

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 20, 2003

The Howard County Board of Commissioners met in Regular Session on Monday, October 20, 2003, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Bradley J. Bagwell and Member Paul J. Raver. Also present were County Attorney Larry Murrell, Personnel Administrator Wanda McKillip and Auditor Martha Lake. Vice President John B. Harbaugh was unable to attend the meeting.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Bradley J. Bagwell.

As a matter of proper procedure, President Bradley J. Bagwell vacated the chair when necessary in order to carry out the business of the County in the absence of Vice President John B. Harbaugh.

The minutes from the last regular meeting held on October 6th, 2003 were considered. Mr. Raver made a motion to approve the minutes as submitted. Mr. Bagwell seconded the motion, and it carried.

IN THE MATTER OF HIGHWAY ISSUES:

Mr. Ted Cain, Howard County Highway Engineer/Superintendent presented the following issues for Commissioner information and approval:

1. **Maintenance Bond No. 08530454** was submitted from William Noland & Son Excavating, Inc. for the storm sewers for Weston Place Subdivision, Section I and II, in Center Township. Mr. Raver made a motion to accept the performance bond for storm sewers in Weston Place Subdivision, Section I and II, as presented. Mr. Bagwell seconded the motion and it carried.
2. **Materials and Supplies for Year 2004:** Mr. Cain requested approval to entertain bids for the General Maintenance and Local Road and Street Projects for next year. The bids will be opened commencing at **8:30 a.m. on Monday, November 17, 2003**. Mr. Raver made a motion to approve the Notice to Bidders and authorize advertisement of the Material and Supply Bids for the Howard County Highway Department for the 2004-year. Mr. Bagwell seconded the motion, and it carried.
3. **Bridge Inspection Supplemental Agreement No. 1:** The Indiana Department of Transportation recently approved a proposed supplemental agreement for Butler, Fairman and Seufert, Inc. to provide underwater Bridge Inspection Services. Two copies of the agreement were presented to the Commissioners for approval and signatures. The Federally mandated underwater inspections will add \$15,026 to the two-year bridge inspection services for a total cost of \$86,306; however, the federal government will pay 80% of the cost.

Mr. Raver made a motion to approve and execute the Supplemental Agreement No. 1 for Bridge Inspection Services between Howard County and Butler, Fairman and Seufert, Inc. Mr. Bagwell seconded the motion, which carried.

4. **Preliminary Engineering Supplement No. 1 - (Dixon Road Project):** Mr. Cain advised some work that was not on the original contract for the Dixon Road Project between Zartman Road and Alto Road needs to be completed. Since the construction costs were estimated several years ago, they have increased from \$640,000 to approximately \$2,200,000. A Supplemental Agreement for the survey and design work approved by the Indiana Department of Transportation was presented for Commissioner approval.

Mr. Raver made a motion to approve and execute the Preliminary Engineering Supplement No. 1 for survey and design changes for the Dixon Road Project, between Zartman Road and Alto Road, with Butler, Fairman and Seufert, Inc. Mr. Bagwell seconded the motion, which carried.

5. **Bridge Improvement Update:** It is possible that only one or two right-of-way parcels will need to be purchased for the improvement to Bridge No. 61 located on 200 South near State Road 19. Mr. Cain will mail out invitations for the construction inspection services today. The proposals are expected to be received in November, 2003. Though an outside contractor will do the bridgework, the County will be reimbursed for 80% of the costs. Mr. Cain was hopeful that the bridge would be completed next summer in 2004.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Commissioner information and approval:

1. **Jail Report for the Month of September:** The average daily inmate population was 292 compared to 279 in August. Inmates appearing in Video Court increased to 201 from 119 in August.
2. **Integrity Communications:** (See page 2, October 6, 2003 minutes, "In the Matter of Sheriff Department Issues", Item 4, for related discussion) Mr. Anthony Johnson, President of Integrity Communications LLC, gave a presentation describing the company, services, and rate proposal. Integrity is an authorized service center for the types of communications products that are used by Kokomo and Howard County. Integrity has offered to provide service without requiring a contract.

2. **Audio – Video Recording Equipment:** A vendor will be conducting a demonstration today on real time audio and video in the Book-In area and the Chemical Test Room. The recording equipment can record proceedings in these areas for a period of 30 days and download the audio/video onto a hard drive. Four (4) companies are going to submit proposals for this equipment. Once the information and prices are put together, the Sheriff would like to request an appropriation out of the Misdemeanor Grant Money for the installation of the equipment. Kokomo Police Chief Tom Dinardo has indicated that the city would be willing to assume some of the cost.
3. Recently SBC Communications submitted a **bill for voice mail services** in the amount of \$5,000. The County Auditor will research information regarding the bill and who is responsible to pay it.
4. **New Holding Cell Update:**
 - a. **Proposed Prisoner Bench:** Maintenance Superintendent Tom Harrison researched and found that a bench is available in two styles: 10-gauge steel bench or 11-gauge stainless steel bench. Captain Harold Vincent and Deputy Craig Trott recommended an 8-foot 10-gauge steel bench with no cuff rings. The bench, 12-inches wide by 18-inches high, will be anchored to the floor. Mr. Harrison will devise additional mounts to attach to the wall. Earlier during the design process, the Sheriff's Department proposed replacing the bunk style beds with benches at their cost; therefore the renovation plans did not include replacement of the beds. The Commissioners want to see how the bench will work before replacing the remaining four bed configurations. At the Sheriff's request, Mr. Harrison agreed to involve Mr. Art Fross in the installation of the new bench to learn how to mount the anchors to the block wall. This learning process would enable Mr. Fross to apply similar mounting procedures for future double bunking of Unit 6 at the Jail.

Mr. Raver made a motion to authorize Mr. Harrison to proceed with the order and installation of the 8-foot 10-gauge steel bench and additional anchors for the new holding cell in the Courthouse. Mr. Bagwell seconded the motion, and it carried.
 - b. Mr. Raver and Mr. Bassett received letters dated September 17th from Mr. Ed Heffelmier, Project Manager of Terstep Company Inc., specifying how they are going to take care of the remaining details in the new holding cell as outlined by Captain Harold Vincent. One of the changes is moving the exposed alarm above the ceiling grate.

IN THE MATTER OF PLAN COMMISSION ISSUES AND PROPERTIES FOR APPROVAL:

Plan Commission Director Glen Boise presented the following issues for Commissioner information and approval:

1. There were **no subdivision plats** to be presented at this time.
2. **Unsafe Buildings:** There was no new information presented.
3. **Flood Mitigation Issues:** Work continues on submitting an application to F.E.M.A. to buy-out homes located in the floodway. An additional home was added to the list of five (5) buildings located in the floodway that were substantially damaged by flooding and are not permitted to rebuild, bringing the total to six (6). The County's local match would cost about \$188,000. The County Auditor advised Mr. Boise that an ad hoc committee would need to be called to discuss the costs involved.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Director Wanda McKillip presented the following issues for Commissioner information and approval:

1. **AFLAC Voluntary Insurance Plans:** American Family Life Assurance Company (AFLAC) representatives will be available to meet with employees during **November 18th through 21st, 2003** to individually discuss voluntary insurance plans available through payroll deduction. Mr. Raver made a motion to approve the distribution of the AFLAC meeting schedule to Department Heads to post in employee break areas. Mr. Bagwell seconded the motion, which carried.
2. **Information Systems Reorganization Proposal:** *(See page 6, October 6th, 2003 minutes, "In the Matter of Information System Manager Issues", Item 5, for related discussion)* Due to the growth of the department and additional duties of the employees, the PAC recommended the proposed reorganization of the Information Systems Department effective November 1st, 2003. Mr. Raver made a motion to forward the PAC recommendation onto the Council with a favorable opinion. Seconded by Mr. Bagwell, the motion carried.
3. **PERF Voluntary Pre-tax Contributions:** Mrs. McKillip is currently working on the process of gathering further information on a new option offered by PERF regarding Voluntary Pre-tax Contributions. Employees having at least 5 years of creditable service are eligible to make their contribution before taxes are taken out. This process could mean significant returns for qualifying members, however, employees should be aware that once the process has begun, it continues as long as they are County employees and their employment is uninterrupted.
4. An ad hoc committee meeting is scheduled for **Thursday, October 23rd, 2003 at 9:00 a.m. in Room 220 D** of the Howard County Administration Center to discuss medical insurance issues.

IN THE MATTER OF INFORMATION SYSTEMS MANAGER ISSUES:

Mr. Terry Tribby, Information Systems Manager, presented the following issues for Commissioner information and approval:

1. Mr. Tribby stated his appreciation to the Commissioners for supporting the reorganization of the Information Systems Department.
2. **New Data Circuit Proposed for Criminal Justice Center:** The State proposes to install a new data circuit at the Jail so that the Criminal Justice Center can connect to State information. This should help the performance when officers retrieve information from the State system. Mr. Tribby and Mr. John Templin will attend a seminar in Indianapolis tomorrow on October 21st to make sure the new data circuit gets properly installed into the network at the Criminal Justice Center.
3. **Card Access System Update:** Best Access Systems will be contacting Maintenance Superintendent Tom Harrison to schedule training at no cost. Hopefully, the card access system will be implemented within the next two weeks. Mr. Raver stated he has prepared a news release to notify the public when the west doors will be permanently closed. The Commissioners recommended that a sign be placed on the west doors approximately one week before the closure.
4. **Election Day Website:** A local Webmaster is volunteering to help design a small program that will post immediate election information and updates on a website for the upcoming election on November 4th.
5. **Status of Recording System Problem:** *(See page 5, October 6th, 2003 minutes, “In The Matter of Information System Manager Issues”, Item 3, for related discussion)* Word Systems is working on resolving a few problems. Mr. Tribby will continue to monitor the progress and provide updated information to the Commissioners.

IN THE MATTER OF COURTHOUSE RENOVATIONS:

Mr. William Bassett of William Bassett and Associates presented the following issues for Commissioner information and approval:

1. **Application and Certificate for Payment (Application No. 17):** *(See page 5, July 21st, 2003 minutes, “In the Matter of Courthouse Renovations”, Item 4, for related discussion)* A percentage of the total amount of money paid to Terstep Company, Inc. was retained in an escrow account until the Renovation Project had been substantially completed to the Commissioners’ satisfaction. In addition, the renovation is protected by a one-year warranty on Terstep’s work. The date of substantial completion was in July 2003. Mr. Bassett recommended releasing the retention in the amount of \$165,082.35 plus interest. The cost for the escrow agent will be subtracted from the amount of the interest and the remaining interest will be forwarded to Terstep.

Mr. Raver made a motion to approve Application No. 17, releasing the retainage to Terstep Company, Inc. in the amount of \$165,082.35 plus interest, minus fees. Mr. Bagwell seconded the motion, and it carried.

2. The following bid change tabulations were presented for Commissioner approval:

<u>Item No.</u>	<u>Description</u>	<u>Amount</u>
37	Replace Ductwork in Superior Court II (Rejected)	\$ 3,494.00
39	Cooling Issue in Superior Court II	\$ 19,405.00

Proposal No. 39 supercedes Proposal No. 37 because it includes replacing the ductwork in Superior Court II. Discussion ensued about replacing the existing ceiling in Superior Court II with a suspended ceiling and installing new lighting in conjunction with the new ductwork. Mr. Bassett stated he would meet with Mr. Ed Heffelmier, Project Manager of Terstep Company Inc., to discuss consolidating the two projects.

Mr. Raver made a motion to approve Request for Proposal No. 39 in the amount of \$19,405.00 and to reject Proposal No. 37, which is included in the work for Proposal No. 39. Mr. Bagwell seconded the motion, which carried.

3. **Vertical registers on Third Floor:** Mr. Harrison explained the thermostats and sensors are mounted on the right side of each register. As the sun comes through the windows on the east and southeast side of the building it shines directly on them, which affects the operation of the registers. Mr. Bill Clingaman of Trane Heating and Central Air Conditioning suggested moving the sensors underneath the registers where the sun cannot shine on them. Trane has ordered and will install 19 sensors at no cost to the County.
4. **Need to Secure a Door:** Mr. Harrison reported that small door to the vestibule outside of the new elevator on the second floor does not have a lock on it. For security purposes, a locksmith has been contacted to install a lock on both sides of the door.

IN THE MATTER OF COUNTY RECORDER SOFTWARE UPGRADE:

(See page 3, September 2nd, 2003 minutes, “In the Matter of Recorder’s Software Problems Issue” for related discussion)

On behalf of Howard County Recorder Linda Koontz, Chief Deputy Recorder Lisa England presented a Request for Proposals for a software program in order to resolve some software issues.

County Attorney Larry Murrell suggested a change in the requirements in Section B on page 2: *Add a request for three references, provide background of the company, and information concerning financial responsibility.* With these changes the RFP follows the format in the statute, provides the specifications that need to be addressed and lists the criteria by which the Recorder’s Office will make a determination as to which proposal to accept. All responses must be in the form specified in the Request for Proposals and must be submitted to the Auditor on or before December 1, 2003 at 4:00 p.m. The Recorder would then be able to make a recommendation of a proposal at the December 15th, 2003 Commissioners’ meeting.

Mr. Raver made a motion to authorize the Howard County Recorder to send out Request for Proposals for a software program and the responses be submitted by 4:00 p.m. on December 1, 2003, and authorize the President to sign on behalf of the Board. The motion was seconded by Mr. Bagwell and carried.

IN THE MATTER OF JUVENILE PROBATION:

Chief Juvenile Probation Officer Don Travis presented the following issues for Commissioner information and approval:

- 1. **JAIBG Grant Contract:** *(See page 7, July 21st, 2003 minutes, “In the Matter of Juvenile Probation Issues”, Item 2, for related discussion)* The JAIBG Contract was presented for Commissioners signatures. The grant actually started on October 1st, 2003. Within this grant, Mr. Travis requested the purchase of a new sport utility vehicle. Requests for quotes were sent out and the following responses were received:

<u>Automobile Dealership</u>	<u>List Price</u>	<u>Discounts/Trade-In</u>	<u>Cost</u>
Kokomo Auto World	\$ 32,970.00	\$ 14,833.00	\$ 17,958.25
Button Motors	\$ 31,545.00	\$ 14,143.00	\$ 17,403.00
Eriks Chevrolet	\$ 34,170.00	\$ 15,610.00	\$ 18,560.00

Based on a recommendation from Mr. Travis, a motion was made by Mr. Raver to accept the most responsible and responsive quote for a 2003 sport utility vehicle from Button Motors at a final cost of \$17,403.00, and authorize the President to sign on behalf of the Board. Mr. Bagwell seconded the motion, which carried.

- 2. **Grant Application for Drug Court:** Last month the Indiana Supreme Court advised they received approximately \$50,000 for the next two bi-annum’s, a total of \$100,000 in grant money available for drug courts. Last week Juvenile Probation applied for a \$5,200.00 grant to be used for additional training for drug court administrators. The grant application did not require Commissioner signatures; however, Mr. Travis advised he would return to the Board if the grant application requires any further action.

IN THE MATTER OF PETITION TO VACATE ALLEY IN HOWARD TOWNSHIP:

Attorney David T. Baird, UAW Legal Services Plan, presented a petition to vacate a portion of an alley in the Original Plat of the Town of Cassville, Howard Township, on behalf of Lavern P. Ostrowski at 706 E. Cassville Road.

Mr. Raver made a motion to accept the Petition to Vacate and set the **public hearing at 9:30 a.m. on Monday, November 17th, 2003 in Hearing Room No.338 of the Howard County Administration Center.** Mr. Bagwell seconded the motion, and it carried.

IN THE MATTER OF SALVATION ARMY COORDINATED ASSISTANCE MINISTRIES (CAM) – Annual Grate American Sleep-Out:

November 10th through 16th, 2003 is Homeless Awareness Week. CAM Director Ruth Lawson requested the use of the County parking lot on the corner of Mulberry and Market Streets from 9:30 p.m. on Friday, November 14th, to 7:00 a.m. on Saturday, November 15th, 2003. Youth groups plan to raise awareness of the homeless by participating in an all-night camp-out. The Salvation Army has secured insurance coverage for the event in the amount of \$1,000,000. The certificate of insurance will be submitted to the County Auditor’s Office.

Mr. Raver made a motion to authorize CAM to use the County owned parking lot at the southeast corner of Mulberry and Market Street from 9:30 p.m. on Friday, November 14th, to 7:00 a.m. on Saturday, November 15th, 2003. Mr. Bagwell seconded the motion, which carried.

IN THE MATTER OF FLOOD ISSUES IN CEDAR CREST SUBDIVISION:

Ms. Carla McNolte, 1317 Belvedere Dr., said the flooding problems in Cedar Crest Subdivision have increased through the years. There was 3-feet of water inside her home resulting from the July 4th flooding. She reported that Belvedere Street flooded again on September 26th, 2003 making the street impassable. On September 8th, 2003, Ms. McNolte observed someone, perhaps a contractor, dumping cement and debris into the drain along Imperial Drive.

Ms. McNolte contacted the City regarding the flooding problems. She was told the flooding was caused by drainage problems from the ditches and was advised to contact the County. Mr. Bagwell said if a drain is not working properly, the County Surveyor's Office would be the first office to contact. Mr. Raver stated a portion of the drainage goes thorough a City storm drain and some of the drainage runs to the Cannon Goyer Regulated Drain. The regulated drain has been placed on a schedule to be cleaned out.

Mr. Bagwell suggested that Ms. McNolte should contact the Surveyors Office first to determine whether the county drain or city drain contributes to the flooding problems. If it is the county drain, the County would take the necessary steps to try to resolve the problems.

IN THE MATTER OF POOR RELIEF APPEALS FOR CENTER TOWNSHIP:

1. A Poor Relief Hearing was conducted on October 16, 2003 for Center Township on behalf of **Melissa Smith**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for rent assistance made by the Center Township Trustee on October 6, 2003. Mr. Raver made a motion to uphold the denial of the Center Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Poor Relief applicable to the case. Mr. Bagwell seconded the motion and it carried.
2. A Poor Relief Hearing was conducted on October 16, 2003 for Center Township on behalf of **Angela Smith**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for rent assistance made by the Center Township Trustee on September 25, 2003. Mr. Raver made a motion to uphold the denial of the Center Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Poor Relief applicable to the case. Mr. Bagwell seconded the motion and it carried.

IN THE MATTER OF POOR RELIEF APPEALS FOR HARRISON TOWNSHIP:

1. A Poor Relief Hearing was conducted on October 16, 2003 for Harrison Township on behalf of **Debra Wilson**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for rent assistance made by the Harrison Township Trustee on September 30, 2003. Mr. Raver made a motion to uphold the denial of the Harrison Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Poor Relief applicable to the case. Mr. Bagwell seconded the motion and it carried.
2. A Poor Relief Hearing was conducted on October 16, 2003 for Harrison Township on behalf of **Tracy Kellum**. Following the discussion, the Harrison Township Trustee advised that Mr. Kellum's scheduled appointment time may have been unclear and agreed to pay \$325.00 toward one month's rent. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to set aside the denial for assistance made by the Harrison Township Trustee on September 29, 2003. Based on this settlement agreement, Mr. Raver made a motion to set aside the denial of the Harrison Township Trustee. Mr. Bagwell seconded the motion and it carried.

IN THE MATTER OF CLAIMS AND REPORTS:

Howard County Auditor Martha Lake presented the following reports for Commissioner information and approval:

1. **Operating claims payable on October 20th, 2003 in the amount of \$109,361.38** were approved on a motion made by Mr. Raver, seconded by Mr. Bagwell, and carried.
2. **Commissioner's Salary Claims for hourly, salary, and overtime payable for October 24th and October 31st, 2003** were approved on a motion made by Mr. Raver. Mr. Bagwell seconded the motion, and it carried.
3. **Special Request from EMA Director:** Emergency Management Director Larry Smith requested money out of the Sara Right to Know Fund to attend a training seminar in Michigan with some local firefighters. However, the check needs to be issued before it is advertised for the next Commissioners meeting. Mr. Raver made a motion to approve the claim in advance in order for EMA Director Larry Smith and his guests to attend the training session. Mr. Bagwell seconded the motion, which carried.
4. The **Howard County Treasurer's Report for the month of September 2003** was accepted on a motion made by Mr. Raver, seconded by Mr. Bagwell, and it carried.
5. **Ratification of Levies for Cumulative Bridge Fund:** *(See page 9, October 6th, 2003 minutes, "In the Matter of Claims and Reports", Item 6, for related discussion)* Mr. Raver made a motion to ratify the President's signature on the letter dated September 23rd, 2003 to the Indiana Department of Local

Government Finance setting the 2003-2004 levies for the Cumulative Bridge Fund. Mr. Bagwell seconded the motion, which carried.

6. **2004 Holiday Schedule:** Mr. Bagwell suggested moving Elwood Haynes Day from July 2nd to January 2nd, 2004. Mr. Raver made a motion to accept the proposed 2004 Holiday Schedule as submitted by the State and adjust the Elwood Haynes Day from July 2nd to January 2nd, 2004. Seconded by Mr. Bagwell, the motion carried.
7. **Additional Appropriations to be considered at the Council meeting on October 28th, 2003** were presented for Commissioner information.
 - a. **Cumulative Capital Development Fund:** As per the discussion at the last Commissioners' meeting, the Auditor went ahead and submitted for appropriations in the Cumulative Capital Development Fund for the repair work in the Emergency Management Office and installation of check valves in the Government Building. (*See pages 3 - 4, October 6th, 2003 minutes, "In the Matter of Maintenance Department Issues", Item 4, for related discussion*) Approximately \$8,000 has already been appropriated but the request is for \$19,000. After a discussion with Mr. Harrison, it was determined that only \$10,000 will be needed. Once all of the FEMA reimbursement and insurance settlement comes through the County is only going to be spending about \$4,000 to \$5,000 for the project.
 - b. **Economical Development Income Tax Fund (EDIT):** (*See page 10, October 6th, 2003 minutes, "In the Matter of Commissioner Issues", Item 2, for related discussion*) At the last meeting the Commissioners approved the purchase of three (3) radios out of the EDIT Fund for Courtroom Security Officers at a cost of \$650.00 each for a total cost \$1,950. In the meantime, County Coroner Brad Bray advised that he also needed a radio. Mr. Raver made a motion to amend the request in EDIT Funds to include a radio for the Coroner, totaling four (4) radios at a cost of \$2,600. Mr. Bagwell seconded the motion, and it carried.
8. **2004 Office Supplies:** Due to the large volume and cost of printer/copier paper and printer cartridges used in all offices, the County Auditor is preparing to send out requests for quotes to ascertain the lowest prices. A memorandum was prepared for Elected Officials and Department Heads to estimate the amount of these items needed for the 2004-year. The Commissioners will review the quotes and make a decision as to which vendors the offices may purchase these supplies from. Claims from vendors other than the selected suppliers will not be approved. All other supplies may be purchased in the usual manner.

Mr. Raver made a motion to authorize the Auditor to send the memorandum to Elected Officials and Department Heads regarding purchasing procedures for paper and printer cartridges for 2004. Mr. Bagwell seconded the motion and the motion carried.
8. Mr. Bagwell signed a letter from Butler, Fairman and Seufert, Inc. regarding the Dixon Road project.
9. The **Veteran Service Officer's Report for the month of September 2003** was accepted on a motion made by Mr. Raver. Mr. Bagwell seconded the motion, which carried.
10. The **Indiana Association of County Commissioners Annual Conference** will be held December 2 – 4, 2003 at the Sheraton Hotel at Keystone Crossing in Indianapolis.
11. The **Weights and Measures Monthly Report for September 15th through October 15th, 2002** was accepted on a motion made by Mr. Raver, seconded by Mr. Bagwell, and it carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

Attorney Murrell presented the following issues for Commissioner information and approval:

1. A **statement from Barnes and Thornburg** for legal services rendered in the month of August 2003 in the amount of \$234.00 was approved for payment on a motion made by Mr. Raver. The motion was seconded by Mr. Bagwell and it carried.
2. **Status of Dumping Violation:** (*See page 9, October 6th, 2003 minutes, "In the Matter of County Attorney Issues", Item 3, for related discussion*) A claim has been filed against Mr. Brent McCoy and a hearing has been set in November 2003.
3. Communications Director Tony Ramsey continues to send e-mail to Attorney Murrell regarding **changes to the dates on the MA/COM Contract**. The Commissioners were in agreement with Attorney Murrell that Mr. Ramsey needs to attend a meeting and explain what he wants to do.
4. **Chrysler Bond Issue:** In 1995 the City and County set a levy for economic development income tax to pay off \$13.05 million in municipal bonds for the new Chrysler Transmission Plant by the year 2007. According to a financial report from Chris Johnston of Crowe Chizek, refinancing the bonds at a lower interest rate could save about \$1,300,000 between now and 2007. Refinancing the bonds would result saving the County about \$100,000 per year throughout the remaining term of the bond issue and the City would save about \$151,000 annually. An alternative option would be to retire the bond one year early. If the County chooses the option to take the savings in five annual installments,

the City and County would save approximately \$1.29 million. Attorney Murrell said he would contact Mr. Rick Hall at Barnes and Thornburg Law Firm to begin the necessary paperwork. Mr. Hall estimated that the refinancing could be completed by the end of the 2003-year. Mr. Hall and Mr. Johnston are available to compose an outline of the process involved and make a presentation at the next Commissioners meeting.

In view of the County's current and impending financial issues, the Commissioners were in favor of the refinancing. Mr. Raver made a motion to proceed with the refinancing proposal for the bond issue and authorize the County Attorney to proceed with setting the process in motion. Mr. Bagwell seconded the motion, and it carried.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **MS4 Activity Update:** The notice of intent is on schedule. Mr. Raver reported that Surveyor Beryl Grimme assisted with composing the notice of intent letter that is to be filed with I.D.E.M. by November 4th, 2003. Mr. Grimme published the legal advertising, which is a part of the requirements for this document.

There being no further business before the Board at this time, Mr. Raver made a motion to adjourn. Mr. Bagwell seconded the motion and it carried. The meeting closed at 10:47 a.m.

THE HOWARD COUNTY BOARD OF COMMISSIONERS

BRADLEY J. BAGWELL, PRESIDENT

JOHN B. HARBAUGH, VICE PRESIDENT

PAUL J. RAVEN, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Commissioner Minutes, October 20, 2003