

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 2, 2006

The Howard County Board of Commissioners met in Regular Session on Monday, October 2, 2006, 8:30 a.m. in Hearing Room 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 Major Steve Rogers and conducted by President Bagwell.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the September 18, 2006 Regular Meeting, having been previously submitted and reviewed, and the September 25, 2006 Special Meeting, 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 presented the following issues for Board information and approval:

1. **Final Inspection Letter, 400 North Project:** Mr. Cain presented the Report of Contract Final Inspection and Recommendation For Acceptance concerning the 400 North Project. The project was completed in June of 2005 and after the final inspection, Mr. Cain recommends that the project be accepted and a letter to the State be signed by the Board of Commissioners. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the Final Inspection and Recommendation for Acceptance was approved and signed.
2. **Chip and Seal Project:** The Chip and Seal Project will be completed October 3rd. This project has covered 85 - 90 miles.
3. **Additional Appropriations:** Mr. Cain will be requesting additional funds at the next October Council meeting as follows:

Local Road and Street:	
Bituminous	\$ 20,000.00
Dixon Road Project	\$ 80,000.00
Highway:	
Group Insurance	\$ 13,000.00
Gas	\$ 34,000.00
Bituminous	\$463,000.00

He reminded the Board that the Highway Fund would be receiving approximately \$570,000.00 from the Major Moves project. In 2007, Mr. Cain will ask for additional appropriations for preliminary engineering concerning road repairs leading up to the State Road 31 Bypass interchanges.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Major Steve Rogers submitted the following issues for Commissioner information and approval:

1. **Jail Population:** The current jail population is 322; 39 of those inmates reported are female.
2. **Alarm Ordinance No. 2005-BCC-67:** Major Rogers reported that since the Emergency Alarm System Ordinance has been effective, there has been a reduction in false alarm calls, and some citations have been written (*please refer to page five, "In The Matter Of Ordinance No. 2005-BCC-67", of the December 19, 2005 Regular Meeting minutes*).
3. **County Auction on October 14th:** The Sheriff's Department is working toward the auction on Saturday, October 14, 2006. They are still receiving items from other offices and descriptions of the items to be auctioned should be given to the Auctioneer, Cartwright Ellis, or Detective Shirey at the Sheriff's Department, for advertising purposes.

4. **Pole Barn Construction:** Major Rogers submitted a letter from Kokomo Area Career Center informing Sheriff Talbert that the Kokomo Area Career Center Building Trades Advisory Board voted *not* to approve the pole barn project "based on review and recommendation from our school attorney and the concerns with the project not being a residential construction, the student's risk of exposure to inmates on the property, and that by serving a governmental agency it would be setting precedence for future projects" (*please refer to page two, item three, "In The Matter Of Sheriff Department Issues", of the Regular Meeting minutes dated July 17, 2006*). Sheriff Talbert will look into alternative ways to construct the building.
5. **Former S.W.A.T. Vehicle:** The old S.W.A.T. vehicle has been donated to the Putnam County Sheriff's Department.
6. **Greentown Firearms Range Project:** Major Rogers presented a Conflict of Interest Form for the Utility Barn to be purchased from Deputy Jerry Jumper. This 10' X 12' building will be used to store range equipment at the Firearms Range in Greentown, at a cost of \$1,000.00 to be paid from the Sheriff's Commissary Fund. Firearms and ammunition *will not* be stored there. Attorney Larry Murrell presented the Interlocal Agreement with the town of Greentown for this project and requested the Board to recommend approval to the Council. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the Board recommended approval of the Agreement to the County Council. A motion was then made by Mr. Raver to approve the Conflict of Interest with Deputy Jerry Jumper and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Harbaugh and carried. All paperwork will be distributed appropriately.
7. **Request To Purchase Vehicles:** Sheriff Talbert requests to purchase two (2) new 2007 Crown Victorias, trading in two units with 100,000 miles on them. He would like to purchase the 2007 models because according to Bloomington Ford, the 2008 models are carrying a \$300 to \$400 increase in price. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to authorize Sheriff Talbert to proceed with obtaining quotes.
8. **Drug Task Force Vehicle Lease:** Attorney Murrell reported that he has made several changes to the Lease for Detective Roberson's vehicle and faxed those changes to Button Motors. He will present the amended Lease at the next Commissioner meeting.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Case 10-CP-06:** one lot in Bryson-Tanner Subdivision located at 3932 South 1150 East, was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Case 13-CP-06:** one lot in Guffey Acres Subdivision located at 1603 North 400 West, was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
3. **Ordinance No. 2006-BCC-38:** a request to rezone property located at 2001 West 400 South from A-1 (Agricultural) to B-2 (General Business). A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve Ordinance No. 2006-BCC-38.
4. **Ordinance No. 2006-BCC-39:** a request to rezone property located at 3021 South 400 East from A-1 (Agricultural) to RS-1 (Residential Suburban 1). Ordinance No. 2006-BCC-39 was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
5. **Ordinance No. 2006-BCC-40:** a request to rezone property located at 2126 West 400 South from A-1 (Agricultural) to B-2 (General Business). Ordinance No. 2006-BCC-40 was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
6. **Ordinance No. 2006-BCC-24:** a request to relocate a Yield Sign established by Ordinance No. 1985-30, to County Road 350 North / Hickory Lane shall yield to traffic on North Parkway. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve Ordinance No. 2006-BCC-24.

7. **Unsafe Building at 3904 South 350 West:** The demolition of the Myers' Property at 3904 South 350 West has been completed. A lien can now be put on the property, for the cost of the demolition. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, Attorney Murrell was directed to proceed with the process of placing a lien on the property located at 3904 South 350 West, for the cost of the demolition.
8. **Flood Mitigation Property Located at 4089 South 50 East:** All adoption documents have been received and forwarded to the State, concerning the Multi-Hazard Mitigation Plan. Once the State has approved the Plan, we will be eligible for the possibility of federal funds. At that time, Mr. Boise will seek a grant to pay the demolition costs of this property.

IN THE MATTER OF MAINTENANCE ISSUES:

Buildings and Grounds Supervisor Art Fross submitted the following items for Commissioner information and approval:

1. **Administration Center HVAC Project:** The installation of the boilers is progressing. Air conditioning is in use. Heat will be available by the 15th of October and the last phase of the project will be completed no later than November 15th.
2. **Contract For Howard Haven Roof Repair:** Mr. Fross signed a contract with Arnie Cook Roofing, in the amount of \$7,300.00, for the repair of the center section (two stories) roof at Howard Haven. His signature was confirmed on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
3. **Concrete Pad For New E-911 Tower:** Mr. Fross has an estimate of \$31,000.00 for a concrete pad, generator purchase and installation, and secure fencing for the new E-911 tower.
4. **Administration Center Maple Tree:** The maple tree on the north side of the Administration Center is in need of trimming to remove branches that are touching the glass. Discussion ensued concerning the maple tree closest to the street, as well as the dying pine trees. It was the consensus of the Board to direct Mr. Fross to obtain quotes for the pruning of the two maple trees and the removal of the five pine trees.
5. **Service Agreement With Trane:** This Service Agreement is for the Control System located at the Courthouse. Mr. Murrell had requested changes to the original agreement and the amended agreement is ready for approval and signatures. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to accept the Service Agreement, in the amount of \$7,245.00, payable at \$1,811.25 per quarter, and authorize the President to sign on behalf of the Board of Commissioners.
6. **Benchmark Performance Bond:** A change in language is required before the Bond can be approved. Mr. Murrell is awaiting response from Miles & Finch.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Resolution No. 2006-BCC-19:** This resolution is to give support to the Howard County United Way campaign for 2006/2007, and was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Payroll Distribution of United Way Memo:** Ms. McKillip presented a United Way memo to the Board of Commissioners, and asked that it be distributed through the payroll vouchers distributed October 6th. A motion was made by Mr. Harbaugh to approve the memo and its distribution through the October 6, 2006 payroll. The motion was seconded by Mr. Raver and carried.
3. **AFLAC Voluntary Insurance Plan Memo:** AFLAC Representatives Gary Keisling and Denny Camden will be available Tuesday October 17 - Friday October 20, 2006 to meet with employees. Ms. McKillip would like to distribute the memo through the payroll vouchers dated October 13, 2006. The memo and its October 13th payroll distribution was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

4. **Anthem Wellness Program:** Mr. Doug Heath, from Miles & Finch, was in attendance, with Ms. McKillip to discuss the Howard County Employee Group Comprehensive Wellness Program. This program is recommended by the Howard County Insurance Committee. The program is designed to provide prevention and early detection testing, as well as encouragement for life-style changes and chronic disease management. The total estimated cost for the program \$54,046.00, based on the number of eligible participants plus the cost of screening options (lab work). This program is for all eligible employees regardless of whether they carry the County's insurance. Discussion ensued, and at its conclusion the Board, by consensus, decided to take the matter under advisement and direct the Personnel Department to conduct an employee survey.

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

Information Systems Director Terry Tribby submitted the following issues for Board information and approval:

1. **E-911 Mobile Connectivity Through CDMA:** At the September 5th Commissioner Meeting, Mr. Tribby talked about wireless connectivity through CDMA, a cellular card system, and the Commissioners approved that program through Verizon Wireless (*please refer to page two, item one, "In The Matter Of Information Systems Issues", of the Regular Meeting minutes dated September 5, 2006*). The City of Kokomo has agreed to pay the cost of the CDMA hook-ups to City Police vehicle laptop computers.
2. **New Kinsey Youth Center Workstations:** Thirty Five workstations have been received for Kinsey Youth Center. The Information Systems Department is in the process setting up those stations.
3. **Homeland Security Project:** The Homeland Security Project must be completed by October 25, 2006.
4. **Video Arraignment System:** Mr. Tribby will order the new equipment for the previously approved Video Arraignment system in November of this year.
5. **Wireless Interoperability:** Greentown Police hook-up has been completed. The Greentown Fire Department hook-up is in progress.

IN THE MATTER OF A LETTER OF AUTHORIZATION FROM MANATRON:

Treasurer Martha Lake presented a Letter of Authorization from Manatron for the "creation of the MVP Tax database view to service data requests from the Imaging Office Captivation Check Capture System". The cost is in the amount of \$1,000.00 plus travel meals and expenses. Installation will be completed well before tax payment time in November. At the conclusion of ensuing discussion, a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the Letter of Authorization with Manatron and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF ORDINANCE NO. 2006-BCC-36:

Surveyor's Office Chief Deputy Greg Lake presented an amended version of Ordinance No. 2006-BCC-36 for Board approval (*please refer to the minutes of the Special Called Meeting dated September 25, 2006*). This amended version includes a language change in Section 1.4, Compatibility with Other Permit and Ordinance Requirements, and a revised fee schedule, Exhibit A. Mr. Lake asked that the Ordinance be made effective January 1, 2007. Mr. Murrell noted that Section 12 (page 22) would have to be changed to read as follows, "This Ordinance shall be effective January 1, 2007 subject to IDEM review and publication according to law". Mr. Lake will make that correction and resubmit it before the end of this meeting (*please refer to page 6*).

IN THE MATTER OF THE REQUEST TO USE THE COURTHOUSE ROOF FOR FIREWORKS DISPLAY:

Mr. John Wiles of the Kokomo Downtown Association submitted a request to use the northwest corner of the Courthouse roof for a pyrotechnic display at midnight on New Year's Eve, 2006. Discussion ensued concerning the removal of the spent cartridges and any waste from the display, to the Courthouse roof, as well as the times and dates listed on the letter of request. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the use of the Northwest corner of the Courthouse roof for a pyrotechnic display on December 31, 2006, subject to the addition of Howard County being added to the list of insured parties on the Certificate of Insurance.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Ann Wells submitted the following claims and reports for Board information and approval:

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims in the amount of \$296,420.05, payable October 6 and October 13, 2006, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Commissioner Operating Claims:** Operating claims in the amount of \$478,647.32, payable October 2, 2006 were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh. Ms. Wells also submitted two claims that were not on the October 2nd Docket, but were scheduled to be paid on October 2nd. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the claims for Jamie Shook (\$6.00) and James Harris (\$174.70), to be paid on October 2, 2006.
3. **Weights & Measures Report:** The Weights & Measures Report for the period of time from August 15 to September 15, 2006, was submitted and accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **New London Conservancy Loan:** Mr. Murrell and Mr. Raver met with representatives of Russiaville concerning the New London Conservancy. In light of the fact that the Conservancy is no longer actively seeking a grant, Mr. Murrell sent a letter to New London Conservancy requesting that the County's grant match amount of \$35,000.00 be returned to the Howard County. Mr. Murrell asks the Board of Commissioners to confirm the request. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to confirm Mr. Murrell's request to New London Conservancy for the return of the County's match money in the amount of \$35,000.00.
2. **Indiana Department of Homeland Security Grant:** At the September 5th Commissioner Meeting the Board of Commissioners authorized President Bagwell to approve the Indiana Department of Homeland Security Grant Funding Opportunity for Enhancing Court Security and to sign all documents necessary to secure the grant (*please refer to page four, item two, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated September 5, 2006*). The Auditor's Office received word on Friday, September 29th, that money has been granted to Howard County from the Indiana Department of Homeland Security for the purchase of an x-ray machine, entrance and exit tables and a walk-through metal detector. The purchase and payment of the equipment must be completed by October 30, 2006. Purchasing this equipment in three separate purchases will ensure compliance with the State purchasing statute. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to authorize Judge Murray to purchase, in three separate purchases, the Court Security Equipment as listed above, and authorize the President to sign any and all paperwork related to the purchases on behalf of the Board of Commissioners. Mr. Murrell will inform Judge Murray as to the Board's action in this matter.
3. **Amendment to the County Smoking Ordinance as Ordinance No. 2006-BCC-41:** An Ordinance of the Howard County Board of Commissioners repealing Ordinance 1987-19 as amended by 1993-13 Regulating Smoking in County buildings was submitted by Attorney Murrell in response to discussion ensuing from the September 18th Commissioner meeting (*please refer to page five, item three, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated September 18, 2006*). The Board discussed the City's Ordinance, extensively, and the County's responsibility in being compliant. At the conclusion of discussion a motion was made by Mr. Raver to approve Ordinance No. 2006-BCC-41. President Bagwell vacated the chair to second the motion. Mr. Raver and Mr. Bagwell voted yes to Ordinance No. 2006-BCC-41; Mr. Harbaugh voted no. The motion carried. The Ordinance will require a second reading, to be carried out at the October 16th meeting. Attorney Murrell will meet with City Attorney Corbin King to inform him of the County's efforts to comply with the City Ordinance. The Board will review Section 5.6 of the Employee Handbook, which contains the County's current smoking policy, at a later meeting.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **MS-4 Ordinance No. 2006-BCC-36:** Chief Deputy Greg Lake submitted amended copies of Ordinance No. 2006-BCC-36, MS-4 Ordinance, and the Ordinance was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh (*please refer to page four*).
2. **Renewal Agreement For Contract Services:** This contract with Mr. Ryan Nehl, which was approved at the August 21st Commissioner Meeting (*please refer to page three, "In The Matter Of Department of Health Issues", of the Regular Meeting minutes dated August 21, 2006*) and the August 22nd Council Meeting (*please refer to page two of the Council Regular Meeting minutes dated August 22, 2006*), is now signed by President Bagwell on behalf of the Board of Commissioners.
3. **Howard Haven Sewer Problem:** Howard Haven Superintendent Tom Tolen informed the Board of additional blockages in the sewer line located in the Women's wing of the home. A sizable chunk of lead was removed from the sewer line, hoping the problem would be fixed. The lines are still backing up and cleanout is needed on a daily basis. Mr. Tolen does not have funds to cover this expense but knows that work needs to be done. A motion was made by Mr. Raver to declare the sewer problem at Howard Haven an emergency situation, citing health and safety issues, and authorize Mr. Tolen to proceed with repairs. The motion was seconded by Mr. Harbaugh and carried.
4. **Grant Closeout Forms:** President Bagwell presented the Grant Closeout Forms sent to him by Indiana Office of Community & Rural Affairs, in reference to the Taylor Regional Sewer Grant. The forms were given to the Auditor to file with the grant information.
5. **2007 Holiday And Meeting Schedules:** Auditor Wells submitted 2007 Holiday and Meeting Schedules for review by the Board, to be put on the agenda for the October 16th meeting.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:20 a.m. on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

HOWARD COUNTY BOARD OF COMMISISONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVEN, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Commissioner Meeting Minutes October 2, 2006