

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING AUGUST 2, 2004

The Howard County Board of Commissioners met in Regular Session on Monday, August 2nd, 2004, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President John B. Harbaugh, Vice President Paul J. Raver, and Member Bradley J. Bagwell. Also present were County Attorney Lawrence Murrell, Personnel Administrator Wanda McKillip, and Auditor Martha Lake.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President John B. Harbaugh.

The minutes from the regular meeting held on July 19th, 2004 were approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion and the motion carried.

IN THE MATTER OF HIGHWAY ISSUES:

Mr. Ted Cain, Howard County Highway Engineer/Superintendent, was not in attendance due to his vacation schedule.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Commissioner information:

1. **Jail Population Assessment:** (*See page 1, July 19th, 2004 minutes, "In the Matter of Sheriff Department Issues", Item 2, for related discussion*) At the previous meeting the Commissioners authorized the Sheriff to contact the National Institute of Corrections ("NIC") to request a local systems assessment for the purpose of making recommendations for alleviating the increasing jail population. While speaking with NIC, Sheriff Talbert learned that cooperation is needed from the courts and judges in order to conduct the study. The multifaceted study would require cooperation from several facets within the criminal justice system (i.e. jail, court system, bond system, probation, prosecutor, and public defender). The Sheriff requested that the Commissioners convey a letter notifying the appropriate elected officials that NIC would be conducting a study related to the jail overcrowding and request their cooperation.

Mr. Raver made a motion to authorize Mr. Bagwell, Chairman of the Jail Study Committee, to draft a letter to the appropriate elected officials requesting their cooperation with the study. Mr. Bagwell seconded the motion, and it carried.

2. **House Inmates Out of County:** The inmate population increased to 320 this morning. Some inmates are bound for the Department of Corrections and Indiana Women's Prison, which should decrease the population to some extent. Sheriff Talbert would like to establish a relationship with the Clinton and Cass County Sheriff Departments to house inmates if the population should exceed capacity. Both of these counties are located nearby and are willing to house Howard County inmates when necessary.

Mr. Bagwell made a motion to authorize the Sheriff to work with the Cass County and Clinton County Sheriffs' Department for housing Howard County inmates. Seconded by Mr. Raver, the motion carried.

3. **Credit Card Bonding System:** At the previous meeting Sheriff Talbert expressed an interest in researching PayTrust Solutions ("PTS"), as an alternative method for posting bonds. The service enables fees to be paid with a credit card. Sheriff Talbert provided information to Sheriff Legal Services Attorney A. Howard Williams. He spoke with other Sheriffs who indicated that they have not experienced any problems using this type of service. Sheriff Talbert plans to schedule a meeting with the County Clerk to discuss the subject.
4. **Damaged Vehicle:** (*See page 1, July 6th, 2004 minutes, "In the Matter of Sheriff Department Issues", Item 2, for related discussion*) Selective Insurance proposed a settlement in the amount of \$12,000 for the car that was totaled or \$11,000 and allow the Sheriff's Department to keep the car. Since the engine and transmission are in good condition and compatible with the other cars in the fleet, the Sheriff decided on the lesser amount of the settlement and keep the car to be used for replacement parts.

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. **Case 23-CP-04 – two (2) lots in Mac & Donna Subdivision located at 4820 South 870 West** was approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion, which carried.
2. **Case 24-CP-04 – one (1) lot in Andy Andrew Subdivision located at 1234 North 1050 West** was considered. Mr. Raver made a motion to approve Case 24-CP-04. Seconded by Mr. Bagwell, the motion carried.
3. **Case 11-CP-04 – three (3) lots in Woody West Subdivision located at 1310 South 800 East** was approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion, which carried.

4. **Unsafe Buildings:** There was no new information to report at this time. Mr. Boise continues to investigate and address visibility complaints regarding tall corn and vegetation blocking vision at the intersections.

5. **Flood Mitigation Issues:**

- a. **IHFA Grant Application:** (*See pages 1-2, July 19th, 2004 minutes, “In the Matter of Plan Commission Issues and Properties for Approval”, Item 3, for related discussion*) The Indiana Housing Finance Authority denied the grant application for the Community Development Block Grant.

IHFA encouraged Mr. Boise to apply for the second round of the Community Development Block Grant and extended an invitation to a seminar on how to improve on the grant application. Mr. Boise advised that the intent to apply for the application would require the Commissioner President’s signature.

Mr. Bagwell made a motion to authorize the President to sign the intent to apply for the grant application on behalf of the Board prior to the next meeting. Mr. Raver seconded the motion, which carried.

6. **Driveway Access Issue:** Mr. Boise gave a brief account of the events regarding a petition for institutional use zoning (Case 13-Z-04) at 3033 S. Lafountain Street. Terrace Gardens Subdivision is an island of county jurisdiction, which is surrounded by the city limits. Developers previously sold property at 3120 S. Lafountain Street, currently the site of Harris Glass Company, Inc. and former site of Fenn Lumber Company. The vacant property behind the business was not sold and retained by the developers without providing an access to Lafountain Street. The current zoning ordinance requires lots to have frontage on a road.

Members of the New Testament Apostolic Church proposed to build a new church on the vacant property and petitioned the City to rezone the land from R-1 (very low density residential) to IS (institutional use). The developers proposed to build a private street for access to Westmoor Drive. Adjacent to this project is the Pillars apartment complex project, a recent development by Howard Regional Health Systems. The Pillars proposes a private drive because it serves only one property. Similarly the new church proposes its own access drive, which the neighbors strongly oppose.

Mr. Leo Schifferli, 3001 Westmoor Drive, voiced opposition to the rezoning request. He felt the language of the zoning requirements were too lenient, enabling developers to “wiggle around” the minimum requirements. Mr. Schifferli stated concerns that Westmoor Drive is not wide enough to accommodate traffic from the church. He was concerned that the close proximity of the access drives to the intersection of Westmoor Drive and Rainbow Drive could impede emergency vehicle response time. Mr. Schifferli wished to point out that “This is a mature single family residential area. This (development) is not in keeping with the single-family residential nature of Terrace Gardens and Rainbow Gardens.” Mr. Schifferli was of the opinion that remonstrations would significantly be reduced or eliminated if the access would be off Lafountain Street and urged the developers to research a way to do so.

There was a question regarding the difference between a private drive and a private street. Previously, the county officials agreed with The Pillars access because it was presented as a private drive. The potential traffic pattern was perceived as residential rather than an institutional traffic pattern. Discussion ensued comparing the anticipated traffic patterns of The Pillars drive to the church drive. The access drive to The Pillars would accommodate the traffic from about 25 residents and a few visitors throughout the day. Mr. Bagwell speculated that a large number of people would be using the church drive at one specific period of time and headlights from exiting vehicles would shine directly toward some homes. Mr. Schifferli advised that the Francis family owns the house (at 3030 Westmoor Drive) directly across the street from the proposed access. Mr. Boise advised that the church has less than 100 members. The objective of most churches is to expand in order to be successful and Mr. Schifferli commented this would impose further traffic. He stated, “Our streets in the mature residential neighborhood of Westmoor Drive and Terrace Gardens was not made for these kinds of traffic patterns.”

Because the property is situated in a split jurisdiction, Mr. Boise advised that both the County and City Plan Commissions are considering approval of the development. The private street is being dedicated through the County. Mr. Schifferli felt the solution would be to not rezone the property to institutional use and suggested that the County and City could resolve the conflict in a cooperative effort. Mr. Bagwell suggested writing a letter or attending the City Council meeting to express an opinion regarding the issue.

Mr. Bagwell made a motion for the Board of Commissioners to present a resolution to the City Council at their next meeting on August 9, 2004, that an institutional rezoning is not conducive to the traffic pattern of the established residential neighborhood. Seconded by Mr. Raver, the motion carried. Mr. Harbaugh volunteered to act as the Commissioner Representative at the Kokomo City Council Meeting on Monday, August 9th, 2004 at 7:30 p.m. in the Neal Council Chambers in Kokomo City Hall.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Maintenance and Grounds Superintendent Thomas Harrison presented the following issues for Commissioner information and approval:

1. **Howard Haven Sanitary Sewer Construction Project Quotes:** *(See page 2, July 19th, 2004 minutes, “In the Matter of Maintenance Department Issues”, Item 3, for related discussion)* Quotes were received regarding the connection of Howard Haven to the City sewer system as follows:

Dick Blazer	Declined to Quote
Scott Rivers	Did not Respond
Ronald Newhouse	Did not Respond
William Noland & Son Excavating Inc.	\$ 34,600.00
Hugh Wyrick	\$ 49,993.80

Mr. Bagwell made a motion to take the quotes under advisement in order to give Mr. Jerry Williams, Professional Engineer from Gove and Associates, an opportunity to review them for clarification purposes. Mr. Raver seconded the motion, which carried.

2. **Fire Alarm System Contract:** *(See page 2, June 7th, 2004 minutes, “In the Matter of Maintenance Department Issues”, Item 1, for related discussion)* The Council approved an additional appropriation of \$24,000 at their meeting on July 27th, 2004 to install a new fire alarm system in the [Howard County Administration Center](#). Mr. Harrison submitted a contract from Koorsen Fire and Security in the amount of \$23,500, in anticipation of approval from the State.

Mr. Bagwell made a motion to authorize the President to sign the contract on behalf of the Board with Koorsen Fire and Security in the amount of \$23,500, pending approval from the State. Seconded by Mr. Raver, the motion carried.

3. **Howard Haven:** Repairs are needed on two areas of the roof that have resulted in water leaks. Mr. Harrison wished to request an additional appropriation of \$2,100 out of the Cumulative Capital Development Fund for the repair work.

Mr. Raver made a motion to authorize a request for funds from the County Council to repair the roof at Howard Haven in the amount of \$2,100 out of the Cumulative Capital Development Fund. Mr. Bagwell seconded the motion, and it carried.

4. **Government Center:** *(See page 2, July 19th, 2004 minutes, “In the Matter of Maintenance Department Issues”, Item 4, for related discussion)* The cost for a new chiller, condenser, and equipment for the air conditioning system at the Government Center is approximately \$40,000. Mr. Harrison requested authorization to seek an additional appropriation out of the Cumulative Capital Development Fund for the repair work to begin in the fall.

Mr. Bagwell made a motion to authorize a request for funds from the County Council to repair the roof at the Government Center in the amount of \$40,000 out of the Cumulative Capital Development Fund. Mr. Raver seconded the motion, and it carried.

5. **Additional Funding Requests:** Mr. Harrison proposes to request the following additional appropriations from the Council to carry the Budget for 2004 through to the end of the year:

Oil and Gasoline	\$ 750
Contract	\$ 2,500
Utilities	\$ 22,000
Garage and Motor	<u>\$ 150</u>
Total	\$ 25,400

6. **County Auction:** Mr. Raver advised the Howard County Auction is scheduled for **Saturday, August 7th, 2004 at 10:00 a.m.**

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

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

1. The **2004 Family Medical Leave Log (FMLA)** was confirmed on a motion made by Mr. Bagwell. Mr. Raver seconded the motion and it carried.
2. **Howard Haven Superintendent Position:** *(See page 3, July 19th, 2004 minutes, “In the Matter of Personnel Administrator Issues”, Item 5, for related discussion)* Thirty-one applications were submitted for the position of Superintendent for the Howard Haven Residential Center. The PAC interviewed four possible candidates and scheduled a second interview to be held at Howard Haven on August 3rd for two of the applicants. The annual salary for the position is \$29,000, starting at 90% pay. The next step is to conduct criminal and reference checks on the applicants.

In order to expedite the appointment of the new Superintendent, Mr. Bagwell made a motion to schedule a Special Session of the Board on **Thursday, August 5th, 2004, at 11:30 a.m. in Room No. 338 of the Howard County Administration Center.** Seconded by Mr. Raver, the motion carried.

IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:

Information Systems Director Terry Tribby presented the following issues for Commissioner information and approval:

1. **Interoperability Communications Upgrade Wireless Project:** *(See page 3 and page 5, July 19th, 2004 minutes, “In the Matter of Information Systems Director Issues” for related discussion)* Mr. Tribby and County Attorney Larry Murrell reviewed the contracts and requested a few changes. Berbee Information Networks made the changes and accepted the responsibility to be the general contractor for the ICU Wireless Project. A time frame was agreed upon because the equipment must be totally implemented, invoiced, and fully paid for by December 31st, 2004 in order to comply with the funding requirements.
3. **GIS Program Update:** Mr. Tribby described GIS as being a central repository for maps and information for the delivery to many agencies that use them. The County is in the evaluation stages of software and networking for GIS capabilities. Several governmental entities within the County would have capabilities to access and provide layers of information on the maps. The next GIS Steering Committee meeting is scheduled on **Thursday, August 5th, 2004 at 10:00 a.m. in Room No. 338 of the Howard County Administration Center.** The topic of discussion will be regarding the outline and cost estimate for an implementation plan.
4. **New Printer/Scanner in Surveyor’s Office:** On June 22, 2004 the Council approved an additional appropriation of \$22,605.00 to purchase a new wide format printer/scanner in the Surveyor’s Office. The new equipment has the capability to create back up data for the maps and scan the maps into the server for a redundant backup. The new equipment has networking capabilities that would allow other departments to use the equipment.
5. **Internet Use Policy:** *(See page 4, July 19th, 2004 minutes, “In the Matter of Information Systems Director Issues”, Item 2, for related discussion)* A draft of the acceptable use policy will soon be distributed to the Commissioners for perusal. A preview of the policy will be made available to all interested office holders and department heads.
6. **ISDN Line Corrections:** ISDN lines were used for the initial connection between E-911 Dispatch and the Kokomo Police Department at the City Building. When the DSL and PPN’s were installed, Ameritech was notified that the ISDN lines were no longer used and need to be disconnected. Currently the entire County uses DSL lines for primary connectivity. Mr. Tribby noticed that Ameritech continues billing the County for the old ISDN lines. Mr. Tribby sent e-mail correspondence to Ameritech reminding them that the County had requested disconnection of the ISDN lines and asked for reimbursement. It was the consensus of the Commissioners to schedule a meeting with an Ameritech representative to discuss this issue.

IN THE MATTER OF JUVENILE PROBATION DEPARTMENT ISSUE:

(See page 5, July 19th, 2004 minutes, “In the Matter of Juvenile Probation” for related discussion)

The Indiana Criminal Justice Institute recently approved the Community Prevention Block Grant, which is a continuation of the Alternative School Project (“ASP”). Chief Juvenile Probation Officer Don Travis presented the grant contract for approval.

Mr. Bagwell made a motion to accept the Community Block Grant from the Indiana Criminal Justice Institute and authorize the President to sign on behalf of the Board. Mr. Raver seconded the motion, which carried.

IN THE MATTER OF STREET LIGHTS IN INDIAN HEIGHTS SUBDIVISION:

(See page 6, May 17th, 2004 minutes, “In the matter of Street Lights in Indian Heights Subdivision” for related discussion)

County Attorney Larry Murrell reported on the status of the Indian Heights Street Lights issue. At the meeting in May, the Commissioners requested Attorney Murrell and County Highway Superintendent Ted Cain to look into the installation and payment of streetlights. Attorney Murrell held several meetings with Mr. John Roberts, President of the Indian Heights Community Association and Mr. Greg Funk, Representative from Cinergy.

Currently there are 38 streetlights installed by Cinergy in the Indian Heights Subdivision. The Homeowners Association is paying the monthly bill with voluntary contributions from the homeowners. One of Mr. Roberts’ concerns is that only about 30%-40% of the homeowners actually volunteer to participate in the program. The Homeowners Association would like to install 52 additional lights, which would increase the total number to 90 streetlights.

Cinergy would install the streetlights and recover the installation costs through the monthly service fees. In addition to the installation costs, Mr. Funk indicated that some nominal costs might be incurred of approximately \$10,000. The Barrett Law could be used for the additional installation costs. The main issues are how the repayment for the installation and monthly service charge for electricity would be paid.

Although the construction of street lights were added to the Barrett Law, there are no provisions allowing the County to impose assessments to pay for the monthly service fees. Unless the Barrett Law could be further amended, there are no other ways to impose fees on Indian Heights residents to pay the services fees. The annual fee for maintaining electricity to the current 38 streetlights is \$2,460; the total annual fee for 90 streetlights would cost about \$7,500.

In a recent conversation Mr. Roberts expressed that he would like the County to embrace the Indian Heights as a unique community and provide some financial assistance in regard to the streetlights. Attorney Murrell pointed out to Mr. Roberts that this could create an obligatory parity to other subdivisions. Historically county governments have not provided any street light services for residents in county subdivisions. In conclusion, the options are as follows:

1. Attorney Murrell volunteered to work together with Representative Ron Herrell to check into amending the Barrett Law to provide for a monthly assessment to homeowners.
2. The Commissioners could consider requesting the Council to appropriate money to pay for the annual maintenance fees for the streetlights.
3. Encourage Indian Heights residents to pursue annexation in order to gain the services normally provided by the City.

The Commissioners requested Attorney Murrell to meet with Representative Ron Herrell to discuss if there is anything further that the State Legislature could suggest or assist with the street light issue.

IN THE MATTER OF SURVEYORS OFFICE ISSUES:

Deputy Surveyor and County MS4 Coordinator Greg Lake presented the following issues for Commissioner information and approval:

1. **Purchase New Software:** (*See page 4, July 6th, 2004 minutes, "In the Matter of MS4 Project – Purchase New Software" for related discussion*) Mr. Lake presented a contract from The Schneider Corporation to for professional services to develop an ESRI-based Drainage Assessment software program. Mr. Lake reviewed the contract and was in agreement with the scope of the work. The cost of the services is \$4,600 payable upon installation of Beta Release and then \$4,600 payable at the final release for a total of \$9,200. The thirty (30) days payment provision in the contract was changed to sixty (60) days due to the County's established claim procedure. Attorney Murrell stated that the amended contract appears to be in order.

Mr. Bagwell made a motion to approve the Work Order/Contract for Professional Services with Schneider Corporation, amended to state sixty (60) days payment on the invoice rather than thirty (30) days and authorize the President to sign on behalf of the Board. Mr. Raver seconded the motion, and it carried.

2. **New Printer/Scanner:** The new printer/scanner was installed in the Surveyor's Office on July 28th, 2004. The equipment is up and running and the office staff has commenced batch scanning the old subdivision files.

IN THE MATTER OF E-911 DISPATCH ISSUES:

Steve Kline from the Sheriff's Department presented the following issues for Commissioner information and approval:

1. **Digital Voice Logging System:** (*See page 2, June 7th, 2004 minutes, "In the Matter of Maintenance Department Issues", Item 1, for related discussion*) Quotes were reviewed from three (3) vendors at the meeting on June 7th, 2004. The quotes were submitted on a timely basis but all were rejected due to a procedural issue. Written specifications and invitations to quote were sent out according to statute with the deadline set for July 9th, 2004 to respond. The following vendors responded on a timely basis:

Mobile Radio of Kokomo, Inc.	\$ 34,300.00
ERS (Emergency Radio Service of Kokomo)	\$ 36,495.00
Word Systems Incorporated	\$ 47,165.75

Mr. Kline found that all of the quotes complied with the hardware and software portion of the written specifications. References were requested from Five (5) law enforcement installations with a minimum of one (1) installation in a Dispatch Center similar in size to Howard County's. Mobile Radio of Kokomo only had one (1) installation reference in the State of Indiana, which was the Gas City Police Department. ERS quoted five (5) references, only two of which were law enforcement. Word Systems provided five (5) references of law enforcement installations within Indiana. Mr. Kline recommended Word Systems Inc. since their previous experience with voice logger systems and references surpassed the other vendors. Word Systems Inc. maintains the recording system at the Courthouse and if chosen, they offered to bundle the Howard County Courts and E-911 Dispatch Center maintenance and service together under one warranty. This would result in approximately 25% annual savings to the County.

Information Systems Director Terry Tribby previously reviewed the quotes and said that Word Systems Inc. package was very impressive. He commented that response time to service and repair equipment is a major concern.

Attorney Murrell reviewed the quote packages last week. He called attention to the fact that Mr. Kline recommended the vendor with the highest figure; the other two vendors were excluded only because of installation references. The law stipulates that bids and specifications shall not be designed intentionally to exclude a vendor with unreasonable requirements. There is a question whether the five installation references is a reasonable requirement to include in the specifications. Mr. Kline commented that the manufacturer of the equipment would certainly meet the five installation requirements, but not necessarily an individual vendor.

Darlene Santerre from Word Systems Inc., John Helvie from ERS, and Larry Sparks from Mobile Radio made various comments regarding the number of references, equipment compatibility, and response time for service and repairs. Mr. Bagwell said the number of installations might not be as important as assuring that the correct equipment is purchased. As a result of the discussion, compatibility and inoperability issues were determined to be critical issues but unfortunately these were not included in the specifications. If any critical element has been omitted in the specifications, Attorney Murrell advised the Board has the authority to either take the issue under advisement for further study or reject all bids and rewrite the specifications.

Mr. Bagwell made a motion to take the issue under advisement in order for Information Systems Director to examine the software portion of the quotes and make a recommendation at the next meeting. Mr. Raver seconded the motion, and it carried.

2. **Request for Transfers – Resolution No. 2004-BCC-16:** Due to the departure of Tony Ramsey, training of a new hire, coverage of vacation, holidays, and sick leave, Mr. Kline submitted a transfer request to cover overtime expenses through to the end of 2004. Mr. Bagwell made a motion to approve Resolution No. 2004-BCC-16 for the following transfers as outlined in the E-911 Account. Seconded by Mr. Raver, the motion carried.

FROM:		TO:		AMOUNT REQUESTED:
<u>145 HOWARD COUNTY 911 ENHANCEMENT SERVICES FUND:</u>				
3465	Salary Supplement City/County	1125	Overtime	\$ 15,000
4720	Equipment	1125	Overtime	\$ 5,000
3465	Salary Supplement City/County	4721	Inoperability Comm. Wireless Project	\$165,000

IN THE MATTER OF RECORDER’S OFFICE ISSUE:

Recorder Linda Koontz reported that last year, she continued to work on her predecessor’s project of rebinding record books. In a conversation with Auditor Martha Lake, Mrs. Koontz learned that some of the transfer books in the Auditor’s Office are very old and falling apart. Because these books are accessed frequently, they need to be rebound to protect the records.

Mrs. Koontz contacted Chris Faulkner of Faulkner Bindery to perform the rebinding work. Mrs. Koontz compared prices with other binders and found Mr. Faulkner’s costs to be very low. In addition, he can repair the books on site, which would allow continued access to them. Mrs. Koontz planned to use about \$20,000 out of the County Recorder Perpetuation Fund for the project.

The project was delayed for two reasons: a.) The cost of the project would exceed \$10,000, requiring authorization from the Commissioners to proceed; and b.) A clarification was needed whether the perpetuation funds could be used as the funding source. It was determined that the County Recorder Perpetuation Fund would be an appropriate source of funding because the transfer books in the Auditor’s Office are used in the functions of recording, filing and the filing of perpetuation records.

Mr. Raver commended the former and present Recorder for using the supplemental funds that are designated for perpetuation records for the book re-binding project.

Mr. Raver made a motion to authorize the Recorder to proceed with the rebinding project, not to exceed \$20,000 to be paid out of the County Recorder Perpetuation Fund. Mr. Bagwell seconded the motion, which carried.

IN THE MATTER OF POOR RELIEF APPEALS FOR HARRISON TOWNSHIP:

A Poor Relief Hearing was conducted on July 28th, 2004 for Harrison Township on behalf of **Taylor D. Bell**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Harrison Township Trustee on July 17th, 2004. Mr. Bagwell 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. Raver 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 August 2nd, 2004 in the amount of \$686,896.38** were approved on a motion made by Mr. Bagwell. Seconded by Mr. Raver, the motion carried.
2. **Commissioner's Salary Claims for hourly, salary, and overtime payable for August 6th, and August 13th, 2004** were considered. Mr. Raver made a motion to approve payment. Mr. Bagwell seconded the motion, and it carried.
3. **Approval of Streets:** *(See page 1, March 15th, 2004 minutes, "In the Matter of Highway Issues", Item 1, for related discussion)* Majestic Manor Subdivision was developed years ago but the developers failed to post a maintenance bond or request approval of the streets. In March 2004, the Commissioners approved the streets in Majestic Manor Subdivision contingent on submission of a certified check for 10% of the original amount of the street project. A Cashier's check for \$7,230 (10% of the construction agreement with E & B Paving Inc.) was submitted from Alma Graham for construction of the curbs and roadways in lieu of a maintenance bond for Majestic Manor Subdivision. No action was taken on this issue; it was the consensus of the Commissioners to check with Highway Engineer/Superintendent Ted Cain to provide further information.
4. **Flood Mitigation Grant Reimbursement:** The Howard County Flood Mitigation Assistance Planning Grant started in May of 1999. Upon final approval of the Flood Hazard Mitigation Plan in 2003, Plan Commission Director Glen Boise submitted a letter to the Indiana State Emergency Management Agency to close out the grant and at that time requested the remaining reimbursable funds. Due to some reconciliation problems between the General Fund (match monies) and the Flood Mitigation Fund, when those funds arrived Mr. Boise thought we were being overpaid and inadvertently sent back \$3,672.35. Flood Mitigation Fund 61 is currently carrying a balance of \$2,442.27. The \$2,442.27 plus the \$3,672.35 need to be paid back to the General Fund. When Mr. Boise reapplied for the \$3,672.35, he was informed that the reimbursement could not be recovered because the deadline had passed and new grant procedures had been established.

Discussion ensued regarding alternative funding sources to resolve the \$3,672.35 shortage. As a result of the discussion, Mr. Bagwell made a motion to transfer the \$2,442.27 in Flood Mitigation Fund 61 to the General Fund and to request an appropriation of \$3,672.35 out of EDIT to repay the General Fund the balance of the shortage. Mr. Raver seconded the motion, and it carried.

DISCUSSION REGARDING THE PROPOSED ECONOMICAL DEVELOPMENT INCOME TAX FUND (EDIT) FOR 2005: Additional changes were made to the 2005 request as follows:

1. **3222 County Comprehensive Plan:** There is an existing balance of \$70,000 from both encumbered and new appropriations in this account. \$50,000 was appropriated in 2003; \$40,000 was appropriated in 2004. \$40,000 is the amount to be requested in this line item for 2005.
2. **3226 County Museum – Misc. Oper:** \$66,500 was placed in the request for the operating budget for 2005. *(approximately \$60,000 was requested for salaries out of the General Fund)*

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell presented a claim for his **monthly office allowance** in the amount of \$385.00. Mr. Bagwell made a motion to approve payment. Mr. Raver seconded the motion and it carried.

IN THE MATTER OF COMMISSIONER ISSUES:

1. The **Weights and Measures Monthly Report for June 15th to July 15th, 2004** was accepted on a motion made by Mr. Bagwell. Seconded by Mr. Raver, the motion carried.
2. **Appointment Confirmation:** Two years ago the Commissioners agreed to participate in the Greater Wabash River Resource, Conservation, and Development Council, Inc. and appointed Mr. Harbaugh as the delegate. Ms. Rhonda R. Hicks, Secretary for the Greater Wabash River RC&D, sent a letter requesting the Commissioners to reconfirm or rename a delegate by September 16th, 2004. Mr. Bagwell agreed to serve as a member on their Council.

Mr. Raver reported that Mr. Allen Ullom started his first day today as Purdue Extension Educator for Agriculture and Natural Resources with the Cooperative Extension Service. Mr. Raver suggested that Mr. Ullom might also be interested in serving on the Greater Wabash River RC&D Council.
3. The Indiana Department of Transportation will hold an informational meeting on **Wednesday, August 18th, 2004 at their District Office in Greenfield**. The first session will begin at 2:30 p.m. and a second session will start at 5:30 p.m. The topic of discussion will be the planning, selection, and programming of transportation projects.
4. **Joint Storm Water Advisory Committee:** Mr. Raver reported that the name of the task force has officially been named the Howard County and City of Kokomo Cooperative Flood Mitigation and Storm Water Task Force. The first meeting has been scheduled for **Monday, August 16th, 2004 at 10:00 a.m. in Kokomo City Hall**.
5. **MS4 Update:** The MS4 Committee met on July 27th, 2004 and discussed the two ordinances that are required to be in place by November 2004. A date has not been set for the next meeting.

6. The Council approved the following requests out of the CCD Funds and EDIT at their July 27th 2004 meeting:
 - a. **US 31 Corridor Study** (*See page 6, July 6th, 2004 minutes, “In the Matter of Requests for Commissioners’ 2005 Budgets”, Item 2, for related discussion*) The Council approved the request for \$1,000 out of the EDIT Fund for 2004 and asked for Mr. Bagwell to provide an explanation at the next Council meeting.
 - b. **Greentown Fire Department:** (*See page 5, June 28th, 2004 minutes, “In the Matter of Greentown Volunteer Fire Department Request” for related discussion*) The Council approved the request for \$5,000 out of EDIT to provide financial assistance to the Greentown Volunteer Fire Company Ambulance start-up activities.

There being no further business, Mr. Bagwell made a motion to adjourn. Mr. Raver seconded the motion, which carried. The meeting closed at 11:35 a.m.

THE HOWARD COUNTY BOARD OF COMMISSIONERS

JOHN B. HARBAUGH, PRESIDENT

PAUL J. RAVEN, VICE PRESIDENT

BRADLEY J. BAGWELL, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Commissioner Minutes, August 2nd, 2004