

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING FEBRUARY 6, 2006

The Howard County Board of Commissioners met in Regular Session on Monday, February 6, 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 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:

Minutes of the January 17, 2006 Regular meeting, along with minutes from the January 18, 2006 Administrative meeting, were submitted having been previously reviewed. Both sets of minutes were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF RESOLUTION NO. 2006-BCC-07:

Highway Supervisor / Engineer, Ted Cain, had no issues to present to the Board at this time, so Commissioner President Bagwell took this opportunity to present Resolution 2006-BCC-07, a resolution supporting an additional interchange on the north end of alternative G of the new US 31 bypass. At the January 24, 2006 Council meeting, Commissioner President Bagwell presented Resolution No. 2006-HCC-05, a Joint Resolution with the Board of Commissioners (2006-BCC-06) in support of the State of Indiana's Major Moves Initiative (*please refer to page three, In The Matter of Resolution No. 2006-HCC-05, of the Council Regular meeting minutes dated January 24, 2006*). The State of Indiana has proposed the Major Moves Initiative and accepted a bid for the lease of the Indiana Toll road, in the amount of \$3.85 billion dollars. These funds would be placed in a trust fund for various highway projects and \$150 Million from the trust fund will be distributed to counties and their cities for local road projects. If Major Moves is approved by the Legislature, Howard County would receive \$387,016.00 and the City of Kokomo would receive \$211,860 for road improvements each year for at least the next three years. Resolution No. 2006-BCC-07 proposes that if the US 31 Bypass Commission chooses Alternative G for the bypass alignment, one year of the County's annual distribution from the Major Moves Initiative would be dedicated to the construction of an interchange in the Touby Pike area to serve businesses in the near north side of the City of Kokomo. The resolution would also encourage the City to dedicate one year of its Major Moves distribution to the Touby Pike interchange, and join with the County in petitioning InDOT for the additional interchange. Discussion ensued between the Board and Mr. Cain, with further action to be taken during Commissioner Issues (*page six*), toward the conclusion of the meeting.

IN THE MATTER OF SHERIFF ISSUES:

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

1. **Department of Corrections Check:** Sheriff Talbert presented the Chief Deputy Auditor with a reimbursement check from the Department of Corrections, in the amount of \$13,580.00, to be receipted into County General Funds.
2. **Court Security:** Small Tazer guns have been ordered for the five court security officers; two have been received and three are on back order. Security Officer Norris Jones, from Superior Court IV, will be receiving special training in Indianapolis, concerning special issues of Courtroom Security.
3. **Lieberman Technologies:** Sheriff Talbert presented paperwork to the Board, concerning a company that provides electronic cashbook and Tax warrant processing software programs. Nineteen Indiana counties are currently using Lieberman's software and are experiencing a savings in man-hours. This software package has been approved by the State Board of Accounts, and Sheriff Talbert believes it would be a useful tool for Howard County. He will present purchase of the product at a later date.
4. **Criminal Justice Center Courtroom:** The Courtroom at the Criminal Justice Center does not have a panic button. This courtroom is in a secure but isolated area, with only one security officer on duty. Mr. Talbert has discussed with Information Systems Director, Terry Tribby, the cost of installing the panic button.

5. **Americans for Effective Law Enforcement:** Captain Harold Vincent informed the Board of Commissioners of the Law Enforcement Seminar he and Officer Sheila Wyrick attended in Las Vegas, Nevada. The special speakers were nationally renowned in their fields and the whole seminar was effective. Captain Vincent reported that it was the most beneficial seminar he has attended, and expressed a desire to attend next year. He encouraged Commissioners and Councilmen to attend. Captain Vincent brought back several informational Power Point presentation CD-ROMs for distribution to the Board of Commissioners, County Attorney and Dispatch personnel.
6. **Wabash County Over Population:** The Wabash County Jail has been overpopulated for some time. Their insurance carrier has informed them of possible cancellation if they do not come into compliance. They were able to make provisions through the state and permission to use Howard County facilities for back up purposes. Howard County offered them the use of their secure Maveron units for prisoner transport. Because of Howard County's professional standing in the state, we were one of the first counties called for assistance. Captain Vincent did receive word that Wabash County was able to find another carrier that would work with them on their jail population, but finds it a surprising what insurance carriers can do to dictate population terms for coverage.
7. **Department of Corrections moves prisoners:** The new DOC Commissioner will attempt to move a large number of inmates out of county jails. Twenty one hundred DOC prisoners are currently being held in County jails. Sheriff Talbert welcomes this action.
8. **Inmate Work Program Van Purchase:** At the January 17th Commissioner meeting, Sheriff Talbert received permission from the Board to begin the process of replacing the van used by the Inmate Work Program (*please refer to page one, item three "In The Matter Of Sheriff Issues", of the regular meeting minutes dated January 17, 2006*). A mechanic from the Emergency Management Agency informed the Commissioners of the repairs needed. Sheriff Talbert would like to purchase a 2006 Chevrolet Express twelve passenger van, through Dan Young Chevrolet. There are doors on both sides of the van, a removable rear seat and a one ton trailer tote package. The cost of the van, to be paid from Misdemeanant Funds, is \$23,717.50. Sheriff Talbert would also like to outfit the van with a \$1,200.00 light package. This van could also be used for other county needs, including moving a sequestered jury during a trial. Because the purchase is less than \$25,000.00, it can be considered a small purchase and does not have to go through the bidding process. A motion was made by Mr. Raver to authorize Sheriff Talbert to purchase a 2006 Chevrolet Express twelve passenger van at a cost of \$23,717.50 and a light package in the amount of \$1,200.00, for a total cost of \$24,917.50. The motion was seconded by Mr. Harbaugh and carried. Sheriff Talbert thanked retired deputy, Jon Zeck, for his help with the purchase process.

Mr. Glen Boise, Plan Commission Director, took this opportunity to express appreciation to Sheriff Talbert, Officer Don Leffert, and the Inmate Work Crew for a job well done in the removal of the shed on property located at 3258 West 250 South.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Case 39-CP-05:** One lot in Heavenly Hills Subdivision located at 4730 North 600 West. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve Case 39-CP-05.
2. **Case 41-CP-05:** One lot in Blackamore Subdivision located at 4154 West 50 South. Case 41-CP-05 was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Unsafe Building:** Mr. Boise reported that the unsafe building located at 1739 850 East has been torn down, according to the new owner.
4. **Demolition of Property:** Mr. Boise is in the process of assessing the demolition needs of the property located at 3904 South 350 West to prepare specifications for demolition bids.

5. **Request for use of Unproductive Property:** At the November 7th, 2005 meeting, Mr. Boise submitted a request to rent or lease property that had been bought by the County through the Flood Hazard Mitigation Grant. County Attorney Murrell and Mr. Boise reminded the Board that any decision pertaining to the property had to be confirmed by FEMA. Mr. Murrell and Mr. Boise have not received information back from FEMA to date.
6. **Flood Hazard Mitigation Fund:** Mr. Boise informed the Board that, concerning flooded property owners who apply for assistance, FEMA is allowing them to apply for flood insurance, after the fact, in order to qualify for assistance. There have been three more requests for the County to purchase flooded properties, but the funds set aside have been exhausted. Because county financial constraints, money has not been budgeted for 2006.
7. **Multi-Hazard Mitigation Plan:** The Multi-Hazard Plan has been received by the Indiana Homeland Security, and is in the process of review.

IN THE MATTER OF MAINTENANCE ISSUES:

Buildings & Grounds Supervisor, Art Fross presented the following issues for Commissioner information and approval:

1. **Additional parking spaces around the Courthouse:** Due to increases in Courthouse employees, Mr. Fross has petitioned the Traffic Commission for two extra parking spaces around the Courthouse. The request is going through City Council.
2. **Storage Shed:** The Maintenance department is working with the Plan Commission concerning the construction of a new shed in the parking lot located on the corner of Buckeye and Mulberry Streets. This project had been brought to the Board of Commissioners in November (*please refer to page three, item four of the Regular meeting minutes dated November 21, 2005*), but was dropped because of the zoning restrictions. When a gas leak occurred in a piece of machinery stored in the Administration Center basement, Mr. Fross decided to revisit the issue. He will return to the Board after sufficient progress is made.
3. **Community Services Request:** Superior Court III Judge Tate and Community Service Director Karol Kohls made a request to the Maintenance Department to allow Community Service people to work off their service in the Maintenance Department. They would allow work to be done on the 4:00 to 8:00 p.m. work shift, one worker in the Courthouse and one in the Government Center. Guidelines are being determined by Judge Tate and Ms. Kohls.
4. **Paperwork stored in the Pole Barn:** Several County Departments store paperwork in a Pole Barn owned by the County. Mr. Fross is concerned about the fire hazard it could present, and the need the county has for a storage building. He would like to take several elected officials and judges to the building to ascertain the records stored. Mr. Fross was informed of a Document Storage Committee already in place to review what can or cannot be discarded, with the County Clerk as Chairman of that committee. Mr. Raver will meet with Mr. Fross to begin the examination process.

IN THE MATTER OF LIBRARY BOARD APPOINTMENT:

The Library Board appointment is the final Commissioner appointment to be made for the year 2006. Commissioner Raver nominated Council Member Stan Ortman for the appointment. The nomination was seconded by Mr. Harbaugh and carried. Mr. Ortman is appointed to the Library Board with a term to expire December 31, 2007.

IN THE MATTER OF INFORMATION SYSTEMS:

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

1. **Criminal Justice Center Server:** The main server at the Criminal Justice Center is in need of diagnostic attention, possibly replacement. It is difficult to try to schedule downtime for the server in a system that has to be in operation around the clock. The server is at the end of the three-year maintenance contract and considering the cost of downtime (\$600 - 800 dollars per hour) for the server Mr. Tribby and E911

director, Steve Kline decided it was best to purchase a new server. The server has been ordered, received and installed and is awaiting the migration procedure.

2. **Color Orthophotography:** Mr. Tribby has received the color orthophotography from the State for Dispatch and Sheriff's Deputies' use. Though the resolution is not as clear, the aerial photos are in color and will work with the GIS project. It is considered public domain and is available for any use.
3. **Courtroom at the Criminal Justice Center:** There is a need for a panic alarm system in the courtroom located at the Criminal Justice Center. Mr. Tribby has ordered the equipment and his department will install it. There is also a need for panic buttons in the lobby of the Criminal Justice Center as well the Kinsey Youth Center lobby. Mr. Tribby will look into those two areas.
4. **Microsoft Access Software:** Mr. Tribby has ordered Microsoft Access software for the Criminal Justice Center. This software program provides specialized ad hoc reporting from the CISCO software.
5. **Inmate Law Library:** The Inmate Law Library is ready for use. Hardware and software has been appropriately installed. This is a read only program.
6. **GIS Update:** Schneider Corporation has done the final training and conversion for the GIS software, moving to the ESRI software platform.
7. **Fidlar Companies Contract:** Fidlar Companies is offering data replication services for disaster prevention and recovery. Howard County's information would be stored on Fidlar's off site server. After reviewing the contract, Attorney Larry Murrell has suggested changes. These changes will be ready to be presented at the February 20th meeting. This contract will be paid from the Recorder Perpetuation Fund.

IN THE MATTER OF THE RESIDENTIAL AND SHELTER CARE FACILITY CONTRACT WITH THE STATE:

A contract from the state was submitted at the January 17th meeting, concerning residential and shelter care facilities (*please refer to page five, item six of the Regular meeting minutes dated January 17, 2006*). At that time, Ms. Weaver commented that "this is a way for the State to more closely monitor the use of licensed facilities and to review rates for those facilities". This contract was reviewed by Attorney Murrell and resubmitted for Board approval. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the Residential Services contract was approved, authorizing the President to sign on behalf of the Board.

IN THE MATTER OF THE MAYOR'S COMMUNITY BASED COUNCIL ON SUBSTANCE ABUSE BUDGET:

Ms. Sonya Snow appeared before the Board of Commissioners to present her 2006 Budget for the Council on Substance Abuse. She distributed copies of the budget to the Commissioners and, after explaining the budget, she was available to answer questions. At the close of discussion, Chief Deputy Auditor explained to the Board the process of how the money is appropriated. Attorney Murrell asked if this budget had been approved by her Board. Her answer was affirmative. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, it was unanimously decided to take the budget under advisement until the March 6, 2006 Commissioner meeting.

IN THE MATTER OF CLAIMS AND REPORTS:

Chief Deputy Auditor, Laurie Roper, presented the following issues for Board information and approval:

1. **Commissioners' Salary Claims:** Commissioners' Salary Claims payable December 3, 10 and 17, 2006, in the amount of \$289,010.76 were presented and approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **County Operating Claims:** The Operating Claims, payable February 6, 2006, in the amount of \$853,055.16, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Ordinance No. 2006-BCC-05:** Ms. Roper presented this ordinance as Additional Appropriations for the Howard County E911 Enhancement Services Fund, for a total of \$524,354.00. President Bagwell

commented that there may be changes in the Communications Director line item, because the present director is a candidate for a possible deputy position. With that in mind, a motion was made by Mr. Raver to approve Ordinance No. 2006-BCC-05, in the amount of \$524,354.00. The motion was seconded by Mr. Harbaugh and carried.

4. **Howard Haven Thank You letters:** As a matter of record, Ms. Roper submitted copies of thank you letters mailed by Howard Haven to VFW Post 1152, VFW Post 8035, American Legion Post 317, and Alterra Sterling House of Kokomo, in appreciation of donations received.
5. **Township Assistance Hearing:** Hearing officer, Commissioner Harbaugh, made a motion to uphold the trustee's decision in the Center Township Hearing appeal of Joann McQuiston. The motion was seconded by Mr. Raver and carried.
6. **Weights and Measures Report:** The year-end Weights and Measures Report and the Monthly Weights and Measures Report for the month of December 15, 2005 to January 15, 2006, were submitted. Both reports were accepted by motions made by Mr. Harbaugh and seconded by Mr. Raver.
7. **Veterans Service Officer Report:** The VSO for January, 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. **Red Cross Request:** Mr. Murrell received a request from the Red Cross to hang a plaque in the Courthouse, naming the Hero of the year, based on nominations from the public. After discussion ensued, it was the consensus of the Board to deny the request based on the present policy of space in the government buildings being reserved for government issues.
2. **Back up Township Hearing Officer for Township Appeals:** The present statute for Township Appeals allows the Board of Commissioners to appoint any qualified resident of the County to be a Hearing Officer. In order to help with the scheduling of the Township Appeal hearings, in a timely matter, the Commissioners would like to appoint backup Hearing Officers. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to add Auditor Ann Wells and her Chief Deputy, Laurie Roper, to the list of approved Hearing Officers.
3. **First Amended Tolling Agreement:** At the November 7th meeting, the Board of Commissioners approved a Tolling Agreement with Howard Regional Hospital and St. Joseph Hospital, to extend the deadline for Appeal from thirty to ninety days (*please refer to page eight, item four of the Regular Meeting minutes dated November 7, 2005*). Mr. Murrell is submitting the First Amended Tolling Agreement, extending the termination date from November 1, 2005 until July 31, 2006. The First Amended Tolling Agreement was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
4. **CSI Contract for the Department of Community Corrections:** This is a software Maintenance Contract with the Community Corrections Department and Computer Systems of Indiana. A motion was made by Mr. Raver to approve the maintenance contract with Computer Systems of Indiana. The motion was seconded by Mr. Harbaugh and approved.
5. **Pending Contracts:** Mr. Murrell updated the Board concerning pending contracts.
6. **Vacation:** Mr. Murrell informed the Commissioners that he would not be in attendance at the February 20, 2006 Commissioner meeting due to a previously scheduled vacation. Assistant Attorney Brian Oaks will attend.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Projects Declined:** Mr. Raver submitted a letter from the Indiana Housing & Community Development Authority declining to fund the Taylor Low Income Project and the Hainlen Project. This was the second round of applications.

2. **Resolution No. 2006-BCC-07:** Earlier in the meeting (*please refer to page one, Highway Issues*), Resolution No. 2006-BCC-07 was explained and discussed, as a resolution to support an additional interchange on the north end of Alternative G of the new US 31 Bypass. This resolution also supports that the first year of the Major Moves Initiative annual distribution be dedicated to the construction of the proposed additional interchange, encouraging the City to dedicate their first year's distribution, and to join with the County in petitioning InDOT for the additional interchange. At the conclusion of ensuing discussion, a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve Resolution No. 2006-BCC-07. Mr. Bagwell will be presenting this resolution at the Development Corporation meeting on Friday, February 10, 2006.

3. **Direct Deposit Promotion:** A letter was received by the Auditor's office, from National City Bank, asking to promote Direct Deposit banking. Since the County has previously promoted Direct Deposit banking and a high percentage of county employees are already participating, by consensus, the Board will not take any action, however, they will approve any action taken by the Personnel Office in this matter.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:43 a.m. on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

HOWARD COUNTY COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVER, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELL, AUDITOR
Commissioner Meeting Minutes February 6, 2006