

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 18, 2006

The Howard County Board of Commissioners met in Regular Session on Monday, September 18, 2006, 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Bradley J. Bagwell, Vice President Paul J. Raver and Member John B. Harbaugh. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

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

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the September 5, 2006 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Engineer/Supervisor Ted Cain submitted the following issues for Board information and approval:

1. **Bridge Inspection Agreement:** Mr. Cain presented a letter prepared for the Board of Commissioners to Mr. Bruno F. Canzian at INDOT, concerning the County-wide Bridge Inspection Agreement. Mr. Cain submitted a hard copy of the proposed Agreement with Butler Fairman & Seufert that was approved at the September 5th meeting (*please refer to page one, "In The Matter Of Highway Department Issues", of the Regular Meeting minutes dated September 5, 2006*). The total cost of the two-year proposal is \$97,141.00; the first phase will be \$59,554.00 (including underwater bridge inspections) and \$37,587.00 for the 2nd phase. Mr. Cain explained the needed inspections and on a motion made by Mr. Raver and seconded by Mr. Harbaugh, the letter to INDOT was approved and the President was authorized to sign the letter.
2. **Vacation of Right-Of-Way Request:** A request for a Public Hearing concerning a Vacation of Right-Of-Way will be heard later in the meeting. Mr. Cain informed the Board of Commissioners that he has reviewed the request and would give his recommendation to approve the Vacation of Right-Of-Way, citing there are no plans to build a road in that dedicated easement.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current jail population is 322 inmates. This number is just slightly below capacity.
2. **New Vehicles:** The five new vehicles have been delivered and are en route to Indianapolis to be fitted with lights and sirens.
3. **New Officer:** Mr. Jordan Buckley has entered the Indiana Law Enforcement Academy for his sixteen weeks of training. He did well with his physical assessment (meeting entrance and exit standards), and Sheriff Talbert is expecting good academic scores and exit standards.
4. **Department of Corrections Reimbursement:** Sheriff Talbert submitted a reimbursement check in the amount of \$16,835.00 to Auditor Ann Wells for receipt into the County General fund.
5. **Corrections Officer Back On Duty:** Officer Bruce McKellar is back to work following his transplant surgery, and doing well.
6. **Sheriff Auction:** Auctioneer Cartwright Ellis inspected the items earmarked for the Sheriff's Auction and did not believe there were enough sellable items to make the auction worthwhile. Since his inspection, Sheriff Talbert has received word that the City of Kokomo has several vehicles they would like to contribute to the Sheriff's Auction. Sheriff Talbert will contact Mr. Ellis, again, to set a date. There may be items from Howard Haven and the Information Systems Department to contribute.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Case 11-CP-06:** One lot in Keislings Creek Subdivision, located at 11255 East 250 South, was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Demolition of Unsafe Property:** The demolition of property located at 3904 South 350 West (Myers) has been completed and is slated for inspection.
3. **FEMA Grant Application:** The FEMA Grant application for funds to demolish a flood property was **not approved**. Mr. Boise noted that the State received funds for the demolition of only one home (for the entire state).
4. **Home Numbering System for Hidden Acres Subdivision:** Hidden Acres Subdivision, 50 North and 700 East, used to be on a Rural Route sequence. In the 1970's Hidden Acres was put on a new house numbering system; several property owners protested and were allowed to revert back to the Rural Route system. Mr. Boise has received a request from the Post Office and from emergency services to decide on a consistent system. Mr. Boise would recommend the house numbering system to stay consistent with the remainder of the County. Property owner Mr. Don Marler was invited to address the Board concerning the problems with trying to live within two systems. Sheriff Talbert spoke to the issue from the law enforcement and emergency services point of view. They, too, would recommend using the new numbering system. At the conclusion of ensuing discussion, a motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried that henceforth Hidden Acres Subdivision shall conform to the Prevailing Direction Method and that Mr. Boise is directed to notify the Greentown Post Office of the Board's decision.

IN THE MATTER OF MAINTENANCE ISSUES:

Buildings and Ground Supervisor Art Fross presented the following issues for Board information and approval:

1. **Proximity Card Readers For Entry Doors At The Criminal Justice Center:** Reader boxes for Proximity cards for the north and south employee doors and the dispatch door at the Criminal Justice Center were never installed when new software to make the identification/access cards was put into use. Dispatch Coordinator Tony Ramsey is in contact with several different companies and will report to the Board, when the information is complete.
2. **Commendation For Sheriff's Employee:** Mr. Fross is in receipt of a letter from Sheriff Talbert commending the maintenance services of Mr. Don Leffert and the Inmate Work Crew, for work done at the Criminal Justice Center as well as Howard Haven, Johanning Civic Center and the Seiberling Mansion.
3. **Administration Center HVAC Project:** Assistant Superintendent Scott Reed reported that both of the old boilers have been removed from the Administration Center. While waiting on some of the parts needed for installation, demolition work is being done as well as the installation of new pipe. Mr. Richard Stout, Maintenance and Mr. Dave Smith from Siemens rebuilt the heating air handler.
4. **Proposals for New Roof:** Mr. Fross is obtaining proposals for a new roof for the Administration Center. Roof leaks have also been reported and repaired at the Health Department, Circuit Court Judge's office and Howard Haven.
5. **Billing Amendment For Benchmark Contract:** Benchmark Mechanical has informed Attorney Larry Murrell of their desire to receive partial payment for equipment (*please refer to page two, item three, "In The Matter Of Maintenance Department Issues", of the Regular Meeting Minutes dated August 21, 2006*). The contract reads that one payment will be made upon completion and inspection of the project. Mr. Murrell has prepared an amendment to the Benchmark Contract with language to allow Benchmark to submit invoices for the boilers and other equipment, and the Auditor would issue a check payable to Benchmark and the manufacturer involved. Mr. Fross submitted a list of four vendors that Benchmark

wishes to pay at this time. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to authorize payment of these four invoices, each greater than \$25,000.00, and issue the checks payable to Benchmark and the vendor, and authorize the President to sign the contract's amendment on behalf of the Board of Commissioners.

6. **HVAC Performance Bond:** It is time to replace Benchmark's Bid Bond for the Performance Bond, but some of the Bond language needs to be amended. Mr. Murrell will send corrections to Benchmark.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

Personnel Director Wanda McKillip submitted the following issues for Board information and approval:

1. **Veteran Office Closing Request:** Veteran Service Officer William A. Polsgrove requested that the Veteran's Service Office be closed allowing Mr. Polsgrove and his assistant Pam Cheek to attend their fall conference on Thursday, October 19, 2006. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the closing of the Veterans Service Office on Thursday, October 19, 2006.
2. **Anthem Memo For Payroll Distribution:** Ms. McKillip has prepared a memo to employees explaining the procedure of the new I.D. cards to be mailed by Anthem, with the new Group Number. She asked for authorization to distribute the memos through this week's payroll. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the distribution of the Anthem Memo through payroll.
3. **Insurance Meeting:** The next insurance meeting will be Tuesday, September 19, 2006.
4. **Confirm FMLA Log:** The FMLA Log is on file in the Personnel Office. The Commissioners have reviewed the Log and confirmed it on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
5. **Meeting With Auditor:** Ms. McKillip will be meeting with the Auditor to discuss time-keeping and payroll changes, insuring that proper procedure is being maintained by all county offices.

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

Information Systems Director Terry Tribby presented an issue concerning an Emergency Medical Response Sequence that each emergency call has to follow to process needed information. Dispatch's former program was a combination of card and electronic system, with the IT Department making the cards. It was determined that this system is non-compliant. Mr. Tony Ramsey has been researching available software systems and found a system from Priority Dispatch that will make Dispatch compliant, including the software and training. At the close of ensuing discussion, a motion was made by Mr. Raver and seconded by Mr. Harbaugh to approve an Additional Appropriation request of \$24,972.00 to cover the cost of the software. Upon further investigation, it is noted that the funds for this project were previously approved as part of the \$60,000.00 Additional Appropriation request approved at the September 5th meeting (*please refer to page two, item one, "In The Matter Of Information Systems Issues", of the Regular Meeting minutes dated September 5, 2006*). A motion was then made by Mr. Raver, seconded by Mr. Harbaugh and carried to authorize Mr. Ramsey to order the Priority Software now, to take advantage of the discount, and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF A REQUEST TO SCHEDULE A PUBLIC HEARING:

Mr. Dan Minor, on behalf of Nelson and Evelyn Raney, requests a Public Hearing Date to discuss a Vacation of Dedicated Right-Of-Way on five acres off the West Side of Lot 1 of Honnigford Subdivision. This dedicated right-of-way has previously been removed from the Thoroughfare map and Mr. Ted Cain has given his approval (*please refer to page one, item two, "In The Matter Of Highway Department Issues" of these Regular Meeting minutes*). After ensuing discussion a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to set a Public Hearing for 8:45 a.m. on Monday, October 16, 2006.

IN THE MATTER OF DEPARTMENT OF HEALTH COMPUTER PURCHASE REQUEST:

Health Department Director Kristine Conyers presented a request for the purchase of fourteen (14) computers for the Health Department. The present computers are five years old and the warranties have expired, and the systems outdated. Mr. Tribby would also like to make the Health Department compliant to the same DSL system as the rest of the County offices. Ms. Conyers has money available in the Tobacco Fund and has received authorization from the Board of Health to request the computers. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Ms. Conyers was authorized to proceed with the purchase of fourteen Dell computers for the Health Department at a total cost of \$17,871.98.

IN THE MATTER OF A NEW EQUIPMENT REQUEST FOR THE CLERK'S OFFICE:

Howard County Clerk Mona Myers requests the purchase of a new copier and eight chairs for the Clerk's Office. The present computer is twelve years old and is still operating, but, a new copier is needed that is more advanced and can handle a higher volume of work. The copier would be purchased from Shearer's and the eight new chairs (the old ones cannot be repaired) will be purchased from Beckley's Office Equipment. Ms. Myers plans to take the needed funds from the Title IV-D Account, pending Council approval. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to authorize the purchase of a new copier and eight new chairs pending Council approval.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Ann Wells submitted the following issues for Commissioner information and approval:

1. **Commissioner Salary Claims:** Salary claims payable September 22nd and 29th, 2006, in the amount of \$296,420.05 were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Commissioner Operating Claims:** Operating claims payable September 18, 2006, (because of an Advanced Draw of Funds) in the amount of \$733,817.12, were approved, as submitted, on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Treasurer's Monthly Report:** The Treasurer's Monthly report for the month ending August 31, 2006 was accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
4. **Veteran Service Report:** The Veterans Service Office report for the month of August, 2006, was accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF TOWNSHIP ASSISTANCE APPEAL:

Mr. Raver reported on a Township Assistance Appeal for Teresa L. Kerr, Center Township. Because the applicant did not have necessary paperwork in order, Mr. Raver made a motion to uphold the denial of the Township Trustee. Mr. Harbaugh seconded the motion and the motion carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Lease Agreement of Drug Task Force Vehicle:** At the September 5th Meeting, the Board of Commissioners approved a Lease Agreement from Button Dodge for a new vehicle for the Sheriff's Department Drug Task Force appointee, Matt Roberson (*please refer to page one, item four, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated September 5, 2006*). Because the original purchase price is over \$25,000.00, the quote process is appropriate. However, because Chrysler Financial is offering a twenty-seven month special lease just for the Drug Task Force, this purchase can be deemed a "Special Purchase" and bypass the quote system if the facts so warrant. Mr. Murrell also has a Lease Finance Application for the President to sign. A motion was made by Mr. Raver to deem this vehicle as a special purchase because the lease purchase is a unique opportunity to lease a Chrysler Dodge Ram at a discounted price, with substantial savings to the County, and authorize the President to sign the Lease Finance Application on behalf of the Board. Mr. Murrell will review the Lease Agreement when available, before the Commissioners sign it.

2. **Pinnacle Tower Lease:** Discussion and plans have been made to relocate the E-911 antenna and equipment to a new location. At the August 21st meeting the Board authorized Mr. Murrell to proceed with a Notice of Termination to Pinnacle Tower, requesting additional leasing time on a month-by-month basis after December 31, 2006 as needed. Pinnacle Towers Acquisition is the lease holder of the current tower the County uses (*please refer to page four, item four of the Regular Meeting minutes dated August 21, 2006*). Since that time, there has been discussion and approval from the County Council to proceed with the process of building our own tower and will continue to need the services of Pinnacle Towers Acquisition. It was the consensus of the Board to direct Mr. Murrell to rescind the Notice of Termination.

3. **City Of Kokomo Smoking Ordinance:** There was an inquiry into the City's Smoking Ban Ordinance's application to County owned buildings located within City limits. After much research and consultation with City Council Attorney Corbin King, it was concluded from a legal standpoint, that buildings within the City would be subject to the terms of the City's Smoking Ordinance. Mr. Murrell reminded the Board that in 1993 the Board of Commissioners approved a non-smoking ordinance for County Buildings but allowed the Office Holders to designate smoking areas. The 1993 Ordinance does not comply with the current City Ordinance, requiring the Board to change their Ordinance. President Bagwell reminded the Board that the City's Ordinance becomes effective October 6, 2006 so the Commissioners need to reach a decision before that time. After discussion it was the consensus of the Board to direct Mr. Murrell to prepare paperwork rescinding the County Ordinance, for the October 2nd meeting. A communiqué will be prepared for employee notification.

4. **Tour of Kokomo Academy:** Sheriff Talbert reported to the Board of Commissioners his concern with the number of escape attempts at the Kokomo Academy, being twenty-one (21) since January 1, 2006. Mr. Murrell was directed to review terms and conditions contained in the lease, and classification of detainees (*please refer to page two, item three, "In The Matter Of Sheriff Department Issues", of the Regular Meeting minutes dated August 7, 2006*). Mr. Murrell now offers to set up a tour of the facility to those interested. All Board members and Sheriff Talbert would like to be involved in the tour.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Sheriff Sale:** Cartwright Ellis has been contacted and a date has been set for the Sheriff sale for Saturday, October 14, 2006 (*please refer to page one, item six, "In The Matter Of Sheriff Department Issues", of these Regular Meeting minutes*). A memo will be sent to all County offices giving them an opportunity to donate items for the sale.

2. **US-31 Bypass Surveys:** The Board is in receipt of notification of a survey being conducted by Woolpert Inc., concerning the US 31 Bypass. The survey area is in the new US 31 Bypass area between County Road 300 South and County Road 250 North.

3. **Public Hearing:** There will be a Public Hearing in November, 2006, concerning the draft Environmental Impact Study of the Touby Pike US 31 Bypass interchange.

4. **Annual Americans For Effective Law Enforcement Workshop:** Sheriff Talbert informed the Board of Commissioners of the upcoming Annual Workshop in Las Vegas, January 8 - 10, 2007. This workshop is sponsored by the organization Americans For Effective Law Enforcement and deals with jail and prisoner legal issues. He would like to send Mr. Murrell, Mr. Bagwell, and Mr. Miller, as well as a representative of the Sheriff's Department. Funds are available from the Sheriff's Training Account.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:55 a.m. on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVEN, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Commissioner Meeting Minutes September 18, 2006