

## **HOWARD COUNTY BOARD OF COMMISSIONERS' MEETING JULY 5, 2016**

The Howard County Board of Commissioners met in Regular Session on Tuesday, July 5, 2016, 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 Wilson, and Auditor Martha Lake.

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

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

The minutes of the June 20, 2016, Regular Meeting Minutes, 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 SPECIAL RECOGNITION:**

President Wyman asked Security Officer Curtis Allen to come to the podium, and introduced him as the recipient of the Employee of the Month Award. This was a well-deserved "surprise" to Officer Allen, his name having been submitted by Deputy Bart Taber. Officer Allen not only does his own job efficiently, but is also willing to take on new responsibilities. He received a certificate, glass award from the Kokomo Opalescent Glass Shop, and a Martino's Gift Certificate for him and his family, given by Second Shift Sewer & Plumbing. Officer Allen received applause from the Board of Commissioners and those present.

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

#### **PLAN COMMISSION:**

- 1) Plan Commission Director Greg Sheline submitted Case 6-CP-16, a one (1) lot subdivision located at 4802 East County Road 52 North, owned by Ralph Kring. This request has been approved by the Plan Commission Board and there was no remonstrance to this request. A motion was amended by Mr. Moore to approve Case 6-CP-16, a one (1) lot subdivision located at 4802 East County Road 52 North. The motion was seconded by Mr. Bray and carried.
- 2) Mr. Sheline submitted Ordinance No. 2016-BCCO-22, a rezoning request that 2.3 acres of property located at 4802 East CR 250 North be re-zoned from AG (Agricultural) to RR (Rural Residential). This re-zone is being requested by Kent & Sally Kring. There was no remonstrance to this request. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve Ordinance No. 2016-BCCO-22 as submitted.
- 3) Ordinance No. 2016-BCCO-23 was submitted, a request to rezone property located at 5606 North CR 00 EW, owned by Malik Zia for MZ Gas & Food Inc., from C2 (Medium to Large Scale General Commercial) to RR (Rural Residential). This property also contains a residence (.61 acres) and if the owner sells the Convenience store located on the property, they may choose to retain the residence (both buildings have been renovated). There is no remonstrance to this request. A motion was made by Mr. Moore to approve Ordinance No. 2016-BCCO-23, rezoning .61 acres from C2 (Medium to Large Scale General Commercial) to RR (Rural Residential). The motion was seconded by Mr. Bray and carried.
- 4) Mr. Sheline submitted Ordinance No. 2016-BCCO-24, an ordinance rezoning property located at 4337 N County Road 500 West, from AG (Agricultural) to IA (Intense Agricultural). No remonstrance to this request has been received. A motion was made Mr. Moore, seconded by Mr. Bray and carried, to approve Ordinance No. 2016-BCCO-24 as submitted.

#### **AUDITOR OFFICE:**

Auditor Martha Lake submitted a request to purchase a new copier for the Finance Office from the Commissioners' Equipment line item in the Cumulative Capital Fund. The current machine has been crippled and needs to be replaced. She submitted 2 quotes as follows:

Beckley Office Equipment	Canon IR C5235 Digital Color Copier / Scanner	\$5,650.00
Shearer Printing & Office Solutions	Bizhub C308 30 PPM Digital Multifunction / Scan	\$7,820.00

Beckley's will also take the old machine; Shearer will not. Ms. Lake recommends the purchase of the Canon IR C5235 from Beckley Office Equipment. A motion was made by Mr. Moore to approve the purchase of the Canon IR C5235, in the amount of \$5,650.00. The motion was seconded by Mr. Bray and carried.

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

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

1. **Salary Claims:** The Commissioners' Salary, Hourly, and Overtime Claims, payable July 8 & 15, 2016, in the amount of \$373,574.34, 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 \$1,593,654.47 were submitted, and approved on a motion made by Mr. Bray, seconded by Mr. Moore and carried.
3. **Monthly Reports:** Ms. Lake submitted the Clerk's Monthly report for the month ending May 31, 2016; and the Recorder's Monthly Report of Collections for the month ending June 30, 2016. Both reports were accepted on a motion made by Mr. Bray, seconded by Mr. Moore and carried.
4. **Ratify President's Signature on Letter of Intent:** Mr. Wyman signed a Letter of Intent to Support Indiana Geographic Information Council's 2017 BAA Proposal. The Federal Government has invited Howard County to apply to participate in the 2017 IndianaMap 3DEP QL2 Lidar Acquisition Project, a special kind of mapping project. Normally the cost is \$74,000.00, but because this project is being done all at once, Howard County would be charged \$23,510.95. The Auditor's Plat Book Fund will pay \$10,510.94; the County Assessor would pay from her fund, \$10,000.00; the City of Kokomo has confirmed they will also partner in the project by giving a contribution of \$3,000.00. A motion was made by Mr. Bray, seconded by Moore, and carried to ratify the signature of Mr. Paul Wyman on the IGIC County Funding Partner Letter of Intent.

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

Attorney Larry Murrell submitted the following issues for the Board's information and approval:

1. **Chase Paymentech** – Mr. Murrell submitted an agreement between Howard County (Clerk Office) and Chase Paymentech, for the set-up of e-filing Court Documents and paying for them electronically, as mandated by the State of Indiana. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Contract with Chase Paymentech for electronic payments for the e-filing of Court Documents, and authorize President Wyman to sign the document, on behalf of the Board of Commissioners, authorizing Clerk Kim Wilson to sign the agreement.
2. **Westlaw Research Package:** On behalf of Prosecutor Mark McCann Mr. Murrell submitted an agreement with West Publishing Corporation for their subscription for Westlaw PRO (on line Practice Solutions) for 15 users, \$371.00 per month. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Westlaw PRO Software subscription package with West Publishing Corporation (Thomson Reuters) and authorize President Wyman to sign on behalf of the Board of Commissioners.
3. **Lieberman Technologies:** On behalf of the Sheriff's Department, Mr. Murrell submitted an agreement with Lieberman Technologies for Tax Warrant Collection Services. A motion was made by Mr. Moore to approve the Lieberman Technologies Contract, and authorize President Wyman to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Bray and carried.
4. **Resolution No. 2016-BCCR-19:** Resolution No. 2016-BCCR-19 adopts additional third-party contract provisions required for the North Central Indiana Regional Planning Council Grant. A motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-19, the adoption of additional third-party contract provisions required for the NCIRPC Grant. The motion was seconded by Mr. Bray and carried.

## **IN THE MATTER OF COMMISSIONER ISSUES:**

### **COMMISSIONER BRAY:**

Commissioner Bray commended the Haynes Apperson Festival, this year, and was honored to be a part of the re-naming of the bypass.

### **COMMISSIONER MOORE:**

1) Mr. Moore expressed appreciation to the Howard County Sheriff Department, Kokomo City Police, and especially the EMA Department for their presence during the Haynes Apperson Festival, parade, and fireworks.

2) Mr. Moore presided as the Hearing Officer for two (2) Township Appeal Hearings as follows:

Kaleb M. Brown, Center Twp. – Mr. Moore listened to testimony given by both Mr. Brown and by Center Township Trustee's Office employee Connie Longshore. Mr. Brown's case was not in compliance with the laws governing township assistance so Mr. Moore made a motion to uphold the denial of the Township Trustee. The motion was seconded by Mr. Bray and carried.

Sash R. Prater, Center Township – Mr. Moore listened to testimony given by Ms. Prater, and by Connie Longshore, Center Township Trustee Office. Ms. Prater's current request was found to be non-compliant. Mr. Moore made a recommendation and motion to uphold the denial of the Township Trustee. The motion was seconded by Mr. Bray and carried.

3) Mr. Moore expressed appreciation to Veterans Service Officer Ross Waltemath and the Veterans groups for sponsoring the Traveling Tribute Wall. It will be back in five (5) years.

### **COMMISSIONER WYMAN:**

1) Mr. Wyman submitted a request from Very Early Childhood Education to use the concrete pad on the west side of the County Courthouse during the First Friday event. The request was approved on a motion made by Mr. Moore, seconded by Mr. Bray and carried.

2) Mr. Wyman submitted a Federal Funding Accountability and Transparency Act Certification, certifying that 80% of Howard County's Annual Gross Revenues did NOT come from US Federal Contracts and that we did not receive \$25 million dollars or more in annual gross revenues from the Federal Government. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Federal Funding Accountability and Transparency Act Certification, and authorize the President to sign the document on behalf of the Board of Commissioners.

3) Dr. John Ladd, a member of the Howard County Board of Health, is resigning his position before his term expires. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to appoint Ms. Angela Heckman RN to complete the term vacated by Dr. John Ladd.

## **IN THE MATTER OF PUBLIC COMMENT:**

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

**Jeff Condo, 4109 Honey Creek Blvd., Russiaville, Indiana:** Mr. Condo submitted the question, who governs Russiaville and Greentown? The Board of Commissioners and Attorney Larry Murrell also fielded several questions asked concerning the former New London Sewer Conservancy, now owned by the Town of Russiaville; the application for a grant to repair the plant and extend sewer line to make available to New London residents. President Wyman also spoke to the level of involvement of the Board of Commissioners in being the lead applicant for a grant for this proposed project.

*At this time the Regular Meeting was recessed to hold a previously scheduled Public Hearing on a motion made by Mr. Moore, seconded by Mr. Bray and carried.*

Plan Commission Director Greg Sheline explained that this Public Hearing is concerning the Unsafe Property owned by Shirley Crites and located at 2367 South CR 456 West, in West Middleton. It is the final hearing to authorize demolition of the property, continued from the Public Hearing at the June 6<sup>th</sup> Commissioner meeting. Let the record show that the owner nor any representative of the owner is not present, and no comment is submitted. A motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-20, a resolution of the Howard County Board of Commissioners granting final approval to the enforcement authority to demolish structures on property owned by Shirley J. Crites located at 2367 S County Road 456, West Middleton, Indiana, 46995. The motion was seconded by Mr. Bray and carried. Mr. Sheline will proceed with preparing and distributing an Invitation to Quote for demolition of the said property.

***On a motion made by Mr. Moore, seconded by Mr. Bray, and carried,  
the Public Hearing was closed and the Regular  
Meeting was reconvened.***

At this time Auditor Martha Lake expressed appreciation to Mr. Wyman for all the work he did for the Haynes Apperson Festival. Mr. Wyman thanked Ms. Lake, and in turn, thanked all the festival workers for a successful festival.

***There being no further business to come before the Board of Commissioners at this time,  
the meeting was adjourned at 4:46 p.m. on a motion made by  
Mr. Moore, seconded by Mr. Bray and carried.***

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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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 July 5, 2016