

## **HOWARD COUNTY BOARD OF COMMISSIONERS' MEETING JULY 18, 2016**

The Howard County Board of Commissioners met in Regular Session on Monday, July 18, 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 the Pledge of Allegiance and Vice President Moore offered a word of prayer.

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

The minutes of the July 5, 2016 Regular Meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Mr. Moore, seconded by Mr. Bray and carried.

The minutes of the Joint Executive Session between the Howard County Board of Commissioners and the Howard County Council, held on Wednesday, July 13, 2016, were submitted. Those in attendance included County Commissioners Paul Wyman and Tyler Moore; County Council members John Roberts, Dick Miller, and Jim Papacek; Auditor Martha Lake; County Attorney Larry Murrell; Sheriff Steve Rogers; Community Corrections Director Ray Tetrault and Community Corrections Board Chairman Brad Bagwell. The purpose of the meeting was to discuss strategy with respect to the possible purchase or lease of real estate as authorized by IC 5-14-1.5-6.1(b)(2)(D). A motion was made by Mr. Moore, seconded by Mr. Bray, and carried to approve the minutes of the July 13<sup>th</sup> Joint Executive Session, as submitted.

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

#### **VETERANS SERVICE OFFICE:**

On behalf of Veterans Service Officer Ross Waltemath, Mr. Moore read the e-mail request for the purchase of a new network copier, fax, and scanner machine. The request contained the following quotes received:

Beckley Office Equipment	Canon IR C5235 Digital Color Copier	\$5,550.00
Shearer Printing & Office Solutions	Bizhub C368 Multifunction Color Copier	\$8,018.00

Mr. Waltemath recommended the purchase of the Canon IR C5235 Color Copier, in the amount of \$5,550.00. He also requests the purchase be paid from the Cumulative Capital Fund, Commissioners Equipment line item. A motion was made by Mr. Moore to approve the purchase of the Cannon IR C5235 Digital Color Copier, from Beckley Office Equipment, in the amount of \$5,550.00, to be paid from the Cumulative Capital Fund, Commissioners' Equipment line item. The motion was seconded by Mr. Bray and carried.

#### **SUPERIOR COURT I:**

Superior Court Judge William Menges submitted a purchase request for a new Mesh Back Multi-Function Task Chair for his court reporter. He would like to purchase the chair from Shearer Printing & Office Solutions, in the amount of \$305.00, and requests it be paid from the Commissioners' Equipment line item in the Cumulative Capital Fund. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the purchase of the Mesh Back Multi-Function Task chair for the court reporter in Superior Court 1, to be paid from the Commissioners' Equipment line item in the Cumulative Capital Fund.

#### **MAINTENANCE DEPARTMENT:**

Assistant Building Superintendent Brad Shepherd submitted an agreement with TRUGREEN Commercial for fertilization and weed control services for the County Courthouse grounds, in the amount of \$480.00. County Attorney Larry Murrell has reviewed the contract and asked for several amendments, which have been approved by TRUGREEN. The Agreement calls for 3 treatments in 2016 and 6 treatments in 2017. The department has been treating the lawn, in house, but are not as successful as they would like to be. With as much usage as the courthouse lawn gets, they feel this is a better use of their budgeted funds. A motion was made by Mr. Moore to approve the agreement with TRUGREEN Commercial, in the amount of \$480.00, and authorize the President to sign on behalf of the Board of Commissioners. 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 July 22 and 29, 2016, in the amount of \$374,209.13 each, were 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 \$465,306.51, were submitted, and approved on a motion made by Mr. Bray, seconded by Mr. Moore and carried.
3. **Monthly Reports:** Ms. Lake submitted the Clerks Monthly Report for the month ending June 30, 2016; the Treasurer's Monthly Report for the month ending June 30, 2016; and the Weights and Measures Report for the month of June 16 – July 15, 2016. The reports were accepted as submitted on a motion made by Mr. Bray, 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. 2016-BCCO-27:** Mr. Murrell submitted Ordinance No. 2016-BCCO-27, an ordinance adopting Internal Control Standards and Procedures developed by the Indiana State Board of Accounts, and adopting the Materiality Standard. It is a requirement of the State Legislature for all governmental employees, "...whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity must undergo training in the Uniform Standards". A motion was made by Mr. Moore to approve Ordinance No. 2016-BCCO-27 as submitted. The motion was seconded by Mr. Bray and carried.
2. **Resolution No. 2016-BCCR-21:** The Auditor's Office has decided to employ a new Software company, Low Associates, because their current software provider was not able to supply the programs needed for some advancements the financial office would like to make. Auditor Lake and Mr. Andrew Low of Low Associates spoke about this new venture and the capabilities the Low software can give. Mr. Low spoke of the abilities of his software and how many counties are using their software at this time. He also spoke about the support his company offers. Auditor Lake said that the current software provider, Harris, understands the reason for the change and is working with the Auditor's Office through this process of change. Harris will continue to provide service through 2016, and then on a monthly basis, as needed, in 2017. We will also continue to use Harris' Asset Program. The transition process (about three months) will begin in August and we will be using both systems through the process. Mr. Murrell commented that Treasurer Wes Reed, Auditor Martha Lake, and Personnel Director Deb Lorenz went through the specifications and compared them to other software companies. They found that Low and Associates was the only company able to meet the specifications for software packages for Treasure, Auditor, and Personnel. This allows the Commissioners to make a Determination specifying that requirements are met in able to forego the bidding process. Payment for the new software will be paid from the Ineligible Homestead Fund, in the amount of \$165,000.00. A motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-21, a determination of the Howard County Board of Commissioners to a make special purchase of Financial Software, Support and Maintenance, according to Indiana Code 5-22-10-7, "A purchasing agent may make a special purchase of data processing contracts or license agreements for: (1) software programs; or (2) supplies or services, when only one (1) source meets the using agency's reasonable requirements." The resolution also approves the agreement with Low Associates. The motion was seconded by Mr. Bray and carried. Mr. Murrell did point out that Howard County's address on page fourteen (14) of the agreement, needs to be corrected.
3. **Resolution No. 2016-BCCR-22:** This resolution is for the exchange of property with the City of Kokomo. The City of Kokomo requested the County assign certificates to nineteen (19) properties that did not sell at the fall 2015 Tax Sale, as part of their blight elimination project. The County is willing to assign the Certificates in return for the City waiving all sewer, weed, demolition and nuisance liens not discharged by the operation of Indiana Code 6-1.1-25-4(e), only for the nineteen (19) properties listed in Exhibit A

applied to paragraph 2(d). The assignments of the certificates to the City of Kokomo are for a cost of \$0.00, and upon issuance of a deed for Certificate, the Auditor will remove the taxes, special assessments, interest, penalties and costs remaining, from the tax duplicate, and the City of Kokomo will be responsible for the taxes and assessments that were not removed from the tax duplicate including the 2015 taxes pay 2016 and penalties accrued. Those properties will now be exempt from taxing. Ms. Lake expressed appreciation to Mr. Murrell for his work on this issue. A motion was made by Mr. Moore to approve Resolution No. 2016-BCCR-22 as submitted, with attention to paragraph 2(d). The motion was seconded by Mr. Bray and carried.

4. **Global Tel Link Amendment #1:** Global Tel Link is a subsidiary of A T & T and this Amendment #1 to the current agreement is a rate change to the Inmate phone calls. This change is approved by the FCC. The second part of the amendment approves the new video visitation capabilities. Video visitation, with multiple kiosk stations, will streamline the visitation process for the secure lock-up pod, decreasing the wait time, and expanding visitation hours. At some point, there will be the capability to visit remotely, off site, for a fee. All visitation can still be recorded. Mr. Murrell has reviewed the agreement. Discussion ensued as to the necessity of retaining the face-to-face (through the glass) form of visitation. At its conclusion a motion was made by Mr. Moore to approve Amendment #1 to the Global Tel Link Agreement for Inmate phone service and video visitation, and authorize President Wyman to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Bray and carried.
5. **Harris Termination Letter:** Mr. Murrell submitted a letter from Auditor Martha Lake, to Harris Computer Systems, requesting to convert the current annual contract to a month-to-month contract, effective January 1, 2017, for an approximate amount of \$3,200.00. This amount is 1/12 of the current annual maintenance charge. The letter also asks Harris to confirm that effective January 1, 2017, either party may terminate this contract by serving a 90-day written notice of termination upon the other party. Mr. Murrell and Ms. Lake commend Harris Computer Systems for their assistance and accommodation during this time. A motion was made by Mr. Moore to approve the letter to Harris Computer System, converting the current annual maintenance contract to a month-by-month maintenance agreement. The motion was seconded by Mr. Bray and carried.
6. **Verified Contingent Claim of Howard County:** On behalf of Coroner Jay Price, Mr. Murrell submitted a Verified Contingent Claim of Howard County, in the matter of the estate of Betty Wirick, Deceased. When responding to a death call at a decedent's home, there was a substantial amount of personal property left in the home. The Kokomo Police Department helped to secure the property and house and Mr. Murrell advised Coroner Price that the statue he normally abides by in cases of wallets or purses on a deceased body, was not adequate for this property, and it would be appropriate to open an estate. An Estate of Betty Wirick was opened by Assistant County Attorney Alan Wilson, and Attorney Brian Oaks was named executor. No relative has been located to date. The same statute that allows the Coroner to take possession of the property states that if an heir cannot be found, the property would be turned over to the Howard County Treasurer. Ultimately, the courts will decide what to do with the property if no relatives are found. Mr. Murrell believes it to be necessary to file this claim in the courts, to protect the County's interest, in the event an heir or relative cannot be found. A motion was made by Mr. Moore, seconded by Mr. Bray, and carried to approve the Verified Contingent claim of Howard County and authorize Attorney Murrell to file the claim in the Howard Circuit Court. A motion was also made by Mr. Moore to authorize President Wyman to sign the Claim on behalf of the Board of Commissioners. The motion was seconded by Mr. Bray and carried.
7. **Possible Asbestos:** Plan Commission Director Greg Sheline was advised that there is a possibility of asbestos in the unsafe building located at 2367 South County Road 465 West, West Middleton (Crites property). Mr. Murrell recommends that Mr. Sheline be authorized to send a letter to the five people that the Invitation to Bid was sent to, advising them of the possibility of asbestos and to temper their bids accordingly. A motion was made by Mr. Moore to authorize Mr. Sheline to send a letter to the five people that the Invitation to Bid paperwork was sent to, for the unsafe property located at 2367 South County Road 465 West, West Middleton, advising them of the possibility of asbestos, and to temper their bids accordingly. The motion was seconded by Mr. Bray and carried.

**IN THE MATTER OF COMMISSIONER ISSUES:**

**COMMISSIONER BRAY:**

Mr. Bray attended the Howard County Fair, almost every night, and commented, "...it was a hit again this year".

**COMMISSIONER MOORE:**

1) Mr. Moore was very impressed with the Howard County Sheriff Department booth, as well as their work during the fair. Special kudos to Officers Justin Markley and Jacob Gibson for their video presentation.

2) Mr. Moore signed the Rule 5-Notice of Intent for the Morgan Street Reconstruction, on behalf of the Board of Commissioners, and asks that his signature be ratified. Mr. Moore's signature was ratified on a motion made by Mr. Bray, seconded by Mr. Wyman (who vacated the chair), and carried.

3) In light of recent complaints of County property damage being done by skateboarders in the downtown Kokomo area, Sheriff Rogers and his Department plan to be more aggressive on their enforcement of the Skateboarding Ordinance. He would like consensus from the Board of Commissioners to authorize the Maintenance Department to begin by putting up proper signage in key areas to give notice that there is an ordinance in place, between now and August 1<sup>st</sup>. On August 1<sup>st</sup> the Sheriff's Department will begin writing citations. The Commissioners agreed, by consensus, to have the Maintenance Department to install proper signage in key locations, between now and August 1<sup>st</sup>.

*There being no further business to come before the Commissioners at this time,  
the meeting was adjourned at 5:04 p.m. on a motion made by  
Mr. Moore, seconded by Mr. Bray and carried.*

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

---

PAUL G. WYMAN, PRESIDENT

---

TYLER O. MOORE, VICE PRESIDENT

---

ROBERT B. BRAY, MEMBER

ATTEST:

---

MARTHA J. LAKE, AUDITOR  
Howard County Commissioner Meeting July 18, 2016