

## HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 4, 2004

The Howard County Board of Commissioners met in Regular Session on Monday, October 4<sup>th</sup>, 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 Monday, September 20<sup>th</sup>, and the Special Meeting held on Monday, September 27<sup>th</sup>, 2004, were approved on a motion made by Mr. Raver. Mr. Bagwell seconded the motion to approve the minutes as submitted and the motion carried.

### IN THE MATTER OF HIGHWAY ISSUES:

1. **Performance Bond No. 5013483:** A three (3) year performance bond in the amount of \$318,000.00 was submitted from F & K Construction, Inc. for the construction of earthwork, storm sewers, streets, curb and gutter, and erosion control for **Walnut Estates Subdivision, Section 18, Phase II**, in Harrison Township. Mr. Cain and the County Attorney previously reviewed the document and determined that the bond was in order and ready to be accepted.

Mr. Bagwell made a motion to approve the performance bonds for Walnut Estates Subdivision, Section 18, Phase II. Mr. Raver seconded the motion, and it carried.

2. **Maintenance Bond No. 400TE9788:** A three (3) year maintenance bond in the amount of \$7,413.00 was submitted from Mohr Construction Company, Inc., a Division of E & B Paving, Inc., for the maintenance of stone base for street, asphalt binder and surface for street, concrete curbs and gutters, and street signs, for **The Greens at Wildcat Subdivision, Section 3**, in Harrison Township.

Mr. Bagwell made a motion to accept the maintenance bond for The Greens at Wildcat Subdivision, Section 3, as presented. Mr. Raver seconded the motion, which carried.

3. **Notice to Bid for Materials & Supplies for Year 2005:** Bids will be received at the Howard County Auditor's Office until the hour of **8:00 a.m. on November 15, 2004**. Materials will be used for the General Maintenance and Local Road and Street Projects. **The bids will be opened commencing at 8:30 a.m. on Monday, November 15, 2004**. Mr. Bagwell 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 2005-year. Mr. Raver seconded the motion, which carried.

### IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

*(Also see page 3, attached, "In the Matter of Maintenance Department Issues", Item 1 [Jail Doors Issues], for related discussion)*

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

1. **Purchase Taser Guns:** Recently Prosecutor James Fleming provided the Sheriff's Department with \$27,000 from Fund No. 198 Law Enforcement Fund. Sheriff Talbert would like to use the money to equip each Sheriff Department Officer with a Taser X-26 (electronic intermediate weapon). The Sheriff discussed the idea with the Prosecutor, who thought it would be a good use of the funds.

Corporal Rob Walker conducted a PowerPoint presentation on the taser and its capabilities. Corporal Walker commented that advanced technology has made the taser the best tool in law enforcement in the last 25 years. Currently the Sheriff's Department has ten tasers in service. The Taser Company absorbed two other taser companies and the technology is second to none.

- Use of the taser increases officer safety.
- Tasers Reduce Officer and Suspect Injuries. Orange County Sheriff's Department in Florida experienced an 80% drop in officer injuries and 100% in suspect injuries in cases where tasers were used. Phoenix was one of the first top ten cities to employ this model of taser to every patrol officer. Injuries to officers decreased by 67% and lethal force incidents were reduced by 50%.
- The taser is better tool than pepper spray; there is no contamination or after effects.
- The main purpose of the taser is to avoid hands-on contact with violent suspects. An increasing number of people refuse to listen to officer's voice commands.
- Medical Safety: On animal testing, there is no record of affects to heart rhythms, pace makers, or blood pressure. There were 50,000 human volunteers as of January 2004 resulting in instant incapacitation in less that one second. Possible after affects are minor skin irritation from temporary blisters, redness, or minor bleeding. After the five-second sleep is over, the suspect can fully function, think, and move.

Other forms of restraint such as OC (pepper spray, mace), pressure points, pain compliance, and batons, often are not effective in subduing drug users. A taser temporarily shuts down the neurological and physiological functions, which is a very effective tool to gain control of a violent or armed suspect. The taser laser beam by itself serves as a warning and deterrent to unacceptable conduct.

The current taser units are big and bulky and not as effective as the new Model X26. The X26, weighing only 7 ounces, is 60% smaller than the old units. Corporal Walker commented that it is a marvel in technology and the future of non-lethal force in law enforcement. He briefly talked about the Model X-26 firing range and capacity, electronic data readout capability, and related accessories.

Corrections Officer Scott Morrow reported that there have been approximately 20 incidents of using tasers in the jail. The tasers were effective in gaining immediate control of combative inmates and halted an escape attempt.

The taser unit is charged with 50,000 volts / 26 amps of electricity, having two probes that expel nitrous oxide to create a circuit. However, the ohms is only 0.162, which is 100 times under what Underwriters Laboratory has dictated as the danger level for an electrical charge. Extensive testing has been conducted on pacemakers with no adverse affects.

Sheriff Talbert commented that the Kokomo Police Department equips their officers with tasers and uses them on a regular basis. Regarding liability concerns, the taser provides a safe and accurate measurement of force.

Corporal Walker advised that the Taser Company is the only manufacturer of the Model X-26 taser units and equipment and submitted a price list as follows:

30 @ \$799.95	Taser X-26	\$ 23,998.50
39 @ \$5.00	Taser XDPM Extended Magazine	\$ 150.00
2 Cases	Taser Police Air Cartridge (21 ft.)	\$ 1,062.32
2 Cases	Taser Police Air Cartridge (15 ft.)	\$ 950.32
30 @ \$8.95	Taser Belt Clip Attachment	\$ 268.50
1	Taser X-26 USB Dataport/Software	\$ 149.95
TOTAL		\$ 26,579.59

Mr. Bagwell made a motion to authorize the purchase of 30 Taser Model X-26 units and equipment and find that the Taser Company is the only source that supplies the equipment listed above, which would qualify it as a special purchase and void the necessity for quotes, for a total cost of \$26,579.59 subject to Council approval of funds. Sheriff Talbert stated his goal is to assign the taser units individually to each officer and not place the units in a pool to be shared by the group. Each officer would be responsible for the care and maintenance of his or her assigned unit. The motion was seconded by Mr. Raver, and it carried.

2. **Memorandum of Understanding:** (See pages 1-2, September 20<sup>th</sup>, 2004 minutes, “In the Matter of Sheriff Department Issues”, Item 1, for related discussion) The County Attorney reviewed The “Memorandum of Understanding Between The Integrated Public Safety Commission and Howard County”. The document met with the County Attorney’s approval except there was a concern regarding a list of obligations and requirements on page 7. Attorney Murrell asked the Sheriff to review the items in order to determine whether Howard County would be able to meet all of the listed requirements. The Commissioners, by consensus, continued discussion on the issue until the next regular meeting.

**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 9-CP-04 – sixty-six (66) lots in The Preserve at Bridgewater Subdivision located at 311 West 300 South** was approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion, which carried.
2. **Case 20-CP-04 – one hundred twenty-seven (127) lots in Fredrick Farms Subdivision located at 2906 W. Jefferson St.** was considered. Mr. Raver made a motion to approve Case 20-CP-04. Mr. Bagwell seconded the motion, and it carried.
3. **Case 32-CP-04 – one lot (1) in Mince Y.A. Subdivision located at 11224 West 500 North** was approved on a motion made by Mr. Raver. Seconded by Mr. Bagwell, the motion carried.
4. **Unsafe Buildings:**
  - a. **948 West 400 South:** A letter was sent to property owners regarding the house that burned last spring. The house has been removed but the foundation needs to be cleaned up. Mr. Boise advised he would continue to monitor the progress of the clean up efforts.

- b. **1047 Hidden Creek Lane:** The house was being constructed, but for an unknown reason the project was abandoned. An open basement remains, creating a safety hazard. Mr. Boise is in the process of trying to contact the property owner.
5. **Flood Mitigation Issues:** *(See page 3, September 20<sup>th</sup>, 2004 minutes, "In the Matter of Plan Commission Issues and Properties for Approval", Items 3 and 4, for related discussion)*
- a. **IHFA Block Grant:** The grant application was submitted to the Indiana Housing Finance Authority for the second round of the Community Development Block Grant. Mr. Boise anticipates having further information on the status of the grant application by November 2004.
  - b. **Flood Mitigation Grant:** Title searches were received for the two properties and one set of appraisals was completed. Once the second set of appraisals has been completed, Mr. Boise will forward copies to the County Attorney for review.
  - c. **Multi-Natural Hazard Mitigation Update:** After being reviewed by the County Attorney, the Request For Services were sent out to two (2) companies and posted on the Indiana Planning Association Website.

**IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:**

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

1. **Jail Door Problems:** Three security doors at the Criminal Justice Center are malfunctioning. Sheriff's Department Maintenance Employees have spent a considerable amount of time in the last two weeks trying to repair Door No. 1247-A between the garage and Book-In Area. This is the main electronic sliding door that is frequently used to bring in prisoners, transports to and from court, and accommodate three shifts of correctional employees. The door completely stopped operating on Sunday, October 3<sup>rd</sup>. Mr. Harrison said repair of the door is crucial and must be resolved as quickly as possible.

Mr. Harrison obtained cost estimates from two companies. The original manufacturer, Southern Steel Company in San Antonio, Texas, quoted \$2,065.00 to examine the door. This price included their travel rate, airfare, one day of service work, lodging, car rental, and estimated repair parts. The shipping and handling charges for the repair parts would cost \$85.00. If the repair personnel need to stay beyond one day, there would be an additional charge of \$730.00 per day. Alternatively, Crowder Detention Equipment from Carmel proposes a fee of \$500.00 to inspect as many doors as possible in a four-hour period, plus any parts and labor.

Sheriff Department Maintenance Employee Art Fross estimated that the security door is cycled at least 150 times during a 24-hour period. Mr. Fross emphasized it is essential that the door is secured when moving prisoners in and out of the building. Sheriff Department Maintenance Employee Bill Laughman worked on the door numerous times and has installed many new parts. Mr. Fross said, "Its just flat wore out. It has to be re-hung and adjusted properly." Mr. Fross recommended contacting Toby Crowder of Crowder Detention Equipment to work on the door.

Mr. Fross reported another security door (No. 1201) that separates the Book-In Area from the rest of the jail is not aligned properly and is separating from the wall. When the door is shut, it does not lock and can be easily pushed back. There was an incident last evening when a prisoner jumped over the counter and tried to run. If the door had been working properly, it could have contained the prisoner into the Book-In Area.

Sheriff Talbert contacted the hardware manager at Pauly Jail Company in Indianapolis and explained the problem with the doors. The Sheriff was informed that Southern Steel Company no longer manufactures the doors and parts would need to be custom made. The manager also recommended contacting Toby Crowder of Crowder Detention Equipment for an opinion.

Bill Laughman, Maintenance Department Employee, said that when these doors are unlocked and not using the electric motor, a person should be able to slide them open with one finger. However, Door No. 1247-A is nearly impossible to manually open. The weight of the door is pulling down on the working components in the steel box above it. Mr. Laughman has tried everything to make the door work properly. He believes the door needs to be removed to find the problems, readjusted, re-welded, and re-hung. The anchors for Door No. 1201 are pulling out of the block wall in the hallway. The steel box containing all of the working components is being pulled away from the wall and not locking properly. Mr. Laughman said the repair work necessary for these doors is beyond his scope of capability.

The Commissioners, by consensus, authorized the Sheriff to proceed with asking Toby Crowder of Crowder Detention Equipment to evaluate the doors and write a proposal for repair work.

2. **Diagnostic Software Training:** Mr. Harrison requested approval for Maintenance Department Employees Alan Bargerhuff and Jeff Barry to attend training in Indianapolis for 3-1/2 days sponsored by The Trane Company for further education about the computerized HVAC equipment installed in the

Courthouse. The training would be conducted during the first week in November 2004 at a cost of \$1,050.00 for each employee for a total of \$2,100.00 to be paid out of the General Fund.

Mr. Raver made a motion to authorize a request to the Council for \$2,100.00 to be paid out of the General Fund for two (2) maintenance employees to attend diagnostic software training with The Trane Company as presented by Mr. Harrison. Mr. Bagwell seconded the motion, and it carried.

3. **Clerk's Office Duct Work:** On September 25<sup>th</sup>, 2004, the maintenance staff changed some ductwork in order to provide more warm or cool air to the Clerk's Office in the Courthouse. The air output was extended from 18-inches to approximately 4-feet.
4. **Administration Center:** The maintenance staff repaired a malfunctioning circulation pump for the heating system during the previous weekend.
5. **Government Center:** Some areas of carpet in the Vital Records Office have been ruined from walk-in traffic and muddy boots. Mr. Harrison requested approval to obtain a quote to replace the carpet with tile floor covering. The Commissioners, by consensus, authorized Mr. Harrison to obtain a quote for the replacement of the carpet.

#### **IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:**

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

1. **Veterans Office Closure:** Mr. Allen Polsgrove Jr., County Veterans Service Officer, requested approval to close his office on **Thursday, October 14<sup>th</sup> 2004** to attend the fall conference of the Indiana Department of Veterans Affairs (IDVA) in Lafayette. Mr. Raver made a motion to approve the request. Mr. Bagwell seconded the motion and it carried.
2. **ESGR Bosslift:** ESGR Committee Member David Shearer invited Mrs. McKillip and Administrative Assistant Vicki Hinkle to attend the Indiana Committee for Employer Support of the Guard and Reserve's annual ESGR Bosslift. Thirty guests from the state of Indiana would travel to Gulfport, Mississippi on November 3-5, 2004. The purpose of the trip is to familiarize civic leaders and employers with the activities of the armed forces. Mrs. McKillip requested approval for Mrs. Hinkle, Personnel Administrative Assistant, and herself to attend the annual ESGR Bosslift at \$125.00 for each person, for a total cost of \$250.00. The flight, meals, and lodging at the Visiting Officers Quarters (VOQ) at Kessler Air Force Base are included in the cost of the trip.

The Commissioners, by consensus, authorized Mrs. McKillip and Mrs. Hinkle to use vacation time for the trip at their own expense. The Commissioners stipulated if the information presented during the program would be beneficial to the county and justifies the spending of county funds, reimbursement for the cost of the trip would be considered.

3. **Retirement Seminar:** A Retirement Seminar for County Employees has been scheduled on **Tuesday, October 26, 2004, from 8:00 a.m. to 12:00 p.m. in Room 101 of the Howard County Government Center**. Several speakers will be discussing retirement options and questions about health benefits and Social Security. Mrs. McKillip requested approval to distribute the seminar schedule with employee paychecks on Friday, October 8<sup>th</sup>, 2004.

Mr. Bagwell made a motion to approve distributing the Retirement Seminar schedule with employee paychecks on Friday, October 8<sup>th</sup>, 2004. Seconded by Mr. Raver, the motion carried.

4. **Healthy Eating Luncheon:** A Healthy Eating Meeting has been scheduled on Wednesday, October 27<sup>th</sup>, 2004 from 12:00 noon to 1:00 p.m. in Room 101 of the Howard County Government Center. A free lunch will be provided as Purdue Extension Educator and Director Susan Neher conducts a presentation on wise eating choices and related nutrition information. Mrs. McKillip requested approval to distribute a flyer regarding the presentation with employee paychecks on Friday, October 22<sup>nd</sup>, 2004.

Mr. Bagwell made a motion to approve distributing information in regard to the Healthy Eating Meeting with the employee paychecks on Friday, October 22<sup>nd</sup>, 2004. Mr. Raver seconded the motion, and it carried.

#### **IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:**

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

1. **Connectivity Failure Update:** *(See page 5, September 20<sup>th</sup>, minutes, "In the Matter of Information Systems Director Issues", Item 3, for related discussion)* Mr. Tribby conducted a thorough inspection of connectivity at the E-911 Dispatch Center. He reported that everything is properly connected and the software is working. Recently the power was lost and came back on with no problems. Mr. Tribby proposed to stage a mock disaster situation under a controlled environment in order to evaluate all of the mission critical systems at the Criminal Justice Center during a power outage. Mr. Tribby previously spoke to Sheriff Talbert and Major Rogers, who were supportive and would help prepare

for the mock disaster. Sheriff Talbert stated that the concept was a good idea and would help identify any problems that need to be resolved.

2. **GIS Project Proposal:** Mr. Tribby commented that the Geographic Information System (GIS) Project has been forthcoming for a number of years. The concept is to put all of the mapping and data into one centralized location so the County can disseminate it to other departments and the general public. A GIS Steering Committee was formed, with Mr. Raver serving as the Chairman. In order to move forward with implementing the project, the GIS Committee proposes to replace the mapping software, changing from AutoCAD to ESRI. The ESRI Company has a Quality Purchase Agreement with the State of Indiana guaranteeing the lowest prices on the software, which voids the necessity to seek competitive bids. Completion of the project is estimated to take eight to twelve months. The Schneider Corporation, the mapping vendor, put together cost estimates to conduct the conversion:

Professional Services	\$ 163,436.00
ESRI Software (5 Floating ArcEditor Licenses)	\$ 30,980.00
Applications GeoGear (A special tool to help make changes to maps)	\$ 8,520.00
GIS Software Maintenance	<u>\$ 10,500.00</u>
Cost of Products and Services	\$ 213,436.00
Cost without Software maintenance (The first year is covered by the purchase of the software)	\$ 202,936.00
Maintenance Cost: ArcEditor – Primary \$1,500, Secondary \$1,200, ArcView – Primary \$400, ArcSDE - \$3,000	
ArcView to ArcEditor Upgraded:	<u>\$ 4,400.00</u>
<b>Total Cost of Products, Services, and Upgrades:</b>	<b>\$ 207,336.00</b>

On behalf of the GIS Committee, Mr. Tribby requested authorization to proceed with the purchase based on the following contingencies:

- i. Approval of funding by the County Council.
- ii. Confirmation of the lowest price for the ESRI Software as stated by the vendor.
- iii. Approval of funding from the State, following Council approval.
- iv. Review of the contract and negotiations with The Schneider Corporation.
- v. Returning to the Commissioners to consider approval of the contract.

Mapping/Property Records Coordinator & Draftsman Jamie Shepherd discussed several advantages of changing the software from AutoCAD to the ESRI Products. The major concept is to develop an integrated system for the entire county to have access to all GIS and mapping on one system, having layers that are used by various departments. (i.e. valuation of land and improvements, zoning, flood information, addresses, districts) Data would become much more current and time efficient. ESRI mapping tools are more user friendly than AutoCAD. The proposal to purchase five licenses is an extension to the licenses already being used by the Plan Commission, Surveyors Office, and Department of Health. The software licensing includes ArcSDE, which is needed so the server can disburse data out to all of the various departments. Mr. Tribby commented that once the software programs are fully functional, the next step would be to make a decision on how to proceed with posting the information on the intranet and/or internet.

County Assessor Ann Harrigan was present to support the project. She said there is money available in the Reassessment Fund to pay for a major portion of the GIS Project that is Assessor related. Mrs. Shepherd felt the Mapping Department would be self-sufficient regarding the annual software maintenance at a cost of less than \$4,000 to be paid out of the Plat Book Fund. The AutoCAD annual maintenance costs are already being maintained. Mrs. Shepherd suggested that Information Systems could maintain the ArcSDE maintenance costs.

Mr. Bagwell made a motion to proceed with the GIS Project and find that the ESRI software is a special purchase in accordance with I.C. 5-22-10-7 because the software has only one source that meets the reasonable requirements; and in accordance with I.C. 5-22-10-15, the Board finds that ESRI has a Quality Purchase Agreement with the State of Indiana that guarantees the lowest price; and that the ESRI software is compatible with the existing software in the Plan Commission Office, etc.; and authorize the purchase of the ESRI software, services, and the final review of the contract. Mr. Raver seconded the motion, and it carried.

3. **Interoperability Communications Upgrade Wireless Project:** *(See page 4, September 20<sup>th</sup>, 2004 minutes, “In the Matter of Information Systems Director Issues”, Item 1, for related discussion)* Mr. Tribby reported that the ICU Wireless Project is making good progress. Communications towers have been installed on the Administration Center, Kokomo City Hall, and at the Criminal Justice Center. Berbee Information Networks, the general contractor, has been working on configuration of the routers.

**IN THE MATTER OF GRANT ACTIVITY:**

Grant Administrator Tina Mendenhall Henderson presented the following issues for Commissioner information and approval:

1. **Honey Creek Township Fire Truck Grant:**

- a. The **final payment** of \$169,896.63 for the new fire truck must be paid before its scheduled delivery on October 24<sup>th</sup>, 2004. Ms. Henderson requested the remainder of the grant funds previously approved by the Commissioners, in the amount of \$60,000.00, which is payable through the Indiana Department of Commerce Grant.

Mr. Raver made a motion to approve the claim of \$60,000.00 to the Indiana Department of Commerce to accommodate acquisition of the final grant payment of the Honey Creek Township Fire Truck, and authorize the President to sign on behalf of the Board. Seconded by Mr. Bagwell, the motion carried.

- b. **Grant Close Out:** Once the \$60,000.00 has been expended the grant must be closed out. The Disclosure Report, Grantee Performance Report, Financial Settlement Expenditure Report, and Grant Close Out Document were submitted for the County Attorney to review. The Board would consider authorization of the President's signature on the documents at the next meeting on October 18, 2004.

2. **Taylor Township Regional Sewer District:** The construction bids that were due two weeks ago were received. Division B came in \$200,000 over and was taken under advisement. Division A was sent back out to bid again with the deadline set for October 7<sup>th</sup>, 2004. Once successful bids have been received and before construction starts, the Taylor Township RSD will hold an informational meeting. Ms. Henderson said she would advise the Commissioners regarding the date and time of the meeting. The next step after construction is to get housing involved. A lot of homeowners need to install pipes to connect to the sewer system.

**IN THE MATTER OF SET DATE FOR PETITION TO VACATE PUBLIC WAY:**

*(See page 5, September 7<sup>th</sup>, 2004 minutes, "In the Matter of Set Date for Petition to Vacate Public Way", for related discussion)*

Attorney David T. Baird resubmitted a petition to vacate a public way in Taylor Township on behalf of his client, Tamara L. Bishop, 3900 South 135 East, in Oakford. A motion was made by Mr. Raver to accept the petition and set the date for the public hearing on **November 1, 2004 at 9:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center.** Mr. Bagwell seconded the motion, which carried.

**MAYOR'S COMMUNITY-BASED COUNCIL ON SUBSTANCE ABUSE PREVENTION:**

The Mayor's Community-Based Council on Substance Abuse Prevention is a local coordinating council, which coordinates substance abuse prevention activities for the community.

In years past, Mr. Rick Swigart, Coordinator for the Howard County Drug-Free Community Program, would address the Commissioners and Council in regard to the annual budget for the Mayor's Community Based Council on Substance Abuse. Mr. Swigart resigned in late 2003 and Ms. Sonya Snow was appointed as the new Coordinator in January 2004. The Council decided to make some organizational and financial changes. Previously the fiscal year ran from August 1<sup>st</sup> to July 31<sup>st</sup> of each year. In order to bring them fiscally the same as the rest of the county offices, Mr. Travis presented a request representing 5/12 of the 2004-year.

The money in this fund is generated from the drug and alcohol fees assessed by the courts and forwarded to the Auditor's Office for deposit in the Drug-Free Community Fund. Of the total collected, the County Clerk forwards 75% to the Auditor's Office and 25% to the Governor's Commission for Drug Free Indiana. According to State Statute, the money in this fund is divided into four (4) accounts. The accounts are Treatment and Intervention, Criminal Justice Interdiction Activities, Education Prevention Activities, and a Discretionary account that provides operating expenses of the Council and covers projects at large that are not funded under the other committees' allocations. In researching the background for this fund, the Board of Commissioners and County Council are required to oversee the projects and appropriate all of the funds that are spent.

Mr. Travis reported that the City has accumulated approximately \$10,520.00 in salary funds over a number of years due to resignations of various coordinators. In summary, the County has paid enough funds into the City to cover Ms. Snow's salary to the end of the current year. This will put a little more funding into the other programs until the end of the 2004-year.

The Council is considering purchasing a Breathalyzer for the Open Arms Shelter for Women, a Division of the Rescue Mission, and additional cameras in Sheriff patrol cars (interdiction equipment) with the funds.

Ms. Snow advised that the Council has organized a finance committee for the first time and will be researching for grants to supplement the budget. Mr. Travis submitted a copy of the Council's Bylaws for the County Attorney to review.

**IN THE MATTER OF POOR RELIEF APPEALS:**

1. **HARRISON TOWNSHIP:** A Poor Relief Hearing was conducted on October 1<sup>st</sup>, 2004 for Harrison Township on behalf of **Angela Montgomery**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Harrison Township Trustee on September 15<sup>th</sup>, 2004.

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. **CENTER TOWNSHIP:** A Poor Relief Hearing was conducted on October 1<sup>st</sup>, 2004 for Center Township on behalf of **Kathy Bass**. Commissioner Raver, Acting Poor Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Center Township Trustee on September 7<sup>th</sup>, 2004.

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 COMPLIMENT TO THE JAIL:**

Mr. Frank Dorante said he served three months of time in the Howard County Jail. On June 29<sup>th</sup>, 2004 Mr. Dorante was served with a warrant to be transported from a correctional facility in Florida. Mr. Dorante praised the considerate treatment by Sheriff Talbert and Reserve Deputy Mark Byrd during the transport. He also complimented the professionalism, cleanliness, and medical treatment that he received at the Howard County Jail. Most of all, Mr. Dorante praised the quality of the meals that were served and expressed appreciation of a person in the kitchen by the name of Donna.

Sheriff Talbert said Donna is responsible for the budgeting the meals and does a wonderful job. He thanked Mr. Dorante taking the time to voice the complements.

#### **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 4<sup>th</sup>, 2004 in the amount of \$707,887.36** were approved on a motion made by Mr. Raver. Seconded by Mr. Bagwell, the motion carried.
2. Mr. Bagwell made a motion to approve payment to **Butler, Fairman & Seufert for engineering services on the Harbor Place Analysis in the amount of \$581.45** out of Fund No. 014, Howard County General Drain Fund. Mr. Raver seconded the motion, which carried.
3. **Commissioner's Salary Claims for hourly, salary, and overtime payable for October 8<sup>th</sup> and October 15<sup>th</sup>, 2004** were considered. Mr. Raver made a motion to approve payment. Mr. Bagwell seconded the motion, and it carried.
4. **2005 Holiday Schedule:** The County Auditor recently received a copy of the State Holiday Schedule for 2005, which is the basis for scheduling the County Holidays. The Commissioners noted there are no election days in 2005, which results in two less days off for the county employees. The Commissioners decided to schedule Elwood Haynes Day on Friday, July 1<sup>st</sup>, 2005. The final version of the 2005 County Holiday Schedule will be submitted for approval at the next meeting on October 18<sup>th</sup>, 2004.

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

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

1. Attorney Murrell presented a claim for his **monthly office allowance** in the amount of \$385.00 and **quarterly litigation services** rendered through September 30<sup>th</sup>, 2004 in the amount of \$1,237.50. Mr. Bagwell made a motion to approve payment. Mr. Raver seconded the motion and it carried.
2. Attorney Murrell will be on vacation from Monday, October 11<sup>th</sup> through October 13<sup>th</sup>, 2004.

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

1. Mr. Raver made a motion to schedule an **Executive Session on Thursday, October 7<sup>th</sup>, 2003 at 1:30 p.m. in Room 220 D of the Howard County Administration Center** for discussion of strategy with respect to the implementation of security for the voting process. Seconded by Mr. Bagwell, the motion carried.
2. Mr. Raver serves on the County Extension Council and reported on the **Master Gardeners' Program**. The community garden was successful this year and distributed 21,109 pounds of fresh produce to approximately 15 recipients, which includes Howard Haven and the Rescue Mission.
3. **MS4 Public Hearing:** (*See September 27<sup>th</sup>, 2004 Special Meeting minutes for related discussion*) Mr. Raver made a motion to schedule a **Special Meeting on Thursday, October 28<sup>th</sup>, 2004 at 7:00 p.m. in Hearing Room No. 338 of the Howard County Administration Center** to hold a public hearing with reference to the proposed MS4 ordinance for Construction Site Storm Water Run Off Control in Howard County. This Ordinance must be adopted by November 1, 2004 to establish Rule 5 regulations on a local level and create a locality for the enforcement instead of I.D.E.M. Mr. Bagwell

seconded the motion, which carried. County MS4 Coordinator Greg Lake and Ms. Amy Moore, Professional Engineer with Butler, Fairman and Seufert, will conduct the presentation.

There being no further business, Mr. Raver made a motion to adjourn. Mr. Bagwell seconded the motion, which carried. The meeting closed at 11:30 a.m.

**THE HOWARD COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
JOHN B. HARBAUGH, PRESIDENT

\_\_\_\_\_  
PAUL J. RAVER, VICE PRESIDENT

\_\_\_\_\_  
BRADLEY J. BAGWELL, MEMBER

ATTEST:

\_\_\_\_\_  
MARTHA J. LAKE, AUDITOR  
Commissioner Minutes, October 4<sup>th</sup>, 2004