

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 18, 2004

The Howard County Board of Commissioners met in Regular Session on Monday, October 18th, 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, October 4th, 2004 and the Executive Session held on Monday, October 7th, 2004, were approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion to approve the minutes and the motion 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. **Road 400 North Project:** Change Order No. 1 from the Indiana Department of Transportation was submitted for the 400 North Project. Mr. Cain referred to the various changes, which included adjustments to the subgrade treatment, backfilling under a structure, capping a well, and deducting unused pipe items for drain tiles. The change order calculated to a negative figure of - \$2,676.32.

Mr. Raver made a motion to approve Change Order No. 1 for the Road 400 North Project. Mr. Bagwell seconded the motion, and it carried.

2. **Bridge 61 Improvements:** *(See page 1, September 20th, 2004 minutes, "In the Matter of Highway Issues", Item 3 for related discussion)* Bridge 61 has been torn out and remains closed to traffic for the scheduled repair-work. Borings into the bridge revealed that a seam contains some unsuitable material, but it is surrounded by solid material. Because there are no signs of settlement, Mr. Cain felt that the seam does not need totally removed, which would cost extra time and money. Mr. Cain asked the State for a reinvestigation and to allow the seam to remain. A record of approval from the State would be provided as a part of the construction documents upon completion of the project.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Door Problems:** *(See page 3, October 4th, 2004 minutes, "In the Matter of Maintenance Department Issues", Item 1, for related discussion)* A quote was received from Crowder Detention Equipment in Carmel for the repair of two electronic security doors (Nos. 1247A and 1201) at the jail. The original inspection fee of \$500.00 was reduced to \$385.00. The labor, materials, supplies, travel expenses, and final adjustments for the repair-work was quoted at a cost of \$1,237.00 for both doors. The Sheriff said he would inform the Commissioners of the repair date(s). The County Attorney recommended revising the terms of payment on the Work Order in accordance with the County claim procedure.
2. **Purchase Photocopy Machines:** There is a balance of approximately \$22,000 in the Cumulative Capital Development Fund line item for Sheriff's Department equipment following the purchase of the new mattresses, chairs and storage boxes for the jail. *(See page 2, September 20th, 2004 minutes, "In the Matter of Sheriff Department Issues", Item 3, for related discussion)* The Sheriff would like to use the remaining money to purchase four (4) new photocopy machines. The current copiers are five to ten years old and require frequent repairs. Sheriff's Department Personnel Administrator Ree Moon telephoned three vendors and obtained the three prices listed below:

<u>Vendor</u>	<u>Location</u>	<u>Quote</u>	<u>Price Per Copy</u>
Shearer Printing & Office Solutions	Kokomo	\$24,576.00	.009
Gestetner (Digital Office Technologies, Inc.)	Fort Wayne	\$25,341.00	.012
Business Solutions	Indianapolis	\$23,305.00	.0095

Ms. Moon recommended purchasing the copiers from Shearer Printing and Office Solutions in the amount of \$24,576.00, even though Business Solutions' price came in at \$23,305.00, stating that the .0095 charge per copy would eventually result in a higher cost than the price from Shearer.

Mr. Jon Callane, Sales Representative from Shearer Printing and Office Solutions, recommended the purchase of two (2) 7145, one (1) 7022, and one (1) 7118F Konica machines based on the monthly volume of use in various areas of the Criminal Justice Center. Sheriff Talbert commented about the promptness and convenience of repair work being performed by a local vendor rather than waiting for an out of town repair person to arrive. Mr. Callane briefly described some unique features of the equipment.

Pick up and disposal of the old copy machines were included in the price quote. It was discovered that trade-in prices were added and deducted to come up with the \$24,576 in Shearer's price stated above. The total price without the trade-in allowance is in excess of \$28,000. The Commissioners expressed

concerns due to the fact that prices received came in at a level which could call for formal quoting procedures (purchases between \$25,000 and \$75,000).

Because of these concerns, and to be fair and in compliance with the spirit of the purchasing statute, the County Attorney recommended that the purchase should follow the State statutory provision for purchasing. One provision in the State purchasing guideline is that all vendors receive identical specifications in writing. In this case that did not happen. A brief discussion was held about splitting up the purchase, but the original request was for a combined purchase.

The Commissioners, by consensus, tabled the request in order for the Sheriff's Department to start over and follow the guidelines of the state purchasing procedure.

Sheriff Talbert stated that any amount that would need to be paid for the copiers over the approximate \$22,000 available in the CCD Fund would be paid out of the Sheriff's Commissary Fund.

3. **Purchase SWAT Vests:** Sheriff Major Steve Rogers gave a brief presentation regarding a proposal to purchase eight bullet-proof vests for the SWAT Team from Point Blank Body Armor, Inc. The cost would be \$14,319.92 and is designated to be paid out of 515 Howard County Misdemeanant Grant Fund. The ban on assault rifles has been lifted in Indiana and Sheriff Talbert said there have been a few instances of assault rifles being used against police officers. Major Rogers said the existing body armor can degrade after a period of time and what we now have is five years old. An older vest could compromise the ability to resist ballistic invasion. The department is seeking to prepare and accommodate for the possibility of a higher threat level. The new vests are constructed with better materials, including special features such as bicep protection and other optional inserts (for protection from higher velocity weapons).

The Commissioners took no action on this issue. Auditor Lake advised that this request has been advertised and should be presented at the next meeting of the County Council on October 26, 2004.

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

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

1. There were no **subdivision plats** submitted for approval at this time.
2. **Unsafe Buildings:** Mr. Boise conducted some inspections but there was no new information to report at this time.
3. **Flood Mitigation Issues:**
 - a. **IHFA Block Grant:** Mr. Boise is waiting on further information on the status of the grant application submitted to the Indiana Housing Finance Authority for the second round of the Community Development Block Grant.
 - b. **Multi-Natural Hazard Mitigation Update:** Greentown responded with a letter stating they are interested in participating in the Multi-Natural Hazard Mitigation Plan. The deadline for the consultants to submit their proposals is on Friday, October 22nd, 2004. Mr. Boise reported that no inquiries have been received at this time.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Administration Center:** The process of changing air conditioning to heat is scheduled sometime this week.
2. **Government Center:** Mr. Harrison is currently seeking quotes for removing carpet and installing vinyl floor tile in the Vital Records Office of the Health Department.

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 **October 26th through 29th, 2004** 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. **Howard County Community Corrections Board:** *(See page 4, July 6th, 2004 minutes, "In the Matter of Community Corrections" for related discussion)* Mrs. McKillip requested reappointment of Captain Napoleon Leal's term as President on the Community Corrections Board, which expired on

June 30th, 2004. However, Captain Leal already was reappointed on July 6th, 2004 for a term of four (4) years at a request from the Community Corrections Director.

3. **Seminar Update:**

- a. The **Retirement Seminar** for County Employees will be held on **Tuesday, October 26, 2004, from 8:00 a.m. to 12:00 p.m. in Room 101 of the Howard County Government Center.**
- b. The **Healthy Eating Meeting Luncheon** is scheduled on **Wednesday, October 27th, 2004 from 12:00 noon to 1:00 p.m. in Room 101 of the Howard County Government Center.** A flyer regarding the presentation will be distributed with employee paychecks on Friday, October 22nd, 2004.

IN THE MATTER OF COUNTY CLERK ISSUE – TITLE IV-D EXPENSE RECOVERY:

(See pages 4 – 5, September 7th, 2004 minutes, “In the Matter of County Clerk Issues”, Item 1, for related discussion)

Clerk Mona Myers was present with Mr. Charles Malinowski of Malinowski Consulting to present a summary of the Revised Title IV-D Claims. The study identified additional staff that was not claimed previously. As a result the General Fund would receive a check from the Family and Social Services Administration in the amount of \$12,942.00. Mr. Malinowski commended the Clerk’s Office for their cooperation and help in completing the project.

IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:

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

1. **Purchase New Server:** The Dell server that houses finance and tax information is more than three years old. A considerable amount of history is being accumulated and stored. The server’s processing power slows down as large reports are being processed. Currently, the Health Department is initiating a vital records project to implement imaging applications which will need a server. Mr. Tribby felt that the tax and financials server would be very adequate for the imaging applications. Mr. Tribby proposes to recycle the server to process imaging applications instead of purchasing a new one.

A new server would then be purchased to accommodate finance and tax information. Compared to the current 3-gigahertz processors, the new proposed Dell server has dual 800-megahertz processors, which is approximately 400% faster. The storage capacity is 160 gigahertz (compressed). There are funds available in the Hardware/Software line item to purchase the new server, software upgrade, and necessary licenses at a cost of \$14,957.18.

Discussion ensued regarding the possibility of the Health Department purchasing the old tax and finance server with Tobacco Settlement Funds in lieu of receiving it free. Mr. Tribby has spoken earlier with Mrs. Kris Conyers, Director of the Health Department and she is in favor of using the recycled server because it would be a significant savings to the Health Department.

Mr. Bagwell made a motion to approve the upgrade to a new tax and finance server as outlined by Mr. Tribby. Seconded by Mr. Raver, the motion carried.

2. **Interoperability Communications Upgrade Wireless Project:** *(See page 5, October 4th, 2004 minutes, “In the Matter of Information Systems Director Issues”, Item 3, for related discussion)* Mr. Tribby reported that the ICU Wireless Project is progressing ahead of schedule. All of the communication towers are in the process of being connected. The antennas, wiring and router switches have been installed at the Administration Center. Connectivity will be established between the three facilities upon completion of the installations at Kokomo City Hall and Criminal Justice Center.
3. **Cell Phone Pool:** Mr. Tribby is currently working on a plan with Verizon Wireless Communications to standardize the accounts for the county’s twelve cellular phones. The phones would be incorporated into the same contract period with a shared minutes group plan. The new plan could generate an annual savings of approximately 30%-40% for the County.

IN THE MATTER OF JUVENILE PROBATION DEPARTMENT ISSUE – JABG Contract:

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

Chief Juvenile Probation Officer Don Travis presented the Juvenile Accountability Block Grant Contract for Federal Funds from the Indiana Criminal Justice Institute.

Mr. Bagwell made a motion to approve the JABG award letter and authorize the President to sign on behalf of the Board. Mr. Raver seconded the motion, which carried.

PUBLIC HEARING – 9:00 a.m. – LOCAL LAW ENFORCEMENT BLOCK GRANT:

(See page 2, September 20th, 2004 minutes, “In the Matter of Sheriff Department Issues”, Item 2, for related discussion)

The public hearing was opened at 9:30 a.m.

Sheriff Marshall Talbert explained the public hearing was scheduled in compliance with the requirements for the Local Law Enforcement Block Grant #2004-LB-BX-1561. The grant totals \$6,166.00 in Federal Funds with a local match of \$685.00 to be paid out of the Commissary Fund. Sheriff Talbert proposes to use the funds to purchase equipment for the Reserve Deputy Program.

There were no questions or comments from those present. Mr. Bagwell made a motion to close the public hearing. Seconded by Mr. Raver, the motion carried.

The Public Hearing closed at 9:35 a.m.

IN THE MATTER OF HOWARD HAVEN RESIDENTIAL CENTER ISSUES:

Howard Haven Superintendent Thomas Tolen presented three (3) applications for admission to Howard Haven under the ARCH Program. Two male applicants are veterans residing at the Rescue Mission. One female applicant resides at Friendship Haven Assisted Living Facility. One applicant, Mr. Frank Durante, a former inmate, was in attendance at the previous meeting to compliment the food and service at the Howard County Jail. *(See page 7, October 4th, 2004 minutes, “In the Matter of Compliment to the Jail” for related discussion)*

No records have been found indicating that residents at the county home have ever been required to pass a criminal background check. Having no previous guidelines on the issue, the Commissioners were apprehensive about approving applicants with a criminal record. A discussion was held regarding whether to add criminal background checks for new applicants.

Mr. Tolen advised that he had previously talked to the County Attorney about revising the application and establishing some new guidelines for the application process. Attorney Larry Murrell stated that the county has a vested interest in protecting the people who reside at Howard Haven. Mr. Bagwell commented that the Commissioners should have more detailed information about each applicant before accepting them for the ninety-day probationary period. Sheriff Talbert suggested devising an authorization form for applicants to sign to give their consent to a criminal history check. Attorney Murrell had no problem with the county conducting criminal background checks on applicants. He suggested modifying the application form to incorporate a written consent. Upon completion of a criminal history check, Mr. Tolen would have an opportunity to state concerns or make recommendations regarding each applicant. The Commissioners asked Mr. Tolen to work on the necessary application and guideline revisions and bring further information to the next meeting.

In order for criminal background checks to be completed on the three applicants the Commissioners, by consensus, decided to defer the applications for admission to Howard Haven until the next regular meeting on November 1st, 2004.

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 18th, 2004 in the amount of \$83,183.74** 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 October 22nd, and October 29th, 2004** were considered. Mr. Raver made a motion to approve payment. Mr. Bagwell seconded the motion, and it carried.
3. The **Howard County Treasurers Report for the month of September 2004** was accepted on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.
4. **Grant Close Out:** *(See pages 5-6, October 4th, 2004 minutes, “In the Matter of Grant Activity”, Item 1, for related discussion)* Mr. Bagwell made a motion to ratify the President’s signature on the Disclosure Report, Grantee Performance Report, Financial Settlement Expenditure Report, and Grant Close Out Document for the Honey Creek Township Fire Truck Grant. Mr. Raver seconded the motion, and it carried.
5. The Commissioners received copies of the **Indiana Association of County Commissioners News Bulletin and Conference Information**. The 2004 IACC Annual Conference will be held on **November 30th to December 2nd, 2004** in Indianapolis.
6. Mr. Raver made a motion to request the following simple transfers. Mr. Bagwell seconded the motion, which carried. The transfers are listed as follows:

FROM: TO: AMOUNT:

500 HOWARD COUNTY ECONOMICAL DEVELOPMENT INCOME TAX FUND:

4725	Renov. Courthouse	4731	Renov. Admin. Center	\$ 20,000.00
<i>(Remodeling project in Mapping Department in Auditor’s Office to shelve transfer books)</i>				
4725	Renov. Courthouse	4718	Repair Bldgs. & Struct.	5,700.00
<i>(Repair of doors at jail \$1,700.00 and Howard Haven \$4,000)</i>				

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell presented the following two **claims for legal services rendered by Barnes and Thornburg:**

Civic Center Board Reorganization	\$ 137.50
Continental Steel Superfund Site	<u>\$ 4,829.50</u>
Total	\$ 4,967.00

Mr. Bagwell made a motion to approve payment as requested. Mr. Raver seconded the motion, and it carried.

IN THE MATTER OF COMMISSIONER ISSUES:

2005 Holiday Schedule: The Commissioners will consider approval of the final version of the 2005 Holiday Schedule at the next regular meeting on Monday, November 1st, 2004.

There being no further business, Mr. Raver made a motion to adjourn. Mr. Bagwell seconded the motion, which carried. The meeting closed at 10:05 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, October 18th, 2004