a motion made by Mr. Moore, seconded by Mr. Bray and carried.

**IN THE MATTER OF PUBLIC COMMENT:**

Mr. Wyman opened the floor for public comment as follows:

**Sandy Grant, League of Women Voters:** Ms. Grant understood that the Vote Centers were on the agenda for today's meeting.

Mr. Wyman explained that the Clerk's Office and the Election Board were not ready to make a presentation today. The issue will probably be included on the January or February Agenda.

*There being no further business to come before the Board at this time, the meeting was adjourned at 5:17 p.m. on a motion made by Mr. Moore and seconded by Mr. Bray.*

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
PAUL G. WYMAN, PRESIDENT

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TYLER O. MOORE, VICE PRESIDENT

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ROBERT B. BRAY, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Howard County Commissioner Meeting December 21, 2015